

EU AS A NEIGHBOUR: VIEWS FROM CIVIL SOCIETY





ACKNOWLEDGEMENTS

This publication was made possible with the help of Mabel Grossi from SOLIDAR and Nino Tvaltvadze from ALDA – The European Association for Local Democracy, for which we are thankful.

The Finnish NGDO Platform to the EU, Kehys, would further like to thank the Ministry for Foreign Affairs of Finland for its financial support.

The views expressed in this publication are the sole responsibility of Kehys and the authors of this publication.

Editor: Nora Forsbacka (The Finnish NGDO Platform to the EU, Kehys)
Design and layout: Veera Aalto, Indicio Oy

This publication has been printed on recycled paper.

CONTENTS

RILLI LAPPALAINEN

THE EUROPEAN NEIGHBOURHOOD POLICY
INTRODUCTION **5**

Jordan

AHMAD M. AWAD

THE NEW ENP FRAMEWORK:
AN IMBALANCED PARTNERSHIP **9**

Egypt

HEBA KHALIL AND NORHAN SHERIF

EGYPT UNDER A MILITARY-BACKED REGIME:
CIVIL SOCIETY AND LABOR RIGHTS UNDER ATTACK **12**

Palestine

FIRAS JABER

WILL THE NEW EUROPEAN NEIGHBOURHOOD
POLICY ENSURE CIVIL PARTICIPATION AND PROMOTE
UNIVERSAL SOCIAL PROTECTION FOR ALL? **15**

Ukraine

ANZHELIKA PYLYPENKO

THE EUROPEAN NEIGHBOURHOOD POLICY,
EUROMAIDAN, AND WHAT COMES NEXT **19**

Belarus

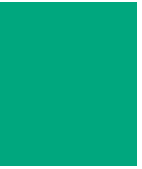
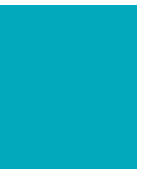
ANDREI YAHORAU

BELARUS AND THE ENP: STATE AND CIVIL
SOCIETY ON DIFFERENT PAGES **21**

Georgia

LIKA KILADZE

ASPIRING TOWARDS
EU MEMBERSHIP **25**



THE EUROPEAN NEIGHBOURHOOD POLICY

INTRODUCTION

Within the European Union, most voices heard on the European Neighbourhood Policy are those of EU citizens themselves – be it EU or Member State officials or civil society representatives. This time, we take a different approach. In this publication, we have invited civil society representatives from EU's neighbouring countries to provide their insight and views on how it is to live with the *EU as a neighbour*. We have asked them about the challenges and opportunities the EU as a neighbour poses, and invited them to give their views on how the European Neighbourhood Policy offers opportunities for civil society to engage. As the eastern and southern neighbours are so often approached in silos, this publication also offers a rare opportunity to examine the ENP as a whole.

A BRIEF INTRODUCTION TO THE ENP

The launch of the European Neighbourhood Policy (ENP) in 2004 was closely connected to the enlargement round the same year. The enlargement of May 2004 included ten new countries into the EU, and consequently significantly shifted the EU's borders. To prepare for this shift, the European Commission published a communication on *The Wider Europe - Neighbourhood* in 2003, outlining the – what in retrospect can be considered somewhat naïve – goal of creating a ring of stable, friendly and prosperous neighbours, with whom the EU enjoys close, peaceful and co-operative relations.¹

¹ https://eeas.europa.eu/enp/pdf/pdf/com03_104_en.pdf

The ENP has since been reviewed several times. The Eastern Partnership initiative was launched in May 2009, with the aim of bringing the six Eastern Partners, Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine, closer to the EU. This review can be viewed as a reaction to the Russian aggression in Georgia in 2008. The review of the ENP in 2011, again, was largely a reaction to the turmoil in the Mediterranean area in the spring of 2011.

The latest review of the European Neighbourhood Policy, that comes more than a decade after the policy was initially launched, was conducted in 2015. Just as with previous reviews, this too was a reaction to a changing environment, the conflicts of Ukraine and Syria in particular. The European Commission invited different stakeholders to give their views on the ENP in an open consultation, with CONCORD Europe and the Finnish NGDO Platform to the EU, Kehys, among those participating in the consultation.

The reviewed ENP is characterized by the words stabilisation and differentiation. As noted in our article on Jordan, this stress for stability, preserving the status quo in the region, is seen to largely outweigh such fundamental issues as democratic processes, political freedoms and sustainable economic policies under the ENP. The renewed ENP sees a move from the 'more for more' -approach, that promised rewards for the countries that made the most progress, towards a more tailored partnership with each neighbour.

Topics such as inclusive economic and social development, creating jobs for young people, increasing efforts in the security sector, safe and legal mobility and tackling irregular migration, and finally, working on energy security and climate action, are some of the key sectors under the new ENP. Similar topics are also discussed in this publication, with for example our article on Palestine calling for universal social protection for all, and our article on Jordan discussing the need for sustainable socioeconomic policies, that target both the host country and the currently considerable number of refugees residing in Jordan. The reviewed ENP's aim to involve other regional actors beyond the neighbourhood in addressing regional challenges can possibly create new opportunities, as noted in our article on Georgia.

Despite a recent review, voices are already calling out for a new review of the European Neighbourhood Policy, in light of instability in the neighbourhood. Twelve out of the sixteen

ENP-countries are currently exposed to frozen conflicts, civil wars, occupation or conflict.²

The decision to review the ENP in 2015 was taken at a peculiar time, taking into account that the EU launched its Global Strategy only half a year later, in the summer of 2016. The Global Strategy, introduced in June 2016 by the High Representative of the Union for Foreign Affairs and Security Policy, **Federica Mogherini**, may bring with it a need to update existing or prepare new regional and thematic strategies. Furthermore, the EU has been expected to come up with an overarching vision of how it will respond to the 2030 Agenda and contribute to transformative sustainable development in Europe and partner countries.

According to the Global Strategy, investing in the resilience of states and societies to the East and South is in the interests of EU citizens. The Strategy goes on to define this new buzzword, *resilience*, in broader terms, to encompass all individuals and the whole of society. A resilient society, according to the Global Strategy, has democracy, trust in institutions and sustainable development at its heart.³ We should, in our view, be very clear about whether it is state or human resilience we want to protect, as these sometimes contradict, also in our neighbouring countries.

Today there are sixteen countries within the European Neighbourhood Policy framework: six eastern partners, and ten southern neighbours. This publication focuses on six of these countries: three from the East (Georgia, Ukraine and Belarus) and three from the South (Egypt, Jordan and Palestine). Whereas twelve of the ENP-countries have ENP action plans (or Association Agreements, as they are called in the East), three remain largely outside the structures of ENP. In this publication, the countries remaining largely outside the ENP's structures are represented by Belarus.

CIVIL SOCIETY AND THE ENP

As this publication makes clear, the voice of civil society is important for the ENP in a myriad of ways. Civil society is

² <https://www.euractiv.com/section/global-europe/news/new-geopolitical-crises-demand-a-more-dynamic-eu-neighbourhood-policy/>

³ https://europa.eu/globalstrategy/sites/globalstrategy/files/eugs_review_web.pdf

“BY MONITORING AND GIVING ADVICE TO PARLIAMENTS, GOVERNMENTS AND POLITICAL PARTIES ON ISSUES OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, CIVIL SOCIETY ORGANISATIONS ARE KEY IN RESHAPING OUR EUROPEAN NEIGHBOURHOOD POLICY AND STRENGTHENING THE COOPERATION, WHILE WE ARE TACKLING SO MANY THREATS AROUND US.”

FEDERICA MOGHERINI,
HIGH REPRESENTATIVE OF THE EU FOR FOREIGN
AFFAIRS AND SECURITY POLICY⁴

needed for holding governments and the EU to account, for creating an arena where active citizens can engage, and it has an important role to play in awareness-raising activities, as noted for example in our article on Ukraine. Oftentimes, civil society is more positively inclined towards reforms than the government is, as our article on Belarus points out. Civil society capacity is, however, often limited.

Capacity constraints remain an issue for civil society, as our article on Georgia pinpoints. There are times when CSOs are not even aware of consultations led by the EU that they would be welcome to participate in. Other times they are simply not well-informed enough to give meaningful input. Capacity building of civil society in ENP countries could be further supported by providing additional opportunities for both national and international civil society contacts and mutual learning.

Consulting with civil society should extend to much more than just ticking a box. The EU must take clear steps to ensure that the voices of civil society are really heard in its neighbouring countries. Clear principles for consulting with civil society organisations in ENP matters are necessary. Supporting initiatives aimed at promoting long-term, structured dialogue between independent civil society and the EU is of great importance.

