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EU MEMBERSHIP PERSPECTIVE FOR GEORGIA, MOLDOVA AND UKRAINE: IMPOSSIBLE, FORGOTTEN OR HIDDEN?





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EU MEMBERSHIP PERSPECTIVE FOR GEORGIA, MOLDOVA, AND UKRAINE: impossible, forgotten, or hidden?

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Introduction

The European Union is struggling to overcome many crises in testing times. Financial crises, unemployment problems, and refugee and migration issues have changed the vision of the EU and on the EU. Despite the problems that the EU is witnessing today, the attractiveness of the EU project is still vibrating on its eastern flank. Associated countries such as Georgia, Moldova, and Ukraine are making, albeit inconsistently, a case for their rapprochement with the EU beyond the current framework, heading, above all, for membership.

This paper is not questioning the right of the three countries to apply for EU membership. Rather, it is assumed that the legal recognition of the membership perspective for the three countries is prescribed in article 49 of the Treaty on EU. However, there is no consolidated EU political support for such a step and the interpretation of article 49 differs from one state to another. Therefore, despite the problems inside the EU, the question of EU membership from the perspective of AA states is not *if* but *when* it will happen.

Georgia, Moldova, and Ukraine on the EU membership path

Since its inception in 2009, the Eastern Partnership has been divided into two groups of countries. On the one hand, Belarus, Armenia, and Azerbaijan have chosen to have limited relations with the EU and are not aspiring to become members. On the other hand, Georgia, Moldova, and Ukraine formed the group of more advanced countries that signed the Association Agreement¹ with the EU and are semi-consolidated democracies.

The three associated countries have demonstrated relative success in transposing an important part of European rules to their own countries. The main problem remains the implementation, however.² The difficulties with implementation are multifaceted and vary from country to country: from a lack of experience and funds to unwillingness of the political class to enact change. But no matter how well the implementation is done, the Eastern Partnership does not offer the most appealing part of the EU: membership. Confirmation came from one of the leading countries in the EU, whose leader said at the 2015 EaP Riga Summit that *“the Eastern Partnership is not an instrument for enlargement of the European Union, but it is an instrument of rapprochement with the European Union.”*³

The bilateral agreements signed within the EaP do not contain an explicit mention of the membership perspective, either. Strange as it may sound, the Association Agreements signed in 2014 were a result of the 2004 Orange Revolution in Ukraine, therefore ten years elapsed from the creation of the idea to the agreement. It took a few years for the EU to propose the agreement to Ukraine and in 2007 negotiations started on the “Enhanced Agreement”⁴ – the Association Agreement as it was called at that time. Later on, the same blueprint was used for Georgia, Moldova, and Armenia. Armenia chose or was persuaded by Russia to eventually choose the Russia-led Customs Union, while

the agreements with the rest of the countries were signed ten years after the idea emerged from the ashes of Orange Revolution.

All three associated countries have both advantages and disadvantages regarding the EU membership perspective. However, it is difficult for the EaP-associated states to put the issue of membership on the agenda and explain it, because whatever they say is usually used against them. Moldova and Ukraine are excellent examples of such narratives and not only in relation to the membership issue. Remember the EU’s insistence on freeing Yulia Tymoshenko as a main condition for signing the Association Agreement instead of focusing on implementation mechanism – an approach that seems to confirm that the EU had no interest in integrating Ukraine.⁵

Ukraine has always been the most vocal on the prospect of membership. It made a multi-year attempt to insert the membership perspective into the Association Agreement, but it failed, as there was no consensus among EU countries. Although attempts had been made at the level of diplomacy fairly regularly until the text was initialled, the political elite had taken them less seriously. The issue of membership was underlined before certain EU-Ukraine events or on the occasion of the EaP summits, but almost never in between. Even when debates on EU membership perspective for Ukraine were the center of attention for the elite, these were rather political statements with no responsibility made while engaging in graft deals. The same goes for the Moldovan political elite, who created incredible corruption schemes under the cover of European slogans. It would be quite surprising for the political elites in the three countries to undertake the kind of fundamental political and economic reform that would challenge their own privileged status. Therefore, for them the EU is good as a strategy but not as a process.

With the current reform process in Ukraine making progress on such issues as energy diversification, police reform, and establishment of anti-corruption bodies, it might be too early to say that Ukraine has deserved

¹ *The Ukraine-EU Association Agreement*, http://eeas.europa.eu/delegations/ukraine/eu_ukraine/association_agreement/index_en.htm

² *Index of European Integration of the Eastern Partnership States 2014*, <http://www.eap-index.eu/sites/default/files/EaP%20Index%202014.pdf>

³ *The statement made by the German chancellor Angela Merkel when she arrived in Riga*, <https://euobserver.com/foreign/128799>

⁴ *EU-Ukraine start negotiations on new Enhanced Agreement*, http://europa.eu/rapid/press-release_IP-07-275_en.htm?locale=en

⁵ *Stefan Meister, What if... the EU had offered a membership perspective to Ukraine?*, http://www.ecfr.eu/article/commentary_what_if_the_eu_had_offered_membership_perspective_to_ukraine230

to apply for the membership perspective on the basis of merit. It will take several more years to see how sustainable and irreversible the reforms carried out by the incumbent government will become. At the moment, one has mixed feelings about them. However, Ukraine had at least two other opportunities in its history to apply for membership. The 2004 and 2014 revolutions were moments when an application would have been seen differently. As a Ukrainian official has put it, *on the emotional wave Ukraine could have already applied for EU membership and obtained it*. However, Ukraine chose to hold dialogue on the issue, streamlined in the diplomatic backchannel, and be a predictable partner – a position which was much appreciated by the EU.

Moldova has been less vocal on the subject of EU membership, with the exception of 2013–2015, when officials promised to submit an application in 2014 and seriously discussed the issue. Despite a good record on certain reforms and visa liberalization with the EU, democracy backlash and corruption scandals have overshadowed the relative progress and the technical work that was done. As a result, the creditability of the European idea associated with corrupted pro-European parties has lost significant public support and the idea of submitting an application was withdrawn on the advice of EU officials.⁶ However, in 2013 certain officials, including ones from such serious states as Germany, were open to discussing the idea of a membership application from Moldova, which was portrayed as the “success story” of the Eastern Partnership. Moreover, on the eve of Moldovan parliamentary elections in November 2014, Angela Merkel wrote a letter⁷ to then-PM Iurie Leanca in which she wished him good luck in the elections and said that the elections would decide whether Moldovans wanted to further pursue the prospect of membership in the European Union. This basically meant that Moldova would receive a membership perspective if it demonstrated consistency in reforms after the elections. The proposal was repeated in February 2015 when the negotiations on the new government were held. However, Moldova took a different path, distancing itself from the EU through the decisions that were taken.

