

# FIIA 11/2011 COMMENT

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## Talking democracy, thinking geopolitics > The EU's Eastern Partnership policy faces difficult choices

Over the past months, the EU has levelled strong criticism at Ukraine for selective use of the judiciary against opposition figures. The sentencing of Yulia Tymoshenko, former Ukrainian PM and current opposition leader, to seven years in jail is a failure for the EU and raises difficult questions regarding the future of its Eastern Partnership policy.

The sentence came less than two weeks after the Eastern Partnership (EaP) Summit, held in Warsaw between the European Union (EU) and its six neighbours in the East (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine) in late September, where it was confirmed that drawing Ukraine in particular closer to Europe remains a major goal for the EU. The EU and Ukraine are close to concluding negotiations on a new, extensive type of association agreement including a "Deep and Comprehensive Free Trade Area" (DCFTA). The Warsaw Summit highlighted the goal to sign the association agreement by the end of the year.

The highly publicized, politically motivated sentence against Tymoshenko provoked strong reactions from the EU and put this goal under doubt. The Ukrainian leadership will possibly find a way to cancel the verdict through amending the relevant legislation. Importantly, even if this case was solved in an acceptable manner, Ukraine would continue to have serious problems with the increased authoritarian control over political life, the judiciary and the media.

The deterioration of democracy and the rule of law in Ukraine has turned the conclusion of the asso-

ciation agreement into a test over whether the EaP is primarily about geopolitics or democracy promotion. The outcome has major implications for the credibility of the EU's democracy agenda and the "more for more" approach in the whole neighbourhood.

The EaP has always been as much about geopolitical interests (albeit not explicitly stated in the official rhetoric) as about the EU's noble wish to build on the success of Eastern enlargement and spread democracy further to the East. Poland and the other Eastern EU members, being the strongest proponents of a specific Eastern policy of the EU, have a sincere desire to support democratic development in the six EaP countries. At the same time, their democratic mission – which they have converted into an EU mission – is married to the geopolitical goal of countering the Russian efforts to strengthen its grip over the former Soviet region.

The EU launched the EaP in 2009 as a specific dimension of the European Neighbourhood Policy with an ambitious agenda of political association and economic integration. The joint declaration of the Warsaw Summit reaffirms yet again the commitment on both sides to "building a common area of

democracy, prosperity and stability". In reality, democracy has lapsed in all but the smallest partner, Moldova, while the other neighbours have shown little interest in the democratic reforms expected by the EU.

The Union has taken a hard-line position only on Belarus, making the normalisation of relations with the country strictly conditional upon the release and rehabilitation of political prisoners and the end of repression. The other EaP countries regard this approach as unhelpful. They refused to join the EU's declaration, also adopted at the Warsaw Summit, condemning the Belarusian leadership. They realize, of course, that if the EU were consistent, it would have to apply a similar policy towards some other Eastern neighbours.

The EU should continue to engage its neighbours through enhancing economic ties and the movement of people. However, close political association, as foreseen by the new generation of association agreements, should be reserved for countries that truly share the EU's commitment to democratic values. This is a matter of the EU's identity and integrity as a community of values.

The counterargument that explains the EU's reluctance to impose clear-cut conditions on Ukraine stresses the fear of losing Ukraine to

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Russia and relinquishing the leverage over Ukraine that the association agreement would allegedly give to the EU. So, as Moscow is putting pressure on Kiev to join the Russian-led customs union instead of the DCFTA (the two are incommensurable), the EU has entered into the kind of zero-sum geopolitical competition that its foreign policy usually aims to dilute.

As for the practical accomplishments of the EaP, the prospects of visa-free travel and the further liberalisation of trade have had some success in motivating reforms. The countries that have been pursuing an overall European orientation – Ukraine, Moldova and Georgia – have proceeded more quickly, whereas the EU's offer is less tempting for the others. The Warsaw Summit was useful for the EU's own policy process, as it pushed the Union to make new commitments regarding the launch of DCFTA talks with Moldova and Georgia and the process of visa liberalisation with all six countries.

The EaP countries, especially the ones truly interested in getting closer to the EU, prioritise bilateral relations with the EU, whereas the multilateral cooperation nurtured by the EU is seen to bring little value-added. The EU has rightly shifted the focus of the EaP more towards

bilateral agendas, stressing the principle of differentiation.

Unsurprisingly, the Warsaw Summit failed to offer any new hopes regarding the prospect of the Eastern neighbours joining the EU, although Poland among others has continued to express support for further enlargement. What is perhaps surprising is that many people in the Eastern neighbourhood still find the EU attractive, probably more so than the EU's own citizens do amidst the euro-zone crisis that is challenging the integration project. Europe has not lost its model power in the region. It should do better at translating the attraction into positive influence.