



# EU democracy promotion in the Eastern neighbourhood: a turn to civil society?

NATALIA SHAPOVALOVA  
RICHARD YOUNGS

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# EU democracy promotion in the Eastern neighbourhood: a turn to civil society?

**NATALIA SHAPOVALOVA**

is an associate researcher at FRIDE.

**RICHARD YOUNGS**

is director (on leave) of FRIDE.

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Felipe IV, 9, 1º Dcha. 28014 Madrid – SPAIN

Tel.: +34 91 244 47 40

Email: [fride@fride.org](mailto:fride@fride.org)

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While afflicted with economic and political crisis at home, the EU has recently taken steps to shore up its support for democracy abroad. Although most political and media attention has been on the Arab revolts, the Eastern dimension of the European Neighbourhood Policy (ENP) also presents pressing and thorny challenges. Belarus and Ukraine draw a sobering picture of authoritarian resilience; Moldova and Georgia stand on the verge of more positive political developments. Delicate junctures in such states invite a considered EU response.

In post-soviet countries, the EU was associated most strongly with state reforms and technical assistance to economic transformation. Echoing the experience of Eastern enlargement, the European Neighbourhood Policy originally put most emphasis on top-down Europeanisation. This approach struggled to gain traction. With little or no previous experience of democratic rule, East European and South Caucasus post-soviet states were less advanced in democratic transformation than most of the EU's post-socialist new entrants. In the absence of an accession carrot, EU promises of a stake in the internal market and visa facilitation were weak incentives for undemocratic rulers to reform.

Since 2009, the EU's Eastern Partnership (EaP) has tried to address these drawbacks, introducing new tools to enhance the involvement of non-governmental actors. The motif has been one of more bottom-up and locally-driven democracy support. One of the main novelties of the Eastern Partnership was the EU's attempt to reach out beyond state institutions and tighten modes of engagement with non-state actors. In 2011 the EU unveiled a new concept of 'partnership with society', offering enhanced assistance to non-state actors in the neighbourhood. Under the Eastern Partnership the EU has gradually become a more engaged and unified actor in democracy promotion in the Eastern neighbourhood.

This paper presents empirical data which show that the EU has genuinely turned over a new leaf in its support to democracy through civil society development. However, it argues that the EU still needs more fundamentally to review the way it implements civil society support in the Eastern neighbourhood if its new initiatives are to contribute effectively to demand-driven, bottom-up reform.

# The EU's record in the Eastern neighbourhood

» In the 1990s and early 2000s, the EU was the largest multilateral donor to Eastern European and South Caucasus post-soviet countries. At the time, it paid greatest attention to stability and market reforms. Partnership and Cooperation Agreements (PCA) signed with the post-soviet countries during the 1990s were concerned primarily with trade and economic cooperation. The main instrument for financial assistance to post-Soviet states (Technical Assistance to the Commonwealth of Independent States – TACIS), was not tailored to democratisation but focused on trade and investment promotion and government capacity-building. In Ukraine only a small amount of TACIS funds went to civil society development, independent media and democracy: only €10 million out of a total €212 million Commission aid allocation for 2004 to 2006.<sup>1</sup>

Human rights and democracy promotion in post-soviet countries was accorded some substance by the European Initiative for Democracy and Human Rights (EIDHR). This support was channelled through both a micro-projects grant scheme and large projects run by local civic bodies, international NGOs and intergovernmental organisations such as the Council of Europe. Eastern European countries were not funded equally. Commission delegations were first established in Ukraine (in 1993) and Georgia (1995), and ran micro-project grant schemes in these countries from 2002. These were followed by Belarus (from Kyiv) and Armenia (from Tbilisi) in 2005–2006. By contrast, micro-project schemes were not established in Moldova and Azerbaijan owing to the lack of EU diplomatic presence. Between 2000 and 2006, only two large-scale projects were conducted in Azerbaijan (one of which was implemented by the UN Children's Fund), and three in Moldova (one of which was run by the Council of Europe).

However, EIDHR did not prioritise direct civil society strengthening for democratic reform. The largest grants were often awarded to the Council of Europe, UN agencies or big international NGOs to implement projects on human rights, media freedom and peacebuilding in post-soviet countries. Given the limited size of the Commission's grants and the requirement that recipients match up to 20 per cent of a grant with their own funding, only well-established, highly professionalised and mainly capital-based organisations emerged as regular beneficiaries. The projects financed by EIDHR in the Eastern neighbourhood countries chiefly focused on social rights' protection and to a lesser extent on voter education and election monitoring.

A major exception to this pattern was in Belarus, where political conditions under the Lukashenka regime did not allow the EU to sign the PCA or freely implement TACIS projects. As a result, EU aid moved to finance humanitarian and social projects. Since 2004, the EU has increased its assistance to non-state actors in Belarus, supporting the

1. European Commission, *National Indicative Programme 2004–2006*, 4 August 2003.



establishment of independent radio broadcasting, funding the European Humanities University (which was expelled from Minsk to Vilnius) and assisting civil society activists and organisations.<sup>2</sup>

A change in EU democracy promotion strategy towards Eastern European and South Caucasus post-soviet countries began to occur after 2005 as a result of EU enlargement and the introduction of the ENP. Events such as Georgia's Rose revolution of 2003 and Ukraine's Orange revolution of 2004 led to the EU becoming one of the key democracy promotion actors in the Eastern neighbourhood. This gave hope to many Europeans working in the field of democracy and civil society promotion that the transitions in Georgia and Ukraine would have a significant impact on other post-soviet authoritarian regimes. As a Ukrainian think tank wrote in 2004, '[f]rom a cautious and primarily economic partner who was wary of aggravating Russia unnecessarily, the EU suddenly became a pro-active, lively defender of the democratic movement in Ukraine'.<sup>3</sup>

The EU introduced elements of positive conditionality through ENP Action Plans signed with Moldova and Ukraine in 2005 and with the South Caucasus countries in 2006. The Commission enhanced channels for political dialogue and people-to-people contacts, while also strengthening its assistance to neighbour countries in the East by introducing new instruments and increasing the volume of aid.

