

Civil Society Forum for Eastern Partnership : a challenge for European progress eastwards and for the role of civil society

A new vision for European relations with Neighbouring countries ?

The Eastern Partnership represents an innovative, and so far relatively successful, attempt of the European Union to establish a systemized and organic relationship with States - key players in the European dimension - but still not members. The States involved¹ have limited expectations at the moment to reach the statute - or in a near future - of acceding countries to the Union². Another format of this kind of cooperation was the less successful, so far, Union for the Mediterranean, which is at this present time a motionless instrument of the Neighbourhood policy of the EU towards South. The Eastern Partnership (from now EaP) includes important countries for the European Union progresses and strengthening: in particular Ukraine but also all the South Caucasian countries, which represent stability and security on the eastern side of the Black Sea and energy supply for Europeans. The EaP includes Belarus and creates a bridge with this difficult country, in particular after the particular democratic breakdown of December 19th of last year³.

For these reasons, the dynamics of this Partnership is worth to be understood and carefully monitored and it represents a test in neighbouring relationship of a still weak (but promising) global actor, as the European Union is. The Eastern Partnership does not operate in a vacuum though. Some regional areas are considered as macro regions with similarities and potential internal cooperation : such as the Black Sea dimension, the Eastern European one (Ukraine, Moldova and Belarus) and South Caucasus⁴. To be mentioned here – a another format of cooperation with non member States- the fact that the EU established also very structured and systemized relationships with the future EU members States, like

¹ Armenia, Azerbaijan, Georgia, Moldova, Belarus, Ukraine

² The Stabilisation and Association Process is the framework for the EU negotiations with the Western Balkan countries, all the way to their eventual accession. It has three main aims : stabilising the countries and encouraging their sift transition to a market economy, promoting regional cooperation and eventual membership of the EU. Candidate countries are Croatia, Former Yugoslav Republic of Macedonia, Montenegro, Iceland and Turkey. Potential candidates are Serbia, Albania, Bosnia and Herzegovina and Kosovo under Security Council Resolution 1244.

http://ec.europa.eu/enlargement/enlargement_process/accesion_process/how_does_a_country_join_the_eu/sap/index_en.htm

The regulations with the countries of the EaP are following their respective partnership and cooperation agreements. Association Agreements are under negotiation at the moment to succeed the PCA. This Association Agreement will significantly deepen Moldova's political association and economic integration with the EU. The objective is to start negotiations on a deep and comprehensive Free Trade Area (DCFTA), a core element of the Association Agreement, as soon as Moldova is deemed to be ready to sustain the impact of far-reaching liberalisation of its [trade](#) with the EU

³ After the elections held on the 19th of December, many of the opposition leaders were incarcerated and the demonstrators in the streets beaten by the police.

⁴ Event if this last one is very difficult to achieve considering that it includes the conflict of Nagorno Karabakh.

most of the countries of Former Yugoslavia and Turkey. They follow policies, procedures and funding which prepare them to the European systems and legislation, under the umbrella of Enlargement process.

The issues at stake for the EaP countries are many and various. Most of them are targeting the economic stability and enhanced free circulation of goods and people. Agreements as the DCFTA⁵ (Deep and Free Comprehensive Trade Area) and harmonization of rules and provisions for productions and trade are at the core of the process. They are negotiated at the bilateral level. However, for all the advantages offered by the opening up of the markets and – eventually – the lift of many visa limitations, would respond to the principle of conditionality and respect of democratic rules and human rights. This principle of the Eastern Partnership could not be achieved without the full engagement of Civil Society of the Eastern Partnership countries, which represent the counterpart of the governments in place, most of them expressions of systems, which have democratic shortcomings and breaks of human rights⁶. In building up a set of organised and long term relationship, the Swedish Presidency⁷, with the support of the European Commission, promoted the Civil Society Forum for Eastern Partnership⁸. The project should have represented the voice of citizens in the development of the Eastern Partnership. And, as a whole process, the Civil Society Forum for Eastern Partnership – and the way it is proposed and run – represents an institutional innovation, from which we could learn.

⁵ DCFTA : The deep and comprehensive approach to trade is a very sensitive and quite complex subject. This approach goes much further than a simple free trade agreement (that merely aims to eliminate/abolish import tariffs and quotas), but contemplates an agreement covering the whole framework of trade and trade-related legislation, as well as setting forth standards compatible with those of the European Union. A DCFTA involves far-reaching elimination of barriers to trade and investment throughout various sectors of the economy. In addition to removing more tariff barriers to trade, a DCFTA will also provide a platform for addressing non-tariff barriers by both parties according to the same rules of game.

