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- NATION BRANDING
- SOFT POWER
- VALUES OR BUSINESS?

Protracted Conflicts

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EU VALUE PROMOTION AND THE 'ASSOCIATED' EASTERN NEIGHBOURHOOD: STATE OF THE ART, LEGITIMACY CHALLENGES, AND PROSPECTS FOR THE FUTURE

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The article explores the state of the EU's value promotion in the 'associated' Eastern Neighbourhood countries (Ukraine, Moldova, and Georgia) with a special emphasis on legitimacy challenges, arising due to the current 'overlapping' crises in the EU. The contribution identifies conceptual clarity of foundational values, an emphasis on functional cooperation, stronger linkage among conflict resolution, stabilization, and the rule of law in the Neighbourhood Policy (ENP), and a stronger citizen involvement in the ENP-led initiatives as the major opportunities for the EU to learn from the current crises, intensify its value promotion in the neighbourhood, and strengthen the legitimacy dimension of the ENP.

Introduction

The year 2017 has evidently witnessed a continuous 'endurance test' for the European integration project. The growing support for far-right parties in the parliamentary elections in France, Germany, and Austria; the 'rule of law crises' in Poland and Hungary, tough 'Brexit' negotiations, and an uncertain future of Catalonia are capturing headlines. Noteworthy, all the above phenomena are inextricably linked to the crisis of European foundational values (democracy, human rights, and the rule of law), brought about

by the member states' conflicting views over the immigration and asylum policies. While the Czech parliamentary elections' winner Andrej Babis is seeking a wide anti-immigration coalition¹, it may be a temptation for the German Kanzlerin Angela Merkel to admit: "Wir schaffen das nicht" (We can do it)² and look for a new balance between stability and commitment to the foundational values.

At the same time, the liberal EU suffers from the lasting geopolitical tension with revisionist Russia over the Ukraine crisis.

¹ K. O'Donell, *Anti-immigrant Forces Gain Ground in Europe*, "POLITICO", 22 October 2017 [https://www.politico.com/story/2017/10/22/europe-far-right-czech-election-nationalism-244031]

² "Wir schaffen das" (*We can do it*) is a famous statement, epitomizing Angela Merkel's decision to open borders to migrants and a call for perceiving an influx of refugees as an opportunity, rather than a threat. The statement was first made at the Federal Conference (Bunfeskonzferenz) on 31 August 2015.

In view of Eurosceptics' pressure to lift sanctions over Russia and still existing thoughts about the 'Economic Space from Lisbon to Vladivostok'³, it might be also tempting to sacrifice commitments to international law principles and re-launch the EU-Russia rapprochement. Will the Union endure and continue its value-based Neighbourhood Policy in Ukraine, Moldova, and Georgia? Is the Union-in-turmoil still a legitimate value promoter? And what are the opportunities for the EU value promotion in the Eastern Neighbourhood?

Values in the EU Neighbourhood Policy

As a 'value-based' community, the European Union indicates multiple functions values play in its foreign policy in general and the European Neighbourhood Policy (ENP) in particular.

1. Constituting and directing the EU identity and power: The concept of legitimacy

Foremost, the commitment to the values "which are generally acknowledged, within the United Nations system, to be universally applicable" serves as the foundation for the Union's international identity and, subsequently, its normative power.⁴ The values' role for the EU and their commonness for its members are stipulated in Art.2TEU, while their 'guiding role' for the Union's external action is provided in Art.21(1) TEU.⁵ Moreover, Art.21(2)(b) TEU grants

the consolidation of the foundational values the status of the objective of the EU's external action.⁶ The above commitments constitute the basis for the EU's normative power. The normative power concept stems from the fact that "the EU is not only constructed on a normative basis, but the concept predisposes the EU to act in a normative way on the international arena".⁷ Its substance is, therefore, represented by the ability to influence norms in third states' domestic policies through multifaceted instruments that range from the unintended diffusion (contagion) to procedural diffusion (institutionalization of relationships with third states).⁸

Legitimacy has always been viewed as a crucial concern for the EU's normative power. A famous Bickerton's discussion on the legitimacy of the EU's normative power is founded upon the Habermasian three sources of political legitimacy: the utilitarian "pragmatic justification", "social norms" justification, and "moral norms" justification.⁹ Overall, the major concerns, already expressed with regard to the legitimacy of the EU's normative power, include the concept's similarity to the EU's self-descriptions, the militarization of the EU's power, as well as the non-universal nature of the promoted values and the Union is hiding self-interest under the mask of values.¹⁰ The above issues tend to seriously harm the 'force for good' brand created by the EU, and will be further addressed in the analysis.

