

# **Belarus and the Eastern Partnership: Still a Long Way to Go**

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**B**elarus' official reaction to the Eastern Partnership initiative can be described as »positively pragmatic.« »Positive« in the sense that the initiative can improve relations, both political and economic, and »pragmatic« in the sense that cooperation with the EU is an invaluable instrument for Belarus's economic development and for increasing its exports to EU markets. Moreover, cooperation with the EU is an important counterbalance in Belarus's »multi-vector« foreign policy.

With regard to questions of democratization, the government's position is that this is an internal affair and cannot be subject to what it calls »blackmail by the European Union.« At the same time, during 2009 Belarusian officials stated repeatedly that they were ready to listen to the advice and recommendations of the EU concerning the development of democracy in the country. According to them, the Belarusian government has taken some positive steps, including the adoption of a new electoral code which, according to European experts, is more consistent with the norms and standards of the EU in the field of electoral law.

## **The Approach to the EU: Belarusian Society and the Political Opposition**

The interests and strategies of the Belarusian authorities with regard to Europe remain unchanged, and concern cooperation in the spheres of the economy, energy, and visas. They have maintained a pragmatic policy at the various levels of interaction with the EU. At the level of policy and public declarations the Belarusian authorities maintain the principle of »no conditions, no mediation« and try to show the public at home that interaction with Europe is being pursued on principles and conditions set by the Belarusian side. The level of technical cooperation (the most important thing for the Belarusian authorities) is reduced to the interaction of higher-level officials behind closed doors in the development and

adoption of decisions on specific economic issues, border cooperation, infrastructure projects, loans, investments, projects in the EaP, and so on. There are attempts to transfer all significant issues from the top political level to the lower levels of concrete technical cooperation.

The involvement of Belarus's political opposition is limited to the inclusion of opposition members in consultations and meetings on the elaboration of public positions and declarations. The EU's actual working relationship with Belarus is only with the state.

Regarding the Belarusian opposition, a majority of its members have very positively evaluated the country's accession to the Eastern Partnership. One small part of the opposition objected to Belarus's participation, demanding that Belarus should first have taken several of the political steps earlier put forward by the European Union as necessary preconditions for the development of relations. However, support among the opposition for the country's accession to the Eastern Partnership is giving way to scepticism. They do not believe that the EaP can really advance democratization in Belarus. Nonetheless, some opposition politicians do see the Eastern Partnership as a way to free Belarus from total dependence on Russia.

For the moment, the opposition seems divided into two camps: the »Movement for Freedom« of Aleksandr Milinkevich and his supporters – and all the rest. The public strategy of the first camp is to build the institutional capacity needed to promote and maintain the leadership of Milinkevich. However, with respect to Belarusian–European relations the »Movement for Freedom« is more focused on the development and deepening of contacts within the »instrumental« approach in cooperation with the EU, although without much understanding of the basic contradictions or urgent tasks. The actual role of Milinkevich is to publically voice the problems of Belarus at the European level. However, because it is immersed in the current issues of the opposition struggle, even this leading opposition group cannot fully integrate itself into the workspace of Euro-Belarusian contacts. The rest of the opposition is focused mainly on the »conditional« approach, and it has precious little impact on the country's domestic and foreign policy agendas.

The views of opposition groups reflect public opinion. Belarusian society is divided in its opinions on all of the important issues of public life. The dividing lines sometimes run parallel to differences between generations; sometimes they reflect access to alternative sources of information and level of education. The world outlook and value system

of the younger generation, whose awareness was shaped in the period of the Soviet Union's disintegration and the creation of the state of Belarus, differs markedly from that of middle-aged people and the elderly. A generation has already come of age that is not acquainted with any other native country than the independent Belarus. Indeed, it is difficult to find young Belarusians who are nostalgic about the Soviet Union. Such attitudes, however, are fairly widespread among the older generations. This is not to say that young people generally identify themselves with the opposition. Society at large generally does not trust the political class. This scepticism is particularly evident among the younger generations. The fairly high level of education, access to the internet, and the increasing mobility of Belarusian youth allow them to compare the ethical attitudes and quality of thought of their own political class with what is represented by European politicians.