Tbilisi has been on the same page with Kyiv and Chisinau in terms of asking for the EU membership perspective. Every time the EU offers policy documents, Georgia tries to advocate for inserting the European perspective in them. The first of such efforts were made after the Rose Revolution in 2005–2006 when parties negotiated the European Neighbourhood Policy Action Plan. Georgia’s request was never seriously taken into consideration by the EU since the ENP was from the very beginning designed as enlargement-lite with no further promise of membership. Advocacy efforts gained fresh momentum in 2010 when the European Union and Georgia started negotiating the Association Agreement, including the Deep and Comprehensive Free Trade Area. Despite efforts made by Saakashvili’s and the Georgian Dream government (negotiations started in 2010 and finished in 2013), Article 49 and applicability to the European perspective are not mentioned in the document. Instead, the EU acknowledges Georgia’s European aspirations and European choice and recognizes Georgia as an Eastern European country.

However, despite certain failures and insufficient reforms, Georgia, Moldova, and Ukraine are still considering applying for EU membership. Although the debate is orbiting around the application as a process, it has in fact much greater significance and implications, as it is ultimately viewed not as a foreign policy tool but as a way to mobilize a country regarding reforms and cleaning the political elite. The common feeling emerging now in the EU and EaP-associated countries is that they must implement the AA first and then apply for the EU. The idea of slowing down the application seems to be motivated by the recent entry into force of the AA. However, it will become part of the dialogue in a few years’ time and the application should not be excluded.

There is an increasing trend to advocate for the idea of a joint application of the three countries. The issue is very delicate and has positives and negatives. Certainly, a joint application would be a bold statement that is impossible to ignore. But whether there will be necessary conditions for the application in all three countries is a big question, especially when taking into account a looming pro-Russia government in Moldova if early elections take place. Possible early elections in Ukraine, which might result in a less-committed pro-EU government and a drop of EU support, and the upcoming parliamentary elections in 2016 in Georgia are also sources of uncertainty. But even if the three countries apply together, the applications will be considered

⁶ *Când ar putea RM să depună cererea de aderare la UE, [When Moldova might apply for the EU membership]*, <http://m.deschide.md/ro/news/politic/12644/PROGNOZĂ-NOUĂ--Când-ar-putea-RM-să-depună-cererea-de-aderare-la-UE.htm>

⁷ *Letter of Angela Merkel to Iurie Leanca*, http://www.gov.md/sites/default/files/document/attachments/scrisoare_sustinere_angela_merkel-page-001.jpg

separately and what was the “Thessaloniki process”⁸ for the Balkans will not happen in the case of EaP states.

The only question that lingers in the minds of officials in all three countries is what the answer of the EU would be. The answer will depend very much on the moment when the application is submitted, progress in implementing the AA and the situation inside the EU. These are the basic elements that need to be considered, but one has to acknowledge that a perfect moment for application is unlikely to come, and it is even less likely that EU will ever invite a country from the EaP to apply for membership. As an EU official put it, “if there would be no question, there would be no answer.” However, the question should be addressed at the right moment when the countries have a positive track record of implementing reforms in the fields of the judiciary, human rights, and fight against corruption.

According to the latest Eurobarometer survey, which is seen as rather pessimistic by the three EaP states, opposition to further EU enlargement predominates in 14 EU countries. The opposition is strongest in Austria (71%), Germany (67%), Luxembourg (64%), France (63%), Belgium (61%), and Finland (61%). On the other hand, there is support for the EU’s further enlargement in 13 EU member states, particularly in Romania (73%), Lithuania (64%), Malta (63%), and Croatia (61%)⁹. However, it needs to be highlighted that in 2010 Ukraine’s EU membership was more popular among EU citizens – with 37% supporting it than that of Montenegro (36% support), Macedonia (35%), BiH (35%), Serbia (34%), and Albania (29%)¹⁰. Moreover, the latest 2014 Transatlantic Trends of the GMF shows that, on average, a majority of EU citizens (52%) agreed with the fact that Ukraine had to be offered the membership perspective. Polish respondents (69%) led the list, followed by Portugal (64%), Spain (62%), Greece (61%), Italy (58%), and Sweden (56%). The highest disapproval rates were found in Germany (63%), the Netherlands (57%), and France (52%).¹¹ The data in 2015, according to Pew Research that surveyed six key EU countries, confirmed the support

noticed in Transatlantic Trends but also observed less opposition in such countries as Germany (54%). Notably, the disapproval rate in Germany is higher among older Germans (57%) than among younger Germans (42%).¹²

One of the mainstream narratives among Georgian, Moldovan, and Ukrainian policy makers is that “neither the European Union nor the three EaP states are ready for further enlargement and EU membership at the moment” and that Georgia, Moldova, and Ukraine should wait for the proper moment and their window of opportunity. This implies carrying out sustainable reforms envisaged by the Association Agreement, including the Deep and Comprehensive Free Trade Area, and then applying for the EU membership. However, there is little to no discussion about what the window of opportunity means and what should be considered as a proper moment for applying for EU membership.

To some extent, policymakers are also afraid that without the informal and prior consent from the EU member states, particularly Germany and France, the application might be turned down. If the EU decides that the three states are forcing a decision without showing progress, the answer might be postponed; however, the likelihood of a negative answer is very low. This is because it would confirm an argument that is quite often used by Europhobes, who claim that Ukraine, Moldova, and Georgia are not needed in the EU. Thus, the camp of EU sympathizers in the three countries will decrease. The dialogue which was taking place under the conventional term of “constructive ambiguity”, meaning that each party interprets the result to its own advantage, would no longer exist, and a much more reluctant position could be taken by the EU. Some experts have noted that the reaction to a potential negative answer also depends on how the local political elite will communicate this, but certainly their opponents are going to use these arguments against the applicant. The level of EU support is already decreasing in the three countries. As the table below shows, five to six years ago all three countries had a majority that supported the EU integration. By 2015, the trend had reversed. Moldova is below the majority threshold, while support in Ukraine and Georgia is declining. The causes of these trends are numerous, with the most important ones being disappointment by the declared pro-European ruling political elite and an increasing impression in society that *the EU does not want us*.

