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Final Thesis

The European Union's "Normative Power" and the European Eastern Partnership: spreading values in Azerbaijan, an EU-topia?

Supervisor
Ch. Prof. Carlo Frappi

Assistant supervisor
Ch. Prof. Aldo Ferrari

Graduand
Giada Gavasso
Matriculation Number
858484

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Index

Abstract

Obiettivo

Lo scopo di questa tesi è quello di valutare la performance del potere normativo dell'Unione Europea in Azerbaijan, per capire se gli obiettivi dell'Unione e la promozione di norme e valori democratici possono essere recepiti in questo paese, se i metodi usati sono efficaci o se la strada intrapresa finora deve essere cambiata.

Metodologia

Alla base di questa tesi ho usato un ragionamento di tipo deduttivo – induttivo: nella parte deduttiva viene presentata un'analisi critica dello stato dell'arte riguardo il dibattito sul potere normativo europeo e sulla sua azione esterna; nella parte induttiva, riferita al caso studio sull'Azerbaigian, il processo di osservazione e la raccolta di dati qualitativi, come interviste, nel paese di interesse, mi ha aiutato ad avere uno scenario chiaro riguardo le relazioni tra Baku e Bruxelles.

Il lavoro è stato quindi diviso in tre parti.

Nella prima parte viene analizzata la teoria che ha portato alla definizione dell'Unione Europea come un attore normativo nel mondo delle relazioni internazionali. Affinché sia chiaro il comportamento dell'UE nelle relazioni con paesi terzi, è importante prendere in considerazione il concetto di "*Normative Power Europe*", considerato dai teorici di relazioni internazionali come il modo migliore per descrivere la natura unica dell'Unione, che si distingue dagli altri attori a causa del contesto storico in cui si è sviluppata, dal suo sistema di governo ibrido e dalla sua costituzione politico-legale. In questo senso, il ruolo dell'UE nello scenario internazionale è stato cristallizzato come un attore in grado di "influenzare la concezione di normalità nelle relazioni internazionali" e di riuscire a trasmettere, quindi, i

valori fondamentali dell'Unione, come il rispetto per i diritti umani, la democrazia o il buon governo.

La seconda parte si focalizza principalmente sull'azione del potere normativo europeo nel vicinato. Se da una parte, il processo di allargamento che ha avuto luogo nel 2010 è stato visto come una politica di successo per la trasmissione di norme e valori, considerato il fatto che più di dieci nuovi paesi sono stati in grado di adeguarsi agli standard europei in materia economica e politica; dall'altra parte la Politica Europea di Vicinato e il Partenariato Orientale ne hanno dimostrato i limiti. I principali fattori che hanno ostacolato la performance del potere normativo europeo sono stati la mancanza della possibilità di adesione all'Unione stessa, che nel caso delle politiche di allargamento ha ricoperto la funzione di incentivo per mettere in campo riforme molto spesso dure, e il ruolo che gioca la Federazione Russa, interessata a ristabilire la sua influenza in un vicinato conteso tra Est e Ovest. In questo senso, la performance dei sei paesi membri del Partenariato Orientale è stata disomogenea: alcuni paesi, come Georgia e Moldavia e in qualche modo anche l'Ucraina, hanno compiuto passi avanti nell'adeguamento agli standard europei nella prospettiva di una futura adesione, mentre altri, come Bielorussia o Armenia sono ancora dipendenti dalla Russia per motivi economici o politici, che in questo senso gioca il ruolo di "*black knight*" compromettendo il processo democratico portato avanti dall'Unione Europea.

Nella parte finale, viene presentato il caso studio dell'Azerbaigian, che rappresenta un esempio interessante per mettere in luce il carattere ipocrita ed ambiguo dell'UE. Se nel caso degli altri paesi membri del Partenariato sono per lo più fattori esterni che rischiano di compromettere i risultati del potere normativo, per quanto riguarda l'Azerbaigian il ruolo principale viene giocato dalla bilancia di potere tra Baku e Bruxelles. L'Azerbaigian si presenta come partner interessante per l'Unione sia per la sua posizione geostrategica che funge da ponte tra Est e Ovest, sia per la ricchezza di risorse energetiche a sua disposizione. Sapendo di avere mezzi importanti e appetibili agli occhi dell'Unione Europea, l'Azerbaigian si trova quindi nella posizione di dettare le regole del gioco e stabilire una

relazione più pragmatica rispetto agli altri partner. Proprio per questo, il disinteresse verso l'osservanza dei principi democratici che l'Unione tenta di diffondere nell'area è lampante: un esempio ne è la società civile che, nonostante venga lodata da Bruxelles come un attore fondamentale per la promozione di valori e principi, da quasi un decennio è completamente paralizzata e incapace di lavorare a causa delle pressioni del governo; dal canto suo, l'Unione mette in capo strumenti poco efficaci e superficiali per collaborare con essa, per paura di inasprire i rapporti con Baku e compromettere quindi la cooperazione dal punto di vista energetico.

Conclusioni

L'obiettivo primario di questa tesi era capire se il potere normativo Europeo potesse essere applicato in Azerbaigian e le ricerche che ho condotto hanno dimostrato che né Baku né Bruxelles sono veramente interessati a questo. Da una parte, l'Azerbaigian persegue una politica estera orientata al raggiungimento dei propri interessi nazionali e di una totale indipendenza economica e politica; dall'altra l'UE vuole mantenere buone relazioni con il potere centrale a causa della sua dipendenza energetica e dal perseguimento di una politica di diversificazione dei partner da cui importa risorse energetiche, per non dipendere esclusivamente dalla Russia. Chi che ne esce danneggiato, da questa relazione, sono i nobili valori democratici che non hanno spazio per attecchire in Azerbaigian, a causa di una mancanza di interesse da parte di entrambi. In conclusione, come espresso dal paradigma realista che critica la teoria del potere normativo, l'Unione fa uso della sua "missione civilizzatrice" solo per presentarsi con una bella vetrina agli occhi delle potenze internazionali e per ribadire la propria legittimità nella sua politica estera, ma nella realtà, ciò che muove l'Unione, nel caso dell'Azerbaigian, sono solamente interessi strategici e materiali.

Introduction

"The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.[1]"

As stated in the article 10 of the Lisbon Treaty, not only norms play a fundamental part of the European Union's identity, but they also define the role of the Union in the international area as a promoter of values. At the beginning of his presidency of the European Commission, Romano Prodi draw the attention to the role of the European Union as a Civilian Power, that has to *"project its model of society into the wider world"[2],* because only *"by ensuring sustainable global development can Europe guarantee its own strategic security."[3]* In the literature, the ability of the European Union to influence and spread norms and values has been crystallized in many terms: from Duchêne's *Civilian Power,* through Nye's concept of *Soft Power,* to the most popular definition given by Ian Manners, who introduced the concept of *Normative Power Europe (NPE);* and opened the debate about what it means to be a normative actor and how it should act in the international world. Regarding the European Union's foreign policy, the European Neighborhood Policy (ENP) and the European Eastern Partnership (EEP) are the two main normative instruments with which the EU aims to *"consolidate a ring of prosperity, stability and security based on human rights, democracy and the rule of law in the Union's neighborhood"[4],* by offering them a privileged

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[1]European Union, *"Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community"*, 13 December 2007, chap. 1, art. 10 A, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12007L/TXT&from=EN.

[2]Prodi, R. *"2000 – 2005: Shaping the New Europe"*, speech to the European Parliament, Strasbourg, 15 February 2000, p. 7, available at: http://aei.pitt.edu/66298/1/1.2000.pdf.

[3] Ibid.

[4] Council of the European Union, *"Brussels European Council, 14/15 December 2006: Presidency Conclusions"*, Brussels, 12 February 2007, p. 18, available at: https://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/92202.pdf.

relationship both in the economic and in the political sphere. Among the scholars, the European External Action Service (EEAS) has been portrayed by two conflicting narratives: on the one hand, the EU moral power and the purpose of spreading norms have been seen as the main objective of its foreign policy; on the other hand, the criticism has given rise to a more geopolitical vision, which conceives the promotion of values as a shield for economic and strategic interests. The second narrative seems to fit the case of Azerbaijan: despite the efforts of the European Union to promote democracy and to enhance the respect of human rights in this country, the European transformative effect appears to be rather limited[5]; in fact, according to the reports of Freedom House, the political rights and civil liberties in Azerbaijan have undergone a deterioration on the past few years, instead of improving.

Considering what has been said so far, the aim of this thesis is to investigate the performance of the Normative Power Europe in Azerbaijan, in order to understand if the objectives of the European Union can be achieved in this country, if the methods used are effective, or if the road that has been taken so far must be changed.

The objective of the research has been pursued by an deductive – inductive reasoning: in the deductive part a critical analysis of the existing literature, regarding the debate over the Normative Power Europe and the European External Action, has been conducted; while in the inductive part, concerning the case study of Azerbaijan, qualitative data have been collected through interviews and process of observation in the country of interest.

