

A stylized world map composed of a grid of grey dots, with several dots highlighted in red to represent specific countries or regions.

# A Challenging Opportunity

## The EU plus Six – the Eastern Partnership

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- The Eastern Partnership means a change in the EU's relations to Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Officially launched in May 2009 this partnership programme foresees the possibility of signing an Association Agreement including a Deep and Comprehensive Free Trade Area, the proposal of membership in the Energy Community created for the Western Balkans in 2006 and the suspension of visa requirements as a long-term goal. However, it remains silent on a potential future EU membership of the partner countries.
- Main challenges: The partner countries' democratization poses the highest challenge to the integration process as it is its basic requirement but holds the risk to hamper the integration at the same time. Without rapidly implementing the necessary reforms the costs will increase and the EU loses its credibility. Furthermore the EU's Partnership of Modernization with Russia presents danger to the Eastern partnership as the EU applies double standards concerning the condition of democratization. Above all the Eastern Partnership might not be sufficient to deal with the frozen conflicts of the regions.
- Proposals: The EU has to show its serious commitment to the partner countries by fulfilling its promises without losing the sight of democratic standards. Concrete achievements – especially a change in visa policy – should be the overall objective. In order to involve the civil society as part of the democratization process relations with the crucial NGOs have to be established. While aiming to foster all of the partner countries a differentiation in their treatment should be maintained. According to their progress it is advisable to sign association agreements with Ukraine and Moldova as soon as possible as this would be a positive example for the other partner countries.

## Introduction

The Eastern Partnership (EaP) is the latest idea for building relations with six countries from Eastern Europe – namely, Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine. The EaP was officially launched in May 2009. From 2004 the European Neighbourhood Policy (ENP) directed relations with both Eastern Europe and the Southern Mediterranean.<sup>1</sup> The New Neighbourhood and Wider Europe initiatives (2002-03), which were initially conceived for Ukraine, Moldova, and Belarus, preceded the ENP. To one degree or another, all of these endeavours were a response to the ‘big bang’ enlargement in 2004 / 2007. Back in the 1990s the EU pursued a rather undifferentiated policy vis-à-vis the post-Soviet countries. The Partnership and Cooperation Agreements and the TACIS assistance program were the principle elements of this policy.

Currently there is a debate on the place of the EaP within the EU’s foreign policy. Some argue that it is simply a part of the ENP. Others hold that it exceeds the ENP and is thus something more. This report does not intend to resolve that debate, one that is certainly intriguing and important. Rather, this report simply approaches the EaP as the EU’s efforts to develop deeper ties with the six partner countries – and thus, as a weighty political concept, but not as a set of technical programs and projects.

Today there is an evident need for an appraisal of the EaP’s role in relations between the EU and the six partner countries. However, the difficulty in doing so resides in the fact that the EaP is a very new policy: it has operated for less than two years. This is why it is not easy to present a balanced and insightful analysis. Nonetheless, the first fruits of the EaP may be evaluated, and certain phenomena and tendencies can already be observed, including the approach of the many parties to their mutual relations. Moreover, the basic challenges faced by the EaP have already become plain. We may therefore propose necessary solutions to ensure that the new EU policy for the six Eastern European neighbours bears positive results.

The EaP must also be considered in the broader context of the EU’s relations with other neighbours, global

issues and the EU’s internal situation, which of course directly affects the policy towards Eastern Europe. The question yet to be tested is whether the EaP will foster transformation in the six partner countries. This question is all the more urgent, as there is a yawning gap between the successful transformations of the Central European countries and the three Baltic states (which have all become liberal democracies) and the countries of Eastern Europe, where even in the best cases democracy has yet to be consolidated.

This report is partially based on and to some extent summarizing 1) the six country reports that present the situation in the particular partner countries and their relations with the EU; 2) the report on EU policy towards Eastern Europe; and 3) the report on Russia’s attitude towards the EaP. Each of these reports was drafted within the framework of the *Friedrich-Ebert-Stiftung*’s project on the EaP.<sup>2</sup>

## The EU and the Six Partner Countries: The EaP as the Highest Common Denominator

There are very diverse opinions, viewpoints, and expectations among the EU member states towards their Eastern partners.<sup>3</sup> This diversity stems from three issues of fundamental importance. First of all, there is the matter of possible EU membership for the EaP countries, something which some EU member states support, but which for others is unacceptable. The second issue is that of Russia’s place in relations with the countries of Eastern Europe. The third concerns the dispute over the extent of the EU’s engagement to the East and to the South of its borders – that is, with Eastern Europe and the Southern Mediterranean.

The above-mentioned dissent between EU member states impact the positions of EU institutions regarding relations with the EaP countries. This of course concerns the Council, made up of representatives of the member states. But the disagreement about the three issues out-

1. The following countries were included within the ENP: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, the Occupied Palestinian Territory, Syria, Tunisia, and Ukraine.