A DCFTA covers integration along all trade-related areas, and also tackles the so-called “beyond the border” obstacles to trade through deep regulatory approximation with the trade-related EU acquis. This exercise will lead to institutional reforms and transparent regulations which will give impulse to the economy and favour sustainable growth, as well as the modernization of Moldova. However, these reforms have to be supported by a diversification of trade and particularly by the increase of exports. Starting with 2003, the European Union became one of the key trade partners of Moldova. Achieving greater access of our goods and services to the European market is now a challenge for all involved stakeholder (quotation from <http://www.easternpartnership.org/community/debate/dcfta-eu-moldova-challenges-and-economic-implications>)

⁶ See the report on Human Rights produced by the Subgroup on Human Rights of the Civil Society Forum : <http://www.eap-csf.eu/en/news-events/news/alert-monitoring-report-on-human-rights-in-eastern-partnership-countries/>

⁷ The Swedish presidency of the European Union followed the second semester of 2009. The European Union follow a principle of a six months Presidency. The Presidency works together with a troika, including the past presidency and the future one, in order to assure a certain continuity. Sweden proved to be a very active member to support transitional democracies in Eastern Europe, from a political and financial point of view.

⁸ See the initial concept paper launch in summer 2009 by the European Commission :http://www.eeas.europa.eu/eastern/civil_society/docs/concept_en.pdf

Both the Eastern Partnership and its Civil Society Forum were launched as challenges and “see how it goes”. The risks were particularly high and they included long lasting unsolved problems : isolation and lack of democracy in Belarus, frozen conflict in Nagorno Karabakh between Azerbaijan and Armenia (some would say it represents an open conflict but a frozen solution), the Abkhazian issue in Georgia, and the whole relationship with Russia. This one regards the future of the European Union itself but it has a strong impact in the EaP countries for their common history and links in the former USSR. Russia was invited to participate in the EaP but refused.

However, the challenges are not only the ones at the governmental level. It was very much visible in the launch of the Civil Society Forum itself, which was requested to meet, to get organised and to be productive, all together, in a very short time and with relatively little means. It was assumed, on the other hand, that Civil Society would have overcome the political difficulties that are present at the governmental level and would have a positive role that would be an example for the rest of the process. The expectations for a group of NGOs not necessarily ready to do so, were high and the pressure on them was high to deliver good outputs quickly, in order to keep the attention on the momentum of the Eastern Partnership. The challenges of inclusiveness, respect, effective implementation, monitoring and watchdog capacities were as much given for granted as difficult to achieve.

After two years of implementation⁹ of the Eastern Partnership, the future Summit of the Head of States of the European Union, will make the point on the 29th of September 2011 in Warsaw. They will evaluate the state of affairs and whether this innovative approach proved to be successful and made some steps into the right direction. As it often happens in the European frameworks, the question might be answered looking from the another perspective : what would be the relationships be without the Eastern Partnership ? The answer will be left to the States in order to reassess the future path. Most of the Eastern Partnership countries are particularly oriented to feed the bilateral dimension (especially Ukraine, which is focusing on the progresses towards the full EU membership as soon as possible) of the Partnership and less intentioned to follow the multilateral track, which gives the opportunity to work on regional basis. The implementation and projects so far are more visible in economic terms with some shortcomings (like in Georgia¹⁰). Few flagship initiatives have been implemented more on transborder cooperation¹¹ and SME support. The multilateral track working on the basis of four Platforms (Democracy, good governance and stability (platform 1); Economic integration and convergence with EU policies (platform 2); Energy security (platform 3) and

⁹ The Eastern Partnership was established at the Prague Summit in 2009.

¹⁰ Recently some demonstrations were taking place in Georgia against the legislation on labour, which is not following the European Standards. See the statement of the CSF for EaP on this. http://www.eap-csf.eu/en/news-events/news/statement-of-the-first-working-group-of-the-eap-civil-society-forum-on-events-of-26th-of-may-in-georgia/?searched=statement&advsearch=oneword&highlight=ajaxSearch_highlight+ajaxSearch_highlight1

¹¹ See : http://www.eas.europa.eu/eastern/initiatives/index_en.htm

Contacts between people (platform 4) have been relatively limited in terms of implementation and mostly supporting the meetings of panels of experts and sharing general frameworks. More needs to come.