In order to analyze the questions and concerns that this thesis arises, the work has been divided into three parts. The first chapter will present an in-depth analysis of the concept of *Normative Power Europe*: from the origins of the notion drawn by Francois Duchêne as *Civilian Power*, through the concept of *Soft Power* introduced by Joseph Nye with exclusive reference to the European Union, until the most popular definition, still alive in the current

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[5] Van Gils, E. "*Differentiation through bargaining power in EU–Azerbaijan relations: Baku as a tough negotiator*", East European Politics, 26 July 2017, available at: https://www.tandfonline.com/doi/abs/10.1080/21599165.2017.1322957.

debates among the scholars, presented by Ian Manners. Then, the EU's normative basis will be examined: the core principles of *"liberty, democracy, respect for human rights and fundamental freedoms and of the rule of law"[6]*, as stated in the Treaty of the European Union, and how these values are spread according to Manners' researches. The final part will give voice to the structural-realist and rationalist scholars as Kenneth Waltz, Hyde-Price, or Del Sarto, who criticized the theory of Normative Power and suggested that under the EU's normative declarations are hiding material interests[7]. The second chapter will focus on the European Normative Power in action with the Eastern Partners; first, an overview of the European Neighborhood Policy will be presented: the genesis of it and the gradual development of the European Policies towards the post-soviet area, in order to create a "ring of friends" outside the borders of the EU. Then, the work will focus more in detail on the Eastern Partnership: the contents and the objectives that were contained in the first "Joint Declaration of the Prague Eastern Partnership Summit" of 2009, and how many steps have been made after a decade from its birth towards democracy promotion. Finally, we will try to understand if the EU is prioritizing geopolitical interests with its partners, rather than common and shared values, analyzing the development of each state from 2009 until now, as well as the EU perception in the region. The third and final chapter will investigate in detail the case of Azerbaijan: it aims to understand why the diffusion of democracy is not efficient in the country and which are the main divergences between Baku and Brussels. In order to do so, we will take into account the role of Civil Society: how it can be an ally in the diffusion of norms and what is its current state in Azerbaijan. Through the examination of projects financed by the EU and carried out in country of analysis, we will try to make an overall assessment between the initial objectives and the actual results, and we will analyze the challenges and the main factors that can limit the Normative Power of the EU in Azerbaijan.

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[6] European Union, *"Treaty on European Union (Consolidated Version)"*, Treaty of Maastricht, 7 February 1992, Official Journal of the European Communities C 325/5; 24 December 2002, Art. 6, available at: https://www.refworld.org/docid/3ae6b39218.html.

[7] Pollack, Mark A., *"Living in a Material world: a critique of Normative Power Europe"*, Philadelphia, 1 May 2020, p. 3, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1623002.

On the basis of the arguments expressed above, this thesis aims to answer to the following question: why is the Normative Power of the European Union not efficient in Azerbaijan?

I CHAPTER

Shaping normality in International Relations through Normative Power Europe

1.1. Normative Power Europe: an analysis of the concept

1.1.1. Introduction

This first chapter offers an in-depth analysis of the power and identity of the European Union, which has been considered a new kind of actor in World Politics. In order to explain the behavior of the EU in International Relations, we must take into consideration the concept of Normative Power Europe, that, among the scholars, has been considered as the most appropriate way to describe the role of the EU towards the rest of the world. From the genesis of the concept, to an examination of the main normative principles and of the instruments at the disposal of the Union, until the criticism raised towards this "idealistic vision", this chapter paves the way for understanding the power of the EU and how it acts in the international arena.

1.1.2. The new geopolitical context after the Cold War

The role that the European Union plays in world politics has been object of debate for many years in the field of International Relations.

At the dawn of the new geopolitical context resulting from the fall of the Berlin Wall and the end of the Cold War, new challenges have come to light for the European continent: the security agenda of states could not be focused only on military security anymore, but also

on new "sector" of security, like economic, political, societal and environmental[8]; in order to face the different security paradigm that shaped the new environment and to face the challenges about the stability of it. After almost fifty years of a bipolar world, Europe had to stand up and turn the tables, as a means to be considered a relevant power in the international arena. With the collapse of the Soviet Union and the events that followed, such as the Civil War in Yugoslavia or the Gulf War, the European Community represented a relatively safe space and it became clear that the EC had to take much greater responsibility for its own security, without relying on the Unites States.

As a consequence, the member states shifted the focus from the individual level to the cooperation one, by pooling their ambitions into the creation of a new international actor, which moved the spotlight from national security to a "culture of prevention", and made this concept one of its main *raison d'être*.[9] It was not conceived only for preventing an imminent crisis or conflict, but "*as an approach that should lead to long-term and sustainable peace*"[10]. In order to achieve this goal and to play a part in maintaining the world peace, this concept was integrated in the European policies as well as in the very foundation of the framework of the novel European Union, the Treaty on the EU, which established a Common Foreign Security Policy (CFSP):

> "*Within the framework of the principles and objectives of its external action, the Union shall conduct, define and implement a common foreign and security policy, based on the development of mutual political solidarity among Member States, the identification of questions of general interest and the achievement of an ever-increasing degree of convergence of Member States' actions.*"[11]

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[8] B. Buzan, "*Rethinking Security after the Cold War*", Cooperation and Conflict Journal, Vol. 32 (1), 1997, pp. 16 – 17, available at: https://journals.sagepub.com/doi/10.1177/0010836797032001001.

[9] R. Zupančič, N. Pejič, "*Limits to the European Union's Normative Power in a Post-conflict Society. EULEX and Peacebuilding in Kosovo*", Springer International Publishing, Cham, 2018, p. 17.

[10] Ibidem, p. 18.

[11] European Union, *Treaty on European Union (Consolidated Version),* Treaty of Maastricht, Title V, Art. 24.

The new Common Foreign Security Policy, heir of the previous European Political Cooperation (EPC), shaped a more effective approach for the external policy, focusing for the first time also in the sphere of security and defence policy, and became one of the three pillars on which the European Union was founded,[12] before the entry into force of the Treaty of Lisbon in 2009 which abolished the three-pillar system in favor of a legal consolidation that allowed for the EU to be part of international treaties. Furthermore, in the post-Cold War era, the EU placed the emphasis on the normative principles upon which the relations with the rest of the world had to be build[13], as underlined in the statement from the European Consensus on Development (1996):

> *"EU partnership and dialogue with third countries will promote common values of: respect for human rights, fundamental freedoms, peace, democracy, good governance, gender equality, the rule of law, solidarity and justice. The EU is strongly committed to effective multilateralism whereby all the world's nations share responsibility for development[14]."*

To this extent, in a new world where liberal and democratic values prevailed in history, the European Union placed those very values at the center of the debate, in order to shape its identity and to guide its action in the international arena. The role that the EU was ready to play in world politics has been discussed for many years among the scholars of International Relations. The debate was mainly focused on *"what extent the European Union as a postmodern state differs in its objectives, type of power, and behavior*

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[12] White, B. "*Understanding European Foreign Policy*", Palgrave, London, 2001, p. 95.

[13] Manners, I., "*The normative power of the European Union in a globalized world*", in Laïdi, Z. (Ed), "*EU Foreign Policy in a Globalized World. Normative power and social preferences*", Routledge & CRC Press, Oxford, 2008, p. 23, available at: https://www.researchgate.net/publication/289710125_EU_Foreign_Policy_in_a_Globalized_World_Normative_power_and_social_preferences

[14] European Union, *European Consensus on Development (1996),* Official Journal of the European Union, C 46/1, 24 February 2006, part 3, "*Common values*", available at: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AC%3A2006%3A046%3A0001%3A0019%3AEN%3APDF.

from modern nation-states such as the United States."[15] In order to put into context the European role as an influencing actor in World Politics, it is necessary to take into account that the European Union is absolutely unique and does not know any predecessor: it differs from the classical Westphalian states that had exclusive sovereignty over their territories since the European member states transferred part of their sovereignty to a supranational level. That is why the discussion shifted from the analysis of the single states to the analysis of the whole European Union as a distinct actor with a new, distinct power. The scholars in International Relations have tried to encapsulate the essence of the EU's identity and its power in many terms and concepts: the EU would be a "Civilian Power" (F. Duchêne), an "Ethical Power"(L. Aggestam), a "Transformative Power" (M. Leonard), a "Soft Power" (J. Nye), or a "Normative Power" (I. Manners).[16] Among these definitions, Manner's Normative Power is the one that has drawn most attention and opened the debate around the characteristics of the concept: from understanding what is a Normative Power, through the means and instruments for norms promotion and diffusion, to the ways on how the NPE acts.

In order to draw an analysis of the concept, it is necessary to highlight that "Normative Power", as well as every political concept, is a product of its time, and it cannot be fully understood without taking into account its main predecessors: Duchêne's "Civilian Power" and Nye's "Soft Power".

1.1.3. The European Union as a Civilian Power

The role that the European Union was about to play, or better, European Community as it was back then, was first formulated by Francois Duchêne, director of the International

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[15] Janush, H. "*Normative Power and the logic of arguing: Rationalization of weakness or relinquishment of strength?",* Cooperation and Conflict Journal, Vol. 51 (4), 19 April 2016, p. 1, available at: https://journals.sagepub.com/doi/abs/10.1177/0010836716640836.

[16] Savorskaya, E., "*The concept of the European Union's Normative Power*", Moscow State University, Moscow, 05 August 2015, p. 67, available at: https://www.researchgate.net/publication/299526095_The_concept_of_the_European_Union's_normative_power.

Institute for Strategic Studies (1969 – 1974) in 1973. In his article "*The European Community and the Uncertainties of Interdependence*", he theorized that:

> "*The European Community will only make the most of its opportunities if it remains true to its inner characteristics. These are primarily: civilian ends and means, and a built-in sense of collective action, which in tum express, however imperfectly, social values of equality, justice and tolerance.*" [17]

Duchêne urged the Community to be:

> "*A force for the international diffusion of civilian and democratic standards, or it will itself be more or less the victim of power politics run by powers stronger and more cohesive than itself.*"[18]

Duchêne placed the emphasis of the civilian nature of the European power, even though he did not present a clear definition of how a civilian power is exercised or what is its true essence. The focus point of his analysis is the absence of military power: the European Union is therefore destined to exercise its influence in the international world through civilian means, rather than using military methods. In the 70s this definition was ahead of its time: the realist paradigm was dominating a world divided between two superpowers and the EU had not the strength or the influence to impose its model in the middle of the game. The author was observing radical changes in the distribution of power and capabilities in International Relations and, after the end of the Cold War, it became clear that the direction taken so far needed to be changed: as André Gerrits wrote, "*conventional power politics and the political relevance of large-scale military might seem to have reached their limits.*"[19] The opportunity to stand up in the international world came after the end of the Cold War

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[17] Duchêne, F. "*The European Community and the Uncertainties of Interdependence*", in Kohnstamm M., Hager W., "*A Nation Writ Large? Foreign Policy Problems Before the European Community*", Palgrave Macmillan, London, 1973, p. 20.

[18] Ibid, p. 20 - 21.

