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## **The EU's Eastern Partnership – More for More, or More of the Same?**

**Abstract:** *The Eastern Partnership (EaP) is a relatively recent form of the EU's engagement with its Eastern neighbours, although it is firmly placed in the existing frameworks of cooperation. Initiated as a restatement of the EU's commitment to diffusing shared democratic values, it confronts a distinct degree of democratic backsliding in the region. The EU's rediscovery of civil society as an instrument to curb such troubling developments is commendable. Yet it is crucial that civil society involvement in reform goes beyond being a mere procedural requirement and strives towards genuine ownership. In order to achieve this, the definition of civil society needs to be inclusive and derived from the local political context. A more individualised approach to forging relations with countries in the region is a positive sign, but it can only come to fruition if it is accompanied by a substantive rethinking of the logic of the EU's assistance. The proliferation of tracks and venues of cooperation that the EaP brings about requires a better justification for the allocated funding and more in terms of its synergy with existing programmes for and in the region.*

### **Introduction**

The Eastern Partnership (EaP), the youngest among EU's cooperation frameworks for Eastern Europe and the South Caucasus,<sup>1</sup> concluded its second summit in September 2011 in Warsaw. With a heavy investment into a PR campaign in the run-up and throughout the summit, the Polish Presidency sought to revive its pet idea and thrust it into more vigorous reins. Yet the summit exposed in full view what many analysts have already noted: there is little about genuine partnership in this arrangement, either in terms of the relationship with the EU or among the EaP countries themselves. The self-isolating

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<sup>1</sup> The EaP covers six countries in the region: Belarus, Moldova, Ukraine, Georgia, Armenia, Azerbaijan.

Belarus and the defiant Ukrainian leadership stood out in the foreground as bad apples throughout the summit, partially obscuring the fact that a more general democratic backsliding in the region and the re-heating of the Nagorno-Karabakh conflict are perhaps more significant issues.

Those who think the summit was a success will argue that the renewal of the EU's commitment to the region will help maintain stability in the East, while keeping the region out of the tentacles of Russian influence. And they will argue too that presumably the renewed commitment in the East will more closely align the region with European values. But this kind of jargon is the only consistency in the EU's re-branded initiatives toward the region. The EaP is yet another incarnation of a weak EU pledge – one that has still not been reciprocated by commitments of the region's leaders to democracy, the rule of law, and political reforms. The EU's Eastern partners refused to sign the declaration on Belarus, which was formulated simply as an expression of 'deep concern over deteriorating human rights, democracy, and rule of law',<sup>2</sup> even though the core of EaP is supposed to be based on sharing these democratic values. They all had their reasons, ranging from the geopolitical to domestic concerns amid political infighting, which restates the importance of an individualised approach rather than the 'group therapy' that the EU has tended to impose via its European Neighbourhood Policy (ENP). All this drives home the concern about the EU's persistence in reproducing some of its least effective practices in its dealings with the Eastern neighbourhood. The EaP is framed as a broad vision that offers an alternative, but it smacks more of the decades of dubious EU trades in the Southern neighbourhood. Throwing money into a problem is a long tradition of the EU's external assistance, and European leaders invoked it once again, offering Alexander Lukashenko 9 billion euros in exchange for freeing political prisoners and holding free and fair elections. Yet the existing circumstances call for a rethink, and not exclusively *vis-à-vis* shrinking resources in the times of financial crisis. In place of the bullish conditionality and blatant antagonising, we recommend smarter, tailor-made, and more committed strategies for making the Eastern neighbourhood a better place. The reinforced emphasis on partnership with civil society may be a good way to go ahead. The newly recalibrated ENP,<sup>3</sup> of which the EaP is part, introduces ideas which may help break the pattern of the EU not delivering on its promises to support civil society. The Joint Communication

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<sup>2</sup> Council of the European Union, *Declaration on the situation in Belarus adopted on the occasion of the Eastern Partnership Summit*, doc. ref. 14983/11, Warsaw, 30.09.2011.