The European Neighbourhood and Partnership Instrument (ENPI) replaced TACIS in 2007, and made support for democratic development and good governance a priority. This aim received around 30 per cent of the total ENPI budget in the Eastern neighbourhood countries. In support of this priority Ukraine was allocated €148 million for 2007–2010; Moldova received €73.4 million; Armenia, €29.5 million; Azerbaijan, €30 million; and Georgia, €31.5 million.<sup>4</sup> However, these funds were primarily channelled to governments, as over 70 per cent of aid was granted in the form of sector budget support. Only ENPI cross-border and regional cooperation mechanisms involved local authorities and civil society. Some EU democracy funds were implemented through an EU–Council of Europe Joint Programme, but in most cases public authorities were the main partners in projects falling under this programme. In the case of Belarus, 70 per cent of ENPI funding was used to support the population's economic and social needs; democracy and civil society received only €13.8 million for 2007–2011.

ENP Action Plans with Moldova, Ukraine, Armenia and Azerbaijan aimed to foster and facilitate civil society development. This fell under the priority area of strengthening human rights and fundamental freedoms. The EU-Azerbaijan Action Plan explicitly envisaged simplifying the cumbersome procedures that NGOs must complete in order to register. Dialogue with civil society was also promised in the context of educational reform, environmental governance, the fight against corruption and resolution of frozen conflicts. In addition, Actions Plans with Moldova and Ukraine contained brief chapters on civil society cooperation under the priority area 'People-to-people contacts'. However, in the ENP's implementation, scarce attention was paid to improving the general political

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2. B. Jarabik and V. Silitski, 'Belarus', in R. Youngs (ed.), *Is the European Union Supporting Democracy in its Neighbourhood?* (Madrid: FRIDE, 2008), p. 112.

3. ICPS Political Commentary No 12(18) (Kyiv: International Centre for Policy Studies, 2004), p. 8.

4. See European Commission's National Indicative Programmes 2007–2010 for Armenia, Azerbaijan, Georgia, Moldova and Ukraine.

environment for civil society in neighbour countries, or to involving civil society actors in the monitoring and assessment of EU aid to the region.

In 2007, the Commission introduced the thematic programme Non-State Actors and Local Authorities in Development (NSA&LA) funded under the Development Cooperation Instrument. This provides grants to civil society organisations and local authorities in order to strengthen their capacities in poverty reduction and sustainable development, ensure participatory and inclusive development and citizens’ involvement in development issues. Such funding focused initially on the South Caucasus countries and Belarus; since 2010 it has focused more on Moldova and since 2011, Ukraine. Grants under this programme can go up to €1 million, as determined by the EU Delegations managing calls for projects. The programme only tangentially supports democracy by empowering non-state actors; its primary focus is on the facilitation of social and economic development.

**Table 1. Non state actors and local authorities in development, 2007-2012 (EUR)**

COUNTRY/YEAR	2007	2008	2009	2010	2011	2012
Armenia	1,500,000	800,000	800,000	750,000	650,000	600,000
Azerbaijan	1,000,000	1,000,000	1,000,000	700,000	-	700,000
Belarus	1,000,000	1,000,000	1,000,000	1,000,000	2,400,000	200,000
Georgia	2,000,000	650,000	650,000	650,000	400,000	550,000
Moldova	-	-	-	500,000	450,000	450,000
Ukraine	-	-	-	-	950,000	950,000
Total ENP-East	5,500,000	3,450,000	3,450,000	3,600,000	4,850,000	3,450,000

Since 2007, the EU has enhanced its direct support to civil society organisations in the Eastern neighbourhood under the reformed EIDHR. The country-based support schemes were launched in the ENP Eastern countries in 2007, except in Belarus where it was launched a year later.<sup>5</sup> In addition to the country-based schemes, the EIDHR envisaged the possibility of *ad hoc* small grants to human rights defenders to meet their urgent needs and support to non-registered organisations in duly justified cases (Belarus and Azerbaijan reportedly benefited from this scheme, though the Commission did not report on these measures ostensibly for the sake of grantees’ safety).

**Table 2. EIDHR allocations to country-based support schemes in the Eastern Partnership countries in 2007–2012 (in EUR)**

COUNTRY/YEAR	2007	2008	2009	2010	2011	2012
Armenia	600,000	600,000	600,000	600,000	900,000	900,000
Azerbaijan	900,000	900,000	-	1,200,000	-	900,000
Belarus	-	300,000	300,000	450,000	500,000	500,000
Georgia	900,000	900,000	1,200,000	1,200,000	1,200,000	1,200,000
Moldova	300,000	300,000	600,000	600,000	1,200,000	1,000,000
Ukraine	600,000	600,000	600,000	600,000	1,200,000	1,200,000
Total ENP-East	3,300,000	3,600,000	3,300,000	4,650,000	5,000,000	5,700,000

5. Apart from the country-based support scheme, since 2008 EIDHR has granted €1million annually to the European Humanities University Trust Fund.

The amount of EIDHR aid available to civil societies through the country-based schemes did not reach the levels of funding allocated by the United States. In 2007–2008 the European Commission allocated €6.9 million to all the six countries, whereas just one US-funded project on strengthening civil society’s capacity in the fight against corruption in Ukraine from 2007–2009 amounted to \$9.8 million. USAID has also paid more attention to NGOs’ organisational capacity, providing financing for training and resource centres.

