Supporting civil society in the Eastern Partnership: a way to stabilize societies

Mihaela-Adriana Pădureanu

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Abstract:

The Eastern Partnership member states share a common feature: decreased legitimacy or the lack of it. This deficit goes from the case of Belarus, to more manageable situations as in Azerbaijan and Ukraine were the elections’ results were contested on a small-scale. In order to increase legitimacy, accountability and widespread access to information are important. Due to the fact that political elites are more inclined to choose stability and predictability instead of encouraging active citizenship and open societies, the support that the civil society receives in these states is decisive, therefore applying a more for more approach may be risky.

Introduction

In this paper I emphasis the idea that the ex-Soviet political elites in the six member states of the Eastern Partnership do not have the same approach to the Western ideas and that they were not exposed to the same amount of democratic practices that would have made them more willing to sustain the transition to a democratic political regime as those in the ex-Communist countries.

The theoretical framework that supports this paper lies within the liberal tradition and more precisely with the sociological liberalism. From this point of view, the civil society is understood as “separate from the state”\(^1\). The main features of sociological liberalism emphasize the importance of non-state actors in international relations and the relations between individuals, groups and societies supposing that these interactions are more cooperative than those between states\(^2\). The key word here is transnational, a term defined by J. Rosenau as: “the processes whereby international relations conducted by governments have been supplemented by relations among private individuals, groups, and societies that can and


do have important consequences for the course of events\textsuperscript{3}. In this context, the transnational relations between members of civil societies from the EaP countries have/or aim to have an important impact on the policies of their governments. The connections established between the members of the civil societies, between them and their governments or between them and their colleagues in the other EaP member states are considered a factor that influences the understanding of the European officials about the progress made at the official institutions level. Therefore the civil society is considered an important actor that can influence – but only for Republic of Moldova, Georgia and Ukraine – the governments’ policies and a change in the course of their internal and external development.

Another meaningful concept in this paper is that of civil society, defined here: “as a set of transparent and legally protected organised groups and associations whose members deliberate or act collectively to accomplish common goals”\textsuperscript{4}. I will consider the state and the civil society as two distinct bodies that also influence each other\textsuperscript{5} while promoting pluralism\textsuperscript{6} and dialogue between different parts of the society.

In the context of the Eastern Partnership the civil society from all six member states – we will see later how this varies at the national level for all of them - is seen as a way to increase the legitimacy of the European initiative and for deepening the links between the governments and the European Union. Therefore, the common goal for the members of civil society here is a closer relation with the European bodies in order to improve and modernize the living standards in their countries. Due to the fact that the ex-Soviet states shared different features compared with the ex-Communist states (like Russification or mass deportation for different ethnic minorities), the role that the civil society has to play in providing means to create space for public debates and involvement at the individual level for citizens is extremely important.

For the EU, the Eastern neighbourhood raises a number of issues, probably the most crucial one being the military conflicts in the area like those in Transnistria, Nagorno-Karabakh, South Ossetia and Abkhazia\textsuperscript{7}. The situation that has been going on in Ukraine since November 2013 is another example that the Eastern border of the EU is still able to

\textsuperscript{3} Rosenau apud Jackson, p. 111.
\textsuperscript{7} As the situation in Ukraine is an on going process I will not detail here the latest events.
surprise and confuse the European policy makers. The way in which the EU cooperates with actors from the civil society in order to promote peace, stability and conflict resolution has been recently analysed by N. Tocci who criticises the EU over engagement with civil society and under engagement with officials\(^8\). Tocci also points to the possible limits and negative effects of a strong support (and funding) for the civil society: the possibility of corruption and interest to maintain the conflict\(^9\). But what the author does not mention is that in most cases the existing political elite is even more inflexible when it comes to possible compromises in order to approach and resolve the existing conflicts.

An alternative version that points to the lack of support for the civil society in the EaP countries comes from Lada A. who presents the weak role that the non-governmental organisations (NGOs) were given at the beginning of the initiative and the difficult situation that they have, particularly in Belarus and Azerbaijan\(^10\). A clearer and more open approach to the actors in the civil society as well as stronger financial support will allow them to be more engaged in the policy-making process. K. Raik also argues for greater support for the civil society in the EaP, according to the stage of democratisation in every country\(^11\).

The situation of the civil society is difficult also due to the fact that at least three of the political regimes in these states can be considered as following under the concept of competitive authoritarianism working with state institutions can prove to be a difficult process. Competitive authoritarianism is known as “hybrid regime” where: “formal democratic institutions are widely viewed as the principal means of obtaining and exercising political authority”\(^12\). In these cases the opposition is a discouraged and has a small access to the citizens, often being recruited by the government party\(^13\). In competitive authoritarianism, elections are held and opposition can contest the results. Levitsky gives here the example of Ukraine and also the Russian Federation as states were we can find this political regime. In


\(^{9}\) Idem, p. 35.