Civic space is currently under threat, globally. This trend is evident for example in our article on Egypt, which has seen an unprecedented crackdown on independent civil society and the labor movement under its military-backed regime. Under such circumstances, the EU should do its utmost to promote freedom of information, freedom of association and peaceful assembly, and an enabling environment for civil society. An important aspect of an enabling environment is the nature of cooperation between the government and civil society. EU delegations have an important role to play in this regard. The EU should support participatory democratic processes and cooperation between authorities, on all levels, with civil societies.

RILLI LAPPALAINEN
SECRETARY-GENERAL, THE FINNISH NGDO
PLATFORM TO THE EU, KEHYS

⁴ https://eeas.europa.eu/topics/european-neighbourhood-policy-enp/2204/strengthening-dialogue-between-civil-society-from-the-southern-neighbourhood-and-the-eu_en

Jordan

Egypt

Palestine

Ukraine

Belarus

Georgia

THE NEW ENP FRAMEWORK: AN IMBALANCED PARTNERSHIP

AHMAD M. AWAD,
PHENIX CENTER FOR ECONOMIC AND INFORMATICS
STUDIES, JORDAN

As the year 2016 draws to a close, during which Mediterranean partnerships once again played a crucial role in the Middle East and North Africa (MENA) region's affairs, it is pertinent that we reflect on the successes and shortcomings of the current European Neighbourhood Policy (ENP) framework. In particular, it is important to take stock of how the ENP implementation until now has failed to address Jordan's political and socioeconomic challenges, and how this revision is crucial to ensure that EU-Jordan bilateral relations give greater consideration to sustainable development and human rights issues.

A NEW CHAPTER IN EU-JORDAN BILATERAL RELATIONS?

The war in Syria is now in its sixth year, and millions of refugees have fled to neighboring countries. As a result, roughly 20% of the Jordanian population – some 1.4 million people – is currently estimated to be Syrian: In addition to both registered and unregistered refugees, there are the migrant workers who were in the country before the war broke out.

To face this enormous challenge, the international community and the Jordanian government pledged political and economic commitment, in February 2016 at the London conference, to jointly adopt and implement policy changes that would have the potential to improve the lives of both refugees and host communities in Jordan. As a part of the ENP's implementation, the EU is now negotiating the 2016–2020 Partnership Priorities with Jordan, including an annexed compact, which will look at both short- and long-term measures for bilateral cooperation on migration policy, economic cooperation, governance, stability and security.

Even prior to the current crisis, Jordan was facing significant socioeconomic and labor market challenges, such as high national unemployment, market marginalization of women and youth, and dependency on low wages and foreign labor. In this sense, while the current socioeconomic pressure caused by the Syrian refugees has exacerbated existing structural socioeconomic vulnerabilities, this emergency has opened a new chapter in EU-Jordan bilateral relations, which could represent a renewed opportunity to further support long-term sustainable development policy, promote civil society space and fundamental rights, and reduce inequalities.

REALITY CHECK

In spite of the substantial financial assistance which the afflicted areas and host countries have received from the EU and other international agencies, their local economies, labor markets, and service infrastructures remain severely strained. In Jordan, for instance, unemployment has risen steeply, particularly among the youth, and wages and working conditions have suffered greatly from the increased (and often unfair) labor market competition posed by refugees and migrant workers. All the while, living costs have spiked due to an increased demand for goods, services, housing, and public services, such as health care, education, along with social protection. The latter, furthermore, has suffered deeply from the imbalance between the levels of public expenditure (as a percentage of GDP), which have remained constant, and the mounting social needs.

IN SPITE OF THE SUBSTANTIAL FINANCIAL ASSISTANCE WHICH THE AFFLICTED AREAS AND HOST COUNTRIES HAVE RECEIVED FROM THE EU AND OTHER INTERNATIONAL AGENCIES, THEIR LOCAL ECONOMIES, LABOR MARKETS, AND SERVICE INFRASTRUCTURES REMAIN SEVERELY STRAINED.

In this context, one of the key elements of the so-called EU-Jordan compact is to support the employment of Syrian refugees within 18 special economic zones in Jordan, through a commonly agreed quota system, in exchange for more flexible rules of origins that would allow products manufactured in these economic zones to be sold in duty free markets. Despite 27,000 work permits having been granted to Syrians over the last year (that is, overall, as opposed to solely within the special economic zones), international efforts to address the refugee crisis have not yet been comprehensive. The proposed solutions tend to be short-termist, focusing on immediate needs, while not necessarily addressing such long-term challenges as structural unemployment among youth and women in host communities, dependency on low wages, and a fragmented social security system. Another key challenge would be to

ensure that working conditions for Syrians in economic zones are in accordance with International Labor Standards.

On a general level, the negotiating capacities of workers in the region have, then, progressively declined as a result of the refugee crisis. However, this decline has been further exacerbated by the European Neighbourhood Policy's uncompromising focus on social stability (as a means to ensure security), to the detriment of such fundamental liberties as the right to unionize and conduct collective bargaining. Freedom of association and peaceful assembly has deteriorated drastically in the region at large, and in Jordan especially, as governmental control over workers' and employers' institutions, and other civil society organizations, has progressively tightened. Consequently, the very socio-economic imbalances which free and equitable social and civic dialogue should serve to mitigate have been further aggravated. In this context, civil society organizations in Jordan are struggling to preserve the free space necessary to operate independently, as they continue to face mounting legislative and administrative pressure and an ever greater interference of public authorities in their internal affairs.

LOOKING AHEAD

The stock-taking exercise of the European Neighbourhood Policy revision has shown that the ENP's focus on security has made Northern partners complicit with largely autocratic regimes across the whole Middle East and North Africa region. Similarly, economic measures pursued under the old ENP paradigm have failed to adequately protect the national populations: trade liberalization, commonly included in broader strategies for economic recovery, has

CIVIL SOCIETY ORGANIZATIONS IN JORDAN ARE STRUGGLING TO PRESERVE THE FREE SPACE NECESSARY TO OPERATE INDEPENDENTLY, AS THEY CONTINUE TO FACE MOUNTING LEGISLATIVE AND ADMINISTRATIVE PRESSURE AND AN EVER GREATER INTERFERENCE OF PUBLIC AUTHORITIES IN THEIR INTERNAL AFFAIRS.

brought about the downfall of numerous local industries in favor of imports, leading to layoffs; the diminished capacity of local economies to generate decent work opportunities has resulted in the significant growth of the informal sector; finally, under these conditions, the influx of refugees has further tightened competition in the labor market, aggravating unemployment and producing an even steeper drop in working conditions.

THE CURRENT ENP PARADIGM SEEMS TO BE TOO DEEPLY ENTRENCHED IN SECURITY CONCERNS TO BE ABLE TO PROVIDE MUCH-NEEDED ANSWERS TO THE MANIFOLD TROUBLES WHICH PRESENTLY BESET MILLIONS OF PEOPLE ACROSS THE REGION.

In light of this, while the EU-Jordanian Partnership Priorities represent a new, outstanding opportunity to address long-term challenges, it seems unlikely that sustainable change will be achieved so long as the Jordanian government continues to limit the freedom and space of civil society, particularly the independent labor movement. The current ENP paradigm seems to be too deeply entrenched in security concerns to be able to provide much-needed answers to the manifold troubles which presently beset millions of people across the region, insofar as the promotion of due democratic processes, political freedoms, and sustainable economic policies has been largely outweighed by the concern for preserving the sociopolitical status quo in the region.

A well-balanced partnership between the EU and Jordan will focus primarily on the promotion of sustainable socioeconomic policies, targeting both host communities and refugees, in order to strengthen social and economic inclusion and local sustainable development. At the same time, this cannot be achieved in the absence of a meaningful space of freedom for civil society, which alone can ensure that all societal groups in Jordan are given a voice and a role in defending their rights. Lastly, it is important that the EU work with the Jordanian government to expand social protection coverage to workers in the informal sector, bring much-needed help to thousands of vulnerable families, and thus namely contribute to the prevention of child labor and supporting female heads of households.



JORDAN

- POPULATION: **9,9** million
- GDP PER CAPITA: **3,976**, rank **106 / 184**
- UNDP HUMAN DEVELOPMENT INDEX: **0,748**, rank **80 / 188** ●
- TRANSPARENCY INTERNATIONAL CORRUPTION PERCEPTION INDEX: **53**, rank **45 / 168** ●
- CIVICUS ENABLING ENVIRONMENT INDEX: **0.41**, rank **91 / 109** ●
- GLOBAL PEACE INDEX: **2.127**, rank **96 / 163** ●
- EU SHARE OF JORDAN'S TRADE: **21,6%** imports, **2,6%** exports
- EU MEMBER STATES AND INSTITUTIONS' ODA: **323.03** million USD in 2014; **2%** of total ODA to Jordan
- MULTI-ANNUAL PRIORITIES UNDER ENP: Reinforcing the rule of law for enhanced accountability and equity in public delivery, employment and private sector development, renewable energy and energy efficiency
- EU-Jordan Action Plan adopted in 2005. It was preceded by an Association Agreement that entered into force 2002.