<sup>3</sup> European Commission, Joint Communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission, *A New Response to a Changing Neighbourhood. A review of European Neighbourhood Policy*, Brussels, 25.05.2011, COM(2011) 303.

issued by the European Commission and the EU's High Representative for Foreign Affairs formulates the concept of 'partnership with societies' and declares support for 'deep democracy', to which civil society is fundamental. It explicitly promises curtailing relations with governments engaged in violations of human rights and democratic standards. Holding governments to account and making good on the EaP's unconditional commitment to civil society should indeed define the implementation of the new 'more for more' principle. Importantly, such an approach must not degenerate into *imposing* the EU's idea of civil society, but rather should contribute to the *healthy development of local political dynamics*.

In this text, we offer some observations about ways to facilitate such a recalibration of the current approach. We start with a critical discussion of some of the instrumental features of the EaP, including its political rationale and operational framework. We then proceed with an analysis of the specific aspects of sector-based cooperation, and conclude with some general remarks concerning the future of the EaP.

## 1. The Eastern Partnership – a critical reintroduction

Launched at the Prague summit in 2009, the EaP was initiated as a Polish-Swedish joint venture aimed at reinvigorating the EU's fading ENP. The official justification was stated as the need for a differentiated approach, while still respecting the character of the ENP as a single and coherent policy framework. The EaP proposed deeper bilateral engagement based on new contractual relations, a gradual integration with the EU economy, enhanced mobility and security, cooperation for a secure energy supply, and enhanced support for economic and social development.<sup>4</sup> As an improved forum for cooperation within the ENP, the EaP is to provide the foundation for new Association Agreements (AAs) between the EU and those partners who have made sufficient progress towards adoption of the EU's principles and values: 'democracy, the rule of law, and respect for human rights (...) as well as the principles of market economy, sustainable development, and good governance'.<sup>5</sup> These themes have always been present in the ENP repertoire, but cooperation needed a boost. Analysts emphasised other reasons underpinning the initiative: the refusal of NATO to accept Ukraine and Georgia as members, the need to en-

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<sup>4</sup> See: Joint Staff Working Paper, *Implementation of the European Neighbourhood Policy in 2010 Report: Eastern Partnership*, COM(2011) 303, Brussels, 25.05.2011.

<sup>5</sup> Council of the European Union, *Joint Declaration of the Prague Eastern Partnership Summit*, doc. ref. 8435/09, Brussels, 07.05.2009.

courage then-Ukraine President Viktor Yushchenko and President Mikheil Saakashvili of Georgia not to give up on the Western orientation, and the pressing and constant demand to diversify gas supplies and keep the EU in the loop about the regional gas politics.

Political momentum and the mobilisation of energy for reforms has transpired, however, almost exclusively in the realm of declarations. While the EaP introduces some technically innovative tools of cooperation (see below), its implementation resembles and reflects the logic of mechanisms created within the ENP Action Plans, with much of the funding still flowing through the European Neighbourhood and Partnership Instrument.<sup>6</sup> In many areas of EaP flagship initiatives, drafters were hard pressed to find a niche for new projects to which the EaP brand could be attached, as the region is already well catered for by multiple international public and private donors. Clearly, something more than insufficient funding and ill-advised project coverage is at play. The usual suspect is concern with the coordination of international donors' efforts, or de-conflicting, as some who have abandoned the illusion of synergy like to point out. Insidiously enough, many of the projects in need of de-conflicting originate within the 'EU family'. This fragmentation in the EU's approach, lack of strategic coordination and daily communication, and extensive outsourcing of implementation to private consultancy companies and international organisations with their own *modus operandi* muddies the picture beyond comprehension. The EaP has not even begun to break this pattern. It originated in and operates using the same technocratic and ultimately self-referential logic. The EU agents are busy making sure their own procedures are followed and budgets spent, as otherwise they will be reduced in the next financial cycle. They require the introduction of pre-packaged reforms that sit uneasily with the local social and political systems, then wonder that they misfire and blame the recipients. The latter are eager to secure more financial assistance at different levels, so they are usually willing to adopt paper reforms.