The achievements of the Civil Society Forum for Eastern Partnership are, on the other hand, higher than expected. It worked hard to enable civil society from Eastern Partnership to influence the policies of the EU and of the Eastern Partnership Countries. And the only fact that the Forum is getting more and more structured and operational represents a full success, considering how it was started. The Forum in Brussels (in 2009) gathered 250 NGOs from Eastern Partnership and from EU. The selection of participants was made by the European Commission. During those two days meetings, the NGOs met, got organised and set the future for their work. It set up a 17 members Steering Committee, composed of coordinators of 4 working groups following the topics of the official Eastern Partnership (1 from EU and 1 from EaP countries). The group introduced the innovative and soon winning concept of the National Platforms of NGOs and the national delegations elected their national coordinator. This step represented a fundamental element to show the level maturity of the NGOs since they managed (without too many problems) to choose by consensus a representative for the whole delegation. In order to facilitate the group work, three EU representatives were elected to liaise with the European institutions. The Steering Committee, on voluntary basis, worked to transform the Civil Society Forum from an event, which takes place every year producing recommendations, to a permanent activity with lively Working Groups and active National Platforms. It facilitates project proposals and collects monitoring reports on various issues. The recommendations expressed (another amazing achievement considering the 48 hours meetings in 2009) were communicated to member States of the EU and the EaP and a strong lobbying activity allowed to make them public and known¹². A monitoring process on this is currently on going. In addition to this, the Steering Committee – all composed of leaders of NGOs – decided upon its functioning, assignments of tasks and responsibilities, working together with 4 meetings a year (sponsored by the EC) but mostly through an extremely intense work on line and at distance. Today, the Civil Society Forum for Eastern Partnership represents an essential part of the multilateral track of the EaP. The financial investment of the European Commission (the annual event and the meetings of the Steering Committee and the Working groups) proved to be an excellent value for money. The CSF for EaP is the only civil society dimension mentioned as such in the recent ENPI review¹³ issued in April this year.

¹² See the recommendations of 2009 and 2010 :

http://www.eeas.europa.eu/eastern/civil_society/recommendations_en.htm

http://www.eeas.europa.eu/eastern/civil_society/forum2010/recommendations_en.htm

¹³ The European Union's [European Neighbourhood Policy](#) (ENP) aims at bringing Europe and its neighbours closer, to their mutual benefit and interest. It was conceived after the 2004 enlargement of the EU with 10 new member countries, in order to avoid creating new borders in Europe. The ENP supports political and economic reforms in sixteen of Europe's neighbouring countries as a means of promoting peace, stability and economic

The main achievements of the Civil Society Forum are there and visible. The existence of single voice and point of reference for the Civil Society in the whole region is important and creates a clear interlocutor, which is now constantly working with the European Commission, in particular the Commissioner for Enlargement and Neighbourhood Policy, M. Stefan Fuele, who has always strongly supported the Forum and still does. The CSF EaP, despite the fact it does not represent itself yet a registered NGO, proved to be able to produce recommendations, analysis and reports through the work of the Working Groups, fulfilling its difficult tasks of assessing the implementation by the EaP Countries¹⁴. The extremely difficult task of the national platforms is now recognised by the European institutions and the travels to the countries of the Commissioner Fuele often include meetings including EC, National platforms of the CSF for EaP and the governments' representatives. The National Platforms were also weakened, in particular in Armenia, by possible internal division but so far the Forum and the Steering Committee managed to keep them together. The implementation and different steps of activities are often shared with other donors and partners. Some of the national platforms and the Working Groups (through the support of the members of the Steering Committee) received grants and support from OSI or from other regular donors active in Eastern Partnership countries, like Denmark and Czech Republic.

A strong emphasis on activities and less on structures has probably be the main asset of this first part of the life of the CSF for EaP. A basic Steering Committee working with little means but very strong motivation focused on delivering as much as possible with various partnerships. It focused more on the strengths of each NGO, which was actively involved to promote the scope of the CSF. However, considering the challenges ahead, there are new targets to meet. The pressure and weight on the NGOs contributing voluntarily to the process (considering the difficult time that all of them are going through, affected by the global crisis and reduced engagement of public donors) would be soon a problem. On the other hand, a structure and institutionalization of the Civil Society Forum into a new NGO might be a natural progress. The Steering Committee is working on a draft statute to enable the network to draft a decision making process, functioning and funding possibilities. The task, not easy though, is not to concentrate only in the institution and get

prosperity in the whole region. It is designed to give greater emphasis than previously to bilateral relations between the EU and each neighbouring country.

