

Future of Association Agreements in Moldova, Ukraine and Georgia: local, European and Russian factors, OP-ED



Op-Ed



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Internal players that do not take part in governance in Moldova, Ukraine and Georgia can guarantee a better implementation of the Agreements, but they necessitate protection and assistance from the European institutions. Without a robust civil society, independent mass media and free political opposition, the future of the Association Agreements is rather nebulous ...

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The signing and coming into force of the Association Agreements between the European Union and Moldova, Georgia and Ukraine triggered or accentuated complex processes aimed at pulling the three countries out of the post-Soviet models of interaction between the political class, economy and the citizens. The renewal of the legal terms of the EU's relationship with the three countries significantly improved their multi-dimensional development perspectives. The human and financial resources inside the European institutions went to step up bilateral interaction, the transfer of knowledge, the “Europeanization” of the legal framework or the preparation of reforms related to the Agreements. Even if the transformation processes in the association countries are distinct by the dynamics and profoundness of the commitments made to the EU, the trajectory of their European integration is constantly marked by at least two similar factors – oligarchic groups ([IPN, February 26, 2018](#)) and the Russian factor ([IPN, July 5, 2018](#)).

While Georgia still benefits from the liberal transformations accumulated under the rule of Mikheil Saakashvili

(10-15 years ago), the experience of Moldova and Ukraine includes reforms interrupted by political blockages caused by informal groups that exert influence on the decision-making mechanisms. This way, the implementation of reforms with a political class that was renewed only partially shows itself to be a practically impossible task in Ukraine and Moldova. In the most optimistic case, some of the reforms can materialize only if they are tailored according to private interests that would easily replace the national interests. The military aggression of Vladimir Putin's regime is an essential catalyst for reforms in Ukraine. Even if the latter mobilizes national players, this also extenuates Kiev and intensifies the radicalization of particular segments of Ukrainian society. Particular reforms can be treated as secondary owing to Kiev's concentration on the constitution of the Ukrainian nation whose importance is in competition with the priority of the modernization of the state by reforms. A distinct situation is seen in Moldova, where Russia's intervention is often exaggerated to justify the postponement of reforms or to hide counter-reforms like the mutilation of the electoral system (2017) or the facilitation of the "whitening" of gains of dubious origin (2018). At the same time, the European institutions seem to be disarmed before the anti-democratic and pro-corruption departures in the three states, while the political conditionality shows disputable efficiency ([IPN, September 10, 2018](#)).

The confrontation between the political class that lacks integrity, but rules in the three states and the multiple reforms agreed with the foreign institutions (EU, IMF) that are necessary for consolidating their democracies and economies determine a kind of relaxation on the part of the Kremlin. In the case of Georgia and Ukraine, Russia banks on the reactionary effect of the increasingly visible native nationalism coupled with the [oligarchic groups'](#) major potential for corrupting institutions and the rule of law. The Russian calculations referring to Moldova result from the confrontation that persists between the political monopoly of oligarch Vladimir Plahotniuc and the anti-oligarchic extraparliamentary opposition that finally advantages the Euro-skeptical parties whose interface is represented by President Igor Dodon ([IPN, April 23, 2018](#)).

Local factor in Georgia, Moldova and Ukraine

No element of the Association Agreements with Moldova, Ukraine or Georgia can be implemented without a powerful feeling of ownership on the part of the local governments. The reforms necessitate knowledge and resources, but imply more political courage to act against the old system. The actions taken under the tutelage of these agreements started to shake the foundations of the old practices, but cannot change the situation as robust institutions and persons with strong integrity supported by a pro-reform political will are needed.

For now, **Georgia** is the most positive case of the three, but not exactly for the merits of the current implementation of the Association Agreement, but rather for the conservation of the inheritance of the liberal reforms done after the "Rose Revolution". The profoundness of the changes initiated then by the Georgian authorities resulted mainly in the liquidation of corrupt state bodies and the regeneration of the public sector. The main concerns over the new wave of reforms that is already associated with the European integration is related to the political populism and re-introduction of regulatory mechanisms. On the one hand, the reforms done until now generated welfare and subsequently elevated the Georgian electorate. The number of citizens who are more sensitive to the government's acts increased. That is why, in order to mitigate the population's accentuated exigency, the administration controlled by Bidzina Ivanishvili has to ensure a more just distribution of the economic development, or to resort to or tolerate nationalist-populist actions and discourses. On the other hand, there is a risk that particular corruption practices could forcefully return to the ruling system if the regulatory authorities that were liquidated earlier are created again. For these reasons, the acceleration of the European integration (introduction of regulations that *volens nolens* necessitate new regulators), but without facilitating a new generation of corruption is the main challenge.

