

Working Group 1 Annual Meeting

11-12 September 2018, Brussels

Meeting Report

Opening session

Chris Bobinski and Haykuhi Harutyunyan, WG 1 Coordinators, opened the session, with their remarks on the current state of EaP. Due to the recent changes within the EaP structure, EaP CSF has to adjust to the new realities. They highlighted the importance of the Forum as a civil society counterpart for the EU, consulted regularly within the multilateral format and by the European Commission. EaP CSF must be ready to provide good input and be effective in responding to requests but also proactive with its own agenda.

New EaP architecture and upcoming changes within the Forum

Chris Bobinski (Platform 1), Abraham Artashesyan (Platform 1 PAR panel), Lilia Carasciuc (Platform 1 Rule of law panel) and Hennadiy Maksak (Platform 1 CSDP Panel) shared their experience from their participation in respective EaP Platform 1 and its panel meetings. The issue of short-timed advanced notices for the multilateral meetings was raised again; CSF needs to have enough time to prepare and send the appropriate people. Lilia Carasciuc shared her concerns about the urgent need to start an international investigation into the problems of money laundering and corruption in the EaP countries and noted there was not much interest from the EU member states during the meeting. Hennadiy Maksak underlined the recommendation he raised at the CSDP panel about security and CSDP issues to be upgrade to the self-standing EaP platform. There should be clearer indicators to assess the progress achieved on 20 Deliverables for 2020 in EaP countries.

A participant suggested EaP CSF to have a mechanism to ensure that the advices provided to the EU by the civil society are reflected and implemented. A good way to monitor the compliance is to invite EU officials to the WG meetings and to exchange on the input provided. Another participant wondered whether more importance should be given to National Platforms (NPs). In response, it was mentioned the NPs should indeed contribute more to the preparation of the EaP CSF positions for the EaP Platforms and panels. This would allow the Forum to have a final collective position and an expert opinion from each EaP country. In order to facilitate better preparations, the Secretariat would work to ensure that the invitations sent by the European Commission are forwarded as early as possible, so that there is enough time to identify the relevant experts within the NPs.

Afterwards, WG1 Coordinators and the Secretariat [presented the upcoming internal reform](#). During the Q&A session, several interesting remarks and questions were raised. First question was on the participation of European and International organizations in the Forum. In response, it was mentioned those organizations can already participate through different status (friends, observers) and that two facilitators from the EU would be present in order to coordinate the activities of the EU members. The WG Coordinators stressed the idea of introducing a code of conduct is important, especially for the



politically affiliated NGOs. Regarding the creation of an arbitration body, it was noted that it will be difficult to find the candidates and that CSF really needs more transparency, audit reports and more information about the upcoming events to be published. Fourth, it was mentioned the proposed reform fails to include the specification of the roles of the EaP CSF Steering Committee members. To this remark, the WG Coordinators responded that the Annual Assembly, despite not electing the Steering Committee members any longer, should examine its performance as well as look closer at the performance of the Secretariat. Other remarks included concerns about how to proceed in case of disagreement with one of the eight reform points proposed and whether the two-year limit mandate would be applied retrospectively.

Discussion on the latest developments in the EU and the EaP countries

During this session, Jana Kobzova, Policy Director from Rasmussen Global, explained the latest trends and developments in the EU and the EaP countries. There are three trends that should be taken into account in order to better understand the situation. First, the EaP is a policy driven mainly by the European Commission; the involvement of the Member States has been decreasing. The Forum should turn to the EU capitals and underline the importance of the EaP for stability and security at the EU borders. The European Parliament elections are upcoming and the Forum should engage the new composition of the body as soon as possible. Third, the idea of neutrality for the EaP region voiced by some Member States is not a good solution and the civil society should voice its opinion on that. The participants found those ideas very interesting and the following comments and suggestions were made during the discussion:

- To address the upcoming changes in the European Parliament by making sure that CSOs from EaP countries reach their European counterparts and that the new composition of the EP is aware of the situation in the region. In order to do so, it was discussed that the EaP CSF Secretariat could draft a list of the EP stakeholders with the necessary information to allow for a proper advocacy campaign before and after the EP elections.
- To reach out to other EU institutions such as the European Council or the European Commission, other international actors such as the International Labour Organization and the International Criminal court as well as Council of Europe.
- To include more economic and environmental issues in the EaP CSOs messages (such as people to people and business to business contacts) in order to increase the EU presence in the economic and social sectors of EaP countries. That is important to guarantee an effective influence of the EU in the region.
- To increase the efficiency of advocacy campaigns with EU stakeholders by referring to market opportunities, migration and security issues. Human Right issues are important but they do not work for all Member States.
- To keep in mind the worrying trends and the lack of improvement in Azerbaijan, Belarus and Moldova and understand the necessity for the EU to find new approaches for these countries and to revise its current assessments.