Another characteristic of the new situation is that there is now more understanding in Belarus of Europe's nature and the necessity for full-scale cooperation. Belarusians understand and value Europe's humanitarian, philosophical, and economic impact within their society. There is no need to explain the benefits of developing high-grade economic cooperation with the EU: the overwhelming majority of politicians, officials, experts, and ordinary citizens understand it perfectly well.

On the whole, it is fair to say that Belarusian society has for many years remained divided (if not split) almost equally into »Bela-Russians« and »Euro-Belarusians.«

As regards the compatibility of the Belarusian public's political culture and European values, Belarusian society is more prepared to adopt Europe's political values (respect for political and civil rights and freedoms) than its cultural values (respect for the autonomy of the individual, personal lifestyle choices, faith, behavior, sexual orientation, and so on). However, the awareness of institutional connections with the EU remains extremely low. This includes awareness of the European Partnership.

## **Perception of the Eastern Partnership in Belarus**

According to Belarusian experts (both government and independent) the EaP initiative should bring about some important and positive long-term effects:

1. Cooperation in the area of energy security. The EaP envisages the signing of a Memorandum of Understanding in the area of energy security, which would lead to »the joint management and even ownership of pipelines.« In this way the EU is planning to implement one of the tasks of the European Security Strategy and to create a belt of good neighborhood and stability.
2. The European Commission, within the framework of the EaP, is planning to gradually reduce visa costs and to simplify visa procedures and, in a long-term perspective, to introduce a visa-free regime for partner countries.
3. Step-by-step economic integration with the EU.
4. Adoption of a free-trade zone agreement.
5. The participant country needs to fully adopt the *acquis communautaire* and to recognize the decisions of the European Court as binding.
6. Complex programs of financial support. The EaP project also envisages a gradual increase in financial assistance in the region, rising from today's 6 euros per person to 12 euros per person in 2013 and to 20 euros in 2020.

On the other hand, there are also doubts concerning Belarus's ties with the EU:

1. It is impossible to correlate the two economic systems. The Belarusian economy is still largely based on administrative tools, while market reforms are inconsistent. Indeed, until Belarus enters the World Trade Organization it doesn't make sense to talk about a free-trade zone with the EU.
2. A large body of Belarusian legislation also needs to be adapted to EU standards. Moreover, there are certain areas in which the Belarusian authorities are not eager to move forward. Perhaps, therefore, a limited format for participation in the Eastern Partnership might be chosen.
3. The Belarusian authorities would like to enjoy pragmatic partnership in areas such as investment, migration, border control, and energy transit: that is, in those areas that seem neutral in the sense that they do not demand the adoption of measures in the area of political liberalization. In the meantime, these processes are interlinked: economic regulations, if implemented consistently, would act to promote changes in the political sphere.

## Government Engagement in EaP Activities in Belarus

The Belarusian diplomatic office has identified the main conditions and areas of participation in the EaP. In sum, this approach includes the following principles and main components of cooperation:

1. Respect for the national interests of each neighboring country, safeguarding the sovereignty of the new neighbor-states, and reinforcement of regional and pan-European security and stability.
2. A flexible approach, combining a uniform regional strategy with individual country cooperation programs geared towards practical objectives. These objectives should be adopted and implemented within a joint institutional framework.
3. A differentiated approach, taking into account individual domestic developmental characteristics and the European aspirations of each state.

Key objectives of cooperation for Belarus regarding each thematic platform:

### 1. Democracy, Good Governance, and Stability:

Enhanced political dialogue, within upgraded and diversified structures and mechanisms of mutual consultation at various levels.

Besides this, it is necessary to provide for the long-term involvement of the neighbor states in Common Foreign and Security Policy (CFSP) decision-making. This should be envisaged through granting them observer status in its structures and setting up joint working bodies. A multi-dimensional Eastern Regional Forum should be created, comprising the six partner countries, EU institutions, and interested EU Member States.

This dimension of partnership should include support for democratic reforms – which is to say that the development of balanced and non-discriminatory dialogue both at the governmental and non-governmental level should become another component of the partnership domain. This should focus on the harmonization of national legislation and enforcement practices with common European standards. Setting up transparent reform-oriented assistance funds, coordinated and monitored jointly by the EU and the neighbor countries, would be an appropriate tool for this purpose.