[19] Gerrits, A., "Normative Power Europe in a Changing World: a discussion", Netherlands Institute of International Relations Clingendael, The Hague, Decembre 2009, p. 3, available at: https://www.clingendael.org/sites/default/files/pdfs/20091200_cesp_paper_gerrits.pdf.

when, alongside the process of globalization, new issues and problems appeared in the spotlight, such as the respect for human rights, the promotion of democracy, environmental sustainability, climate change and so on.[20] Therefore, the European Union focused its key priorities of its foreign policy on supporting and spreading these very ethical norms and values, and since then, the world of European studies was dominated by the conception of the EU as a force for good.

Karen E. Smith, head of the department of International Relations at the London School of Economics and Political Science, offered an exhaustive analysis of Duchêne's concept. According to her, there are four features that have to be embodied in order to be a civilian power: "*means, ends, use of persuasion, and civilian control over foreign (and defence) policy-making*".[21] Following Duchêne's theory, to pursue its objectives a civilian power should use civilian means, such as international cooperation, strengthening the rule of law, or solidarity, which are not "*possession goals*", but "*milieu goals*". This distinction is provided by Arnold Wolfers, who theorized that in the realist paradigm the typical national interests as defence and economic issues are pursued by possession goals, while *milieu goals* try to achieve universal interests and common benefits by improving and shaping the international context in which an actor operates.[22]

The concept of Civilian Power Europe raised a strong debate over the compatibility with military integration: on the one hand, some scholars argued that without military power the European Union would lack of credibility in pursuing its civilian values and therefore military capabilities are a necessary evil for a greater good; on the other, some criticized that military resources would contrast the very nature of civilian power, and would send the

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[20] Savorskaya, E., "*The concept of the European Union's Normative Power*", p. 68.

[21] Smith, E. K., "*Beyond the Civilian Power EU Debate*", L'Harmattan - Politique Européenne, 2005/3 n° 17, p. 65, availabe at : https://www.researchgate.net/publication/30521041_Beyond_the_civilian_power_EU_debate.

[22] Vogler, J., "*Interests and Alignments*", in "*Climate Change in World Politics. Energy, Climate and the Environment*", Palgrave Macmillan, London, 2016, p. 60, available at: https://link.springer.com/chapter/10.1057/9781137273413_4.

message that military means are still necessary and useful also for achieving normative values and norms.[23]

Concluding, the new role that the EU has undertaken at the dawn of the Cold War was object of a fierce debate, Francois Duchêne was the first who tried to encapsulate the power of this new actor in a political definition, but it was not the last. Moving on, we give voice to Joseph Nye, who defined the EU as a "Soft Power".

1.1.4. The European Union as a Soft Power

In the debate over the classification of the power of the European Union, another concept that gained great importance and resonance in the world of International Relations is the definition of "Soft Power". This notion was coined by Joseph Nye in the early 1990s, at first in reference to the United States, in order to explain and justify the ability of the US to maintain its power and leadership in the post-Cold War world.[24] A development of the concept occurred at the beginning of the twenty-first century, when Nye, in his work "*Soft Power. The means to success in World Politics*", introduced the European Union as a source of soft power, ready to take over the influence exercised until then by the United States.

But what is Soft Power? According to Nye's definition, the Soft power is:

"[…] the ability to get what you want through attraction rather than coercion or payments. It arises from the attractiveness of a country's culture, political ideals, and policies."[25]

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[23] Orbie, J., "*Civilian Power Europe. Review of the Original and Current Debates*", Cooperation and Conflict Journal, Vol. 41 (1), 2006, p. 125, available at: https://www.researchgate.net/publication/238431894_Civilian_Power_EuropeReview_of_the_Original_and_Current_Debates.

[24] R. Zupančič, N. Pejič, "*Limits to the European Union's Normative Power in a Post-conflict Society. EULEX and Peacebuilding in Kosovo*", p. 23.

[25] Nye, S. J., "*Soft Power. The means to success in World Politics*", PublicAffairs Books, New York, 2004, p. X, available at: https://www.academia.edu/28699788/Soft_Power_the_Means_to_Success_in_World_Politics_Joseph_S_Nye_Jr?auto=download.

In the literature in the field of International Relations, power is commonly defined by political scientists as the ability to exercise influence over other actors in order to get the outcomes that you want. In Nye's work, soft Power is therefore presented as a force opposing what is generally defined as "*hard power*", typically economic and military power, which relies more on coercion or side payments, or what Nye defines as "*sticks and carrots*"[26]; rather than on the power of attraction. He then underlines the necessity to count on Soft Power when ethical values like democracy or human rights are involved, due to the fact that these values are deeply seductive, and it is easier and more efficient to make people believe in what you believe, in order to attract them in your direction, instead of using coercive means. This indirect way to achieve your goals, without the service of threats or payoffs, has also been described by Peter Bachrach and Morton S. Baratz as a "*second face of power*", that manipulates the other actor's will by playing with values, myths or institutions[27]; in this way, the receiving country will aspire to follow the example of the actor, emulating its model.

This is the typical difference between authoritarian regimes that are usually sticking to a harder line, and democracies, that combine coercion and attraction, in order to reach their goals. In his discourse, Nye underlines the difference between soft power and influence: the author emphasizes that a good amount of influence relies also in hard power, while soft power "*is more than just persuasion or the ability to move people by argument, though that is an important part of it. It is also the ability to attract, and attraction often leads to acquiescence. Simply put, in behavioral terms soft power is attractive power*."[28] And, in this way, soft power is more enduring, since it makes the other actor comply to those same values and goals that you are sharing.

Through his analysis, Nye draws also three main sources of soft power: a states's culture, its political values and its foreign policies. Starting from culture, identified as the "*set of*

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26 Ibid, p. 5.

27 Bachrach, P., Baratz S. M., "*Decisions and Nondecisions: an analytical framework*", The American Political Science Review, Vol. 57, No. 3, September 1963, p. 632, available at: https://www.jstor.org/stable/1952568?seq=1.

28 Nye, S. J., "*Soft Power. The means to success in World Politics*", p. 6.

values and practice that create meaning for a society"[29], Nye theorizes that when the culture of a country embodies values and interests that are commonly shared also by others, it becomes easier to build a relationship of attraction with other actors, in order to reach the desired outcomes. With regard to government policies and political values, the author underlines that their effects are very variable due to the fact that they depend a lot from the context, and they can strengthen or scuttle a country' soft power. The influence that a country exercises on others relies on its own example: if a state promotes foreign policies that are incoherent or hypocritical with the true behavior of the state, its soft power will be undermined; on the contrary, if a state perfectly embodies the values that it wants to spread, like democracy, respect for human rights, promotion of peace, this will influence the preferences of other actors that will be inspired and attracted to follow its example.

Another factor that has to be considered is the outcome that soft power produces: it does not generate a specific or focused effect, but it creates a more general influence, which depends also on the receiving state and on its willingness to be influenced. To this extent, soft power is more efficient for the achievement of the "milieu goals": in particular, when we talk about the promotion of democracy or respect of human rights, the soft power of a state plays a crucial role, since it is easier, and it produces more long-term effects convincing a country to follow a state's example and attract it to its norms and values, rather to coerce it. Finally, we must also take into account that soft power is more difficult to exert and maintain, since its sources are not in full control of the governments and the acceptance of the receiving country plays a huge role in the desired outcomes.

In the last part of his work, Nye focuses on the European Union, and how it embodies the example of a soft power that is growing stronger and stronger, becoming the real competitor of the United States.[30] He highlighted how, after centuries of war, Europe became an island of peace and prosperity and it was able to create a positive image of itself all around the world, to such extent that, after the end of the Cold War, the entire region of Eastern Europe

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[29] Ibid, p. 11.
[30] Ibid, p. 75.

started to look at Brussels in a magnetic way. By taking into account a Eurobarometer survey of 2003 about the public opinion over Europe, it is remarkable to notice that the 13 candidate countries ranked the European Union more attractive than did the member states themselves (54 percent against 47 percent)[31]. Besides its attractional power, the EU exercises its soft power outside its borders with its foreign policies aimed at achieving common and shared interests and benefits in the international arena, through assistance to poor countries or peacekeeping operations. As Jack Straw wrote in his article: "*the EU tends to exert its influence overseas via the promotion of democracy and development through trade and aid. The results have been impressive in central and eastern Europe, where democracy and free markets have entirely eclipsed authoritarian rule and command economics.*[32]"

All the features of its behavior make the EU an important player in the sphere of soft power, and Nye's work opened the door for the most common and quoted notion for describing the action of the European Union. Manners' Normative Power.

1.1.5. The European Union as a Normative Power

Since its founding, the debate over the definition of the EU international identity and of its impact in World Politics has been full of contributes by scholars all over the world. So far, this thesis has analyzed the two of the most important voices of the discussion, in order to pave the way for the well-consolidated definition, that still nowadays is used in the contest of International Relations and World Politics: Normative Power Europe.

What is important to highlight from the very beginning of the analysis, is that the EU has been regarded as a different type of actor in the academic debates as well as in policy discourses.[33] From Duchêne's *Civilian Power,* through the description of Nye as a *Soft Power,*

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[31] European Commission, Eurobarometer, Eurobarometer Surveys, Candidate Countries Eurobarometer, Spring 2003, available at: http://europa.eu.intlcomm/public_opinion/archives/cceb/2003/CCEB_2003.3 .

[32] Straw, J., "*Beyond the broken crockery: don't write off Europe's global role*", The New York Times, 27 March 2003, available at: https://www.nytimes.com/2003/03/27/opinion/IHT-beyond-the-broken-crockery-dont-write-off-europes-global-role.html.

