

15 October 2018

Speech by Hennadiy Maksak, Steering Committee Member and Ukraine Country Coordinator of the Eastern Partnership Civil Society Forum at the Eastern Partnership Ministerial Meeting (Foreign Affairs) in Luxembourg

On behalf of the Steering Committee of the EaP Civil Society Forum, I would like to share with you our observations on the developments in the region – while running an assessment of 20 Deliverables for 2020. The Eastern Partnership policy initiative has led to good results in the many areas, a topic which I will discuss in more detail later. However, the past few years have shown that the EaP countries are yet to develop sustainable democratic institutions.

The preliminary results of the Eastern Partnership Index, soon to be published by EaP CSF, reveal not only modest progress in the protection of human rights – but also a worrying “backslide” when it comes to independent media and judiciary, as well as in efforts in fighting corruption. This is our common challenge. EaP should be strengthened to tackle state capture, corruption and disinformation. To achieve this, we need a more ambitious approach and a stronger partnership between EU institutions and civil society.

Overall, we notice that EaP is becoming more technical in nature. Civil society calls on EU member states to be more active in supporting the policy initiative – to use their political weight to deliver a clear, longer-term vision of the policy and its region after 2020. How should EaP look like? A good starting point for discussion might be the “EaP+” concept, proposed by the European Parliament.

The future of EU financial assistance to EaP countries is one of our key concerns. The proposal to combine current 12 EU external action instruments under one roof, in the proposed form – NDICI – Neighbourhood, Development and International Cooperation Instrument, sends a strong negative signal to partners in the EaP region. What is more, it does not contain any references to existing civil society support programmes within ENI – European Neighbourhood Instrument. We have prepared a detailed position paper where we recommend to take financial support to the EU neighbourhood out of the NDICI draft regulation. Our counter-proposal is to re-establish ENI – in order to sustain the current system of ENI governance.

We welcome the launch of new EaP multilateral architecture in March 2018 – proposing more a more politically weighted process and common ownership of EaP activities, which includes more civil society engagement. That said, we strongly believe that security is still underestimated by EU as an area, where there could be more cooperation. If there is no political

[Check Against Delivery]

will to set a new security platform, there is an urgent need to create an expert Working Group within Platform 1 to deal with countering propaganda and disinformation – as well as ensuring cyber security and protection of critical infrastructure.

Now let me turn to the civil society assessment of current developments in all six partner countries.

In Azerbaijan, civil society remains a vocal supporter of European integration in the framework of the upcoming EU-Azerbaijan Partnership Agreement. However, the “deepening” of relations between EU and Azerbaijan should be based on respecting core values and democratic principles, rule of law and human rights. In this regard, civil society still faces a restrictive legislative and operating environment. We call upon EU and the Azerbaijani authorities to give priority to political reforms – which will translate into energy security, stability and prosperity for Azerbaijani citizens. It is important to take into account the importance of human rights – particularly, the release of political prisoners, which is echoed in the European Parliament’s position.

Civil society played a crucial role in the “Velvet Revolution” in Armenia. Now, the new Armenian government has to tackle complex reforms – where EU and its support must play a key role. Civil society, and particularly EaP CSF Armenian National Platform, strongly support the decision to hold early Parliamentary elections in December 2018 – with a commitment to ensure fairness and transparency of the upcoming campaign. The elections will, I hope, give an incentive to finalise institutional reforms and create new opportunities to implement CEPA – Comprehensive and Enhanced Partnership Agreement. Failure to improve EU-Armenia relations, in the context of these important steps – building a more democratic system, could send confusing signals to other EaP countries.

We can see some positive developments in Belarus, such as proactive work on the signing of the Partnership Priorities. In June, Belarus hosted the EaP Ministerial Informal Dialogue meeting – in line with 20 Deliverables for 2020 agenda. We see that the extended free-visa regime, now covering visits up to one month – facilitates strengthening contacts between people. However, we would also like to reiterate that a successful implementation of the National Human Rights Action Plan can only be possible with active involvement of human rights organisations. Unfortunately, the situation around media continues to be worrying – with two notable media outlets continuing to face repercussions.

Georgia is on the doorstep of its last direct presidential elections and we call on all parties involved – to foster a constructive debate in the interest of more inclusive, free and competitive electoral environment. Georgian authorities should continue their effort in introducing measures that increase the level of independence and transparency – particularly in the context of the judiciary and reforming the Prosecutor’s Office. In order to gain public confidence and

[Check Against Delivery]

support, we encourage policy-makers to make the process inclusive, with further engagement of civil society organisations and the expert community. We see that the frequency of Georgian citizens being kidnapped in the territory adjacent to the Administrative Boundary Line with Tskhinvali has increased. On this issue, we call EU to put more pressure on the Russian Federation – which is directly responsible for the inhumane and illegal actions, committed by the occupying and paramilitary forces.

Unfortunately, we see a deterioration in the rule of law in Moldova – which is close to being “captured” by people “outside” the legal system. We welcome the decision to suspend EU financial support until the upcoming elections in February 2019. At the same time, we call on EU institutions to push for an independent investigation of the 1 billion dollars bank fraud. The situation in Moldova must be monitored closely – specific and adequate preconditions must be laid down before financial support is granted once again. The European Commission should outline, and apply a Magnitsky Act-type document – designed to target those in power who use illegally obtained funds to obstruct democratic development, not only in Moldova but elsewhere as well.

The recent SIGMA report, assessing the public administration system in Ukraine gives it a positive overall score. Indeed, when it comes to some indicators, we see a higher score for Ukraine than for some accession countries, which include states in the Western Balkans. At the same time, the system is underperforming – especially when it comes to the judiciary and anti-corruption reforms. We urge Ukrainian authorities to find political will to create, and finalise, an anti-corruption institutional framework in Ukraine – as well as revise the process, which leads to the selection of judges. What is more, we need a more secure operating environment for anti-corruption activists. We welcome the efforts to reinvigorate the AA/DCFTA – Association Agreement and Deep and Comprehensive Free Trade Area implementation process. The adoption of the “Road map for the legislative support for the implementation of the Association Agreement for 2018-2019” as well as the “Strategy for Communicating European Integration for 2018-2021” are both positive signs. Against the backdrop of the long-standing Russian aggression, and the in run-up to the new electoral cycle in 2019, we propose to establish a cooperation-based platform with EU partners, addressing hybrid threats. This platform might also be instrumental for Armenia and Moldova in countering these threats.

To conclude, we are glad that this meeting will take stock of the implementation of the 20 Deliverables for 2020. EaP CSF Ukrainian National Platform has conducted a comprehensive assessment on their implementation, and we are currently holding a consultation with our members – the results of which will be presented at the upcoming CSF Annual Assembly in Tbilisi.