

UA: UKRAINE ANALYTICA

Issue 3 (13), 2018



- EASTERN PARTNERSHIP
- NEIGHBOURHOOD POLICY
- EUROPEAN UNION

European Neighborhood

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Publisher:

Published by NGO "Promotion of Intercultural Cooperation" (Ukraine), Centre of International Studies (Ukraine), with the financial support of the Representation of the Friedrich Ebert Foundation in Ukraine, and the Black Sea Trust.

UA: Ukraine Analytica is the first Ukrainian analytical journal in English on International Relations, Politics and Economics. The journal is aimed for experts, diplomats, academics, students interested in the international relations and Ukraine in particular.

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ISSN 2518-7481

500 copies

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TEN-POINT MEMO ON THE REVISED EASTERN PARTNERSHIP MULTILATERAL ARCHITECTURE

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Foreign Policy Council "Ukrainian Prism"

In March 2018, the EEAS and the European Commission officially relaunched multilateral architecture of the Eastern Partnership, following the results of the 5th Eastern Partnership Summit in Brussels. Having endorsed "20 Deliverables for 2020" as a key roadmap for development of the region, the EU took a first major step in making the new EaP multilateral setup operational. Although some positive moments might be observed with the renewed Eastern Partnership, the multilateral track still does not address expectations of some partner states or stakeholders. This memo presents some core recommendations based on experience of taking part in different EaP multilateral fora and deep involvement in the activity of the Ukrainian National Platform of the EaP Civil Society Forum. It is addressed to both European institutions and Ukrainian authorities engaged in the Eastern Partnership implementation.

Introduction

The document has been prepared in the form of a memo to publicly discuss the expectations for the Eastern Partnership following the Brussels Summit in November 2017. As official EU documents state, the revised EaP architecture focuses on the process of "consulting, steering and enabling policy implementation" to engage more profoundly partner states in reaching the 20 Deliverables. While commending the restart of the multilateral track, which unfortunately proved to be ineffective in its previous design, we see some room for improvement on procedural and institutional level to make it more coherent and inclusive.

The multilateral activity in the framework of the Eastern Partnership needs more planning, coordination, consultations, and greater engagement of stakeholders. These 10 points elaborate on some specific areas that demand more attention from European and EaP region decision-makers.

1. Revisiting and correction of JSWD on "20 Deliverables for 2020"

One has to admit that the EEAS-NEAR Joint Staff Working Document SWD (2016) 467 on "20 Deliverables for 2020" was a very positive development in an attempt to demonstrate a bigger picture of where the EU is in relations with partner states and what the ambitions for the medium run are in the EaP policy¹.

¹ *Joint Staff Working Document: Eastern Partnership - 20 Deliverables for 2020 Focusing on Key Priorities and Tangible Results*, SWD (2017) 300, Brussels, 09 June 2017, [https://cdn3-eeas.fpfis.tech.ec.europa.eu/cdn/farfuture/dLJ9RdBalFgQqx34lgPlwagsNluJB6cjzDeeiRR0RdQ/mtime:1497363650/sites/eeas/files/swd_2017_300_f1_joint_staff_working_paper_en_v5_p1_940530.pdf].

Provided that the 20 Deliverables are core for streamlining activity within the multilateral track, the necessity arises in tuning it to the programming.

Majority of the targets until 2020 in deliverables lack precision in two core respects. First, some of them are presented with a qualitative rather than quantitative description, putting into question the measurement process. It may present a perception that the document is not really about showing individual progress of the EaP partner states but rather about a united effort made by the European institutions towards the region at large. Thus, the document may present a political value, not being fit for assessing real progress on the ground.

Second, where it is quantitative, in some cases there is no clear understanding of what is a share per partner country in achieving a specific deliverable.

Thus, while having all 20 deliverables as declarations, it may appear difficult to assess how far every state advances in terms of the JSWD implementation.

2. National planning should be in place

Each partner state is pursuing its own track vis-a-vis the European Union with a unique set of bilateral commitments. Majority of these countries' tasks are indicated in the "20 Deliverables for 2020" but with a more loose description. At the moment, no partner country at the official level has done a comparison of the number and shape of the tasks prescribed by bilateral agreements with the EU and in the Joint Staff Working Document. In Ukraine this effort has been

done by civil society experts, with no public assessment in place².

