Masaryk University

European Master's Degree in Human Rights and Democratisation
A.Y. 2014/2015

Democracy Promotion in the European Neighbourhood

An assessment of European Neighbourhood Policy as a framework for external democracy promotion

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Sometimes I think that a parody of democracy could
be more dangerous than a blatant dictatorship,
because that gives people an opportunity
to avoid doing anything about it.

Aung San Suu Kyi

Abstract

With 2014 marking the 10th anniversary of the genesis of the European Union's European Neighbourhood Policy (ENP), this thesis analyses whether the policy has constituted an effective framework for external democracy promotion after a decade of implementation. The thesis focuses on six case study countries from Eastern Europe, Central Asia and the Middle East, as well as external evaluations of the policy and direct interviews with policy makers and experts in the area. It assesses a number of key questions pertaining to the effectiveness of the ENP in the promotion of democracy, as well as the ENPs ability to evaluate and develop itself in reaction to the changing neighbourhood.

This thesis argues that the European Union has no clear or unified road map for the region, neither defined in the policy nor agreed between its many member states. The EU has failed over the last 10 years to adequately assess itself and to adapt to a changing neighbourhood. The EU has further failed, because it has become satisfied with supporting façade democracies, preferring stability in its neighbourhood over real democratic progress.

<u>Acknowledgements</u>

I would like to express my appreciation to:

My supervisor Professor Jan Holzer, for his support and direction during this process and to Masarak University for hosting me during the semester.

The staff and lecturers of EIUC for all of their efforts which made the last year such a rich and valuable endeavour.

Mr. Thomas Seiler, Mr. Josef Buzalka, Prof. Raffaella Del Sarto, Mr. András Rácz, Prof. Dr. Tobias Schumacher, Ms. Ivanna Volochiy, and Dr. Elisabeth Johansson-Nogués, for so graciously replying to my requests for interviews and for giving me so much of their time and valuable insight. This thesis is made richer by their input.

I am indebted to Helen O'Neil for taking the time to review the text and to Ezra Karmel for his invaluable comments and guidance.

And finally to David Birch, Daphne Birch and Rosie Durham, whose support made all of these achievements possible.

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List of Abbreviations

AA	Association Agreement
CEPS	Centre for European Policy Studies
CSO	Civil Society Organisation
EAEU	Eurasian Economic Union
EaP	Eastern Partnership
EEAS	European External Action Service
ENI	European Neighbourhood Instrument
ENP	European Neighbourhood Policy
EU	European Union
INGO	International Non- Government Organisation
IRI	International Republican Institute
NEA	New Enhanced Agreement
NED	National Empowerment for Democracy
NGO	Non- Government Organisation
NDI	National Democratic Institute
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Co-operation in Europe
PCA	Partnership and Cooperation Agreement
UN	United Nations
US	United States of America
USAID	United States Agency for International Development
USSR	Union of Soviet Socialist Republic

Introduction

Purpose of the study

This study will assess the role of the European Union (EU) as an external democracy promoter through the European Neighbourhood Policy (ENP), which has now been in place for 10 years. For a decade the policy has worked through bilateral and multilateral relationships to strengthen good relations and trade between 16 countries to ensure peace, stability, and economic opportunity through mutual benefit.

The EU undertook a comprehensive evaluation of the policy in 2011 and has recently established the framework for a subsequent 2015 evaluation. In addition, a number of think tanks and experts have produced assessments and analyses of different aspects of the ENP's implementation and geographical focus. Very few of these evaluations look holistically at the ENP and consider both the Southern and Eastern regions or focus directly on the EU's role of as a democracy promoter.

This thesis will examine these existing internal and external ENP evaluations in conjunction with wider expertise on democratisation, the democracy promotion paradigm and six in-depth case studies of the regimes of ENP partner countries, and the efforts of EU democracy promotion within these case study countries.

Key Conclusions

This thesis argues that the European Union has failed to confirm a clear and unified road map for the region, in either its published policy or as agreed between its many member states.

Further more the EU has failed over the last 10 years since the inception of the policy to adequate assess itself and to adapt to a changing neighbourhood.

Finally the EU has become satisfied with supporting façade democracies, preferring stability of its neighbourhood over real democratic progress.

Methodology and limitations of the study

This thesis involves an evaluation of primary and secondary sources related to democracy theory, democracy promotion and the European Neighbourhood Policy, including a number of interviews, which were undertaken with key experts, and policy makers of the European Neighbourhood Policy.

The assessment of six case study countries, which cover all of the regions in the ENP and explore diverse politico-economic contexts, enables an analysis of the ENP against the research questions (below). Case study countries are selected as those, which offer the best balance of the diversity of relationships with the EU. On completion of the case studies, it was clear that further questions had arisen that could not be answered through assessment of the EU agreements and reports. To complement the case studies and clarify their conclusions, therefore, the questions that persisted following their analysis were sent to experts, policy makers and practitioners, who were able to build upon the analysis, unpack the case studies and provide deeper context and analysis. Interviewees were asked the following set of questions, which were submitted to them in advance. Interviews were recorded and recordings are available upon request.

1. Is it possible to ascertained tangible results of democratic progress, which can be accredited directly to the ENP in the last 5 years? How is that measured and assessed?
2. It is said that the ENP works well as a tool when democratic conditions are in its favour. How do you consider that it has been able to have effect in countries that did not have a strong public will to democratise?
3. Much is made of the limitations of the incentives offered by the ENP. Once the partner countries receive the DCFTA and visa liberalisation, will the EU still be able to offer to maintain the momentum of the ENP?

4. Did the EU effectively manage to capitalise on the democratic momentum of the Arab Spring/ colour revolutions or was this a lost opportunity?

5. The 2011 evaluation report concluded that there had not been sufficient 'capability to support an independent civil society'. Do you feel that there has been a tangible progress to respond to that in the subsequent years?

6. Do you consider the 2011 program evaluation to have adequately responded to the challenges the ENP had been facing until this point?

7. Do you consider the ENP policies for democratisation to have been a success or a failure since their inception? What do you consider to be the greatest success/ weakness of ENP policy for democratisation?

8. Is the ENP the right vehicle for democracy promotion, or should it be separated from economic and other geopolitical interests?

This thesis limits its focus to the assessment of the ENP policies only as they relate to democratisation between the last five years (2009-2015); however, data outside of this time frame is included where necessary. The thesis focuses on an examination of the policy through six case study countries from across both the Eastern and Southern regions of the ENP. For the purpose of this study, the Eastern region has been broken into two regions; the study includes two case studies in Eastern Europe and Central Asia because of the differences in historical and current situations of both regions. Two case studies will also be selected from the Southern region, which covers North African and the Middle East. One case study has been selected from each area, as there is less variance in the contexts of these countries and their relationships with the European Union. Countries and territories that currently have frozen or stalled relationships with the ENP have been discounted from this study because the aim of the study is to assess democratisation within active ENP relationships.

Of additional note, this thesis focuses on bilateral relationships between the EU and the ENP states. It does not assess multilateral or regional cooperation mechanisms, which exist. Furthermore, this thesis analyses neither the financial amounts awarded to ENP partners nor the significance of these allocations. Such matters are outside of the scope

of this examination and would require significantly greater resources and time.

Research Questions

The Research Questions to be assessed through this thesis are as follows:
1. What intensions are contained in the ENP policy documents for the promotion of democracy?
2. What results has the European Union achieved in the ENP policy in last five years?
3. Can we identify any changes in the ENP policy towards promotion of democracy under pressure of outcomes of colour revolutions or Arab Spring?
4. Can we identify changes in the 2014-2020 Partnership and Cooperation Agreements that respond to the key findings in the evaluations of the ENP?

Structure of the Thesis

Chapter one provides a literature review focusing on literature on democratic theory and democracy promotion. This chapter sets out core terms and theories, which serve as the basis for the subsequent assessment of the European Neighbourhood Policy.

Chapter two focuses on the European Union structure within which the European Neighbourhood Policy is situated. Subsequently an analytical overview and analysis of each of the case study countries is provided. Firstly, an overview of the regime type and brief regime history is detailed, followed by a review inter-state democracy promotion with each regime. This focuses on the engagement of the European Union with the country and key areas of relevant bilateral agreements in relation to democratisation. Finally, an assessment is made of the engagement of the EU with the country in light of the historical and current context. Conclusions will be drawn from each case study, and a summary of the case studies will be made at the close of the chapter.

Chapter three focuses on external evaluations of the EU through both published evaluations (internal and external) that have been produced over the last five years, as well as through interviews with experts and policy makers working on the ENP. This chapter will specifically focus on a number of core areas, including the 2011 and 2015 evaluations, measurements, assessments, incentives and conditionality of the ENP.

The fourth and final chapter brings together the three preceding chapters in a number of core conclusions, which are organised by conclusions pertaining to democratic theory and promotion and those relating to the ENP.

1. Literature Review

1.1 Democracy Theory – A Historical Perspective

Democracy as a term has existed since antiquity and is most often attributed to the ancient Greeks, who established a system of government that guaranteed rule by the people. For the Greeks, however, democracy was only for the few, for the select elites.[1] Women, slaves and foreigners were excluded.

Evidence of democratic communities continued throughout the ages, and democratic theories permeate classical philosophy. These theories centred on popular representation and limiting absolute authority, but democratic rights continued to be extended only to the elite few deemed capable of governing. One of the most prominent examples of this is given by Thomas Leviathan who argues that state authority must be separate from society to ensure that laws are created which prevent people from harming one another.[2]

In the seventeenth centaury, democratic principles became increasingly codified in historic texts such as the British Magna Carta, and the United States' (US) constitution and bill of rights.[3] Through these documents, codes for the relationship between the state and the population were created and rights increased and spread through revolutions and philosophical discourse. Over time, democratic theory evolved into a political science with a number of different branches of democracy emerging, including liberal, representative and direct forms of democracy. These were accompanied by opposing schools of thought, including Marxism and the development of socialist and communist ideas, which took hold in the Union of Soviet Socialist Republic (USSR) and would later spread across Eastern Europe.[4]

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[1] Foster, 1991, p. 208 and Aristotle, 2011.
[2] Leviathan, 2010.
[3] Gardner, 1992, p. 351.
[4] *See* Marx, Communist manifesto, first published 1848.

It was the conclusion of the Second World War and the consequent end of colonialism that incentivised both the growth of democratic nations and the acceleration of liberal democracy as the main democratic tradition. Popular mobilisation during the Second World War led to the alignment of democratic traditions and the ideals of universal citizenship, which until this time had not been a defining trait of democracy.[5]

In 1991 Samuel Huntington proposed the widely acclaimed "Third Wave Democracy", arguing that democracy has come in waves and each of these waves has been followed by a reverse counter wave.[6] Huntington argues that the first wave started in the early nineteenth century with the suffragettes and ended in the years leading up to the Second World War when fascism spread across Europe. The second wave commenced at the end of the war with a rise in the number of democratic states, but was short lived and was already ebbing into a counter wave by the mid 1960s. The third wave, Huntington argues, began in the mid-1970s with the rise of democratisation in Latin America, Asia Pacific and Eastern Europe at the end of the Soviet era. However, after this point Wave Theorists begin to disagree as to whether the third wave continues into the present time, whether we are now in the counter wave or whether – with the Arab Spring – we are currently witnessing the beginning of a fourth wave.[7]

Huntington's wave theory continues to be the main paradigm through which the majority of democracy theorists categorise democratic progress and recent revolutions and events in democratic progress continue to be assessed against the third wave paradigm. Within this third wave paradigm, two sub sects emerged in the early 1990s: transit-ology and democracy promotion, these will be discussed in due course.[8]

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[5] Grugel, 2002, p. 16.
[6] Haerpfer et al, 2009, pp. 93-95.
[7] Grugel, 2002, p. 34.
[8] idem, p. 36

1.2 Democracy, Democratisation and Non-Democratic Regimes

Many theorists have tried to produce a definitive definition of democracy. The fact that none exists tells us a lot about the changing nature of democracy and democratic theory. Democracy in its broadest form was defined by Abraham Lincoln as "government of the people, by the people, for the people."[9] However, this formulation requires more tangible indicators if it is to enable us to differentiate between democratic and non-democratic regimes. Linz and Stepan's provide the most widely cited criteria for a modern democracy:

- Free and lively civil society;
- Reflective, autonomous and valued political society;
- Rule of law;
- State sovereignty;
- Institutional economic society.[10]

This thesis will use these criteria as a method of assessing democratic states, as it is one of the most comprehensive definitions. However given the limits of this thesis, economic indicators will be evaluated to a much lesser extent.

Semantic debates about the meaning of democratisation attract no less discussion or scholarly interest than the definition of democracy itself. Grugel analyses the changing definitions over time and reaches a concluding with a broad definition: "democratisation is the introduction and extension of citizenship rights and the creation of a democratic state."[11] This definition is broad enough to encompass both the transition to and consolidation of democracy and will be used as the working definition for this thesis.

Based on the above-stated definition of democracy, a non-democratic regime must therefore be one that does not have a free civil society, autonomous political society or

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[9] Lincoln A, Gettysburg Address, 1863
[10] Linz and Stepan, 1996, p. 7.
[11] Grugel, 2002, p. 40.

institutional economic society, where rule of law is limited or where state sovereignty has been compromised.

Linz and Stepan's 2006 text provides useful subdivisions of non-democratic regimes within this broad term. These are authoritarian, totalitarian, post-totalitarian and Sultanism. Linz and Stephan break down the defining characteristics of each regime providing for easy identification and have become the most widely used definitions for non-democratic regimes.

> **Authoritarianism** – "Political system with limited, not responsible political pluralism. Often quite extensive social and economic pluralism… political system without elaborate and guiding ideologue… without extensive or political mobilisation."
>
> **Totalitarianism** – "No significant economic, social or political pluralism… elaborate and guiding ideology that articulates a reachable utopia…. Totalitarian leadership rules with undefined limited and unpredictability."
>
> **Post- Totalitarianism** – "Limited, by not responsible social, economic and institutional pluralism. Almost no political pluralism… guiding ideology still officially exists and is part of the social reality."
>
> **Sultanism** – "Economic and social pluralism does not disappear but is subject to unpredictable and despotic intervention. No group or individual in civil society, political society or the state is free from the sultan's exercise of despotic power. No rule of law… Extreme glorification of the ruler."[12]

Their work sheds some light on the challenges a non-democratic regime will have in its path to democratisation, such as the difference of existing level of rule of law in authoritarian and totalitarian regimes that will need to be addressed in the new democracy. However Graeme Gill calls into question the usefulness of the Linz and Stepan's model because of its overly complicated nature, its broad regime types

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[12] Linz and Stepan, 1996, pp. 44-45. The above constitutes a summary of the caricaturists of each regime type. Full definitions can be found in on the pages as referenced.

(particularly the range of regimes which fit under authoritarian) and its failure to understand the role played by non-regime actors.[13] Despite this, Linz and Stepan's model remains a good starting point, but the lenses of other theories need to be applied before an adequate assessment can be made.

Given the fluid definitions for democratic and non-democratic regimes, there is a grey area between the two definitions discussed above. Theorists classify the regimes that do not fit squarely within the confines of either definition as hybrid regimes.[14] Gilbert defines hybrid regimes as: "for nondemocratic, non-authoritarian regimes".[15] Although Gilbert's analysis develops into a much more nuanced categorisation and sub-categorisation of various types of hybrid regimes, for the purpose of this thesis the preliminary definition will suffice.[16]

1.3 Transition Theory

In 1989 the Berlin wall was taken down and with it came the rapid collapse of the USSR and of communism across Central and Eastern Europe. Political theorists hailed the rapid spread of liberal democracy across these states, and the success of the third wave. Francis Fukuyama examines the collapse of communism, concluding that "the end of history" had arrived.[17] He argues that at the end of the Cold War, liberal democracy was universally agreed to be "the end point of mankind's ideological evolution and […] the final form of human government."[18] Fukuyama's thesis has since been proved incorrect both by other theorists and by history itself through the resurgence of autocracies in budding democratic nations.

Transit-ology theorists emerged in the early 1990s assessing the transitions from non-democratic to democratic states, predominantly focusing on European, Latin American and Asian traditions. The most famous of these figures include Juan José Linz, Alfred

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[13] Gill, 2000, pp. 78-79.
[14] *See e.g.* Gilbert, 2011; and Diamond, L, Plattner, M, Costopoulos, 2010.
[15] Gilbert, 2011, p. 271.
[16] Idem.
[17] Haerpfer et al, 2009, p. 3.
[18] Fukuyama, 2992, p. xi.

Stephans, Jean Grugel and Paul Brooker, who categorised non-democratic regimes and their transitions to democracy, attempting to draw from them key indicators representing the defining characteristics, which guarantee successful transition.[19] Of particular note are the criteria which look at prior democracy and core beliefs as indicators for successful transitions.

Karen Dawisha demonstrates that resurgence is easier in countries that previously possess a democratic tradition, as debates regarding the type of system to be implemented are unnecessary and old laws can be revised and amended.[20] Huntington concurred with this view and found that twenty-three of the twenty-nine countries that democratised during the third wave possessed previous democratic experience.[21] This point, when taken into consideration with Linz and Stepan's criteria for democracy, can help us to construct a more comprehensive picture of successful state transition.