[33] Tocci, N., "*Profiling Normative Foreign Policy: the European Union and its Global Partners*", in Tocci, N. (Ed.) "*Who is a Normative Foreign Policy Actor*?", Centre for European Policy Studies, Brussels, 2008, p. 1, available

to Ian Manners' characterization of Europe as a *Normative Power*, both the uniqueness and the novelty of the European presence in the international arena have been recognized among the scholars with a growing consensus.[34] These three definitions have been strictly connected, and it is not possible to analyze Manners' ideas without taking into account the concepts developed in the past. In Duchêne's conception, the EU is a *Civilian Power* because it is an actor relatively short on armed force and it tries to "*domesticate relations between states*", by bringing "*to international problems the sense of common responsibility and structures of contractual politics which have in the past been associated almost exclusively with 'home' and not foreign, that is alien, affairs.*[35]" Moving to Nye's idea of *Soft Power,* what is central is the ability to influence and attract others, the EU is thus described as a foreign policy actor that through multilateral cooperation, institution building and attraction, tries to shape the preferences of other states in International Relations.[36] Finally, arriving to Manner's definition, he theorized *Normative Power* as "*the ability to shape conceptions of "normal" in International Relations.*[37]" Following the reasoning of Diez and Manners, these three conceptions of power are closely related because "*a civilian power actor, relying on soft power, advocates and practices particular kinds of norms—above all, the use of civilian means to achieve their policy goals.*[38]"

From a theoretical perspective, Duchêne' studies have put the basis for Manners' research on the atypical role that the EU plays in International Relations, representing the starting point for the development of the concept of Normative Power Europe. The innovation of the EU relies not only in its unconventional institutional set-up, but also in its external relations: the novel actor, as previously underlined, founds its foreign policies on civilian

at: https://www.files.ethz.ch/isn/55957/CEPS%20Pb%202008-05%20Who%20is%20a%20Normative%20Foreign%20Policy%20Actor.pdf.

[34] Postel-Vinay, K., "*The historicity of the European Union*", in Laïdi, Z. (Ed.), "*EU Foreign Policy in a Globalized World. Normative power and social preferences",* Routledge & CRC Press, Oxford, 2008, p. 38.

[35] Duchêne, F. "*The European Community and the Uncertainties of Interdependence*", in Kohnstamm M., Hager W., "*A Nation Writ Large? Foreign Policy Problems Before the European Community*", p. 19 – 20.

[36] Nye, S. J., "*Soft Power. The means to success in World Politics",* p. 5.

[37] Manners, I.,*"Normative Power Europe: a contradiction in terms?",* Journal of Common Market Studies, Vol. 40, No. 2, 2002, p. 239, available at: https://onlinelibrary.wiley.com/doi/abs/10.1111/1468-5965.00353.

[38] R. Zupančič, N. Pejič, "*Limits to the European Union's Normative Power in a Post-conflict Society. EULEX and Peacebuilding in Kosovo,* p. 23.

rather than military means and it is focused on spreading norms and values, rather than mere national and geopolitical interests. The passage from the conception of *Civilian Power,* developed in the 70s, to the *Normative Power* one, matured at the beginning of the new century, represented the shift towards a consolidation of the role and of the approaches of the EU, or as Diez and Manners wrote: "*Just as Duchêne's civilian power reflected the Cold War milieu of the 1970s, the normative-power approach signified a crystallisation of the EU in the post-Cold War era.[39]*" To put it another way, *Normative Power* is the heir of *Civlian Power* as well as the consolidation of the role of the EU in the post-Cold War era.

Hence, the uniqueness of the new type of actor and of its kind of power in International Relations is not object of questions or disputes. What it is interesting is to understand why and to what extent the EU is a Normative Power. First, as theorized by Manners, the power that characterizes the EU does not aim at conserving the *status quo*, but it is subject to changes, since its ambition is the setting of standards and norms to influence other actors and their behaviors.[40] Second, as analyzed by Whitman, at the basis of Manners' conception, we can find a "*rejection of a totalistic and state-centered view of traditional approaches.[41]*" In other words, the European Union's foreign policy cannot be analyzed from either military or economic point of view, because the EU's action is driven by "*ideas, opinions and conscience[42]*". According Manners' theory, the NPE derives from three sources:

1. Historical context, since the novel European Union is the result of a century marked by two world wars and a bipolar regime;

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[39] Diez, T., Manners, I., "*Reflecting on Normative Power Europe*", in Berenskoetter F., Williams M. J. (Ed.), "*Power in World Politics",* Routledge Taylor and Francis Group, Oxford, 2007, p. 173.

[40] Manners, I., "*Normative Power Europe reconsidered: beyond the crossroads*", Journal of European Public Policy, 19 August 2006, p. 183, available at: https://www.tandfonline.com/doi/abs/10.1080/13501760500451600.

[41] Whitman, R. G., "*Norms, Power and Europe: a new agenda for study of the EU and International Relations*", in Whitman, R. G. (Ed.), "*Normative Power Europe. Empirical and Theoretical Perspectives*", Palgrave Macmillan, London, 2011, p. 3.

[42] Diez, T., Manners, I., "*Reflecting on Normative Power Europe*", in Berenskoetter F., Williams M. J. (Ed.), "*Power in World Politics",* p. 175.

2. Hybrid polity, due to the facts that it is a new kind of actor, that keeps the distance from the classical Westphalian state in favor of supranational and international institutions;

3. Political – legal constitution, because of the EU political entity as a "*elite-driven, treaty based, legal order*.[43]"

These three sources made possible for the EU member states to bring their common principles and norms under the same framework, making easier the commitment to shared values and the cooperation among the states and with the rest of the world at a supranational level. The founding principles of the EU were first made clear in the Copenhagen Declaration in 1973, which draw the identity of the EC:

"The Nine wish to ensure that the cherished values of their legal, political and moral order are respected, and to preserve the rich variety of their national cultures. Sharing as they do the same attitudes to life, based on a determination to build a society which measures up to the needs of the individual, they are determined to defend the principles of representative democracy, of the rule of law, of social justice — which is the ultimate goal of economic progress — and of respect for human rights. All of these are fundamental elements of the European Identity."[44]

Subsequently, these norms were constitutionalized in the Treaty of the European Union in 1993, as founding principles of the EU and as its objectives for its foreign and development policies. In addition, the values and norms that the EU was committed to pursue are the one in accordance with the European Convention of Human Rights:

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[43] Manners, I.," Normative *Power Europe: a contradiction in terms?"*, p. 241.

[44] European Community, "*Declaration on European Identity*", Bulletin of the European Communities, No 12, Copenhagen European Summit, 14 December 1973, available at: https://www.cvce.eu/content/publication/1999/1/1/02798dc9-9c69-4b7d-b2c9-f03a8db7da32/publishable_en.pdf.

"Fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law.[45]"

To conclude this first part on analysis, Ian Manners' concept on NPE had a profound impact in the European literature, as Holzhacker and Neuman wrote, "*he opened space in the debate of what it meant to be normative and what the constitutive elements of the European Union's alleged normativism were*"[46], differentiating the action and role of the EU from the previous concept on *Civilian Power.*

Moving on with this study, we will focus more deeply on the values that the EU aims to promote, on its means and instruments.

1.2. How values are spread: methods and instruments

1.2.1. The Normative Principles of the European Union

"The European Union changes the normality of International Relations'. In this respect the EU is a normative power: it changes the norms, standards and prescriptions of world politics away from the bounded expectations of state-centricity."[47]

So far, we have analyzed to what extent the EU is a Normative Power: its hybrid polity and its political – legal constitution makes it a new kind of actor in the world of International

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[45] European Union, "*Treaty on European Union (Consolidated Version)*", Treaty of Maastricht, Art. 6.

[46] Holzhacker R., Neuman, M., "*Framing the Debate: The Evolution of the European Union as an External Democratization Actor*", in Neuman, M. (Ed.), "*Democracy Promotion and the Normative Power Europe Framework*", Springer International Publishing, Cham (Switzerland), 2019, p. 13.

[47] Manners, I., "*The Normative Ethics of the European Union*", International Affairs, Vol. 84 (1), January 2008, p. 45, available at: https://www.jstor.org/stable/25144714?seq=1.

Relations. But it is one thing to say that the EU *is* a Normative Power, it is another to say that it *acts* as a Normative Power. In this paragraph we will then examine the values that the Union aims to promote and how it does.

The normative principles upon which the EU has set its foundation and that tries to enhance in its external actions are crystallized within the United Nation system, and they are considered to be universally applicable. According to Manners' theory these normative principles are nine, specifically: "*sustainable peace, social freedom, democracy, human rights, rule of law, equality, social solidarity, sustainable development and good governance.*[48]"

Sustainable peace

"The Union's aim is to promote peace, its values and the well-being of its peoples.[49]"
The Article 3 of the Treaty of Lisbon places its emphasis on the normative principle of sustainable peace, a norm, as we have seen before, that founds its roots in the "culture of prevention" that developed after the end of the bipolar world, in order to make conflicts "*not merely unthinkable, but materially impossible*"[50]. In order to achieve such objective, the Treaty states that first, peace among the member states is a prerogative of EU membership itself; second, peace is promoted by "*a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness.[51]*" Finally, the EU's external action is a fundamental mean to promote sustainable peace and international security, as reported in the provisions of the Common Security and Defence Policy (CSDP), which provides that: "*The CSDP [...] shall provide the Union with an operational capacity drawing on civilian and military assets. The Union may use them on missions outside the Union for peace-keeping, conflict*

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[48] Ibid., p. 46.

[49] European Union, "*Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*", 13 December 2007, Official Journal of the European Union, C 306/1, 17 December 2007, Art. 2 – 1, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12007L/TXT&from=EN.

[50] Manners, I., "*The Normative Ethics of the European Union*", p. 48.

[51] European Union, "*Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*", 13 December 2007, Art. 7a - 1.

prevention and strengthening international security in accordance with the principles of the United Nations Charter.[52]"

Social freedom

"The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.[53]"

The second EU normative principle outlined by Manners is social freedom: with regard to the Treaty on the Functioning of the EU the five freedoms that the Union guarantees are people, capital, goods, services and establishment.[54] The freedom in terms of market area and trade with external countries is regulated by the European Economic Area or by agreements, like the association agreements or economic partnership agreements. Finally, fundamental freedoms of thought or expression are regulated by the ratification of the EU of the European Convention for the Protection of Human Rights and Fundamental Freedoms.[55]

Democracy

The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to:
a. safeguard its values, fundamental interests, security, independence and integrity;
b. consolidate and support democracy, the rule of law, human rights and the principles of international law.[56]

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[52] Ibid., Chapter 2, Section 2, Art. 49a – 1.

