FORGING GOOD SOCIETIES
IN THE EU'S EASTERN NEIGHBOURHOOD

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Abstract

The European Neighbourhood Policy (2004) and, most recently, the Eastern Partnership (2009) have been envisaged in Eastern Europe as alternatives to the enlargement strategy, albeit not officially stated. Despite growing dialogue, several initiatives and institutional collaboration, reform on the ground has been limited, whilst political freedom and civil liberties are still a sensitive issue the Western Commonwealth of Independent States (Moldova, Ukraine and Belarus) and the South Caucasus (Georgia, Armenia and Azerbaijan). The rise of the authoritarian and 'hybrid' regimes in these states (defined as neither completely authoritarian nor completely democratic) has been highlighted in all international ratings. And this is surprising for countries placed in the European Union (EU)'s eastern proximity, where the Union influence is supposed to be strong. Against this backdrop, the questions this paper seeks to answer are the following: is the EU able to forge good societies in the post-Soviet space through a constant diffusion of European political, economic and socio-cultural values? Is the neighbourhood Europeanization been effective in Eastern Europe or a rather flawed process? Does Brussels need to radically overhaul its toolkit in order to efficiently engage with countries for whom the prospect of full-fledged membership is still not part of this relationship? To answer this question this paper will, firstly, examine the impact of the EU's normative power on the EaP states and, secondly, advocate the need for an ambitious revamp of Brussels strategy towards these states.

Keywords: European Neighbourhood Policy, Eastern partnership, neighbourhood contract

1. Introduction

The growing importance of the European Union (EU) as a strong centre of gravity in the European post-Cold War milieu, coupled with the collapse of the Soviet Union, has sparked development of a wide range of cooperative mechanisms between the Union and its Eastern neighbours. The EU's increasing geopolitical weight has concretized itself through the development of its enlargement strategy whose main rationale was to counter the potential turmoil

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generated by the regional political, economical and social unrest coming from Eastern Europe. Since 2002, which saw the launch of the Wider Europe concept, Brussels has sought to establish strong relations with the Eastern European states which had not been part of the enlargement strategy. The 2004 European Neighbourhood Policy (ENP) and the 2009 Eastern Partnership (EaP) envisaged, from a bilateral and multilateral perspective, respectively, a platform of deeper cooperation with Armenia, Azerbaijan, Belarus, Moldova, Georgia and Ukraine.

Firstly, the ENP aimed at creating a new way of approaching the immediate neighbourhood; it meant the creation of a stable area, 'a ring of friends' at the EU's borders which in turn would ensure regional integration. It should be noted from the outset that the ENP was adjacent to, but distinct from the EU's enlargement policy; moreover, this policy cannot be regarded as a pre-accession exercise as the states concerned have not been targeted as potential EU candidates. 'Belonging to Europe' and 'being associated with Europe' are two distinct phrases which draw a blurred line between the EU states and their neighbours. "The blurring of a boundary, however, does not then mean its elimination but that interactions across the line take on an increased intensity and complexity. This amounts, in short, to a growing interdependence between the EU and its neighbours, and requires deliberate efforts by both sides to manage effectively that interdependence" [1]. Moreover, in Eastern Europe, the ENP's additional multilateral frameworks - Eastern Partnership (EaP) and Black Sea Synergy (BSS) - reiterate Brussels' interest in the eastern proximity of the EU, by providing the premises for pushing the states involved a step closer to the EU. Particularly the EaP has been perceived as a clear overhaul of the Neighbourhood Policy which would be tailored to the specificities of the Eastern European States, part of the post-Soviet space. This initiative was meant to supersede the ENP and address the challenges encountered by the aforementioned states.

2. The EU's approach towards its eastern proximity – a theoretical framework universe

2.1. A neo-functionalist spillover

Forming regional synergies in the vicinity of the EU through the ENP framework focuses upon the same neo-functionalist spillover logic that has laid the basis for the European integration process since the 1950s. Strengthening regional cooperation, political stability and security have been the main triggers for externalizing and spreading of a European soft power model based on shared political and economic values, norms and principles. Since the two last enlargement waves from 2004 and 2007, the snowball effect process has also involved the geographical proximity of the EU, albeit the approach changed radically: the integration strategy based on the enlargement has now been replaced with a less rewarding one for the partner states, the ENP. As Judith Kelley argues the ENP "is a fascinating case study in organizational

