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Conference Report 5/2015

Eastern Partnership between Instrument and Policy

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September 2015

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September 2015

International Roundtable European Union and the Multilateral Order: Eastern Partnership between Instrument and Policy was held in Prague on 23 September 2015. The event was a part of the project “Important, Forgotten or Irrelevant? Stakeholders’ Survey on Post-Vilnius Eastern Partnership supported by the International Visegrad Fund.



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Introduction

The roundtable titled [European Union and the Multilateral Order: Eastern Partnership between Instrument and Policy](#) examined lessons learned and future prospects of the EU's Eastern Partnership (EaP) initiative, seriously shaken since the Vilnius Summit in 2013. Taking into account recent dramatic developments in the post-Soviet space, which were met only with a mediocre response from the EU side at the Riga Summit in May 2015, the conference aimed to contribute to the ongoing discussion on how the EU's eastern neighbourhood policy should be reformed and redesigned to remain relevant and to be able to adequately address current challenges.

The event, organized by the Association for International Affairs (AMO), took place on September 23, 2015 within the 7th International Symposium "Czech Foreign Policy" in the premises of the Ministry of Foreign Affairs. The roundtable was held within the framework of the research project [Trends of Eastern Partnership](#) kindly supported by the International Visegrad Fund.

Recommendations

- The differentiation between the EaP countries and the more-for-more principle should be further strengthened. The cooperation with the associated partner countries that are willing to undergo reforms and are eager to move closer to the EU, should be intensified.
- The open-endedness of the EU's eastern policy ought to be abandoned. A membership perspective should be granted to the most committed partners upon fulfilling the accession requirements. To avoid addressing the question of *finalité* of the EaP project risks weakening public support for costly and painful reforms, erodes credibility of pro-European political elites and reduces their incentives to push for change.
- Given the new strategic environment, the EU's goals towards its eastern neighbourhood should to be clarified. The reviewed EaP should be perceived as a product of political unity inside the EU and its content should match real actions that will follow politically.
- Reform-oriented EaP countries should be given clear-cut roadmaps with tangible benchmarks and well-defined deliverables. The gap between the EU's actions and expectations on the ground is being exploited by Russia, undermining the EU's credibility and its soft-power attractiveness in the neighbourhood.



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- Instead of engaging pro-European, yet corrupted and discredited authorities, the EU should reach out directly to civil society and recognize it as being equally important as contacts with governments. A bottom-up approach, creating a constant pressure for further democratization at the grassroots level, would serve as a guarantee of sustained implementation of genuine reforms. Therefore, corruption and illicit economic activities should be fought more decidedly, activities of the SMEs should be encouraged and a full access to the EU's civil society programs, like the Europe for Citizens, should be given to the EaP countries.
- The EU should speak out firmly against any government crackdowns on civil society representatives. Economic cooperation with authoritarian regimes like in Azerbaijan should remain conditional upon adhering to the principles of democracy and the rule of law and respecting human rights and civil liberties. The EU must remain consistent in applying sanctions and take a stronger role when fundamental freedoms and democratic values are violated.
- A security component should be added to the EaP. The EU must operate on the expectation that Russia will not be a constructive element for building common security architecture in the foreseeable future. The insecurity that the EaP countries face makes it difficult for them to prioritize reforms stipulated by the AAs and DCFTAs.
- NATO ought to guarantee territorial integrity and sovereignty of Eastern European states and firmly oppose any changes of the status quo in the region. In the long term, integration into Western structures would be the most powerful guarantee measure to ensure stability in the region.
- Energy interconnectedness with the EU should be strengthened. In order to reinforce energy security in the region, Moldova and Ukraine, as members of the Energy Community, should be included into the EU's Energy Union.
- The EU should coordinate closely with the USA when approaching the region. A joint action is crucial to rise to the complex set of challenges that the EU's eastern neighbourhood faces.



Accomplishments of the EaP

Against the background of May 2009, when the Eastern Partnership (EaP) initiative was launched at the Prague Summit, there has undeniably been certain progress in the approximation between the EU and partner countries, discussants argued.

According to G. Gromadzki, three main achievements of the project can be singled out. Firstly, the signing of the Association Agreements (AAs), including Deep and Comprehensive Free Trade Areas (DCFTAs), with Georgia, Moldova and Ukraine should be highlighted. Š. Füle also emphasized that the EU succeeded in the fact that AAs began to be conceived by the EaP countries as blueprints in their reform endeavour.