³ HL-15 - *The EU and Russia: Before and Beyond the Crisis in Ukraine*, UK Parliament, London: The Stationery Office Limited, 2015.

⁴ See: I. Manners, *The Normative Ethics of the European Union*, "International Affairs", 84(1), 2008, pp. 46-60.

⁵ Consolidated version of the Treaty on European Union, Art.2, 21, 2010 O.J. C.83.1, [http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012M/TXT&from=en access: 25 August 2017]

⁶ *Ibid*, Art.21.

⁷ H. Sjursen, *The EU as a 'Normative Power': How Can This Be?* "Journal of European Public Policy", 13(2), 2006, pp. 235-251.


⁸ I. Manners, *Normative Power Europe Reconsidered: Beyond the Crossroads*, "Journal of European Public Policy", 13(2), 2006, pp. 182-199.

⁹ C. J. Bickerton, *Legitimacy through Norms: The Political Limits to Europe's Normative Power*, [in:] R. Whitman (ed.), *Normative Power Europe: Empirical and Theoretical Perspectives*, London: Palgrave MacMillan, 2011, pp. 25-42.

¹⁰ *Ibid*, pp. 40-42.

II. Constituting and directing the EU's relations with the neighbours: The concept of value promotion

Launched following the European Union's 'big bang' enlargement, the ENP was repeatedly addressed in scholarship as one of the EU's most ambitious value-driven normative power exercises.¹¹ Extrapolating its own founding values to the relations with the neighbours, the EU emphasizes the shared nature of the values and their constitutive importance for the special relationship with its neighbours. Subsequently, the 2015 ENP review and the regulation establishing the European Neighbourhood

 **The value promotion can be defined as the Union's purposeful application of a multifaceted toolbox aimed to advance the state of democracy, rule of law, human rights, and further values in non-member states.**

Instrument (e.g., Art.1(4), 2(1), and 2(2)(a) of the ENI Regulation) repeatedly mention the foundational values as objectives and areas of the Union's political dialogue and cooperation with the neighbours, and the Union's promotion activities.¹²

The important concept arising in this regard is value promotion. The value promotion can be defined as the Union's purposeful

application of a multifaceted toolbox (including political dialogue, launching and supporting various forms of cooperation with different stakeholders in a third state, unilateral financial and technical assistance instruments, etc.), aimed to advance the state of democracy, rule of law, human rights, and further values in non-member states.

III. Values in the EU Conditionality Policy: Towards the Undefined

One of the most broadly discussed instruments of the Union's value promotion is its conditionality policy. As argued by Kochenov and Basheska, notwithstanding the neighbours' subscribing to the shared values, the only way to make values operational lies in the application of the conditionality policy, based on the principles of differentiation and incentives and to a large extent borrowing the pre-accession structures.¹³ The key conceptual problem, shared by both the pre-accession and ENP conditionality, deals with the lack of unified benchmarks to assess the state of the foundational values in partner states and monitor respective progress.¹⁴ On the one hand, the Commission's case-by-case assessment of the state of democracy, rule of law, and human rights could be considered a virtue, allowing for a targeted approach to each state and a space for political manoeuvre and changing policy emphases. On the other hand, converting the conditionality policy into a journey towards the undefined implies a higher

¹¹ See, for instance: H. Hiski, *The European Union as a Regional Normative Hegemon: The Case of European Neighbourhood Policy*, [in:] R. Whitman (ed.), *Normative Power Europe: Empirical and Theoretical Perspectives*, London: Palgrave MacMillan, 2011, pp. 45-64.

¹² *Regulation (EU) No 232/2014 of the European Parliament and the European Council of 11 March 2014*, establishing a European Neighbourhood Instrument, [<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0027:0043:EN:PDF> access: 10 October 2017]; Review of the European Neighbourhood Policy, Joint Communication from the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Brussels, 18 November 2015, JOIN 2015 (50), final.

¹³ D. Kochenov, E. Basheska, *ENP's Value Conditionality from Enlargements to Post-Crimea*, "CLEER Papers", 2015/1, pp. 1-24.

