

BÖLL TEA BRIEFING

2011: A Crucial Year for the Eastern Partnership?¹

2011 could be a crucial year for the Eastern Partnership. The EaP, initially a Polish-Swedish proposal aimed at completing the European Union's foreign policy towards Eastern Europe and the South Caucasus by developing a specific Eastern dimension (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine) of the European Neighbourhood policy, has never really been in the limelight ever since it was launched under the Czech presidency in May 2008. But this could change under the 2011 Hungarian and Polish presidencies. The Hungarians will host an EaP summit on 26 May² and the Poles are committed to bring the EaP back under the attention of (especially) the western Member States. No easy task probably as it is the Mediterranean countries which are currently monopolising everybody's attention. A major issue will be the EaP's funding which will reach €785 million in 2013 but is considered a mere drop in the ocean by many. The Polish presidency will have to negotiate the EaP's funding as part of the EU's multi-annual financial perspective for 2014-2020. Much has already been said about the alleged lack of effectiveness and transparency of the distribution of finance. How effective can the EaP be? What has to change? How important is the involvement of the civil society in the EaP member state and the role of the EaP Civil Society Forum? How can the EU support civil society in the EaP countries?

Georgia

For the Georgian government EU integration remains the proclaimed goal whereas at the same time in society EU scepticism is growing. Still, because of the difficult situation with Russia, the European integration in the eyes of Georgian citizens is the only way of survival, the only alternative to the "Russian scenario". What they expect from the EU is democracy, rule of law, economic integration and security. These expectations are identical with the proclaimed aims of the Georgian government. But whether the Georgian government is persistent in pursuing the goals of European integration is doubtful. As far as democracy is concerned there are problems as the recent arrest of seven participants of a recent popular strike. There are also problems with the judiciary, independent media, elections etc.

In the eyes of civil society, economic issues prevail over democratisation issues in the EaP negotiations. But even concerning economic integration issues neither the European Commission nor Georgia are happy. The Georgian government is not happy because they

¹ **Guest speakers** were **Tamar Khidasheli**, Member of the Board of the Georgian Young Lawyers' Association; **Oleksandr Suschko**, Research Director for the Institute for Euro-Atlantic Cooperation and Director of the Centre for Peace, Conversion and Foreign Policy of Ukraine, **Igor Kohut**, Chairman of the Board of the Ukraine Agency for Legislative Initiatives; Director of the Ukrainian School of Political Studies and Coordinator Ukrainian National Platform of the Eastern Partnership Civil Society Forum. The **discussants** were **Maciej Stadejek**, Policy Officer European External Action Service (EEAS), Department for Russia, Eastern Neighbourhood & Western Balkans and **Jean-Louis Ville**, Head of the Centralised operations for Europe, the Mediterranean and Middle-East Unit, Directorate General, EuropeAid, European Commission, **Special guests** were **Agnieszka Lada**, Head of European Programme/Analyst, Institute of Public Affairs, Warsaw and Visiting Fellow European Policy Centre, Brussels and **Ulad Vialichka**, International Consortium EUROBELARUS; Belarus. The event was held under Chatham House Rule. The opinions expressed do not necessarily represent the opinions of the Heinrich-Böll-Stiftung.

² The summit has been cancelled and will take place under the Polish presidency.

think that there are too many requirements by DG Trade and DG Trade is not pleased with the way things go either. Some Member States apparently do not want to open the negotiations on the Deep and Comprehensive Free Trade Agreement (DCFTA) because of democracy issues. Nevertheless the Commission fails to get a clear message across to civil society, and constrains the criticism to the general claim that civil society as a whole needs to be strengthened. The European Union should give a very clear message to civil society. Not many Georgians know about the positive or negative aspects of DCFTA, a situation which is used by some so-called experts to claim that the EU as an institution is asking too much from the Georgian government and does not care enough about the Georgian public from whom it asks too many sacrifices. There is a need for more information about the requirements and about which requirements are not fulfilled by the Georgian government.

The National Platforms (NPs) of the EaP can play an important role in this. The NP in Georgia unites 80 organisations. It has a watchdog function and also provides recommendations. It is, however, easy for the Georgian government to ignore them. Apparently the Georgian government sees the NP as some strange international platform as only a month after the creation of the NP, a so-called European coalition has been created by government-friendly NGOs. This shows exactly what the strength and the weakness of the EaP is: the government understands that the NP can be an important actor and, at the same, tries to put obstacles in its way. The European Commission should be aware of this fact and should show more support for the NPs. This does not necessarily have to be financial support, but moral support. In order to fulfil their task the platforms need more possibilities to meet and improved access to information and meeting documents. Also, as the Georgian government does care about the opinions of international actors such as the US and the EU, these actors should follow its actions objectively and not criticise behind closed doors, but openly. This would be a backup for the NGOs.