Ukraine faces the largest number of real problems among the three associated states. *Firstly*, the Ukrainian authorities are in a direct war fighting for its territorial integrity with Russia, where neither the opposition, not the failed reforms can essentially weaken the Putin regime. Consequently, the security priorities shift to other areas of strategic importance, such as corruption fighting, while the population seems to accept such prioritization. *The second aspect* that influences the country's European integration is the competition between the new institutions of the state, the oligarchic groups and the corrupt networks inside the state system. The opinion that the influence of the Ukrainian oligarchs diminishes increasingly prevails. In a powerfully corrupt state, this shows the intra-institutional corrupt networks in a country with over 40 million citizens gain more independence from the old oligarchic nucleuses. This is also encouraged by the pressing decentralization reform that is implemented with difficulty. *Last, but not least*, the protection from Russian interference and the objective to prevent the new rupture inside the Ukrainian state favor the state policy with a nationalist connotation (linguistic legislation, citizenship regulation norms, etc.). In this connection, the political and social segments of those who share views of the right expand amid nationalist discourses in the immediate vicinity (Russia, Hungary, Poland). The nationalist manifestations are usually counterproductive for sensitive reforms (social policies) that necessitate a higher level of social cohesion. Under the pressure of these factors, the players from among the political class or civil society that struggle for the implementation of reforms are in danger of isolation and public denigration and with minimum guarantees of physical safety.

The **Moldovan reality** is dominated by the ruling party's solid monopoly on the decision-making mechanism. The political competition is extremely reduced, manipulated and fragile. Any possibility for the extraparliamentary opposition or civil society to effectively exert pressure is ignored or neutralized ([IPN, October 1, 2018](#)). Reforms are implemented selectively and follow the logic of the Democratic Party and the oligarchic group that controls this, by ignoring or compensating the loyal political players on a permanent basis (Group around Iurie Leancă) or situationally (Party of Socialists and President Igor Dodon). The European, identity or anti-Russian problem enters the game every time the government wants to demobilize society, practically depriving the opposition of the only viable instrument for exerting pressure – the protests. Without an electoral recycling of the political class, a high-quality transformation of the reforming mechanisms by the model proposed by the Association Agreement is highly improbable. Owing to the introduction of the mixed electoral system, the electoral prospects of Moldova are very gloomy as the ruling party intends to remain in power for at least one more legislature ([IPN, September 18, 2018](#)).

European factor

The reticence, hesitation or tolerance of particular deviations shown by the European institutions towards Ukraine, Moldova and Georgia can condition unfavorable preconditions for particular important reforms or for the management of critical political situations that can destabilize the state constructions. The banking fraud in Moldova that was revealed in 2014, after the signing of the Association Agreement, is the most conclusive example. Only after the freezing of the direct budget support in 2015 and its reactivation in 2016, the EU became more precautionous in relation to the Moldovan authorities. So, a large-scale political crisis was needed for the European officials to assume a more expressive role in increasing the reform monitoring quality and precision.

Nevertheless, besides principledness, the European institutions need a sharp tactical feeling when applying the conditionality that, if it is invoked too late, can lose the expected effect. A relevant example of this deficiency is the non-transparent modification of the electoral system in Moldova (2017), contrary to the principles assumed before the foreign partners, which wasn't followed by the activation of political conditionality by the EU. Consequently, this omission was interpreted as an encouragement by the Moldovan government and later provoked the invalidation of the Chisinau mayoral elections, in 2018 already ([IPN, July 9, 2018](#)).

The precedents generated by the Moldovan authorities offer the European institutions useful lessons for recalibrating their approach not only towards Moldova, but also towards Georgia and Ukraine ([IPN, July 16, 2018](#)). It is risky for Brussels to be permissive when Bidzina Ivanishvili destroys the democratic institutions, even if he does this in a lighter form than Vladimir Plahotniuc ([IPN, July 30, 2018](#)). It is also dangerous for the EU to be too slow or hesitant in firmly protecting the pro-reform and anti-corruption activists in Ukraine, while being very receptive to the calls of Moldovan civil society.

The European approaches to the political realities in the three countries cannot be differentiated, but can be treated comparably, avoiding the creation of double standards. On the one hand, the EU has a difficult mission of preventing the shaping of new dangerous precedents by the own manifestations of reticence or thorny conditionality. On the other hand, the European institutions should make sure that the already set precedents are not exported from one country to another, as examples tested by the remodeling or manipulation of reforms and the resistance to the EU's intervention. The implementation of the Association Agreements in these countries depends on the responsibility of the national governments and on EU's capacity to make the governmental players in the given countries more responsible.

Russian factor

The results achieved so far in implementing the Association Agreements in Ukraine, Moldova and Georgia do not seem to alarm the Russian authorities. The democracies of these countries stagnate under the pressure of oligarchic groups, while the rule of law is fragile owing to corruption and/or politicized anti-corruption institutions. On the contrary, Russia is looking for methods to benefit from access to the European market that is offered by the Agreements, especially because the economic sanctions affect an increasing number of Russian companies and businessmen. Moldova seems to be the first country to which Russia would like to return, most probably after the parliamentary elections of February 2019, while Georgia could be the next if the tendency to soften the official position towards Moscow continues.