2. The reports by Boris Navasardian on Armenia, Rashad Shirinov on Azerbaijan, Vladimir Ulakhovich on Belarus, Tamar Khidasheli on Georgia, Victor Chirila on Moldova, Iryna Solonenko on Ukraine, Rosa Balfour on the EU and Andrei Zagorski on the Russian Federation are available at <http://www.feswar.org.pl>

3. For a fuller account of the positions of the EU member countries and various EU institutions see the paper by Rosa Balfour, available at <http://www.feswar.org.pl>

lined above also influences the position of the European Parliament and the European Commission. In attempting to characterize the distinctions between these EU institutions one may state that the Council is the most conservative in its views on Eastern Europe, and the Parliament is the most progressive. The Commission is situated somewhere in-between.

The past decade has clearly shown that the EaP countries have much more importance for the EU than they did in the 1990s – however; Eastern Europe is still not among the EU's top priorities.

Two events contributed to the EU's changing approach to Eastern Europe over the past 10 years. Firstly, there were the colour revolutions – Georgia's Rose Revolution in 2003, and Ukraine's Orange Revolution in 2004. The outcome of the colour revolutions in those two countries impacted the EU's approach towards other Eastern European states. This became especially apparent in the case of the Southern Caucasus, which was not originally intended to be part of the ENP. But after the events in Georgia there was no question about this country being included. And in so doing, the EU could not forget Georgia's two neighbours Armenia and Azerbaijan. Together these three countries constitute the Southern Caucasus region.

Secondly, the change in attitude towards the EU's eastern neighbours was also brought about by the eastern enlargements of the EU in 2004 (Estonia, Latvia, Lithuania – as well as Poland, the Czech Republic, Slovakia, and Hungary) and in 2007 (Bulgaria and Romania). Following these two rounds of enlargement, interest in the eastern neighbourhood rose markedly in the EU as a whole. The EU-27 views Eastern Europe differently than the EU-15 did. We may say that the eastern enlargement intensified the effect of the colour revolutions in the EU-15. Indeed, across the entire enlarged EU the conviction arose that »they« (the eastern neighbours) might be just like »us« (the EU member states). Liberal democracy can exist in those countries, too, inasmuch as electoral democracy has taken root. This conviction in part grew out of the experiences of the Central European countries, as they had all successfully passed from authoritarian regimes to democracy.

The conviction was becoming stronger and stronger that the EU should pursue one policy towards the six

countries later dealt with by the EaP, and another vis-à-vis Russia. This was especially necessary because Russia itself wished to be treated as an equal partner by the EU, and not as a participant in a EU policy addressed to a larger group of states. For this reason Russia rejected the chance to take part in the ENP that was offered in 2003. This was coupled with the lack of illusions that Russia would opt for the path of rapid democratic reforms. The latest manifestation of that approach is the Partnership for Modernization (PfM), initiated jointly by the EU and Russia in 2010, and in which questions concerning democracy play a secondary role.

At the same time, the distinction between Eastern Europe and the Southern Mediterranean countries within the framework of the ENP came increasingly to the fore. It needs to be recalled that the said distinction has already been made in the EU before the creation of the EaP, as reflected in the proposal »ENP plus« which Berlin tabled as a German initiative before the German presidency of the EU in 2007. From a political point of view, however, the Polish-Swedish proposal for the EaP became acceptable for the EU as a whole not until after 2008, when France advanced its »Union for the Mediterranean« initiative. And thus two policies were established – one for the East and one for the South, both still formally encompassed within the framework of the ENP.

Nonetheless, greater interest in the countries concerned by the EaP did not entail the decision whether the partner countries would have the opportunity to join the EU – or whether this possibility would forever be denied to them. However, both supporters and critics of this further enlargement could accept the EaP in that it remains silent on that matter. For those EU countries supporting the possibility of EU membership (a minority) the EaP is a preparatory stage leading to membership, without mentioning that fact. For the others it signifies something different than membership, or at the very least it adjourns indefinitely the decision to confer the candidate status.

Both sides of this debate agreed to include within the EaP a package of very important proposals, one part of which had already been proposed to Ukraine and Moldova before the creation of the EaP.<sup>4</sup> While the EaP

4. For instance, negotiations with Ukraine concerning the Association Agreement began in 2007, the same year that Ukraine and Moldova signed the Visa Facilitation Agreements that, as a long-term goal, mention establishing visa-free travel.

was being devised these proposals became a coherent concept and an official package that was at least theoretically available for all six countries. The most significant of these proposals are:

- The possibility of signing an Association Agreement, an integral part of which is to include accords on a Deep and Comprehensive Free Trade Area (DCFTA);
- The proposal of membership in the Energy Community created for the Western Balkans in 2006, and whose objective has been to incorporate the Balkan countries into the EU electricity and gas market being created;<sup>5</sup>

And last but not least...