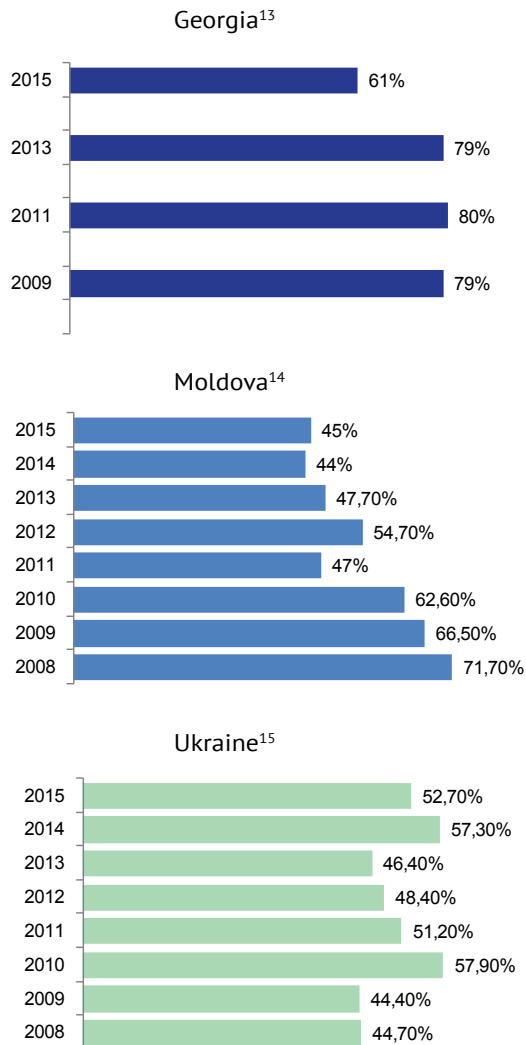
⁸ In June 2003, the EU-Western Balkans Summit resulted in the Thessaloniki Declaration, affirming that ‘the future of the Balkans is within the European Union. It was stated that the EU reiterates its unequivocal support to the European perspective of the Western Balkan countries.

⁹ Standard Eurobarometer 83; Public Opinion in the EU – Spring 2015; page 173

¹⁰ Standard Eurobarometer 74; Public Opinion in the EU – Autumn 2010; page 62

¹¹ Transatlantic Trends, German Marshall Fund of the United States, http://trends.gmfus.org/files/2012/09/Trends_2014_complete.pdf

¹² Division over Ukraine joining EU, Pew Research Center, <http://www.pewglobal.org/2015/06/10/1-nato-public-opinion-wary-of-russia-leary-of-action-on-ukraine/>

Graphic 1. Level of popular support of EU integration

The current EU Commission already drew the red line, which is usually the role of the Council or certain member states: there will no enlargements in the next five years. Challenging this attitude, especially by upbraiding EU, is unlikely to yield positive results. A better option would be to plan the membership bid, then announce it and submit it closer to the end of the current EC mandate, so that the new EC president is

prevented from making statements like the one made by President Juncker.

Member states and EU institutions have not seriously considered the issues of granting the European perspective to the front runners of the EaP. By far, it is only the European Parliament which adopted the non-binding resolution acknowledging the European perspective of the EaP states. The resolution adopted on 16 April 2015 reiterates that the AAs with Ukraine and other EaP countries do not constitute the final goal in their relations with the EU. It also points out in this connection that, pursuant to Article 49 of the Treaty of the European Union, Georgia, Moldova, and Ukraine – like any other European state – have a European perspective and may apply to become members of the Union provided that they adhere to the principles of democracy, respect fundamental freedoms and human and minority rights and ensure the rule of law.¹⁶ This is basically the fulfillment of the “Copenhagen Criteria”.¹⁷

Unlike the EP, member states are becoming increasingly reluctant, especially while the EU is facing serious domestic issues like the current refugee crisis. Since Croatia joined the EU, member states have become more “interventionist” in the enlargement process and attempts to derail the process have increased over the past years, suggesting the so-called “nationalization” of enlargement.¹⁸ A number of member states have increased their options to hamper the process. For instance, a change in the French constitution obliges the government to hold a referendum to ratify the accession treaty of a future EU MS should there be no qualified majority in both chambers of parliament. Other states are also considering new constitutional requirements for the ratification of the accession treaties in the form of 2/3 qualified majority in the parliament, etc.¹⁹ Also, the recent referendum in the Netherlands on the EU Association Agreement with Ukraine showed that the MS are increasingly hesitant to deepen relations with external partners, although in the case of Dutch referendum, the organizers confessed that the real

¹³ Eurasia Partnership Foundation; “Knowledge of and attitudes towards the EU in Georgia: Trends and Variations in 2009-2015”; available at http://www.crrc.ge/uploads/files/reports/EU_attitudes_survey_eng_nov_24_2015.pdf

¹⁴ Barometer of Public Opinion, Institute for Public Policy, www.ipp.md

¹⁵ Compiled from the Razumkov Centre, www.razumkov.org.ua

¹⁶ Text of the EP resolution “Russian pressure on Eastern Partnership countries and in particular destabilisation of eastern Ukraine” dated 16 April 2015 available at <http://www.europarl.europa.eu/sides/get-Doc.do?type=MOTION&reference=P7-RC-2014-0436&language=EN>

¹⁷ Accession criteria (Copenhagen criteria), http://eur-lex.europa.eu/summary/glossary/accession_criteria_copenhagen.html

¹⁸ R. Balfour, C. Stratulat (eds.), “EU member states and enlargement towards the Balkans,” European Policy Centre, Issue Paper No. 79, July 2015.

¹⁹ *Ibid.*

How the three countries have compromised their chances by now

reasons for holding the plebiscite was to weaken the EU and was not really related to Ukraine²⁰.

Following the MS, the EU itself is becoming as disengaged in the Eastern neighbourhood as the countries themselves would like. A Joint Communication²¹ that has been issued under the ENP review process is focused more on stabilization and less on transformation, given that the EU will not apply the usual top-down approach but only work on issues of joint interests.²² The document says:

[The EU's own stability is built on democracy, human rights and the rule of law and economic openness, and the new ENP will take stabilisation as its main political priority in this mandate.] ... [The EU proposes to start a new phase of engagement with partners in 2016, consulting on the future nature and focus of the partnership. The expectation is that different patterns of relations will emerge, allowing a greater sense of ownership by both sides. The EU is ready to discuss the possibility to jointly set new partnership priorities, which would focus each relationship more clearly on commonly identified shared interests.]²³

There is also a dark side to Georgia's, Moldova's, and Ukraine's efforts to obtain the membership perspective. The three countries share huge responsibility for how they are viewed by the European community and their future chances. Ukraine's track record on reforms, or anti-reforms in some cases during Yanukovich times, has had a negative impact on Kyiv's desire to deepen relations with the EU. That was the case not only during Yanukovich's rule, but also during the period following the Orange Revolution. President Yushchenko had solid support in the country and huge support from the West. However, he failed to channel this support into fixing the numerous problems Ukraine was facing, building more on the reformist narrative rather than on reforms per se. The multi-vector policy of President Kuchma and President Yanukovich sandwiched Ukraine between the EU and Russia, leaving Kyiv without any chance to engage in deeper relations with one side and maintaining good relations with the other, for both external and domestic reasons. Endemic corruption in Ukraine, which is perceived as being even worse than in Russia, has also contributed to Ukraine being perceived as a country that would be difficult to digest. These days, Kyiv is demonstrating more propensity to reform the rest of the country, which is driven by a serious demand from the population. But it is too early to conclude that Ukraine is a reliable reformer until the key reforms are undertaken and the track record is positive for at least several years.