EGYPT UNDER A MILITARY-BACKED REGIME: CIVIL SOCIETY AND LABOR RIGHTS UNDER ATTACK

HEBA KHALIL AND NORHAN SHERIF,
RESEARCHERS AT THE EGYPTIAN CENTER FOR
ECONOMIC AND SOCIAL RIGHTS

SETTING THE CONTEXT OF THE REVISED
EUROPEAN NEIGHBORHOOD POLICY

Up until the outbreak of the revolution in 2011

– and afterwards – the European Union’s approach towards Egypt has been aligned with the Washington Consensus’ neo-liberal policies promoted by the International Financial Institutions throughout the 1990s. As the revolution broke out, additional EU lending to Egypt through the European Bank for Reconstruction and Development (EBRD) and the European Investment Bank was foreseen, with additional blending mechanisms to address investments in vital sectors.¹

Throughout the 1990s and 2000s, the impact of neo-liberal policies was felt heavily by the Egyptian population, as health and education sectors, together with entire vital economic sectors, were left to free market, leaving the most vulnerable groups behind. It is in this

context of rising poverty and socio-economic vulnerability that the period from the mid-2000s until the break out of the revolution in 2011 has been marked by heightened workers’ mobilization and activism nationwide, which has been understood as a precursor to the uprisings in 2011, in which workers were a central force. In 2011–2013, over a thousand new independent unions were registered, with membership exceeding 2.5 million workers². The labor movement is perhaps the epitome of the failed Egyptian Revolution: five years after 2011, functioning independent unions have become scarce, amidst security harassment of syndicalists and legislative harassment directed towards the rights to association, strike and peaceful protest.

Despite the crucial role played by the independent labor movement in the 2011 revolution, the current EU-Egypt relations are sidelining human and trade unions’ liberties and rights, prioritising security and economic cooperation. The EU-Egypt bilateral relations are governed by the Association Agreement, which is operationalized through annual Action Programmes. As part of the revised European Neighbourhood Policy, the EU and Egypt are negotiating Partnership Priorities that will determine the bilateral cooperation among the two countries for the upcoming

¹ [http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/fo-
raff/133513.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/fo-
raff/133513.pdf)

² J. Charbel, 'Labour Law Stalled as Independent Unions Struggle for Representation', Egypt Independent (June 26, 2012).

programming period. Currently, the priority sectors will be i) economic and social development through trade and structural reforms; ii) foreign policy and crisis management and iii) stability, security and returns.

UNPRECEDENTED CRACKDOWN ON INDEPENDENT CIVIL SOCIETY AND LABOR MOVEMENT UNDER THE MILITARY-BACKED REGIME

With the ascendance to power of a military-backed government in 2013, Egypt has faced increased repression of basic activities, such as free speech and peaceful protest. The passing of the 2013 Protest Law and the 2016 Anti-Terror Legislation are key steps taken by the current regime to “legally” outlaw legitimate labor and industrial action³. With support of the new legislation, the military and police have increasingly harassed workers, interfering in protest and strike actions to arrest workers and force them to resign.⁴ The recent case of military trials against workers at the Alexandria Shipyard company is an embodiment of the repressive tactics of the military backed regime against workers: currently, 15 workers are facing military trials for striking, in demand of better pay, and in objection to inadequate occupational health and safety regulations in their facilities.⁵

WITH THE ASCENDANCE TO POWER OF A MILITARY-BACKED GOVERNMENT IN 2013, EGYPT HAS FACED INCREASED REPRESSION OF BASIC ACTIVITIES, SUCH AS FREE SPEECH AND PEACEFUL PROTEST.

Not only does recent legislation actively outlaw labor and industrial action, and legitimize violent crackdown on workers, but legislative reforms have actively worked to undermine the very existence of the independent labor unions, practically taking away any organizational, financial



EGYPT

- POPULATION: **92** million
- GDP PER CAPITA: **3,710**, rank **113/184**
- UNDP HUMAN DEVELOPMENT INDEX: **0,690**, rank **108/188** ●
- TRANSPARENCY INTERNATIONAL CORRUPTION PERCEPTION INDEX: **36**, rank **88/168** ●
- CIVICUS ENABLING ENVIRONMENT INDEX: **0.4**, rank **94/109** ●
- GLOBAL PEACE INDEX: **2.574**, rank **142/163** ●
- EU SHARE OF EGYPT'S TRADE: **32,4%** imports, **27,7%** exports
- EU MEMBER STATES AND INSTITUTIONS' ODA: **498.34** million USD in 2014; **14%** of total ODA to Egypt
- MULTI-ANNUAL PRIORITIES UNDER ENP: Poverty alleviation, local socio-economic development and social protection; governance, transparency and business environment; quality of life and environment
- EU-Egypt Action Plan adopted in 2007. It was preceded by an Association Agreement that entered into force in 2004.

3 Amnesty International. 2016. <https://www.amnesty.org/en/latest/news/2016/04/egypt-mass-arrests-in-ruthlessly-efficient-bid-to-block-peaceful-protest/>

4 The Arabic Network for Human Rights Information. <http://anhri.net/?p=92167>

5 Daily news Egypt. Military Trial for Workers Continues. 2016. <http://www.dailynewsegypt.com/2016/07/11/military-trial-workers-continues/>

or negotiation power they had. Law No. 35/1976 regulates labor unions in Egypt, next to several other legal documents, such as the Egyptian constitution, ministerial decrees, and several laws in the penal code, especially dealing with the issue of strike and industrial action, as well as the court precedents, that lend contradictory opinions on independent labor unions, or the legitimacy of strike activities.⁶

While workers and other local groups have been actively advocating and working towards drafting a new law governing independent unions for the past five years, the current government in 2016 finally abolished these efforts by passing amendments to the existing restrictive law regulating labor unions. This happened in total disregard of the workers' suggested draft law, which had in fact been approved by the cabinet of ministers in November 2011, but opposed by two key actors: the official federation, ETUF, and the Supreme Council for Armed Forces. In July 2016, the parliament approved amendments to the Law 35/1976 regulating labor unions, through the law 61/2016, a move that signified that there will be no new legislation, but also that the state is not willing to concede to independent unions.

The sharp attack on workers and independent unions reached its peak in 2016, when a court case challenging the legitimacy of the independent unions was raised by the state-led official workers' federation in court, seeking to annul independent unions due to their "extra-legality", as described by the official federation members. In the meantime, the Ministry of Interior has decreed that the stamps of independent unions are no longer recognized as official documents, a move that has practically stripped the unions of the official recognition they had gained in 2011 under the Borai Declaration of Trade Unions' Freedoms, and made their meetings, decisions and negotiations outside the realms of legality and legitimacy.⁷ The same move was adopted by the Ministry of Education which announced it would no longer recognize the independent union stamps in March 2016.⁸ Both ministries have worryingly been allowed by an oppressive environment to refute the constitutional right to union formation and union plurality, a precedent that can soon spread across sectors, and further limit any space the independent unions might have had to represent and negotiate for their best-interest.

The repression of Egyptian workers has to be seen within the restrictive context of the current regime in Egypt, which continues to legislatively and practically encroach on basic rights and entitlements of citizens, hiding behind scaring

tactics, especially the fight against terrorism and Daesh. The heightened repression of Egyptian workers, and citizens in general, does not, however, seem to worry the IMF, the EU, the World Bank and other multilateral partners and donors of the Egyptian state, who continue to grant financial support, as well as conduct business undisturbed by the social and political realities in the country. While we have long denounced conditionality as a means of partnership and assistance, we also realize that the EU and other multilateral organizations doing business in Egypt should hold the Egyptian government to the standards they enforce in other developed countries, or else European investments become a tool for further repression of Egyptian workers.

THE HEAVY CRACKDOWN AND REPRESSION AGAINST THE INDEPENDENT LABOR MOVEMENT AND THE HUMAN RIGHTS DEFENDERS' COMMUNITY AT LARGE HAS BROUGHT CIVIL SOCIETY ORGANIZATIONS TO STRONGLY CRITICIZE THE CURRENT EU BILATERAL COOPERATION WITH EGYPT.

LOOKING AHEAD

The heavy crackdown and repression against the independent labor movement and the human rights defenders' community at large has brought civil society organizations to strongly criticize the current EU bilateral cooperation with Egypt in the framework of the revised European Neighbourhood Policy. In fact, Egypt is not respecting the commitments it entered into by signing the EU-Egypt Association Agreement, and as a result the ongoing negotiations between the EU and Egypt are falling into normalisation and acceptance of widespread violations of human and trade union rights. If the European Neighbourhood Policy is serious about meeting the objectives of prosperity and long-term sustainable development, it needs to start with promoting CSO and independent trade unions rights as a precondition for any further economic agreements.

