

The EU's mixed record: Human rights and democracy promotion in the former Soviet Union

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*The EU has engaged in democracy and human rights promotion in the countries of the former Soviet Union since the 1990s. **Tinatin Tsertsvadze** assesses the successes and failures of the EU's strategy and some of the key challenges it faces in making further progress.*



The European Union is one of the most important actors for countries in the Eastern Partnership (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine), Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan), and the former Soviet Union (FSU). But as a 'normative power' it has delivered somewhat mixed results in these regions. While it has managed to normalise relations with almost all of the countries listed above, the EU's impact on the state of democracy and human rights has been far more limited.

The EU established bilateral relations with these countries in the late 1990s in the form of Partnership and Cooperation Agreements. All but two of the countries listed (Belarus and Turkmenistan) have established this style of agreement with the EU. The framework regulates relations in trade and investment, while also providing institutions for [political dialogue](#). This takes place through the Cooperation Council and Cooperation Committee as well as Parliamentary Cooperation Committee meetings.

The ratification of the EU-Belarus Partnership and Cooperation agreement was frozen by the European Parliament in 1997 due to the deteriorating human rights situation in the country. Meanwhile the EU-Turkmenistan agreement was signed in 1999 and ratification by the European Parliament has been pending ever since as a result of Turkmenistan's substantial human rights problem.

All EU bilateral agreements include a section on democracy and respect for human rights. In the early years of the EU engagement with these countries, protection of human rights and the promotion of democracy were carried out primarily through support for civil society and through the provision of various training programmes. The political dialogue under the Partnership and Cooperation Agreements, which should be the natural place to raise human rights and democracy related issues, remained limited in terms of its capacity to substantially tackle these issues.

European Neighbourhood Policy

In 2004, the EU introduced its European Neighbourhood Policy (ENP) and in 2009 the Eastern Partnership Initiative (EaP) was launched for Eastern Europe and the South Caucasus. In 2007, the EU also launched a strategy for Central Asia. The Strategy has seven priority areas – from human rights, democracy, the rule of law and good governance to trade, energy and security, education, water management and the environment. Up until 2010, both Central Asia and the Eastern Neighbourhood were looked at through a regional prism, rather than focusing on countries individually; even though the countries of the region have been evolving differently with divergent interests in deepening political and economic ties with the EU.



EU-Georgia Association Council: Irakli Garibashvili, Prime Minister of Georgia; Federica Mogherini, High Representative of the EU for Foreign Affairs and Security Policy; and European Commissioner Johannes Hahn. Credits: [EEAS](#) / Flickr.

In 2011, a [review](#) of the European Neighbourhood Policy, titled 'A New Response to a Changing Neighbourhood', was conducted with the aim of providing 'greater support to partners engaged in building deep democracy'. At the same time, the concept of 'more-for-more' and differentiation has become more prominent in the EU's discourse when talking about engagement with partner countries.

Strategically there was some merit to this approach. The status of countries in the region has arguably never been as diverse as it is at present, with each possessing different levels of ambition and capacity for closer EU integration. The three countries in the East (Georgia, Moldova and Ukraine) have chosen closer political association and economic integration with the EU by signing Association Agreements and Deep and Comprehensive Free Trade Agreements. In these countries, despite exiting geopolitical challenges and political squabbles, there is a declared political will to embark on the somewhat cumbersome reform process entailed by the agreements.

The remaining three countries in the Eastern Partnership (Azerbaijan, Armenia and Belarus) are on different tracks. As far as the countries' leaders are concerned, the protection and promotion of human rights and building democratic institutions remain at a largely declaratory level at best. Some even see democracy as a direct threat to 'regime stability'. Of particular note is that the massive crack down on civil society, journalists and lawyers that has taken place in Azerbaijan over the last two years has created very limited space for critical voices in the country, effectively criminalising their work through tighter legislation.

On the other hand, Central Asian countries have fewer incentives to pursue deeper EU integration. Progress on human rights, democracy, the rule of law and good governance is [limited to non-existent](#) in this region. Consideration of restrictive legislation for non-governmental organisations is ongoing in a number of countries (Kazakhstan, Kyrgyzstan, Tajikistan). In others the work of non-governmental organisations focusing on human rights or democracy has been made impossible by the authorities (Turkmenistan and Uzbekistan). And the rhetoric of 'betraying traditional national values' is widespread even in Kyrgyzstan, which is seen as being more open than its neighbouring countries.