Despite all these improvements and commitments, the ENP did not become an effective or especially focused democracy promotion tool. ENP strategic documents – such as the ‘Wider Europe – Neighbourhood’ Communication of 2003 and the ENP Strategy Paper of 2004 – considered the main objective to lie ‘in strengthening the stability, security and well-being’ of the neighbour countries, rather than explicitly aiming to promote democracy. Most of the objectives of the ENP Action Plans remained unfulfilled, especially those referring to democracy, rule of law and human rights. The quality of democracy indicators in the Eastern neighbours during the period 2005–2008 deteriorated.<sup>6</sup>

As the EU’s attention began to drift from the Eastern to the Southern neighbourhood, Sweden and Poland advocated enhancing EU policy towards the Eastern neighbourhood by launching the Eastern Partnership initiative in May 2008. Security concerns aggravated by the Russia-Georgia war in August 2008 ensured EU-wide support of the new initiative. The EaP is essentially a strengthened version of the ENP. It is based on the principle of conditionality and offers Eastern neighbourhood countries closer political cooperation and economic integration with the EU. Association Agreements being negotiated with all EaP countries except Belarus will contain articles on developing democracy, human rights and rule of law. Deep and comprehensive free trade agreements link neighbour countries more closely to the EU common market by lowering trade barriers and transferring EU norms to neighbours’ legal systems. Finally, the EU has shown readiness to abolish its visa regime, given that partner countries have met all the technical and security criteria asked of them.

One of the most important EaP innovations has been a greater involvement of non-governmental actors in the EU’s cooperation with neighbouring countries. The European Commission proposed supporting the further development of civil society organisations (CSOs) and establishing an EaP Civil Society Forum ‘to promote contacts among CSOs and facilitate their dialogue with public authorities’.<sup>7</sup> The promise to increase civil society participation was also made in the context of reforming democratic institutions. In addition, the Commission suggested increasing contact between parliamentarians, local and regional authorities and business circles by establishing fora for multilateral cooperation.

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6. See J. Boonstra and N. Shapovalova, ‘The EU’s Eastern Partnership: One year backwards’, FRIDE Working Paper 99, May 2010, p. 2.

7. European Commission, *Eastern Partnership. Communication from the Commission to the European Parliament and the Council*, Brussels, 3 December 2008, COM(2008) 823 final.

EU democracy assistance channelled through civil society actors represents only a small share of EU aid to Eastern neighbour countries. Although funding to CSOs in EaP countries provided through EIDHR has gradually increased from €3.3 million in 2007 to €5.7 million in 2012, it still focuses on a limited number of issues. Grants mainly go to well-established and highly professionalised NGOs; civil society actors such as labour unions, business associations and informal civic initiatives and social movements remain outside the scope of EU support. Only in Belarus – where the EU has limited dialogue with the country’s authorities – has aid covered a broader range of actors, including political dissidents.

A major shortcoming of EU aid to civil society remains the means of provision. Civil society actors have complained that receiving EU funds is complicated and time-consuming; long-standing and familiar gripes are still heard regarding the bureaucratic reporting process. There is still often a year-long wait between submitting an application and funding being granted, which means that the project concept may become outdated and be overtaken by events. The application process is managed only in English,<sup>8</sup> providing another obstacle for many NGOs based outside country capitals and key regional centres or those smaller organisations lacking well established links with partners abroad.<sup>9</sup> Re-granting, that can partially solve the problem of accessibility to funds, has been limited.<sup>10</sup>

## New developments

» Increasingly and more recently, the lack of significant reform in most Eastern neighbourhood countries has enticed the EU into taking steps to increase its direct assistance to civil society and involve the latter more systematically in its relations with EaP governments. For these purposes, new regional and bilateral mechanisms have been established and there have been moves to institutionalise EU consultations with local NGOs on a growing number of issues.

The first EaP Civil Society Forum was organised in November 2009 by the European Commission and was attended by 200 organisations, including 140 from partner countries. Since then, the Forum has been convened annually; in Berlin in 2010,

8. In 2008-2010, the EU Delegation in Moldova accepted applications in English, in the state language of the Republic of Moldova or Russian. However, this practice has been discontinued.
9. See relevant country reports of FRIDE’s study on assessing democracy assistance worldwide: J. Boonstra, ‘Assessing Democracy Assistance: Georgia’, FRIDE Project Report, June 2009; B. Jarabik and A. Rabagliati, ‘Assessing Democracy Assistance: Belarus’, FRIDE Project Report, June 2009; and N. Shapovalova, ‘Assessing Democracy Assistance: Ukraine’, FRIDE Project Report, June 2009. See also a more recent report by I. Bekeshkina and P. Kaźmierkiewicz, *Making Ukrainian Civil Society Matter: Enabling Ukrainian NGOs to absorb international assistance. A review of capacity gaps and needs for institutional support* (Warsaw: Institute of Public Affairs, 2012), pp. 40-41.
10. Re-granting should be a part of a bigger operational project and cannot exceed more than 50% of the grant and more than €10,000 per organisation, and not more than €100,000 per total budget. See V. Řiháčková, ‘EU Democracy Assistance through Civil Society - Reformed? The design of the Community Financial Instruments for the first half of the Financial Perspective 2007-2013’, Research study for The Evaluation of Visegrad Countries’ Democracy Assistance (Prague: PASOS, 2008), <http://pasos.org/157/eu-democracy-assistance-through-civil-society-reformed/>, accessed 30 September 2012.

in Poznań in 2011 and in Stockholm in 2012. A Steering Committee has ensured the continued work of the Forum by representing it externally in EU institutions and both EU and EaP states, developing its strategy and overseeing communication within the Forum itself. The Forum is divided into four working groups dealing with democracy; economic integration; climate change and energy security; and contacts between people. A fifth working group on social dialogue was created during the 2012 meeting in Stockholm. Sub-groups have been established to deal with issues such as corruption, public administration reform and visa liberalisation.