A wider shift towards a sectoral approach, based on devising strategies for the reform of an entire sector, offers possibilities for improvement of this situation. Its implementation will still however depend on the piecing together of inputs and effects (often lagging) of numerous projects, some of which are drowning in the sea of technical assistance to the region. It also raises democratic concerns, which we address later on. The EaP did open new financial avenues, such as that under the European Investment Bank's Eastern

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<sup>6</sup> The EC has earmarked €600 million for the six EaP countries for the period 2010–2013 as part of the European Neighbourhood and Partnership Instrument, constituting about a quarter of the total funding available to EaP.

Partnership Facility (€1.5bn). Yet funding, as many of those involved admit, often remains underutilised. This is not only due to the genuine lack of governance capacities in the region. It also reveals the fragmentation and separation of funding tools on offer, which bewilders both the local actors and EU-mandated implementers, who cannot possibly grasp this uncoordinated diversity and thus can hardly advise their advisees. Money talks, and the eastern neighbours expect immediate financial benefits from the EaP. EU needs to provide funding as its buy-in in order to be eligible for mentoring over change, and to show more than just rhetoric about values. This is a longstanding dilemma, illustrating the complexity of externally assisted reform, which has the same elements of a 'deal' as negotiations over an international treaty. There needs to be a more streamlined approach to pouring money into the EaP and a stop needs to be put to perpetuation of the existing labyrinthine logic of assistance.

Unlike an accession process, in which candidate countries must adopt the bulk of EU *acquis*, the EaP offers sector-based integration *à la carte*, with EaP partners choosing among specific sectors offered by the EU. Sectoral integration has brought about positive results only in cases when the interests of both sides coincide. This has been partially the case in trade, and in enhanced mobility, conditional upon border management reform, which the EaP prioritises. Yet reform is particularly impeded in those spheres where the rent-seeking attitudes of the political and economic elites prevail, for example in the spheres of public procurement or the energy market in Ukraine. While sector-wide reform assistance goes some way towards alleviating the fragmentation of project-based aid, it also raises fundamental questions about democratisation and transparency. Unfolding at the mid-level of the governmental hierarchy, it neither provides an overall comprehensive picture of social reform, nor does it attend to the daily needs of ordinary citizens. The promotion of technical harmonisation in policy-specific areas instils distinct practices of governance, but it glosses over the broader issue of civil liberties and the human dimension of such interventions. The modes of cooperation, where actions follow the dealings of mid- and low level officials, may speed up the incorporation of particular solutions, but it obscures the consequences of such decisions for the society at large. Making explicit or tacit bargains with local elites can be counter-productive in terms of building 'depersonalised' state institutions and broadening political representation, fundamental values for which the EU stands.

Below we briefly review the major trends within the framework outlined above: the shift to sectoral cooperation, the negotiations over trade, the emphasis on integrated border management (IBM) in connection with the promise to enhance mobility, and the civil society initiative.

## **2. From regional to intra-regional and sectoral cooperation**

As compared with the overarching ENP, the EaP has been presented as incorporating a much higher level of differentiation, allowing each partner country to develop its links with the EU insofar as its own aspirations, needs, and capacities allow. The EaP also emphasises the need for intra-regional cooperation and cross-country exchanges of practices. Often expressed as ‘bringing stakeholders together’, this strategy has become a significant means of trying to decrease animosity and foster regional collaboration. Such an approach is a welcome response to the ENP’s rather blanket treatment and its ultimate failure to distinguish between the different needs of countries in the region. Crucially, the EaP remains part of a bigger and more complex picture of EU relations with its Eastern Neighbourhood. Its rationale has been mainly political, but in this respect it sadly seems to have failed. The EaP also adds to the mind-numbing fragmentation and overlap of EU reform initiatives in the region. Having said that, many hope that what it can do is to forge and promote cooperation in several crucial sectors.