Secondly, the establishment of a visa-free regime with Moldova meant an important breakthrough. This point was also underlined by V. Chirila stating that the privilege to travel freely throughout the EU makes Moldova more European and determined to continue reforms started.

Finally, Ukraine's and Moldova's membership in the Energy Community marks a major success. D. Shulga pointed out that in case of Ukraine, the energy sector is where the greatest progress in legal harmonization with the EU had been achieved.

Speaking about the accomplishments of the EaP, Š. Füle stressed that the EaP had been instrumental in creating a legal framework for fostering cooperation and better understanding not only on a bilateral level with the EU but also multilaterally among the EaP countries. He also reminded that whereas in the past it was a lengthy and complicated process to launch a new project, thanks to the network the EaP created, it was possible to start delivering assistance and supporting Ukrainian institution-building only three months after the political decision in the EU was made.

Notwithstanding the advancements noted above, they were limited solely to three EaP countries, namely Georgia, Moldova and Ukraine, making the already existing division of the group even more visible and calling for an inevitable reform of the EaP's design.



Shortcomings and challenges of the EaP

A much bleaker picture of the EaP's transformative power was presented by A. Geybullayeva. By setting the development of the EU-Azerbaijani relations into a chronological timeline, it was shown that on the whole a very limited progress had been achieved in implementation of the ENP action plan and the EU's recommendations. While an improvement in macroeconomic development, energy security and diversification of energy supplies was made, these developments were overshadowed by an overall regression in the areas of deep and sustainable democracy, human rights and fundamental freedoms. Moreover, the past two years have witnessed the hardest time for democracy support in Azerbaijan whatsoever. According to Geybullayeva, it would not be an overstatement to say that there has been hardly any support left in the country because of the fear of being persecuted.

The Azerbaijani case shows that the EaP has not served as a powerful instrument for geopolitical reorientation and the more-for-more principle has not worked when applied to such authoritarian regimes. Lack of action and measures against such countries which could have made difference at the time, now only make the official authorities stronger and bolder in their statements and actions. The EaP's soft judicial methods have not been potent enough to stimulate change when confronted with such consolidated regimes.

Reflecting upon varied priorities and uneven levels of interest in the approximation to European norms and standards, discussants agreed that a more differentiated approach is needed. Both Füle and Gromadzki, however, maintained that the general framework of the initiative, encompassing six partner countries, should be preserved and the proposal included in the EaP should remain available for all the participants. But, according to Gromadzki, in case of the three non-associated countries, Armenia, Azerbaijan and Belarus, this offer should be understood as a strong political message to the societies of these countries rather than seen as an unrealistic call for cooperation with the current elites. I. Porchkhidze stressed that though differentiated, the approach ought to remain inclusive without shutting the doors to the others.

As for the shortcomings in the EaP's architecture, Gromadzki underlined that the EaP's multilateral platform was much less successful compared to the achievements on the bilateral level and for that reason, it should be deeply redesigned. The EU's policy towards its partners should not be based on searching for the lowest common denominator. The platform should be rather treated as an additional tool, focused on the cooperation among the associated countries and between this group and the EU.



Where to? Convergence without *finalité*

One of the greatest inherent weaknesses of the EaP, as seen by the participants, is the absence of a well-defined formula of graduation, as Porchkhidze put it. The conviction that there must be some offer after the AAs are reached in order to keep the associated countries motivated was commonly held by the speakers. The importance of the issue was further highlighted by pointing to the results of [the stakeholders' opinion survey on the EaP](#), conducted by the AMO in which a vast majority of the EaP respondents (91.1 %) expressed their belief that the EU membership perspective would serve as the most powerful impetus for further reforms.

As Shulga pointed out, even though the possibility of transformation without having a membership perspective might exist in theory, there is no empirical evidence proving that such an endeavour could succeed. He also confessed that even though the ambition to obtain EU candidate status invariably remains on the Ukrainian agenda, the country is aware of the fact that at the moment it is not the right time to push.

By the same token, Chirila admitted that the interim status, the country finds itself stuck in, makes it difficult to stay on the pro-European track and keep the Moldovan society engaged in the reform agenda. In a similar vein, V. Dostál recalled the CEE enlargement experience of the 1990s. He underlined that the swift initiation of the accession process after the AAs were signed meant a game-changer for the region as it helped to win the hearts of the civil society and of the political class and eased the burden of undergoing necessary but painful reforms.