\(^{13}\) Idem, p. 53.
the last years the situation in Ukraine has not changed too much and the political regime can still be considered as being competitive authoritarianism\textsuperscript{14}.

**Stabilizing the Eastern Neighbourhood**

The Eastern Partnership (EaP) initiative is the most coherent response that EU officials were able to derive from the European Neighbourhood Policy (ENP) after the enlargements from 2004 and 2007 to the Eastern border. The fact that these countries were going to have different aims for EU’s foreign policy would not have been overlooked. The 2008 war in Georgia was also an important incentive that made the policymakers aware of the necessity to develop a formal way to engage the ex-Soviet states, which were now EU’s direct neighbours\textsuperscript{15}. As a Swedish-Polish initiative, the EaP was launched in Prague in May 2009 during the Czech presidency of the Council of the European Union and the Russian Federation through its Foreign Minister Sergei Lavrov, was quick to see it as a mean for EU to create it’s on “sphere of influence”\textsuperscript{16}. But even if the European Union would not have taken an official position and propose a formal way of cooperation for these countries, the effects that the proximity of a democratic supranational organisation as the EU would be present and interact with the new neighbours\textsuperscript{17}.

The two main documents that influenced this initiative were the European Security Strategy and the *Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours* both launched in 2003\textsuperscript{18}. Build as a two-dimension initiative, a bilateral and a multilateral one, the EaP aims to involve the political elite and the civil society, to obtain close economic links and, in the end to transform the six member countries. But the effects that this could have for the member countries seem to have taken the policymakers by surprise, if we take into consideration the latest and ongoing events in Ukraine. I have mentioned these two official documents because the main goal of the ENP, as a EU foreign policy is to maintain stability, as it wants to project stability beyond its borders and to offer incentives to its neighbours in order to make them willing to agree with this goal.


\textsuperscript{17} Michalski, op. cit, p. 5.

\textsuperscript{18} For an extensive discussion on the links between these document and their influence on EaP see Pădureanu, M. A. (2013) „The Eastern Partnership: a mean to involve the citizens, build democracy and provide security” in Ionescu, E. M. (ed.), Eastern Partnership the Road So Far, Military Publishing House, Bucharest.
The European Security Strategy mentions the threat that the “violent and frozen conflicts” puts to the regional security while in the Wider Europe Paper interdependence is seen as mean to promote stability. Although this last document enhances the idea that you cannot have stability without democracy, human rights and the rule of law, EU’s role in these countries has been perceived as too unclear and weak for what is need it in the region.

Critics have pointed out since the initiative has been created that there is a number of unaddressed issues that the EaP does not cover. One of this was the way in which the term “partnership” was used. E. Korosteleva indicates that the notion of partnership is built on a concept which emerged in the mid-90s, when the EU was involved in the enlargement process, but with the EaP, the term has received a new meaning. Also, E. Korosteleva mentions that the EU does not recognize “the Other”, the member states in this partnership as sovereign subjects with their own interests and needs, but considers them “objects of governance” and therefore might not be consider as a “friend” anymore, but an entity that will seek to make them more like Europe in order to have access to them/ the neighbours. The fact that the partnership is so poorly conceptualized and the unclear way in which EU defines it is related to the lack of vision towards this initiative. Therefore, the EaP formal framework maintains a highly asymmetric relation between the EU and member countries. This is one of the shortcomings of the way in which the EaP was designed. Also, on the security aspect, if for the ex-Communist states there was the real opportunity, and later the chance to assure security for themselves through accession to NATO, for the ex-Soviet states, this fact was out of the question, due to geographycal proximity to the Russian Federation. But because the NATO is not present there to require the condition of good relation with the neighbours for the candidate countries, the EU should replace here the alliance and ask the member states to be more engaged when it comes to the political will to resolve the frozen conflicts in the area. The European policy makers should also take into account the fact that there are different expectations from the ex-Soviet political elite who have learnt to use and instrumentalize nationalism for political gains.

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23 Korosteleva, op. cit., p. 250.
Almost two decades ago they were part of one of the superpowers and not just one little tiny state, struggling to obtain security and economic prosperity. In its newest annual report on the implementation of the ENP, the EU through Commissioner Füle stresses the fact that:

“while willingness to reform cannot be imposed from outside, the EU has a special responsibility to support those partners that are engaged in the difficult and demanding path of transition towards democracy and more inclusive societies (...)in addition supporting civil society, EU policy can act as a catalyst in this process”25.