6 Ali, Khaled. "The Constitutional Right to Strike". 2016. Egyptian Center for Economic and Social Rights. P. 7 [Arabic Only]. <http://ecesr.org/wp-content/uploads/2016/02/Idraab-PDF-PRINT-ECESR.pdf>

7 Fair Labor Association. "Repression of Independent Unions in Egypt". May 2016. http://www.fairlabor.org/sites/default/files/documents/reports/may-2016-independent-trade-unions-in-egypt_0.pdf

8 youm 7. The Education Ministry Restricts Dealing With Independent Union Stamps [Arabic Only] <http://www.youm7.com/story/2016/3/15/مدينتال-2630489>

WILL THE NEW EUROPEAN NEIGHBOURHOOD POLICY ENSURE CIVIL PARTICIPATION AND PROMOTE UNIVERSAL SOCIAL PROTECTION FOR ALL?

FIRAS JABER,
CO-FOUNDER RESEARCHER AT SOCIAL AND
ECONOMIC POLICIES MONITOR (AL MARSAD)

TAKING STOCK OF THE ENP IN PALESTINE

The legal basis for the European Union's (EU) relations with the Palestinian Authority (PA) is the Interim Association Agreement on Trade and Cooperation signed with the Palestinian Liberation Organization (PLO) on behalf of the Palestinian Authority. On the basis of the agreement, the EU-PA European Neighborhood Policy Action Plan was signed in May 2005.

The Single Support Framework is in line with the Palestinian National Development Plan 2014–2016 and follows up on the priorities of EU cooperation with Palestine

developed through the last years. Under the framework of the new European Neighborhood Policy, the EU and the Palestinian Authority formulated a three to five-year action plan. Of the nine objectives identified in this plan, the fifth objective states; “Step up efforts to significantly reduce poverty and social exclusion, in particular among the most vulnerable, and to enhance the social cohesion throughout the Occupied Palestinian Territories (OPT).”

Despite this, the 2015 Social Protection Monitoring report produced by Al-Marsad, in collaboration with SOLIDAR, Stars of Hope Society, the Palestinian Non-Governmental Organizations Network and the Democracy and Workers' Rights Center¹, insists that in the framework of EU-Palestine bilateral cooperation, further support to the development of

¹ http://www.solidar.org/system/downloads/attachments/000/000/191/original/2015_12_07_solidar_ois_case_study_palestine-2.pdf?1457601264

a universal and comprehensive social protection system is needed, by supporting the implementation of the 2014–2016 social protection sector strategy to achieve social protection for all.

THE NATIONAL CAMPAIGN FOR SOCIAL SECURITY AS A GOOD PRACTICE OF CIVIL PARTICIPATION

Social protection is a universal human right and it plays a fundamental role in alleviating poverty, fostering decent work, and facilitating economic and social development. It is included as a main priority of the Palestinian National Development Plan for 2014–2016 and it is recognized as a key priority of cooperation between the EU and Palestine.

In this context, one of the most important initiatives to combat social exclusion and eradicate poverty is the issuance of a comprehensive national social security law that would cover all private sector workers and their family members. In 2012, the Palestinian Cabinet formed the National Social Security Team, which they tasked to draft a law in consultation with national stakeholders and parties, and drawing from regional and international experience. In February 2016 the team completed its work and submitted the draft Decree Law Number 6, which was quickly adopted by the Cabinet, signed by the President, and published in the official newspaper despite wide criticism and objection by CSOs and trade unions.

As a result, the national campaign for social security was established², and it decided to conduct an urgent national

SOCIAL PROTECTION IS
A UNIVERSAL HUMAN
RIGHT AND IT PLAYS
A FUNDAMENTAL
ROLE IN ALLEVIATING
POVERTY, FOSTERING
DECENT WORK,
AND FACILITATING
ECONOMIC AND
SOCIAL DEVELOPMENT.

conference on the 5th of April, 2016, to discuss the pitfalls of this system, and urging the authorities to repeal the law. More than 500 participants attended the conference. They provided several policy recommendations and came up with a number of action points, turning the national campaign into a massive social movement with the participation of worker unions, trade unions, women organizations, youth associations, experts and NGO networks. Following the April conference, on the 19th of April, 2016, no less than 10 000 workers and employees attended a sit-in strike. In response, the Government declared the formation of a ministerial committee for dialogue about the law, effectively cancelling the previous national drafting team. Due to procrastination by the ministerial committee to begin dialogue on the law, a second strike was declared on the 10th of May, 2016, calling for cancellation of the law and sending it back for a national consultation.

NATIONAL DIALOGUE AND AMENDMENT OF THE LAW

The campaign relied on a policy paper prepared by the Al-Marsad Social and Economic Policies Monitor, which was mainly criticizing the social security scheme that included a complementary insurance system under the law, not under the responsibility of the newly-created institution, but under the management of an individual or a private company.

Based on these criticisms, the national campaign demanded to amend the law and to send it back for a national dialogue. In addition, the campaign enumerated its demands to the Legislative Council and the Government, including points such as recognizing the role of the Government in the implementation of the new law and making it consistent with Palestinian legislation as well as international conventions and standards, giving positive benefits for persons with disabilities, calculating the benefits for maternity leave differently, and recognizing that the current minimum for calculating retirement salary is unfair.

On the 29th of September, 2016, the Palestinian President approved including new amendments that were proposed following discussions between the ministerial committee and the national campaign for social security, trade unions, the private sector. The experience of the national campaign represents a good practice of civil engagement, social dialogue and a sound basis for social movement mobilization. Without the aforementioned campaign, the law would have been implemented without broad national consultation, despite its shortcomings. A campaign that represented the workers succeeded in creating a national rights-based dialogue.

² For more information about the National Campaign for Social Security: <http://www.annd.org/data/item/pdf/400.pdf>

THE SOCIAL SECURITY LAW HAS DEMONSTRATED HOW CIVIL SOCIETY AND THE LABOR MOVEMENT CAN BE MOBILIZED AROUND SOCIAL JUSTICE AND PROMOTE POLICY CHANGE. IT OFFERS SCOPE FOR THE EUROPEAN NEIGHBORHOOD POLICY TO MOVE INTO THE DIRECTION OF POVERTY ERADICATION AND PROMOTION OF SOCIAL INCLUSION.

LOOKING FORWARD

The social security law has demonstrated how civil society and the labor movement can be mobilized around social justice and promote policy change. It offers scope for the European Neighborhood Policy to move into the direction of poverty eradication and promotion of social inclusion.

Even though the work plan between the European Union and the Palestinian Authority has identified the fifth objective in reducing poverty and social exclusion, including building a “sustainable, equitable, and cost effective social security system”, the support of the EU to this system was flawed. In fact, the national campaign has recorded very little involvement of EU vis-à-vis the national campaign demands. In this respect, the ILO has recently launched a Global Flagship Programme on Social Protection Floors in which Palestine is one of the selected countries of implementation. Accordingly, the new European Neighbourhood Policy should hence give further attention to the development of the national social protection floor in Palestine and to work in close cooperation with ILO and civil society organisations and trade unions to ensure that this is done in a sustainable and participative process.



PALESTINE

- POPULATION: **4,8** million
- GDP PER CAPITA: **2,868**, rank – (123)/ 184
- UNDP HUMAN DEVELOPMENT INDEX: **0.677**, rank **113 / 188** ●
- GLOBAL PEACE INDEX: n/a **(Israel: 2.656, rank 144 / 163)** ●
- EU MEMBER STATES AND INSTITUTIONS' ODA: **1029.39** million USD; **41.4%** of total ODA to Palestine
- Cooperation priorities include governance, private sector development, water and land development, and the East Jerusalem Programme
- EU-Palestine Action Plan approved in May 2013. Interim Association Agreement on Trade and Cooperation entered into force in July 1997.

THE EUROPEAN NEIGHBOURHOOD POLICY, EUROMAIDAN, AND WHAT COMES NEXT

ANZHELIKA PYLYPENKO,
PHD IN LAW, DELEGATE OF THE LOCAL DEMOCRACY
AGENCY OF DNIPROPETROVSK REGION

The European Neighborhood Policy (ENP) is essential for Ukraine. Our country is currently facing a very difficult situation in all aspects: a part of the territory (the Crimean peninsula) has been annexed, military operations are being conducted in the east of the country and the economic crisis is growing worse. Ukraine was not ready to meet such trials. Without the support of the European Union it would be very difficult for our nation to cope with these difficulties alone.

Approximately three years ago in 2013 the revolution of dignity, which began with Euromaidan, took place in Ukraine. This popular protest was so named, because people came to the central square of the capital (Maidan) to express their disagreement with the refusal of the President of Ukraine **Victor Yanukovich** to sign the Ukraine-EU Association Agreement.

The aim of the Ukraine-EU Association Agreement was a greater integration between Ukraine and the European Union in political, trade, and cultural relations as well as strengthening security. Ukraine had been striving to make such an agreement since 2007. However, a few days before the Eastern Partnership Vilnius Summit in 2013, where the Association Agreement was to be signed, the preparations for signing were suspended at the Ukrainian government's initiative.