Dostál also reminded that from the legal point of view, the EaP countries have the right to strive for a clear-cut membership perspective, stipulated in the Article 49 of the Treaty on the European Union. This clause has to be directly dealt with by the EU.

The discussants expressed their opinion that the EU risks losing its soft power in the region if it avoids addressing the issue of the EaP's *finalité*. According to Füle, the West's reluctance to make a bold step forward and hold to its promises was already demonstrated at the NATO Bucharest Summit in 2008. Füle was questioning the sincerity of the offer as NATO vowed the membership perspective to Georgia and Ukraine, not giving them the Membership Action Plans (MAPs) as roadmaps how to reach it. The EU was making a similar mistake, Füle argued. This time it seems to be ready to walk the walk but not willing to show the EaP countries the light at the end of the tunnel.

Dostál stressed that the EU already had an important lesson learned of a failed enlargement story, which is the story of Turkey. Ankara's approximation to the EU has been such a long and painful process that the EU lost its credibility under way.

Chirila concluded that the only way how to uphold the pro-reform course for the time being is to fully stick to implementing the AAs. Shulga added that the Ukrainian continued pro-



European drive is based on the assumption that the region is still of high importance to the EU and that the Ukrainian success remains in the EU's interest.

Shulga also stressed that the EU enlargement does not entail only the membership perspective, but also respective instruments. Taking into account that the AAs mean implementing approximately 80% of the *acquis communautaire*, screening and other tools designated for candidate countries should be also used to monitor the progress in the associated countries.

The Russian challenge

An external factor that poses a serious challenge to the future of the EaP and greatly informs the EU's policy towards its eastern neighbourhood is Russia. As S. Dębski put it, some in the EU believe that there is a bit truth in the myth that it was the EaP which provoked the Russian aggression in Ukraine, making them cautious not to provoke Russia even further. Chirila expressed a widespread worry among the EaP countries that the EU might be reluctant from now on to offer the membership perspective, trying to accommodate Russian interests in the region.

Füle argued that the West fondly believed that there were no losers of the Cold War and that Russia felt the same way. It made a mistake not realizing that any fall-down of an empire needs a lot of care and understanding of other countries around. What Russia's current policy is, however, truly about, is not the EaP *per se* but the Kremlin's return to revisionism.

In Porchkhidze's view, Moscow has not abandoned the concept of limited sovereignty towards its neighbours. Former USSR republics can remain independent, but Russia must retain a tacit veto over decisions taken in the region. Regrettably, it seems that the whole logic is going to remain intact, Porchkhidze said.

Dębski opinioned that there was nothing wrong about the EU's decision to start thinking about the policy towards its close proximity, but the policy it elaborated came too late. B. Feledy emphasized that Moscow had launched its own version of a neighbourhood policy much earlier than the EU's first assessments of how to approach the east emerged.

Speaking about Russia's integration initiatives, Porchkhidze proclaimed that for Moscow, no project makes sense without Ukraine. Having Georgia under its control is similarly important because of its image of a relatively successful reformer. Russia is not only against NATO and Western security structures, but against the European project as such. The annexation of Crimea and the war lingering in the east of Ukraine prove the fact. The Kremlin's aim is to prolong the war and drain Ukraine, curbing any aspirations in the region to push the integration forward.



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Füle tried to dissipate a common myth that the EaP made the partners choose between Moscow and Brussels at the expense of the former. The EaP has never been intended as a geopolitically charged initiative. Trying to support state-building, strengthen the rule of law and develop market opportunities cannot be understood as an anti-Russian policy. Feledy, however, pointed out that given the communication failures over the US missile shield, there seems to be no point in convincing Russia that the EaP would not be aimed against it.

According to Š. Füle, without finding a *modus operandi* between the EU and the Eurasian Union, a new dividing would emerge in Europe. He raised a question whether the EU would be capable of taking the matter into its own hands, or whether it is doomed to wait for what the Kremlin comes up with. Although the Minsk II agreement is extremely important in the process of crisis management, it should be understood only as a necessary first step on the way to a reconciliation.

It is of utmost importance to agree on technical standards and ensure compatibility between the two integration projects, Füle stressed. The way forward, in his viewpoint, lies in the creation of a joint economic space from Lisbon to Vladivostok. This would be also a means how to bring other partners like Armenia, Belarus, but also Kazakhstan to the negotiating table. D. Shulga, nevertheless, underlined that engaging in any such talks with Russia or the Eurasian Union should be conditional upon restoring Ukrainian territorial integrity first.