The Forum has gradually raised more funding for its work. Initially, the European Commission funded only the annual Forum meetings, as well as meetings of the Steering Committee and working groups. In 2012, the Commission decided to provide €1.2 million to fund the ongoing work of the Forum, including its communication, monitoring and advocacy activities, its Secretariat (now registered as an international non-profit organisation in Belgium) and the work of the six national platforms.<sup>11</sup> The Czech government also granted €100,000 for projects by working groups one and four.

The post-Arab Spring goal set by the European Commission and the EEAS of establishing partnerships with society partly took the form of making EU aid 'more accessible' to CSOs through a Civil Society Facility. These institutions have also worked towards creating a European Endowment for Democracy (EED). As the EED begins work in 2013 it promises to provide quick and flexible support to a broader range of actors, including political movements and non-registered NGOs that are not financed under other EU aid instruments. The High Representative and Commission have also talked of reinforcing human rights dialogues and promoting media freedom by supporting CSOs' internet access and use of information communications technologies.<sup>12</sup>

The Commission allocated €26.4 million to the Neighbourhood Civil Society Facility (NCSF) for 2011, to cover the Eastern and the Southern regions. For 2012-2013, the Commission pledged €23.3 million for the Eastern neighbourhood (€13.3 million for 2012 and €10 million for 2013). According to the Commission, the Facility aims 'to encompass and reinforce in a comprehensive way existing initiatives of support to non-state actors in the Neighbourhood, complemented with new elements' as well as to 'move beyond simply providing financial support to non-state actors, towards enhancing engagement with civil society and increasing its involvement in the policy dialogue at the partner country level'.<sup>13</sup>

The EU has defined non-state actors extremely broadly to include non-governmental organisations; organisations representing national and/or ethnic minorities; local citizens' groups and traders' associations; cooperatives, trade unions, organisations representing economic and social interests; local organisations (including networks) involved in decentralised regional cooperation and integration; consumer organisations, women's and youth organisations, teaching, cultural research and scientific organisations; universities;

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11. €915,000 for the activities of the national platforms are provided from the 2011 NCSF budget and €250,000 for the EaP CSF Secretariat's work are provided from the 2012 NCSF budget.

12. European Commission and High Representative of the EU for Foreign Affairs and Security Policy, *A New Response to a Changing Neighbourhood. Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, Brussels, 25 May 2011, COM(2011) 303.

13. European Commission, *Action Fiche for Neighbourhood Civil Society Facility 2011*, Brussels, 2011.



churches and religious associations and communities; the media; cross border associations, non-governmental associations and independent foundations.<sup>14</sup> This broad definition seeks to rebut previous criticisms that the EU was wedded to an unduly restrictive notion of civil society.

The three main objectives of the Facility are to strengthen non-state actors and contribute to promoting an enabling environment for their work; to increase non-state actors' involvement in programming, implementation and monitoring of EU assistance and policies in the region; and to promote the involvement of non-state actors in policy dialogue and increase interaction between non-state actors and authorities at the national level.

The division of labour between the NCSF and the NSA-LA is that the former aims for CSOs' capacity-enhancement including support for the setting up of new organisations, advocacy, monitoring efforts and legal drafting skills; the latter funds projects in which CSOs together with local authorities seek to improve the delivery of administrative services.

The Facility consists of three components. The first component assists in capacity building for non-state actors. The second component funds regional and country projects by non-state actors, thus supplementing the funding under already available tools such as EIDHR, NSA-LA and ENPI. The third component aims to increase the involvement of non-state actors in policy dialogues and in the implementation of bilateral programmes between the EU and selected neighbouring countries.<sup>15</sup>

To implement the first component, the Commission has provided technical assistance in building the capacities of non-state actors in the Eastern neighbourhood region. From the 2011 NCSF budget, it allocated €3.5 million for assistance that would include mapping the needs and capacities of the non-state actors in EaP countries and capacity building activities. As a result of this call, eight consortia were shortlisted by the Commission in October 2012, of which six represent European consultancy firms. The Commission set a requirement that the consortium must have partners in all six EaP countries; the eligibility criteria relating to the economic and financial capacity of the bidders and the complexity of the process make it difficult for all but large and rich non-profit organisations (such as the German party foundations) to compete for such initiatives.

In 2012, the first country-based calls for proposals under the Civil Society Facility were made by the EU Delegations in all six countries. The modalities of aid delivery are largely unchanged. The size of grants varies between €50,000 and €350,000 per project with a duration of between 18 and 36 months. Both European and partner countries' organisations may be funded. The co-funding criterion has been kept with the Commission financing a maximum 90 per cent of a project budget. The application process is managed in English only. On a positive side, the Commission has envisaged the possibility of sub-granting (except in Azerbaijan<sup>16</sup>). The first projects have been selected in Azerbaijan, Belarus, Georgia and Moldova. In Azerbaijan, for instance, two projects were supported, both receiving over

14. See Article 14. 'Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument', *Official Journal of the European Union*, 9 November 2006, L 310/1.

15. Commission, *Action Fiche*.

16. European Commission, *Neighbourhood Civil Society Facility 2011. Call on Public Finance Policy and Management. Azerbaijan. Guidelines for grant applicants*, 8 December 2011, EuropeAid/132261/L/ACT/AZ.

€200,000 from the Facility; one is to be implemented by UK's Oxfam and another by the Baku-based Entrepreneurship Development Foundation. In Belarus, in addition to projects selected through an open call, direct awards to human rights groups were made.

The choice of sector priorities largely reflects the logic of EU cooperation with the government in the EaP countries rather than being driven by local democratic actors. The priorities of the country calls vary, with attention paid to local self-governance in Armenia, public financial management in Azerbaijan and public administration reform and services in Ukraine.