Students were the first to go on the protest campaign. They were outraged by the refusal of the President to follow the European integration policy and wanted to defend their right to live in a country that aspires to become an equal member of the European family. However, law enforcement authorities, police, attacked them to disperse a peaceful demonstration. The students were beaten.

EUROMAIDAN GAVE RISE TO
A SIGNIFICANT UPSURGE
OF CIVIC ENGAGEMENT
AIMED AT MAINTAINING
UKRAINE'S MOVEMENT
TOWARDS EUROPEAN
INTEGRATION AND GREATER
COOPERATION WITH THE EU.

Then the people protesting against the authorities' forceful actions towards young people as well as those supporting the European integration idea emerged on the central square of the capital (Maidan). It is this very event that Ukrainians call Euromaidan. Euromaidan gave rise to a significant upsurge of civic engagement aimed

at maintaining Ukraine's movement towards European integration and greater cooperation with the EU.

Such civil society engagement was unprecedented in the history of Ukraine's independence. A lot of public organizations and merely active citizens, seeking to influence both decision-making within the individual territorial communities and the situation in the country as a whole, arose. At that time, public councils, working groups and expert councils at different levels of authorities were actively created.

A crucial point of this critical time was the assistance provided by the EU within the framework of the European Neighborhood Policy. The establishment of the European Commission's Support Group for Ukraine was of great importance. Since then it has provided substantial financial support to democratic reforms in our country as well as expert advice in solving complex issues.

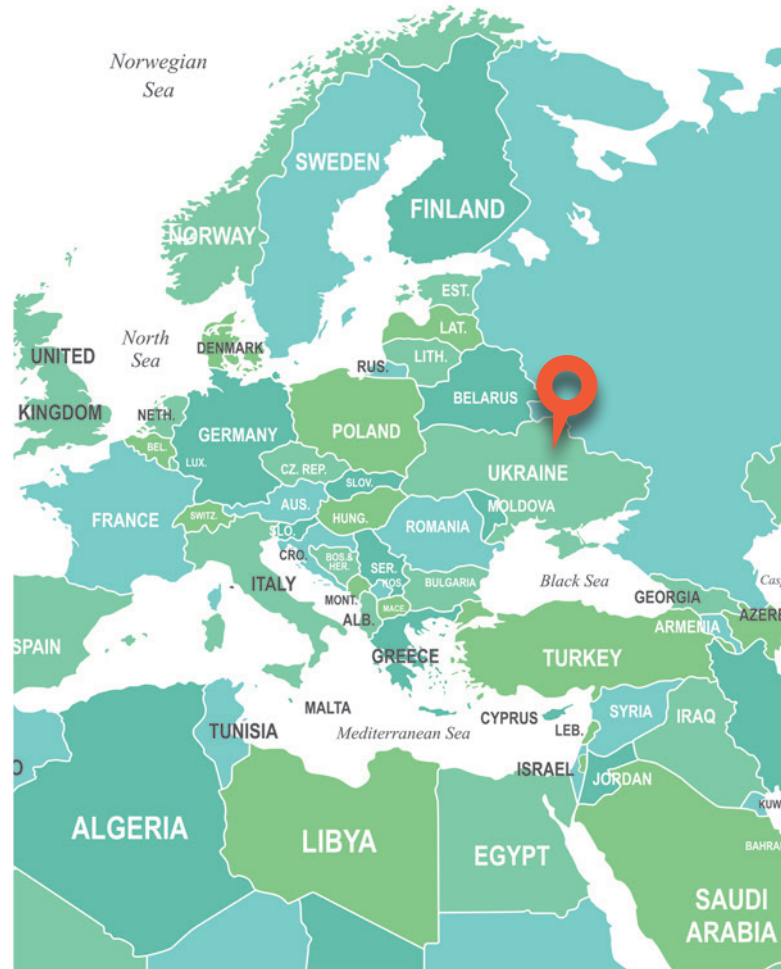
A CRUCIAL POINT OF THIS CRITICAL TIME WAS THE ASSISTANCE PROVIDED BY THE EU WITHIN THE FRAMEWORK OF THE EUROPEAN NEIGHBORHOOD POLICY.

REFORMS ARE NECESSARY

It is important to take note that the ENP is now emphasizing the promotion of deep and sustainable democracy in conditions of economic development. The EU's attention is now directed towards questions of free and fair elections, freedom of speech, assembly and association, independence of the judiciary system, fight against corruption and democratic control over the armed forces. The EU also defines a special role for civil society in ensuring high levels of democratic development.

The EU 'more for more' principle, under which the EU develops stronger partnerships with those neighbors that make more progress towards democratic reforms, implies not only rights but also obligations of Ukraine in relations with the EU.

We should thus not only rely on wishful thinking, but also demonstrate readiness for change in our society. This means we need to implement the supremacy of law principle, not only in words but also in deeds, fight against corruption, and ensure fair elections as well as higher levels of civil society participation in decision-making within territorial communities.



UKRAINE

- POPULATION: **44** million
- GDP PER CAPITA: **2,125**, rank **131 / 184**
- UNDP HUMAN DEVELOPMENT INDEX: **0,747**, rank **81 / 188** ●
- TRANSPARENCY INTERNATIONAL CORRUPTION PERCEPTION INDEX: **27**, rank **130 / 168** ●
- CIVICUS ENABLING ENVIRONMENT INDEX: **0.56**, rank **46 / 109** ●
- GLOBAL PEACE INDEX: **3.287**, rank **156 / 163** ●
- EU SHARE OF UKRAINE'S TRADE: **40,9%** imports, **34,1%** exports
- EU MEMBER STATES AND INSTITUTIONS' ODA: **757.28** million USD in 2014; **53.9%** of total ODA to Ukraine
- MULTI-ANNUAL PRIORITIES UNDER ENP: In the current exceptional circumstances, multi-annual priorities for EU's bilateral assistance have not been identified.
- Association Agreement pending ratification and provisionally applied since November 2014. DCFTA provisionally applied since January 2016.

Let's make a brief analysis of how all of these priorities are being implemented in Ukraine at present.

Ensuring free and fair elections. Elections to the Verkhovna Rada of Ukraine and local councils are open and free. But there are serious doubts about the fairness of these elections. Ukrainians are on the edge of survival now. The minimum wage is 1450 hryvnias, which according to today's National Bank exchange rate is 50 Euros. At the same time, housing services and food prices are on the rise. In fact, the minimum wage is not even enough to pay for all housing services in an apartment of about 50 square meter. Therefore, during elections candidates actively buy votes of electors.

The last by-elections to the Dnepr Supreme Council in July this year have shown that people are willing to sell their votes for 300-500 hryvnias (10-17 Euros). This is due not only to the low awareness of citizens, but also the total impoverishment of people.

At the same time, a candidate lacking large amounts of capital cannot win in a fair competition against a candidate spending several millions of dollars on his or her campaign. To a greater extent, this is typical for the elections to the Verkhovna Rada of Ukraine. Local council elections give an opportunity to get people's support for the candidates' activities in the community, even in competition with moguls, on the basis of face-to-face communications with people and providing help in solving their problems.

To enhance the integrity of elections the Ukrainian government should make alterations to the existing legislation related to elections. It is necessary to tighten punishments for bribery and other violations, up to the withdrawal from an election race. Furthermore, it is necessary to keep all citizens informed about which violations of the electoral legislation exist and what responsibility they imply.

Freedom of speech. At present there is freedom of speech in Ukraine. However, the media belong to moguls. Therefore, they mostly do not present information objectively.

The main way to promote freedom of speech in Ukraine is establishing independent media and holding seminars and workshops to improve the skills of journalists.

Freedom of citizens' assembly, association and union is not limited today.

Independence of the judiciary system. Recent legislation has strengthened the judges' privileges, casting doubt on the level of independence of the judiciary system. If judges continue to be appointed, not selected, they will always be dependent on those who appoint them.

Fight against corruption. The National Anti-Corruption Bureau of Ukraine, which is Ukraine's state law enforcement agency with broad power authorities, responsible for prevention, detection, interception and uncovering corruption, has been created. Its task is to combat criminal corruption offenses committed by senior officials authorized to perform state or local government functions and posing a threat to national security.

However, the National Anti-Corruption Bureau is not as effective as similar agencies in, for example, the US, Poland, France and Israel.

Democratic control of the Armed Forces of Ukraine. To monitor this agency's activity is not easy in conditions of corruption among the highest authorities and military operations on the territory of Ukraine. Despite special expenditure stipulated in the national budget to support the armed forces, a military tax of 1,5% out of individual income and other profits, it is the volunteers who continue to provide soldiers with ammunition, food and personal-care products.

It is thus crucial to strengthen control of the Armed Forces of Ukraine, their expenditure, as well as ensure tougher punishments for violations of the regulations governing their activities.