¹⁴ D. Kochenov, *The ENP Conditionality: Pre-accession Mistakes Repeated*, [in:] L. Delcour, E. Tulmets (eds.), *Pioneer Europe? Testing EU Foreign Policy in the Neighbourhood*, Baden-Baden: Nomos, 2008, pp. 105-120.

risk of insufficient thresholds for advancing the EU's relations with a third state, also negatively affecting the Union's credibility of an international value promoter.¹⁵

Actual State of the EU's Value Promotion in the Eastern Neighbourhood

At first sight, the picture of the EU's value promotion in the 'associated' Eastern Neighbourhood countries may seem cloudless: The Association Agreements are operational; the dialogue and cross-border cooperation are intensifying; reforms are being implemented; citizens may experience all the virtues of European values in visa-liberalized and low-cost modes. Nevertheless, a slightly stronger magnification would reveal a number of intertwined problems, challenging the ENP's value promotion and preventing the EU from 'sponsoring' a genuine value-driven change in the neighbourhood.

Issue No 1. Policy 'ends': The lack of a membership perspective for the 'associated neighbours'

As compared to the Enlargement Policy, whose conditionality structures are borrowed by the ENP, the latter policy offers insufficient incentives for Eastern neighbours. Subsequently, in view of the high adoption costs, the neighbourhoods' governments prefer to conduct half-hearted 'cosmetic' reforms, rather than change the existing rules of the game. The issue of incentives is especially topical at this stage of the EU-neighbourhood relations, given the exhaustion of major incentives,

such as the launch of political Association, free trade, and free travel. The brightest example in this regard is Ukraine, which announced the striving for the Customs Union with the EU immediately after the Association Agreement's full entrance into force on 1st September 2017. Ukraine's seeking new incentives under the high costs of its European choice, stemming from the Russian aggression, testifies to the urgent need for the Union to develop new incentives for the value promotion in the region and increasing the speed of transition.¹⁶ New incentives targeting various stakeholders in the neighbourhood are also required due to the need to preserve and strengthen the 'utilitarian' and 'social preferences' dimensions of the EU's legitimacy in the neighbourhood.

Issue No 2. The lack of values' conceptualization under the ENP

As it was previously mentioned, the EU's reluctance to convert values into feasible standards makes it hard for the neighbours to systemically improve their adherence to such values. Moreover, the lack of respective standards means difficulties in ensuring objective assessment and monitoring of the state of the rule of law in partner countries, low thresholds for the foundational values¹⁷, and suffering legitimacy of the Union's value promotion. Thus, specifying the ends to be achieved by the partner countries is essential for the Union, along with introducing new policy incentives.

Issue No 3. Self-serving elites and weak institutions in the neighbourhood: The EU's communication with them

¹⁵ I. Ioannides, G. C. Celador, *The Internal-External Security Nexus and EU Police/Rule of Law Missions in the Western Balkans*, "Conflict, Security and Development", 2011, pp. 415-445; R. Youngs, Normative Dynamics and Strategic Interests in the EU's External Identity, "Journal of Common Market Studies", Vol. 42(2), 2004, pp. 415-435.

¹⁶ For the discussion regarding the speed of transition in the Eastern Neighbourhood, see: J. Langbein, T. Börzel, *Introduction: Explaining Policy Change in the European Union's Eastern Neighbourhood*, "Europe-Asia Studies", 2013, pp. 571-580.

¹⁷ See fn.14.

Despite the EU's efforts to reform the neighbourhood, domestic elites oppose the promotion of the operational rule of law institutions, such as an independent judiciary, functioning law enforcement agencies, and an effective public administration. As formulated by K. Hrant in his analysis of the Moldovan 'failing European integration', weak institutions "form the breeding ground for capture by oligarchs who have infiltrated Moldovan politics".¹⁸ Subsequently, despite 'cosmetic' reforms, directed at securing donor aid, Moldova hardly made any progress toward the rule of law. Interestingly, analysing the Moldovan case, Hrant emphasizes the EU's failure to efficiently use political dialogue as a tool to influence the elites and its attempts to solve this situation through high aid volumes.