Sixteen countries participate in the ENP, nine of which are the Mediterranean partners in the [Euro-Mediterranean \(Barcelona\) Process](#): Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Territory, Syria and Tunisia. Libya also participates. The remaining ENP countries are Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Pioneering principles such as "joint ownership" are promoted through the ENP, and an innovative funding mechanism, the [European Neighbourhood and Partnership Instrument \(ENPI\)](#) was launched in January 2007.

The 2011 ENPI review can be seen on http://ec.europa.eu/world/enp/pdf/com_11_303_en.pdf

¹⁴ An analysis on the digital landscape and the media situation has been produced this year. An update report on Human Rights has been issued by the Human Rights Subgroups of the WG1 as well a position paper on Administrative Reform of the relevant sub group.

absorbed by the bureaucratic process but rather keep the mobility and efficiency of a group of NGO motivated and strong in their field of competence. A new Concept Paper (substituting the concept paper of 2009 proposed by the European Commission) is today about to be finalized by the Steering Committee, which will propose it to the next Forum in Poznan end of November 2011. The Concept Paper shall include and put on paper the existing format of the CSF (the National platforms, for instance, were not included in the original Paper of the EC) and it will reassess the big objectives and values of the consortium of NGOs, as well as the rules of inclusiveness and representation and elections among the group. The partnership with other key stakeholders, like the European Economic and Social Committee, the launched Euronest Parliamentary Assembly¹⁵ and the soon established Corleap (with the Committee of the Regions¹⁶) are also in the agenda. The Civil Society Forum for Eastern Partnership requested also to be included as partner of the Facility signed between the Council of Europe and the European Commission on some elements included in the Platform 1 : Cybercrime, fair and free elections, anticorruption and judicial reform¹⁷.

Certainly, the value of a Civil Society Forum will depend also on the strategic vision of the Eastern Partnership itself and if a multilateral track will continue to exist, despite the pressure to strengthen the bilateral relationship – excluding the regional approach to it. The support of the European Commission (clear and sound) to the Civil Society Forum for Eastern Partnership¹⁸ is clearly oriented also in this direction : the Eastern Partnership gets credibility from the existing Civil Society Forum and this one contributes to reach its main political objective. It proved to be so far a successful and interesting institutional innovation. The freedom given to the NGOs organising themselves is a key of the positive outcome. They addressed political issues in shaping the Civil Society Forum like the role and place of the NGOs coming from Abkhazia and Transnistria, the threat and pressure of GONGOs in the network, the participation of non EaP and EU representatives (like Turkish and Russian NGOs). All the issues were democratically discussed in the Steering Committee and recently the problem of the participation of the social partners was submitted to all the participants of the Forum (250 participants). Accountability and democratic process are the major concern of the Steering Committee, which is talking and acting of behalf of the larger group.

How will the relationship develop towards East ? Will it stop into a mere commercial and trade exchange platform or will it include clear democratic conditionality ? This will be a matter of discussion in the Head of States summit in Warsaw late of September. However, even more clearly, it will be included among the lines of the next programming period of funding, which for the European Commission, will go from 2014 to 2020. The new institutional framework set by the

¹⁵ <http://www.euronest.europarl.europa.eu/euronest/>

¹⁶ <http://web.cor.europa.eu/epp/Events/Pages/CORLEAP7September2011.aspx>

¹⁷ <http://www.coe.int/t/dgap/eap-facility/>

¹⁸ A possible funding for the new structure may come from the Civil Society Facility which will be soon operational in the autumn and available for the eastern partnership civil society groups

Lisbon Treaty – which established the European External Action Service, overlooking at the general External Relations of the European Commission - might be an appropriate functional setting and framework. Many are also talking of futuristic possible Enlargement of the EU over the Black Sea as a possible strategic view. However, the existing *fatigue* of the Enlargement, would not allow this for many years to come. Europe, would need to follow the strategy of agreements with its neighbours, as the Eastern Partnership accompanied with a citizens and civil society dimension. It represents a positive attempt and would need to be strengthened rather than abandoned for another format as demanding as non realistic at the moment.

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