Congruence Theory is a widely cited theory that argues that the ascension of a political system must be in line with the majority of people's core beliefs and, therefore, that the level of mass belief in democracy has a direct correlation with a country's becoming more democratic.[22] However, the theory in its own right is too basic to constitute a useful paradigm for transition theory. Ronald Inglehart and Christian Welzel argue that there needs to be further clarification of the reasoning behind this belief.[23] Belief in democracy for *economic* or *superficial* reasons, they argue, will not lead to consolidated democracy. Instead, it is only when the mass of people believe in democracy for *emancipative* reasons that democratisation occurs. This means that only when people place a high value on freedom of choice will they be willing to struggle for democratic freedoms. Welzel and Inglehart go on to argue that these emancipate values gain in strength in areas of high economic development, but are unable to provide a rationale for such development. They offer India as an example of a country that has wide

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[19] Linz and Stepan, 1996; Grugel, 2002; and Brooker, 2000.
[20] Darwish and Parrott, 1997, p. 46.
[21] idem, 1997, p. 48.
[22] Haerpfer et al, 2009, p. 134.
[23] idem.

acceptance of democracy but low economic levels and low levels of emancipative values and demonstrate that this has led to a low quality of democracy. With the addition of emancipate values, Congruence Theory becomes a much more useful paradigm, especially when assessing transitions in both Eastern European and the Arab World. Here the understanding of a population's belief in emancipative values, especially during times of revolution, will provide a deeper level of evaluation as to the chances of successful democratic progress.

The democracy theorists listed above, each propose a unique conclusion to the study of democratisation, nonetheless they use an assessment of one (or more) criterion and its effect on the democratic process. They have focused mostly on a historical account of the transition itself, at which point the narratives stop without assessing the democratisation process of the new regime or the type of democracy the country evolves into, and the weaknesses or strengths of the chosen system.[24] Additionally post-communist countries are regularly addressed together. As such, no monograph provides an assessment of the different transitions and democratisation processes of the nine new post soviet states, particularly lacking is any description of the Central Asian states.[25] Many of the transition theorists assess what factors can lead to the transition from non-democratic to democratic, but the authors stop without assessing the quality or sustainability of the resulting democracy.[26]

Two decades after the first third wave transitions to democracy, we can now reflect on their effectiveness and on the third wave as a whole. It can be determined that the last decade has seen a remarkable slowing of democratisation across the globe when compared with the significant progress made during the previous century. While the overall level of democratic countries has not decreased, progress appears to have stagnated in recent years. In real terms the quality of a number of democracies has

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[24] *See, e.g.* Gill, 2000; and Teorell, 2010.
[25] idem.
[26] *See e.g.* Brooker, 2000.

declined, leading to the rise of democratic states, which are democratic only in their outward appearance. Leading to what Samuel Finer defined as "Façade Democracies".[27] Zakaria describes a similar phenomenon; "democratically elected regimes ... are routinely ignoring constitutional limits on their power and depriving their citizens of basic rights and freedoms", which he describes as "illiberal democracies."[28] He demonstrates how in early western democracies, mass democracy and universal suffrage took a long time to establish themselves. In newer democracies these are established much earlier and more substantially but that liberalism was not:

> Universally elected, popular leaders do not hesitate to bypass parliaments and constitutional limits in order to rule a country through presidential decrees, use the state against the opposition and free media and abuse the constitutional rights of the country's citizens... Regular and universal elections in these countries fail to secure the rule of law, decrease corruption or create good governance within the constitutional framework of power. [29]

This concerning trend can be witnessed in all regions of the third wave and should be considered seriously and theorist must ensure that they are no longer assessing the number of democracies but the quality and sustainability of the resulting democracy.

1.4 Consolidating Democracies

Democracy consolidation theorists have thus begun to look beyond the transition of a country from non-democratic to democratic regimes to assess the on-going process of democratisation within a state and the factors that influence its success.

Carsten Schneider, one of the leading consolidating democracy theorists, highlights the need for a clear definition of what a consolidated democracy looks like, as many

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[27] Finer, 1970, pp. 441-444.
[28] Zakaria, 1997, p.22.
[29] Muskhelishvili, 2005, p.48.

theorists discuss consolidation without ever providing an explicit definition or relying on inconsistent indicators to support their definition.[30] He berates many authors for confusing indicators for liberalisation and democratisation in their theories. Schneider clearly defines that the difference between "consolidation of democracy" and "liberalisation of autocracy" is that in a consolidated democracy there is the ability to hold representatives to account, where as in a liberalised autocracy, there is the liberalisation of rules and freedoms but without accountability of government.[31]

Patrick Bernhagen, builds on Schenider's work and is one of the few to provide a measurement as to what democracy is *not*. He outlines four factors that are important to advanced nations, but that should not be mistaken as a part of the definition of democracy. He claims democracy does not include economic efficiency and growth, political or administrative efficiency, domestic stability or civic peace or economic freedom.[32] I would add human rights to this list, as they are vital to advancing a nation and its people and producing a hopeful outcome of democratic progress, but they should not, as they often are, be included in the definition or measurement of democratisation.

Schneider discussed the problems of casual theories in consolidation of democracy analysis and argues that many factor, highlighted by classic theories, such as those assessing the impact of the economic situation, education or in fact many form of modernisation do not make a real difference to democratisation. In addition, he demonstrates through statistical evidence that the type of transition process that a country undergoes does not impact its chances of democratisation. Instead, he argues that consolidated democracy is "power dispersion between a type of democracy, on one hand, and the cultural context within which it is embedded on the other."[33] As such, Schneider explains that for a democracy to successfully consolidate, one must look at

[30] Schneider, 2009, p. 20.
[31] idem, p. 21.
[32] Haerpfer et al, 2009, pp. 30-31.
[33] Schneider, 2009, p. 4.

the characteristics of its political institutions and, at the same time, at the context of the country itself.[34]

The most succinct and comprehensive definition of a consolidated democracy is defined by Darawish:

> A consolidated democracy is one in which most major social groups expect that leaders will be chosen through competitive elections and regard representative institutions and procedures as their main channel for processing claims on the state.[35]

Equally useful is Darwish and Parrot's "Two turn over test" for the consolidation of democracy, which considers a democracy to be consolidated when the peaceful handover of power through elections takes place two times consecutively.[36] This provides us not only with a definition for the consolidation of democracy, but a tangible measure by which it can be tested in practice. Of course, this definition is limited to substantive democracy and it must be understood that it limits the assessment only to the electoral democratic process, and excludes indicators from much broader definitions of democracy.

From this literary review on democratic theories it becomes clear that there is no one definitive theory, which can be adequately used to assess global democratisation in the current period. No one theory sufficiently provides a model for today's democratic climate. Thus, a number of single focus theories will need to be synthesised in order to adequately assess and predict democratic progress. Multiple theoretical layers that focus on a single dynamic of democratisation (economic, civil society, external involvement) must be used collectively, alongside the unique history of a particular state to assess a democratic process or to predict future trends.

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[34] Schneider, 2009, p. 4.
[35] Dawisha and Parrott, 1997, p. 43.
[36] idem.

1.5 Democracy Promotion

Inter-state democracy promotion can first be observed at the end of the First World War when the victorious allies made a concerted effort to bestow democracy on newly formed nations.[37] However the results of these efforts largely proved to be short lasting, with dictatorships sweeping across many nations within the first decade of the war's end. Democracy Promotion has evolved over time to become commonplace in the diplomatic toolbox of the majority of western liberal democratic states since the 1990s, although approaches may vary significantly (this will be discussed below). Democracy promotion has advanced so far into foreign relations that it is now often considered to be the norm, and democratic standards can now seen as a perquisite for joining many international organisations. As a result, a political science has developed around the theories and methodologies of democracy promotion. Of the many definitions of democracy promotion, Susan Stewart provides the clearest and most concise: "Democracy promotion is defined to include activity engaged in by external actors to encourage the development of democracy within a given country."[38]

For no organisation has democracy promotion become more of a norm than for the EU, even thought it has only engaged in democracy promotion as a tool of foreign relations since the 1990s. Membership in the EU and trade partnerships with the union are based on a strict criteria of democratic development. Despite its core focus however, the EU fails to define its engagement through a core definition of democracy.

Phillip Scmitter and Imco Brouwer define the different levels of society within a state that democracy promotion targets: individuals, to increase involvement; civil society organisations, to create better conditions for a limited group of people; political society, such as political parties, to increase their activeness; and state institutions, to increase accountability and transparency.[39] Through these methods, a state and its implementers can reach all sectors of society, increasing democratic opportunity. If abused, however,

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[37] Scmitter and Brouwer, 1999, p.4.
[38] Stewart, 2012, p. 38.
[39] Scmitter and Brouwer, 1999, p. 17.

they can be used to significantly affect the political direction of a state.[40]

Scmitter and Brouwer's definition is further broken down into consensual and non-consensual forms of democratic promotion and protection. To this schema they add an additional and significant category of the "tolerated" assistance to cover the wide variety of activities which take place inside or outside of a country with the knowledge if not complete acceptance of the state. This tolerated exists "because it [the country] either fears that otherwise sanctions will be imposed or, alternatively, that it will not receive some potential rewards."[41] Within this definition, they include all official government actions, such as "sanctions, diplomatic protests, threats of military intervention when they are used conditionally upon the democratic behaviour of country.[42] However, their definition excludes non-formal state actions, such as covert activities or indirect developmental activities, including literary promotion or economic development.

Burnell and Youngs claim that limiting state sovereignty in any way does not increase the chances of democratisation; outside involvement, they argue, only leads to on-going reliance (e.g. Haiti) or un-sustainable democracy (e.g. Iraq).[43] Burnell and Youngs argue that causes a backlash, which can especially be seen in two key regions, the Middle East and Central Europe, because of the perceived involvement of outsiders in the colour revolutions.[44] However contrary to this argument, Burnell and Youngs also state the growing argument for global norms of democratisation, which include elections and civil society support.[45] This is used by many governments to argue "that governments which fall short of democracy are entitled to less political sovereignty than democratic governments."

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[40] Schneider, 2009, p. 4.
[41] idem pp. 15-16.
[42] idem, p.13.
[43] Burnell and Youngs, 2010, pp. 25-40.
[44] idem, p. 61.
[45] global norms: "standard of appropriate behaviour for actors with a given identity" Finnemore and Sikkink, 1998, p. 891.

John Agresto and Thomas Carothers discuss the importance of exporting both "good democracy" that is culturally appropriate as well as locally designed democracy that will be beneficial to supporting the state and, thus, carry a greater chance of sustainability. [46] "To do it the other way around—to begin with a democratic government and hope for a people with a democratic outlook and habits to grow as a result—is more often than not a fool's errand."[47] This mirrors Welzel and Inglehart's emancipative theory on population's motivations for the desire of democracy.

Democratic promotion needs to be undertaken in a sustainable way, which entails the shortest period and smallest footprint of external input as possible and the highest local engagement and determination of the outcomes as possible. However, this can often be hard to balance with the aims and objectives of the state funding the activities, either through its own mechanisms or though international or local implementers. States that control democracy funding may be tempted to heavily control the agenda of its financial inputs for aims other than the promotion of liberal democracy. Democracy promotion activities may be further constrained by the timetables of the donor organisations or states and their need to demonstrate effective outcomes of the funding. All of these factors can intentionally or unintentionally obstruct the aims of democracy promotion within a country. For example, election assistance may in many circumstances be some of the most effective democracy support, as it enhances people's understanding and involvement in the democratic process and ensures that both the democratic process and the true aspirations of the people are accurately reflected in the results. However, it is a slippery slope toward this assistance becoming election manipulation, where a state's neutral funding is, in reality, pushing the balance in favour of the regime's opposition. In addition, a funder's need to fit the activities within a specific timeframe and to produce a specific number of results often means that election assistance is squeezed into a short period of time before an election, and that the emphasis is on the number of people receiving information within that timeframe, rather than the longer term approach to capacity building that may be required.

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[46] Agresto, 2012, p. 2; and Carothers, 2013.
[47] Agresto, 2012, p. 4.

1.5.1 Regional Approaches to Democracy Promotion

Carothers assesses the political vs. developmental nature of democratic assistance. He defines "political" as the narrow provision of assistance focused on elections and liberalisation and "developmental" as a much broader approach that sees the provision of a wide range of support to democratisation actors, including civil society and political parties. The developmental approach provides long term institutional and multi-sector support to areas including socio-economic development and justice that tries to target what Carothers describes as "important moments of catalectic effect."[48] Carothers assesses regional democracy promoters under this lenses and concludes that the majority of US implementers are focusing on the political approach, with only the United States Agency for International Development (USAID) involved in a mixture of political and developmental (with a preference for developmental in countries where the US has a friendly relationship with the regime and political where the relationship is more negative). European institutions, on the other hand, have a much more developmental approach towards democratisation and foreign policy.[49]

Carrother's assesses the merits of both approaches, concluding that the differences in approach can be seen as a division rather than an irreparable rift and that even though there are merits to both approaches, neither approach can be seen to have had conclusive and consistent success. Hakan Yilmaz argues that the EU can be seen to have been the most successful democracy promoter, but that this is a result of the relatively easy victories in the assertion countries, where the reward of EU membership provided a significant counterweight to the pains of democratisation.[50] This argument resonates strongly and demonstrates the need to assess the successes of the EU outside of the accession countries. Carothers concludes that both approaches need further efforts to improve and to increase their on the ground effectiveness. His article provides a useful starting point to understanding the different approaches of global foreign policy positions and for categorising their interventions. However, much further and more

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[48] Carothers, 2009, p. 5.
[49] idem, pp. 14-15.
[50] Haerpfer et al, 2009, p. 99.

detailed assessment of each foreign policy is needed to understand both the effect and unintended consequence of both types of intervention. There is room for significant recommendations to be made vis-à-vis the improvement of these approaches.

Grugel criticises international actors – including the World Bank, EU and US National Empowerment for Democracy (NED) and its implementing agencies the International Republican Institute (IRI) and National Democratic Institute (NDI) – for their application of "short-term solutions to long-term projects".[51] The World Bank's conditionality for democratic change is regarded as cosmetic, aiming only to strengthen markets, not to promote real democratic progress. Peter Burnell and Richard Youngs add to this an interesting argument regarding the connection between US military support and democracy support.[52] This is an incredibly important debate, which needs significant further analysis and discussion; however, this discussion cannot take place within the confines of this thesis.

1.5.2 Democracy Promotion and Geopolitical Interest

Democracy Promotion and geopolitics are intrinsically and unavoidably linked. Nevertheless, for democracy promotion to fulfil its core mandate, it must remain distinct from geopolitical interests. Ghia Nodia reminds us that states will never be able to focus their democratisation resources without assessing their own security and economy interests, and in doing so, there is no safe way to promote democracy without the inevitable hostile and often violent response from unreceptive regimes.[53] Why then do states engage in activities that on the surface appear at odds with their geopolitical interests?

Sreeram Chaulia, Carothers and Michael Cox's works all supports the argument that there is a relationship between democracy promotion and geopolitics and show evidence that US foreign policy, in particular, relies heavily on the democracy promotion

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[51] Grugel, 2002, p. 135.
[52] Burnell and Youngs, 2010, p. 12.
[53] Nodia, 2014, pp. 141 – 149.

activities as a method of achieving wider geopolitical aims, such as the promotion of its economic and energy interest while "denying it [is] doing so".[54] Chaulia provides evidence that from the start of the Cold War, Freedom House and other International Non Government Organisations (INGOs), engaged in "inducing defectors and refugees from behind the Iron Curtain to cross over, public diplomacy, propaganda and funding of electoral candidates in foreign countries by charities and INGOs existed long before the voluntary sector".[55] It was from these early interventions that the National Endowment for Democracy (NED) was founded to provide a semi autonomous avenue for streaming such global funding. For example, Chaulia argues that the NED involvement in Ukraine after the Orange Revolution was engineered by the US to secure oil supply lines in light of the incumbent President Kuchma's interest in aligning his country with Russia.

Other geopolitical interests, including the potential threat of Islamists across the Middle East, can be seen to be large obstacles to democratisation. Islamist parties and civil society organisations often have a wide base of popular support are able to perform well in elections. The threat of growing Islamist influence not only affects the internal politics of Arab counties, but also limits the willingness of international actors to push for the implementation of true democracy across the region.[56] The banning of Hamas and other elected political parties further erodes the legitimacy of western powers' democratisation efforts, because it reduces the internationally acclaimed importance of the supremacy of elections. International actors in the Middle East, argues Cavatorata, are often satisfied by Arab façade democracies, and the cosmetic changes that they are willing to make, because of the stability that these friendly regimes bring to the region.[57] In return, these façade democracies are able to gain legitimacy from the moral and financial support of international actors.

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[54] Chaulia, 2005; Carothers, 2013; and Cox, 2013, p.1.
[55] Carothers, 2013.
[56] Haerpfer et al, 2009, p. 326.
[57] idem, p. 323.

From the analysis provided by the above authors, we can draw two main streams of analysis: 1) the divergent approaches to democratisation pursued by different democratisation actors and 2) the influence of geopolitics on the decisions of the democratisation actors and the effects of those decisions on the perception of the actors. This analysis can be used as the basis upon which direct assessment of the policies and practices of democratisation implementers can be made. Additionally it is noted that assessments of international involvement in global democratisation by democratic theorists are limited and often simplistic in their conclusions. They are regularly presented as stand-alone influencers of democratisation tackled in their own chapters and not along side the main analysis of democratisation theory in a region. Their involvement and influences needs to be more deeply and holistically assessed alongside all other influencing actors.