The lack of domestic elites' game-changing political will can be also exemplified by the case of Ukraine. Notwithstanding Ukrainian explicit ambition for a stronger integration with the EU, transparent electoral rules, the abolition of the MPs' immunity, and the creation of an independent anti-corruption court are still the demands of street protests, rather than the genuine targets of political reform.¹⁹ While the EU repeatedly underlined the need for an independent anti-corruption court in Ukraine, similar to the case of Moldova, it failed to even rhetorically support the opposition's recent demands for the 'big political reform'.²⁰ Continuing weakness of institutions and respective

deficiencies of the Union's communication represent a crucial factor, shaping the EU's image in the eyes of the neighbourhood's citizens. EU support for corrupt elites and praising the achievements of integration under the terribly lacking rule of law and flourishing corruption are likely to be viewed by the citizens as a manifestation of the Union's hypocrisy.²¹ Thus, it is crucial for the Union to develop a clever legitimacy-friendly way to balance its commitments to values and the neighbourhood's stability, as well as link new ENP incentives to particular country-specific rule of law conditions.

Issue No 4. Geopolitical tensions and conflicts in the neighbourhood

The geopolitical conflict with the Russian Federation over the Eastern Neighbourhood represents a crucial obstacle to the Union's further politicization of the ENP and including a membership perspective thereto. From the perspective of offensive realism, the annexation of Crimea and ongoing aggression in Eastern Ukraine by Russia represent an immediate and foreseeable consequence of the NATO's Eastern enlargement and the ENP.²² Bearing in mind such causality and fearing a new Cold War, the EU tends to opt for sustaining the 'grey zone' status quo for Ukraine, Moldova, and Georgia. Moreover, in the era of an increasingly tough EU-Russia geopolitical competition, a continuing security and stability challenge is represented by the protracted conflicts, such as over

¹⁸ K. Hrant, *Why Moldova's European Integration Is Failing*, "CEPS Commentary", 2016 [<https://www.ceps.eu/publications/why-moldova%E2%80%99s-european-integration-failing> access: 20 October 2017]

¹⁹ O. Makarenko, *Kyiv Protests Fizzle out, Demands for Reform Replaced with Calls to Overthrow Poroshenko*, "Euro-aidan Press, News and Views from Ukraine", 24 October 2017 [<http://euromaidanpress.com/2017/10/24/from-demanding-reforms-to-calling-for-poroshenkos-impeachment-the-evolution-of-the-protests-in-kyiv/#arvlbdata> access: 28 October 2017]

²⁰ See, for instance: P. Williams, P. Polituyk, *Corruption Undermining Ukraine's Progress, EU's Juncker Says*, "Reuters", 13 July 2017 [<https://www.reuters.com/article/us-ukraine-eu-summit/corruption-undermining-ukraines-progress-eus-juncker-says-idUSKBN19Y10A> access: 24 October 2017]

²¹ See fn.18.

²² J. Mearsheimer, *Why the Ukraine Crisis Is the West's Fault?* "Foreign Affairs", 18 August 2014 [<https://www.foreignaffairs.com/articles/russia-fsu/2014-08-18/why-ukraine-crisis-west-s-fault> access: 20 October 2017]

Transnistria in Moldova, Abkhazia and South Ossetia in Georgia, as well as Luhansk/Donetsk in Eastern Ukraine. Consequently, the 2015 ENP Review marked the policy's securitization and a strengthened emphasis on stability. The question, however, is whether and to which extent such emphasis is compatible with the Union's value promotion. On the one hand, the overall security and the stability of institutions can be viewed as a necessary prerequisite for value-driven reforms. On the other hand, the abovementioned emphases may serve as a temptation to compromise the foundational values for the sake of a revolt-free stability.

The EU's Value Crisis and the External Promotion of Values

Since 2010, scholars increasingly mention the word combination 'overlapping crises' to comprehensively define what is going on in the Union. For the time being, the major issue shaping the (dis)integration dynamics within the EU and generating the intertwined crises is the divide over the immigration and asylum policies between Western Europe, on the one hand, and Central and Eastern Europe, on the other. Importantly, the above divide does not only generate ever-new challenges (e.g., the rise of populist movements, radicalization, etc.), but reveals hidden value-related and economic divides within the Union. Here it is worth arguing that Hungary's and Poland's explicit incomppliance with the rule of law principle in their constitutional law would be hardly imaginable under a politically stronger Union. Similar could be also argued with regard to 'Brexit' and the Catalan struggle for independence. Which spillovers could the above events have for the EU's value promotion? Do new challenges mean new opportunities? And can the EU still be viewed as a legitimate value promoter?

Evidently, the above divides would mean at least three major negative consequences for the ENP in general and its value promotion aspect in particular.