Looking at the last 20 years of EU engagement with these two regions, the EU's policies have been relatively fragmented and sporadic. The 'more-for-more' concept adopted in 2011 was regrettably abandoned in 2015, as part of a [review](#) of the European Neighbourhood Policy. This was justified on the basis that the concept 'has not proven a sufficiently strong incentive to create a commitment to reform, where there is not the political will.' Instead, the 2015 review emphasises the need to 'refocus relations with partners where necessary on genuinely shared common interest;' the underpinning narrative of the review is stabilisation of the neighbourhood, and increased ownership on behalf of partner countries of 'commonly identified shared interests.'

A mixed record

The 2015 review took place at a time when the EU was desperate to find a success story in the Eastern Neighbourhood. And while it's easy to find shortcomings or point to areas where the EU should have performed better to incentivise countries to pursue democratic reforms and improved protection of human rights, it is also worth looking at areas where the EU's engagement has brought some positive developments.

One such area is the adoption of anti-discrimination legislation in Georgia, Moldova and Ukraine. The legislation contains language on sexual minorities and protection of their rights on par with other minority groups. Given the historical background and the status of the church in these countries, adoption of this legislation was controversial. The legislation was linked to the [Visa Liberalisation Action Plan](#) and without this incentive these countries would never have adopted such highly contested laws.

Despite these small successes, the latest review of the European Neighbourhood Policy saw a departure from the 'deep democracy' discourse and instead focuses on 'stabilisation, conflicts, terrorism and radicalisation, poverty, corruption and poor governance'. The EU has also stated its intention to engage with the countries on common shared interests.

This is a significant departure from the previous review where reforms that are more democratic meant closer integration with the EU, accompanied with more technical assistance for more reforms as an incentive. The new discourse is likely to distance the EU further as an actor capable of promoting democracy in the region. This will particularly be the case with the countries which see democracy as a 'threat' to their political stability.

The 2007 EU Strategy for Central Asia was reviewed for the fourth time in 2015. The reviewed strategy reaffirmed the viability of the EU's priorities in the region with a clear acknowledgement of the deteriorating human rights situation across the region. Like in the Eastern Partnership countries, the EU has successfully established several institutionalised mechanisms for strengthening relations and working with Central Asian governments, including an increased presence on the ground. Despite this, the EU's [engagement](#) in Central Asia remains 'one of limited to no impact'.

These two regional initiatives of the EU take a holistic approach and seek to deliver results in some areas. The EU still needs to demonstrate how it is integrating the 2012 [Strategic Framework and Action Plan on Human Rights and Democracy](#) at the level of individual countries. In this strategy the EU stressed that it 'will promote human rights in all areas of its external action without exception. In particular, it will integrate the promotion of human rights into trade, investment, technology and telecommunications, Internet, energy'.

The role of the European Parliament

The European Parliament (EP) has always been the most outspoken of the EU institutions, condemning human rights violations world-wide using various instruments. It has adopted a number of landmark [resolutions](#) on the countries concerned, condemning human rights violations and severe shortcomings in democratic reforms. At times it is hard to see where and how the EP can have impact on EU foreign policy and especially in the protection of human rights and democracy promotion.

The fact is that the EP is just one of the EU's institutions. For its positions and resolutions to have a meaningful impact at a policy level, it needs to be streamlined both within all EP policies and interactions with the legislators of respective countries, and in the overall policies of the European Union. The EP has only recently gained more powers over EU foreign policy, following the Lisbon Treaty entering into force. All bilateral agreements and all trade agreements need to be ratified by the European Parliament. This is where it can show its muscle, and demand more normative EU foreign policy.

However, when it comes to its resolutions and statements, these can only have a meaningful impact when streamlined in all relevant policies inside the EP as well as by other EU institutions. This has not always been the case, and at times the result has been asymmetric policies and mixed messages to the partner countries. This does not make the EU's task any easier in addressing some of the pressing human rights shortcomings that have occurred in the last decade in the Eastern Partnership region and Central Asia.

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