1.6 Democracy Rankings

Democracy rankings are widely used to assess the consolidation of democracies. However, many have argued that these rankings are incorrectly used.[58] Richard Rose suggests that both Freedom House's and Transparency International's indicators need to be used together to provide a more two dimensional profile.[59] Conversely, Bernhagen criticises Freedom House, suggesting that it confuses liberalism and democracy and overloads the issue with issues such as social justice; he argues that the latter is important for citizen's development, but should not be confused with democratisation itself.[60] Bernhagen provides a detailed assessment of the various measurements of democratisation and an evaluation of the main international assessment tools including Polity V, Freedom House, and those of democracy theorist such as Gasiorowski and Bollen. He highlights the issues that can come from demanding two much or too little of democracies. In addition he asks, "do all facets of democracy need to be present, at least to a certain degree, before we can speak of a democratic system? Or, is it meaningful to

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[58] Haerpfer et al, 2009, p. 16.
[59] idem.
[60] idem p. 30.

say that a high score on one dimension of democracy can compensate for a low score in another?"[61] Given the level of debate and disagreement surrounding democracy rankings, democracy rankings will not be used in this thesis as a method by which to determine levels or progress in democratisation.

Given the above analysis of the relevant literature on democratic theory and democracy promotion, the focus of this thesis will be neither on democratic transition nor on democratic consolidation as these two theories focus too heavily on the categorisation of a state at various points in its democratic progress. Instead, considering these democratic theories as a basis on which to situate the discussion, this thesis will focus on the democracy promotion paradigm constructed by the authors surveyed in these discussions.

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[61] idem p. 34

2. Assessment of EU policies for democratisation in the European Neighbourhood

Democratic theories provide structure for the categorisation of non-democratic regimes, and a framework by which different non-democratic regimes can transition to democratic and towards consolidation of democracy. It is on this basis that the democracy promotion paradigm assesses opportunities and tools with which to provide external democracy promotion.

The following chapter provides an analysis of one of the major external democracy promoters, the European Union. The chapter assesses the EU's ability to act as a democracy promoter through its European Neighbourhood Policy (ENP), a policy that promotes democratisation, stability, human rights, economic cooperation and counter terrorism across its neighbouring countries. This will be done through as assessment of six case study countries in the Southern and Eastern regions of the European Neighbourhood. The Eastern region will be assessed in two separate sub regions; Eastern and Central Europe to allow for greater analysis of the different political contexts that separate these two sub-regions.

Building on the assessment of the case studies, chapter two will review the wider ENP through both published assessments of the policy and interviews with experts to better understand the EUs capacity to act as a democracy promoter.

2.1 European Union's External Action (EEAS)

The European Union's external relations are managed by the External Action Service (EEAS), a department of the EU founded to function as the EU's diplomatic service. The EEAS was established under the Treaty of Lisbon on 1st December 2009 and formally launched 1st January 2011. It has been headed by the High Representative for Foreign Affairs and Security Policy Federica Mogherini since November 2014.

The EAAS is tasked with carrying out the Union's Common Foreign and Security Policy. Headquartered in Brussels, the EAAS acts as a country's foreign ministry and has delegations in 140 countries worldwide, as well as delegations to international organisations. To achieve the EUs foreign and security policy aims, the EEAS focuses on trade, global security, development, crisis response and global peace. The European Union acts as a normative power, using its expansion and neighbourhood policy to spread normative economic and democratic values.[62]

The EEAS additionally takes responsibility for the expansion of the European Union and its relationships with its near neighbours. The Expansion Policy oversees EU expansion, whilst the European Neighbourhood Policy oversees the relationship with those outside countries outside the area of expected expansion.[63]

2.1.1 The European Neighbourhood Policy (ENP)

Established in 2003, the European Neighbourhood Policy aims to strengthen good relations and trade with 16 counties in its neighbourhood to ensure peace, stability, and economic opportunity through mutual benefit. The objective of the ENP is:

> To share the benefits of the EU's 2004 enlargement with neighbouring countries in strengthening stability, security and well-being for all concerned. It is designed to prevent the emergence of new dividing lines between the enlarged EU and its neighbours and to offer them the chance to participate in various EU activities, through greater political, security, economic and cultural co-operation.[64]

The ENP was established in 2003 after the enlargement of the Union, which gave membership to ten new countries. The ENP is not a path for membership, as was

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[62] Haukkala, 2011, pp. 45 – 64.
[63] European Commission, EEAS and European Information Centre.
[64] Commission of the European Commission, 2004, p. 3.

offered to countries outside the areas of accession. It acts as an unofficial, but clear line for where the extended boundaries of the EU will terminate.

Its objective to "share the benefits of the EU's 2004 enlargement with neighbourhood countries" immediately defines the limits of the ENP policy, and highlights the distinction between those within and outside of the expansion area, offering the latter close, but still limited, cooperation with the Union under the understanding that these countries will not be offered the possibility of membership to the Union.[65]

The ENP is defined by a strategy of proximity, prosperity and stability. 'If the EU is to work with its neighbourhood to create an area of shared prosperity and stability, proximity policy must go hand-in-hand with action to tackle the root causes of the political instability, economic vulnerability, institutional deficiencies, conflict and poverty and social exclusion.[66]

Negotiations are carried out with each country individually, and defined by agreements and Action Plans. Originally, Partnership and Cooperation Agreements (PCAs) were signed with the partners in the Eastern region. Then, Association Agreements (AAs) replaced the PCAs and were signed with the Southern region partners at the commencement of the ENP South. AAs are now being negotiated with the Eastern partners to replace the PCAs and have thus far been signed with Moldova, Georgia and Ukraine. The AAs provide framework for agreements, whilst the Action Plans outline the agreed commitments of the partner country and the EU over a 3-5 year period. All agreements cover four key areas:

- Strengthen the rule of law, democracy and respect for human rights
- Promote market-oriented economic reforms
- Promote employment and social cohesion

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[65] Commission of the European Commission, 2004, p. 3.
[66] Commission of The European Communities, 2003, p. 6.

- Cooperate on key foreign policy objectives such as countering-terrorism and the non-proliferation of weapons of mass destruction.[67]

The 16 ENP countries are: People's Democratic Republic of Algeria, Republic of Armenia, Republic of Azerbaijan, Republic of Belarus, Georgia, State of Israel, Hashemite Kingdom of Jordan, Lebanese Republic, Libya, Republic of Moldova, Kingdom of Morocco, the Occupied Palestinian Territory, the Syria Arab Republic, Tunisian Republic and Ukraine.[68] The countries are split geographical into the Eastern and Southern Regions. A brief overview of relations with each of the 16 countries is outlined below:[69]

Algeria: The EU signed an AA with Algeria in 2002, which has defined EU-Algeria relations since it came into force in 2005. The EU and Algeria have been negotiating an Action Plan since 2012, but as yet the parties have not been able to agree on a final plan.

Armenia: EU-Armenia relations are governed by a PCA, which came into force in 1999. Armenia negotiated, but failed to sign an AA in 2013, then opting instead to sign an agreement with Russia's Customs Union. The EU continues to corporate with Armenia on the basis of the PCA and to look for opportunities to expand this cooperation.

Azerbaijan: The EU began its relationship with Azerbaijan in 1999 with the signing of the PCA. In 2006 the ENP Action Plan was adopted and has been the guiding document for the relationship since this date. In 2010 negotiations commenced for the signing of an AA between the EU and Azerbaijan, but progress has been slow.

Belarus: A partnership agreement was signed with Belarus in 1995, but has remained frozen since 1997 due to the political situation in the country. The EU continues to

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[67] EU Neighbourhood Info Centre.
[68] Henceforth all countries will be listed by their short form.
[69] European Commission, EEAS and European Information Centre.

engage with and support Belarus where possible, including on-going dialogue through the Eastern partnership and bilateral funding.

Egypt: Egypt's AA, which was signed in 2004, and its Action Plan, which was agreed in 2007, are still the governing documents of EU-Egypt's relations; however, progress is currently slow given the enormous upheaval in the country over the past four years.

Georgia: Georgia signed an AA, including DCFTA in 2014, making it one of the first ENP Eastern partners to sign; it is currently engaged in the implementation of the second phase of the visa liberalisation process.

Israel: Israel and the EU signed an AA in 2000 and Action Plan in 2005. These remain the current documents guiding the relationship.

Jordan: EU-Jordan relations under the ENP began with the signing of an AA in 2002 and an Action Plan in 2005. Jordan enjoys advanced status under the ENP.

Lebanon: The EU-Lebanon AA came into force in 2002 and the first Action Plan in 2005. Lebanon is one of the few countries to have a second Action Plan agreed, this time in 2014, after it was revised in light of the events of the Arab Spring.

Libya: Libya has not become a full member of the ENP and has not signed an AA or Action Plan with the EU to date.

Moldova: Moldova is one of the front-runners of the ENP. It was the first country to receive the visa free regime and the first country in the Eastern Partnership to sign both an AA, including the DCFTA, and the mobility partnership, allowing for Moldovan citizens visa free travel to Europe. Both were signed in 2014.

Morocco: The EU-Morocco AA came into force in 2000 and the first Action Plan in 2005. Morocco is one of the few countries to have a second Action Plan agreed, this time in 2003. Morocco is considered to have advanced status within the ENP.

The Occupied Palestinian Territory: The EU signed an Action Plan with the Palestinian Authority as the representative of the Palestinian people in 2005. No bilateral agreement has yet been signed, as Palestine is not a recognised state; however, the EU is working with the Palestinian Authority towards its stated aim of helping Palestine to become an independent state.

Syria: Relationships with Syria were governed by the 1977 Corporation Agreement until 2011 when all bilateral relations and funding were frozen in response to government repression and the conflict in the country.

Tunisia: Tunisia was the first country to sign an AA under the ENP in 1998. Its relationship with the EU has been governed by the Action Plan since 2006 and the EU has had extremely constructive relations with the democratically elected government which came into power following the 2011 revolution.

Ukraine: Ukraine's ENP Action Plan was put in place between 2005 and 2009 when it was replaced by an Association Agenda, the first document of its kind under the ENP to set out a pathway from signature to ratification of the AA. The AA was signed in 2015 with the new government, after a revolution brought down the previous government at the start of 2014.

The ENP focuses on the extension of the normative principles of the EU and the principle of "more for more", which allows for greater benefits, funding and trade preferences to countries that undertake significant reforms towards democracy and human rights. Commissioner for Enlargement and European Neighbourhood Policy Štefan Füle made a speech in May 2010 marking the five years since the launch of the policy, during which he described the ENP:

The ENP is a win-win game: the higher our partners' reform ambitions, the stronger our response. Economic reforms have progressed remarkably across our neighbourhood, both East and South. What is essential for the future is to go up a gear on democratic and political reforms, where progress has been real but generally slower.[70]

The ENP is financed through the European Neighbourhood Instrument (ENI), which replaced the original European Neighbourhood and Partnership Instrument and provides funding for the policy until at least 2020.

In 2011 the EU assessed the ENP and launched what it described as a new and ambitious ENP and "a new response to a changing neighbourhood". The new policy was designed to expand its democracy building efforts and:

(1) Provide greater support to partners engaged in building deep democracy – the kind that lasts because the right to vote is accompanied by rights to exercise free speech, form competing political parties, receive impartial justice from independent judges, security from accountable police and army forces, access to a competent and non-corrupt civil service — and other civil and human rights that many Europeans take for granted, such as the freedom of thought, conscience and religion;

(2) Provide the mechanisms and instruments fit to deliver these objectives. Hold governments to account. It can also help ensure that economic growth becomes more inclusive. [71]

How far the EU was able to really capitalise on the new ENP and the changing neighbourhood will be assessed in the case studies of the following chapter.

The ENP is separated by two regions, each governed by sub frameworks for regional integration. The Eastern Partnership (EaP) initiative was launched in 2009 with the aim

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[70] Europe Aid press release, 2010.
[71] European Commission, 2011, p. 2.

of increasing the EU's attention in the region and enhancing multilateral corporation between the partners. The EaP has held biannual high-level summits since 2009, with the most recent taking place in Riga in May 2015. However, the EaP has been criticised for not significantly adding value to the ENP, and the summits have often been criticised as disappointing by the region's civil society. [72] The Union of the Mediterranean, the equivalent structure for the Southern ENPs, has seen little success. Only one biannual head of state summit took place in 2008 (Paris Summit), and subsequent summits have been postponed or cancelled due to regional tension, especially related to the on-going Israel-Palestine conflict.

Within this context of the ENP's objectives and framework, this thesis will assess six case study countries and the EUs capacity to act as a democracy promoter in light of the specific regime type and political context within each of the countries.

2.2 Middle East

2.2.1 The Hashemite Kingdom of Jordan

2.2.1.1   Internal: Regime Level Political Country Context

The Hashemite Kingdom of Jordan (originally Transjordan) was formed in 1946, ending British Mandatory control in the territory.[73] The Kingdom has since been ruled by a constitutional monarchy. The current King, Abdullah II, is an authoritarian ruler who maintains a close watch on the society through the country's powerful secret service. Although a small country, Jordan maintains a huge regional significance, given its location between Iraq, Saudi Arabia, Syria and Israel/Palestine. The country was formed in 1946 and its constitution, formed the following year, set out the form of government to include two Legislative bodies: Majlis al-Nuwab (the Council of

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[72] CERP, 2015.
[73] Robins, 2004, p. 57.

Representatives) and Majlis al-A'ayan (the Council of Notables). Jordan's representative body is elected every four years on a proportional representation basis on both constituency and nationwide party lists and with a number of quotas stipulated for minority groups.[74] The King is the highest authority and maintains a high level of power over the government structures. Although there have been efforts to reduce this power, the King continues to retain the power to form or dismiss the parliament, prime minister and cabinet, and all parliamentary laws must be approved by his appointed Council of Notables.[75]

The Jordanian political system has gone through many cycles of democratisation, many occurring during periods of economic downturn in the country. The 1950s saw the first such wave of democratisation during which the roots of contemporary Jordanian civil society and Political Party life were established, and the country "witnessed the proliferation of political parties, trade unions, professional associations, women's and students' organisations, and charities."[76]

However a coup attempt in 1957 ended this period of democratisation and martial law was declared. All political parties were banned and remained illegal until 1992. They were then reintroduced as the government began a series of democratising reforms to pre-empt growing opposition in the face of a severe economic downturn. It was this financial crisis that forced an end to the "no taxation, no representation" policy that the King had hitherto relied upon for governance and legitimacy.[77] Once the King needed taxes from the people to backup the economy he was in a much weaker place to stand up to demands for popular representation. This democratisation phase was, however, short lived; as the economy recovered, the government began to retract some of its previous concessions. It was not until 2011 that a new opening for democratisation emerged. In the face of an economic crisis and spurned on by uprisings elsewhere in the region, a rising number of political opposition movements (Hirak) flooded the streets in

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[74] The Constitution of The Hashemite Kingdom of Jordan, 1952.
[75] idem.
[76] Identity Center, 2014, p. 11.
[77] idem, p. 14.

2011 calling for an end to the widespread corruption as well as changes to the constitution and elections to allow real democratic power to the people. King Abdullah II reacted quickly, issuing a wide range of reforms and allowing the creation of a number of committees, which were given broad mandates to implement change. This led to some key reforms: martial law and the jurisdiction of the State Security Courts were limited, a Constitutional Court was created, the Independent Electoral Commission (IEC) was established, and a new election law created (this allowed for the first independent domestic monitoring of elections in the 2013 parliamentary elections). These changes were heralded widely by the international community as significant progress towards democratisation; however, it became clear by 2014 that the King continued to wield enormous amounts of power and had given only small concessions to the opposition. The regime has been known to use the façade of reforms to reinforce its own position: "Since 1989, therefore, the state has successfully used party politics and reform to not only provide Jordan with a democratic image, but also to serve as a eudemonic legitimacy provider in lieu of its former reliance on neo-patrimonial links in a rentier system."[78]

2.2.1.2   International: Overview of European Relations with Jordan

Jordan has maintained economic relations with the European Community since 1977. From 2002, relations with Jordan have been governed by the European Neighbourhood Policy (ENP) when the first Association Agreement came into force. The original 2002 agreement set out a long-term roadmap for bilateral relations, which provided a framework for political dialogue, liberalisation of trade and the establishment of a free trade area.[79]

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[78] Identity Center, 2014, pp. 22-23.
[79] European Commission, 2004 (c), p. 3.

Efforts towards political development were, therefore, largely related only to the strengthening of relations and dialogue between the bilateral partners and with a focus on areas of "mutual interest."[80]

The EU-Jordan Action Plan was adopted in 2005, covering a period of five years. It determined for the first time more specific short and medium term measures in the areas of democracy and rule of law. The priorities for action under the democracy pillar were:

- Take forward a national dialogue on democracy and political life within the framework of the national political development plan.
- Continue to develop an independent and impartial judiciary. Further reinforcing of the administrative and judiciary capacity.
- Take steps to develop further the freedom of the media and freedom of expression
- Further promote equal treatment of women, by preparing a plan to increase women's participation in political and economic life. [81]

Ownership of reform is designed into the strategy though a home-grown reform plan, 'the National Agenda'; an Action Plan for political, social and economic reform over a ten year period (2007-2017). The principle aim is to "to improve the quality of life of Jordanians through the creation of income-generating opportunities, the improvement of standards of living and the guarantee of social welfare". This is partnered with the "Khulna al Urdun" (We are All Jordan) initiative, which seeks to increase public participation in decision making.