Though, it is not always easy to extract a national share from the common target for 2020, governments in the EaP states may find it useful to create a specific plan on the 20 deliverables' implementation additional to bilateral road maps.



Provided that the 20 Deliverables are core for streamlining activity within the multilateral track, the necessity arises in tuning it to the programming

It will also need a more concerted approach on the national level to participation in the multinational track. In the Ukrainian case, as of now under the Governmental Office for European and Euro-Atlantic Integration, there is now no department or working group in charge of EaP policy coordination on the national level.

3. The "20 Deliverables for 2020" reporting and assessment

To make it more attractive to reach the targets for 2020, a comparative report on implementation has to be designed. One single document on a yearly basis, uniting all the data provided under different platforms and panels as well as assessment of bilateral obligations, may inject some competitiveness in a good sense into participation in multilateral forms of cooperation.

The first attempt has been introduced by the EEAS with a short overview of the

² *The Eastern Partnership's Key Deliverables Compared with the Association Agreement Provisions: What Is the Added Value for the EU-Ukraine Relations?* "Civic Synergy", Policy Paper, 18 September 2018, [<https://www.civic-synergy.org.ua/en/analytics/the-eastern-partnership-s-key-deliverables-compared-with-the-association-agreement-provisions-what-is-the-added-value-for-the-eu-ukraine-relations/>].

implementation of the “20 Deliverables for 2020” as well as of concrete results achieved by September 2018³. Nevertheless, a simplified presentation of the achievements in a summarized way does not allow operationalizing this document in a country-to-country comparison. A more extended version of the monitoring based on an internal monitoring process that involves the EEAS and Commission services and takes into consideration results from meetings of the new institutional setup has to be produced.

4. Association states’ club as permanent fora

In the recent architecture, there is no mention of any political or expert fora for three associated states to share and discuss their experiences on the path of the Association Agreement implementation, although the Joint Declaration of the Eastern Partnership Summit (Brussels, 24 November 2017) stipulates that “it is timely to engage the AA/DCFTA partners in joint discussions on the progress, opportunities and challenges concerning the association-related reforms, as requested by these partners, and with the aim of facilitating full implementation of the AA/DCFTAs”.

Last year’s experience of preparation for the EaP Summit proved that such cooperation existed and sometimes was quite fruitful. Georgia, Moldova, and Ukraine managed to present a common stance in certain areas. The only concern there is that the associated countries elaborated their common policy

towards the EU rather than the aim to convene in four (AA+EU).

As an initiative of the associated partners, the Inter-Parliamentary Assembly “Georgia-Moldova-Ukraine” was officially launched in Georgia in October 2018.

Against this backdrop, if the new EaP architecture is believed to be tuned to the realities on the ground, some permanent consultations mechanisms have to be introduced for partner states that implement the Association Agreement. It might increase the interest of bilaterally advanced states towards the multilateral track. Such a meeting format can help further develop the “more for more” principle, for example, allowing these countries to launch work on studying their potential for creating a common economic space, joint participation in civilian and military missions as part of the EU CSDP, etc.

5. Combining executive, political, and civil society dimensions

The streamlined EaP multilateral architecture, as presented in the JSWD in June 2017, deals predominantly with the executive authorities’ level while leaving behind the scenes the agendas of political (EURONEST) and civil society (CSF) dimensions. It makes sense to set informal meetings at the beginning of the year with participation of Senior Officials Meetings (SOM) representatives and leadership of these two other pillars of the EaP policy to share their plans and future activity. It may increase synergy in their approaches.

³ *20 Deliverables for 2020: Monitoring – State of Play 2018*, EEAS, July, 7 pages.

⁴ *Joint Declaration of the Eastern Partnership Summit*, Brussels, 24 November 2017, [<https://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>].

⁵ *Joint Staff Working Document: Eastern Partnership - 20 Deliverables for 2020 Focusing on Key Priorities and Tangible Results*, SWD (2017) 300, Brussels, 09 June 2017, [https://cdn3-eeas.fpfis.tech.ec.europa.eu/cdn/farfuture/dLJ9RdBalFgQqx34lgPlwagsNluJB6cjzDeeiRR0RdQ/mtime:1497363650/sites/eeas/files/swd_2017_300_f1_joint_staff_working_paper_en_v5_p1_940530.pdf].