[53] Ibid., Art. 2 – 2.

[54] European Union, "*Consolidate version of the Treaty of Functioning of the European Union", Official Journal of the European Union, C 326/47, 26 October 2012, Title IV: Chapter I, Art. 45; Chapter II, Art. 49; Chapter III, Art. 56; Chapter IV, Art. 63, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012E/TXT&from=EN.

[55] European Union, "*Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*", 13 December 2007, Art. 6.

[56] Ibid., Art. 10a – 2.

As stated in Article 10 of the Lisbon Treaty, democracy, rule of law and human rights must be supported and consolidated by the EU's external action in partner countries. According to the Treaty, the promotion of democracy should be promoted and guaranteed: first, in its internal borders, as set out in Article 8, thanks to direct representation of the citizens in the democratic life of the Union, association opportunities and transparent dialogue with the civil society, and the National Parliaments[57]. Second, it should be spread outside its borders with enlargement policies and the criteria for accession to the Union, as well as with neighborhood and partnership policies with other states[58].

Human rights

> *"The Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). […] Fundamental rights, as guaranteed by the ECHR and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law."[59]*

The fourth normative principle outlined by Manners is the respect of human rights, or associative human rights, as he stressed in his article, since they *"emphasize the interdependence between individual rights, such as freedom of expression, and group rights, such as religion or belief.*[60]*"* Article 6 highlights not only these human rights constitute general principles of the Union's law, but also, through the EU's external action, they are promoted in third countries with aid or humanitarian programs.

Rule of law

> *"The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organizations which share the principles referred to*

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[57] Ibid., Art. 8a, 8b, 8c.

[58] Ibid., Art. 7a.

[59] Ibid., Art. 6 - 2,3.

[60] Manners, I., *"The Normative Ethics of the European Union"*, p. 51.

in the first subparagraph. It shall promote multilateral solutions to common problems, in

particular in the framework of the United Nations."[61]

The normative principle of rule of law is, according to Manners, a supranational one: first, it is a communitarian principle, because it promotes the pooling of sovereignty of the member states to the *acquis communautaire,* that is the legal body that constitutes the EU. As suggested by Mull, the "*Transfer of sovereignty allows the development of the rule of law in international relations and thus helps to push forward the process of "civilizing" international politics.[62]*"Second, by pooling sovreignity, the member states are encouraged to operate and act in the world of International Law, by entering "into supranational legal agreements both within and without the EU.[63]"As a result of the two points expressed above, the member states are thus encouraged to engage with the principle of cosmopolitan law, participating in humanitarian law and in the promotion of human rights.

Equality

"*(The Union) It shall combat social exclusion and discrimination, and shall promote*

social justice and

protection, equality between women and men, solidarity between generations and

protection of the rights of the child.[64]"

The sixth normative principle of the European Union is inclusive equality. As stated in Article 21 of the Charter of Fundamental Rights of the European Union, equality should be guaranteed without:

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[61] European Union, "*Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*", 13 December 2007, Art. 10a – 1.

[62] Maull, H. W., "*Germany and Japan: The New Civilian Powers*", Foreign Affairs, Vol. 69, No. 5, Winter 1990, p. 106, available at: https://www.foreignaffairs.com/articles/asia/1990-12-01/germany-and-japan-new-civilian-powers.

[63] Manners, I., Whitman, R., "*The 'difference engine': constructing and representing the international identity of the European Union*", Journal of European Public Policy, 04 February 2011, p. 399, available at: https://www.researchgate.net/publication/233692757_The_difference_engine'_constructing_and_representing_the_international_identity_of_the_European_Union.

[64] European Union, "*Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*", 13 December 2007, Art. 2 – 3.

"Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.[65]"

Social solidarity

"The Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance.[66]"

The seventh European normative principle is social solidarity. This principle is declined in many forms and areas across the Treaty, such as providing financial and social support to families in need among the member states, collaboration between the states to enhance economic, social and territorial cooperation, or promotion of labor rights and protection, in order to strengthen labor solidarity.

Sustainable development

"The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to: [...] help develop international measures to preserve and improve the quality of the environment and the sustainable management of global natural resources, in order to ensure sustainable development.[67]"

The eight European normative principle is sustainable development. As stated by Article 10a – 2f of the Lisbon Treaty, the EU is committed to promote sustainable development by

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[65] European Union, *"Charter of Fundamental Rights of the European Union"*, Official Journal of the European Communities, C 364/1, Strasbourg, 18 December 2000, Art. 21, available at: https://www.europarl.europa.eu/charter/pdf/text_en.pdf.

[66] European Union, *"Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community"*, 13 December 2007, Art. 2 – 3.

[67] Ibid., Art. 10a – 2f.

engaging in the international arena to foster the policies and regulations which aim to protect the environment and the global natural resources. Furthermore, the Union's commitment to sustainable development aspires also to *"foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty.[68]"*

Good governance

> *"The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to: promote an international system based on stronger multilateral cooperation and good global governance.[69]"*

The last normative principle of the EU is good governance. According to Manners' analysis, the principle of good governance is constituted of two different elements: the participation of civil society and the strengthening of multilateral cooperation[70]. The role of civil society is a pillar, among the EU member states, for the promotion of good governance, due to the fact that it encourages an open and transparent dialogue between the population and the decision makers, as well as it promotes democratic participation. Furthermore, multilateral cooperation between states is an essential instrument to promote good global governance and to strengthen an environment of peace and solidarity.

1.2.2. The instruments of Normative Power Europe

As we have seen so far, the norms identified by Manners are not only at the basis of the concept that tries to encapsulate the power of this new kind of actor that plays always a greater role in the international world, but they are the core of the EU's identity as well as the drivers of its foreign policy. In this sense, *"a normative power is one that seeks to overcome*

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[68] Ibid., Art. 10a – 2d.

[69] Ibid., Art. 10a – 2h.

[70] Manners, I., *"The Normative Ethics of the European Union"*, p. 54.

power politics through a strengthening of not only international but cosmopolitan law, emphasizing the rights of individuals and not only the rights of states to sovereign equality.[71]" The Normative Power of the EU and its core norms have been institutionalized primarily in the forms of its founding treaties; second, they are projected aboard with its engagement in the international world, through the coordination with global bodies such as the United Nations (UN), the Council of Europe (CoE), the Organization for Security and Cooperation in Europe (OSCE), and regional organizations[72]; and, finally, with the EU's multilevel governance approach, through the development of a Common Foreign Security Policy (CFSP) or the creation of the European External Action Service (EEAS), as well as with partnership agreements or forms of economic and political cooperation[73].

In order to understand if the EU *acts* as a Normative Power, it is fundamental to comprehend the instruments at its disposal for the promotion of the norms outlined by Manners. This paragraph will thus examine the main treaties that shape the EU's identity and the tools that it uses to be an influencing actor in World Politics.

As has already been said, with the Declaration of European Identity of 1973, the international identity of the European Community had been laid out, and the core norms that were already sketched out in the Declaration, became much more influent and essential after the end of the Cold War. One of the first step that the newborn EU took in the direction of norms diffusion and promotion was with the process of enlargement: after the fall of the Berlin Wall, the countries of Central and Eastern Europe found themselves in a chaotic situation and they need to find an alternative to the communist system that did not work.

As Marktler wrote, "*there existed a European Community of twelve member states, offering the former communist countries the possibility of transforming themselves into democratic states with a free market economy. This represented not only an attractive opportunity, but also a big challenge*

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[71] Sjursen, H., "*The EU as a normative power: how can this be?*", Journal of European Public Policy, 19 August 2006, p. 249, available at: https://www.tandfonline.com/doi/abs/10.1080/13501760500451667.

[72] Holzhacker R., Neuman, M., "*Framing the Debate: The Evolution of the European Union as an External Democratization Actor*", in Neuman, M. (Ed.), "*Democracy Promotion and the Normative Power Europe Framework*", p. 24.

[73] Ibid., p. 25.

for all involved.[74]" In order to allow the memberships to the new candidate countries, the European Council Summit in Copenhagen in 1993 delineated what are now known as the Copenhagen Criteria, or accession criteria. The guiding principle to obtain membership are divided in three main categories: political criteria, economic criteria and acquis criteria.

> *"Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.[75]"*

Political criteria

With regard to political criteria, for determining the admissibility of the application for membership, the political profile of a candidate country has always been taken into account[76]; that is why the Commission underlined the necessity of strengthening the norms of democracy and the rule of law in candidate countries. In this sense, the Commission focused on elections, that must be free and fair, on the national Parliaments, where minorities should be better represented, on a transparent legislative process, on a functioning executive and on a stable judiciary system, and on corruption, which at the time was widespread in the Eastern Europe candidate countries. Furthermore, the Commission placed his emphasis on the protection of human rights and on minorities rights, that should be guaranteed with the ratification of international conventions.[77]

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[74] Marktler, T., "*The power of Copenhagen Criteria*", Croatian Yearbook of European Law and Policy, December 2006, p. 343, available at: https://www.researchgate.net/publication/27212282_The_Power_of_the_Copenhagen_Criteria.

[75] European Council in Copenhagen, "*Conclusions of the Presidency*", Brussels, Council of the European Communities, 21 – 22 June 1993, Provision 7A, III, available at: https://www.consilium.europa.eu/media/21225/72921.pdf.

[76] Hillion, C., "*The Copenhagen Criteria and their Progeny*", Hart Publishing, Oxford, 6 March 2014, p. 4, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2405368.

[77] Marktler, T., "*The power of Copenhagen Criteria*", p. 349 – 353.

Economic criteria

The Commission's evaluation with regard to the economic situation of the candidate countries and the standards that needed to be achieved was much more detailed, since the countries of Eastern Europe were coming from a system of planned economy where concepts like competition or profit did not even exist.