A subsequent Action Plan was published in 2012 with the following priorities:
- Pursue the consolidation of the institutions safeguarding democracy and the rule of law;
- Further enhance the independence and impartiality of the judiciary and its

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[80] European Commission, 2002, p. 4.
[81] European Commission, 2005 (a), p. 2.

administrative capacity;

- Pursue ensuring freedom of expression and media, assembly, and association;

- Reinforce the EU-Jordan political dialogue and cooperation on foreign and security policy in a range of areas. [82]

2.2.1.3 State of Democracy: Progress and Challenges to EU Democracy Promotion in Jordan

The EU repeatedly refers to Jordan as the "frontrunner" by the EU.[83] The EU upgraded Jordan's status to advanced status partnership in 2010, allowing for a move from coordination to integration of Jordan in EU policies and programs.[84] Jordan is the second country (after Morocco) to achieve such a status. However, the 2010 Country Report, Jordan fails to adequately make clear on what bases this decision has been taken and specifically refers to "recurrent postponements in the implementation of key reforms" and persistent problems in economics, especially in regard to public finances.[85]

The 2012 Action Plan responds to the demands of the Arab Spring (Al Rabia Al Arabi) protests in Jordan, expanding on the 2005 plans to include action plans to increase political participation, as well as awareness raising amongst the people and Civil Society Organisations (CSOs). The revised Action Plan sought to empower political parties and revise election laws, to create an independent election commission, to realise an independent judiciary and freedom of media, and to push towards the rule of law. Women's participation in political life has, however, conspicuously been dropped since the 2005 plans.

Yearly reports cover progress towards the Action Plans. Whilst progress can be seen under the economic pillars, little progress towards the democracy and rule of law pillars

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[82] European Commission, 2012 (a), p. 3.
[83] European Commission, 2012 (b), p. 1.
[86] European Commission, 2012 (a), p. 2.
[85] European Commission, 2010 (a), pp. 2-3.

can be observed in the period since the signing of the AA. Overall a general lack of momentum can be observed in the annual reports with similar criticism being raised year after year. The progress report highlight the implementation of new laws, but it fails to provide detailed assessments of the content or quality of these laws.

Where progress is observed it is described as "cosmetic" and with little sustainable and substantive improvements to the democratic system and level of political participation in the country. As described by the Middle East Technical University in the 2009 report (The European Neighbourhood Policy and the Southern Mediterranean: Drawing from the Lessons of Enlargement):

> Jordan continues to oscillate between cautious political reform and repression. The general perception is that the current political measures, including the call for the above-mentioned National Agenda, are purely cosmetic initiatives, involving little substantive change and aimed solely at maintaining a positive international image. Also, none of the implemented reforms actually target the distribution of political power: the monarchy retains its monopoly on power in the country and major decisions are still made by institutions not accountable to the electorate.[86]

As the report demonstrates, Jordan has shown a high level of wiliness to cooperate with the EU and an outward commitment to democratisation. However, this is often only shown through the meeting of the broad aims of the action plans and of widely published initiatives, clearly showing the country to be a "façade democracy" by Finer's definition.[87] These initiatives quickly lose momentum and the support of the general public as in the case of both the "National Reform Agenda" and "Kullina al- Urdan": "The effort fooled no one, and was simply ignored by a largely apathetic public that had already lost faith in the seriousness of the process."[88]

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[86] Comelli, Eralp, Ustün, 2009, p. 57.
[87] Finer, 1970, p. 441 "a system where liberal-democratic institutions, processes and safeguards are established by law, but are in practice so manipulated or violated by a historic oligarchy as to stay in office".
[88] Muasher, 2011, p. 16.

However, this façade, is often more significant than a mere loss of momentum, and in many cases a serious regression of civil and political liberates can be observed. This reversal of political liberates is no small issue. The 2012 media law saw the blocking of nearly 300 news websites.[89] The law was condemned by Reporters Without Borders: "These new curbs on freedom expression, which affect online media in particular, have swept aside the reform promises that the government made at the height of the Arab Spring in 2011", but these problems were not addressed in subsequent EU yearly reports.[90]

2.2.1.4   Conclusion

The Hashemite Regime in Jordan can be defined as authoritarian, which has made moves into post-totalitarianism over time. The monarchy has impeded as much democratic progress as possible whenever it retains the political and economic capacity to do so.[91] Any moves towards democratisation by the regime have been described as defensive democracy, in which the government has allowed only for as much reform as needed to pacify internal or external opposition.[92]

The EUs strategy in Jordan has been one of limited force. Whilst the 2012 Action Plans were responsive to the widespread protests and momentum for reform that swept the country and the Middle East between 2011 and 2013, the EU has failed to keep Jordan on course for these reforms and to prevent a slide backwards in democratic progress.

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[89] X, Reporters without Boarders, 2012.
[90] X, Reporters without Boarders, 2012.
[91] Karmel, 2014.
[92] Robinson, 1998, pp. 387-410.

2.2.2 The Tunisian Republic

2.2.2.1   Internal: Regime Level Political Country Context

The Tunisian Republic, an independent nation since 1956, experienced 23 years of authoritarian rule after the rise to power of Ben Ali in 1987. Ben Ali's regime was characterised by "harshly repressed political participation, freedom of expression, and religious activism."[93] The regime held onto power through repression and a strong focus on the economy, which kept the nation stable.

In January 2011, however, Tunisia saw the start of a revolution that set off events across the region and came to be known as the Arab Spring (also Arab Uprising, Arab Transition, Arab Awakening, Al Rabia Al Arabi). In Tunisia it was know as the Jasmine Revolution (Thaort Al Yasmeen). The protests against state repression and the lack of economic opportunities spread rapidly across the country, and the government responded with force and widespread arrests. These policies proved insufficient to stem the protests. On January 14, 2011, President Ben Ali realised he had lost control of the country and fled to Saudi Arabia, where he remains to this day.

Since the 2011 revolution, Tunisia has made several positive steps on the path to democratisation. The revolution led to elections for a Constituent Assembly in 2011 and to the design a new constitution in 2014, which was followed by the first free elections in 2014 and to a peaceful transition of power in 2014. Moreover, Tunisia also witnessed the enactment of the Law on Associations, the emergence of an independent and politically active civil society and the genesis of the National Forum to fight against corruption. The 2014 multi-party elections were won by a secular party, Nida Tunis (Tunis Calls) reflecting a decline in Islamist influence over the state.

The European Union widely praised the new constitution:

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[93] Arieff and Humud, 2015, p. 5.

The Constitution is decidedly modern, containing universal and core values such as human rights and fundamental freedoms, but also new rights such as environmental protection. The Constitution guarantees citizens equal in rights and duties.[94]

The Jasmine Revolution has been heralded as the most successful of the Arab Spring revolutions, with the country experiencing little post revolution violence and an increase in democratisation and political freedoms via wide-ranging reforms. The post-revolution environment was characterised by a general spirit of cooperation, for example, after the Islamist party Ennahda won the 2011 elections, secularist elements of the government encouraged compromise, including the exclusion of the word "sharia" referring to religious Islamic law, from the constitution. Violence in 2012 and the 2013 assassination of two members of the opposition marred this democratic progress but did not destabilise the process altogether.

Tunisia's political system, as defined by the 2014 constitution, is a mixed political system with a directly elected president and a prime minister selected from the party that gains the largest number of seats in the election.

Issues with the economy continue to be a challenge for the Tunisian electorate who have failed to bring tangible economic improvements to the majority of people. Arieff and Humud sum up the Tunisian political context well in this brief statement:

Tunisia has a small territory, a relatively well-educated and homogenous population, and a history of state encouragement of women's rights. These are arguably structural advantages favour peaceful politics. At the same time, Tunisia has not escaped being "an echo chamber of the ideological conflicts that are shaking the region," including contests between Islamists and secularists, economic leftists and pro-business groups, and libertarians and authoritarians. Its political accomplishments since 2011 are attributable, in part, to individual leaders' willingness to make concessions at key moments, often at the expense

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[94] European Commission, 2014 (h), p.7 (translated from French).

of support from their respective bases.[95]

2.2.2.2　International: Overview of European Relations with Tunisia

Tunisia has maintained economic relations with the European Community since 1969. From 1998, EU relations with Tunisia have been governed by the ENP, when Tunisia became the first country to sign an AA. Its 1998 AA focused on political dialogue in undefined areas considered "relevant to such dialogue".[96]

The Action Plan, adopted in 2005, set out the following short and medium term plans:
(1) Strengthen institutions guaranteeing democracy and the rule of law
(2) Consolidate the independence and efficiency of the judiciary and improve prison conditions. [97]

Prior to the 2011 revolution, progress in projects under the political areas of the agreement including governance, the media and the judiciary were slow, with repeated reports highlighting the lack of development of these areas.[98]

The Action Plan was adopted for a period of three to five years to be terminated by 2005 at the latest, but was extended on the agreement of both sides. A further Action Plan (2013-2017) was negotiated but never formally agreed, and, as such, the 2005 agreement remains in place despite the huge upheaval the country faced in 2011 and the complete change of government.

The European Union supported Tunisia in the aftermath of the revolution, particularity through a number of high level, and well publicised, EU visits to the country and Tunisian delegates visits to the EU. The EU provided immediate financial support in the weeks following the revolution, doubling the amount allocated to Tunisia for the period

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[95] Arieff and Humud, 2015, p. 2.
[96] European Commission, 1998, p. 2. (translated from French).
[97] European Commission, 2005 (b), pp. 4-5. (translated from French).
[98] European Commission, 2006 (d); and 2011 (c).

2011-2013 (from €240 million to €445 million).[99] The EU also provided technical support for the establishment of democratic systems and elections as well as specific mechanisms to support the development of civil society.

The 2014-2017 Programming of the Instrument European Neighbourhood provide – for the first time – tangible areas to focus reform efforts:

1. Support the process of democratisation and consolidation of pluralistic democracy in special support to the electoral process, the National Constituent Assembly and the future elected parliament, strengthening media independence and freedom of the press, strengthening the capacity of civil society, including women's organisations, in policy formulation, observation of national elections and education for voters including strengthening the role of women in the political process and enhancing cultural plurality.
2. Assisting in the formulation and implementation of a judicial reform, including Transitional, which will ensure the independence and impartiality of the judiciary, including the fight against impunity and respect for the physical and moral integrity of the defendant(s). [100]

2.2.2.3   State of Democracy: Progress and Challenges to EU Democracy Promotion in Tunisia

Since the 2011 Jasmine Revolution, Tunisia has experienced unique progress towards democratisation. A new constitution was produced and the country has seen two free and fair elections, with a high level of voter participation and a peaceful handover of power. Civil society is strong and politically active. Unlike other Middle Eastern countries that experienced an Arab Spring, Tunisia has not seen the slide back to authoritarianism, which has been prevalent elsewhere in the region.

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[99] European Commission, 2011 (c).
[100] European Commission, 2014 (k), pp. 14-15. (translated from French).

The Arab Spring took the international community and the EU by surprise in 2011, but they all actors leapt to respond, directing billions of dollars in new funding streams towards the region and establishing highly visible diplomatic relations. It is clear that the EU responded positively to the events in Tunisia, although there is some debate as to how timely their response was; Aydin and Schumacher argue that the EU was in fact a "fragmented and heterogeneous spectator," opting "for a wait-and-see approach" before eventually backing the winning side.[101]

What is clear is that when the EU responded, it responded decisively, doubling the funding available to Tunisia.[102] The EU also supported the country through high level visits, displaying its commitment with legal and humanitarian support. Its subsequent plans for the country are tangible and targeted at key areas of democracy building such as elections, corruption and judicial reform. In Tunisia, the EU has defined much more tangible outcomes than can be seen in agreements with other countries wherein terminology employed is often much less defined.

It is yet too early to determine the effectiveness of these interventions. The extent to which EU involvement has really affected the Tunisian transition to democracy has yet to be seen. From extant reports it is hard to determine the level or breadth of the EU engagement, much of which involves quiet diplomacy behind closed doors.

E. Sare Aydin believes that external involvement has had very little to do with the transition in Tunisia. "The leadership in the two countries [Egypt and Tunisia] should be characterised as internal, because there has not been significant intervention of external governments in the origination, strategy, and implementation of the transition."[103]

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[101] Aydin, 2012, p. 239; and Schumacher, 2011, p. 115.
[102] idem, p. 239.
[103] Aydin, 2012, p. 239.

Other analysts agree. The neutral role of the military, the active role of civil society and the conciliatory role of political parties are highlighted with little or no weight given to the influence of external actors.[104]

2.2.2.4 Conclusion

It is clear is that the origins of the Arab Spring were largely internal, unlike the colour revolutions in Central and Eastern Europe a decade earlier. The colour revolutions were in large part a result of external democracy promoters. Foreign states had funded and trained opposition and civil society groups in the run up to the revolutions, often with regime change in these countries as an underlying objective.

Tunisia's successful move from authoritarian regime to consolidating democracy is an almost unique success story in the European Neighbourhood. The Tunisia Revolution has been assessed to have been a largely internal phenomenon and demonstrates the capacity of people to redefine their country through popular mobilisation.

The ENP had little effect towards democratisation in the previous authoritarian regime in Tunisia, and in 2011 found itself in a unique position of having a new and uniquely advantageous playing field on which to encourage its democratic values. It responded decisively with additional funds to support specific structures and institutions in the period of reform.

It is clear that these early inputs have assisted the country and supported its progress towards democratisation. However, it is too early to judge the effectiveness of these inputs, just as it is too soon to judge whether the EU will be able to retain this leverage to ensure that internal conditions do not take a turn towards a less favourable environment for democratisation.

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[104] *See e.g.* Humud, 2015.

2. 3 Eastern Europe

2.3.1 Ukraine

2.3.1.1   Internal: Regime Level Political Country Context

Ukraine proclaimed its independence in 1991 and adopted its constitution in 1996, the last of the former soviet states to do so.[105] Unlike other ex Soviet countries, Ukraine had no democratic tradition in its history from which it could draw from in the creation of the new state. "Ukraine emerged as a state with no viable political parties, no modern constitution, no organised political opposition, no national church and no labour movement with which to challenge the power of the former CPU [Communist Party Ukraine] elite".[106]

Ukraine was the last of the ex Soviet Countries to create a constitution.[107] The constitution establishes a dual presidential-parliamentary system with a single council, the Supreme Council (Verkhovna Rada) and an independent judiciary. The president, who is elected every five years, holds power to elect the cabinet and prime minister.[108]

Ukraine has regularly swung between a leadership that is European-leaning and the influence of those who would prefer to take the country towards Russia. Yet, regardless of their political orientation, all regimes have been marked by widespread corruption, electoral manipulation and attempts to consulate power within a central elite.

President Leonid Kuchma, the second president of independent Ukraine (1994-2005), began his term in office by making positive moves towards Europeanisation. However, by the end of his mandate, his regime was largely characterised by corruption.[109] As such people saw the 2004 presidential elections as an opportunity for change. In the

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[105] White, Batt, Lewis, 2007, p. 93.
[106] Darawish and Parrott, 2012, p. 345.
[107] White, Batt, Lewis, 2007, p. 93.
[108] X, Forum-Ekonomiczne, 2007.
[109] Stoner and McFaul, 2013, p. 121.

subsequent election between the pro-Europe Victor Yushchenko and the pro-Russian Kuchma, the people chose to support Yanukovych. However, widespread election fraud and voter intimidation led to mass protests and public demonstrations: events that came to be known as the Orange Revolution. After a month of widespread protesting, the Supreme Court annulled the election results and a new vote was held under the close watch of international observers. The new round of voting was widely seen to be fair and Yushchenko emerged as the clear winner.[110] Despite the Orange Revolution's aims of a more democratic government, Yushchenko's regime is personified by internal power struggles, political instability and repeated attempts to dismiss parliament.[111]

Six years after the Orange Revolution, in 2010, Yanukovych was again elected, after beating Yushchenko, in what was deemed to be a free and fair election. The election, however, pushed the country back towards Russia and away from Europe. Progress with bilateral agreements with the EU, however, continued, albeit at a slow and hesitant pace.

In November 2013, as Ukraine was set to sign an AA with EU at the Vilnius Summit, the country made a sudden pivot towards Russia. One week before the expected signing, Ukraine put the agreement on hold and began discussions with Russian regarding alternative economic relations.[112] This move bought the people of Ukraine back out into the streets in what has been called the Euromaidan Revolution or the revolution of Dignity. It was reminiscent of the Orange Revolution 10 years early, but it much more violent and provoked widespread civil unrest. By February 2014, protest momentum had drastically escalated and the death toll of the security forces was growing quickly. President Yanukovych fled to Russia and the opposition took control until elections could be held. Russia saw the protests and the removal of its ally as a coup d'état and began to make moves onto Ukrainian territory, including the annexation of Crimea (March 2014) and some areas of eastern Ukraine.[113]

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[110] idem, pp. 121-124.
[111] White, Batt, Lewis, 2007, pp. 95-98.
[112] Fraser, 2013.
[113] X, BBC, 2014.