In addition, ten regional projects were supported in the Eastern neighbourhood with funding of over €7 million, and some money came from the 2012 NCSF budget. The projects' focus is on involving CSOs in environmental governance, media reform, anti-corruption policies, peace-building, participation of vulnerable groups in policy making, support to CSOs networks and monitoring activities, as well as support to the EaP CSF national platforms.<sup>17</sup> The regional call for proposals also demonstrated that EU funding is in high demand: the success rate was no more than 10 per cent.

In the coming two years, the NCSP is to focus on greater engagement of CSOs in implementing bilateral cooperation programmes. This is set to include CSOs involvement in policy dialogues and sector budget support, support to CSO twinning programmes to build capacities of civic organisations in EaP countries and activities of the EaP CSF. The Commission has responded to variation in civil society needs in the respective EaP countries by providing the largest amount of support to two difficult environments – Azerbaijan and Belarus. In addition to the 2012-2013 NCSF allocations Belarus will also receive aid to civil society through an ENPI-funded special measure 'Support to civil society in Belarus' with indicative budgets of €2.3 million in 2012 and €1.2 million in 2013.

**Table 3. Neighbourhood Civil Society Facility allocations for the Eastern Partnership countries in 2011-2013 (in EUR)<sup>18</sup>**

COMPONENT	2011	2012	2013
Regional projects	5,000,000	3,400,000	3,700,000
Technical assistance to capacity building (regional)	3,500,000	-	-
Country-based projects (total)	5,800,000	9,980,434	6,300,000
Armenia	350,000	850,000	850,000
Azerbaijan	500,000	3,630,434	1,500,000
Belarus	2,300,000	2,000,000	1,000,000
Georgia	500,000	1,500,000	950,000
Moldova	150,000	-	-
Ukraine	2,000,000	2,000,000	2,000,000
Total ENP-East	14,300,000	13,380,434	10,000,000



17. P. Mikos (DG Devco, European Commission), 'EU support to civil society in the Eastern Partnership', presentation delivered at the Eastern Partnership Civil Society Forum, Stockholm, 29-30 November 2012.

18. 2011 figures are extracted from the calls for proposals registered on the European Commission's DG Devco webpage. 2012-2013 figures are indicative allocations. See European Commission, *Commission Implementing Decision on the Special Measure: Eastern Neighbourhood Civil Society Facility 2012-2013 to be financed of the general budget of the European Union*, Brussels, 27 November 2012, C(2012) 8526 final.

The idea of establishing the European Endowment for Democracy was advocated by Poland during its EU presidency in 2011. In December 2011, the Council agreed upon the main principles for the creation of the EED. The EED has recently been established as an international non-profit organisation with its seat in Brussels. To launch the EED, the Commission allocated €6 million from the ENPI; Poland and Sweden pledged €5 million each, and several other member states pledged smaller contributions. The EED will be supervised by representatives of all member states and EU institutions, along with representatives of civil society who will sit on the EED Board.<sup>19</sup>

The EED is expected to be able to provide flexible and rapid democracy support, with an initial geographic focus on the EU's immediate neighbours. The EED will purportedly work as a private grant-making foundation providing support to actors that are currently excluded from EU support, such as 'journalists, bloggers, non-registered NGOs, political movements (including those in exile or from the diaspora)'.<sup>20</sup> It will primarily target countries not yet undergoing or still at a very early stage of transition to democracy.<sup>21</sup> Funding rules are still to be announced. Differences exist on how overtly political the EED should be.<sup>22</sup>

The EED would contribute added value to European democracy promotion if it were able to provide a rapid response to political situations in third countries, intervening where other EU tools are unable to. The EED should also be able to take risks and provide support to emerging political parties, non-registered initiatives and small local groups. From its position on the ground and first-hand knowledge of evolving local contexts, the EED will be able to work closely with local beneficiaries and experts. It will need to demonstrate that it is a Europe-wide instrument, showing the solidarity and commitment of EU member states to democracy support. For the EED to function successfully, new sources of funding should be mobilised as opposed to redirecting Commission funds currently targeted elsewhere.<sup>23</sup>

At the bilateral level, the EU has further institutionalised consultations run by delegations in EaP countries on EU assistance priorities and implementation of the ENP. Human rights dialogues now exist with Georgia, Armenia, Moldova and Belarus (although the dialogue with Belarus has been held only once, in 2009). In the case of Ukraine and Azerbaijan, human rights are discussed at the Sub-Committees on Justice, Freedom and Security within the PCA framework; these now last a full two days. In line with EU human rights guidelines, EU representatives meet with local and international NGOs prior to human rights dialogues. The EU also holds civil society seminars convening local and EU human rights groups prior to dialogue meetings, as well as inviting civil society representatives to attend the dialogue as observers where possible (given the consent needed from an EaP state). In addition, the EU Commissioner for the ENP and Enlargement Stefan Füle regularly meets with civil society representatives during his visits to EaP countries.

19. H. Kostanyan and M. Nasieniak, 'Moving the EU from a Laggard to a Leader in Democracy: The Potential Role of the European Endowment for Democracy', CEPS Policy Brief 273 (Brussels: CEPS, 2012), <http://www.ceps.eu/ceps/dld/7064/pdf>, accessed 30 September 2012.

20. European Commission, 'The European Endowment for Democracy – Support for the unsupported', Press release, 12 November 2012, IP/12/1199, [http://europa.eu/rapid/press-release\\_IP-12-1199\\_en.htm](http://europa.eu/rapid/press-release_IP-12-1199_en.htm), accessed 15 November 2012

21. S. Richter and J. Leininger, 'Flexible and Unbureaucratic Democracy Promotion by the EU? The European Endowment for Democracy between Wishful Thinking and Reality', SWP Comments (Berlin: German Institute for International and Security Affairs, 2012), [http://www.swp-berlin.org/fileadmin/contents/products/comments/2012C26\\_rsv\\_Leininger.pdf](http://www.swp-berlin.org/fileadmin/contents/products/comments/2012C26_rsv_Leininger.pdf), accessed 10 November 2012.