As already stated previously, the Commission urged a functioning market economy and the capacity to keep up with competitive economic pressure within the Union; it focused on the liberalization of trade and prices, on the necessity that a legal system must be in place, on the development of a financial sector and on process of privatization that should be fair and transparent. The Council considered highly advantageous for the candidate countries developing the trade with the European Union, that is why it stipulated that:

> *The European Council, recognizing the crucial importance of trade in the transition to a market economy, agreed to accelerate the Community's efforts to open up its markets. It expected this step forward to go hand in hand with further development of trade between those countries themselves and between them and their traditional trading partners[78].*

If a higher degree of economic integration is achieved it will be easier for the candidate countries to fulfill the obligations of membership and to comply with the *acquis communautaire*[79].

Acquis criteria

As anticipated, with the membership, the countries are required to comply with the *acquis communautaire,* the legal and institutional framework of the European Union, in order to pursue the common objectives of the Union. In order to facilitate this process, the applicant country starts the negotiations with the Union comparing the national law to the EU law; in

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[78] European Council in Copenhagen, "Conclusions of the Presidency", Brussels, Council of the European Communities, 21 – 22 June 1993, Provision 7A, IV.

[79] Marktler, T., "*The power of Copenhagen Criteria*", p. 353 – 354.

this manner the need for further legislation will be underlined. As Hillion stressed out, for the candidate countries there have been no problems in conforming to the European *acquis*, but the implementation and the enforcement is still problematic[80].

In the literature, there is no doubt that the enlargement was "*the most powerful and successful tool of EU foreign policy[81]*": the European Union had the chance to use the enlargement as an instrument that was able to guarantee stability and prosperity in its neighborhood as well as a tool through which the Normative Power of the EU can spread and project its core norms and values in a legitimate way. Membership was in fact used as an incentive for candidate countries to promote reforms and to shape their normative environment; as Haukkala wrote: "*it is only through the unique and rich combination of sticks and carrots that are present in the accession process that the EU can exert strongest normative influence on its partners.[82]*"

Before the Copenhagen Criteria, the normative principles of the EU have been institutionalized in its treaties; as we have seen previously, the Maastricht Treaty (or Treaty on European Union - TEU, 1993) outlined the norms upon which the Union is founded as well as the CFSP. In 1999, the Treaty of Amsterdam introduced a clause to Article 7 of the TEU with regard to suspend the membership in case of a violation of the main principles of the EU, expressed in Article 2:

> "*The European Council […] may determine the existence of a serious and persistent breach by a Member State of the values referred to in Article 2, after inviting the Member State in question to submit its observations.[83]*"

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[80] Ibid., p. 355.

[81] Vachudova, M. A., "*Europe Undivided. Democracy, Leverage & Integration after Communism*", Oxford University Press, New York, 2005, p. 259.

[82] Haukkala, H., "*The European Union as a Regional Normative Hegemon: The Case of European Neighbourhood Policy*", in Whitman, R. G. (Ed.), "*Normative Power Europe. Empirical and Theoretical Perspectives*", Palgrave Macmillan, London, 2011, p. 47.

[83] European Union, *Treaty on European Union (Consolidated Version)*, Art. 7 -2.

Subsequently, with the entry into force of the Treaty of Lisbon in 2009, the role of "norm promoter" outside its border was institutionalized: *"The Union's aim is to promote peace, its values and the well-being of its peoples.[84]"*

Lastly, another tool with which the NPE is spread is the direct engagement of the EU in the field of cooperation with developing countries through direct EU policies, programs or instruments supporting the democratization process.[85]

From a financial point of view, the EU confirmed its position as one of the world's largest Official Development Assistance (ODA) donor, with a distribution of funds to the value of US$14.8 billion in 2019 in many different projects and areas[86]. The target policies are delineated by the European Consensus on Development of 2017, that shapes the action framework for development cooperation in response to the UN 2030 Agenda for Sustainable Development Goals, adopted by the UN member states in 2015. The European Commission structured the Consensus in five main categories, or the "5Ps", namely: people, planet, prosperity, peace and partnership[87]. In this sense, the NPE acts, through the projects and programs financed by the EU in many different strategic areas, as outline by the Common Reporting Standards (CRS) of the Organization for Economic Cooperation and Development Council (OECD):

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[84] European Union, *"Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community"*, Art. 2 – 1.

[85] Holzhacker R., Neuman, M., *"Framing the Debate: The Evolution of the European Union as an External Democratization Actor"*, in Neuman, M. (Ed.), *"Democracy Promotion and the Normative Power Europe Framework"*, p. 25.

[86] Donor Tracker, *ODA Funding Trends*, https://donortracker.org/country/eu.

[87] European Union, *"The New European Consensus On Development 'Our World, Our Dignity, Our Future': Joint Statement By The Council And The Representatives Of The Governments Of The Member States Meeting Within The Council, The European Parliament And The European Commission,"* Brussels, 2017, p. 4, available at: https://op.europa.eu/en/publication-detail/-/publication/5a95e892-ec76-11e8-b690-01aa75ed71a1.

Image 1: "EU Institutions' bilateral ODA by sector", 2018, Gross disbursement, 2018 prices.

EU INSTITUTIONS' BILATERAL ODA BY SECTOR, 2018

Total: US$19,664 million
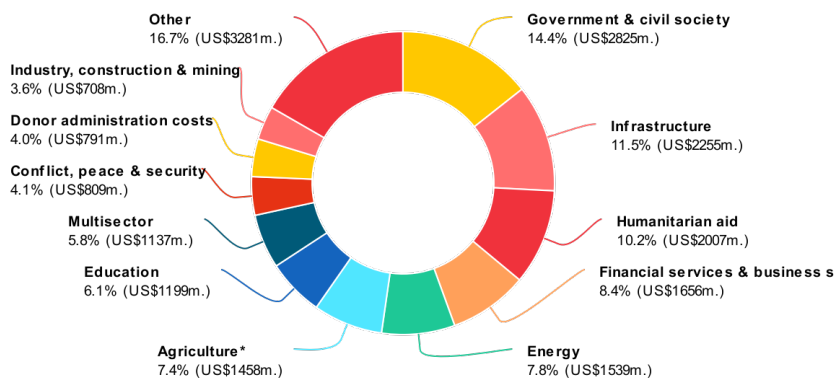
OECD CRS. Gross disbursements (cash-flow), in 2018 prices.
*Includes agriculture, forestry, fishing, and rural development.

Source: OECD CRS, https://donortracker.org/country/eu

Furthermore, an instrument considered the "jewel of the crown"[88] for the promotion of normative principles in third countries is the action program "European Instrument for Democracy and Human Rights" (EIDHR). The thematic focus of the program are the funding norms of the EU stated in the Article 10 of the Lisbon Treaty, such as human rights, development cooperation, equality, justice, social affairs[89]. What is new in this action program is the approach: while previously the democratic promotion was more centered over the institutional basis of the countries, and in their rule of law structures, at the end of the last century there was a shift towards a bottom-up approach and the EU invested *"in most areas over 90 per cent of democracy and human rights expenditure […] in advocacy NGOs.[90]"*

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[88] Kurki, M., "*Governmentality and EU Democracy Promotion: The European Instrument for Democracy and Human Rights and the Construction of Democratic Civil Societies*", International Political Sociology, Vol. 5 (4), December 2011, p. 349, available at: https://academic.oup.com/ips/article-abstract/5/4/349/1916473.

[89] Euro Access, "*Programme: European Instrument for Democracy and Human Rights*", https://www.euro-access.eu/programm/european_instrument_for_democracy_and_human_rights.

[90] Youngs, R., "*Democracy Promotion: The Case Of European Union Strategy*", Centre for European Policy Studies, Working Document No. 167, October 2001, p. 6, available at: https://www.files.ethz.ch/isn/29697/167_Democracy%20Promotion.pdf.

This is precisely the line of action adopted by the EIDHR, which targets particularly civil society organizations, public- and private-sector non-profit organizations and international and regional inter-governmental organizations, providing funding directly to them and placing these organizations in a central role for the development of stronger civil societies that are an *"an effective force for dialogue and reform"*[91] .

Lastly, another instrument for the diffusion of the normative principles of the EU is its coordination with International and Regional Bodies: the first and most important among the European continent is the Council of Europe, that not only was one of the main actor that helped create treaties as the European Convention on Human Rights, but it is also in charge of tracking its implementation of the member states. Additionally, it is necessary to mention the cooperation of the EU with intergovernmental organizations such as the OSCE for spreading democracy, peace and stability, or with regional organizations for strengthening the EU presence in the target countries.

The instruments at the disposal of the NPE are many and different from each other; moving on with our analysis we will see now *how*, according to Manners, the European values and norms are spread.

1.2.3. Norm's diffusion

After the examination of the core normative principles upon which the European Union has erected its fundaments and the main instruments at the Union's disposal for the promotion of norms, in this paragraph an analysis of the ways with which these norms are spread and diffused will be provided. Ian Manners, in his research about Normative Power Europe, has

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[91] European Commission, "*Communication From The Commission To The Council And The European Parliament: Thematic Programme for the promotion of democracy and human rights worldwide under the future Financial Perspectives (2007-2013)*", Brussels, 25 January 2006, p. 6, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52006DC0023.

identified six factors for the diffusion of norms: contagion, informational diffusion, procedural diffusion, transference, overt diffusion and cultural filter[92].

Contagion

The first way of norms' diffusion outlined by Manners is contagion, intended as a process of translation of values, ideas and practices from the EU to other global actor, in an unintentional way[93]. The mechanisms at the core of this procedure are imitation and emulation: the EU appears then to be a model for other states that are inspired by its behavior; in this sense, they are attracted to follow its example. Manners presents the example of the instrument of regional organizations as subjected to the contagion effect: ideas like supranational authorities, or even a single currency, have inspired the creation of regional organizations as the Union of South American Nations (USAN) created in 2008, or the African Union, founded in 2001, that seek to emulate the EU in order to gain some of its benefits.[94]

Informational diffusion

> "*Informational diffusion is the result of the range of strategic communications, such as new policy initiatives by the EU, and declaratory communications, such as initiatives from the presidency of the EU or the president of the Commission.*[95]"

The second mechanism put in the field by Manners is the ability of the EU to spread norms and values through strategic communication. An example of informational diffusion can be the European Security Strategy (ESS) of 2003: after the unilateral invasion of Iraq in March, the European Commission in October took a step towards multilateralism, placing at the center of the EU system the role of the UN. The adoption of the ESS announced an international order based on effective multilateralism:

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[92] Manners, I.,*"Normative Power Europe: a contradiction in terms?"*, p. 245.