- To remind the EU the importance of Public Broadcasters in the region and the need to invest more in them.
- To remind the EU that neutrality when facing Russia's threats only encourages its aggressiveness and that it is dangerous for Europe as a whole.
- To consider the creation of a rapid response group within the European Institutions to urgently react on the changing situation in the EaP region. The absence of such a group creates a perception gap in the relations with the EaP countries and can be used by the old political powers to demonstrate that changes in the countries will not automatically bring the EU support.
- After important events such as the Armenian revolution, the EU should improve its relations and cooperation with the given country, and not underestimate the political changes. If there is no improvement in the relationship with the EU after a country makes a step towards a more democratic system, then it might be confusing for other EaP states, which would see fewer incentives to follow the same path.

Brainstorming on messages and meeting with external stakeholders

The members of WG1 worked in six small groups on the following topics:

Messages on enabling environment for the civil society

Members present: Heriknaz Harutyunyan, Najmin Kamilsoy, Mammad Mammadzada, Leyla Aliyeva, Rasul Jafarov, Ion Manole, Hanna Vasilevich, Abraham Artashesyan and Neil Clarke.

External stakeholders: Sinziana Poiana, *European Commission, DG NEAR*, Marta Wytrykowska, *EEAS*

This session addressed the state of affairs of the environment for civil society in each EaP country and set priorities of action. All participants agreed that the context is different in each EaP country and that it is necessary to employ individual strategies. The messages from the members are:

- Develop a more participatory and long-term planning
- Increase sustainability (through sub-contracting and capacity building)
- Complement financial aid with political support
- Establish an index to measure the enabling environment in EaP countries
- Increase the transparency of the negotiations with EaP governments
- EU Delegations to have capacity-building offices to support the grantees

Messages on Open Government Partnership (OGP)

Members present: Olesea Stamate, Celia Davies, Alexandru Coica, Dmitriy Sokol and Jeff Lovitt.

External stakeholders: Sandra Pernar, *OGP Brussels Office*, Girogi Kldiashvili, *OGP Civil society Steering Committee*

During this session, messages were developed around four points:

- (1) Message on Open Government Principles for inclusion in EaP CSF statement to EaP Ministerial Meeting, 15 October 2018.

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- The governments of the EaP countries should give high priority to open government principles and to multi-stakeholder consultations during political decision-making.
- The EaP governments should embrace the expertise of CSOs in shaping the Action Plan Commitments, especially on public accountability and the rule of law, transparency of political finance and disclosure of assets of public officials.
- A higher priority to open government principles and the implementation of OGP commitments is key to the fulfilment of the 2020 Deliverables on Strengthening Institutions and Good Governance.

(2) Message for CSF NPs and WGs to engage on OGP:

- WGs and NPs are encouraged to engage in the OGP Action Plan design and co-creation processes in their respective countries, and in the case of Belarus to also it as a model for engagement with the public authorities.
- The WGs are urged to prepare advocacy and research projects and to target the OGP Multi-Donor Trust Fund and other donors with applications for funding.
- They are encouraged to invite the government Points of Contact to NP meetings and to introduce to them the breadth of expertise and experience of the NPs.
- The NPs can raise awareness among their members, other civil society organizations and the general public about the principles of open government and the importance of a high level civic engagement in the design and monitoring of OGP commitments.
- WG1 also proposes that civic engagement in OGP, and accompanying multi-stakeholder fora, advocacy and research, be included among the priorities for 2019 CSF re-granting schemes.

(3) Civil Society participation in Political decision-making:

- The CSF should work with the Council of Europe to strengthen Council of Europe initiatives on civil society participation in political decision-making.
- The CSF has applied to join the Conference of INGOs, and should build on the existing contacts established to date to develop common positions and approaches towards Council of Europe member states and the EU concerning funding priorities to ensure that the Council of Europe makes a priority of projects on participatory democracy and citizens' engagement in Eastern Partnership countries, a cross-cutting 2020 Deliverable.
- The CSF can then work together with partners in the Council of Europe in raising the level of funding for such projects from both the EU and Council of Europe member states.