Moldova

For Moldova EaP is a big challenge: its neighbouring country Romania joined the EU in 2007, so the people can observe the effects of EU membership from nearby. In recent years we have seen Moldova going through very turbulent domestic political situations like the clashes in the streets in April 2009 in the aftermath of the elections. Eight years of rule of the communist party are over, but all subsequent governments have just been provisional ones. The start of the pro-European coalition one and a half year ago was promising and there were some moderate successes. However, these successes are not sufficient. The picture of mid-term perspective in terms of national government is still unclear and the parliament is not able to elect a president which probably will lead to the next pre-term elections next year. There is, however, still hope that the parliament will succeed in electing a president. The government consisting of 3 allied parties is promising in the sense of having a pro-European agenda and making integration into the EU a real priority. However, the coalition is rather fragile which makes it impossible to predict whether this government will be successful in the long term.

The overall picture is that Moldavian society remains polarised. A big segment of society is still oriented towards the past. 30-35% of the population is nostalgic or Soviet-minded and there is a danger of a communist comeback like in Ukraine. After all, this group constitutes a significant electoral segment. The more democratic segment of the political landscape is just not consolidated enough to push Moldavian leaders to carry out real reforms which bring the country closer to European standards.

The agenda which is on the table between Moldova and the EU is very important. It is crucial that Moldova successfully launched association talks with the EU. Here lies a big chance, as DCFTAs are an integral part of these negotiations. For Moldova it is essential to get this

additional instrument for getting closer to the EU in terms of the Acquis. But also for trade it is important. It was only in 2007 that the EU became Moldova's biggest trading partner after the accession of Bulgaria and Romania. Even now the two major elements of Moldova's exports - fruit and vegetables and wine - are mostly exported to Russia, only 13 % of the wine is exported to the EU and 15% of Moldavian fruit and vegetables. This is a very small percentage. 60-70% is still exported to Russia which is a very unstable market; because it is inclined to suddenly impose bans for exports. These politically motivated bans could undermine Moldova's economy at any time. The access to the EU market is extremely important for Moldova. Taking into account that the EU trade with Moldova is less than 1%, the country hardly represents a threat to the EU wine industry or vegetable cultivation. On behalf of the EU the political will is needed to appreciate the political value of this agreement. The association track is expected to be finalised very soon. There are no really big challenges. The other important track is visa liberalisation which is of extreme value for society. It is important to implement and monitor the implementation of this document in order to achieve visa-free travel in the near future.

Ukraine

The current Ukrainian government has no real understanding of the possibilities of the Eastern Partnership. Some think that it is like a kindergarten for Eastern country and is about sharing of experience; others talk about funds and budgeting. Officially, the aim of the government is still EU integration, but since about a year there is less talk of it. The thinking of Ukraine's new government is still rooted in Soviet patterns. Civil society is understood as a threat, a dialogue with civil society considered at best unnecessary. Just recently a National Platform of Civil Society was founded which is an open platform without membership. Everybody is invited because the last year has brought many political changes and (electoral and institutional) reforms and many (new) stakeholders wanted to participate in the National Platform. In 2011 the NP aims to pay more attention on selected topics rather than cover all possible areas. There are working groups on environment, energy; more attention is paid on civil participation as essential part of good governance, democracy, security and people-to-people relations. In cooperation with European NGOs the problem of corruption and visa liberalisation will be tackled.

The EaP Civil Society Forum is only one official instrument to talk to the European Commission and civil society should be represented as much as possible in different EU platforms. In this context there is need for more and varied institutional support. In return the Commission can expect more monitoring and assessment from the civil society side.

Economy and democracy

EaP is now a shared responsibility of the recently established European External Action Service and the Commission. The concern that economy issues prevail over democracy, rule of law and human rights is due to the attempt of the EU to build a common comprehensive free trade area in the framework of the Eastern Partnership. Within the EaP the partners are given the opportunity to join the internal market. But that does not mean that the EU is willing to compromise on democratic values like freedom of speech or press or freedom of association. This is substantiated by the founding of the Civil Society Forum, which –since the first meeting at the end of 2009– has now become an integral part of the multilateral track of the EaP. The Commission managed to include the Forum into some technical activities like EaP-panels on climate change, on anticorruption or on SMEs. It is the EU's goal to create opportunities for civil society to cooperate with governments and enrich the governmental track. At the same time the Commission aims to use the civil society forum as an instrument

to allow better monitoring and gathering critical ideas on elements of assessment on how the EaP is being implemented by the national governments.