Elections took place in May 2014 in the majority of the country that was not under Russian military control. Petro Poroshenko, a pro-western businessman, was elected. In September 2014 a peace plan and ceasefire was agreed upon in Minsk between the Government of Ukraine and pro-Russian leaders in the eastern areas of the country.[114] The AA was ratified by the new government and the European Parliament in September 2014.[115]

Numerous regimes have held power in Ukraine since independence and it is consequently difficult to categorise the country in terms of democratisation terminology. The country has moved beyond the transition phase but has never succeeded in fulfilling Darwish and Parrot's "Two turn over test" for democratic consolidation.[116] Ukraine prior to the Orange Revolution can most accurately be defined as a hybrid regime – between authoritarianism and democracy. While the country briefly saw some democratic progress in the two or three years immediately following the revolution, it slid back towards a hybrid regime by the start of the Yanukovych regime.

2.3.1.2   International: Overview of European Relations with Ukraine

Ukraine and the EU first signed an agreement in 1994 with a PCA that formally came into force in 1998. Subsequently, an ENP Action Plan was put in place between 2005 and 2009, when it was then replaced by the Association Agenda. The Association Agenda was the first of its kind and set out a framework from signature to ratification of the Association Agreement over a two-year period.

Following the Orange Revolution in 2004, the EU maintained high hopes for the democratisation of Ukraine. These aspirations are strongly reflected in the wording of 2007-2013 Country Strategy Plan:

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[114] BBC Ukraine Timeline.
[115] X. European Parliament News, 2014.
[116] Darwish and Parrott, 1997, p. 43.

Ukraine has committed itself to strengthening the stability and effectiveness of institutions guaranteeing democracy, protection of human rights and fundamental freedoms, as a basis for more generally consolidating the rule of law.

Public sector reform: The government has declared its intention to promote comprehensive public sector reform, including both administrative reform and the regulatory reforms necessary to improve public governance.[117]

This direct and personal wording such as "Ukraine has committed itself,' is not seen in any other country agreement or Action Plan with the EU, wherein the wording is typically broader and less committed. Furthermore, it is one of the most targeted of Action Plans, referring to specific institutions and events, towards which they can be tangibly assessed:

– Strengthen the stability and effectiveness of institutions guaranteeing democracy and the rule of law

– Ensure democratic conduct of presidential (2004) and parliamentary (2006) elections, in accordance with OSCE standards and OSCE/ODIHR recommendations, including on the media; [118]

– Ensure that any further legislative reforms be conducted in line with international standards;

– Continue administrative reform and strengthening of local self-government, through appropriate legislation, in line with those standards, contained in the European Charter on Local Self Government. [119]

The 2006 progress report reflects these great hopes and the feeling of optimism for Ukraine:

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[117] European Commission, 2007 (e), pp. 4-5.
[118] Organisation for Security and Co-operation in Europe and Office for Democratic Institutions and Human Rights.
[119] European Commission, 2007 (e).

The Orange Revolution has created a unique opportunity for Ukraine to realise its European aspirations and to transform itself into a modern democratic country. Free and fair parliamentary elections in March 2006 were another important step. There are high expectations on the new government, at home and abroad. Meeting these will require hard work, consensus-building and sustained implementation of reforms, with the assistance of the EU and other donors, as appropriate. [120]

This optimism led to the opening of negotiations between the two partners for a "New Enhanced Agreement" (NEA) in 2007, which designed to open opportunities to "go beyond the existing PCA and the Joint Action Plan wherever possible".[121] However, this optimism was short lasting. The 2008 progress report already shows a slowing of progress in democratic reforms, and a similar situation persists through the 2009 and 2010 reports. By 2011, the progress reports showed that "in the area of democracy and human rights there was further deterioration", especially in regards to the imprisonment of multiple opposition figures. [122] Despite this the EU and Ukraine continued making efforts to reach agreement on the AA. However Ukraine was not wholly committed to the process. A week before the expected signature, at the Vilnius Summit in 2013, Ukraine suspended all preparations, "citing national security interests and the need to restore lost trade with Russia and Commonwealth of Independent States partners".[123] Although Ukraine spoke broadly of its continued commitment towards Europe, it was clear that its swing towards Russia was a swing away Europe.

It was only after following that election of the new Government in 2014 that the EU was able to rejuvenate progress toward ratification of the Association Agreement, following signature of the AA, the EU implemented the Association Agenda. The yearly joint reports on the progress of AA are positive, yet unspecific at times, in their language towards progress.

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[120] idem, p. 7.
[121] European Commission, 2007 (b), p. 2.
[122] European Commission, 2011 (j), p. 2.
[123] European Commission, 2015 (a), p. 2.

2.3.1.3   State of Democracy: Progress and Challenges to EU Democracy Promotion in Ukraine

The EU has been criticised for failing to be "prepared and respond" adequately to the Orange Revolution:

> There has been no evidence of the EU being able to recognise these Ukrainian specific problems, which are fundamental for Ukraine's democratic path and tailor its policies appropriately… the EU was unable to grasp moments when the window of opportunity was arguably open – in the early 1990s and right after the Orange Revolution in 2005.[124]

Elena Korosteleva describes EU-Ukrainian reactions as "declaratory, binding in rhetoric but shallow in action".[125] This statement clearly sums up the state of play on both sides of the partnership. The EU is slow to exert pressure or provide incentives, and Ukraine is biding its time, waiting to see whether Russia or EU will offer greater incentives for alignment.

Michael McFaul and Richard Youngs suggest a number of key factors that help explain the "democratic breakthrough" in Ukraine, including declining popularity of the regime, the independence of the military, united opposition, voter mobilisation, ability of opposition to provide accurate vote count, some existence of independent media and extensive popular mobilisation.[126] It is striking that none of these factors are external factors, or highlight the influence of external democracy promoters as key factors for the democratic breakthrough.

Iryna Solomenko points to evidence of the Russia first approach of the EU to Ukraine relations.[127] She demonstrates multiple examples of unequal treatment of the EU

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[124] Stewart, 2012, pp. 66-68.
[125] Korosteleva. 2012, p. 83.
[126] Stoner and McFaul, 2013, pp. 122-124.
[127] Stewart, 2012, p. 67.

towards Russia and Ukraine, where relations with Ukraine are routinely downgraded or stalled to allow time for Russia to progress at the same pace or ahead of the Ukraine.[128] Examples of this include 1) Russia's PCA coming into force ahead of the Ukrainian one, despite Ukraine's being signed first, 2) Russia being granted market status, ahead of Ukraine, despite unbiased market evaluations proving little evidence for the logic of this, and Russia's being granted the first visa facilitation agreement, despite this being intended to be a privilege given only to ENP members, of which Russia has refused to join.[129] This all represents condemning evidence for the EU's claim that the ENP is a merit-based policy that is independent of geopolitics.

Youngs' assessment of the ENP in Ukraine reaches a damning conclusion: "the ENP seems to work only where domestic preconditions allow it to do so".[130] This conclusion can be drawn from all of the ENP's interventions, but nowhere more so than Ukraine. Following the Orange Revolution, where local conditions, government intentions and public will were all aligned with democratic intent, the ENP provided the funding and the roadmap for the country to move forward. However, when this internal will quickly dissipated and external pressures from Russia began to come to the fore, the ENP was unable to maintain the momentum.

The lack of focus on public involvement and bottom-up democratisation that prevailed until recently in the EU's strategy has failed to ensure a culture of democratic progress within the country, where institutions and systems (such as the electoral system) have been susceptible to corruption and fraud by ruling elites.

McFaul and Youngs credit the EU with having ensured a "degree of formal political space and constitutional guarantees stayed in Ukraine" from their initial relationship-building with the Kuchma regime.[131] McFaul and Youngs conclude that Western democracy promoters can be credited with "impeding the full scale consolidation of

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[128] Idem, pp. 67.
[129] Stewart, 2012, pp. 70-71.
[130] Youngs, 2008, p. 96.
[131] Stoner and McFaul, 2013, p. 128.

autocracy" in Ukraine, but were not the key influencers in regime change, which came from inside the country.[132] Stewart goes on to conclude that the EU was a weak democratic promoter in Ukraine, with weak conditionality, monitoring and a lack of benchmarks.[133] Stewart sums up the relationship most accurately when she states, "as long as the EU and democracy are not the only alternatives that Ukraine may consider, the EUs impact will remain limited."[134]

2.3.1.4   Conclusions

Ukraine's political history since independence has been one of turmoil and revolution. It has been pulled between two opposing forces of Russia and Europe, and its own people are split as to which direction they would like to see the country go. The categorisation of Ukraine as a hybrid regime despite two large revolutions since independence demonstrates the on-going struggle to ensure lasting democratic progress in the country.

At the same time, democratisation in Ukraine has come as a clear second priority, to the EU, to stabilisation in the region and the fear of upsetting Russia, Yet, the EU clearly underestimated Russia's forceful response in reaction to its dealings with Ukraine, however hesitant. The situation spiralled out of control in 2014 with widespread protests and civil unrest across the country and Russia's annexation of Crimea. It is clear that the EU failed to take into consideration the importance of Ukraine to Russia; That the EU simply offered Ukraine an "us or them" offer, which did not include EU membership, means that they are in part responsible for the consequent events.

It can, therefore, be argued that the EU has been an ineffective implementer in Ukraine, failing to adequately assess the country's situation and provide an effective roadmap that would enable Ukraine to develop.

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[132] idem, pp. 138-139.
[133] Stewart, 2012, pp. 72-73.
[134] idem, p. 65.

2.3.2 The Republic of Moldova

2.3.2.1   Internal: Regime Level Political Country Context

Moldova gained independence in 1991 and immediately set out on a path of Europeanisation. It hoped to join the wave of accession countries and also looked to the possibility of reunifying with Romania, of which it had once been a part. These actions, however, led to succession attempts by the regions of Gagauzia and Transdniestria, which wanted to remain as part of Russia. A drawn out civil war has resulted. Moldova is one of the poorest countries in Europe, and although small, is acutely divided between those who associate themselves with Romania, Russia or Ukraine. Moldova is as a consolidating democracy trying to prevent erosion; it is listed as "partly free" by Freedom House. Moldova aspires to reach Europeanisation, as such, it is keen to achieve democratic reform. Such aspirations have, however, been checked by high levels of corruption, election fraud and weak political institutions. [135]

After independence Moldova immediately began applying for memberships in different international organisations as a way of demonstrating its European credentials. They joined the OSCE and UN in 1992 and the Council of Europe in 1995. Moldova became the first of the former Soviet states to join these organisations.[136]

The Moldovan constitution was approved in 1994 and reformed in 2000. The constitution allows for a president and a parliament, with legislative powers in the hands of the latter. Both the president and the parliament are elected by popular vote every four years. The Communist Party maintained political power in the country until 2009, at which point it lost power to the Social Democratic Party. It has since constituted the main opposition in the country.[137]

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[135] Freedom House, 2015.
[136] MFA website, 2015.
[137] European Commission, 2004 (b), p. 6.

In 2009, Moldovans protested against the parliamentary election results. In what became known as the "Twitter Revolution", Moldovans claimed widespread election fraud, as the incumbent communist government won with a landslide majority. The protesters organised themselves using social media sites and widespread civil disobedience, proving sufficiently effective to ensure a recount. The recount confirmed the communist party's electoral victory, but with a significantly lower number of seats than originally announced. This discrepancy allowed the opposition to secure more seats and influence in the parliament and led to the resignation of the Prime Minister Vladimir Voronin.[138]

Each subsequent round of elections has continued to highlight the extent of divisions within the Moldovan population. 2013 saw another political crisis hit the country when the prime minister was dismissed following a no confidence vote. From this vote, the situation escalated and affected other institutions. The following election in November 2014 showed how the country was divided along EU and Russia lines, with many parties campaigning along those fractures. It also showed that corruption was still rampant in the country, with one of the main parties blocked from contesting the election by the judiciary.[139]

The situation in Gagauzia and Transdniestria has been complicated by the involvement of Russian troops, who entered the region under the auspices of peacekeeping. Russia has remained deeply involved in Moldova's conflicts and internal issues since independence. Russia has ensured Moldova's continued alignment to its foreign policy priorities through successive trade embargos of Moldovan products, which have harshly affected the economy. The lack of a resolution for Gagauzia and Transdniestria remains the main sticking point slowing Moldova's negotiations with the EU.[140]

Moldova has shown itself to be very willing to move closer to the EU. For instance, it joined of the Council of Europe and other European institutions. Moldova has even

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[138] X, Spiegelonline, 2009.
[139] OSCE, 2014.
[140] Dawisha and Parrott, 1997, pp. 295-297.

acted "as a candidate state" in an attempt to fulfil, as much as possible, the criteria for membership.[141] The issue of EU membership is a crucial one for Moldova; thus, with the EU unwilling to discuss the possibility, Moldova have been left uncertain as to what direction it is moving.

2.3.2.2   International: Overview of European Relations with Moldova

Moldova began relations with the EU directly after its independence in 1991 and signed the PCA in 1994, which came into force in 1998. Moldova was included in the ENP in 2004, although it had shown a clear preference for accession to the EU. In 2003, Moldova presented the EU Concept for the Integration of the Republic of Moldova into the European Union. At the same time, Moldova made the decision to start implementing EU policies and norms as a way of preparing itself for accession to the Union. Despite its efforts to be considered alongside Romania and the Balkans, Moldova was linked to the other ex-Soviet countries under the ENP and placed outside of the boundaries of the accession countries.

This decision has led to a slowing both of Moldovan efforts to align itself with Europe and of democratic reform in the county, as the potential of any rewards of such efforts now appeared unlikely. At the same time, an apparent malaise can be perceived on the part of the EU towards Moldova. At no point has the EU earnestly examined the willingness and opportunities offered by Moldova for alignment.

The EU plans and reports on Moldova reflect this lack of engagement and bona fide effort towards reform and progress with the country. The 2005 Action Plan for Moldova focuses on "Strengthen[ing] the stability and effectiveness of institutions guaranteeing democracy and the rule of law" and provides tangible plans for electoral and parliamentary advancement.[142] However, yearly reporting does not reflect significant concerns regarding the lack of progress that Moldova has made in these areas.

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[141] Danii and Mascauteanu, 2012, p. 103.
[142] European Commission, 2004 (b), p. 5.

Often, Moldova is highlighted as a leading country in democratic issues. However, this attention only highlights how the EU perceives all ENP countries in one category and views progress in comparison to others in its group, rather than having an individualistic approach to countries.

The AA was signed in June 2014 and will come into force once ratified by all of the members of the Union. The Moldova AA goes further than the earlier agreements with other ENP counties. Although the focus remains on political dialogue, it also specifically mentions reform. The wording, however, remains weak and does not go further than "strengthen respect for democratic principles."[143] Interestingly, the signing of the AA occurred almost directly following the 2013 political crisis and a downturn in progress towards democratisation in the country, demonstrating the EU's lack of compliance with its own conditionality mechanisms.

2.3.2.3   State of Democracy: Progress and Challenges to EU Democracy Promotion in Moldova

Olga Danii and Mariana Mascauteanu categorise the EU-Moldova relationship as constituting three periods.[144] The first period from 1991-1998 covers the initial period of negotiations when involvement and momentum were high. During the second period, from the signature in 1998 until 2005, Moldova intensified its efforts with the EU. The signing of the PCA provided avenues for the development of concrete relations with the EU, leading in 2003 to Moldova's submission of the Concept for the Integration of the Republic of Moldova to the EU. However, the third period began by 2005 when it became clear to Moldova how limited the EU's interest in the country was. The EU was not prepared to offer membership or to provide any real buffer or relief to counter the encroaching Russian pressure on the country. Moldova has succeeded in signing a DCFTA and visa liberalisation with the EU, which in itself has significantly benefited

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[143] European Commission, 2014 (o), p. 8.
[144] Danii and Mascauteanu, 2012.

the resource poor country. However, these developments are far from enough for the majority of Moldovans, many of who feel despondent and hopeless, left outside of the boarders of the EU.

The Moldovan AA took many years to be signed, despite the efforts of the Moldovans to increase their country's relationship with the EU. The EU has sited the on-going frozen conflicts in Gagauzia and Transdniestria as well as the high levels of corruption and lack of effective reforms as reasons for slow progress. However, this shows the inconsistent approach on behalf of the EU, who has made significantly faster progress with countries that are far behind Moldova in terms of democratic reforms.

2.3.2.4   Conclusion

Moldova's regime can be categorised as being in the early stages of consolidating as a democracy. It has seen periods of both positive action towards reform and Europeanisation as well as periods of stagnation in reform.

The EU's strategy has repeatedly failed to take advantage of Moldova's significant opportunities for progress, and the EU has not offered significant incentives to keep Moldova on the European track.

The absence of a clear EU strategy for Moldova has resulted in a lost opportunity in the country. Moldova could have offered the EU an easy win, as it was keenly prepared to fulfil all the requisite criteria for accession. But, without this offer from the EU, Moldova has become less interested over the years. This failure to offer a sufficient "carrot" for the country to reform has resulted in the country's selective response to reforms.