Unlike Ukraine, which is striving to get better from worse, Moldova has been doing the contrary for the past two years. The corruption in the banking sector that came to light two years ago following the disappearance of \$1 billion has set Moldova back in its relations with the EU after a rather positive track record on certain reforms. Following several years of positive dynamics in implementing certain reforms and predictable dialogue with the EU, the domestic political animosities and the control of many state institutions by political interests have seriously damaged the image of Moldova. While it used to be the EaP frontrunner, Moldova is now being slowly outpaced by Georgia and Ukraine because of the above problems and the political turmoil that has put democratic development on hold. Despite bureaucrats' efforts to keep a positive record at the technical

²⁰ *Ukraine referendum is really about a Nexit, say backers, The Dutch News*, <http://www.dutchnews.nl/news/archives/2016/03/ukraine-referendum-is-really-about-a-nexit-say-backers/>

²¹ *Joint communication of the EU Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf

²² *F. Gaub, N. Popescu, The EU neighbours 1995-2015: shades of grey, Chaillot paper No 136, European Union Institute for Security Studies*

²³ *Joint communication of the EU Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf

level, especially in implementing the Association Agreement, many areas are lagging behind because they are politically motivated. The same happened quite often under the Communist government (2001-2009) which selectively applied reforms in areas that did not damage the political interests of the incumbent government.

Georgia also experienced hardships related to the European integration process. Under President Saakashvili, political freedom was questioned and massive human rights abuses were revealed in the penitentiary system. Despite the recommendations of the European Union, neither the previous nor the current government of Georgia has managed to carry out deep and comprehensive reform in the justice sector by reforming the Prosecutor's Office and the court system. The EU has regularly expressed concerns about violations of private property rights in Georgia. Beating peaceful protestors in Tbilisi in November 2007 and taking Imedi TV off air was a big blow to Georgia's EU integration process. Many of these issues still persist.

All three countries have made numerous mistakes during their short history of European integration. However, the recent history of their relations with the EU shows that these countries are able to mobilize themselves when needed. The examples of visa liberalisation Action Plans show that bureaucrats and the political elite are able to overcome serious hardships and find compromises in order to deliver on reforms. All three countries have demonstrated good coordination in implementing reforms in the areas of migration, anti-corruption, border management, human rights, etc. The results differ from country to country, but it is hard to believe that the reforms adopted under the visa liberalisation program would have been possible without the EU reward. Therefore, the three countries have shot themselves in the foot with certain "reforms" that produced a bad image, corruption and economic hardships, but not applying for the EU membership might mean shooting themselves in the head, since the EU integration process might be the only force capable of creating the necessary critical mass to reform the country. The process of EU integration and the efforts to obtain candidate status will steer reform of the political elite and will expose

the problems that these countries have. Also, if they would like to achieve candidate status, provided that the membership perspective exists, they will have to deliver on reforms. No progress will be possible otherwise. Thus, Georgia, Moldova, and Ukraine need the possibility of being officially assessed and receiving what they have been promised if they deliver, as was the case with visa liberalisation. While the EU does not need to make concessions, it has to be strict but fair and recent examples show that this is possible.

Lessons from the Balkans

The case of the Balkan countries can be highly instructive regarding the process of obtaining recognition of the EU membership perspective and further integration. For example, one could refer to Macedonia, which submitted its membership application to the EU in 2004. When the EU found out about Macedonia's intention, many member states, including Germany and France, sent high-level officials to Skopje to discourage the submission of the application. Despite all this pressure, including France's threat to veto the decision, Macedonia submitted the application and obtained the status of a candidate state in December 2005. Respectively, the positions of the member states are important but rules are also important in the EU²⁴, and the fact that Macedonia obtained candidate status was possible mainly because Macedonia came up with such an initiative and truly desired to accomplish it. The same process now seems to be taking place with Bosnia and Herzegovina, which applied to the EU in February 2016. The country, which was considered by many to be doomed to fail after the Dayton agreements, has made big progress. This progress, however, is still insufficient to recommend putting it on a membership track.²⁵ Officials from EaP countries often refer to the fact that the three associated countries in the EaP and the prospective EU members in the Balkans have the same commitments, but unlike the Balkan countries, Georgia, Moldova, and Ukraine have no candidate status and are economically disadvantaged because of more limited access to certain instruments of EU funding.²⁶

Even though candidate status, unlike accession, is not a goal in itself, it helps the country become aware of its problems and mobilize itself for greater coordination and implementation of reforms. The fact that the membership perspective for the Balkan countries did not always produce the expected results in terms of reforms, aside from Croatia, is an argument that is often used to avoid a discussion on the membership perspective for EaP countries – a sort of conventional wisdom. At the same time, however, the Balkan countries

have made certain reforms and improved their living standards driven by, among other things, the European integration perspective. Moreover, it could be that one of the three EaP countries aspiring for membership would become a “Croatia” of the East, but as long as the perspective is not offered, it cannot be proved.

One could observe that after Croatia's accession in 2013 the procedures of enlargement have become also institutionally more difficult. A screening process now precedes the accession negotiations, which was not the case with Croatia.²⁷ Once the country submits its application for membership and the Council accepts it (gives the *avis* at the request of the EC), the EC will send a questionnaire containing about 2,500 questions on the future chapters to negotiate. An examination of the questionnaire reveals that Georgia, Moldova, and Ukraine are doing much better on many questions than some candidate countries or even certain member states. Around 500 questions are related to the Freedom, Security and Justice area, which is quite familiar to the three EaP-associated countries because of the visa liberalization process. Certainly, there are also other areas, such as competition, transport, energy, etc., which are also part of the Association Agreements, DCFTA, and Energy Community. So, the three countries required to adopt legislation and at least partially implement it. This means that the EaP countries have already implemented many laws and in certain areas undergone a socialization process. The EU was pleasantly surprised at how Moldova, Georgia, and later Ukraine handled the visa liberalisation process.

Analyzing the economic and political performance of the Western Balkan states in 2003, when the EU granted them the European perspective, and drawing a comparison between them and Georgia, Moldova, and Ukraine reveals that that in most cases the latter group is doing far better than the Western Balkan states were doing at that time. In terms of GDP per capita, Georgia is performing better than three western Balkan states – Macedonia, Albania, and Bosnia and Herzegovina – did in 2003.

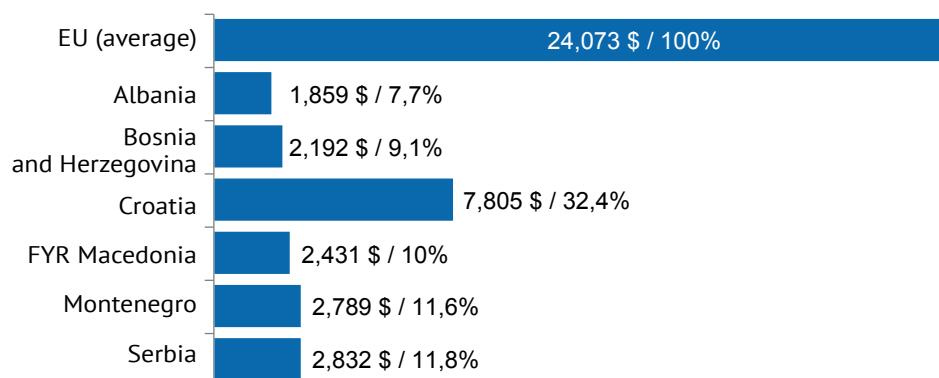
²⁴ *European Stability Initiative, Macedonia and the EU*, <http://www.esiweb.org/index.php?lang=en&id=565>

²⁵ *Nidzara Ahmetasevic, Bosnia's EU application masks turmoil*, *EU Observer*, 15/02/2016.