The EU will try to make full use of the new structures that the National Platforms represent. It is possible for NGOs to cooperate in the EU framework as well as in partner countries on the ground with governments. This approach can accomplish real change and the EU needs this change as the basic goal of the EaP is to bring these countries as close to the EU as is possible at the time being. It means that these countries have to undertake some serious social reforms. The EU will not ignore civil society because if it does it will fail in its general aim.

Europe needs civil society input, like reporting, monitoring and critical feedback, on the discussion with the national governments. Of course, there are different implications for different areas of EaP (e.g. civil society input is not effective in traffic).

It is not the purpose to teach the six partner countries how to do it, the reforms have to come from the national governments. Ownership is essential for the success of the process. The idea is to learn from each other, although the financial assistance is provided by the EU. EaP is a framework in which the reform progress can develop under the scrutiny of peer review.

Rule of law and Euronest

The current situation is that five countries have a joint position on the establishment of the Parliamentary Assembly Euronest³ whereas Belarus opposes it. The question is therefore, whether Belarus should be excluded from EaP for the time being. Some say that in Ukraine, Belarus and Georgia the ruling powers want to preserve the status quo and do not value the designated reforms, which means that despite the fact that the EU offers a lot these three EaP countries, they do not seem to be very interested in the partnership. This makes it even more important for the EU to support the Civil Society Platforms. The quicker the EU realises this, the more effective EaP will become.

EaP is still under construction with Euronest, the European Commission and the Civil Society Forum on one side – the national governments on the other. The monitoring of reports and a bottom-up process are vital for the future. A lot of the old communist thinking patterns have remained in the mentality of the people. EaP introduces new models for governance and is a way to ‘de-sovietise’ society. The communication between civil society and government is still very weak. Euronest provides alternatives and for the moment should go ahead without Belarus; Euronest cooperation with the Civil Society Forum might also be fruitful.

The Commission focuses on the moral part of the support: providing a possibility for dialogue and recognising the civil society National Platforms as partners. Consequently, the EU talks to the national governments in order to bring them to communicate more with civil society partners. There were problems at the start but now programmes (projects) are in places and there will be tangible results soon. An exemplary achievement is the flagship initiative for small and medium-sized enterprises (SMEs). It aims to promote business-friendly environment in EaP countries: advisory services, grants for SMEs, special loans and cheap credits will be provided to establish a middle class in these countries which is important for change.

Achievements of Eastern Partnership after almost two years

³ The parliamentary component of the Eastern Partnership which consists of members of the European Parliament and members of the six EaP countries’ parliaments.

As far as the bilateral track is concerned the negotiations on the association agreement have progressed substantially. The EU and Ukraine will possibly sign papers this year, including an agreement on a Deep and Comprehensive Free Trade Area (DCFTA). Negotiations are also ongoing with Moldova and Georgia. As part of the future Association Agreement, the DCFTA is designed to deepen Ukraine's access to the European market and to encourage further European investment in Ukraine. Another important tool is the CIB (Comprehensive Institution Building Programme) which focuses on capacity building through training, technical assistance and equipment and aims at more accountable administration in the long term.

The multi track 'machinery' is all set up, including platforms covering everything from anti-corruption to integrated border management. There are many achievements one can be proud of; the problem is visibility/communication. The Commission needs the civil society platforms, NGOs and think tanks to get the message on EaP across to the public. Effectiveness could be increased in cooperating with the governments in a different way: more measurable benchmarks have to be developed. This would help to distinguish real from ostensible progress. The amount of money available for the EaP will largely depend on the reform enacted by the six nations. The ENP review, which will be published at the end of April, will be interesting to read and parts of it will also have implications for potential improvements of the EaP.

In terms of the general frameworks EaP is a very useful platform which promotes interregional communication for the countries which previously only communicated in the post-Soviet context. This is the first platform to bring those countries together out of this context which is a substantive step ahead for both, societies and governments. On a more practical level, it is an attempt on behalf of the EU to introduce a regional and non-discriminatory approach which means that every country has a chance to proceed with visa-liberalisation, trade liberalisation or other available components. Previously every country had to fight by itself for every step. Now, nobody needs to do this anymore. EaP is a joint instrument applied to all six countries. This makes the whole process less time and energy consuming. From a civil society point of view it has to be said that what the EaP needs now is a palpable, visible success. This is the challenge for 2011.