management theory of how the Commission strategically adapted enlargement policies to expand its foreign policy domain" [2], which is best reflected in the concentric circles model. The ENP constitutes the fourth concentric circle gravitating around the EU (Figure 1). The first circle is represented by the EU itself, governed by a series of laws, norms and rules known as 'acquis communautaire'. The second circle consists in the European Economic Area (EEA), created in 1994 between the members of the EU and the three states of the European Free Trade Association (Norway, Iceland and Lichtenstein) by the adoption of the internal market acquis. The third circle contains the states subject to the enlargement process from: the former Yugoslav space, Turkey, Iceland. This meant a gradually significant yet far from complete adoption of the acquis. The ENP represents the forth and the largest circle, comprising six former Soviet states from Eastern Europe (except Russia) and also the ten Mediterranean states included in the Barcelona Process. These states exhibit political and economic governing flaws, and the EU acquis is being introduced only selectively, according to the will and capacity of absorption of each state. Most of the neighbouring European countries aspire for a long-term perspective of accession into the European structures, but this is not currently encouraged; Brussels provides them in exchange the possibility of economic integration. Kelley's statement is a well founded if we take into account that the use of action plans, reports, negotiation rounds, conditionality are all tools borrowed from the Union's enlargement strategy. This model is perhaps the most suitable one to represent the rationale behind Brussels' interests, plans and actions at least from a geographic perspective, particularly in the immediate eastern backyard of the EU.
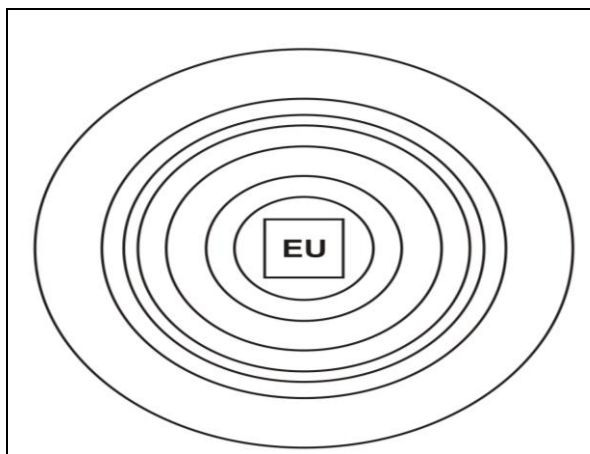
Figure 1. The model of concentric circles.

Most of the countries that make out the eastern dimension of the ENP have responded positively to the initiatives proposed by the EU, launching reforms and expressing, at the same time, their aspirations to the European space. The six states have a core group (Ukraine, Moldova and Georgia) which

display a strong desire to become EU members; concurrently, they are willing to work according to the convergence paradigm concerning the EU norms and standards, as well as according to procedures that are similar to the accession process. For the second group made up of Belarus, Azerbaijan and Armenia, the membership option is not clear but, nevertheless, embracing the EU values and norms represent an assumed goal (probably with the exception of the incumbent leadership in Belarus).

2.2. Neighbourhood Europeanization

Recent contributions to the literature on the process of European integration have highlighted the fact that Europeanization is influential even beyond the geographical borders of the EU, particularly regarding the candidate countries and the ENP states. Thus, the concept of Europeanization distinguishes between traditional, enlargement-led and neighbourhood Europeanization to describe the impact of EU norms and rules on member states, candidate and potential candidate countries and states which are tied institutionally to the EU, but for whom full-fledged membership is not part of this relationship (such as the case of the EaP states). This is because either they do not want to enter the EU or the EU itself does not offer the membership perspective. This type of Europeanization is assumed to have a weaker impact, in the absence of membership conditionality, but can still have a significant influence if proper rewards are offered or through a process of socialization. Nevertheless, especially in the case of countries situated in the eastern proximity of the EU, where the feeling of belonging to the European identity is stronger than in the south, the conditionality mechanism is much more effective. "Policies such as the European Neighbourhood Policy and Eastern Partnership can therefore be analytically conceptualised as instruments of socialisation. (…) Socialisation requires learning on the part of the eastern neighbours." [3] The capacity and motivation of the EaP states to comply with the EU model, to transfer parts from the 'acquis communautaire' to the national legislative environment, to absorb European norms, values and principles are still prerequisites to the fulfilment – albeit moderately – of the Europeanization process.