(4) Proposal to co-operate with OGP on Fostering Citizens' Engagement in EaP Countries:

- The CSF intends to contribute to, and strengthen, OGP in the EaP countries.
- The NPs in the five countries that are OGP Members are well placed to make a commitment to engage with their governments in strengthening multi-stakeholder forums and civil society in the development of action plan commitments.
- CSF WG1 would like to work in partnership with the OGP Country Support team in the OGP Support Unit and to join our efforts in strengthening civic engagement in the EaP countries.
- We would also be ready to support the OGP and OGP member countries in increasing the representation of expert civil society organisations on panels and sessions in various formats at OGP summits and regional meetings.

Messages on Security

Members Present: Hennadyi Maksak, Iulian Groza, Iulia Tischenko, Irina Bekeshkina, Nikoloz Legashvili, Sergiy Sydorenko, Manana Bicadze-Mikeladze, Ion Manole and Lidia Gromadzka

External stakeholders: Radoslaw Darski, Deputy Head of Unit, *EEAS*

This session developed around three questions. First, the participants discussed whether the current agenda of the EaP Panel on security, CSDP and Civil Protection reflected the EaP partners' expectations and tackled the existing challenges of security environment in the region. Regarding this question, the following messages were developed:

- Differentiation is clearly needed on security topics in the EaP. It would be necessary to set-up particular sub-groups in the Panel for EU-AA3 EaP Countries. In the current situation, it is difficult that all 6 countries have a common ground, interests and security perceptions.
- Targets for EU + AA3 EaP should go beyond cooperation to gradual integration by including these countries more actively into EU initiatives and policies.
- Bilateral interaction on security and defense between the EU and each partner should be further strengthened by extending regular security dialogues.
- EU-NATO-EaP tailored cooperation on security and defense capabilities.
- Further focus on the EU-EaP cooperation on preventing and combating hybrid threats from Russia.
- Inclusion in the agenda of the panel topics related to the right of refugees, IDPs or other rights of persons affected by conflicts.
- Invite CSOs from the relevant EaP countries to share information and experience on cases related to protection of refugees' rights, IDPs and citizens residing in conflict areas.
- Conflicts in the region should be discussed in the panel.
- Invite EaP CSF experts to present reviews and assessments on issues related on protection of human rights and human security dimension in regions affected by conflict.

The second question addressed what is and what should be the role of EaP CSF in shaping the security agenda of the EaP. The following messages were suggested:

- Create security threats alert system in the EaP countries based on a network of relevant EaP CSF members .
- Contribute with an independent monitoring of the security threats in the EaP countries.
- Exchange information and experience on conflicts and the security agenda among EaP countries.

The third and final question addressed to what extend the EaP 20 Deliverables for 2020 tackled the challenges of the current security environment in the EaP countries. It was understood that annual revisions of the targets by 2020 takes place and that the followings should be included:

- Elaborate and implement a multilateral mechanism for protection of critical infrastructure in partner countries in the trans-border or regional segments;

- Approve necessary legislation for setting up IMAS based national humanitarian demining systems in EaP countries, especially those with unsettled conflicts.
- Form an intergovernmental security platform on countering hybrid threats and settlement of lasting conflicts within the EaP and with involvement of the EU.
- Acceleration of adoption of the Operational Action Plan aiming at sharing intelligence and operational data regarding the illicit firearms trafficking and the list of risk indicators.
- Considering the EU trends of strengthening its defense and security capabilities; it would be beneficial to pay more attention to training in non-military aspects of CSDP.
- The mentioned initiative of Ukraine's Foreign Ministry on the establishment of a multilateral EaP Cybersecurity Center can become a basis for fulfilling the task of enhanced international cooperation on cybersecurity.

Messages on media and propaganda

Members Present: Daniel Ioannisyan, Aliaksandr Bialiatski, Luiza Dorosenco, Volha Khvoin, Petru Macovei, Ashot Melikyan and Arnold Stepanian

External stakeholders: Timur Onica, *European Endowment for Democracy*, Tomas Liptak, *Permanent Representation of the Czech Republic to the EU*

In this session, the participants were able to deliver their messages on legal and financial support for media organizations and need to coordinate better the action of current donors. Timur Onica from EED highlighted the low adequacy of the current donor support and stressed that although investing in capacity and content is important, the problem is elsewhere. Tomas Liptak from the Permanent Representation of the Czech Republic to the EU agreed with the presented demands and measures and underlined the importance to support independent media in EaP countries.