A signal that the EU has tried to engage other parts of society and to go beyond the political establishment in order to involve societies, was the creation of the EaP Civil Society Forum (CSF). This initiative has grown every year since 2009 and its fifth edition from 2013 was held for the first time outside of the European Union, in Chisnau, Republic of Moldova. Since the beginning of the EaP, civil society has been seen as a complementary tool to the four platforms and that is why the CSF also is divided in four working groups. The role of the CSF as is mentioned in the official documents is to “facilitate their dialogue with public authorities”26. Each working group is able to make recommandations to the EU institutions and to the governments of the member countries. Gaining experience, the participants in the Fight Against Corruption Subgroup recommended for the EU institutions at CSF second edition in 2010 to streighten the conditionality towards the governments of the member states27. In this case, the NGOs use the pressure that the EU institutions can put on their own governments to increase the accountability of their own elected representatives because, as one respondent put it: “the only thing that matters for them is money and they can only understand that they have to change if the money are cut”28.

A recent report identifies that the Civil Society Forum’s “institutionalisation and socialisation among its members as the Forum’s greatest accomplishment”29. This finding sustains the idea that the CSF managed to improve relations between the different

28 Interview with NGO representative in Armenia, October 2013.
organisations in the Eastern space and to create a valuable network of people with the same interests. But in the same time, the report concludes that the governments from these countries resist CSOs requests for change\(^{30}\). This situation can be managed through a more deepened dialogue between the members of the CSOs and the European officials which should try to empower more these actors. Also, by organizing the latest meeting of the Forum in October 2013 in Chisinau, for the first time outside the EU it was a symbolic empowerment for the whole region (it is worth mentioning that the next Forum will be held in Tbilisi).

**Data and methodology**

The methodology used in these paper is qualitative, based on discourse analyse, interviews and document analysis. A number of 27 semi-structured interviews were conducted between September 2012 – November 2012 and 24 between October 2013- November 2013. The respondents were selected from the young researchers, journalists, experts working in different fields of the civil society – enviroment, refugees and women’ rights, energy, representatives of the media and from different political parties.

**Findings**

During the interviews, the respondents were asked about their relation with the authorities and how open they were for cooperating and working with them. The most difficult situation was in Belarus, whose interaction with the the Eastern Partnership is done only through the multilateral track and through what the EU officials call “critical engagement”\(^{31}\). The most difficult situation is for active members of civil society who were imprisoned and denied basic rights – including the right to defend themselves – while at the same time none of them have been rehabilitated after their release. The most important step in the last months for Belarus was its positive response to Commission’s proposal of launching the negotiations on Visa Facilitation and Readmission Agreements\(^{32}\).

R. Nizhnikau offers a clear explanation for the role that the EU had in the Belarus in the area of civil society and offers recommendations on how can the role of different actors can be strengthen in the future\(^{33}\). He stresses the idea that the Russian support for the Belarusian authorities helps maintain the political regime and that the current European

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\(^{30}\) Idem, p. 23.


\(^{32}\) Ibidem

sanctions are keeping the elites away from a greater socialization with the West, as their alternative model will be the one found in Moscow. Greater support is needed for the members of civil society in Belarus, as is also the most involved part of the Belarusian society in the EaP initiative.

Azerbaijan is the second worst country for members of civil society in the EaP, the factor that differentiates the two countries is that in Azerbaijan the death penalty was abolished in 1998. Before the Vilnius Summit, the active members of Azerbaijan’s civil society linked the future development of the whole Eastern Partnership with the signing of the Association Agreement by Ukraine. This can mean that although at the financial level, the EaP is not interesting for Azerbaijan, the political signal that would have been given to the region if Ukraine had signed the the Association Agreement in Vilnius would have been relevant for the officials. Azerbaijan does prefer to work in the bilateral track, but does not reject the multilateral track, which is seen as a way to make its problems known and to dialogue with Brussels. The most expressed critique towards the EU policies is its perceived double-standards. More precisely, because of the energy resources found in Azerbaijan and the European need to facilitate access for its citizens to them, the EU standards and requests towards the Azeri officials are seen as not serious enough. This is a very frustrating situation for Azeri activists. On the other hand, the Azeri members of civil society can easily find partners from the EU member states and some have achieve a good reputation which allows them to access funds.

