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THE EASTERN PARTNERSHIP – OBSTACLE OR OPPORTUNITY?

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SUMMARY

The article presents an elucidation and complex analysis of international-legal framework of the development of EaP countries.

It is an analysis of the development of EaP countries during the last ten years, and evaluation whether the partnership has been a hindrance or an opportunity. The following paragraphs bring arguments to support the idea that although there are some obvious progresses and achievements, the EaP is far from accomplishing its intended purpose and reaching its full potential.

Key words: The Eastern Partnership (EaP), European Union (EU), stability and security, European Neighbourhood Policy (ENP), neighbouring countries, Free Trade Area (DCFTA), 5th Eastern Partnership Summit.

ВОСТОЧНОЕ ПАРТНЕРСТВО – ПРЕПЯТСТВИЕ ИЛИ ВОЗМОЖНОСТЬ?

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АННОТАЦИЯ

В статье представлено разъяснение и комплексный анализ международно-правовых основ развития стран Восточного партнерства.

Это анализ развития стран Восточного партнерства в течение последних десяти лет и оценка того, было ли партнерство препятствием или возможностью. В нижеследующих пунктах приводятся аргументы в поддержку идеи о том, что хотя есть некоторые очевидные успехи и достижения, ВП далеко не достигает своей цели и не полностью использует свой потенциал.

Ключевые слова: Восточное партнерство (ВП), Европейский союз (ЕС), стабильность и безопасность, Европейская политика добрососедства (ЕПС), соседние страны, Зона свободной торговли (DCFTA), Пятый саммит Восточного партнерства.

REZUMAT

Articolul prezintă o elucidare și o analiză complexă a cadrului juridic internațional privind dezvoltarea țărilor Parteneriatului Estic.

Este o analiză a dezvoltării țărilor Parteneriatului estic în ultimii zece ani și evaluarea dacă parteneriatul a reprezentat un obstacol sau o oportunitate. Următoarele alineate introduc argumente pentru a susține ideea că, deși există progrese evidente și realizări evidente, Parteneriatul estic nu îndeplinește cu mult obiectivul propus și nu își atinge întregul său potențial.

Cuvinte cheie: Parteneriatul estic, Uniunea Europeană (UE), stabilitatea și securitatea, Politica europeană de vecinătate (PEV), țările vecine, zona de liber schimb (ZLSAC), cel de-al 5-lea Summit al Parteneriatului Estic.

Introduction. The Eastern Partnership (further referred to as EaP) is one of the key instruments of the European Union through which assistance is provided to the following six partner countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. It is primarily based on the achievements of the European Neighbourhood Policy (ENP), which was developed in 2003 [1].

The concept of the EaP was launched between the six countries that have been anticipating and prepared for changes in relations between the EU and its Eastern neighbours. To begin with, one should mention that the EaP is a component of the ENP, therefore, to fully understand the essence of the partnership, one should first understand in the reason and circumstances behind the ENP.

The ENP was launched in 2003 to prevent the emergence of the new dividing lines in Europe and to strengthen the prosperity, stability and security of the expanding EU and its neighbouring states. The main idea was to develop closer political, social and favourable economic relations between the already extended EU, and neighbouring countries without a membership perspective. Thus, financial, political and security support was the EU's offer for a mutual favourable result. The ENP consists of 15 states, including six countries that are located in Eastern Europe.

Meticulous research has shown that the EaP had an uncertain start and poor development perspectives at its early stages, due to the fact that since 2003 and onwards, both formal and informal discussions were of little interest to the higher

authorities. Since the end of the bilateral ENP Action Plan (AP) in 2005, certain strategic objectives and relations priorities were drafted, after which in 2006 Germany initiated some conversations to advantage the states for the purpose of reforming the ENP, following which in 2007 the European Commission again presented a new cooperation initiative within the ENP. Still after all these steps, in 2008, German officials restarted discussions regarding a new form of relations, and as result of which the concept of the EaP was proposed [2]

According to Ivan P. & Ghinea C. (2010), this criticism can be reduced to the fact that the EU is based on instrumental extension without offering any perceivable benefits. Then what is its purpose? Is it an obstacle or an opportunity?



The EaP is based on and provides for the establishment of strong relations between the EU and the six countries in its neighbourhood, following a democratic approach. This partnership foresees stronger political engagement with the EU in line with the following ideas:

- The prospect of a new generation of Association Agreements;
- A widespread integration into the EU economy with free trade agreements;
- Travel facilitations through gradual visa process liberalization and through measures aimed at tackling illegal immigration;
- Energy security arrangements consolidation;
- Increased financial assistance [5].

Therefore, from the legal point of view, all countries should be satisfied with the aforementioned offers brought by the EU, except that, arguably, this partnership is akin to a barrier to the EU accession goals. Throughout the years, countries have remained only with the need to use these opportunities in order to have a relatively gradual approximation towards the EU, with accession still remaining out of scope. As a result countries stagnate, with Moldova currently being on a more advanced path towards European integration according to surveys conducted within the project "Europeanising or Securitising The Outsiders" [5].

Referring to the report "Eastern Partnership - Instructions for Use, the Republic of Moldova as an Opportunity" [3], the time frame leading from the launch of the EaP to nowadays has not led to notable improvements in the region. Countries' economies have been seriously affected by the global financial crisis, some of them even having their economy shrunk by more than 10%. Major improvements have not been observed even in the establishment of democracy.

As leaders from Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine head for Brussels, the first point the EU wants to make is that the Eastern Partnership does not lead to EU membership; the second is that it is not intended to provoke Russia.