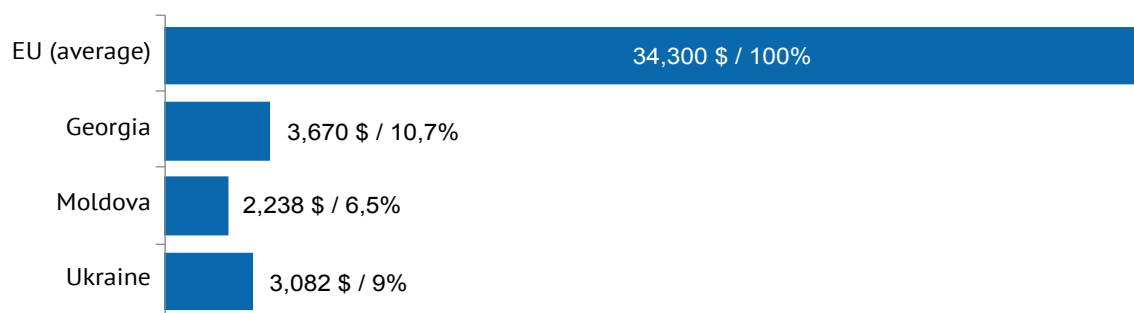
²⁶ *Natalia Gherman: Moldova dorește o perspectivă clară de aderare la UE [Natalia Gherman: Moldova is willing to get a clear membership perspective]*, 15/06/2015, <http://www.mfa.gov.md/interviuri-md/501568/>

²⁷ *Tomasz Zornaczuk, Forever on the Periphery? The Return of Geopolitics to EU Enlargement to the Balkans*, No. 6 (147), February 2016, *Polish Institute of International Affairs*.

Graphic 2. GDP per capita in USD of the Western Balkan countries and the EU at the time of obtaining the European Perspective at the 2003 EU Summit in Thessaloniki²⁸



Graphic 3. GDP Per capita in USD of EaP Associated States and the EU in 2014



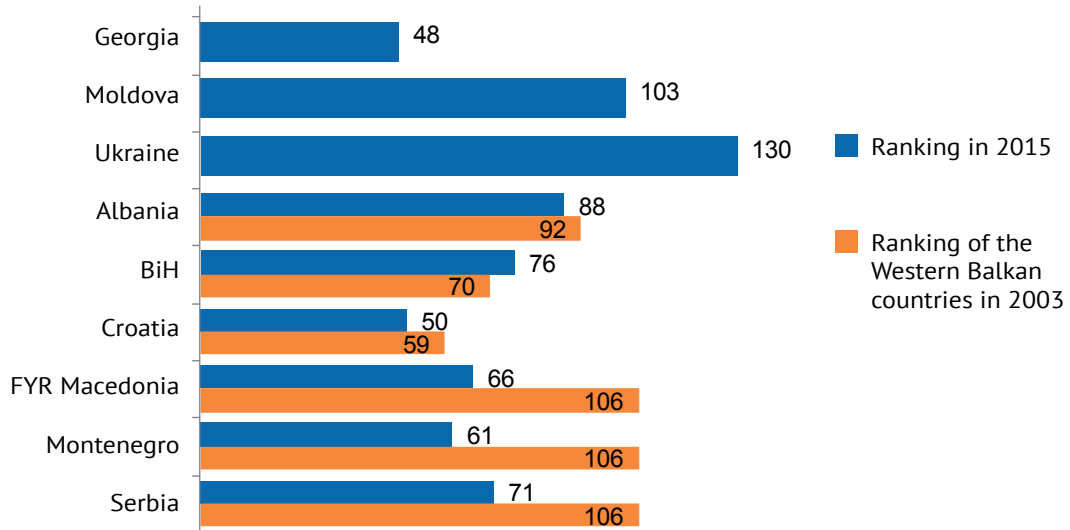
It is worth looking at the scores achieved by the Western Balkan countries in various international rankings and comparing them with three Eastern Partner states. In particular, five sets of data will be compared in this paper, namely the corruption perception index, freedom of the world, press freedom index, gender inequality index, global competitiveness and public debt to GDP ratio.

Georgia ranks 50th in the 2014 corruption perception index, which is well ahead of all the Western Balkan countries in 2003. The rest of the countries are not doing as well. Moreover, as of 2014, Georgia was doing better than six current EU countries, including certain old member states.

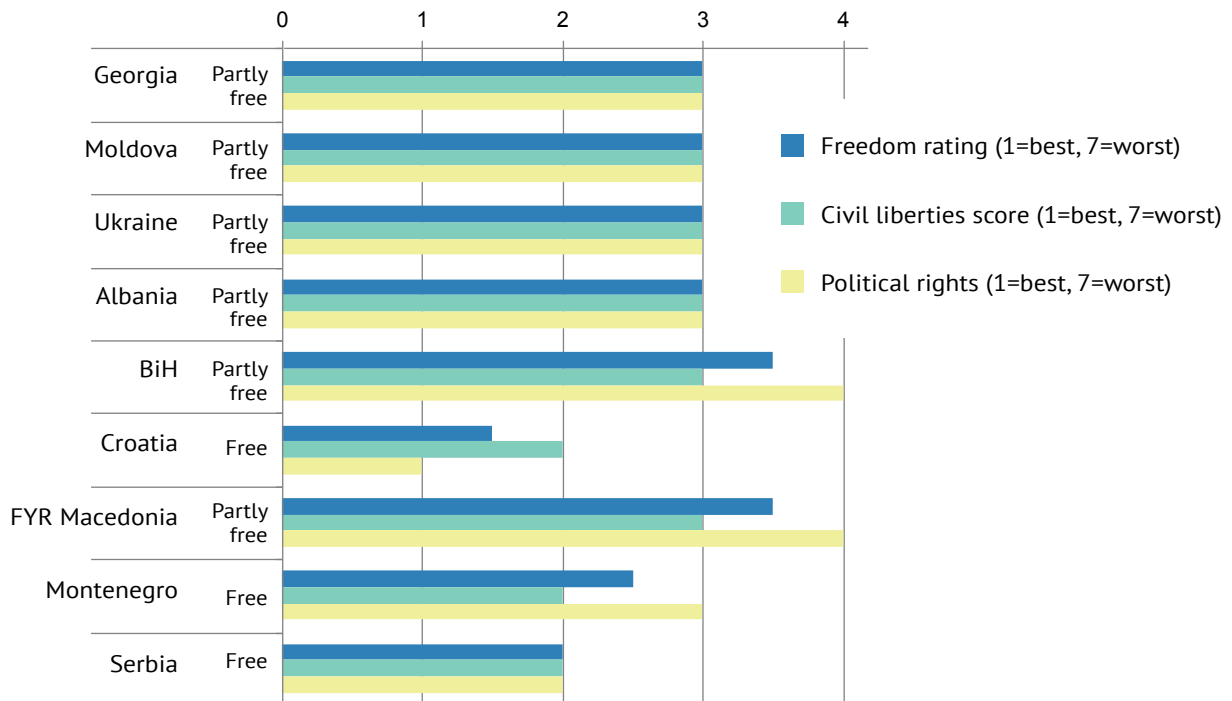
²⁸ Official data of the World Bank; Available at <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD>