The security component of the EaP

Moscow's reaction to the Euromaidan, the annexation of Crimea and the subsequent war in Donbas brought the question of security to the forefront. The West has, however, not been able to keep up with the pace of the quickly changing environment, the discussants said. To prove how lagging behind the EU is, Feledy reminded that it took one year to officially acknowledge Russian military infiltration in eastern Ukraine.

G. Gressel foresaw two possible ways how to help the states lying outside both the EU and NATO preserve their territorial integrity and sovereignty. Preferably, the EU membership should be granted to these countries. The problem, however, is that the accession process itself is too slow compared to the speed with which Russian military forces can be deployed.

The other option draws from the US post-war policy towards Taiwan. On the one hand, the US tried to preserve Taiwanese independence, at the same time it strove to avoid being entangled into any Taiwanese scenario on Chiang Kai-shek's terms. As a result, the US declared that it would oppose any changes of the status quo incurred by the use of military force. Thus, it would be desirable if NATO could guarantee territorial integrity and sovereignty of eastern



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European states, or at least firmly stood against any changes of the status quo. But Gressel admitted that there is no willingness to make such a move either.

Füle expressed his conviction that an international organization, which is the best equipped to manage the crisis and play a crucial role in the prevention of a division of the continent, is the OSCE. The foremost step which, according to Füle, should be taken is strengthening confident-building measures in the region.

As for concrete areas where the cooperation should be intensified, Feledy especially underlined the importance of joint border controls and intelligence sharing on corruption and organized crime cases. He suggested that first, a closed summit of the EU member states should take place and only then a concrete proposal could be brought to the EaP partners.

Shulga stressed that the field of security is currently of the utmost importance for Ukraine. Apart from retaining the EU sanctions against Russia, the country is in need of weapons supplies and military training.

The information war, affecting the whole Europe, necessitates a joint response to Russia-led propaganda. Shulga argued that joint communication projects as well as information exchanges between countries of the region, Russia and the EU could be conducive to improving mutual awareness. In addition, journalism standards and proper documentation standards should be established.

Energy security traditionally remains high on the agenda. Shulga underlined that by implementing the EU's acquis in this field and by creating a similar regulatory environment as in the EU, Ukraine is demonstrating its commitment to further integration and aims to be included into a planned common energy market and, by extension, into the EU's external energy policy. Energy interconnectedness with the EU should be strengthened. This viewpoint was also shared by Chirila.



Where do we stand? The EU's approach towards the eastern neighbourhood

According to Gressel, the inherent problem with the European Neighbourhood Policy (ENP) as a whole is that it has been always seen rather as a supplement of a bigger picture of the EU's foreign policy. But there is nothing to be complemented – only remnants have been left of both the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP). The Lisbon Treaty, in fact, did not bring any breakthrough. The EU's foreign policy still works along the old lines.

In a similar vein, Füle argued that extremely sound policies can be founded, but the problem may lie in implementation. Instead of having one overarching CFSP, there are 29 foreign policies – one common plus 28 national ones. Also Feledy stressed that what forms a necessary background of the ENP is the customary Brussels-Luxemburgish way of compromises. As a result, the incentives the EU as a whole is able to provide to the EaP partners are seemingly weaker than on the Russian side.

Dębski disagreed that Moscow had in its disposal more powerful incentives. This claim misses the fact that the EaP is a policy which instrumentalizes the magnet the EU has always possessed, which became the driver for the first enlargement and later for the approximation of its neighbours. Although Russia tried to employ information warfare and economic and energy blackmail, it did not stop the Ukrainian society from expressing its political aspirations to speed up integration with the EU.

However, as underlined by the speakers, the EaP tools cannot alone achieve the goals that the EU set, if it does not stay firm and united in its approach.

L. Najšlová in depth examined a number of internal weaknesses on the side of the EU which precluded the progress of the EaP. The EU suffers from a weak political leadership, which is not able to hold the course when the member states prefer playing their national cards. Business interests, as in case of the sanctions against Russia, are in many instances prioritized over the protection of human rights. Instead of trying to establish a national consensus when crucial issues are being discussed, they often fall prey to domestic party competition. The only beneficiary of the EU's inability to come to a joint action is, however, Moscow.

According to the speakers, right now, no elaborate long-term strategies should be expected from the EU towards the east. Throughout Europe, the EaP is being overshadowed by crises – be it the Greek financial crisis or the refugee issue. Gressel stated that a comprehensive German foreign policy vision, reaching beyond the EU borders, has not developed yet. Nevertheless, what is clear, the old pre-2013 Russia-centred and economy-led German



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Ostpolitik is a thing of the past. The Germans are aware of the fact that at least until Putin is in power, Russia will not be a constructive element to build the east European order with.