NOW IS THE BEST TIME TO EDUCATE ACTIVE CITIZENS OF UKRAINE TO CONSTRUCTIVELY ACT IN RELATION TO CONTROL AND INTERACTION WITH AUTHORITIES.

THE EUROPEAN NEIGHBOURHOOD POLICY
SHOULD SUPPORT ACTIVE CITIZENSHIP

As to the role of civil society in ensuring a deep and sustainable democracy, there are currently the most favorable conditions in Ukraine to support it. With the participation of non-governmental organizations, a strategy of civil society development aimed at increasing citizens' possibilities to influence the processes in the country has been adopted. In addition, administrative reforms and a decentralization process are underway. All these changes and reforms are mainly aimed at establishing a constructive dialogue between the authorities and residents of territorial communities, and increasing opportunities for citizens to participate in decision-making within these communities.

Public organizations should assist in this process, including the Local Democracy Agency of Dnipropetrovsk Region, of which I am a delegate. In addition, now is the best time to educate active citizens of Ukraine to constructively act in relation to control and interaction with authorities. In this process, I think, the most useful thing will be the assistance from the European Neighbourhood Policy, which can instruct how to develop democracy in Ukraine using the best practices of EU countries.

BELARUS AND THE ENP: STATE AND CIVIL SOCIETY ON DIFFERENT PAGES

ANDREI YAHORAU,
DIRECTOR, CENTER FOR EUROPEAN
TRANSFORMATION

BELARUS IN THE EUROPEAN
NEIGHBOURHOOD POLICY

The European Neighborhood Policy in 2004 set a new framework for EU relations with its neighbors. Since then several significant adjustments have been made. All these transformations of the Neighborhood Policy have been EU responses to external geopolitical challenges to which the existing ENP framework could not give adequate answers. The Eastern Partnership, introduced in 2009 with the aim of bringing the eastern neighbours closer to EU, was largely a reaction to the direct Russian military aggression in Georgia in August 2008. The main impetus for the 2011 revision was the crisis of the Southern Neighborhood after the wave of Arab revolutions. The 2015 revision was a response to the migration crisis, the increased Russian pressure on its neighbors and its new military intervention against Ukraine in 2014.

The European Neighborhood Policy has been widely criticized for its poor results and low efficiency during the

whole period of its existence. The causes of these internal weaknesses are rooted largely in an uncritical borrowing of the principles of the enlargement policy. The latter implied a high interest of the neighboring countries in reforms according to the European model, which could lead, with the support of the EU, to a more democratic, prosperous and stable neighborhood. In this approach, EU support for its partners was based on the conditional ‘more for more’ principle. This approach did not bring the expected results in EU relations with authoritarian and hybrid regimes both in the South and in the East where the elites refused to take blueprints of European way of reforms.

Belarus, which became an eastern neighbor of the EU after the 2004 enlargement wave, is one of these problematic countries for the European Neighborhood Policy. The populist political regime of **Alexander Lukashenko** was established in 1996, halting democratic and market reforms and limiting basic human rights in Belarus. The development of relations with the EU was bound with political constraints. A Bilateral Partnership and Cooperation Agreement with the EU was agreed in 1995 and frozen in 1997. Since then, the EU has repeatedly expressed criticism and expanded restrictive measures against Belarus in response to political disappearances, violations of international standards of free and fair elections, suppression of freedom of speech, assembly

UNLIKE BELARUSIAN AUTHORITIES, THE CIVIL SOCIETY OF BELARUS HAS CLEAR PRO-EUROPEAN AND PRO-DEMOCRATIC ASPIRATIONS.

and association, imprisonment of political opponents of the regime and persecution of civil society activists.

In view of these circumstances, the participation of Belarus in the ENP and the Eastern Partnership initiative remains limited. Within the framework of the ENP Belarus does not have bilateral Annual Action Plans, participates only in the Eastern Partnership multilateral track, cannot receive direct budget support, does not have access to certain programs of the European Investment Bank etc. Belarus-EU relations run repeating cycles of freezing relations and attempts to resume cooperation. After a brief period of warming in 2008–2010, the political repressions following the presidential elections in 2010 led to five years of restrictions of political relations and the introduction of new EU sanctions (from 2011 to 2015). In response to the release of political prisoners in August 2015 and relatively calm presidential elections in 2015 the EU suspended and then lifted the restrictive measures in February 2016. From that moment a new period of warming started, although we can hardly say that all the political contradictions are definitely removed.

During 2016, certain positive changes took place: the resumption of EU-Belarus Human Rights Dialogue, the continuation of negotiations on visa facilitation, the launch of the Belarus-EU Coordination Group, and a substantial increase of the Belarusian assistance package from EUR 14.5 million in 2015 to EUR 29 million in 2016. At the same time, the mutual expectations exceed manifold the actual format of interactions. Belarus has not yet shown steady movement towards improvements in human rights, democracy and rule of law, and the EU, in its turn, is not going to provide any significant financial assistance to Belarus suffering from an economic crisis. The imbalance of mutual expectations and real steps makes the prospects of cooperation rather unsustainable.

BELARUSIAN CIVIL SOCIETY IN ENP: LACK OF INSTITUTIONAL ENGAGEMENT

Unlike Belarusian authorities, the civil society of Belarus has clear pro-European and pro-democratic aspirations.

Such a contrast in aims, on the one hand, makes a conflict between civil society and the authoritarian system in Belarus inevitable. On the other hand, civil society objectives largely coincide with the declared objectives of EU foreign policy as based on the common values of human rights, democracy and rule of law. This is a challenge for the European Neighbourhood Policy, which deals with neighboring governments as the main partner (regardless of whether it is democratically elected or not). Civil society, despite of its recognition as an actor in its own right, has rather limited participation in the ENP.

The EU policy towards Belarus and other authoritarian countries is caught between the Scylla of democracy promotion and the Charybdis of political and economic stabilization. The experience of transformation in the Southern Neighborhood and Ukraine in the last five years has shown that the start of democratic changes leads to destabilization of the situation and does not guarantee quick and unambiguous results. The solution to this problem is seen in putting the responsibility for transformation on the partners themselves. The ENP proposes formal arrangements that allow neighboring countries to determine the depth of cooperation with the EU. Eastern Partnership countries have an option either to sign the Association agreement and Deep and Comprehensive Free Trade Agreement (DCFTA) with the EU or to remain at the level of a Partnership and Cooperation Agreement, to concentrate on one or the other priorities of cooperation. However, signing the agreement and formally adopting European standards does not guarantee advancement on the path of European reforms. Often political contradictions, corruption and fragmentation of democratic political forces on the national political scene undermine the implementation of reforms.

THE EU POLICY TOWARDS BELARUS AND OTHER AUTHORITARIAN COUNTRIES IS CAUGHT BETWEEN THE SCYLLA OF DEMOCRACY PROMOTION AND THE CHARYBDIS OF POLITICAL AND ECONOMIC STABILIZATION.

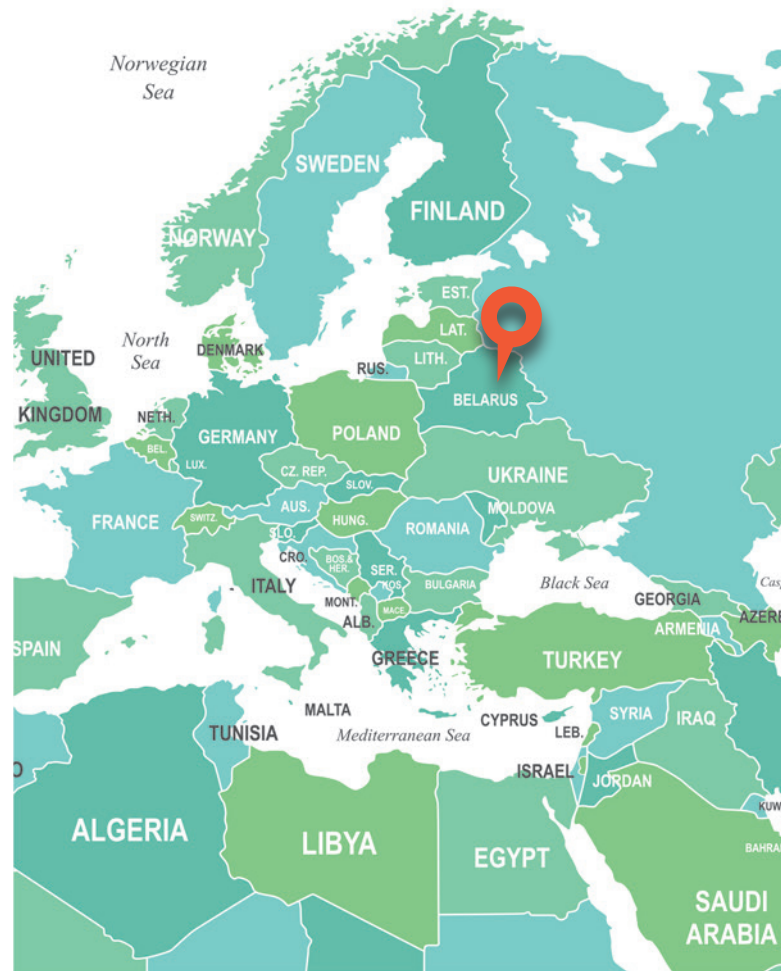
Thus, there is a need for a more proactive EU policy that should not only promote the acceptance of EU *aquis* into partners' national legislation, but also have an impact on implementation of the reforms. In this case, the role of civil society as watchdog for national governments becomes