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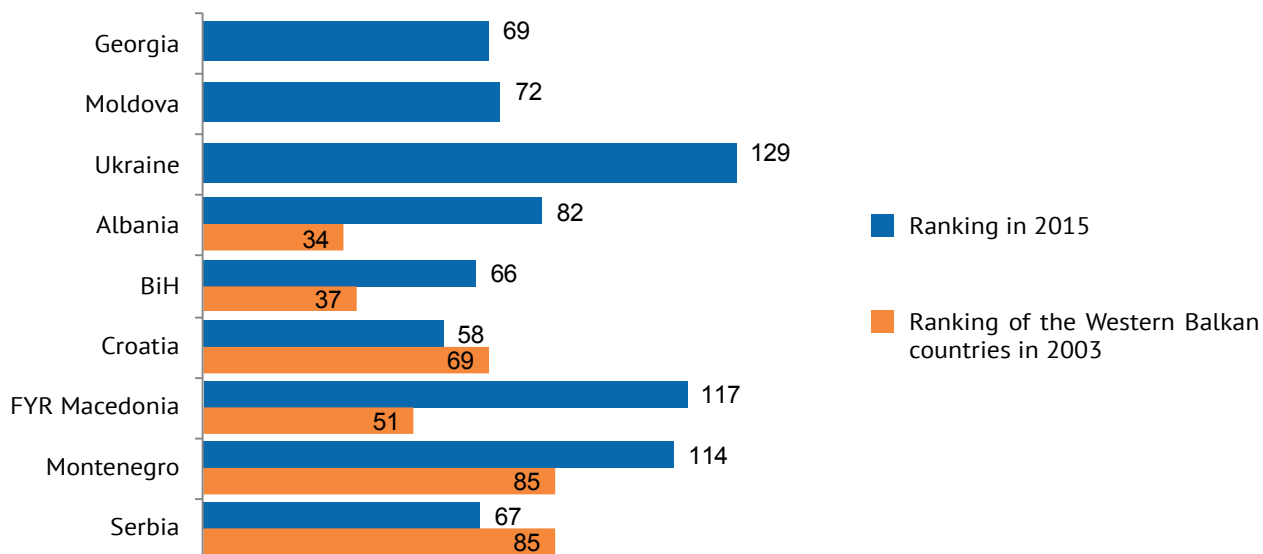
Graphic 4. Corruption perception index by Transparency International



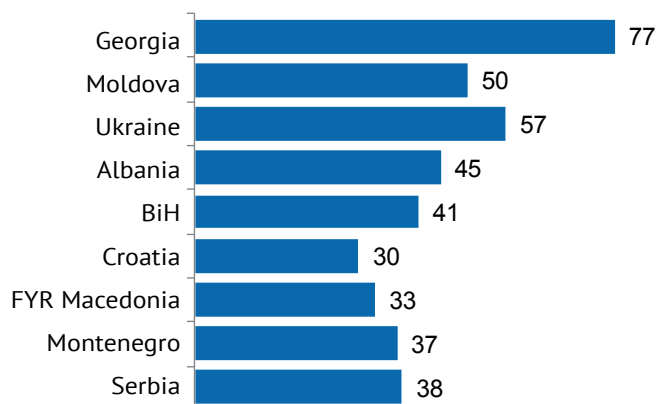
Graphic 5. Freedom in the World by Freedom House, 2015



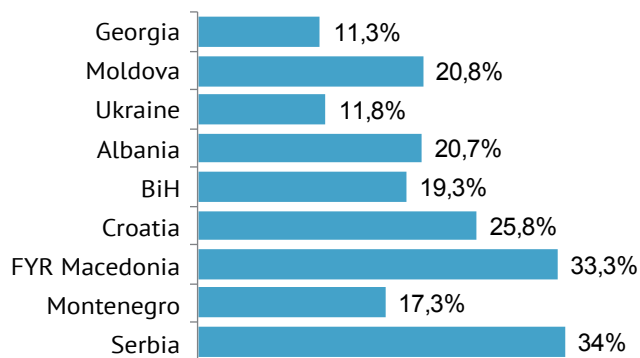
Graphic 6. Press Freedom Index by Reporters without Borders