## 2. Economic Integration and Convergence with EU Policies:

Economic partnership is a vital precondition for fundamental modernization and sustainable economic growth in the post-Soviet countries. The long-term goal should be that of pursuing full trade liberalization and steady progress toward a free-trade area, integral to a future single European economic space. In the interim, the reciprocal but asymmetrical opening of markets by the EU and neighbor states through step-by-step lowering of customs tariffs and narrowing the scope of dutied imports should take place. In the short and medium term the partnership should also include revision of existing EU non-tariff measures against the neighbor states (for example, termination of quantitative restrictions, softening of antidumping, compensatory, and protective measures), granting full market status to their economies, active support for their WTO membership aspirations, simplified access to EU financial resources, insurance of their commercial transactions, and intensified cooperation in the loans and investment area. Belarus proposes the creation of an Eastern Regional Forum and the development of its business dimension.

## 3. Energy Security:

A major aim is to increase the reliability and security of the energy system, constructing a corridor from the former Soviet states to Poland. Attracting European investments in the construction of gas storage units in Mozyr is a vital part of the plan.

## 4. Contact between Peoples:

Partnership is to be pursued in the area of Justice and Internal Affairs – above all, concerning police, customs, and border issues – with a view to jointly combating illegal migration, trafficking of arms, drugs and people, and other transborder crime. A gradual harmonization of the legislation in Belarus, Ukraine, and other neighboring countries with EU legal instruments should be an element of partnership. It is necessary to enable the progressive involvement of the neighbor states in the process of shaping the »Area of Freedom, Security and Justice,« by providing an appropriate formula for their participation in internal EU mechanisms of cooperation (EUROPOL, EUROJUST, European Judicial Network, European Anti-Fraud Office [OLAF], European Monitoring Center for

Drugs and Drug-Addiction, and so on). Assistance in EU-standardized upgrading of border infrastructure in the post-Soviet states should be considerably expanded, optimized, and dovetailed with similar programs in the candidate countries.

An important element of this partnership should be the conclusion between the EU and neighboring countries of bilateral readmission agreements, accompanied by adequate assistance for their implementation (for example, for the deportation of illegal migrants, construction of temporary detention/accommodation facilities, and so on). This will provide the basis for a visa-free regime in the near future. It should be noted that the participation of government experts and diplomats in the working groups and consultations within the EaP program is not sufficiently transparent to the media and thus it is not possible to calculate the real results and progress.

Experts say that Belarus will be focusing on the development of its transit potential: the development of transport corridors, issues of energy security, the simplification of customs procedures, and the implementation of e-declarations for cargo. Jointly with Ukrainian and Lithuanian partners, Belarus has prepared about 20 regional projects within the partnership in the fields of energy, energy security, transport, transit, border management, tourism and ecology and regarding the general cultural and historical heritage of the Grand Duchy of Lithuania. Strategic projects include the creation of the Odessa-Brody-Gdansk oil pipeline, as well as the supply of electricity from Ukraine to Lithuania via Belarus, and cooperating in the field of renewable energy (solar, water, and wind). A Klaipeda-Vilnius-Minsk-Kiev motorway is on the agenda, alongside a European-level »Viking« rail link (from Odessa to Klaipeda via Minsk).

## **Civil Society's Response to the EaP in Belarus**

The Eastern Partnership has raised expectations and served as a catalyst for the mobilization of Belarusian civil society and the intensification of pro-European activities in Belarus. The EU's offer to include Belarus in the EaP was met with enthusiasm, especially by the third sector. The EaP was interpreted by the majority of civil society as a new opening and a historical opportunity for Belarus – one, however, which does not guarantee change.

In 2009, various NGOs and political movements decided to convene the Belarusian European Forum, aimed at mobilizing the potential of Belarus's pro-European forces. The Forum (held in November 2009) was one of the most important events of the year in Belarus. Attended by some 1,000 persons, including several MPs, it reaffirmed the pro-European stance of most of the actors within Belarusian civil society, along with the adoption of a common strategy for further work to raise awareness of the advantages of European integration and to involve the public sector in dialogue with the EU.