The participants discussed the feasibility and guidelines for providing small grants to media in EaP countries. It was agreed that media has become a politicised instrument used for political and propagandist purposes and that censorship takes place in a subtle way in all EaP countries, the participants developed the following messages:

- Donors should understand better the issues and solutions related to media development in the region and to look more for country specific issues and solutions.
- There should be a better coordination among the donors.
- Find long-term support and commitment by donors for independent media in general but for specific projects as well (donors' strategies longer than their commitments)
- Support more projects such as start-ups (case of Moldova and the British Embassy – 5 start-ups online media) and small media initiatives such as bloggers and influencers (those who produce quality information content; production of quality content on social media)
- Provide legal support for journalists, media organizations and media development NGOs.
- Develop more media training programmes for journals, media managements, and marketing.

- Increase media literacy for media consumers, in particular for young people (90% of youth in Belarus consume media content via social media)
- Put pressure on PMSs for more transparency in buying independent production content and clearer budgets for these purposes.
- Provide technical support and equipment (software, PC, laptops) to allow multimedia production and an integrated newsroom for independent media.
- Use in-house consulting for business management, commercial issues. Consultants should come from similar cultural and social background.

Messages on justice reforms, rule of law, corruption

Members present: Lasha Tughushi, Ofelya Zalyan, Lilia Carasciuc, Ziya Guliyev, Haykuhi Harutyunyan

External stakeholders: Jan Petry, *European Commission, DG JUST*

The session was devoted to the analysis of the indicators developed by the European Commission for the efficiency of justice (CEPEJ) of the Council of Europe and presented at the Platform 1 meeting, which took place on 20 April 2018. The group discussed at length the proposed indicators and developed a set of additional indicators.

On the proposed indicators, the group noted that:

- The indicators should be more comprehensive and go beyond assessing courts. The proposed indicators are strongly focused on courts and do not assess prosecution and, special investigation bodies, which should be part of functioning justice institutions.
- The majority of indicators are quantitative, assessing the efficiency of the system, without looking into quality. The indicator on *Independence, Quality and Efficiency* is the sole assessing quality, but does not define what quality is.
- The indicators should be formulated so to assess better the balance between theory and practice. This could be achieved (i) complementing the indicators with data and evidence collected by civil society and (ii) involving the local expert community and civil society in regular dialogue and consultations.
- The Accountability indicator “1.1 Track record of disciplinary cases (including how many reported, how many proceedings initiated and how many decisions)” is not sufficient. The law should be qualitatively assessed, given that whether the number of proceedings or decisions is high or small depends on how the law is formulated;

The group proceeded to develop additional indicators that would not only assess the technical aspects of rule of law (bureaucracy) through quantitative data based-indicators but look also at the rule of law in the system (Appendix 1).

During the meeting with Jan Petry, the participants discussed to what extent the current indicators evaluating the efficiency of judicial system are useful to capture the progress made by the EaP countries.

Messages on gender

Members Present: Azar Alizada, Sviatlana Karaliova, Zhirayr Edilyan and Yuliia Savelieva.

External stakeholders: Josefin Emanuel Brattberg, *European Commission, DG NEAR*

With gender being a cross-cutting deliverable within 20 Deliverables for 2020, the Forum addressed some of existing problems in three gender-oriented EaP CSF re-granting projects that have been implemented so far. As a result, a pool of gender friendly organizations within NPs was identified and gender audit for NGOs was elaborated. Preliminary investigation on the role of 6 NPs in national gender mechanisms is currently ongoing. Nonetheless, gender issues are underestimated and sometimes even ignored. Therefore, the gender experts group suggested the following steps to be taken in order to raise more awareness about gender issues both at the Forum's and NP's level:

- Develop a pool of experts on gender issues within current architecture of EaP CSF and further analyse their activity and their contribution to gender policies of the EaP countries.
- Organise an international conference dedicated to the gender policy development in the EaP.
- Support capacity building events for gender experts from NPs, invite the EU gender experts to conduct trainings, involve national experts from the EaP in gender projects implemented by the EU in the neighbourhood countries.
- Support the EaP CSF in the development of gender policy, which will make it mandatory for each National Platform to have its own gender policy.
- Design Gender Action Plan at the Forum's and National Platforms' level, which will include monitoring and evaluation procedures.
- Promote the inclusion of NPs' contribution in national gender mechanisms and encourage National Platforms to allocate funds for the issue of gender equality.
- Provide financial support to the EaP countries in eradication of gender stereotypes, taking into account existing situation with funding.
- Support a long-term programme on gender mainstreaming in the EaP countries.