crucial. To perform this function civil society needs not only financial support, but also its full-fledged inclusion into political dialogue. Within the framework of the Eastern Partnership an important step in this direction was made by creating the Eastern Partnership Civil Society Forum (EaP CSF) that is a special place for expressing civil society's political voice. The Belarusian National Platform of the EaP CSF was established in 2010 and is rather successful in aggregating and expressing the civil society position. At the same time, full-fledged trilateral dialogue between the EU, the Belarusian government and civil society has not been formed due to antagonism of the Belarusian authorities. With a new round of warming in EU-Belarus relations, the Belarus-EU Coordination Group, comprising representatives of the three parts was formed (in April 2016), but still its work is far from the real multilateral dialogue format.

DIFFERENTIATION OF RELATIONS CANNOT BE CONSIDERED AS A FULL-FLEDGED ALTERNATIVE. IT MAKES TRANSFORMATIONS DEPENDENT ON THE GOVERNMENT'S PRIORITIES, WHILE IN THE CASE OF BELARUS, THE GOVERNMENT'S INTERESTS DO NOT REFLECT THE INTERESTS OF THE WHOLE COUNTRY AND ITS CIVIL SOCIETY.

2015 ENP REVISION: COULD NEW PRAGMATISM BRING MORE EFFECTIVENESS?

The ENP revision in 2015 made a significant turn towards pragmatism in EU relations with its neighbours, focusing more on stability and security objectives, differentiation of relations with the partner governments and cooperation in the area of shared interests, than on European values promotion as such. The new document, just as its predecessors, does not contain an EU membership perspective for the neighbouring countries that successfully advance in their reforms. This framing is an understandable reaction to current stability and security issues; however, this



BELARUS

- POPULATION: **9,5** million
- GDP PER CAPITA: **5,749**, rank **86 / 184**
- UNDP HUMAN DEVELOPMENT INDEX: **0,798**, rank **50 / 188** ●
- TRANSPARENCY INTERNATIONAL CORRUPTION PERCEPTION INDEX: **32**, rank **107 / 168** ●
- CIVICUS ENABLING ENVIRONMENT INDEX: **0.41**, rank **93 / 109** ●
- GLOBAL PEACE INDEX: **2.202**, rank **106 / 163** ●
- EU SHARE OF BELARUS' TRADE: **19,2%** imports, **32,1%** exports
- EU MEMBER STATES AND INSTITUTIONS' ODA: **82.93** million USD in 2014; **69.3%** of total ODA to Belarus
- MULTI-ANNUAL PRIORITIES UNDER ENP: Social inclusion, environment, local and regional economic development
- Negotiations on a Partnership and Cooperation Agreement were completed in 1995, but the agreement was not ratified.

is a significant decrease in EU ambitions. This disappoints civil society that aspires to wider perspectives in relations with the EU. It also generates concerns about retaining the idealistic objectives of human rights promotion on the EU agenda.

In the newly revised ENP policy the basic principle – ‘more for more’ or conditionality – was disputed. This is a step forward, however the new political framework lacks a clear alternative. Differentiation of relations cannot be considered as a full-fledged alternative. It makes transformations dependent on the government’s priorities, while in the case of Belarus, the government’s interests do not reflect the interests of the whole country and its civil society. Orientation of the ENP to facilitating transformations towards the EU model could be a more powerful message. In the logic of civil society only transformations towards market economy, rule of law and democracy can form a firm basis for prosperity and long-term stability in EaP countries. From there, the ENP could be reconsidered as a set of instruments (political, economic, financial and technical) for European transformations. More than that, such a set of instruments has to ultimately be open for different stakeholders: not only partner countries’ governments but also other stakeholders, like civil societies, private business, trade unions and local authorities.

CIVIL SOCIETY LARGELY REMAINS AN OBJECT BUT NOT A SUBJECT IN ITS OWN RIGHT IN THE RELATIONS OF THE EU WITH ITS PARTNER COUNTRIES.

Introduction of the principle of multi-stakeholder dialogue with focus on participation of civil society, social partners and youth is an advantage of the new ENP framework. At the same time, there are no concrete mechanisms securing such participation, and sustainable institutional forms for multi-stakeholder dialogue are not established. Civil society largely remains an object but not a subject in its own right in the relations of the EU with its partner countries.

Policy coherence within the EU is a significant issue for the ENP as well. In the Belarusian case, the EU manages to set a coherent agenda on the level of general political relations. However, there are important mismatches when it comes to development aid and financial support. The EU and its member states are the largest donor for Belarus providing around 60% of the aid Belarus receives per year.

However, the aid objectives, the forms and channels of delivery, and the main sectors supported vary significantly.

Such lack of coherence in development policies of different EU Member States and the EU generates heterogeneous stimuli for the Belarusian government and civil society. It thus weakens the general transformational potential of EU policy towards Belarus.

The new ENP framework foresees a more configurable format of relations for those countries that cannot follow the way of comprehensive integration with the EU via Association Agreements and DCFTAs. For Belarus, this approach could be more efficient in the areas that do not require direct transformations of the political system. Progress in trade relations, promotion of cooperation in the areas of culture, education, science, environment, energy and so on, could bring positive changes in these fields. The level of EU conditionality could be applied differently according to the different choices. An Association Agreement as a high level option could include a high level of conditionality, but for the limited options of sectoral cooperation these level could be lower. In such mutually beneficial spheres as mobility, visa liberalization, students and research exchange, small and medium-sized enterprises, business and digital economy and interconnectivity, a lower level of conditionality could be applied. Good governance, institution building, home affairs and justice reform require stricter conditions.

The ENP is an important instrument for development in Belarus. Its transformational potential could be even higher if it follows the idealistic objectives of promoting EU-modeled transformations in the neighbourhood. This should be done with greater participation of the EU in the implementation process of the agreements on the level of partner countries, with more coherence between EU and its Member States and with institutionalization of the civil society’s role in political decision-making.

ASPIRING TOWARDS EU MEMBERSHIP

LIKA KILADZE,
DIRECTOR, EDUCATION DEVELOPMENT AND
EMPLOYMENT CENTER, GEORGIA

Striving for Western values and ideals is deeply rooted in Georgian history. In fact, after gaining independence Georgian citizens accepted and implemented democratic and liberal values, demonstrating that Georgia is part of the West. Georgian society has gradually internalized the principles of free and fair elections and equality before law, and we are well aware of the importance of rule of law and of protecting human rights and freedoms. Under the conditions of civil wars, civil conflicts, inspired by separatists and external forces, aggression and occupation, the country not only maintained its independence but also managed to get closer to its historic goal – integration with the West. Despite a difficult heritage from the Soviet Union, Georgia has become a full member of the international community, and joined the ranks of democratic states.

The Georgian population largely considers integration with European and Euro-Atlantic structures to be the most reliable way to guarantee a peaceful and safe future for the country. The European Union - Georgia Association Agreement, that finally entered into force July 2016, is vital for the future development and stability of our country. It is viewed as an agreement of the ‘new generation’, and it is far more important than the previous agreements, as it involves approaching the EU and its legislation to such

an extent that its effective realization makes the process of integration almost inevitable. Economic integration into the EU, through forming a Deep and Comprehensive Free Trade Area (DCFTA), a key component of the Association Agreement, serves as a bridge towards EU markets for Georgian products and services, and is a considerable prerequisite for attracting investments.

To meet the ambitious goal of gradual integration with the EU, the role of being an ‘Eastern Partner’, is important in terms of creating prospects for future approach towards EU membership.

THE GEORGIAN POPULATION
LARGELY CONSIDERS
INTEGRATION WITH EUROPEAN
AND EURO-ATLANTIC
STRUCTURES TO BE THE MOST
RELIABLE WAY TO GUARANTEE
A PEACEFUL AND SAFE
FUTURE FOR THE COUNTRY.

CAPACITY BUILDING IS NEEDED

Civil society has strongly supported the process of integration with the EU, and fulfilling the obligations laid out in the Association Agreement. The Georgian national platform of the Eastern Partnership Civil Society Forum serves as an example. The platform unites approximately 120 organizations (several of them working in regions), focusing on four main themes: 1. Democracy, good governance and stability; 2. Economic integration and convergence with EU practices; 3. Environment, climate change and energy security; 4. Contacts between different communities. There are individual and joint reports of civil society organizations about the fulfillment of required obligations introduced in Action Plans, as well as shadow reports of the reports presented to the EU by the Georgian government.