The EaP has four thematic platforms, designed to offer flexible ‘spaces of discussion’ ‘where experiences, best practices and lessons-learned can be shared, compared, and spread among those who need them to support their own efforts’.<sup>7</sup> These platforms are: 1) Democracy, good governance and stability; 2) Economic integration and convergence with EU sector policies; 3) Energy security; 4) Contacts between people. The EaP also has identified the following flagship initiatives: Integrated Border Management; Small and Medium Enterprises; Regional Electricity Markets; Energy Efficiency and Renewable Energy Sources; Prevention, Preparedness, and Response to Natural and Man-made Disasters; and Environmental Governance. The EU-Neighbourhood East Parliamentary Assembly (EURONEST) supports the parliamentary dimension of the EaP. The EaP has also created a Civil Society Forum and incorporated a Comprehensive Institution Building (CIB) programme to strengthen core institutions that are central to preparing the groundwork for and implementing future AAs, including Deep and Comprehensive Free Trade Areas (DCFTAs), and making progress towards visa liberalisation a long-term goal. A budget of EUR 173 million has been set aside for CIB implementation in the six partner countries through the relevant 2011–2013 National Indicative Programmes. We cite this list to illustrate the proliferation of tracks which overlap, both in terms of substance as well as participants, with other existing frameworks. The issue of added value seems inevitable. The oft-cited achievements of the EaP in the areas of trade and enhanced mobility are traditionally

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<sup>7</sup> Joint Staff Working Paper, *op.cit.*, p. 5.

well covered and generously funded. But what makes EaP better equipped to deal with these other areas, and does it justify the proliferation of institutional entities which need to be staffed and maintained? How are these different platforms and flagship initiatives integrated into sectoral reform designs and programmes, including funding mechanisms?

Deepening trade relations has been the hallmark of the initiative, but fundamental problems persist and paper reform will not suffice. Border management reform has traditionally featured high on the agenda in connection with visa facilitation and visa-free dialogues. Ultimately, it seeks to curb irregular migration. Yet the panic over irregular migration in the aftermath of the Arab Spring, when migrants from the Southern neighbourhood caused friction among the receiving states (Italy, France, Greece) does not create favourable conditions for a partial opening of borders in the East. The EU was much quicker to deploy the capacities of Frontex to deal with the situation than it was to organise any coherent diplomatic action.

While the Eastern Neighbourhood Policy does not pose a similar danger, it is nevertheless associated with poverty, criminality, and black labour migration, which cannot expect a welcoming embrace amidst an economic crisis. But wealthy criminals may have few problems obtaining a Schengen visa. It is paramount that the EU does not penalise ordinary citizens in its visa policy and that it does not wind up only facilitating mobility for young professionals, who will find their ways to compete on the global market anyway. This is important if the EU wants to shed the image of making deals with the corrupted elites, and if it truly wants to avoid adding to the frustration at the grassroots level with 'business as usual'. It is more than just a question of branding – such an outreach could show that a different, freer, and more participatory model of life is possible. In this context, the reference to the Arab Spring may have limited appeal, as the region has experienced its share of coloured revolutions that largely failed to improve the life of ordinary citizens. The populist 'Occupy' movement in the US and the globally reinvigorated voice of civil society may constitute better inspiration, as they focus on democratisation from below.

In this respect, the EaP's Civil Society Forum is a promising space to begin. It is hardly a novum in the EU's assistance repertoire, which is required to consult and liaise projects on the ground with civil society partners. But the political climate is ripe to substantiate this relationship, so that it is more than just a checkbox on a project implementation form. It is necessary to invest in the creation of an environment where civil society organisations can acquire a freer standing, rather than reproduce existing state practices at the lower level, including endemic corruption, nepotism, and disrespect for citizens. This is no small task, and its magnitude makes it more than just a question of funding. It must

also be about the EU controlling its tendency to patronise over what civil society should look like. The societies in Eastern Europe and the South Caucasus may be culturally closer to the EU than Arab societies, but they certainly have their own social and political customs, traditions, and dynamics.