To its credit, Moldova has not melted away as Armenia has done. Moldova has begun its own oscillation between Europe and Russia, not quite willing to let go of its hand on EU opportunities but well aware of how little this opportunity may realistically give them.

2.4 Central Asia

2.4.1 The Republic of Azerbaijan

2.4.1.1   Internal: Regime Level Political Country Context

Azerbaijan has been a presidential republic since its independence in 1991. Located at the divide between East and West, between Russia and Iran, it is oil-rich and largely independent of external funding. Azerbaijan is characterised as an authoritarian regime and is unique to the case study countries of the Eastern Region as it has not undergone a revolution of any kind.

Azerbaijan is in conflict with Armenia over Nagorno-Karabakh, a territory which was a part of Azerbaijan during Soviet times and at independence but which since this time has been fighting for independence or unification with Armenia. Nagorno-Karabakh has rich resources and is largely populated by people of Armenian ethnicity. The conflict has resulted in thousands of deaths and the movement of hundreds of thousands of refugees into both countries. The two countries have remained in a frozen conflict since the ceasefire in 1994, and Nagorno-Karabakh has developed into its own de facto state with an independent governance structure.[145]

Azerbaijan's oil wealth has allowed the county to resist international pressure to democratise and to instead slide away from its initial years of democratic progress towards what Badalov and Niyazi Mehdi call a "symbiosis of democracy and authoritarian rule, freedom of expression and total impunity of forces that consider themselves above the Constitution and are integrated in a network of corruption."[146]

The Azerbaijani people pride themselves on their earlier democratic tradition and, as a

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[145] X, Economist, 2014.
[146] Stewart, 2012, p. 153; and Badalov and Mehdi, p. 11.

result, tend to lean towards Europe.[147] Azerbaijan was allowed to be included in the ENP despite the fact that is has no direct boarder with Europe. It is, however, a large trading power with the EU, especially for energy resources.

Azerbaijan's constitution was produced four years after independence in 1995, and it underwent significant amendments in 2002. Under the constitution, the president holds executive power and is directly elected for a five-year term. The president has the power to select his ministers, including the prime minister. Under the constitution, Azerbaijan has one chamber, the Milli Majlis, which holds legislative power and allows for the separation of powers between the chamber and the Presidency, as well as an independent judiciary. In practice, however, the president holds significant authoritarian power over all functions of the state.[148]

President Heyda Aliyev ruled Azerbaijan for 12 yeas from independence until his death in 2003, holding authoritarian power over the country in a regime that was at times brutal in its oppression.[149] After Aliyev's death, his son Ilham Aliyev, who had been prime minister at the time, took over after an election that was widely seen to be a "sham".[150]

Freedom of assembly, association and freedom of the media are severally controlled and restrict in Azerbaijan, and civil society and political parties are highly restricted as Youngs explains:

> In reality, Azerbaijan is moving increasingly away from democracy and better human rights standards, as an authoritarian elite tightens its grip on society while prospering from enormous energy revenues… Human rights and democratic credentials are in decline as the President and the small elite

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[147] Stoner and McFaul, 2013, p. 401.
  See Azerbaijan Democratic Republic 1918-1920 for early democratic tradition.
[148] Commission of the European Communities, 2005 (e), pp. 5-6.
[149] Stoner and McFaul, 2013, pp. 404-405.
[150] Freedom House, 2013.

surrounding him, strengthen their grip on power. Azerbaijan has not held free and fair elections since independence.[151]

Elections took place in 2005, shortly after the colour revolutions occurred in Georgia and Ukraine, raising revolutionary momentum across the region and spurring the hopes for change within Azerbaijan. However any initial attempts at protests were immediately quashed by the regime. The elections are described by Valarie Bunce and Sharon Wolich as a "failed transition" due to their inability to bring about change in the country, despite the revolutionary momentum providing and opportunity for regime change through electoral process.[152] This was due to the strength of the regime in Azerbaijan and its ability to put down protests with force.[153]

2.4.1.2   International: Overview of European Relations with Azerbaijan

The diplomatic relations of Azerbaijan with the EU began in 1999 and were guided by a PCA. In 2006, the ENP Action Plan was adopted and has been the guiding document for the relationship since. In 2010, negotiations commenced for the signing of an AA between the EU and Azerbaijan, but progress has been slow.

The Action Plan signed in 2006 aims to "Strengthen democracy in the country, including through fair and transparent electoral process, inline with international requirements".[154] The priority actions are broad and without key indicators for success. By 2010, the progress report showed little progress in any of the outlined areas. The 2010 election was deemed to have "several shortcomings" and "not sufficient to constitute meaningful progress in the democratic development of the country".[155] The following years continued to report a similar lack of progress. By the 2013 election, few of the Organisation for Security and Co-operation in Europe (OSCE) / Office for

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[151] Youngs, 1998, p. 123.
[152] Stoner and McFaul, 2013, p. 400.
[153] Youngs, 1998, p. 126.
[154] European Commission, 2006 (e), p. 4.
[155] European Commission, 2010 (c), p. 3.

Democratic Institutions and Human Rights (ODIHR) recommendations from the last election had been implemented, and the election was marred by the arrest of members of the opposition and civil society.

The 2012-2020 plans lists three priorities, of which democracy is no longer one; the focus is now on regional and rural development, justice sector reform as well as education and skills development. EU reporting highlights the lack of involvement of Azerbaijani civil society in decision-making, but its Action Plans and strategies do not prioritise strengthening mechanisms for engagement.

Progress on the signing of the AA between the EU and Azerbaijan has been slow. Although the President has shown public support for the signing of the bilateral agreement, real progress has been stagnant with a failure to reach agreement on "political and legal reforms, human rights and freedoms, market economy, and free trade".[156]

Azerbaijan receives funding through the ENI – as do all ENP countries. However, in an oil-rich state, this funding often means very little. The level of aid is negligible compared to the Azerbaijani state budget and is not regarded as a real incentive. Even though Azerbaijani authorities have to meet several benchmarks each year, it is unlikely that direct budget support will be blocked. This leaves many Baku-based diplomats wondering why the EU still invests money in the "corruption machine", as the Azerbaijani bureaucracy is often characterised, when the ENPI could redirect aid.[157] Bunce and Wolich additionally demonstrate that despite clear evidence of election fraud and manipulation in the 2005 elections, the EU made no efforts to slow progress of the ENP and, in fact, attempted to find some points of praise for the regime's running of the election, despite the widespread documentation of fraud.[158]

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[156] Aliyev, 2013; and Ibadoglu, Aslanli and Jafarov, 2013, p. 1.
[157] Youngs, 2008, p. 147.
[158] Stoner and McFaul, 2013, p. 422.

2.4.1.3   State of Democracy: Progress and Challenges to EU Democracy Promotion in Azerbaijan

It is clear that the EU has never felt itself to be on firm enough footing in Azerbaijan to exert pressure or to push towards democratic reform in the country. Hale, writing for the Open Society, is blunt in its assessment of the EU's relations with Azerbaijan, stating that: "energy security has regularly trumped human rights concerns as the EU has privileged a narrower set of priorities than those agreed in the joint Action Plan."[159]

This damning statement echoes that of many other critiques that condemn the EU for an inconsistent approach to its ENP and its failure to act as a normative actor when geopolitical, trade or energy interests are at stake.

But should the energy dependency between Azerbaijan and Europe place the onus on Europe or Azerbaijan? The Open Society believes that with the EU markets will open up 500 million customers to Azerbaijan and the country will additionally receive a high percentage from its other exports, making Azerbaijan as dependent on the EU as it is on them, and this should allow for leverage in the country, which as yet they are underutilising.[160]

The EU has little leverage with which to pressure Azerbaijan, especially in return for such a large amount of political reforms. Kopeček believes Azerbaijan wants EU's leverage in the Nagorno-Karabakh conflict and feels assurance that its involvement in the ENP will prevent an EU that is biased towards Armenia in the resolution of the conflict.[161] The frozen conflict in Nagorno-Karabakh region of Azerbaijan should not be underrated as a policy pull for the EU in the region. This inter-state conflict carries the potential to erupt with little notice and will subsequently increase regional tensions and significantly affect energy pipelines to Europe. As the conflict involves two states with

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[159] Hale, 2012, p. 1.
[160] Hale, 2012, p. 5.
[161] Kopeček, 2011, p. 12.

which the EU has signed ENP bilateral relations, the EU's room to manoeuvre is limited without risking its impartiality on either side.

Zauz Shiriyev affirms this dilemma and believes both that the wording of the AA should be used to exert weight on both sides to resolve the conflict and that the EU missed a previous opportunity to do this in the drafting of the Action Plans in the mid 1990s.[162]

2.4.1.4   Conclusion

Azerbaijan's presidential republic is characterised by authoritarian and nepotistic rule. Power has been handed from father to son and is shared by an elite few. The country's oil wealth ensures that it is able to remain independent without the need of financial assistance from its largest neighbours. This autonomy has limited the opportunities for the ENP to push for reform in Azerbaijan and has meant that there have been few opportunities for external actors – including the EU – to exert pressure. Although it is argued that the Azerbaijan has reasons for reliance on the EU, the EU appears hindered by wider priorities, such as energy needs, to effectively apply any significant pressure on Azerbaijan in order to achieve significant and lasting reform.

Nevertheless, the EU has encouraged Azerbaijan to sign Action Plans in order to achieve some mutually agreed targets against which to hold the country accountable. It is hard to fault the EU for its limited progress with Azerbaijan, as some progress has been made to bring the country closer to the Union, despite such a huge lack of incentives for the country to do so.

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[162] Shiriyev, 2013, p. 3.

2.4.2 Georgia

2.4.2.1   Internal: Regime Level Political Country Context

Georgia became independent from the Soviet Union in 1991 after a demonstration of widespread public support for independence via a referendum. Eduard Shevardnadze, the Communist Party's first secretary, was elected into power in 1992 and ruled until he was toppled by the Rose Revolution in 2003. Shevardnadze's regime is not easy to define due to its dynamic nature. Shevardnadze began his rule with clear democratic intensions, such as media plurality, diverse political parties, regular elections and a clear lean towards Europe. However, at the centre of this outwardly democratic system, Shevardnadze maintained a strong grip on power. Slowly, as corruption and favouritism grew, Shevardnadze moved further and further away from the illusion of democracy, ending it all once and for all with the 2001 closing of the country's main independent news network, Rustavi-2. Although economic plurality remained throughout his regime, political theorists would still cautiously caricaturise it as authoritarian or sometimes post-totalitarian in nature.[163]

By 2003, corruption and nepotism had grown to such an extent that when the November elections were marred by blatant election fraud, the people took to the streets. Mass mobilisation and street protests led to a sudden change of power in what has become known as the "Rose Revolution". Although the protester's initial aim had not been the removal of the regime, Shevardnadze's refusal to engage with the protesters, as well as divisions within his own party and the armed forces refusal to use force against the protesters quickly led to the President's ultimate demise.[164]

Expectations of the new government were high and although the Government made efforts to reform, continued economic instability and territorial tensions plagued the new governments progress and reforms did not go far enough for the expectant

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[163] Kandelaki, 2006, p. 3.
[164] Grodosky, 2012, p. 1684.

population.

The subsequent elections in 2008 were again accompanied by widespread protests, although less well known than those of the Rose Revolution. The elections once again fell short of international election standards and led to the opposition's refusal to further engage in the democratic process. Marina Muskhelishvili and Gia Jorjoliani report that this election was "only slightly better alternative than the open resort to authoritarian rule" and demonstrated that democracy had in fact eroded since the Rose Revolution.[165]

Following the revolution, Georgia revised its 1995 constitution and has held regular and pluralistic elections since this time. A further 2010 revision of the constitution "aimed at ensuring a more balanced separation of powers, reducing the powers of the president so as to strengthen the Parliament's role, improving the system of checks and balances and reinforcing the Independence of the judiciary Western-oriented semi-democracy."[166] Georgia can be described as a hybrid or transitional system due to its dynamic nature of governance and lack of democratic consolidation.[167]

Georgia's on-going challenges include the territory disputes in the regions of Abkhazia and South Ossetia, which make up nearly 20% of its territory. Unlike the remainder of the country, these regions would prefer to align with Russia than with an independent Georgia or the West. Unsurprisingly, these areas receive strong support from Russia, including a strong military presence in the region, which led to the outbreak of full conflict between Russia and Georgia in 2008. A tentative peace agreement came into force later that same year, as did an EU monitoring mission, although monitors have had little access to the disputed regions. The peace has largely endured, although Georgia still remains without access to large parts of its territory, and the situation largely remains at a stalemate and in frozen conflict.[168]

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[165] Stewart, 2012, p. 54.
[166] De Waal, 2012.
[167] Stewart, 2012, p. 39.
[168] Whitman and Wolff, 2010, p. 93.

2.4.2.2 International: Overview of European Relations with Georgia

The Georgia and the EU partnership began in 1999 with the signing of the PCA. The EU increased its level of corporation with Georgia following the Rose Revolution and offered it inclusion in the ENP in 2004. This inclusion was followed by the signing of the European Neighbourhood Policy Action Plan in 2006. Although it was due to expire within five years, it was agreed that it would be extended until the conclusion of the negotiations on an AA. Georgia signed the AA in 2014 at the ENP Vilnius Summit after long negotiations, becoming one of the last ENP partners to sign. The agreement included a Deep and Comprehensive Free Trade Area (DCFTA).

The 2006 Action Plan focused on "Strengthen rule of law especially through reform of the judicial system, including the penitentiary system, and through rebuilding state institutions, strengthen democratic institutions and respect for human rights and fundamental freedoms in compliance with international commitments of Georgia (PCA, Council of Europe, OSCE, UN)." [169]

By 2010, large progress had been witnessed in all the areas listed under Priory area 1, "Strengthening Rule of Law". The country's steady progress and responsive nature continued to be reported each year between 2010-2014. However the Centre for European Political Studies (CEPS) does not report such positive progress:

> While succeeding in a number of reforms towards modernisation, Georgia has lagged behind in its democratisation process. The executive branch of the government principally dominates the weak legislature and judiciary…Party politics are all but non-existent in Georgia, and the authorities have not encouraged political pluralism… As things stand now, the parliament does not effectively scrutinise the executive and it remains unchecked and unaccountable… Moreover, the third branch of government, the Georgian judiciary, is not only weak but also discredited. It has a number of structural

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[169] Commission of the European Communities, 2006 (c), p.4.

problems, such as the appointment and reassignment of judges, whose professionalism is in any case questionable. However, the most troubling flaw in the judicial system is its dependence on the government.[170]

This report not only contradicts the EU's own glowing reports, but shows significant weaknesses in every single one of the specific priorities of priority area one.

Although produced nearly 10 years after the first of the ENPs AAs, the language of the EU- Georgia agreement remains largely the same as those signed with other neighbouring countries. The focus is again on political dialogue and strengthening reforms for democratic processes. The language is rather weak and almost as a step backwards from the previously signed Action Plan. It seems to take little or no consideration of almost eight years of ENP implementation.

2.4.2.3 State of Democracy: Progress and Challenges to EU Democracy Promotion in Georgia

Since the Rose Revolution, Georgia has focused on a path of Europeanisation. Widespread popular opinion in the country indicates a belief that the county's future is within Europe, and shows little understanding of the lack of realistic possibility of this dream of joining Europe being fulfilled in the foreseeable future. This leads to despondency with the ENP, which falls far short of what many Georgians would hope for.

The ENP also falls short of providing adequate protection against Russian influence on its immediate border and, in fact, encroaches on its territory. Russia has used both hard and soft diplomacy in its relations with Georgia, from the de facto invasion in 2008 to the ban on Georgian wine products, which greatly affected Georgian markets. If Europe is unable to offer more to the Georgians in the long run, it is hard to tell how long they will hold up against pressure from Russia.

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[170] Kostanyan, 2012, p.2.

While the Action Plan focuses on rule of law and elections, there is only passing reference to democratisation of state structures. The emphasis appears to be focused on portraying Georgia as an ENP leader and therefore there is temptation for biased reporting of the challenges facing the country. Other authors have therefore argued an opposing assessment of Georgia's political situation, citing a "lack of rule of law", democratic progress and at times almost dictatorship like regime control.[171]

This is not to say that Georgia has not seen significant successes since the Rose Revolution and that the signing of the AA and the DCFTA should not be celebrated. It only indicates that significantly greater progress could have been made had the EU prioritised its engagement with the country.

2.4.2.4   Conclusion

Georgia has seen significant changes in the country in the 14 years since its independence. It has witnessed democratisation and repression, as well as revolution that was followed by limited, on-going democratic progress under a westward leaning government that is not quite able to free itself from Russia's grip.

Similar in its challenges and approach from the European Union to Moldova, Georgia has never been prioritised by Europe and has instead been excluded from accession, despite its aims. Again, the EU has lost in Georgia because of an absence of a clear strategy and direction for its relationship with Georgia. The EU had the opportunity to play a much stronger role in Georgia, particularly in conflict resolution between Georgia and the region.

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[173] Kuzņecova, Potjomkina and Vargulism 2013, p. 13.