[93] Ibid., 244.

[94] Manners, I., "*Assessing the decennial, reassessing the global: Understanding European Union Normative Power in Global Politics*", Cooperation and Conflict Journal, Vol. 48(2), 4 June 2013, p. 315, available at: https://journals.sagepub.com/doi/abs/10.1177/0010836713485389.

[95] Manners, I.,*"Normative Power Europe: a contradiction in terms?"*, p. 244.

"In a world of global threats, global markets and global media, our security and prosperity increasingly depend on an effective multilateral system. The development of a stronger international society, well-functioning international institutions and a rule-based international order is our objective."[96]

Another policy that enabled the EU to spread its norms is the European Neighborhood Policy: the ENP, launched in 2004, aims at achieving political and economic cooperation as well as stability, creating a "ring of friend" outside the borders of the EU.[97]

Procedural diffusion

Norms and values are diffused trough procedural diffusion when a relationship between the EU and a third country is institutionalized with an agreement, membership to an international organization or with the enlargement itself[98]. This type of diffusion is also labeled as "normative instrumentalism[99]", since it presents a paradox: the EU stresses NPE as part of its own identity, yet it binds its core norms and values to strategic policies. It somehow goes beyond the ideational sphere of normative principles to a more concrete and operational ground. An example of procedural diffusion are the various association agreements that the EU signed with partner countries, which always contain a discussion around the fundamental values of the Union.

Transference

Transference diffusion is the fourth factor outlined by Manners, which relies on the concept of conditionality. According to the scholar, transference diffusion *"takes place when the EU*

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[96] Council of the European Union, "*European Security Strategy. A Secure Europe In A Better World"*, Brussels, 8 December 2003, p. 11, available at: https://www.consilium.europa.eu/media/30823/qc7809568enc.pdf.

[97] Maass., A.S., "*The Limits of the European Union's Normative Myth in Armenia and Georgia*", in in Neuman, M. (Ed.), "*Democracy Promotion and the Normative Power Europe Framework*", Springer International Publishing, Cham (Switzerland), 2019, p. 103.

[98] Manners, I.,*"Normative Power Europe: a contradiction in terms?"*, p. 244.

[99] Holzhacker R., Neuman, M., "*Framing the Debate: The Evolution of the European Union as an External Democratization Actor*", in Neuman, M. (Ed.), "*Democracy Promotion and the Normative Power Europe Framework*", p. 22.

exchanges goods, trade, aid or technical assistance with third parties[100]" and the norms promotion is guaranteed by conditionality, which is required for all agreements with other countries. It is important to remember that, even through technical cooperation, the EU has the possibility to transfer its identity: *"technical cooperation is anchored in the EU's acquis communautaire and has a goal of transferring European legal and administrative standards to the ENP countries, these rules and standards often contain elements of democratic governance that were developed for advanced liberal democracies of the EU."[101]*

Overt diffusion

Fifth, *"overt diffusion of norms occurs as a result of the physical presence of the EU in third states and international organizations.[102]"* Concretely, this translates in the presence of the EU's delegation around the world, peacekeeping or peacebuilding missions, human rights missions or embassies of the member states in partner countries. Through the physical presence and instruments like diplomacy or dialogue, the EU is able to work on the field of the target countries, fostering the enforcement of its Normative Power.

Cultural filter

The last factor identified by Manners for the promotion of NPE is the cultural filter, which *"determines whether the recipient country adopts and adapts or rejects the norms.[103]"* In his research, Manners did not explained how the sixth factor can function as a norm diffusion mechanism, but he takes into consideration the identity of the target country, from the social to the political side, and to what extent the norms diffused are socialized. It is probably the most interesting factor in order to understand the effectiveness of NPE, but it represents also the limitation of the EU's ability to have an impact on the cultural filter. For example,

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[100] Manners, I.,*"Normative Power Europe: a contradiction in terms?"*, p. 245.

[101] Karolewski, I. P., "*European Identity Making and Identity Transfer*", Europe-Asia Studies, Vol. 63(6), 2011, p. 947, available at: https://www.jstor.org/stable/27975604?seq=1.

[102] Manners, I.,*"Normative Power Europe: a contradiction in terms?"*, p. 245.

[103] Holzhacker R., Neuman, M., "*Framing the Debate: The Evolution of the European Union as an External Democratization Actor*", in Neuman, M. (Ed.), "*Democracy Promotion and the Normative Power Europe Framework*", p. 15.

in his investigation of the effectiveness of NPE in Georgia and Armenia, Maass outlined that the Union's power is influenced in these countries both by domestic factors, but also by the presence of Russia[104].

To conclude, this paragraph analyzed how the EU acts as a Normative Power. Combining the instruments at the EU's disposal, with Manners' norm diffusion mechanism, we can affirm that transference, as well as informational and procedural diffusion are the main ways with which the EU acts in the dimension of direct democracy policies, indirect support for economic development or good governance, engagement with international bodies and multilevel governance with member states[105].

Despite the high resonance that the concept of NPE developed by Ian Manners received among the scholars of International Relations, it was object of criticism and contrasted analysis. In order to have a panoramic view of the *"power of shaping normality"* of the European Union, the next paragraph will give voice to this criticism, to highlight the limits and the challenges of NPE.

1.3. Limits and criticism to Normative Power Europe

As has been analyzed in the previous paragraphs, the contemporary literature has tried to encapsulate in theories and concepts the power that guides the action of the EU, especially towards its relations with foreign partners. The notion coined by Ian Manners in 2002 has been the one that received the highest resonance, but, even if the majority of the academics agree on the definition of Normative Power to describe the international role of the European Union, it was not able to avoid a diffused criticism, especially from the structural-

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[104] Maass., A.S., *"The Limits of the European Union's Normative Myth in Armenia and Georgia"*, in in Neuman, M. (Ed.), *"Democracy Promotion and the Normative Power Europe Framework"*, p. 104.

[105] Holzhacker R., Neuman, M., *"Framing the Debate: The Evolution of the European Union as an External Democratization Actor"*, in Neuman, M. (Ed.), *"Democracy Promotion and the Normative Power Europe Framework"*, p. 34.

realist scholars. For the relevance of the argument and of this thesis we will not take into consideration other factors that challenges the concept of NPE, such as anti-liberal forces within the EU itself, but we will mostly analyze the criticism raised by the structural-realist approach.

This paragraph is therefore meant not only to pull the strings about what the EU *is* and *how* it acts in World Politics, but also to understand and examine what are the main challenges that can undermine the NPE, in a multipolar world shaped by multipolar preferences; in order to put the basis for the critical analysis of the EU's action in Azerbaijan, that will be conducted in the third chapter as case-study.

1.3.1. The Structural - Realist paradigm

It is not a surprise that the strongest critics towards Manners' NPE were raised by the structural-realist scholars. In order to give some context, Structural Realism (or Neorealism) is a theory of International Relations first outlined by the American political scientist Kenneth Waltz at the beginning of the 80s, that focuses on the role of power, which is seen as the only factor able to help states to achieve their material interests in a world defined by anarchy. Neorealism diminishes the efficacy of multilateral cooperation, a factor that cannot be achieved under anarchy, and places the emphasis on the role of state, which is considered to be the most important actor in the international arena, in this sense "*the structural – realist viewpoint rejects that the EU has a separate actorness to its member states.*[106]" As Waltz outlined:

> "*Though they may choose to interfere little in the affairs of nonstate actors for long periods of time, states nevertheless set the terms of the intercourse, whether by passively permitting informal rules to develop or by actively intervening to change rules that no longer suit them.*[107]"

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[106] Whitman, R. G., "*Norms, Power and Europe: a new agenda for study of the EU and International Relations*", in Whitman, R. G. (Ed.), "*Normative Power Europe. Empirical and Theoretical Perspectives*", p. 7.

[107] Waltz, K. N., "*Theory of International Politics*", Addison-Wesley Publishing Company, Canada, 1979, p. 94.

That is why much scholarship argues that, when it comes to the normative nature of the European Union, material and geopolitical interests, as well as resources and capabilities, are as important as values and norms[108]; and, powerful member states use the EU as a tool for exercising hegemonic power in order to achieve their material interests[109]. The ethical concerns that are pursued by states, from environmental issues to human rights, are considered one step lower of strategic interests as national security, and neorealists scholars argued that states will pursue them as long as these values and norms does not conflict with the primary national interests[110]. The structural-realist approach provides a much more discouraging view of international politics than the one portrayed by the liberal-idealist line of Duchêne or Manners, but that is why it is worth giving voice to this criticism: in order to have an analytical eye for explaining what the EU *is* and what *does* in world affairs, without getting stuck to the idealistic vision of EU as only a normative power and force for good.

As we have seen, Manners' first claim to legitimate the notion of NPE was about the normative difference of the EU due to its history, its hybrid polity and its political and legal framework; these characteristics made possible to constitute a different kind of actor committed to certain norms and values. According to the neorealist perspective, the constitution of the European Union was possible only because of the context of that time: in fact, cooperation is easier to achieve in a bipolar system. Hyde-Price highlighted that when the European continent was dominated by multipolar forces, countries were vying between them for power and wealth; after the Second World War, the world became divided by a bipolar system and the main concern of the then European Community was security. For this reason, the logic of relative gains was abandoned in favor of mutual cooperation for common objectives, or, to use Wolfers' terminology, shared "*milieu goals*"[111]. The structural-realist scholars have then a skeptical view towards claims as "*the EEC constituted a new form*

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[108] Pollack, Mark A., "*Living in a Material world: a critique of Normative Power Europe*", p.3.