## **2.1. Trade**

One of the main components of the EaP is comprised of negotiations to create Deep and Comprehensive Free Trade Areas (DCFTA(s)), which are projected to unfold in parallel with the work on AAs with individual countries. DCFTAs provide for the gradual dismantling of trade barriers and aim at regulatory convergence in areas that have an impact on trade. The EU holds out the promise that, for the most advanced partners, a DCFTA can lead to progressive economic integration with the EU Internal Market. To be eligible, partners need to have a fully functioning independent judiciary, an efficient public administration, and have made significant progress towards the eradication of corruption. As of the moment of writing this article, none of the EaP countries yet approximate these goals.

Negotiations on the AA with Ukraine, launched in 2007, continue on, and talks on the DCFTA were successfully concluded on 20 October 2011. This does not yet mean the signing of an AA, which will be subject to ratification in every member state. The fate of the negotiations became uncertain in early October, on the eve of the sentencing of former Prime Minister Julia Timoshenko to seven years in jail, a move which triggered boisterous reaction from European leaders and resulted in the cancellation of the then-pending visit of President Yanukovich to Brussels. It presented the EU with a critical dilemma. Should it, as a retort, drop or freeze the AA and/or DCFTA? Or should it pass the buck to the several EU member states, some of whom would no doubt fail to ratify them?

Crucially, DCFTAs require a high degree of commitment to complex and broad-ranging reforms. These reforms are politically challenging and require the involvement of the business community as well as other interested parties. Some analysts argue that it is all too easy and not uncommon for these countries to fall back on a default model, where business is controlled by cliques which are part of or close to the political elite, enabling the rules to be bent. Here, as Thomas de Waal argues, Russia offers a much more straightforward model, as its businessmen provide lots of easy capital, while the EU's toughly regulated economy model poses a risk to the position of the oligarchs,<sup>8</sup> thus triggering resistance to the DCFTA with the EU.

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<sup>8</sup> T. de Waal, *Expanding the EU's Ostpolitik*, "Strategic Europe", 24.10.2011. Available at: <http://carnegieeurope.eu/publications/?fa=45792&lang=en> (last visited 29.11.2011).

## 2.2. Border matters

The Joint Declaration of the Prague Eastern Partnership Summit of May 2009 includes the provision of enhanced mobility, which envisages the gradual possibility of 'full visa liberalisation as a long-term goal for individual partner countries on a case-by-case basis, provided that conditions for well-managed and secure mobility are in place'.<sup>9</sup> Ukraine and Moldova were the first EaP countries to receive visa liberalisation action plans, in November 2010 and January 2011 respectively. Georgia is one step behind, implementing a visa facilitation agreement with the EU in March 2011, while negotiations with Armenia and Azerbaijan are expected to result in an agreement in the near future. An additional EU instrument for the gradual elimination of visas, while enhancing the mobility of citizens, is a mobility partnership, currently concluded with Moldova, Georgia, and recently Armenia.<sup>10</sup>

Visa facilitation and visa-free dialogue is a heavily conditionality-based tool which requires significant reforms in border management, based not only on technical solutions such as the introduction of biometric passports. It also aims to curb irregular migration, as visa facilitation agreements are only signed if accompanied by readmission agreements so that unwelcome migrants can be sent back to the EaP countries of origin. Mobility partnerships are a tool for managing labour migration, and it is essential that the EU does not solely privilege the mobility of professionals, but reaches to different strata of EaP societies.

As regards the broader synergy, the negotiations over visas should be better coordinated with frameworks and projects in the region geared towards introducing the IBM models, such as the EU Border Assistance Mission to Moldova and Ukraine which, *inter alia*, helped both countries draft their national IBM concepts. There is much room for action and potential for added value within the South Caucasus IBM (SCIBM), launched under the EaP IBM Flagship Initiative. Because of the unresolved Nagorno-Karabakh conflict, this programme can only operate through bilateral Georgian-Armenian and Georgian-Azerbaijani arrangements. This should not, however, hamper the possibility of attending to the distinct needs of each of the countries involved. Assisted by the EU's Border Support Team (BST) under the mandate of the EU Special Representative for South Caucasus, Georgia has adopted a strategy for IBM and should appreciate and obtain support for its implementation. Those involved in the design of the Georgian strategy have voiced concern over how it would be followed up, and the SCIBM could constitute an excellent opportunity to add to the implementation efforts.