22. *Ibidem*.

23. R. Youngs and K. Brudzinska, 'The European Endowment for Democracy: will it fly?', FRIDE Policy Brief 128, May 2012.



In the case of Belarus, EU institutions have well-established relations with the opposition and increasingly try to consult with civil society groups. In March 2012, the European Commission launched the European Dialogue on Modernisation at a meeting in Brussels with representatives of Belarusian civil society and political opposition. Issues of political and judiciary reform, people-to-people contacts, economic and social policy, and trade are to be discussed through this Dialogue. The Dialogue looks ineffective so far, with only a few think tanks involved, the opposition lacking capacity to be fully involved and continuing disagreement about the participation of government officials.<sup>24</sup>

It is also expected that the Association Agreements between the EU and the EaP countries will contain provisions on civil society, in which commitments will be made to push for a more favourable environment for civil society protection. The EU-Ukraine Association Agreement - already initialled but not signed due to the political situation in Ukraine - contains a chapter on cooperation for the development of civil society.<sup>25</sup> The text also envisages the establishment of a bilateral civil society platform to monitor the implementation of the agreement. This will be a site for the exchange of ideas and will interact with institutions created by the agreement: the EU-Ukraine Association Council, Association Committee and Parliamentary Association Committee. The European Economic and Social Committee will be responsible for EU representation in this platform.<sup>26</sup> Given that these provisions are replicated in the Association Agreements with other EaP countries, civil societies in the Eastern neighbourhood will receive an institutionalised mechanism of influence over the implementation of the Agreements.

In September 2012, the European Commission published a communication outlining its vision of Europe's engagement with civil society in external relations which was endorsed by the EU Council a month later.<sup>27</sup> The document offers the first systematic overview of the EU's goals and priorities for cooperation with civil society organisations in relations with third countries. The Commission sees civil society as 'a crucial component of any democratic system and [...] an asset in itself'. The document defines civil society organisations as: 'all non-State, not-for-profit structures, non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic.' It also recognises agents of change in 'new and more fluid forms of citizens and youth actions' such as the Arab Spring and the Occupy movements.

In short, the Commission has set three priorities for EU support to civil society: to enable a favourable climate for civil society actors; to promote civil society participation in policy making both in-country and at the international level; and to enhance the role of civil society actors in development. The Commission envisages a wide range of tools to promote these priorities starting from political dialogue with third countries, assistance to civil society organisations and concerted international action to promote civil society. At the

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24. See G. Martynov, 'The National Platform is ready to become the engine of the Dialogue on Modernization', *EuroBelarus*, 18 October 2012, [http://eurobelarus.info/en/news/society/2012/10/18/National\\_Platform.html](http://eurobelarus.info/en/news/society/2012/10/18/National_Platform.html), accessed 1 December 2012; T. Korovenkova, 'Yahoraw: Dialogue on Modernization may become negotiation platform', *BalaPAN*, 24 October 2012, [http://en.belapan.com/archive/2012/10/24/eu\\_582693/](http://en.belapan.com/archive/2012/10/24/eu_582693/), accessed 1 December 2012.

25. O. Sushko (ed.), 'EU-Ukraine Association Agreement: Guideline for Reforms', Konrad Adenauer Stiftung Policy Paper 20, 2012, p. 22. See also Chapter 26. Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, [http://glavcom.ua/pub/2012\\_11\\_19\\_EU\\_Ukraine\\_Association\\_Agreement\\_English.pdf](http://glavcom.ua/pub/2012_11_19_EU_Ukraine_Association_Agreement_English.pdf), accessed 6 December 2012.

26. For details see articles 469-470, Title VII. Institutional, General and Final Provisions, Association Agreement. Civil society institutions will also be involved in implementation of provisions of chapter 13 on Trade and Sustainable Development (Article 299. Civil society institutions, Title IV. Trade and trade-related matters).

country level, the EU is to develop EU roadmaps for engagement with CSOs that should help coordination and best practice exchange with EU member states and other donors.

For the future financial perspective period of 2014 -2020, the EU plans to increase its aid to democracy promotion. The reformed European Neighbourhood Instrument is set to reach €18 billion, compared to €11 billion in the current financial perspective period. The Commission plans to extend the ‘more for more’ principle and increase flexibility. For example, an ad hoc review of programming is envisaged in the event of crises or threats to democracy. In persistent cases of breaches of democratic principles, aid may be suspended.<sup>28</sup> The EIDHR budget is planned to reach €1.6 billion for seven years, compared to €1.4 billion for the current period. The Commission proposes to boost the flexibility of EIDHR funding and develop a stronger focus on the most difficult countries and urgent situations. This implies funding to informal initiatives, more flexible re-granting and the possibility to award funds without calls for proposals in difficult countries such as Belarus.<sup>29</sup>

The failure of top-down Europeanisation and democratisation in EaP countries combined with the events in the Southern neighbourhood have led to a re-assessment of the EU’s democracy promotion policy. The EU realised that it also needs to build partnerships with societies, not just governments, and that support to non-state actors should receive more attention in EU strategies for promoting political reform in the neighbourhood. In terms of policy, the first steps were the EU’s vision of an enhanced role for non-state actors, which led to the creation of the EaP Civil Society Forum; raising the budget of existing aid instruments; and increasingly consulting local CSOs. In reaction to the Arab Spring, the EU has developed new instruments of democracy promotion that aim to involve a wide range of actors and help them to develop the capacity to influence reforms and policies in their countries.