Among the Eastern partners, Georgia, Moldova and Ukraine want to join the EU eventually. Armenia, Azerbaijan and Belarus do not.

Feasibility studies ordered by the European Commission for Armenia and

Georgia [6] have shown that the agreements could bring economic benefits, nevertheless, "none of the two countries is currently able to negotiate trade liberalization so extensively not to mention implement and sustain the necessary commitments" [8].

After the fifth Eastern Partnership summit that was held in November 2017, through the main results that were mentioned by Donald Tusk, where some achievements that the EaP can be proud of:

- Association Agreements with Georgia, Moldova and Ukraine, which include the most important areas of cooperation, from trade to visa-free travel.
- EU is today the first export and import market for Ukraine, Azerbaijan, Georgia and Moldova, and the second biggest market for Armenia and Belarus, and a major investor in each of them.

It should be mentioned the positions of each country.

Starting with **Georgia**, between The European Union and Georgia is a very close and positive relationship. The EU-Georgia Association Agreement entered into force in July 2016 and strives for political association and economic integration between the EU and Georgia. The EU and Georgia have also entered into a Deep and Comprehensive Free Trade Area (DCFTA), while Georgian citizens have benefitted from visa free travel to the Schengen area since 28 March 2017. The EU is Georgia's largest trading partner and provides over €100 million to Georgia annually in technical and financial assistance. By signing the Association Agreement (AA) in June 2014, relations between the EU and Georgia were brought to a new level [12].

About **Armenia** a Comprehensive and Consolidated Partnership Agreement was signed in 2017 in the margin of the 5th Eastern Partnership Summit. It takes into account the new global, political and economic interests shared by both sides. The agreement will enable stronger cooperation in sectors such as energy, transport, environment and trade.

As mentioned before, **Belarus and Azerbaijan** do not intend to join the EU, taking the position that the EaP initiative is not entirely new, being particularly concerned with security issues comprised, but negotiations in Azerbaijani for a new comprehensive agreement

began in 2017 and in Belarus: The EU deepens, through a series of carefully calibrated reciprocal steps, its critical engagement with Belarus.

Ukraine on the other hand, a country with a large population, wants EU integration as well, seeing the accession as an important political and economic opportunity for the country, the relevance being more increased after the last political events.

The Republic of Moldova case is the most controversial one, since it is the country with the strongest membership perspective. The EaP has awarded the Republic of Moldova with the highest accession perspective based on improvements in the country's political arena.

At the official level, the nominally pro-European government of Prime Minister Pavel Filip has stressed its full commitment to the Eastern Partnership. The Moldovan government has expressed an interest in expanding the programme in all its aspects, and in obtaining a perspective for EU membership. At the same time, within the framework of its cooperation within the EaP, Moldova regularly draws attention to security issues (including the case of Transnistria) and the development of trading links (including within the DCFTA) [13]. Drawbacks primarily are caused by the political instability and some internal conflicts, for example the Transnistrian conflict, which at the moment is classified as a "frozen" one [10].

Nevertheless, the Republic of Moldova hopes that through these integration ideas and steps, and through the possible advantages that these might bring, the Transnistrian population will be more open to the idea of unifying the country, thus resolving the long lasting conflict.

On the bilateral dimension, Moldova reached the three major objectives set in 2009 in Prague: political association, economic integration and visa liberalization. Thus, for the period following the Republic of Moldova, it will focus its efforts on the provisional implementation of the Association Agreement and on the valorisation of all sectoral bilateral cooperation arrangements concluded to date with the EU.

As was previously mentioned, the EaP, has both its advantages and disadvantages. Now, there are many EaP conferences, both at youth and governmental level. Young people, local authorities,



civil society, media, businesses and other stakeholders are closely involved with dedicated side events. It is observed the idea that the negative traits are common and noticeable, because the actual situation of the development track of the EaP is not the one that was set in the beginning.

The first challenge is that this project does not provide a clear EU membership perspective for the six states, which causes a less serious attitude from the part of both the participating states as well as the higher authorities.

Secondly, and as seen in the works of several contemporary authors, one can argue that more attention should be paid to the individual characteristics of each country [9]. These states cannot be described as a cluster, as each one has its own specific progress and difficulties on their way to European integration, in particular Moldova and Ukraine. To develop, it can be stated that is not a well-established strategy that covers the needs and possible social-political events of each candidate.

Finally, financial support represents a major weakness of the partnership, because it does not correspond with the intentions of the program. Hence, countries that are part of this program cannot face efficiently global political and economic turmoil. At the same time there are no significant investments in energy security and in consolidating civil organizations from EaP countries.

Conclusions. Even though some progress has been made and real benefits of closer cooperation already showing, some milestones have been met during the last 10 years, the EaP is still far from achieving its intended purpose and reaching its full potential. The project is beneficial for each country, and each country in turn is responsible for its future, because only their own desire and willpower to go to the very end of the proposed commitments is the basis of a common perspective and future. Throughout the years many reforms made in the political and socio-economic fields have led to the formation of high-level neighbourly relations. Therefore, the inception of the EaP as a branch of ENP was a success for the

development of sustainability of relations between states. The emphasis on democracy, respectable governance and stability has been a mainstay in achieving the goals of the EaP. This has facilitated a more complex integration between partner countries from the East and the EU. Last but not least, this project has also offered priority to the problematic areas of each country, such as poor governance, corruption, organized crime, instability and conflicts, which lead in turn to a fruitful dialogue on sensitive political and security issues between the EU and its Eastern neighbours.

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