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<sup>9</sup> Council of the European Union, *Joint Declaration of the Prague Eastern Partnership Summit...*, op.cit.

<sup>10</sup> See especially: M. Arcipowska, *EU Visa Dialogue with Eastern Partnership Countries*, "Bulletin of the Polish Institute for International Affairs" No. 91(308), 04.10.2011.

The state of the Armenian and Azeri border, quite apart from incomplete demarcation, is mired in the Soviet legacy and requires enormous work to bring it in line with modern border management. The SCIBM is executed by UNDP, a frequent implementer of the EU's border-related projects, but it is vital that tailor-made solutions are found rather than simply imposing templates.

### **2.3. Civil society**

The inclusion of civil society in the EaP process is one of the most frequently mentioned positive aspects of the partnership and, in our opinion, one of the most critical for the recalibration of the cooperation. It taps into a broader ENP declaration in support of deeper democracy, which envisages the establishment of a Civil Society Facility for the neighbourhood and supports the creation of a European Endowment for Democracy (EED). Substantively, this should involve the EU's encouragement of a greater political role for non-state actors through a partnership with societies, helping civil society organisations to develop their advocacy capacity, their ability to monitor reform, and their role in implementing and evaluating EU programmes.

The EaP has its own medium dedicated to this role – the Civil Society Forum (CSF). The CSF was established to support the emergence of a strong and effective citizenship in partner countries and integrate as much as possible the views of civil society into the workings of the EaP. Developed into a substantial platform with the involvement of the EU's civil society organisations, it has the potential to foster a truly innovative model of policy-making. It is crucial, however, that it does not end up as a facade for appearances, but it is streamlined into the design of real reform in the region. Each of the EaP countries has a different level and diverse forms of civil society, so it is equally important that the national platforms are taken seriously and the EU adopts an inclusive definition of eligible non-state actors.

In this respect a lot depends on how the idea of the EED will be implemented. Intended as a 'light' version of the existing tools for the promotion of democracy, the EED is expected to reduce the bureaucratic burden associated with the funding of civil society. By introducing more flexibility into the current grant-making architecture, the EED is supposed to stimulate bottom-up democratisation processes. After discussions in the European Parliament, on 15 December 2011 the Committee of Permanent Representatives in the European Union (COREPER) adopted a declaration on the establishment of the EED.<sup>11</sup> It envis-

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<sup>11</sup> On the role of the Polish advocacy in promoting the idea of EED see X. Kurowska and P. Pawlak, *Mesjanizm w transformacji*, Komentarze Międzynarodowego Centrum Badań i Analiz (ICRA), <http://www.icra.pl/index.php/aktualnosci/komentarze/item/92-mesjanizm-w-transformacji> (last visited 12.02.2012).

ages the Endowment as a grant-awarding institution with a lean structure, geared towards fostering 'deep and sustainable democracy' in transition countries. In the discussions expected to take place in the first half of 2012, it will be a genuine challenge to operationalise these generic provisions in a politically savvy fashion and work out viable criteria for grant-making.<sup>12</sup>

### 3. European prospect or Eurasian Union?

The standing criticism regarding the implementation of the EaP is that there is a lack of a 'European prospect', i.e. a powerful incentive-based conditionality, which creates the biggest obstacle to reform. The 2004 and 2007 enlargements cannot be considered examples to emulate in this context. Central Europe was presented with an *aquis* which by and large it had to incorporate, and any scope for negotiation was slim. Research on Central European accession shows that the effectiveness of incentive-based conditionality was high, because of the credible membership offer and the fact that the governments did not consider the domestic costs of compliance threatening to their hold on power.<sup>13</sup> And it is precisely these two factors which are absent for the EaP, which has no firm membership offer on the table, and with the EU democratising agenda potentially endangering the position of ruling elites in the region.