Representatives of Belarus's NGOs also took part in the EaP's Civil Society Forum (CSF). The Belarusian NGOs have proven to be highly organized and capable of developing relevant joint proposals in order to institutionalize the CSF. The preparedness of the Belarusian delegation allowed the nomination of Sergei Mackievic, Chair of the Assembly of NGOs in Belarus, to be the spokesperson of the CSF in its dealings with the European Commission and the EU Council of Ministers.

By the end of 2009 the initial enthusiasm of the third sector had faded somewhat, mainly due to lack of progress in extending civil society's scope in Belarus. Indeed, the legal framework for the third sector in Belarus has hardly changed. However, the authorities created consultative councils engaging civil society representatives without any real decision-making powers and implementation mechanisms.

The joint position of Belarus's NGOs is that the EaP carries a number of risks. The main one concerns the »government comes first« approach, which could help to preserve and legitimize the authoritarian system in Belarus. One mechanism of this would be the authorities' strengthening of so-called GONGOS (Government-operated Non-governmental Organizations) in an effort to replace independent NGOs in EU-funded projects, thus marginalizing them even more.

In this respect, NGO experts deem it very important to continue the regular involvement and consultations of civil society actors on issues of EU–Belarus relations. At the same time, civil society actors should be encouraged to go beyond the logic of confrontation and come forward with more realistic and positive proposals in line with their capacities and resources, as well as with larger societal needs.

Another priority should be that of developing the capacity and expertise of civil society, and allowing its representatives to be useful intermediaries between public institutions and EU partners in all EaP platforms and initiatives. Sadly, most European institutions do not



perceive civil society as a real player, preferring traditional forms of communication and cooperation with the state and with a certain spectrum of opposition political forces. However, the inclusion of civil society in the processes of the Belarus–EU working relationship is one of the important prospects for developing relations. One more important task for civil society in Belarus is that of introducing the working processes of the CSF to the public sphere.

Enormous significance is attached to the issue of free travel for Belarusians to the EU for the shaping of pro-EU social attitudes in Belarus.

It is therefore necessary to facilitate EU travel for the citizens of Belarus as much as possible within the framework of the *Schengen acquis*. In the nearest possible future the EU should consider removing Belarus from the list of countries whose citizens are required to possess visas to enter the territory of the Union.

Lastly, in order to prevent the isolation of Belarus, investment in the growth of Belarus's pro-European elite is strongly advisable.

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## Appendix: Brief History of Belarus–EU Relations

Diplomatic relations between Belarus and the EU were established in August 1992. In November of that same year, during the official visit of a delegation of the European Communities, the intention was declared to conclude a Partnership and Cooperation Agreement (PCA) between Belarus and the EU that would replace the Agreement on trade and economic cooperation with the USSR signed on December 18, 1989.

The first summit of the Belarusian authorities and EU representatives took place in April 1994 in Strasbourg. During the next summit in March 1995, which included the visit of Belarusian President Lukashenko to Brussels, the PCA between the EU and Belarus was signed (March 6). On April 12, 1995 this agreement was unanimously ratified by the Belarusian parliament. The agreement created the necessary legal basis for an intensification of cooperation in all directions.

Until the PCA entered into force, trade and economic relations were developing according to the provisions of the Interim Agreement on trade, signed on March 26, 1996. During 1995 and the first half of 1996 the parliaments of eight Member States of the EU (Austria, the UK, Denmark, Greece, Ireland, Spain, Italy, and Sweden) ratified the agreement. The *Bundestag* of Germany also ratified the PCA, but failed to make appropriate notification.

A constitutional crisis developed in Belarus in the early autumn of 1996, and was followed by a November referendum, which was evaluated by EU observers as a fundamental breach of the basic principles stated in the preamble of the PCA. This resulted in the suspension of further ratification among EU countries. Moreover, the European Parliament and other EU bodies adopted a number of resolutions on domestic developments in Belarus, the essence of which was non-acceptance of

the results of the November 1996 referendum and the necessity of political changes in Belarus as a basic condition for developing cooperation. One key decision regarding the guidelines for further European Union policy towards Belarus was the conclusion of the EU Council on Belarus adopted on September 15, 1997, which limited political dialogue and froze the special decision procedure for ratification of the signed Agreement along with the entry into force of the Provisional Agreement on trade. It also significantly reduced the scope of the technical assistance within the TACIS and TEMPUS programs.