- The suspension of visa requirements as a long-term goal.

Bringing the six partners closer to EU standards is to be served, for instance, by the Comprehensive Institution Building program (CIB), which is preparing the partner countries for the obligations that will result from the Association Agreements.

In accord with EU documents, the necessary condition for making these proposals reality is the partner countries' democratization, as the Communication from the Commission stated in December 2008: »a sufficient level of progress in terms of democracy, the rule of law and human rights, and in particular evidence that the electoral legislative framework and practice are in compliance with international standards, and full cooperation with the Council of Europe, OSCE / ODIHR and UN human rights bodies will be a precondition for starting negotiations and for deepening relations thereafter.«<sup>6</sup> This was repeated by the representatives of the EU and the partner countries during the first EaP summit in May 2009 in Prague: »The participants of the Prague Summit agree that the Eastern Partnership will be based on commitments to the principles of international law and to fundamental values, including democracy, the rule of

law and the respect for human rights and fundamental freedoms, as well as to a market economy, sustainable development and good governance.«<sup>7</sup>

It is worth emphasizing the unusual importance that the EaP gives to relations with civil society, the most outstanding expression of which is the EaP's creation of the Civil Society Forum (CSF). Symptomatically, however, this element is found in the final place of the EaP's four thematic platforms.<sup>8</sup> This could create the impression that civil society is still perceived – by both the EU and the governments of the partner countries – as less important than »serious politics«.

Besides the greater involvement of civil society, the EaP's twin-track also draws attention. On the one track the EaP is built on bilateral relations between the EU and individual partner countries. It seems clear that this dimension is of priority for both parties. The second track encourages multilateral cooperation between the partner countries themselves, or with the participation of the EU or third parties (e.g. Russia). The basic venue for this type of endeavour is that of the four thematic platforms, one that embraces the most important issues on the road to closer ties between the EU and the partner countries.

The EaP having a budget of 600 million Euros until 2013 is often criticized as being underfinanced. However, it seems that no greater outlays could have been expected from the EU budget for the EaP's first years. Here it is necessary to recall that the EaP became a catalyst for additional assistance to be made available for all partner countries, e.g. the Small and Medium-sized Enterprises (SME) facility jointly presented by the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD), or in the form of special packages for specific countries. One example of this is the EU support for Ukraine in renovating its transit gas-lines – another is the help for Moldova amounting to 1.9 billion euros, as established at a special donors' summit.

To sum up we may say that the EaP today is in fact an EU policy towards each of the partner countries individually,

5. For more on the Energy Community see: [http://www.energy-community.org/portal/page/portal/ENC\\_HOME](http://www.energy-community.org/portal/page/portal/ENC_HOME)

It is worth stressing that, in matters of energy, the EaP proposes not only solutions concerning energy security, but also energy sufficiency, something which has a colossal meaning for the incredibly energy-inefficient economies of the Eastern European countries.

6. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.o?uri=COM:2008:0823:FIN:EN:PDF> p.4

7. Joint Declaration of the Prague Eastern Partnership Summit, Prague 7.5.2009, p.5, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/er/107589.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/107589.pdf)

8. The four thematic platforms are: I. Democracy, good governance, and stability; II. Economic integration and convergence with EU policies; III. Energy security; and IV. Contacts between people.

as well as toward the six as a region. But there is one very important exception: that of »hard« security and the associated issue of conflicts that are more or less frozen, and which seem to have been deliberately excluded from the new EU policy. The EaP needs to be perceived as the highest common denominator to be achievable within the EU in 2008, and one, which is still binding in relations with the six countries of Eastern Europe. The basic measure of that common denominator is the agreement not only to deepen cooperation in the political sphere, but also to deepen integration in the economic sphere. Indeed, this was stated *expressis verbis* in the Joint Declaration at the Prague summit: »The main goal of the Eastern Partnership is to create the necessary conditions to accelerate political association and further economic integration between the European Union and interested partner countries«. <sup>9</sup>

### Things Could Be Much Better – The Situation in the EaP Countries

The six countries of the EaP do not form a homogenous group.<sup>10</sup> Alone the geography starkly divides them into two parts: the first comprises the three countries having a direct border with the EU (Belarus, Ukraine, and Moldova) – the second, the countries of the southern Caucasus (Armenia, Azerbaijan, and Georgia).

Much more important, however, is another dividing line, one stemming from the domestic situation in those countries. Here as well, we may distinguish two subgroups – namely, that of countries with autocratic governments, and countries that are democratic to an important degree. The first subgroup includes Azerbaijan, Belarus, and Armenia. The second includes Ukraine, Moldova, and (with significant reservations) Georgia.