During the debate, also the question of the Visegrad Group's unity on the policy towards Russia was raised. Najšlová doubted the continued capacity of the group as well as of the EU as a whole to lead by example. She pointed to its internal illiberal tendencies and absenting sense of solidarity. This view was objected by both Dębski and Dostál, who stressed that the V4 has never been united on Russia, which, however, does not preclude it from reaching a consensus on the EaP.

The EaP's civil society dimension

Six years after the EaP's launch, it is apparent that the EU should refine its approach to civil society actors in the region, paying more attention to their needs and voices. As Dostál noted, it is important to talk to the society, yet, it is even more important to listen to it.

Dostál emphasized that the EU was not supposed to be caught off the guard by the Euromaidan as there were some tendencies that should have been observed. What is even more alarming, the EU itself became surprised by its own attractiveness.

In Gromadzki's view, contacts with civil societies should be perceived as being no less important than those with governments. Moldova proves the case. According to Chirila, the current authorities, who promoted the EaP and negotiated the AA, are, however, not interested in the implementation of the reform agenda. Instead of engaging pro-European, yet corrupted and discredited political elites, the EU should reach out directly to civil society.

Dębski underlined that the EaP had often been perceived as a magic wand which would solely by its touch turn the region into a stable and prosperous zone in the EU's proximity. The problem is that it has always been up to the governments and the will of the political elite to move the EaP agenda forward. Even though aware of external threats, Chirila stressed that the main danger Moldova must tackle was not Russia, but rather Moldova's own internal structural weaknesses. The entrenched oligarchic regime, which does not any more respond to the needs and aspirations of the society, should be challenged. According to Chirila, coordinated effort of the EU and the US is needed to curtail the current regime.

Institutions responsible for fighting corruption ought to be liberated from oligarchic interests. The monitoring role of the society should be encouraged. Business community, independent of oligarchs, should be strengthened via supporting small- and medium-sized enterprises (SMEs). Feledy was of the same opinion and urged for greater investments. Civil society needs



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international economic background to keep its independence and to develop into a solid interest representation, which is expected at the end of the democratization process.

Porckidze stressed that civil society approximation should work both ways in order to create a normative bonding and linkages between the EU and the EaP countries. There should be not only more Europe in Georgia, but also more Georgia in Europe, he said.

Shulga proposed several concrete steps that should be taken in order to strengthen people-to-people contacts and interconnectedness between the EU and the neighbouring countries. The agreement on a joint aviation space with Ukraine should not be blocked because of an unrelated disagreement over Gibraltar. Transport networks, trans-border cooperation as well as energy interconnections should be strengthened in order to reinforce overall cohesion of the region. The associated countries should be increasingly included into civil society programs like the Europe for Citizens, generally regarded as closely linked to the candidate status. Their content and focus on topics like local-level democracy or tackling the totalitarian past would be, however, of great relevance and benefit for these countries as well.



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Speakers

Victor Chirila, Executive Director, Foreign Policy Association (APE), Chisinau

Sławomir Dębski, Director, Centre for Polish-Russian Dialogue and Understanding, Warsaw

Vít Dostál, Director of the Research Center, Association for International Affairs (AMO), Prague

Botond Feledy, Analyst, Kitekinto.hu, Budapest

Štefan Füle, Former European Commissioner for Enlargement and European Neighbourhood Policy; Ministry of Foreign Affairs of the Czech Republic, Prague

Arzu Geybullayeva, Correspondent, AGOS newspaper; Associate Scholar, Foreign Policy Research Institute, Baku

Gustav Gressel, Visiting Fellow, European Council on Foreign Relations (ECFR), Berlin

Grzegorz Gromadzki, Analyst, Stefan Batory Foundation, Warsaw

Lucia Najšlová, Editor-in-chief, V4 Revue; Researcher, Faculty of Social Sciences, Charles University, Prague

Irakli Porchkhidze, Senior Vice President, Georgian Institute for Strategic Studies (GISS), Tbilisi

Dmytro Shulga, Director of European Programme Initiative, International Renaissance Foundation, Kyiv



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- organize educational projects;
- present critical assessment and comments on current events for local and international press;
- create vital conditions for growth of a new expert generation;
- support the interest in international relations among broad public;
- cooperate with like-minded local and international institutions.

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