Scholars working on external governance have been trying to pin down to what extent the EU is able to integrate its external environment into common systems of rules, absent the prospect of EU membership. They aptly describe the practices that prevail in the cooperation with ENP/EaP countries as follows: the interaction proceeds according to a sectoral policy-specific logic, it has a tendency to rely more on networks rather than hierarchy, and it promotes approximation to the EU's model rather than the adoption of identical solutions.<sup>14</sup> While this description of external governance rightly pinpoints the

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<sup>12</sup> For a more extensive discussion about the issues related to the EED see: Open Society Institute, *How could a European Endowment for Democracy add value?* Discussion paper, September 2011; R. von Meijenfeldt, *A European foundation for democracy: what is needed?* Policy Brief No. 93/September 2011.

<sup>13</sup> See: F. Schimmelfennig, U. Sedelmeier, *Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe*, "Journal of European Public Policy" Vol. 11(4)/2004, p. 661–679; R. Epstein, U. Sedelmeier, *Beyond conditionality: international institutions in postcommunist Europe after enlargement*, "Journal of European Public Policy" Vol. 15(6)/2008, p. 795–805.

<sup>14</sup> S. Lavenex, F. Schimmelfennig, *EU rules beyond EU borders: theorizing external governance in European politics*, "Journal of European Public Policy" Vol. 16(6)/2009, p. 791–812, p. 807–808.

prevalent forms of interaction, it however falsely assumes as a given the EU's ability to transfer its norms and values, and thus overestimates the EU's effects. It also takes for granted the EU's right to transform the Eastern societies in a unidirectional way. Yet the EaP countries have not seen sustained transformation in the last two decades, and many therein would question the EU's superior standing on the market of external assistance.

The role of the EU as the only option for Eastern European and Central Asian countries has been challenged by Russian Prime Minister Vladimir Putin, who has made his own proposal for a Eurasian Union (EAU), outlined in early October 2011. The guiding idea behind this initiative is the creation of an economic grouping focusing on integration between Russia and the former Soviet republics that would further allow for the institutionalisation of Russia's influence and creating 'a new pole in the modern world'.<sup>15</sup> The EAU will largely build on the Single Economic Space of Russia, Belarus and Kazakhstan, and will expand the integration process (including the use of a single currency) to other countries of the Commonwealth of Independent States.

For the moment, Ukraine has resisted any form of closer cooperation with Russia, presenting this position as proof of its 'European choice'. Georgia is clearly opposed to any Russian initiatives, which it sees as expression of Russian imperialist ambitions. However, even though the idea has not received anything yet resembling a unanimous endorsement of all countries in the region, it nonetheless constitutes an attractive, to some, alternative to the 'European package', which is perceived as coming with too many strings attached.

## **Conclusions and the way ahead**

The EaP is branded as a forum streamlining the implementation of democracy, governance and stability, economic integration and convergence with EU policies, energy security, and contacts between people with the aim of bringing the partners closer to the EU. It is designed to rectify and bolster what the ENP and earlier Wider Europe frameworks have so far failed to do. It is not however very clear what these objectives involve in concrete terms. As such, the EaP is permeated by a certain conceptual vagueness and inherits an overwhelming fragmentation at the level of both policy formulation and implementation.

This vagueness is a reflection of a broader EU trait to operate with high flying rhetoric. This would be forgivable if the EaP delivered on its political

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<sup>15</sup> F. Weir, *Russia: Putin advances Eurasian Union*, "Global Post", 27.10.2011. Available at: <http://www.globalpost.com/dispatch/news/regions/europe/russia/111026/russia-putin-advances-eurasian-union> (last visited 28.11.2011).

rationale, i.e. renewed encouragement for democratic commitments in the region. The current state of relations with the EaP countries, however, shows an opposite trend. It is not just the usual suspect Belarus and the change of government in Ukraine which threw the country back to a pre-Orange Revolution position in terms of democratic commitments. While the EU likes to tout Moldova, thanks to the pro-EU stance of its current government, as the much-needed success story of the EaP, in fact much of the reform there exists primarily on paper, even printed out using donated printers. Georgia struggles with issues of freedom of speech and the concentration of power in the executive branch. Armenia stagnates in Russian dependency among neighbours busy with pipeline politics, and the openly authoritarian Azerbaijan is only slightly interested in the EaP, as it is busy engaging in regional geopolitics and partnership with Turkey. Given this democratic backlash in the region and, more immediately, its reflection in the outcome of the EaP summit in Warsaw in September 2011, it may be questioned whether the envisaged political momentum ever quite got off the ground.