2.5   Summary of case studies

When the Soviet Union collapsed in 1991, all 11 new countries (including the six that would become part of the ENP), were all transitioning into democracies. Of the 11, only Moldova and Georgia have made it to the early stages of formal democracies, and all continue to have large-scale issues with democratic progress and human rights.

The 10 countries, which make up the Southern region of the ENP, have vastly different histories, but are similarly made up by a number of authoritarian regimes and a minority of newly consolidating democracies. With the exception of Israel and the Palestinian territories, all were widely affected by the Arab Spring, which swept the region in 2011, and all have face issues with human rights, low levels of democratic progress and political instability.

Of the six case study countries, four have been through revolutions since the commencement of the ENP, and the other two witnessed periods of widespread protesting (these protests did not rise to the level of revolution due to the authoritarian nature of the regimes). In the twelve years since the launch of the ENP in 2003, none of the countries have made significant democratic advancements and several have slid backwards towards authoritarian rule.

In her book *Democracy Promotion and the Colour Revolutions*, Stewart demonstrates through case studies countries that both did and did not experience revolutions in the years following the break up of the Soviet Union, that revolutions took place in the countries were a measure of pluralistic civil society was allowed to exist via NGOs or political parties. In these countries, external actors were also able to provide some targeted support for what Steward calls "hooks" through which external actors can connect with targeted democratic interventions.[172] Where these hooks do not exist, external democracy promotion has very little space for real progress. This again demonstrates the importance of democracy promoters' taking advantage of these hooks

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[172] Stewart, 2012, pp. 164-165.

where available and investing in bottom-up democracy promotion. It is not clear how far the EU has been able to take advantage of such hooks, or how much they have successfully taken advantage of opportunities for democracy promotion through civil society of during the colour revolutions or Arab Spring.

What becomes clear through the analysis of the six case studies spread across the two regions of the ENP, is that they have shown systemic inconsistencies in the EU's approach to its partner countries. The EU has not followed its own rules on conditionality and has relied too heavily on the use of incentives to push for reforms. This may in part be due to the lack of clear benchmarks upon which agreements and action plans are based, and against which the yearly progress reports should be written. Without these clear benchmarks, it is easy to see how the EU can easily become inconsistent in its deadlines with the countries.

This all leads to the conclusion that the EU does not have a clear road map for the ENP, or many of the individual counties within it, who have become bundled together in a mismatched collective of countries who do not share a unified past or vision for what relationship they want with the EU. In terms of democratic process, the EU appears to have failed to capitalise on key moments of democratic change and opportunity within the countries, such as those that opened up during the colour revolutions and the Arab Spring.

These conclusions will be assessed further in the following chapter through an exploration of evaluations of the ENP and through direct interviews with some practitioners, experts and policy makers of the ENP.

3. Evaluations of the ENP

This chapter will look at how the ENP has been evaluated over the last five years both through published evaluations of the ENP and through interviews with key experts. In order to address unanswered questions that arose from the case studies, key questions were put to experts in order to gain a better understanding of the real achievements and weaknesses of the ENP, which are somewhat hidden by the diplomatic language of the official ENP agreements and reports.

Opinions were given by:

1. Mr. Thomas Seiler - Policy Coordinator for the ENP at the European Union External Action Service (telephone interview 08 June 2015)

2. Mr. Josef Buzalka - Minister Consular and Coordinator for Political and Security Affairs, Foreign Ministry of the Czech Republic (telephone interview 08 June 2015)

3. Prof. Raffaella A. Del Sarto - Director of the Borderlands Project (ERC) Robert Schuman Centre for Advanced Studies European University Institute. Author of: From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?' (Written comment sent 06 June 2015)

4. Mr. András Rácz - Senior Research Fellow - The EU's Eastern Neighbourhood and Russia Research Programme, The Finnish Institute of International Affairs (telephone interview 04 June 2015)

5. Prof. Dr. Tobias Schumacher Chair holder of the European Neighbourhood Policy Chair, College of Europe | Collège d'Europe author of The European Union and Democracy Promotion. Readjusting to the Arab Spring (telephone interview 12 June 2015).

6. Ms. Ivanna Volochiy Communications Manager at Eastern Partnership Civil Society Forum and practitioner in the implementation of EU projects, Ukraine (telephone interview 10 June 2015)

7. Dr. Elisabeth Johansson-Nogués Investigadora Ramón y Cajal / Ramón y Cajal Researcher. Institut Barcelona d'Estudis Internacionals (IBEI) author of: 'Ring

of Friends'? The Implications of the European Neighbourhood Policy for the Mediterranean (written comment sent 09 June 2015). [173]

3.1 Measuring and assessing tangible results of the ENP

Evaluating the success of the ENP is a difficult task given the lack of tangible benchmarks and timelines set out in the policy documents and agreed with each country by the EU, and not least by the lack of a definition of democracy itself. It is important to note, therefore, that evaluations of the ENP reach various positive or negative conclusions, depending on what part of the policy they are assessing and against which indicators they are being measured.

Andreas Racz, a Senior Fellow at the Finnish Institute of International Affairs, remarked on this lack of proper assessment mechanisms; he notes that the EU has "boots on the ground" in all of the ENP countries as part of the EU delegations. But, as the people responsible for the implementation of the ENP in those counties, it is hard to assume that they will also act as accurate assessors of the policy, and there is an absence of anyone else fulfilling that role. He goes on to explain that given the lack of existing ENP indicators, external indicators such as those of Freedom House or Transparency International need to be used to assess democratic change. These indicators show some positive changes in most of the countries, but this does not allow for any assessment as to what role the ENP had in these changes. Only adaptation or implementation of laws and regulations can be directly attributed to the ENP, where listed in the Action Plans. Dr. Elisabeth Johansson-Nogués, of the Institut Barcelona d'Estudis Internacionals and Mr. Josef Buzalka, Minister Consular and Coordinator of the Czech Republic, agreed with this sentiment, Johansson-Nogués confirms "there is no direct link between the few minor progresses that there have been (e.g. Tunisia) and the EU's ENP".

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[173] All quotes and comments from the listed experts were taken from the listed interviews or written comments, which are all available on request.

However, Thomas Seiler, Policy Coordinator for the ENP at the EEAS, judged the situation differently, he considers that measurement and assessment are done through the annual package and reported in the progress reports and that all democratic progress that is listed under the yearly reports is a direct result of the ENP. This, he confirms, includes the successes arising from the Arab Spring and out of the Maiden protests in Ukraine.

Dr. Tobias Schumacher, Chair holder of the European Neighbourhood Policy at the College of Europe, went into further detail on the issue, confirming that there is a "lack of clear-cut benchmarks, which are able to measure reform progress". However, he did point to recent progress on this issue, especially in the cases of Moldova, Georgia and Ukraine, which are all currently undergoing the progress of visa liberalisation, DCFTA, Association Agreement signature and Association Agenda progress. All of the new documents for the three countries do involve more precise stipulations than will facilitate benchmark progress. This is particularly pertinent in the case of Moldova, where there is clear evidence that these benchmarks were taken seriously, and that Moldova only moved onto the next stage of the visa liberalisation after it had concluded the previous requirements. However, Dr. Schumacher was clear that in the other two countries and particularly in regard to the AAs, it is too early to understand how seriously these benchmarks will be taken, as the ratification process is still continuing.

The Actions Plans are intended to set out clear plans for democratic reforms and incentives for their fulfilment. Yet broad objectives laid out in the AAs and Action Plans make outcomes difficult to monitor. The documents contain broad wording, not just regarding the Action Plans, but also for the progress made by a country, often masking reality or fully contradicting other external assessments of the country and it is clear that despite Seiler's assertion, not all the progress undertaken by each country can be attributed directly to the ENP. The lack of consensus in regard to how to interpret the measurements and assessments of the ENP is concerning, as without them it is impossible to ensure that the policy objectives are being met or that the EU is acting in a

unified and consistent manner towards each partner. As was observed in the previous chapter it is clear that the EU is not.

3.2 Conditionality of the ENP

Many assessments of the ENP, including Lehne's for Carnegie Europe and Kostanyan's of the Centre for European Policy Studies (CEPS), criticise the inconstant conditionality of the EU, demonstrating how the EU is inconsistent in its use of its conditionality mechanisms in the area of democratisation i.e. "more for more" and "less for less". Kostanyan provides, as example, the EUs withholding Belarus's President Alexander Lukashenka invitation to the 2015 Riga Summit on the grounds of the country's political prisoners, whilst at the same time extending the invitation to Ilham Aliyev, President of Azerbaijan, a country with a comparably bad human rights record.[174]

Youngs agrees with this assessment and provides evidence that "negative conditionality has been firmly off the agenda" giving examples from four countries (Morocco, Jordan, Lebanon and Ukraine) such as the EUs refusal to criticise Morocco after the 2007 elections[175]. Youngs argues that Belarus is the only exception where conditionality is imposed on negative behaviours.[176]

Kostanyan is critical of the EU's narrow vision when dealing with states in its neighbourhood and argues that the EU needs to work with organisations such as the Eurasian Economic Union (EAEU) if it is going to strengthen and democratise its neighbourhood. If the EU continues only to work with the states involved with Russia individually, Russia will end up dictating the relationship for all of the EAEU member states.[177]

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[174] Kostanyan, 2015, p. 3.
[175] Youngs, 2008, p. 5
[176] idem, p. 3.
[177] Kostanyan, 2015, p. 2.

Racz believes that there are inherent weaknesses in the design of the ENP, which is simply not strong enough to make a difference in an authoritarian regime such as Belarus. Member states designed the system, he maintains, yet it is the same member states that complain about the ineffectiveness of the system they designed. He argues, however, that the EU is good at long term transformation and making small changes to the legal structure of a country. "Those small steps transform the very foundations of the system."

Schumacher explains how this can become a political problem. He points to the progress reports that have been published in the last ten years. Almost all are negative and critical of the lack of progress of partner countries, particularly in terms of political progress. Despite this, the EU has never used the "less for less" principle, which it introduced four years ago, to allow for the removal of benefits countries which regress in reform progress. This, he believes, brings up serious concerns about double standards and risks the loss of credibility.

Without any guidelines for their fulfilment, or tangible correlation between completion of an action point and the fulfilment of the incentive, it is clear that the EU is using inconsistent criteria for when it should provide or withdraw incentives. The 'more for more" principle is inconstantly applied, often with "more" being offered before agreed benchmarks have been met and the "less for less" principle is only regularly applied to Belarus.[178] This is affecting the international perception of the ENP. In light of the lack of opportunity for a revised or renewed policy, perhaps increased consistency is the easiest ways to ensure the effectiveness of the current policy. This would in turn renew external perceptions and confidence in the policy.

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[178] "more for more" allows for greater benefits, funding and trade preferences to countries that undertake significant reforms towards democracy and human rights. "less for less" allows for the removal of these benefits should a country regress in its reform progress.

3.3 ENP Incentives

Much is made of the limitations of the incentives offered by the ENP, especially for partners in the East who have not received opportunity of the membership perspective. It is questionable that once the partner countries receive the DCFTA and visa liberalisation that the EU will still be able to offer significant enough incentives to maintain the momentum of democratisation within the ENP.

Schumacher agrees with this sentiment and believes that the EU is struggling to maintain the ENP momentum, and this can be seen clearly in the cases of both Ukraine and Moldova where surveys show a large change in the perception and mood towards the ENP. In the Southern Region, he confirms, there is almost no momentum at all and this is something that the EU has not considered in the design of its policy. Internally, the ENP is widely perceived to be a force for good and this, Schumacher believes, limited the internal momentum for changes to the policy. He argues that perceivable changes have to be made by the EU on the ground, which improve peoples lives, such as benefits to the "labour market, salaries or social welfare". He, however, concludes that the EU is not necessarily interested in these areas of social and economic improvement. "The EU is fragmented, with different member states interests and limited financial resources", which in combination is leading to an undefined strategy.

Racz looks past the DCFTA and visa liberalisation and maintains that once these are reached, the EU can still work both to offer incentives and to transform the societies through education, modernisation and exchange problems. This will keep up the momentum and ensure that equal rights and gender equality contribute to the Europeanisation and modernisation of the society.

Youngs, however, argues that "modernisation has not entailed democratisation", citing multiple examples of laws that have been implemented, yet continue to be used as tools to maintain the status quo that existed before they came into effect. This dynamic can be seen in Jordan's election law or Lebanon's national unity government, the latter of

which "reinforces the country's confessional power-sharing" and diverts "attention away from the need for underlying democratic reform."[179]

Buzalka and Seiler argue forcefully that there are other incentives available, including completion of AAs and financial and economic incentives. For countries that have not signed an AA, such as Armenia, the EU is actively looking for new methods to engage with them. Buzalka confirms that the current momentum in countries such as Georgia and Ukraine will not stop because these countries will always want to move closer to Europe. Seiler, on the other hand, touches on the difficulty of incentives with the Southern Region, which wants very much to separate economic and political cooperation and is keen to have the economic corporation with out the political. DCFTA and visa liberation, although technical possible for southern region countries, are too far away from reality to act as an incentive for these countries.

In the countries that do not have economic reasons to align with the EU, such as Azerbaijan and Algeria (where there economic situation is such that EU trade and financial grants are of little consequence or incentive to democratise), Seiler believes that the EU still has leverage. "These countries are not begging for money, but begging for international recognition; their wish for recognition is even bigger."

Many evaluations of the ENP speak of the need for a membership perspective for the Eastern Region countries that can provide a roadmap against which countries can see the journey that they can take towards accession – regardless of how long that road may be.[180] Racz, however, feels strongly that this will never be the case for the Eastern European countries, as they are too big and would require too much energy and finances to bring them in line with the EU and that, most importantly, EU member sates would end up losing some of their voting capacity if a country as large as Ukraine joined. Moldova is perhaps the exception, but he argues that offering it to them would be the

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[179] Youngs, 2008, p. 4.
[180] Kostanyan, 2015; Eastern Europe Studies Center, 2014; and Kasčiūnas et al, 2013.

equivalent of opening a Pandora's box through which all the other Eastern members would demand membership as well.

Kostanyan includes in his analysis, counties in the Eastern Region that have not signed an accession agreement with the EU, such as Armenia and Belarus. They recommend providing a separate option for countries that choose to align themselves or feel that they have no choice but to align themselves more closely with Russia. This would ensure that they could join the Russian backed EAEU and still find some avenues for cooperation with the EU.[181]

Racz suggests that he could envisage the EU offering its neighbours "everything but institutions" which would be "as close as possible but still outside" the EU. He gave the examples of Norway and Switzerland, which are not members, but enjoy nearly all benefits of the Union.

Ivanna Volochiy, Communications Manager at Eastern Partnership Civil Society Forum, agrees. So far, she explains, countries have had to modernise from the perspective of EU bureaucracy, but not beyond that point. She feels strongly from her work in the Eastern Region that there is a "fundamental mismatch" between the perception of the policy at the bureaucratic level and how it is perceived at its delivery point. For bureaucrats, the policy is in the implementation stage. They see that the EU's role at the current time is to harmonise the policy at the local level through the provision of financial and technical inputs. The reforms, she confirms, have been so painful that there is need for a much larger "carrot" at the end to help them understand what they are modernising for. Yet, she accepts that the possibility for membership is not a realistic one – that there is simply too much to be done, even on a day-to-day basis. The ENP, however, will always be stuck "playing with words" whereas diplomats and civil society will not be happy until they hear the word, "membership", which she believes will never be said.

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[181] Kostanyan, 2015, p. 3.

However, many civil society organisations in these countries are still unhappy and disengaged with the policy itself and continue to push the need for the membership perspective as their key advocacy position, showing little understanding of the current political reality. Volochiy asserts that this is a result of the EU's failure to communicate effectively and to engage with civil society before implementation. She noted that civil society organisations in the Eastern Region felt disappointed with the Riga Summit, as they had hoped that the Eastern Partnership would be deemed an ineffective mechanism and cancelled, due to the non-engagement of at least three of the member countries. Since the beginning of the ENP, diplomats in the Eastern neighbourhood have been very unhappy about being linked with the Southern Neighbourhood instead of with the accession countries.

Whilst there is much varied opinion regarding the types of incentives that could be offered by the ENP, there is strong consensus that they are central to the strategy of increasing democratisation across the region. Membership would offer the biggest carrot to many of the countries and it is much discussed. However, if this is not an option that the EU is willing to offer, it would do better to increase its transparency in this regard and make clear to states and populations alike what the EU is and is not willing to offer. This will reduce apathy and disengagement over the longer term. It is clear from the discussions with the experts that there are new and resourceful possibilities for incentives and partnerships statuses that, with further analysis, could be considered by the EU for a new, improved ENP. In this debate, it is imperative that the southern neighbourhood countries are not forgotten and that inventive ways of partnering and incentivising these countries, bringing them closer to the EU, should be discussed and looked at.

3.4 Capitalising on the Colour Revolutions and Arab Spring

Racz firmly stated that the EU did not capitalise on the colour revolutions, largely because of competing factors including the large expansion of the EU (twelve additional countries), which was taking place at the time. This took up a significant amount of the

EU's focus and funding. At the same time, the US was playing the largest role in the Eastern European at that time, engaging in a large number of civil society building and electoral programmes. The US was involved in the region too a much greater extent than the EU, meaning that there was little opportunity for the EU to play a substantially bigger part than it did.