The past two years have seen zero positive changes in the autocratic countries. We may even speak of a worsening of the situation. In Belarus the political opposition is still found outside of official political life. The approaching presidential elections to be held in December 2010 (in

which President Alexander Lukashenko<sup>11</sup> will contend for the fourth time) have made the authorities strident towards their political enemies. This is happening despite the EU's efforts to draw Belarus into cooperation. In Azerbaijan the political opposition plays a minimal role, and in March 2009 President Ilham Aliyev guaranteed himself lifetime rule in result of a referendum that abolished the two-term limit for the presidency. The situation in Armenia is somewhat better, although its opposition is also confined to a marginal role. Nevertheless, civil society is faring better in Armenia than in the other two countries. But in none of these three countries we may speak of free and fair elections. Moreover, NGOs and independent media outlets are subject to oppression throughout the countries.

Troublesome events are also taking place in Georgia and Ukraine – two of the three countries earlier defined as democracies. In Georgia, despite the authorities' assurances of a »new wave of democracy« declared in 2008 under pressure from the West, there is no visible improvement of the situation. The opposition is confined to a marginal role, and the government controls the majority of electronic media outlets. The projected amendments to the constitution that would strengthen the position of the prime minister and government at the expense of the president's prerogatives are added. A change of the political system from being presidential/parliamentary to parliamentary/presidential is of course acceptable, but much seems to indicate that the change is being carried out with regard to the conclusion of President Mikheil Saakashvili's second term in 2013. This means that the objective is not to improve the political system, but to assure that power remains in the president's hands (as Saakashvili will likely become prime minister). In Ukraine, which may boast the best electoral democracy among the EaP countries, the work of the new president and government in 2010 elicits more and more reservations. In reliance upon a range of methods, power is being concentrated in the hands of the president – for instance, via the decision of the Constitutional Court to annul the constitutional reform of 2004, which introduced a parliamentary/presidential system. Thus the presidential/parliamentary system was restored. In the opinion of many observers – both Ukrainian and foreign – the new authorities are restricting the freedom of the press.

9. Joint Declaration of the Prague Eastern Partnership Summit, Prague 7.5.2009, p.6: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/er/107589.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/107589.pdf)

10. Detailed presentations of the situation in the individual EaP countries, their attitude toward the EU, and especially toward the EaP (both on the governmental and societal levels) are found in the country reports mentioned in the introduction.

11. The constitutional referendum conducted in 2004 allows Lukashenko to campaign in presidential elections an unlimited number of times. Lukashenko has ruled Belarus since 1994.

Currently in all of these five countries the authorities are focused on keeping power for them, and rely on methods that differ to a certain degree from democratic standards. Such behaviour is of course to be expected in the authoritarian countries (Azerbaijan, Belarus, and Armenia), but it is also apparent in two of the democratic countries – Ukraine and Georgia.

The country that stands out against this background is Moldova, where democratic transformation was ushered in with the parliamentary elections held in the summer of 2009. However, with regard to the inability of the parliament to choose a president (because of the lack of the necessary majority), the work of the new government seems to be skirting the law sometimes. The parliamentary elections planned for 28.11.2010 may entail an end to the existence of the pro-European coalition. Even if the parties of the present government coalition do win a majority, it is not for sure whether they will be capable of effectively governing and implementing urgent reforms, as deep differences have appeared between them.

Concerning those in power in the six countries, the next issue distinguishing them is the matter of EU membership. The current government of Moldova unequivocally favours membership, which in fact is reflected in the very name of the governing coalition: the Alliance for European Integration. Ukraine and Georgia continue to declare their wish to join the EU, but they are not pursuing concerted efforts in that aim. Azerbaijan and Belarus do not speak of joining the EU. In Armenia there is no consensus regarding EU membership.

In contrast to many governments, an active part of the societies of the six partner countries evinces a pro-European attitude. Hence there is a relatively large response of the civil society to the opportunity to participate in the EaP's CSF. NGOs consider the EU to be an important helper in their efforts on behalf of democratization in their countries. Thereby they perceive the programme as a chance to carry out positive changes, although at the same time they fear that the EU will develop relations with their countries regardless of the bad political situation. This is why one part of them is critical of the EU for its much too weak pressure in the area of democratization. This standpoint is very clear in the case of Azerbaijan, and Armenia as well. NGO milieus are expecting openness on the part of the EU, especially in the

matter of visa policy, which is the most important issue for the common people of the partner countries. From their point of view the visa requirement should be lifted as soon as possible – although one may also note (for instance, in Armenia) a fear of greater emigration once visa requirements are lifted.