Issue No 1. Increasing Difficulty of Further Politicization of the ENP due to the Lack of Unity among the EU's member states


Since the EU's foreign policy is characterized by a strong intergovernmental component, any internal divide means difficulties in strengthening the policy supranationally in general, as well as advancing the political relations with third countries. Given the rise of nationalists' influence in the EU member states' governments, it is highly doubtful that the EU would be able to supplement the ENP incentives with the membership perspective for the 'associated' neighbours. Similar refers to any other significant new incentives in the framework of political dialogue between the EU and the Eastern neighbours. In turn, the non-introduction of such incentives may lead to a sense of fatigue in the EU-neighbourhood relations and diminish the political legitimacy of the Union, not resolute enough to strengthen incentives even in a long-term perspective. Subsequently, it would become ever harder to genuinely democratize the region under the present elites and pull it out of the present 'grey zone'.

Issue No 2. Sacrificing true transformation for stability

As it is already traceable in the 2015 ENP Review, stabilizing the neighbourhood (inter alia, through countering the far-right and radicalization movements) is the key priority for the modern ENP.²³ Subsequently, similar to the case of many Southern neighbours, the EU may make a strategic choice to sacrifice value promotion

²³ *Review of the European Neighbourhood Policy*, Joint Communication from the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Brussels, 18 November 2015, JOIN 2015 (50), final.

for the sake of lasting stability. The case of the EU's communication with Moldovan elites, criticized by Hrant, exemplifies the situation, where it was more convenient for the Union to tolerate the disrespect for values and launch ever-new civil society support projects, rather than sacrifice stability.²⁴ Thus, in view of the divide inside the Union and the EU-Russia tensions over Ukraine, stability may overshadow the rule of law, democracy, and human rights as a policy priority in the neighbourhood.



Internal divides within the Union and an endeavour for stability make it hard for the EU to boost its impact on the governments of Ukraine, Moldova, and Georgia as regards the promotion of the foundational values

Issue No 3. Conscious Support for 'Cosmetic Reforms' and Ever-Dropping Political Legitimacy

Internal divides within the Union and an endeavour for stability make it hard for the EU to boost its impact on the governments of Ukraine, Moldova, and Georgia as regards the promotion of the foundational values. With money as a crucial incentive for change and the professionalization of the civil society, there is a risk of an increasingly 'cosmetic' nature of reforms conducted in Ukraine, Moldova, and Georgia with the Union's support. Conscious long-term support for such kind of reforms would inevitably mean the diminishing of the Union's legitimacy as a value promoter in all three Habermasian dimensions of legitimacy. In utilitarian terms, support for reforms with no

transformative power is useless. Moreover, it does not meet the social preferences of the countries' population, striving for the European standards and integration. And, finally, would it be moral for the EU as a 'force for good' to mimic transformation, rather than seek it?

Nevertheless, the analysis would not be full without mentioning the opportunities or the things the Union can actually learn from the experience of countering the 'overlapping crises' to strengthen its value promotion in the Eastern Neighbourhood.

Opportunity 1. Conceptually clear values and new monitoring tools

The rule of law crises in Poland and Hungary resulted in a large-scale rule of law debate in the Union, aimed to develop legal avenues for the EU's safeguarding its values internally.²⁵ One of the achievements of the debate was the launch of the 2014 Rule of Law Framework that introduced the benchmarks of the rule of law as a foundational value of the EU.²⁶ Moreover, the debate produced a lot of ideas regarding assessment and monitoring mechanisms the EU could employ to safeguard the fundamental values. Extrapolating the rule of law debate and its results to the ENP domain would be an opportunity for the EU to produce precise, predictable, and understandable monitoring schemes with regard to the neighbours' observance of the foundational values. In the era of turmoil, emphases on conceptual clarity of values and benchmark-based monitoring mechanisms would be a clear signal from the EU that it would endure challenges and use values as a means to cope with crises, directed to boosting the legitimacy of the EU's action.

²⁴ See fn.18.

²⁵ D. Kochenov, A. Magen, L. Pech, *Introduction: The Great Rule of Law Debate in the EU*, "Journal of Common Market Studies", Vol. 54 (4), 2016, pp. 1045-1049.

²⁶ *A New EU Framework to Strengthen the Rule of Law of 19 March 2014*, Communication from the Commission to the European Parliament and the Council, COM (2014)158, final/2.