## Challenges

»» The overview of EU policy of democracy promotion in the Eastern neighbourhood and engagement with civil society shows that until very recently EU support to civil society groups in the region was mainly directed towards the promotion of narrowly delineated rights and sustainable development. The development of civil societies in the neighbouring countries as an asset itself or as a powerful means of

27. European Commission, *The roots of democracy and sustainable development: Europe’s engagement with Civil Society in external relations. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions*, Brussels, 12 September 2012, COM(2012) 492 final; *Council of the European Union, Council conclusions on The roots of Democracy and sustainable development: Europe’s engagement with Civil Society in external relations*, 3191st Foreign Affairs Development Council meeting, Luxembourg, 15 October 2012.

28. European Commission, *Proposal for a Regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument*, Brussels, 7 December 2011, COM(2011) 839 final, 2011/0405 (COD).

29. European Commission, *Proposal for a Regulation of the European Parliament and of the Council establishing a financing instrument for the promotion of democracy and human rights worldwide*, Brussels, 7 December 2011, COM(2011) 844 final, 2011/0412 (COD). See also European Commission, Development and Cooperation – Europeaid, ‘Myths and facts about EU budget and external cooperation’, [http://ec.europa.eu/europeaid/how/finance/mff/myths-eu-budget\\_financial-instruments\\_en.htm](http://ec.europa.eu/europeaid/how/finance/mff/myths-eu-budget_financial-instruments_en.htm), accessed 8 December 2012.

democratisation has become an EU policy objective more recently, prompted both by changes in the Southern neighbourhood and the failure of top-down reforms.

It is difficult to gauge the impact of the EU's efforts on civil society in general. The EU has empowered certain types of civil society actors, mainly NGOs that are either social services providers or political watchdogs. The modalities of EU aid delivery ensure that mainly well-established, resourceful and highly professional NGOs are those that have directly benefited from EU funding. Additionally, well-resourced NGOs and think tanks usually play the most active role in consultation practices led by the EU as they are better prepared to provide information and expertise on different issues connected to the state of reform in EaP countries.

Until recently, EU tools largely focused on vulnerable groups' rights promotion and sustainable development rather than the strengthening of civil society organisations' capacities to represent societal interests and participate in policy-making channels. Capacity-building of civil society actors was more explicitly prioritised as an objective of EU aid for non-state actors only in 2011, when the NCSF was established. In the future, the EED is tasked to provide more flexible and timely support to a broader range of actors in the whole neighbourhood and especially in the difficult political contexts.

Apart from aid provision, the EU's engagement with civil society in the Eastern neighbourhood also increasingly takes the form of consulting NGOs as partners in the dialogue between the EU and partner countries. In this regard, the growing role of the EU Delegations from Minsk to Yerevan in managing grant-making processes, facilitating consultations with local civil society about funding opportunities and priorities and evaluating the aid success on the ground is a positive trend. With the establishment of the EEAS, EU statements made both from Brussels and EU delegations in response to concrete cases of violations against civic society representatives have become more frequent and timely.

In order to fulfil the priorities outlined in the September 2012 Commission's communication on engagement with civil society in external relations, the EU should build on its successes and continue reshaping its democracy promotion policy through stronger civil society support. It can further improve its policies in a number of ways.

First, the EU needs to streamline its aid modalities far more than it has in recent years. The granting system is too burdensome and complicated for local but also for many European NGOs. The introduction of sub-granting is very positive news and the focus on capacity building is widely appreciated. But the EU still seems to rely mostly on for-profit consultancies in providing technical assistance to local actors in the region. This militates against links between EU and Eastern European civil society organisations.

Second, the EU must pay greater heed to the ways in which the legal and political climate for civil society remains unfavourable in the Eastern neighbourhood. Despite the commitments undertaken in ENP Action Plans, little has been achieved with regard to promoting a better environment for civil society in the most problematic countries. For example, while the EU-Azerbaijan ENP Action Plan explicitly commits to improving the procedures of CSO registration, the parliament in Baku has adopted a restrictive NGO law that has reduced the number of CSO regis-

trations.<sup>30</sup> NGOs have few or no tax benefits and confront unfriendly regulation of their economic activities. Post-soviet countries have one of the lowest levels of corporate and individual philanthropy. Government funding to NGOs, mainly those providing social services, is on the rise in some countries; the GONGO (a government-organised NGO) phenomenon is now much more prevalent in the region. Meanwhile, foreign-funded NGOs are occasionally tarred by politicians and some media as foreign agents and traitors of the national interest.

Following the pattern of the EU-Ukraine Association Agreement, the EU should include provisions on civil society development as well as bilateral civil society platforms in the texts of the similar agreements which are under negotiation with other EaP countries. The EU should also put more emphasis on civil society laws in its bilateral and multilateral political dialogue with the EaP states. The EU Delegations should prioritise this issue in the future country roadmaps on engagement with CSOs and the EaP Multilateral Platform on Democracy, Good Governance and Stability should include this issue on its agenda.

Third, it is also necessary to involve civil society in the consultations related to the Association Agreement negotiation process and to encourage more discussion on the future content and provisions of the agreements. NGOs can help to inform a wider public about the benefits of the future agreement, cultivating public demand for further integration with the EU.

Fourth, the EU must rectify the dearth of dialogue and cooperation between NGOs and government bodies. Recent years have witnessed virulent mistrust and in some cases the systematic persecution of civil society representatives. NGOs at the provincial level are particularly weak, beset by pressure from local authorities. The situation varies by country. Azerbaijan and Belarus exhibit the most difficult relations between the state and NGO sector; Moldova, Georgia and Ukraine have registered some improvements. The EU should support such dialogue much more. Every aid project to government should contain an element of public consultation with stakeholders and involve expertise from civil society. Public participation in the policy process should be one of the criteria for awarding increased sector-based assistance.