The absence of public debate on the EaP is plain in the partner countries. Such a situation is not surprising as discussion on and knowledge about the EU are marginal. The appraisal of the EaP in opinion-making circles, in turn, is quite ambivalent. It is easy to meet very wide-ranging views and opinions in each of the six countries. Hence, generalization is difficult. Nonetheless, we may say that, especially in pro-European milieus, the EaP is perceived as an insufficient proposal, albeit one that contains a change of rhetoric that is important from the perspective of the partner countries in that they are defined as »partners« and not just neighbours, as was the case with the ENP. There is also a large symbolic meaning in the opportunity to conclude Association Agreements.

To sum things up we can say that – with the exception of Moldova – the rest of those in power in the partner countries exhibit minor preparedness for genuine co-operation with the EU in the realm of democratization and the reforms necessary for establishing the rule of law. Those in power in Azerbaijan and Belarus have unequivocally rejected the EU's efforts in this area, seeing them as a threat to their existence. They recognize such efforts as an inadmissible interference in internal affairs. Others (for instance, Armenia) are ready to talk with the EU about democratization and the rule of law, although in fact they do not wish to alter the present situation.

To one degree or another, all of the six are interested in economic cooperation (even though it is often grasped selectively) in areas of immediate effects. All are interested in the participation of the EU in modernizing their countries, but this is typically understood as technological modernization and EU financial assistance, e.g., in infrastructural investments and so on – and not in reforms leading to liberal democracy.

## The State of the Partnership – Autumn 2010

In attempting a balance sheet of the EaP's functioning after less than two years it must be clearly enunciated that



nothing has been completed, yet. In the overwhelming majority of issues, the successes that may be listed concern processes that are still underway – but we simply cannot say yet how they will end.

The largest number of positive signs may be seen in Moldova. On 12.1.2010 Brussels and Chisinau commenced negotiations on an Association Agreement. On 17.3.2010 Moldova joined the Energy Community. On June 15 talks began on visa-free travel.

On 22.4.2010 the EU launched a high level advisory group composed of nine advisors who assist the Moldovan authorities in developing and implementing sectoral policies that meet EU standards and practices. The main beneficiary institutions of this advisory mission are the Office of the Prime minister, the State Chancellery, the Ministries of Economy, Finance, Justice, Internal Affairs, Agriculture and Food Industry, the Fiscal Inspectorate, and the Agency for Public Acquisitions. The EU's advisors will assist the Moldovan authorities in negotiating the Association Agreement, implementing the governmental Plan for Economic Stabilization and Development, reforming public administration, drafting strategic policies, and offering advice in the area of human rights, democratization, and good governance. On 15.5.2010, the European Commission and the Moldovan government signed a Comprehensive Institution Building Program for Moldova in the amount of 41 million euros. This will assist the Moldovan Government in preparing national institutions for the implementation of the Association Agreement. The Comprehensive Institution Building program is planned to start in June 2011.

The acceleration of efforts in Moldova's case demonstrates the key role that is played by active involvement of the partner country.

In the case of the other participants in the EaP we should mention the commencement of negotiations on Association Agreements with the countries of the Southern Caucasus (July 2010), the signing with Georgia of an agreement on facilitating visas (17.6.2010), and Ukraine's joining of the Energy Community in September 2010.

The CSF enjoyed relatively large success in the first year of its existence. The involvement of NGOs from the

partner countries was quite striking. The Steering Committee functioned smoothly – it was chosen for a year's term during the first meeting of the CSF in Brussels in November 2009. The work of the CFS thematic groups has been underway on the four thematic platforms.

Nonetheless, the first year and a half of the EaP's existence has revealed a large number of problems on both sides – that of the EU and the partner countries. One example is the lack of progress in negotiations concerning the DCFTA with Ukraine. The new Ukrainian authorities are presenting a hard line, one they themselves deem »pragmatic«. On the EU side, in turn, there is still no consensus regarding road maps leading to visa-free travel for Ukraine and Moldova.<sup>12</sup> The removal of matters connected with democratization by both sides is worrying as well. The priorities of the first thematic platform confirmed by the six partner countries and the European Commission for 2009-2011 is one important example.<sup>13</sup>

## SEVEN CHALLENGES

With regard to the situation that presents itself in the EU and the six partner countries, along with the first fruits of implanting the EaP, we may say that the Eastern Partnership faces at least seven fundamental challenges.

### The First Challenge

The matter of foremost importance is that of the partner countries' democratization. Without laying the foundations for democracy (Azerbaijan, Belarus, and Armenia) or their strengthening (Ukraine, Moldova, and Georgia) even partial integration with the EU will be impossible. Indeed, the EaP's basic documents give fundamental significance to democratization. This poses an enormous problem for the governing elites in the partner countries, as they are often reluctant or even hostile to democratization. It is still too early to speak of any of the partner countries having a functional tripartite division of powers that includes, for instance, the independence of the courts.