Nor did the conflict of the summer of 1998 concerning the residences of ambassadors (which resulted in the recall of all the ambassadors of EU countries from Belarus) serve as a means to promote any improvement of relations. In response, the EU Council made the decision to refuse to grant visas to Belarus's highest officials to the countries of the EU. Attempts on the part of Belarus to normalize relations with Western countries proved fruitless for a long time. Eventually, the EU lifted visa restrictions for Belarusian officials and offered a formula for cooperation based on a policy of mutual step-by-step measures to normalize bilateral relations.

From 2000 to 2004 Belarus undertook efforts to improve relations with the EU. The Belarusian Ministry of Foreign Affairs formulated a set of initiatives on »the concept of responsible neighbourhood with the EU.« This was probably intended as Belarus's own »step-step« approach, although there was no conceptual framework. Rather, there was simply a set of actions meant to partially replace the defective cooperation with the EU.

In the period from 2000 to 2008 the EU's need to seek out new approaches to relations with Belarus was obvious. This was best expressed in the step-by-step policy. Between 2004 and 2008 various formulas (namely: limited, selective cooperation/involvement) were offered, but all of them found expression in a step-by-step policy. Following its visit to Belarus, the »European Troika« formulated four basic criteria, the fulfillment of which is the basis for renewing full-scale Belarus–EU relations. None of the parliamentary elections of 2000, 2004, and 2008 in Belarus were recognized by Europe as democratic and thus did not offer a basis for promoting cooperation.

On the eve of the 2006 presidential elections in Belarus, the Council of the European Union accepted the special document »EU policy options on Belarus,« which defined the conditions and opportunities

for the development of cooperation with Belarus. However, those elections were appraised by the EU countries as failing to meet OSCE standards. According to the EU, Belarus's elections »had not brought the country closer to European democracy.« Nevertheless, the statements of representatives of European structures were less critical than usual, and differed from the statements made by the US. Basically, after the 2006 elections the EU was faced with having to adopt a policy of even more rigid isolationism – indeed, this is precisely what certain politicians in the West and some representatives of the Belarusian democratic opposition called for. But a significant number of political forces and institutes in Europe stressed that any such policy held little promise and did not correspond to the interests of Europe – nor to those of Belarusian citizens.

The European Commission launched the European Neighbourhood Policy (ENP) in March 2003. Initially, Belarus welcomed the European Neighbourhood Policy concept and suggested specific areas for cooperation – without, however, responding to the basic democratic requirements.

On November 21, 2006, the European Commissioner for External Relations and European Neighbourhood Policy, Benita Ferrero-Waldner, tabled a document setting out »What the EU could bring to Belarus,« were Belarus to engage in democratization and begin to respect human rights and the rule of law. It contained concrete examples of how the people of Belarus could gain from a rapprochement with the EU within the framework of the ENP. However, because of the current political conditions, it has not been possible for the EU to offer Belarus the full advantages of the ENP, which are already being enjoyed by other countries in the region (Ukraine, Moldova).

The Council Conclusions from October 2008 and November 2009 opened up new possibilities for dialogue and more active cooperation between the EU and Belarus and reaffirmed the readiness of the EU to deepen its relations with Belarus in light of further developments there towards democracy, human rights, and the rule of law. Subject to progress in these areas, the Council stands ready to take steps towards upgrading relations with Belarus. Finally, after lengthy political discussions Belarus was invited in 2009 to the European Union's »Eastern Partnership« program.

According to the official line of the Belarus government, the European Union is a crucial part of Belarus's foreign policy. Belarus and the EU have many joint issues to deal with. These include the transit and supply of

energy and mineral resources, crime, and the environment, as well as regional and cultural partnership. Belarus's trade with the EU continues to grow. Germany, Poland, Lithuania, Latvia, the UK, the Netherlands, Italy, France, and Belgium are major export markets. At the official political level, Belarus is offering the EU a new comprehensive collaboration with the political sphere as an integral part of shared relations.