Europeanizing the ENP partner states from Eastern Europe could also the establishments of stronger domestic societies. Thus, the EU has managed to make itself more visible in the region and intended to harmonise its offer according to the needs of the EaP states. Moreover, through a process of approximation with the acquis, Brussels launched a clear reform agenda, based on mutually negotiated Action Plans. It also succeeded to include the EaP countries into a series of multilateral platforms: (1) Democracy, good governance and stability; (2) Economic integration and convergence with EU policies; (3) Energy security and (4) Contacts between people – and flagship initiatives (Integrated Border Management; Small and Medium Enterprises Facility; Regional Electricity Markets, Energy efficiency and Renewable Energy Sources; Prevention, Preparedness and Response to natural and man-made

Disasters; Environmental Governance) which generated momentum, strong networks of cooperation and provided with consistent financial assistance (the total amount available for partner countries in the period 2011–13 is 6.5 billion EUR). In 2011, Brussels planned to revive the ENP putting in place more effective incentives to bring about in the partner countries sustainable democracy and economic development. In the latest Strategy Papers launched by the European Commission in May 2012 ('Eastern Partnership: A Roadmap to the autumn 2013 Summit') and March 2013 ('European Neighbourhood Policy: Working towards a Stronger Partnership') a common ground for guiding and monitoring the further implementation of the Partnership's objectives was defined in preparation for the Vilnius summit scheduled to take place in November 2013. Once again, the shared commitment to freedom, democracy and respect for human rights lie at the heart of the process of political association and economic integration.

2.3. The horizontal model of governance

The notion of governance has experienced an accelerated spread into the social sciences, shifting its accent from internal and national politics to international relations and increasingly – in this case – to EU's foreign affairs (external governance). "Essentially, the external governance framework is an *inside-out* approach whereby the EU effectively applies internal solutions to its external problems: for example by using pre-accession methodology and enlargement conditionality for non members" (i.e. EaP countries) [4].

In terms of the type of governance exerted by the EU upon its vicinity, the horizontal network governance could represent, according to Sandra Lavanex, a much more flexible form of integration for non-member states. In case of the EaP, the EU shifts its focus from a macro to a *meso* (sectoral) level, which means that the EU's influence is measured by its capacity to create networks of sectoral governance, sort of convivial environment, within which the EU-EaP relationship could flourish. Lavenex points out that the transfer of regulations and forms of organization towards the neighbourhood is smoother, if the Union's influence takes the form of a gradual process of horizontal institutionalization. As such, network governance may expand to the EaP countries where interests converge and the law is practically applied [5].

Whereas the community method relies on the interaction among supranational institutions, the literature dealing with the notion of horizontal governance highlights the importance of 'softer' ways of elaborating policies by the alternative use of certain forums, networks of formal and informal policies. The notion of acquis is transformed thus: integration not by compulsory absorption of regulations but rather by coordination [5]. Currently, the EaP is basically more open to association, cooperation, more horizontal governance structures of network type, able to involve both parties. However, this integrative theoretical potential of the networks governance could also represent

an instrument to spread EU values and, hence, a force of stability, prosperity and stronger societies.

3. The Eastern Partnership current context

Despite all these bold political initiatives and ambitious theoretical approaches, the Eastern neighbourhood states have lately embarked on an unconstructive trend. In 2012, Freedom House ranked these countries as partially free (Armenia, Georgia, Moldova, Ukraine) or, even worse, not free at all (Belarus, Azerbaijan), features also pointed out by the Economist Intelligence Unit Democracy Index 2011. The Heritage Foundation in her 2012 Index of Economic Freedom does not depict a brighter image. Whereas Georgia and Armenia are considered moderately free countries, the other ones' economic freedom has been crippled by pervasive corruption and authoritarianism: they are mostly un-free (Moldova and Azerbaijan) and even repressed (Belarus and Ukraine). Similar interpretation is provided by the 'Ranking on the ease of doing business 2013' which places Georgia on leading position (9), while Moldova (83) and Ukraine (137) lay in the second half of the 185 countries' table. The democratic backslide of Ukraine, a former forerunner of the EaP region, has deteriorated amid the imprisonment of former Prime Minister Yulia Tymoshenko and other members of her former government, rampant corruption and ambiguous political decisions. This negative pattern has been highlighted also by the 2012 Corruption Perception Index which assigned Ukraine a bottom position (144), the lowest rating among the EaP states.

Having this rather gloomy background, the European Foreign Policy Score Card 2013 produced by the London-based think tank – European Council on Foreign Relations – has also criticised the EU for the lack of a coherent approach towards the EaP region and graded Brussels with a mediocre mark (C+) for its mixed outcomes: relatively positive results in relation to Moldova and Georgia and disappointing ones vis-à-vis Belarus, Ukraine and Azerbaijan. In the area of trade liberalisation most progress has been achieved (A- grade). Trade has always been a main priority for the EU and a useful tool for furthering the rule of law and democracy in the region. And this is not surprising since the political perspective – the EU membership – has not been yet considered, for the time being the declared objective of the ENP/EaP dyad is to offer in the near future partner states the possibility of participating in the EU internal market, as stated in the official documents of the European Commission. In this sense, after initial appraisals, negotiations on Deep and Comprehensive Free Trade Agreements (DCFTA) have been launched with Moldova, Georgia and Armenia. The entry into force of the DCFTA with Ukraine was stalled in 2012 due to the country's recent poor record on democracy and human rights. The latest EU-Ukraine Summit, held in Brussels on February 25, conditioned the signing of the Association Agreement at the EU–Eastern Partnership Summit in Vilnius in November 2013 by a tangible progress in the areas concerned (justice, human rights violations and elections) which should be reported in early May.