12. Recently, however, significant progress has been made, see [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/117327.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/117327.pdf)

13. Cf. [http://eeas.europa.eu/eastern/platforms/docs/platform1\\_091009\\_en.pdf](http://eeas.europa.eu/eastern/platforms/docs/platform1_091009_en.pdf)

The troubles with democracy exist not only at the central level (the state as a whole), but at the local level, as well. The self-government of local communities and decentralization are exigencies. Yet this challenge is very difficult for at least two reasons: firstly, the lasting nature of the old system, being as it is a legacy of Soviet times; and secondly, fears of separatist tendencies. For most of the partner countries this is a real threat. At the same time, however, it provides a convenient excuse for not permitting greater local government, as this would limit the fiat of the central authorities.

Democratization at both the central and local level is crucial for civil society, which (although weak) does exist in each of the six partner countries. Of course, civil society enjoys differing strength across the six countries.

### The Second Challenge

Closer cooperation and partial integration of the partner countries with the EU may come about only through the involvement of those countries' societies. Here we need to bear in mind that not only governments must integrate with the EU, but societies, too. Therefore relations with the society must not be treated as an afterthought in relations with the partner countries. This is why finding a proper place in the EaP has such enormous meaning for representatives of civil society in the Eastern European countries. This is all the more difficult as several or even most partner countries are reluctant to allow the civil society to be involved in relations with the EU. Nor can we fail to remember the weaknesses of civil society in the EaP countries, as civil society is often fragmented there, sometimes dependent on the authorities (GONGOs<sup>14</sup> instead of NGOs), or interested above all in obtaining funds for their endeavours rather than in actually doing something concrete. In addition, there is a danger of the EU cooperating only with chosen NGOs, the ones that have good foreign contacts, but not cooperating with important NGOs that do not have such contacts, although they play an important role in their country.

14. Acronym from: Government-organized Non-governmental Organization – that is, organizations that wish to be seen as independent of the authorities, although *de facto* the authorities control them, or often even create them.

### The Third Challenge

The EU realizes that democratization is crucial, but at the same time that inordinate pressure on democratization can prove to be counterproductive and discourage at least some of the partner countries from close cooperation with the EU. Such a situation can be aptly labelled a »catch 22« – for on the one hand democratization is necessary for integration, but on the other not too much can be said about democratization because it obstructs integration.

The EU is therefore faced with the need to solve the serious political dilemma of whether – despite all – to proceed with further integration of the partner countries in the absence of democratization, or to back away from integration. Nor it is clear if the EU can manage to apply the principle of conditionality (which bore positive results in the case of candidate countries) inasmuch as the partner countries are not being offered the incentive of membership.

### The Fourth Challenge

There is a real danger that the EaP will devolve into a policy of smoke and mirrors based on carrying out projects that will not change the realities in the partner countries, but will nonetheless be hailed as a string of successes. The EU also faces the potential danger of postponing decisions, especially in the matter of visa-free travel.

Many politicians, both in EU institutions and in member states, think that – in the situation presently reigning in the partner countries – nothing can be done. Such an attitude has become possible especially because of the growing disillusionment in many member states and EU institutions over the fruits of the colour revolutions in Ukraine and Georgia. The disillusionment is visible even in the countries and milieus that hitherto had strongly supported the European aspirations of their eastern neighbours, particularly Ukraine.

If the above negative scenario comes to pass, the credibility of the EU would suffer greatly. After all, the EaP is a link in the chain of other difficult EU obligations in relations with the external world, including the inte-



gration of the western Balkan countries and accession negotiations with Turkey. The lack of real progress in integrating the countries of the EaP, because of the EU's shortcomings, would cause a serious deterioration of credibility vis-à-vis external partners across the international arena and indeed within the Union, as well. For the European Union would prove to be ineffective and incapable of achieving its own aims.

### The Fifth Challenge

One serious problem is the preparedness of the partner countries to take advantage of the EU proposal contained in the EaP. This largely depends on the current political situation and that is why it may undergo serious changes in the future. Nonetheless, it is difficult to imagine any country but Moldova exhibiting that preparedness any time soon. Of course, in many countries (e.g., Ukraine) the representatives of the authorities are aware of the need to rapidly reform their economies. But this is seldom coupled with a willingness to reform the state and build democratic institutions.

The partner countries continue to demonstrate a problem with implementing their accepted obligations. Signing a document is treated as a crowning success and the end of matters. Implementation proceeds with enormous difficulty, because of the non-existence of the rule of law and effective state administration.

It must however be remembered that the EaP countries are facing a serious challenge with regard to the real costs of adapting themselves to European standards, especially concerning the future implementation of the Association Agreements that include the DCFTA. The costs of implementing EU norms are rising year by year, inasmuch as the EU is becoming ever more sophisticated.

One extremely threatening matter in the partner countries is the lack of faith in the ability to carry through reforms that would bring the partner countries into line with the EU. This kind of conviction is present even among people having pro-European attitudes.