Opportunity 2. Value Promotion through Sectoral Functional Cooperation

As proven by the study by Freyburg et al, active functional sectoral cooperation between the EU and the neighbours promotes democratic governance.²⁷ In the situation of the Union's inability to immediately strengthen value promotion under the ENP through reformed political dialogue, an option is to facilitate the functional EU cooperation with the neighbours both bi- and multilaterally. The idea of enhancing value promotion through functional cooperation pierces Commissioner Joseph Hahn's idea to formulate the Eastern Partnership's future in 20 new deliverables to be achieved by 2020.²⁸ In this regard, a particular role shall be attributed to the Deep and Comprehensive Free Trade Agreements (DCFTAs) between the EU and the neighbours in view of innovative market access conditionality, present in these agreements.²⁹ Business development, energy, and contacts between people represent necessary aspects of the EU's cooperation with Eastern neighbours that need to be further emphasized to advance the utility of the ENP as a whole and meet respective social preferences.

Opportunity 3. Linking Conflict Resolution, Stabilization, and the Rule of Law Promotion

Sacrificing values for the sake of stability and omitting painful democracy and rule of law-related issues in political communication is one of the worst things the EU can do, if it wishes to remain a credible international value promoter and a 'force for good'. Therefore, it is

crucial for the Union to develop clear linkages between conflict resolution, stability, and the rule of law as the objectives of the ENP, so that the quest for stability does not harm the foundational values. The development of such linkages shall be based upon the previous critical reconsideration of its political communication with the neighbours over the above issues and consultations with domestic experts and civil society.

Opportunity 4. Stronger citizen involvement

As a large supranational political creature, the EU has been always blamed for a 'democratic deficit', lacking legitimacy, and being too distant from citizens.³⁰ Subsequently, it is crucial for the EU to facilitate the neighbourhood's citizens' involvement in the functional cooperation programmes. In this regard, special attention needs to be attributed to involving individuals, previously not targeted by the EU programmes, such as the rural population, mid-career professionals, and pensioners, as well as supporting grassroots movements along with professionalized SCOs. Stronger citizen involvement will help the Union match it support to social preferences and make a better use of funds.

Conclusion

Foundational values play a crucial role in the EU's foreign policy, shaping its international identity and power, as well as serving as objectives for the EU-neighbourhood relations and benchmarks for the EU's conditionality policy. Despite having reached a range of its objectives (e.g., the conclusion

²⁷ T. Freyburg, S. Lavenex, F. Schimmelfennig, T. Skripka, A. Wetzel, A. (eds.), *Democracy Promotion by Functional Cooperation: The European Union and Its Neighbourhood*, London: Palgrave MacMillan, 2015.

²⁸ A. Piculicka-Wilczewska, *Eastern Partnership: 20 Deliverables for 2020*, "New Eastern Europe", 17 October 2017 [<http://neweasterneurope.eu/2017/10/17/eastern-partnership-20-deliverables-2020/> access: 20 October 2017]

²⁹ For the comprehensive analysis of the different types of conditionality in the EU-Ukraine Association Agreement, see: R. Petrov, G. Van der Loo, P. Van Elsuwege, *The EU-Ukraine Association Agreement: A New Legal Instrument of Integration without Membership? 2015* [kmlpj.ukma.edu.ua/article/download/52678/48729 access: 20 October 2017]

³⁰ See, for instance: A. Moravcsik, *Is There a 'Democratic Deficit' in World Politics? A Framework for Analysis*, "International Journal of Comparative Politics", Vol. 39(2), 2004, pp. 336-363.

of the Association Agreements, visa-free travel for the 'associated' neighbours), the policy faces crucial challenges. They include the lack of membership perspective as an incentive for transformation, undefined substance of values as the transformation-related benchmarks, self-serving elites and weak institutions in the neighbourhood, as well as Russian opposition to the Europeanization of the Eastern neighbours and its support for conflicts therein. The 'overlapping crises' in the EU, manifesting themselves inter alia in the divides over the immigration and asylum policies, as well as the rise of populist, separatist, and Eurosceptic movements, create further threats for the value promotion under the ENP and its legitimacy. The most important ones include shrinking opportunities for further politicization of the ENP, sacrificing transformation for the sake of stability, and

a conscious support for 'cosmetic reforms'. Nevertheless, there are still opportunities for the EU to save the ENP and remain a legitimate value promoter, such as the introduction of conceptually clear values and respective monitoring mechanisms, putting a new focus on value promotion through functional cooperation, linking conflict resolution and stabilization to the rule of law promotion, as well as a stronger citizen involvement in the ENP initiatives.

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