Furthermore, steps are taken forward towards visa facilitation/liberalisation process between the EU and the six EaP states. Despite the fact all countries have been working towards fulfilling the criteria required, so far only three out of six states (i.e. Moldova, Ukraine and Georgia) have been granted Action Plans. According to assessments undertaken in the Eastern Partnership Visa Liberalisation Index (February 2013), these countries are still lagging behind the minimum requirements crafted by the EU.

After sifting the facts and available data on the EaP countries, it seems that Brussels is unlikely to deploy much transformative power; the ENP has not brought the EU and its neighbours much closer to the proclaimed goals of democracy, stability and prosperity. In spite of some progress made on economic reforms, the record of democracy remains weak, while corruption has been endemic, a general pattern of the post-Soviet bloc. Even in the domestic debates of the six countries, political assessments, constructive discussions and parliamentary scrutiny have been parsimonious. In addition to that, their geographic position of 'in-betweeness' constrains their internal and external political decisions. Since their emergence as independent states after the disintegration of the USSR, these states have trod an unstable political tightrope, a multifaceted judgment being often employed to strike a balance between East (Russia) and West (Euro-Atlantic community). Thus, multivectoralism has been a usual trait which steered their course of action. However, this ambiguous game has led to a relative development of these countries' bargaining positions. In the case of the EaP states, Brussels' deliberate ambiguity wanes the neighbourhood policy's credentials as being a reliable tool to fulfil its agenda (the EU members are often divided over the appropriate approach vis-à-vis the six ex-Soviet states). Moreover, the current economic downturn has many times hindered or postponed Brussels' plans towards its vicinity.

4. Conclusions

Over the last two decades the EU has been an anchor of stability for neighbouring countries and influenced to a considerable extent their economic and political institution building process. Economic cooperation has triggered further integration and consolidated interdependence and, not ultimately, a feeling of reliance (of trust) between states. This rationale did not change in last couple of years; however, the EU's economic strength is fading. As the single market, the monetary union and the constitutional treaty have been seriously shaken, this has cast doubt on EU's internal and external governance models. Moreover, in spite of growing dialogue, several initiatives and institutional collaboration, reform on the ground has been limited, whilst political freedom and civil liberties are still a sensitive issue the Western Commonwealth of Independent States (Moldova, Ukraine and Belarus) and the South Caucasus (Georgia, Armenia and Azerbaijan). The rise of the authoritarian and hybrid regimes in these states (defined as neither completely authoritarian nor completely democratic) has been highlighted in all international ratings. And this

is surprising for countries placed in the EU's eastern proximity, where the Union influence should be strong. Furthermore, the EU's reluctance to meet the membership aspirations of some of the EaP countries will continue to hinder the development of further relations.

The EU has the capacity and necessary means to play a vital role and forge 'good societies' in Eastern Europe. From this standpoint, expressions such as 'enlargement *fatigue*' (Western Balkans), 'third countries', 'partial inclusion', 'anything but institutions' (ENP, EaP states) etc., seem counterproductive and create ambiguity. The principle 'more for more' the EU is using vis-à-vis its neighbourhood should also be applied to Brussels' agenda. Lately the EU has emerged as willing to offer less in relation to the post-Soviet space, which could look hazardous for the near future and detach the EaP from the Union's orbit. Hence, a much vigorous political determination and strong common voice could increase the EU's weight and influence and bring added value to its external governance. They EU should practice and invest more in what it preaches and stands for. And this could involve the need for an ambitious revamp of Brussels' toolkit in order to efficiently engage with countries for which the prospect of full-fledged membership is still not part of this relationship. While the EU is seriously rethinking its current role on the international stage where new global actors have risen, it should not forget that its main strategic power lies in its near abroad. This was also underlined in the European Commission's Strategy Paper, 'Eastern Partnership: A Roadmap to the autumn 2013 Summit', launched in May 2012: "Cooperation between the EU and its Eastern European partners - the Republic of Armenia, the Republic of Azerbaijan, the Republic of Belarus, Georgia, the Republic of Moldova and Ukraine – is *a crucial part* of the Union's external relations" [European Commission, *Eastern Partnership: A Roadmap to the autumn 2013 Summit*, May 2012, 1, online at: http://ec.europa.eu/world/enp/docs/2012_enp_ pack/e_pship_roadmap_en.pdf, accessed on March 19, 2013].

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