### The Sixth Challenge

This challenge concerns the relations of the EaP with the Partnership for Modernization (PfM) addressed to Russia, as

the two programs have a basic difference. Within the EaP modernization is conceived as applying to both the state and the economy, and that democratization is essential in both spheres. However, within the PfM modernization above all means the influx of technologies and know-how from EU to Russia without the need for democratization.

The danger exists that the EaP will evolve in the direction of the PfM. And we may be quite sure that some of those in power in the partner countries (e.g., presidents Aliyev and Lukashenko) would be pleased with that eventuality.

For those in power in some of the partner countries the differences between the EaP and the PfM can be seen as proof that the EU is applying a double-standard, inasmuch as Russia gets what it wants from the EU without introducing any reforms at all, while the countries of the EaP have to implement painful reforms (i.e., democratization) in order to receive anything at all. Thus, it cannot be ruled out that the leaders of some of the partner countries might demand that the EU approaches them as it does in the case of Russia.

The EaP must be perceived in the broader, global context of the relations of the democratic world with modern authoritarianism. The EaP countries are still searching for a developmental model that is best for them. They do not have to choose the model proposed by the EU. It is possible, after all, for authoritarian countries to lastingly endure, and even develop and modernize, without democracy. In this context Russia may pose an attractive partner for them at least in the short- to mid-term perspective.<sup>15</sup>

### The Seventh Challenge

We cannot forget about »hard« security, one of the manifestations of which is that of the more or less frozen conflicts. The EU faces the challenge of determining how to correlate EU involvement in those issues with the EaP. After all, the EU's focus on matters included within the EaP cannot spell a diminishing involvement of the EU in settling the conflicts in Eastern Europe. It is worth adding here that settling these conflicts will be

15. Nicu Popescu & Andrew Wilson, *The Limits of Enlargement-Lite: European and Russian Power in the Troubled Neighbourhood*, ECFR June 2009, [http://ecfr.3cdn.net/befa70d12114c3c2b0\\_hrm6bv2ek.pdf](http://ecfr.3cdn.net/befa70d12114c3c2b0_hrm6bv2ek.pdf)

far easier in the case of the partner countries' successful modernization and growing welfare – matters that the EaP is meant to foster.

### What Should Be Done – Eight Proposals

To sum the challenges up we come to the following conclusion: the EU shoulders a heavy responsibility in that it often must be the active party, the motor in dialogue with the partner countries. The situation is different than in the case of the Central European countries in the 1990s, as they enjoyed the prospect of EU membership and were carrying out difficult reforms altogether often without any pressure from the EU.

1. There is an obvious need for a well-oiled machine on the part of the EU. Such a machine should feature implementation of promised programs without delays resulting from red tape. Such an approach on the part of the EU will be extremely important for the partners not only at the government level, but also for other actors of relevance in relations with the EU (e.g., business, civil society) as proof of the EU's serious commitment to the six countries of Eastern Europe. But smooth operations cannot be an end in itself. The political will on the part of the EU for deep involvement in relations with the EaP countries is needed, too.

2. As stressed above, the key for such relations lies with the fate of democratization in the countries of Eastern Europe. The EU must take a clear stand vis-à-vis the anti-democratic actions of the authorities in the partner countries.

Thus, the message must be coherent, both at the level of EU institutions (e.g., the European Commission) and among the various actors within the EU (e.g., member states). There can be no difference of appraisal or failure to speak out on obvious examples of violating the principles of democracy by any of the partner countries. The EU must clearly communicate to the partner countries that progress on the road to integration will be impossible without deep democratic change. And this is indeed what civil society expects in places like Georgia and Azerbaijan.

3. The EU should support the greater involvement of civil society (including political opposition) in

the partner countries of the EaP. This will require a stronger defence of non-governmental organizations in their relations with state authorities. As the absolute minimum we should expect refusal to accept bad legislation concerning social and non-governmental organizations. In the case of the partner countries' social organizations, including political parties, EU support would be of extreme importance in their capacity building. This includes the need to earmark greater funds from both the EU budget and individual member states for supporting the non-governmental sector. However, financial support cannot concern political parties. Nonetheless, the closer cooperation of political parties from the EU with their kindred parties in the partner countries is both possible and desirable.

It is also necessary to increase the funding for the permanent activities of the Civil Society Forum. Its activity must not be confined to a single meeting per year. This is why a greater amount of money must be provided to the Steering Committee, which must have a small office – ideally in Brussels. It would also be highly desirable to finance the work of the thematic groups that have already emerged within the CSF. The best mechanism for this type of support would be grant funding.

For relatively little money the EU can obtain a significant partner in supporting EU endeavours in the partner countries, and also in increasing interest in Eastern Europe within the EU, inasmuch as the CSF also includes NGOs from EU member countries.