Graphic 7. Gender Inequality Index by UNDP Human Development Report, 2014

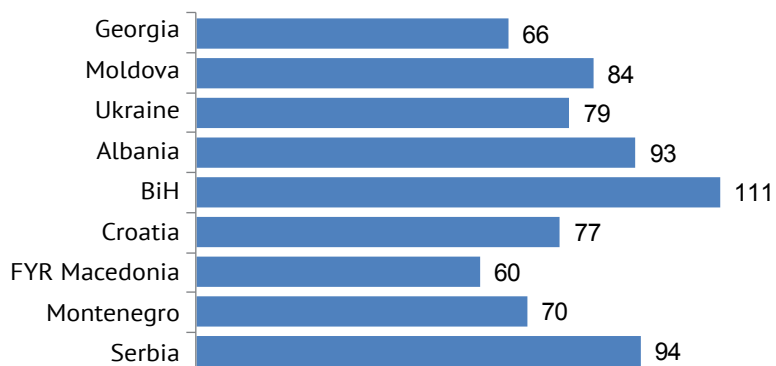


Graphic 8. Women's representation in the Parliament

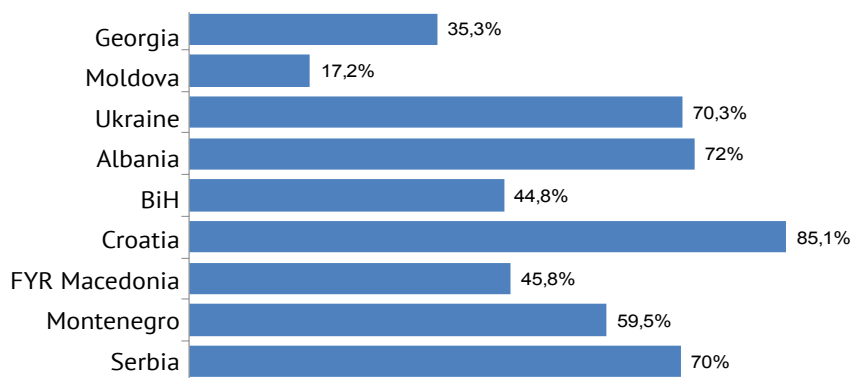


**EU MEMBERSHIP PERSPECTIVE FOR GEORGIA, MOLDOVA, AND UKRAINE:
impossible, forgotten, or hidden?**

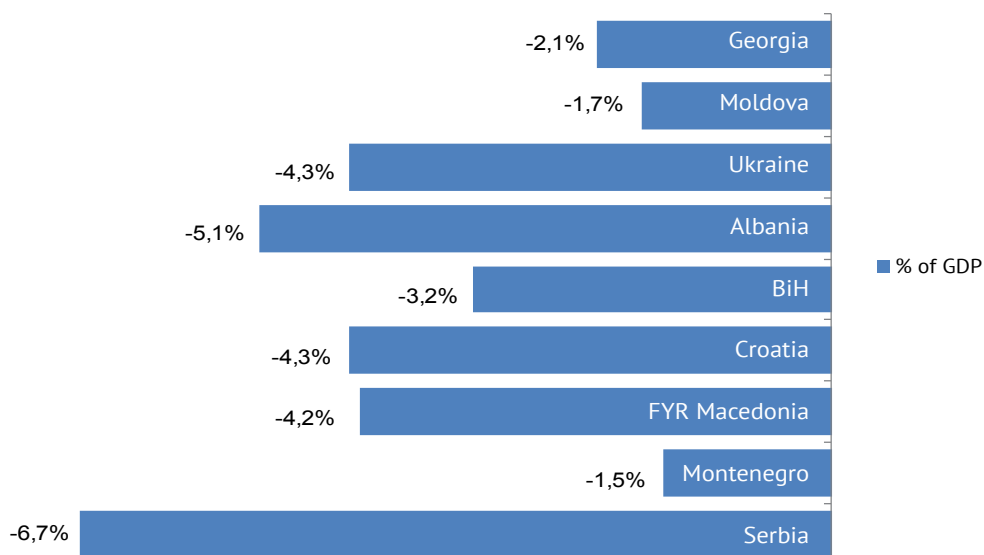
Graphic 9. Global competitiveness ranking 2015-2016 by World Economic Forum



Graphic 10. Public debt to GDP ratio, 2014 ²⁹

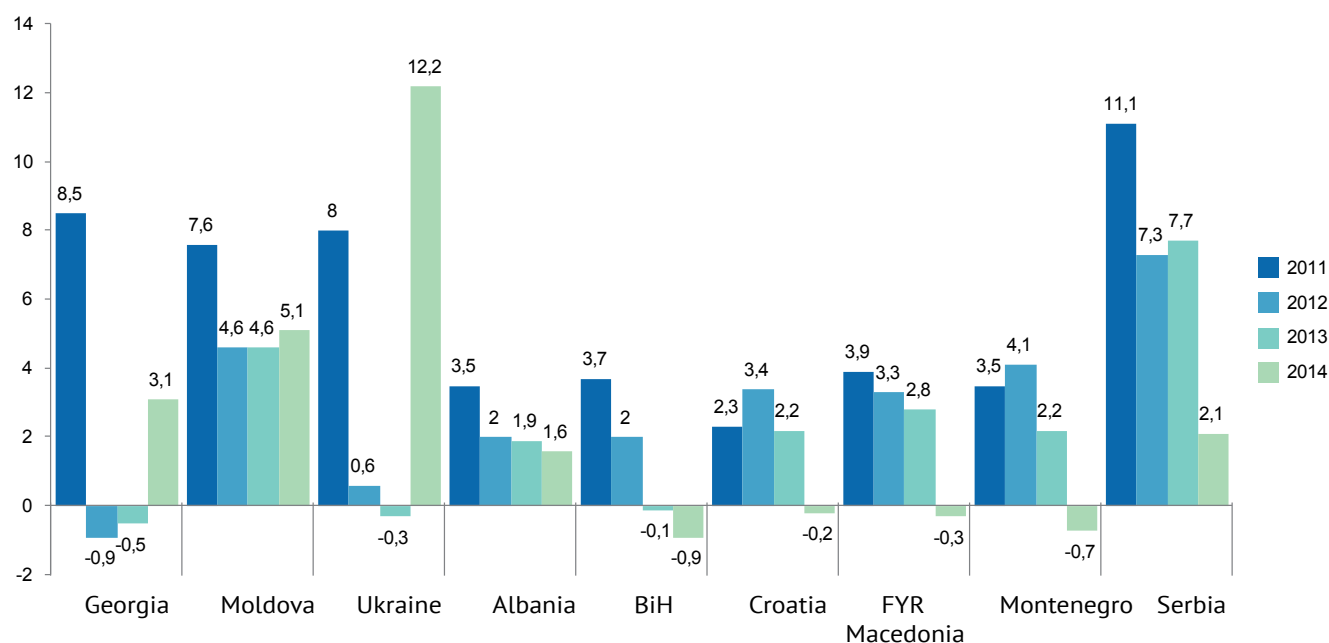


Graphic 11. Budget deficit, 2014 ³⁰



²⁹ The Central Intelligence Agency World Factbook

³⁰ The Central Intelligence Agency World Factbook

Graphic 12. Inflation as measured by the consumer price index; World Bank

Russia's hybrid veto

Although officially Russia cannot influence the process of EU membership for Georgia, Moldova, and Ukraine, it is still indirectly influencing the debate. From the Russian perspective, the EaP states should at least remain neutral and represent a buffer zone if they are not willing to become members of the Russia-led Eurasian Union. Russia sees NATO in the EU's shadow and will seek to acquire veto power on any important changes in the EaP region that might affect Russian interests. The recent example of Russia's intervention in Ukraine and relatively recent ones in Georgia and Moldova demonstrate that Russia is serious about defending its "vital" space. If the EU, after all that has happened, will get back to business as usual with Russia, especially while it is influenced by the Syria issue and growing terrorist threat, it will mean that the EU also recognizes Russia as a veto holder in the region and the practical manifestation of such recognition could be that the expansion of the transatlantic and EU

institutions further into the post-Soviet space will not be possible without Russia's approval.³¹

The fact that the AA countries have breakaway regions in their territories is not as big an issue as some might put it. The real problem is that the secessionist territories are created and sponsored by Russia. It will imply a certain degree of sacrifice for some EU states to prioritize the EaP associated countries, but this is the real way in which one could manage to build a circle of friends. Otherwise, the situation is evolving in such a way that, as *The Economist* put it, Europe could find itself with a ring of fire.³²

The settlement of territorial conflicts is not a precondition for EU accession, as the example of Cyprus proved. For the EU accession, there might be issues with certain elements deriving from the conflicts, such

³¹ L. Kasciunas, V. Ivanauskas, et al, *Eastern Partnership in a Changed Security Environment: New incentives for reform*, Eastern European Studies Center, <http://www.eesc.lt/uploads/news/id804/EaP%20In%20A%20Changed%20Security%20Environment%20ENG.pdf>

³² *Europe's ring of fire*, <http://www.economist.com/news/europe/21618846-european-unions-neighbourhood-more-troubled-ever-europes-ring-fire>

A Roadmap for the EU membership perspective for Georgia, Moldova, and Ukraine

as customs control, prevention of smuggling, etc., but if these countries manage to control migration flows and the circulation of goods, this should not be an issue that would keep them from the EU accession process.