Fifth, low public trust in NGOs and low citizen engagement in associational life still blight democratic quality in post-soviet countries. NGOs heavily dependent on foreign funding often lack strong incentives to engage with a broader public, incentivise volunteering or raise individual donations. Funding should be transparent. Community-based approaches to development can be made to enhance local democratic governance. Groups that work with volunteers or raise funds among populations should be targeted. European donors should also cooperate with local philanthropists where possible. The EED must show itself free of government interference so as to fulfil these tasks with success.

Sixth, the EU and member states still need to find ways to react to more fluid forms of activism in the region, beyond a few generic rhetorical promises to do so. A whole

30. USAID, *The 2011 CSO Sustainability Index for Central and Eastern Europe and Eurasia. 15th Anniversary Edition* (Washington: USAID, 2012), p. 30, [http://transition.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/reports/2011/2011CSOSI\\_Index\\_complete.pdf](http://transition.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/reports/2011/2011CSOSI_Index_complete.pdf), accessed 20 October 2012.

plethora of local-level campaigns, such as those recently in Ukraine over construction plans at historical or green sites, have failed to elicit European support – despite these being the region’s most vibrant arena of politics. Donors can retain neutrality without ignoring such expressions of locally-driven demands for more influence over policy making. European donors should design their programmes in a way that encourages the cooperation of local professional NGOs with such unregistered initiatives or movements. They can do so by providing them with the advice they need for their operations. The goal must be to build bridges between Western-funded professional ‘civil society’ and grass roots pro-democracy initiatives driven by endogenous factors.

Seventh, in such resilient cases as Belarus, the EU should aim to reach out to broader layers of society, going beyond political groups and pro-European NGOs. The inception of the Dialogue for Modernisation promoting discussions about Belarus’s future among civil society, opposition and government officials is a step in right direction. Opinion polls show that popular support amongst Belarusians for European integration has begun to rise again since the Dialogue was launched in March 2012.<sup>31</sup> But the EU still needs to make this new initiative fully effective. Even more projects aimed at youth mobility such as the EU Language Courses for Young Belarusians scheme launched in 2012, exchanges and cooperation in the fields of education, culture, sports and research are needed. The EU should also back up its support to people-to-people contacts by abolishing or at least halving visa fees to ordinary Belarusians.

Finally, the EU needs to devise its own monitoring and evaluation tools to assess the state of civil society in those countries where its aid is destined. So far, EU assessments of changes to civil society are at best limited to one or two paragraphs in the ENP Action Plans’ progress reports. Europe has nothing similar to the regular assessments of civil society provided by the USAID-led CSO Sustainability Index<sup>32</sup> or civil society scores for nations in transit made by independent US NGOs.<sup>33</sup> This is not to say that the EU should copy those tools, but there is a need for more systemic knowledge about civil society developments in neighbouring countries as a precursor to more effective support schemes and evaluation procedures. This knowledge would provide a more solid base for the country roadmaps on engagement with CSOs envisaged by the Commission.



31. Belarusian Institute for Strategic Studies (BISS), ‘The Return to Europe’, Polling Memo, October 2012, [http://www.belinstitute.eu/images/doc-pdf/biss\\_pmo4\\_2012en.pdf](http://www.belinstitute.eu/images/doc-pdf/biss_pmo4_2012en.pdf), accessed 21 November 2012. If asked to vote in a referendum for a union with Russia or for joining the EU, 44.1% of respondents voted for the EU and 36.2% for Russia in October 2012. It was the first time since early 2011 that pro-EU choices gained ground. The prior downward trend was linked to EU sanctions towards Belarus, according to BISS experts. Belarusian analysts attribute the current shift to the EU’s Dialogue for Modernization for Belarus launched in March 2012, on the one hand, and the absence of Russia’s economic support to Belarus and tangible benefits from Belarus membership in the Common Economic Space.

32. USAID’s CSO Sustainability Index for Central and Eastern Europe and Eurasia analyses and assigns scores to seven dimensions of CSOs’ sustainability: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. See USAID, ‘The 2011 CSO Sustainability Index for Central and Eastern Europe and Eurasia’, [http://transition.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/](http://transition.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/), accessed 20 October 2012.

33. Freedom House’s ‘Nations in Transit’ annual reports analyse the degree of political change in the post-communist world based on seven categories such as national and local democratic governance, elections, media, civil society, judiciary and corruption. The civil society score reflects the growth of NGOs, their organizational capacity and financial sustainability, and the legal and political environment for NGOs, the growth of free trade unions and participation of interest groups in the policy process. See Freedom House, ‘Nations in Transit’, <http://www.freedomhouse.org/report-types/nations-transit>, accessed 20 October 2012.



# Conclusion

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» In recent years the EU has boosted the level of support to civil society actors in democracy promotion and modestly improved the modalities of its funding. However, the EU still faces a number of challenges: it must further improve the balance between aid going to state and non-state actors; it must continue reforming funding procedures and broaden its role beyond that of a provider of grants to a limited number of NGOs; it should develop modes of support to more fluid and spontaneous civil society initiatives, such as issue-based grass-roots movements; it should increasingly involve civil society actors in designing and implementing its policies and aid programmes to governments in the region; it should build bridges between civil society, political society and state authorities; it must use diplomatic tools and international arrangements to promote a conducive environment for civil society organisations, especially in the most difficult political contexts; and, for that, it needs more systematic and participatory evaluations of civil society developments and the impact of its own aid. The EU should find ways to reach out to societies in the Eastern neighbourhood, including those groups that do not embrace European values. The EU deserves much credit for moving its democracy policies in the right direction; but much more needs to be done for such tentative steps to make a tangible difference to those desirous of better quality democracy in the Eastern neighbourhood.

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