The upcoming year may well prove crucial for the CSF. Following the first, relatively successful year of its existence it is necessary to proceed forward towards strengthening its institutions, for without that the CSF is in danger of stalling – and even faltering.

In order to take advantage of the potential latent in civil society a change of mentality is needed on both sides – not only in the partner countries, but also in the EU.

What the EaP must do is to leave the offices of politicians and reach out to the active part of society in the partner countries. The EaP should become a positive emblem in the relations of the EU with the countries of Eastern Europe.

4. The momentum must be taken advantage of. Given the ever so complex and ever fluid situation in the partner countries, time cannot be wasted, lest the window of opportunity for conducting crucial changes be shut forever. The EU must exhibit a willingness to act swiftly: what is essential here is the political will of both the member states and EU institutions, above all the European Commission.

5. Concrete achievements are necessary as well in changing the relations between the EU and the countries of the EaP. One such achievement must be a change in visa policy, for this is the issue number one for the societies of Eastern Europe. Indeed, it is a litmus test of the EU's good will. The possibility of travelling to the EU is the cheapest method for Europeanizing the societies of the partner countries, and for convincing them of the need to carry out internal reform – with democratization at the top of the list. The experience of the Central European countries, which successfully carried through their transformation, shows that the freedom to travel had a fundamental meaning in that process. This is why new conditions for visa-free travel should be defined as soon as possible for Ukraine and Moldova – and talks should begin on suspending visas for Georgians. In the case of the remaining countries the EaP agreements should be hammered out as soon as possible on facilitating the issue of visas. It needs to be remembered that visa policy is a policy vis-à-vis societies, and not those in power. This is why the principle of conditionality (including progress in democratization) can be waived. This of course does not mean that the EU would withdraw from demanding the introduction of EU standards concerning e.g., passport security and proper controls along borders. The ultimate goal should be to suspend visas, and not as a long-term, but a mid-term goal.

6. Association Agreements should be signed with Ukraine and Moldova as soon as possible. There is a great likelihood that (given conducive political conditions) the first country to sign such an agreement will be Moldova. This would be a positive example for other partner countries. And everything that is possible should be done in order to sign an Association Agreement with Ukraine, as well. It is still arguable what concessions will be possible for the EU in negotiations concerning the DCFTA with Ukraine.

A strong signal of support must also be given to the partner countries regarding the process of imple-

menting the obligations to be agreed upon within the Association Agreements, especially the DCFTA. The creation of the CIB was a very important step, albeit an insufficient one, in terms of the scale of changes to be introduced by associating the countries of Eastern Europe with the EU.

7. The future relations of the EU with Eastern Europe largely depend on the changes in the energy sector of the EaP countries. Without introducing energy efficiency it will be impossible to reform those countries' economies. One good harbinger is that of the pilot programs supported by the EU in this realm. Nonetheless, increased EU involvement is obviously needed. We need to bear in mind, however, that these matters have an intrinsically long-term character.

In the short-term what is needed is the full implementation of the obligations resulting from membership in the Energy Community by Moldova and Ukraine. This will be a test of the partners' credibility as to whether they are truly ready to meet the EU's difficult principles and norms. Genuine belonging to the Energy Community will have a positive influence on the transparency of the energy sector (re: gas, above all) in those two countries.

8. First and foremost, in all of the endeavours directed to the six countries of the EaP we need to be mindful of maintaining the greatest possible differentiation in their treatment. Each of the partner countries is responsible only for itself in relations with the EU. Multilateral cooperation is important, but as augmentation to bilateral relations. The EU needs to reward those who truly wish to cooperate. Thus, a healthy rivalry between the partner countries for the title of the »leader« would be desirable.



## Conclusions

No one in the EU questions that the countries embraced within the EaP have ever become more similar to the member countries in regard to both their political and economic systems. This is why the building of democracy in the countries of Eastern Europe has a fundamental meaning. Without deeply involving the societies of those countries in that process the goal of democratization will not be met. This is why the EU should place greater premium on contacts with civil society in the partner countries and recognize those contacts as being equally important as relations with governments.

The feeling of exhaustion is being more and more pronounced on both sides. This often leads to needless complaints and lack of involvement. Here we need to be mindful that the time for waiting for the EaP's concrete effects is limited. Without real fruits it will be significantly harder (perhaps even impossible) to integrate the countries of Eastern Europe with the EU. Concrete measures must be taken in the EU's relations with each of the six partner countries. What is needed is the success of at least one EaP country – and quickly, in the upcoming year or two. That kind of success would be a good example for the others. In order for that scenario to become reality serious work is necessary on both sides. The EU should forego viewing relations with Eastern Europe as merely a long-term goal and propose concrete solutions e.g., to the issue of visa-free travel, deeming it something attainable in the near future. The partner countries, in turn, must carry out genuine reforms – and not confine themselves to imitate them.



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