A particularly positive and somewhat unexpected result was that experts from all three countries and the EU supported the idea that the application for the EU membership would increase the chances of resolving conflicts in the territory of Georgia, Moldova, and Ukraine. Like in the case of the Balkans, the application could become a peace project. It will work as a tool of reintegration if benefits are provided. However, optimism should be tempered in light of the case of Serbia and Kosovo, even if the conflict in Kosovo and the conflicts in Georgia, Moldova, and Ukraine are not comparable in any way. It might be an illusion that the future accession process and joining the EU will contribute to the settlement of these conflicts in Ukraine's and Georgia's favor (one has to look at the Kosovo precedent or the recent legal solution for the Serbian communities within Kosovo).

As the EaP-associated states are torn between Russia and the EU, they send the wrong signal to the elites across the Eastern Partnership. Today, the EU can only increase its leverage over the elites of the EaP-associated states "if it puts an offer on the table that dispels the understandable doubts about the bloc's seriousness and passes to Georgian, Moldovan and Ukrainian politicians serious responsibility for their society's lack of fulfilment."³³ It is better to have a process of EU integration than a discussion on EU integration. In this way, the EU would obtain real influence over the reform process which is not desired by many political actors in the three countries, but have a strong backing from the society. The rent-seeking elites, as one could have observed in the Balkans and especially in Moldova and Ukraine, are in general in favor of slowing down the transformation³⁴ and having a more theoretical discussion about EU membership. Beginning a process of obtaining candidate status might be the only force capable of steering reforms and changing the political elite.

Since the inception of the EaP, the result of the reforms in Georgia, Moldova, and Ukraine could be described as insufficient for sustainable change and Europeanization, but strong enough for an officially-recognised membership perspective that could advance to an application after the a few years if a positive track record on reforms is recorded.

³³ Stefan Meister, *What if... the EU had offered a membership perspective to Ukraine?*, http://www.ecfr.eu/article/commentary_what_if_the_eu_had_offered_membership_perspective_to_ukraine230

³⁴ Dimitar Bechev, "The Periphery of the Periphery: The Western Balkans and the Euro Crisis", *Policy Brief, European Council on Foreign Relations, August 2012*.

Recommendations for Georgia, Moldova, and Ukraine:

- Without reforms and convincing the EU that these states can have a sustainable approach to reform implementation, it will be difficult for the EU even to engage in dialogue on membership for the AA states.
- Chisinau, Kyiv, and Tbilisi should look at the EU enlargement process from the EU's standpoint, communicate with the EU, and build an understanding with the EU about its concerns and about how these countries can address them.
- Appoint experienced diplomats, especially in Euro-sceptic countries, and see how they can communicate to the political elites of the host country and encourage them to participate in public life (media interviews, public events, etc.)
- Problems with membership exist on both sides. While it is more difficult to influence the issues in the EU MS, it is, however, mandatory to fix issues in the AA countries. Creating a task force in each state to deal with problems that prevent them from applying for a membership perspective should be a priority. In each country, the task force will be dealing with mapping out how the EU membership bid should be planned, what the narrative will be and how to counter the arguments of Euro-sceptics. However, if no progress on reforms is made, it is unlikely that narrative-building will be positive.
- Perform pre-emptive "screening" based on the questionnaire that is given to the applicant countries. This step will, above all, make the countries aware of the process and the amount of work that needs to be done. It will also create a core team in all areas that will deal with EU integration. Filling in the questionnaire will also help make a case for the three countries and better sell their advantages.
- Carry out public opinion surveys in some of the enlargement-sceptical EU member states regarding the possibility of Georgia, Moldova, and Ukraine joining the European Union. Market the cases for each country in the EU. Explain why it is important to admit Georgia, Moldova, and Ukraine to the EU.
- Coordination of the three states' activities related to European integration and the membership application. This will be a very strong signal to the EU that the states are engaged in the process and are going through a self-learning procedure.
- Build dialogue with the Balkan countries on membership issues. The Balkan countries are going through the same procedure that will be applied to the three associated countries. Therefore, learning from these countries will make a significant shortcut and bring important know-how of the process.
- Present a vision and a plan for membership for the next 3-5 years. Behave like a member state and be consistent in the dialogue with the EU.
- Carry out awareness campaigns throughout the country. Develop special dialogue with minorities in order to weaken Russian claims that the Russian minorities are "tortured" by European ideas.
- Creating an informal Georgia, Moldova, Ukraine caucus in the European Parliament is equally important. Even if the EP is more limited in power than the Council, it is a good hub for agenda setting and for voicing ideas. The cooperation will proceed even better once the three countries start working on the issue of membership with the EP political groups.
- Find a country advocate that will push the issue of the agenda, just as Greece did for Cyprus, Germany for Poland, France for Romania, etc. It's easier to find those advocates among your neighbours (Poland for Ukraine and Romania for Moldova). Georgia should invest in such a special relationship too, preferably with a heavyweight EU member. Also, a relative majority will be

Recommendations for the EU:

- necessary in order to pursue a smooth process of recognition of the membership perspective.
- Make a cost-benefit analysis. Gains and losses have always occurred in all the enlargements, and they could be mapped for the three countries. Currently, the EU thinks of any further enlargement (including to the Balkans) in terms of risks and no longer thinks only in terms of opportunities.
 - Civil society organizations need to carry out advocacy trips to Brussels, Paris, and Berlin to advocate for the EU granting a membership perspective to Georgia, Moldova, and Ukraine.
 - The decision on accepting the application will be a political one but based on real progress. There is often a certain space for manipulation. As the case of Turkey suggests, giving a membership perspective does not involve a commitment for fast-track accession or any other procedure that would disadvantage the EU. An offer of membership would erase a serious argument of the still-populist political elite in the AA countries that wish that the EU would not be serious about the membership perspective. It means that these political elites would have to provide reforms and not empty debates.
 - Do not give Russia unofficial veto power on the enlargement process in the East. Over the past ten years, the EU's desire not to irritate Russia has proved unsuccessful in terms of results. Offering the European perspective to three nations is a "light at the end of the tunnel" and would not cost anything economically to the EU, but what it would gain is a sense of purpose and direction in its neighbourhood and enlargement policy.
 - Compile elaborate comprehensive progress reports to assess the implementation of the Association Agreement introducing clear benchmarks and indicators and relying on the experience of the Visa Liberalisation Action Plan progress reports.

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