6. Supporting CSF as a mainstream channel for consultations with civil society

Although the CSF has been mentioned as a contributor to the updated version of the “20 Deliverables for 2020” and as a channel of “well-functioning and regular multi-stakeholder policy dialogue”,⁵ the chart with the new streamlined architecture refers to civil society engagement at large while depicting cooperation with platforms. On the one hand, it may seem reasonable not to restrict cooperation with civil society solely to the CSF. But on the other hand, it makes less sense to have the CSF as a legitimate body specifically crafted for raising voices of the civil society. Moreover, the Forum has proved its effectiveness multiple times.


In this vein, the CSF has to be preserved as a core assembly of the SCOs from the EaP region and the main interlocutor in multilateral consultations. The Forum’s experts have to be invited to the discussion of programs of platforms and panels on a regular basis with its contributions to the work programs.

7. Demand-driven expertise

Since its inception, the CSF has been looking for its own specific role in relations with the European institutions and national governments in partner states. But previously not much interest has been seen in taking advantage of the CSF activity and potential on the ground in the EaP region.

The change may be provided by introducing a request mechanism for expertise from the side of the EEAS, EC, other European and

EaP institutions. Some prerequisites have been already created by the CSF reform process. The wide expert database has been generated and the 20 Deliverables orientation of expertise has been prioritized in the CSF Strategy. The request mechanism might be part of the grand scheme.



The change may be provided by introducing a request mechanism for expertise from the side of the EEAS, EC, other European and EaP institutions

Such a demand-driven approach will give more trust in relations and strengthen expert capabilities of the Civil Society Forum as well as increase its attractiveness to professional NGOs, think tanks, etc.

8. Full-scale participation of the CSF on the political level

However, a real prerequisite for mutual trust may lie in the change of the discriminatory practice of participation of the CSF representatives in EaP ministerial and other informal high-level meetings. After delivering a speech of 3-5 minutes at the beginning of an event, a civil society activist is asked to leave the meeting. This diplomatic manoeuvre is traditional to create a more convenient environment for the EaP partner states’ leaders who have problems with human rights and reforms tracks.

The CSF Steering Committee has raised the issue many times but still the practice

⁶ *Eastern Partnership Index* [<http://www.eap-index.eu/>].

⁷ *Ukraine in the Coordinates of the Eastern Partnership 2017-2020: Expert Review of the Joint Staff Working Document on Eastern Partnership – 20 Deliverables for 2020 Focusing on Key Priorities and Tangible Results*, Ukrainian National Platform of the Eastern Partnership Civil Society Forum, 2017, Page 6, [http://eap-csf.org.ua/wp-content/uploads/2017/10/Report_English.pdf].

⁸ These ideas were raised previously, but there was no interest on the European side to proceed.

is there. Allowing a CSF representative to attend the SOM or ministerial meetings will also give a more precise understanding of the current EU approaches towards specific EaP governments.

Needless to say, it is very important for forming a more relevant expertise within the CSF.

9. Eastern Partnership Index as a core alternative assessment of the 20 Deliverables' implementation

To assess the level of the “20 Deliverables for 2020” implementation, European institutions may take advantage of the renovated CSF annual project “Eastern Partnership Index” , which can provide comprehensive data on the partner countries' profile in implementation of the targets for 2020. In cooperation with interested representatives of the EU bodies, this index may be further tuned to the information needs.

10. More institutionalization of security cooperation in the EaP region

To incentivize the EaP countries in the implementation of the 20 Deliverables the EU might go further and create some additional institutions in specific areas of common interest. These bodies, counter to existing panels and platforms, might provide some practical assistance to reach specific deliverables.

Within the EaP multilateral setup, it might be beneficial to form an intergovernmental security platform . Besides issues presented in the Panel on Security, CSDP, and civil protection, a new platform may deal as well with counteraction to hybrid threats and settlement of lasting conflicts. Bearing in mind that in the new architecture, platforms must provide certain political guidance for topics elaborated at the level of panels and expert working groups, the weight of security issues seems to be underestimated. Thus, a separate thematic platform on security may add political weight to this issue and structure the activities that have already been going beyond mere issues of the CSDP or civil protection.

In this line, while fostering an expert level of cooperation, one may refer to potential creation of EaP centres of excellence or any kind of training centres for some civil or military missions, etc.

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