Russia's influence weakens Ukraine the most. In this country Russia wages a hybrid war designed to collapse the country modernization and Ukrainian national-building policies meant to separate from the Russian civilizational monopoly. Ukraine's weaknesses reside not in the power of Moscow, but in the endemic corruption whose rooting out necessities financial resources, reformed institutions, upright political parties and time. For these reasons, the Kremlin will keep the military intervention in Donbass and will try to replicate the "Transnistrian model".

The Association Agreements with the EU will meet with additional impediments if the geopolitical alternative provided by Russia becomes attractive or at least compatible. This way, the latent integration of Moldova into the

Eurasian Union ([IPN, May 22, 2018](#)) and of Armenia in advanced formats of cooperation with the EU could become a source of inspiration for those political forces that aim to reach the economic benefits available in the EU, but inspire themselves actively from non-democratic political practices that are usual in Russia.

Instead of conclusion...

The output of the Association Agreements will always be low if political corruption is not overcome, while the electoral cycles do not yield parliamentary majorities and upright governments. It is essential for the reform process to be directed by those who aim not to obtain personal benefits, but to modernize the country and to bring this closer to the EU's positive standards.

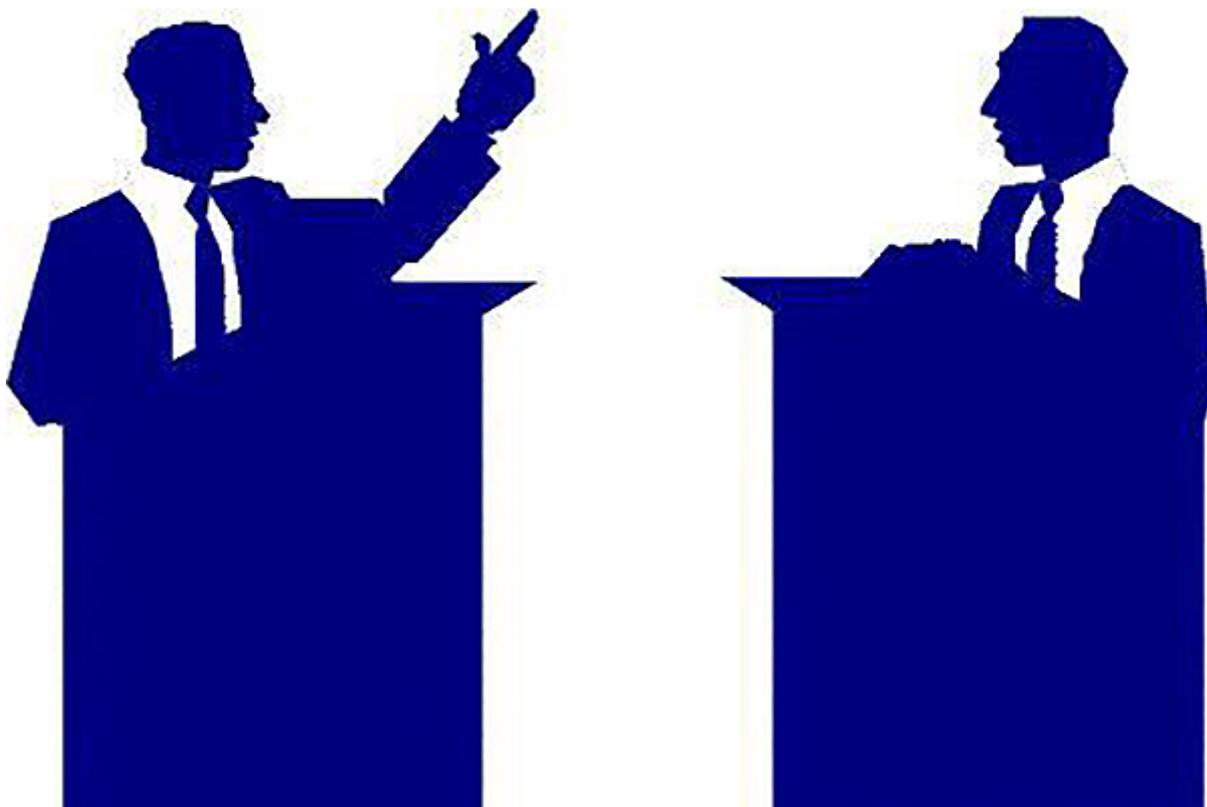
Both the EU and Russia have incentives and constraints that can influence the direction of the Association Agreements. Even if the European factor is beneficial to the reform process, this necessitates recalibration and uniformity in addressing similar problems in the three countries, like the oligarchic regimes and others. The Russian factor is disinterested in the functionality of the Association Agreements, but does not perceive these as a major danger as it sees how challenging, hesitating and dependent on the yet corrupt human factor the reforms are.

Internal players that do not take part in governance in Moldova, Ukraine and Georgia can guarantee a better implementation of the Agreements, but they necessitate protection and assistance from the European institutions. Without a robust civil society, independent mass media and free political opposition, the future of the Association Agreements is rather nebulous.

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