Ms Brattberg urged the EaP CSF gender organisations to ensure that projects on women's representation, violence against women and socio-economic rights of women are included in programmes of all EaP countries. It is also important to reflect in the reports how such projects influence both men and women. Gender experts including those from the EaP countries should talk not only about progress but also about failures, identify what does not work and why. It was highlighted that even today many gender programmes do not address a root cause of existing problems and do not reflect enough on how attitudes of people in a particular society change.

Boosting skills

The members could follow one of the following trainings:

- Advocacy – Lobbying (Advanced Level), by Tinatin Tsertsvadze (IPHR)

This training session helped the participants to understand the current functioning of EU institutions, their main political figures and the key stakeholders and provided the necessary tools and tips in order to address a successful advocacy campaign. Afterwards, by using two practical cases (political prisoners in Azerbaijan and gender, the participants could apply the acquired knowledges to their respective working fields.

- Monitoring the implementation of the AA with the EU (Basic level), by Lulian Groza (IPRE)

The session was focused on members from Moldova, Ukraine and Georgia, who work on the evaluation of the Association Agreements implementation in respective countries. Participants talked about indicators, which are used by civil society organisations involved in the assessment of the AA's implementation. The expert from Moldova shared his experience in evaluation and reporting which was further compared to how it has been done in Ukraine. Since there are usually deviations in the outcomes' assessment conducted by governments and civil society organisations, it is necessary to adjust qualitative indicators in accordance with the best practices.

- Effective messaging and communication (medium level), by Jeff Lovitt (New Diplomacy)

In this session, the participants received indications on how to develop effective messages and communication campaigns. To do so, Jeff Lovitt, expert trainer in strategic communications and advocacy for CSOs, explained that it is necessary to pay special attention to the identification of the issues at stake, the stakeholders involved and the existing timing (electoral processes, funding cycles, etc.). As an example of success he pointed out at the EaP CSF. On the one hand, its messages were backed by both grass root activism and credible academic sources, making them more credible and stronger. On the other hand, its permanent structure allowed developing ongoing campaigns.

Closing session

At the end of the meeting, WG1 members gathered for a common reflexion and for discussing the upcoming internal reform, sharing their outputs and messages with all WG1 members, as well as to look ahead and decide on the next steps. The meeting was overall evaluated positively. As it was noted, delivering messages to external stakeholders was seen by the participants as a unique opportunity to raise their concerns and offer first-hand knowledge from the ground, whereas external guests provided useful information on how current problems and recent changes in the EaP region are perceived inside the EU.

APPENDIX 1

Additional indicators developed by the small group on **justice reforms, rule of law, corruption**

1.4 Indicator, which shows the number of members of the Eastern Partnership country's Bar Association at the end of any given year and the number of lawyers who have been disbarred through disciplinary proceedings in the previous 12 months. Give the categories of reasons as to why lawyers were disbarred.

1.5 Indicator which shows the number of motions by judges submitted to the bar for opening disciplinary proceedings against defence lawyers.

1.5.1 the type of criminal cases within such kinds of motions are submitted

1.5.2 background story for the motion

1.5.3 grounds for the motion after adoption of 20 Deliverables for 2020. Thus curtailing defendants right to a fair trial. Indicator which show how often citizens were barred from representing defendants in public interest cases.

1.6 Track names of judges and prosecutors sitting in Eastern Partnership country cases which were found to be faulty by the European Court of Human Rights. Give articles of the European Human Rights Convention which the ECHR ruled were broken in these cases.

1.6.1. Number of decisions from the ECHR that were effectively implemented in the country. Individual and general measures

1.7 Track complaints brought by citizens against judicial and law enforcement officials which are fully investigated by the appropriate authorities.

1.8 indicator measuring the degree of politicisation of the composition of the council\body for the disciplinary proceedings against judges and political influence

1.8.1 who nominated the judges

1.8.2 how they were selected