Johansson-Nogués suggests that the EU missed out on opportunities to capitalise on the Arab Spring due to economic reasons. She believes that the member states were looking inward due to the financial crisis and "did not respond cohesively and consistently to the Arab Spring". However, she also confirms, "it is difficult to make a positive impact in a country, or in countries, where you have a very small EU footprint on the ground and, even prior to the Arab Spring, a population which is not necessarily clamouring for the EU to come and help."

Schmacher responded to this question firstly with a reminder that the role of external actors in democracy promotion is limited by the room to manoeuvre within a particular context. However, the EU failed to have a "common unified policy", and instead wasted time because different members acted with different regional interests. Secondly, the EU had been "discredit[ing] itself for years" by supporting the regimes that are now being overthrown. Thirdly, he believes that there is a "tendency amongst the EU to believe that [it] can fix everything by increasing financial contributions or engaging in election observation. The presence on the ground must generate effects on the ground which are tangible, even on the micro level." Such as to the labour market, salaries or social welfare, which previously discussed.

Buzalka and Seiler see the situation in a more positive light. Both confirm that the Arab Spring was not a lost opportunity by the EU, although no specific evidence was offered in support of this. Seiler believes that the rise of Da'ish/IS in the region halted the potential for real progress, as countries started to focus on stability over democratic progress.

The debate regarding the EU's ability to capitalise on regional opportunities is one that clearly reflects the lack of understanding the EU has regarding its own ability to influence change. The responses from the experts reflect a insecurity on the part of the EU to act as a decisive normative actor as well as highlight the fragmented nature of the EUs decision making process and the utter lack of consensus between its members.

3.5 Progress since the 2011 EU Evaluation Report

The 2011 evaluation of the ENP demonstrates the dearth of emphasis given to democratisation within the EU framework of that time. The evaluation had two core objectives:

> - To provide the Commission of the European Union and the wider public with an overall independent assessment of the European Unions' Support to two European Neighbourhood Policy (ENP) Regions (East and South) in the period 2004-2010;
>
> - To identify key lessons in order to improve the current and future strategies and programmes of the Commission.[182]

Of these lessons and recommendations of the report, the majority are focused on the regional multilateral level and are inapplicable to this thesis. However, the report concludes that there has been mixed results of the EUs relationship with civil society and makes the following recommendation: "Identify the right Civil Society stakeholders, increase focus on local authorities and NGOs and build a new dialogue in the ENP South".[183] This tangible recommendation should be easy to assess regarding progress in the following four years; however, reactions from the experts was extremely mixed towards the EU's progress with its work with civil society and their response to the 2011 evaluation overall. For example, Johansson-Nogués response was clear: "the EEAS was too new to be able to re-steer the Commission's predominant role in the ENP

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[182] European Commission Evaluation Unit, 2011, p. 1.
[183] idem, p. 88.

hence the result of the 2011 report meant little actual change in policy [following the publication of the report]." Racz strongly agreed with this point.

Buzalka, Volochiy and Seiler, however, believe that a lot of progress can be seen, especially in regards to assistance to civil society. Seiler also notes that the ENP in 2011 was a different mechanism than it is today. At the time it was viewed as "more of a toolbox than a real policy" and that around 2011 the EU realised that it was not enough to just deal with partner countries on a technical level, with just the implementation of a range of tools. This is where the ENP tool for a deeper policy role developed. With the 2015 evaluation, he expects that even greater political engagement will be seen.

As a practitioner in the Eastern Region, Volochiy's perspective on this is particularly salient. She assessed the difference seen since 2009, before which there was no mechanism for the EU to assist civil society. She stated that assistance and cooperation efforts have grown strongly since that time, and that the EU "in cooperation with other donors have built a very strong civil society in the region."

Schumacher, on the other hand, believes that the progress that can be found (such as improvements in relations with civil society in the Eastern region) should not be accredited to this evaluation, which had very little impact and was little more than a repackaging of what came before; he described this as "old wine, in new bottles". Explaining that the new concept of "more for more" and "less for less" were little more than positive and negative conditionality that was enshrined in every association agreement since the beginning of the ENP.

The 2011 evaluation was taken by this thesis as an opportunity to review the EUs ability to adapt following this milestone evaluation. However, in discussion with the experts it became clear that none held the evaluation process or report to have been of any real value. This is alarming, especially with the 2015 evaluation report currently in production, it will be important for the EU to ensure that this process is carried out in a way that builds more confidence in its findings.

3.6 EU 2015 Evaluation

In March 2015, the EU produced a joint consultation paper, "Towards a new European Neighbourhood Policy", which would serve as the basis for a second evaluation of the ENP to be completed by October 2015. The consultation paper is wide reaching, touching on many of the findings of this thesis, posing salient questions about the focus, flexibility, ownership and visibility of the program as well as the challenges of differentiation between the different partners. As the document itself confirms, "Even though the Commission has supported Good Governance and Human Rights in its political statements, its commitments are not appropriately reflected nor mainstreamed at programming level."[184] Buzalka and Seiler point to this document as the future roadmap of the ENP, from which all questions pertaining to the EU's future engagement can be drawn. However, Schumacher is less than positive about the outcome of the current progress. He agrees that the right questions are being asked, but fully expects the process to get watered down by bureaucratic challenges of agreement between the member states. A position which he bases on internal position papers already produced by the member states that detail their own opinions on the future of the partnership. These documents demonstrate a "back to basics logic and a desire by the member states to return to the "core business of free trade and energy (diversification and energy supply) and de-prioritisation of the political aspects of the ENP."

Schumacher understands this as "a very sobering acknowledgement on our part that in fact that after 12 years our policy has been pretty useless". He reflects on his desire to see the European Parliament come together, confirming that democracy, rule of law and human rights are at the core of its cooperation. But that this is unlikely to happen. He believes that the current evaluation will be yet another missed opportunity and that currently the EU is more interested in the stability of its region than in real democratisation.

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[184] European Commission evaluation Unit, 2011, p. 62.

It is too early to judge the effectiveness of the upcoming ENP evaluation but it does not seem that the EU has responded to the lack of confidence in its previous evaluation process, given the lack of confidence expressed by Schumacher and the other experts.

3.7 Is the ENP the right vehicle for democracy promotion?

The ENP combines democratisation, human rights, trade and stability under one policy covering two very different regions of the world. It has often been described as a "journey without a map": a strategy that does not have a clear end game for what it is trying to achieve.[185]The question needs to be assessed as to whether the ENP is in fact the right vehicle for democratic promotion. Seiler, in fact, calls this "the question of questions". Yet, in the end, he believes that the ENP is the correct vehicle, for, without it, democratisation would become an "ivory tower approach", meaning that democratisation would become very isolated and remote from other priorities of the EU. In addition, by having so many countries in the same program, it invites competition between the partners, and encourages each to democratise in step with the others to ensure that they are not losing out on benefits, which others are receiving. He suggested that democratisation would play a larger role in the wake of the upcoming evaluation.

Today, many of the EU's neighbours are more distant from the union than they were in the past. The neighbouring regions have become increasingly unstable, and economic transition has slowed. In the East, the EU has slid involuntarily into competition with Russia, and for the moment, it is hard to see when it will emerge from this. In the South, the tremendous dynamics of political change and the emergence of new actors threaten to render the EU's already limited and insufficiently coherent engagement strategy largely irrelevant.[186] Lehne contends that the ENP is a tool "designed for long-term engagement in a stable environment, the ENP's instruments are ill-suited for the rapid change that characterises much of the EU's neighbourhood today."[187]

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[185] Kasčiūnas, Ivanauskas, Keršanskas, Kojala, 2013, p. 18.
[186] Lehne, 2014.
[187] idem.

Lehne argues that the sums of money the EU offers are insufficient and conditionality too burdensome to ensure that it has significant clout to impose conditionality:

> The EU's pledge of approximately €5 billion ($7 billion) to Egypt following the overthrow of then president Hosni Mubarak in 2011 sounds impressive, for instance, but that sum consisted to a large extent of repackaged existing commitments and involved a lot of conditionality and burdensome procedures. The disbursement of this pledge will take a long time. Saudi Arabia and the United Arab Emirates, by contrast, pledged €5.9 billion ($8 billion) after the 2013 military coup. This money arrives more rapidly and without so many strings attached.[188]

Kuzņecova, Potjomkina and Vargulis argue that the funding of the ENP could be redistributed to increase the program's effectiveness. They gave the example of the €45 million provided for the reform of Ukraine's energy sector and the €15 million for the reform of Azerbaijan's judiciary. Given the lack of progress in these areas, and the lack of expected future progress, they recommend the redistribution of these earmarked funds, which could be better used to "provide the opportunity to 1,500 students to get master's degrees in the UK or for 3,000 to do so in Estonia or Poland."[189]

Del Sarto also remains very critical of the ENP:

> I do not believe that the EU's democratisation policy was ever a priority for the EU, much in contrast to stability/security interests and the prospects of economic benefits. Neither do I believe that it has been successful. The only opportunity, at present, is Tunisia, where following Arab uprisings, the EU has been investing in civil society and democratisation. However, the real challenge for Tunisia is to address the dire economic situation (where the EU is trying to assist as well, through financial aid and various programmes). But again, the

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[188] Lehne, 2014.
[189] Kuzņecova, Potjomkina and Vargulis, 2013, p. 23.

logic here is to maintain stability; democratisation is, and has always been, a subordinate goal [of the EU], in spite of the rhetoric.

Kostanyan highlights how little in common the two regions of the Neighbourhood have with each other, both in history and in their current situations. Nevertheless, Kostanyan advocate for a continuation of the joint neighbourhood policy, as it would divide EU member states' interests if the regions were split.[190]

Racz believes the EU must work on identifying its priorities and to decide what is most important: long-term democratisation processes that might be accompanied by some political disorder or, short-term stability accompanied by authoritarian systems.[191] Racz feels very pessimistic about the near future of the ENP. Russia is a stronger actor in the short run, and in the last two years "Russia ruined the very foundations of European security order" through its unrestrained interventions into Ukraine and the annexation of Crimea. However, in the longer term he feels that the neighbourhood is changing and westernising and that Russia will find it harder and harder to maintain its grip, due to the growing Westernisation of populations across the neighbourhood who are leaning towards Europe and pushing their Governments to move towards the West also. Youngs agrees, arguing that "A number of geopolitical factors increasingly militate against democracy support more than they have encouraged the EU to focus on democracy more assiduously." He also raised the previously discussed argument of "the Russian first mentality" of the EU towards its relationships with Ukraine. As another example of this, from the Southern Neighbourhood, evidence can clearly be seen for stabilisation above democratisation in all of the ENP countries.[192]

Volochiy believes that the "Crisis in Ukraine was the saviour of EU foreign policy, as no one is talking anymore about irrelevance of EU foreign policy". This is a dramatic statement, but it is confirmed also by Seiler who spoke of every different neighbourhood before and after 2011. Before 2011, he notes, there were no big crises in

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[190] Kostanyan, 2015, p. 1.
[191] Khaled El Molla, 2009, p. 3.
[192] Youngs, 2008, p. 4.

the region and that the EU was working well with its partners. The frozen conflicts remained frozen and there was little appetite to change this. The focus of neighbourhood relations was on economic engagement and trade. However, first the Arab Spring and then the Ukraine crisis changed this whole approach; democratisation became a core focus of the program. Again, he confirms that Ukraine has been one of the greatest successes of the ENP, and directly attributable to the EU's interventions in the region.

Racz strongly states that any argument that the ENP is not a geopolitical project is categorically untrue but yet the EU cannot afford to remain silent about democracy and that "no economy or geopolitical success would be worth giving up the commitment to democratisation". The EU may at times push democratisation lower down on its priority list, but it will never abandon it altogether. Buzalka reminds us that although democratisation in the ENP may not be working to its full effect, it was never meant to be the main aim of the policy and other areas are working extremely well.

Schumacher ended on both a positive and negative note regarding the ENP as a vehicle for democracy: "I think this policy framework as such is the most sophisticated, most wide-ranging and most inclusive that is in place, there is no other external actor, that is able to offer, or willing to offer such a framework. If taken seriously and if implemented consistently by the member states then I would argue that this policy has enormous potential". However, he confirms that this is unlikely to happen at this time, given the lack of commitment from member states vis-à-vis the future direction of the policy.

It is clear that there remains a huge divide between the policy makers and those external to the ENP, whether they be practitioners or researchers focused on the policy. Internal documents, diplomats and policy advisors show the policy in an extremely positive light, which does not corresponded with the views of experts and practitioners of the policy. As the final interviewee, this disparity was put to Dr. Schumacher, who described the problem as a "Gordian Knot" or intractable problem that has to be undone before the ENP can realistically move forward. He believes that the ENP will remain in

its currently ineffective state as long as it stays predominately governmental, as a large number of states are weakening and watering down the effectiveness of the policy by attempting to inject their own strategies and priorities into it.

4. Conclusions

4.1 Conclusions pertaining to democracy promotion and democratic theory

An assessment of democratic theory over the last twenty years, covering theories related to both transition and consolidation of the democracy, confirms that there is hitherto no single theory of democratisation that can be used to determine the indicators that point to the success or failure of democratising regimes. All existing theories are limited by geographical relevance or are salient only to a specific period of time. As such, this limits the relevance of democratic theories in assessing the current or future democratisation of states. While examples of indicators that point to previous successes can be useful in providing a general guideline for factors that may increase the chances of successful democratisation, they must be selected from a plethora of democratic theories. Each is deemed to have relevance to a particular geographical or regime context, and the question remains, how much are they really transferable?

This lack on consensus over democratic theories, in turn can lead to a collapse in the democracy promotion paradigm, which relies on democratisation theories and the presumption that countries transition from a definable undemocratic regime type towards a consolidated democracy in a relatively straight line. However, where countries fail to do this or do not fit into a predefined regime type, the democracy promotion paradigm fails to provide a road map towards democratisation. The democracy promotion paradigm only allows for democratic advancement when there is a functioning state and a definable regime. Where this does not exist, for example in Ukraine or Egypt, there is a failure to provide an adequate paradigm within which to build a framework for democratic promotion.

Thirdly, despite the significant debate surrounding regimes types and classifications, there continues to be a large number of regimes that must be categorised as "hybrid regimes" simply because they do not fit into any other regime type. Although Gilbert has devoted significant efforts into these classifications, his result is a further break

down of hybrid regimes into subcategories, which is unsatisfactory and does little to resolve the duel problems of a plurification of terminology and the increasing number of regimes that do not fit into such categories.

4.2 Conclusions pertaining to the European Neighbourhood Policy

In over ten years of ENP implementation, no country in the European Neighbourhood has become a consolidated democracy, and, in reality, very few countries have shown any significant or sustainable democratic progress. In fact, many countries have slid backwards towards increasing authoritarianism and a loss of democratic progress. Revolutions have occurred in almost every country in the neighbourhood, but the majority have failed to advance towards meaningful democratic progress. Where democratic progress has occurred, it has been primarily due to internal not external factors.

It is easy to criticise external democracy promoters for failing to influence change in countries that inherently fall outside of their sphere of influence, and it must be remembered that democracy promoters are only able to influence democratisation so far as actors within the country allow for their influence. It is also important to repeat Dr. Schumacher's concluding remark about the ENP: "this policy framework as such is the most sophisticated, most wide-ranging and most inclusive that is in place, there is no other external actor, that is able to offer, or willing to offer such a framework." With that being said, this thesis concludes that there are a number of weaknesses and failures of the ENP, which have limited its impact in democratic promotion.

It is of note that in speaking with ENP experts and reading evaluations, a few countries were repeatedly highlighted as successes (Moldova, Georgia, Tunisia and also Ukraine), just as there are countries identified as having the lowest potential for success (Belarus, Azerbaijan, Armenia and Algeria). This leads to a concern that the countries that fall between these successes and failures (the majority of the ENP counties) are somehow also being missed by the policy makers. The categorisation of so many diverse countries

together, under the ENP, inevitably leads to problems. Whilst the EU champions its individualistic approach, in reality, countries are lumped together and are placed uncomfortably, on unnatural parallel paths.

The lack of unified perception from those internal and external to the EU as to assessments of the policy itself and assessment of the democratic situation in each ENP country is currently the greatest challenge facing the ENP. We can see a huge divide in between the EU reports on a country and its real progress. For example, Jordan is often described as a "model for democracy in the Middle East" despite all indicators pointing to its lack of democratic progress and its slide back towards more authoritarian forms of governance. This outward support by the US, EU and other international actors shows a greater interest in maintaining stability in the region than in real democratisation. Their support removes any incentive for further progress towards democratisation and can, in some cases, lead to a decrease of liberalised policies on populations and the growth of façade democracies.

In the past the ENP has failed to adequately assess its own policies and to revise them quickly enough to respond to its changing neighbourhood. By having the member states as collective drivers of the ENP, the policy has been reduced to the lowest denominator of their collective interests. The ENP must be allowed to be developed based on the best interests of specialists in the various sectorial objectives to best design a policy that can meet the agreed objectives and goals outlined in the strategy papers.

The ENP is unique and its goal commendable, but unless it is allowed to reach its stated aims and objectives, unless there is internal consensus of a unified vision of those goals, and unless there is consistent external implementation of these goals, the ENP will become less and less relevant in coming years.

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