The situation of the civil society and the human rights in Armenia is considerably better than in Belarus and Azerbaijan. The same expression of “double standards” has been used to describe the double standards of the EU, this time towards two directions. First in relation with the Armenian authorities and that is why the decision from 3rd September, when Armenia announced that it will join the Custom Union should not have been a surprise for the EU official. The second direction is in relation with Azerbaijan, which is seen as privileged because of its natural resources. Also, in Armenia we found a situation that puts this country somewhere between the dictatorship in Belarus and the authoritarianism in Azerbaijan. The officials wanted at some point to replicate the Russian foreign agent law - regarding the non-profit organisations, which requires that every association receiving funds from foreign

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34. *Idem*, pp. 337-338.
35. Interview, Azerbaijan, October-November 2013.
37. Interview, Azerbaijan, October-November 2013.
38. Interview, Azerbaijan, October-November 2013.
donors to register as foreign agent – but later dropped the idea. The official authorities are fearing the independent organisations and associations and tolerate them just because of the external pressure\textsuperscript{40}. One interviewed mentioned the fact that the officials are using the external relation with the EU as a mean to legitimize their policies and to avoid the lack of internal legitimacy – referring here to the 2008 protests that followed the presidential elections\textsuperscript{41}. A general message for the EU official was that they should support more alternative source of information and democratization in Armenia\textsuperscript{42}. The representatives of Armenia are also more opened in approaching the Nagorno-Karabakh conflict and finding possible solutions.

The are some similarities between Armenia and Ukraine. Just as in Armenia, in Ukraine the latest presidential elections were seen as unfair and suspicions of election fraud were often mentioned\textsuperscript{43}. The relation between the authorities and the representatives of different organisations were rather not working, and members of civil society demanded a greater implication and openness from the officials. Despite the fact that people in Ukraine were/are not very well informed about the EaP, the initiative allowed for a better communication between different parts of the society\textsuperscript{44}. Regarding an important group of actors in Ukraine, the oligarchs, they were perceived as desinterested in the European dialogue or in deepening the relations with the EU, as their most critical objective was to maintain their position in the economic area so that is way they prefer an “independent” government, not too bound to the European mechanisms of checks and balances\textsuperscript{45}. These information allows us to suppose that the recent events in Ukraine were not so much an expression of not accomplishing the goals of the foreign policy, as an expression of internal frustrations from the part of the citizens who saw an illegitimate government, incapable of offering public services and which ruled for the oligarchs, and not for the citizens.

Republic of Moldova and Georgia are considered the EaP countries that are the implementing reforms and transforming themselves at a greater speed that their colleagues. After the Rose Revolution Georgia has made significant progress towards democratisation, but after 2008 there was more of a regress, as some authoritarian tendencies were present at the government level\textsuperscript{46}. But the Russian pressure was a constant threat to Georgia’s

\textsuperscript{40} Interview, Armenia, October 2013.
\textsuperscript{41} Interview, Armenia, October 2013.
\textsuperscript{42} Interview, Armenia, October 2013.
\textsuperscript{43} Interview, Ukraine, October, 2012.
\textsuperscript{44} Interview, Ukraine, October, 2012.
\textsuperscript{45} Interview, Ukraine, October, 2012.
\textsuperscript{46} Interview in Georgia, November, 2013.
European aspiration. At the civil Society Forum in Chisinau, the Georgian delegation was the most vocal in expressing their concern towards the way in which the Russian Federation will try to aggravate Georgia before the Vilnius Summit, especially after Armenia has accepted to be a member of the Customs Union.\textsuperscript{47}

**Conclusions**

The Eastern Partnership initiative and its component, the Civil Society Forum have acknowledge the importance of stabile society in the Eastern neighbourhood, but this aim can be obtain only by having a minimum degree of legitimacy and consens between the citizens. The ongoing events in Ukraine are another example of what can happen in societies where tensions are constantly accumulating and where the political leaders are unable to obtain their citizens’ support. Comparing the situation of civil society in 2009 and in 2014 there are significant differences: for Republic of Moldova there are positive changes, finalised with the initialization of the Association Agreement in Vilnius, Armenia and Azerbaijan continued to struggle for a closer cooperation with their national authoritise, Belarus continued to participate to the CSF, Georgia consolidated the reforms made between 2004 and 2008, while Ukraine has started another

EU should try to improve and extend the links between societis – the visa liberalisation process being one important step in this direction. The lack of legitimacy and transparency in most of these countries will not improve over night, but more informed and well-educated citizens will be more demanding towards their representatives. Just like the oligarchs in Ukraine, the old elite in these countris do not want any threats from an external organism that will make them accountable for their actions.

Also the contacts between the members of civil society has increased at the regional level and more implication from the EU will only deepen this process.

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\textsuperscript{47} Direct observation at the Civil Society Forum in Chisinau, 4-5 October 2013.
Bibliography


Jackson, Robert, Sørensen, Georg (1999), „Introduction to International Relations”, Oxford University Press, New York.


Pădureanu, Mihaela-Adriana (2013), „The Eastern Partnership: a mean to involve the citizens, build democracy and provide security” in Ionescu, E. Mihail (ed.), Eastern Partnership the Road So Far, Military Publishing House, Bucharest.


Documents