However, the influence of civil society on the government's policies and initiated reforms is still limited. Civil society is thus unable to make a significant change in the direction the government takes. Simultaneously, support from civil society in enabling the population to influence the government's activities is absolutely necessary.¹

We should note that qualitative as well as quantitative participation of these organizations is of great importance. Nowadays there are many non-governmental organizations in Georgia monitoring the work of the Georgian government. Despite this fact, civil society is unable to guarantee the effective fulfillment of the obligations required from the government under the ENP. This is caused partly by capacity constraints, the lack of proper qualifications of the staff employed at civil society organizations, and partly by the existing political environment. It should also be mentioned that such adverse factors are far more present in regional organizations compared to the capital Tbilisi. Consequently, a low rate of involvement of regional organizations in the reforms realized within the framework of the European Neighborhood Policy also results in constraints in monitoring and advocating the reforms initiated by the government.

THE INFLUENCE OF CIVIL SOCIETY ON THE GOVERNMENT'S POLICIES AND INITIATED REFORMS IS STILL LIMITED.

The weak influence of civil society is also referred to in a report assessing the first year of Georgia's implementation of the Association Agenda within the political sphere, published by Open Society Georgia in 2015.² As a result of limited civil society influence, the Action Plans are vague and lack objectively measurable indicators and targets, preventing objective observers from estimating progress.

One of the reasons that the rate of civil society involvement in the ENP is low and not transparent enough is that local NGOs do not assign it sufficient attention. Their inactivity can be explained by the fact that they see political meaning of the processes under the umbrella of the ENP, but they are not well-informed enough and lack access to issues directly connected with ENP. To escape this situation, an important issue needs our attention: the need to increase the potential of national and local groups in order to enable them to understand the ENP and participate in it better. A lot of organizations (Open Society Institute, Eurostep, WWF and the Heinrich Böll Foundation among them) located in Brussels are monitoring and influencing this process, as well as national groups of different countries. Together they have increased access to information to an acceptable level. However, it should be mentioned that further progress is difficult without a strengthened interest in ENP-related matters among national and local groups.

Membership candidate countries as well as civil society in the Mediterranean countries have set a good example on how to get involved in financial matters of the EU and influence them in order to finance the real priorities of the country and ensure the involvement of the society on a national level. Civil society has to continue its efforts to ensure the necessary participation of civil society in the European Neighbourhood Instrument (ENI) processes. More specifically, civil society has to demand access to official documents from the EU and the Georgian government to get relevant information; civil society participation in the ENI programming process; involving civil society in the process of joint monitoring of the European Commission and the government; ensuring the protection of partnership principles, and getting civil society involved in the distribution of ENI finances at all stages. To do this the European Commission has to introduce universal general standards that will ensure the participation of civil society in the planning process of the activities financed by the ENI, and agree on indicators estimating how much the partnership principle is protected. This will result in having dialogue into three directions (civil society, national government and the UN) and will ensure the equal participation of civil society in the dialogue between the UN and the government as well as in the policy planning process.

¹ As stated in a policy review on civil society expectations and new opportunities with regards to the Eastern Partnership: http://eapnationalplatform.ge/admin/editor/uploads/files/CIPDD_2010_society%20expectations.pdf

² http://www.osgf.ge/files/2015/2015/publication/Book_ENG_WEB.pdf

GEORGIAN SOCIETY IS WELL AWARE THAT REACHING BOTH DEVELOPMENT AND STABILITY IS HINDERED WITHOUT THE PEACEFUL SETTLEMENT OF CONFLICTS.

LOOKING FORWARD

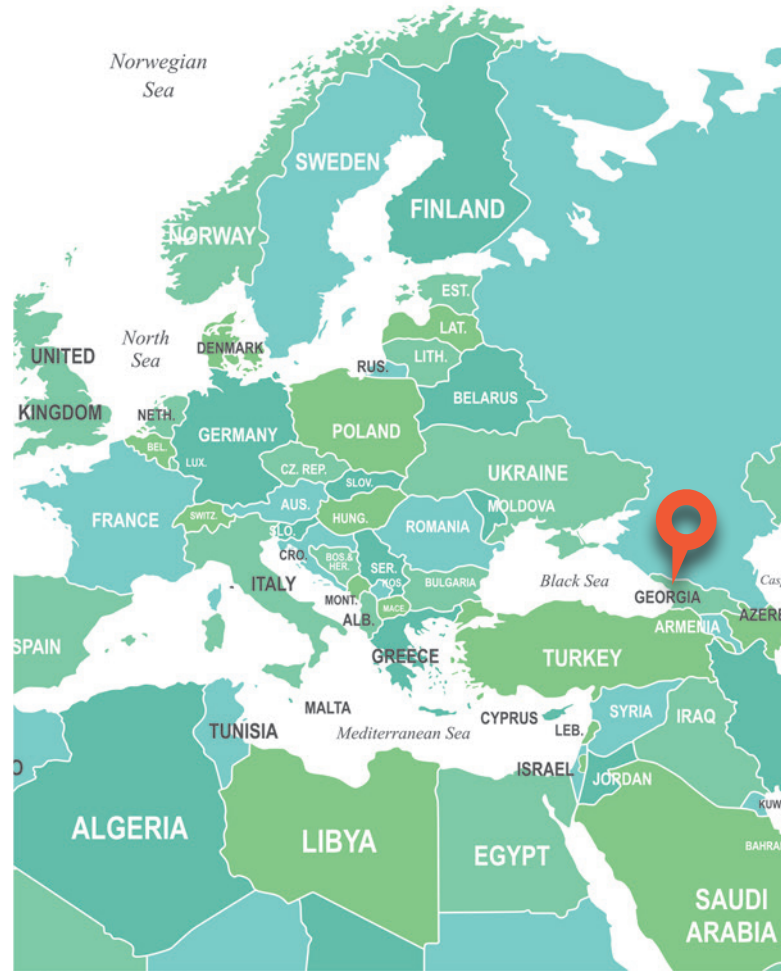
The Eastern Partnership initiative suggests similar relationships for Georgia and its strategic partners. This has a positive influence on the economic development of the South Caucasian region, forming a consistent political system, and contributing to the stability of the region in general. Georgian society is well aware that reaching both development and stability is hindered without the peaceful settlement of conflicts, considering the fact that the conflicts in the Abkhazian and Tskhinvali regions still remain vulnerable and relations with Russia have not yet been improved.

The new neighborhood policy aims at involving non-neighborhood regional players in settling regional problems to a needed extent. This certainly creates new opportunities for Georgia.

In spite of the fact that progress in the implementation of the ENP is to at least some degree noticeable in Georgia, this is not the case in all fields. Certain areas, like the fundamental right to freedom, still remain problematic. Protecting the homeless and refugees, transparent elections, and fighting against corruption are among the themes that still need more attention. Meeting these demands, however, requires a more long-term approach compared to the expectations laid out in Action Plans, especially considering the specifics and typical difficulties of the Eastern neighbourhood countries.

It is also a task for civil society to work actively with the public. Despite the fact that Georgians consider themselves true Europeans, and although national matters are generally considered more important, there is still a need to better inform the population about the relationship between the EU and Georgia.³

With the challenges Georgia is facing at present, consolidating society and strengthening democracy gains vital importance. A precondition of this process is effective and transparent work of the government together with a civil society free from external pressure. A strong civil society, with its diverse views, can speed up the process towards development and stability in our country.



GEORGIA

- POPULATION: **3,7** million
- GDP PER CAPITA: **3,754**, rank **112 / 184**
- UNDP HUMAN DEVELOPMENT INDEX: **0.754**, rank **76 / 188** ●
- TRANSPARENCY INTERNATIONAL CORRUPTION PERCEPTION INDEX: **52**, rank **48 / 168** ●
- CIVICUS ENABLING ENVIRONMENT INDEX: **0.5**, rank **66 / 109** ●
- GLOBAL PEACE INDEX: **2.057**, rank **85 / 163** ●
- EU SHARE OF GEORGIA'S TRADE: **32,6 %** imports, **29,3 %** exports
- EU MEMBER STATES AND INSTITUTIONS' ODA: **198.72** million USD in 2014; **35.3 %** of total ODA to Georgia
- MULTI-ANNUAL PRIORITIES UNDER ENP: Public administration reform, agriculture and rural development, justice sector reform
- Association Agreement entered into force in July 2016. DCFTA applied since 2014.

³ Research conducted in Georgia in 2009-2011 by the Caucasian Research Centre of Euro-Asian Collaboration Fund http://www.epfound.ge/files/survey_report_geo.pdf



Kehys ry
The Finnish NGDO Platform to the European Union
<http://www.kehys.fi>