The inherent dilemma between conditionality, which is open to the charge of neo-colonial meddling, and the *laissez-fair* approach of international donors throwing money at the wall and hoping something will stick, seems here to stay, at least in the short, if not medium term. The only plausible political middle ground for recalibrating cooperation would seem to be a more genuine commitment to partnership with the local societies, based on support for the deeper democracy that the new ENP is supposed to provide. At the ground level of implementation, the multitude problems with fragmentation and lack of synergies – not only with other donors but also within the EU ‘family’ – are well known. The shift to a sectoral approach, which the EU has been phasing in for some time, should bring about positive, even if lagging, effects. The concern remains that new EaP-related project infusions will add to the existing fragmentation rather than improve the situation. There needs to be a focus on participatory project design, management, and implementation, drawing heavily on the lessons learned. This is necessary not only to ensure the right level of obligatory local ownership. Such a participatory approach can provide a platform for civil society actors to acquire experience, self-confidence, a sense of responsibility and, importantly, implementation capacities. Too many projects on the EU record are outsourced to external consultancies with little or no stake in the outcome other than ticking boxes, and the influx of real local stakeholders and well-rounded actors would be a welcome shift. On the part of EU implementers, an investment in cultural competence in an equal measure as technical expertise is a must, as it facilitates forging trustful relationships with local stakeholders.

What the EaP rightly seeks to endorse is the differentiation among countries in the region. This is in line with the yet-to-be-substantiated principle of

'more for more'. The emphasis on sectoral approximation and integration, which can cause ambivalent effects on broader democratisation, should be monitored for overreliance on technical solutions at the cost of fostering democratic values. This also holds true for reforming institutional capacities, where two extremes are to be avoided. The EU has a long tradition of putting much faith in technocratic change in its external assistance, and underestimating short-term politics. Yet if such politics go wrong, they can endanger the democratic processes at the core of the entire structure. The emphasis on the nitty-gritty of sanitary regulations will not salvage democracy. On the other hand, attaching too much importance to declaratory paper reforms and assertions of commitment is equally misguided. The example of Moldova as a success story, having regard to its speedy approval of numerous regulations, is a case in point. The adoption of legislative frameworks should not be equated with their instantiation, nor should it be falsely assumed that they, in and of themselves, give substance to their implementation. Finalisation of documents, even including AAs and DCTAs, should not thus be goals in themselves. Inevitably, the continuing cooperation will raise on more than one occasion the recurring dilemma: What promises a better strategic payoff – a rebuff that might force a rethink in the short-term, or locking both the EU and the EaP countries into transformational commitments that the signed agreements will hopefully create in the long-term? Similarly, while heavily conditioned incentive-based transfers may bring effects, they are not guarantees of sustainable change, nor a recipe for forging a genuine partnership. This demonstrates that there is no golden formula and underscores why political shrewdness, experience, and aptitude play such important roles in the process.

Finally, in our opinion sight cannot be lost of the most promising aspect of such cooperation: the 'partnership with societies', which should find its fullest expression in pragmatic and practical programmes and results. These would contribute to breaking up the predominantly top-down approach to reform, and would foster the internal dynamics necessary for lasting change. It should not be a mere *Ersatz* when, as in the case of Belarus, support is channelled through unregistered opposition movements, since contact with the government is blocked. One may also wonder whether such an outreach to civil society would be possible in the authoritarian Azerbaijan, which has a long record of human rights violations. Full engagement with civil society should be at least as important as the so-far unchallenged alliance with central governments and traditional political elites, who frequently block the kind of political, legislative and economic changes envisaged in the EaP due to their vested interests in the *status quo*. The tarnished image of Ukraine as an ENP frontrunner brings this into sharp relief.