[109] Hyde-Price, A., "*Normative Power Europe: a realist critique*", Journal of European Public Policy, 19 August 2006, p. 226, available at: https://www.tandfonline.com/doi/abs/10.1080/13501760500451634.

[110] Mearsheimer, J. J., "*The tragedy of great Power Politics*", W. W. Norton & Company, New York, 2001, p. 46.

[111] Hyde-Price, A., "*Normative Power Europe: a realist critique*", p. 224.

of power[112]", or "*the nature of international politics had fundamentally changed[113]*", because they conceive the EU as a product of its time: that it is to say, an instrument for cooperation on second issues, ruled by the most powerful member states.

As stated in the previous paragraph, the enlargement and the ENP are seen as two of the most successful EU's policies for exercising its influence and normative power outside its borders. In light of the neorealist perspective, the EU's external action was nothing more than a hegemonic maneuver: the most influential member states took advantage of the EU instrument to shape their near neighborhood, seeking long-term strategical and geopolitical interests. In doing so, a combination of soft power and hard power was used: if soft power is exercised through the form of negotiation or diplomatic persuasion, hard power is applied with the conditionality clause, to impose the European vision on political and economic matters in a more coercive way.[114]The actual methods used by the EU show that it does not act exclusively as a "normative power", but instead "*the EU serves as an instrument of collective hegemony, shaping its external milieu through using power in a variety of forms: political partnership or ostracism; economic carrots and sticks; the promise of membership or the threat of exclusion.[115]*" In this sense, the EU tends to behave as a "power bloc" in order to pursue its material interests and the conditionality clause is the most well-suited instrument for doing so: positive conditionality involves rewarding with benefits when a state complies with the agreed conditions, negative conditionality comes into play when a state does not fulfill its obligations; in this case, it involves the termination of the benefits. Smith argued that for the EU the use of negative conditionality is quite difficult to apply, since often the member states do not agree to take a hard stance in front of countries that violate the conditions, because of the impact that sanctions or negative measures can have on their strategic interests in the

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[112] Duchêne, F., "*Europe's role in world peace*", in Mayne, R. (Ed.), "*Europe Tomorrow: Sixteen Europeans Look Ahead*", Fontana, London, 1972, p. 43.

[113] Nye, J., "*Bound to Lead: the changing nature of American Power*", Basic Books, New York, 1991.

[114] Smith, K. E., "*European Union Foreign Policy in a Changing World*", Polity Press, Cambridge, 2003, p. 92 – 93.

[115] Hyde-Price, A., "*Normative Power Europe: a realist critique*", p. 227.

area[116]. This hegemonic view of the EU is supported also by Del Sarto[117], who shifts the spotlight to the imperialistic nature of the Union: history thought us that the objective of every empire is exporting its model aboard in order to derive economic and political benefits from it, and, in doing so, it covered its intentions with a "civilizing mission", linked to shared values and norms. Taking a very hard stance, Del Sarto wrote that: "*We may conceive of the EU's exporting of rules and practices to neighboring states as the modus operandi of empires in pursuit of their own interests; this modus operandi also serves the construction of a 'normative' identity.[118]*"

To conclude, much scholarship argued that the European ethical agenda is used as a shield to depict the EU as an heroic actor in International Relations and to legitimate its external action and its foreign policies, that, at the end, are at the service of its material and strategic interests; that is why "*the EU, like any other international actor, has mixed motives*.[119]"

1.3.2. The EU's behavior shaped by mixed motives

The main criticism moved towards Manners' Normative Power Europe derived from the neorealist scholars, who claimed that the EU normative principles are used to achieve legitimacy and to pursue hidden material interests. These statements find fertile ground in many EU actions that clearly contradicted the self-declared normative identity of the Union itself.

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[116] Smith, E. K., "*Beyond the Civilian Power EU Debate*", p. 75.

[117] Del Sarto, R. A., "*Normative Empire Europe: the European Union, its Borderlands, and the Arab Spring*", Journal of Common Market Studies, Vol. 54, No. 2, 2016, p. 216, available at: https://www.researchgate.net/publication/279536447_Normative_Empire_Europe_The_European_Union_its_Borderlands_and_the_'Arab_Spring'_Journal_of_Common_Market_Studies_2016.

[118] Ibid.

[119] Aggestam, L., "*Ethical Power Europe?*", International Affairs (Royal Institute of International Affairs), Vol. 84, No. 1, January 2008, p. 8, available at: https://www.researchgate.net/publication/229788737_Introduction_Ethical_Power_Europe.

One example is presented by Goldsmith and Posner, who discussed over the incoherence of the EU towards international law: they argued that the Union is not afraid of violating international law in order to pursue its material interests, or to put in a corner the fundamental treaties, upon which its normative identity is constituted, when convenient. This is the case of the International Covenant on Civil and Political Rights (1976), according to which the parties must respect and implement the civil and political rights of individuals: it has been observed that European governments did not implement or give effect to provisions on some areas that could undermine their material interests, such as immigration policies or criminal procedure[120].

Grounds of friction can also be found between EU's declaration and the actual behaviors of the member states: a striking example is the one of arm trading. One of the core principles of the Union is preventing armed conflict and, in order to do so, the EU established a Code of Conduct on Arms Export, where it was adopted the following provision:

> *"Criterion Two: Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law. […], Member States shall:*
>
> a) *deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used for internal repression;*
> b) *exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the military technology or equipment, to countries where serious violations of human rights have been established by the competent bodies of the United Nations, by the European Union or by the Council of Europe.[121]"*

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[120] Goldsmith, J., Posner, E., "*Does Europe Believe in International Law*?", The Wall Street Journal, 25 November 2008, available at: https://www.wsj.com/articles/SB122757164701554711.

[121] Council of the European Union, "*Council Common Position 2008/944/CFSP of 8 December 2008, defining common rules governing control of exports of military technology and equipment,*" Official Journal of the European Union, 13 December 2008, Art. 2 – 2, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008E0944&from=EN.

Yet, these provisions for some member states seem to be only politically than legally binding, like the case of Italy: the Mediterranean country keeps signing arms deals with Egypt[122], despite the deterioration of the bilateral relations following the cases of Giulio Regeni (2016) and Patrick Zaki (2020) and despite the continuing violations of human rights that are occurring in the country[123]. This example validates what we have said so far: the single state exercise its power to pursue its strategic interests, regardless of the idealistic and normative principles that the EU tries to promote; in this sense, Italy cannot lose one of the world's top arms importer that netted over 5 millions euro in 2019[124].

If we took into consideration the EU's foreign policy, we can notice that the logic of "mixed motives" does not abandon the European action: the commitment to the respect and promotion of human rights around the world is seen as an hypocritical stance when the Union keeps trading and signing agreements with countries like Russia, China or Turkey. With regard to the enlargement, that has been considered, as we have said before, a successful instrument of the EU foreign policy for the spread of democracy and European normative principles in Central and Eastern Europe we cannot help but mention that the sources of the EU power are not only normative, but a combination of normative and material. In this sense, also Manners stressed that the EU power is not only an *"idée force"*, admitting that in certain areas the normative power is not enough for achieving the target goals, and that the use of economic and more coercive measures are sometimes necessary to promote the European values and norms outside its borders[125]. The enlargement was indeed a successful tool for the transition of post-communist countries to more liberal and democratic institutions, but it was not the mere normative example of the EU that made this transition possible. Several studies have demonstrated that at the core of this transformation

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[122] Al-Monitor, "*Italy advances arms deals with Egypt despite opposition*", 27 March 2021, available at: https://www.al-monitor.com/originals/2021/03/italy-advances-arms-deals-egypt-despite-opposition.

[123] Human Rights Watch, "*Egypt. Events of 2020*", available at: https://www.hrw.org/world-report/2021/country-chapters/egypt.

[124] Rete italiana per il disarmo, "*Export italiano di armamenti 2019*", 15 maggio 2020, available at: https://www.disarmo.org/rete/a/47656.html.

[125] Pollack, Mark A., "*Living in a Material world: a critique of Normative Power Europe*", p. 6.

"the external incentives provided by the EU can largely account for the impact of the EU on candidate countries[126]*"*; the material promise of membership to the European Union played the biggest role in the spreading of democracy: through the conditionality clause and the compliance with the *acquis*, the EU was able to support democratic consolidation in the candidate countries, which have been willing to prepare the ground for major institutional and political changes because the cost of exclusion was much higher than the benefits of membership[127]. This also explains why, in other countries, like the ones of the Eastern Partnership, the transformation towards democratic institutions is more difficult: without the material promise of membership, there is not a concrete incentive to change the internal asset of the countries that found themselves, ironically, with more bargaining power towards the EU, that is chained to its strategic and economic interests in the area and therefore cannot raise its voice.

To conclude, the neorealist paradigm sheds light on the platonic and utopic ideal of Normative Power Europe. If we look at one side of the story, without any doubt the EU contributed to shape and create a better environment in International Relations: it placed at the center of the debate and of its relations with foreign partners noble values, becoming, as it has been described in the literature, "a force for good". But it is also important not to be tricked into thinking that the EU is moved only by normative and ideal principles. As the structural – realist scholars have highlighted, conceiving the EU as a heroic actor that aims to spread democracy, rule of law, and human rights just to make the world a better place is, therefore, an "*EUtopia*". As any other actor in International Relations, also the Union is moved by ulterior motive, and understanding the complex game of material interests, power, normative principles, the member states' influence, is fundamental in order to evaluate the effectiveness of its policies and of its external action.

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[126] Schimmelfennig F., Sedelmeier, U., "*Conclusions: The impact of the EU on the accession countries*", in Schimmelfennig F., Sedelmeier, U. (Ed.), "*The Europeanization of Central and Eastern Europe*", Itacha – Cornell University Press, January 2005, p. 366, available at: https://www.tandfonline.com/doi/abs/10.1080/13501763.2019.1617333?journalCode=rjpp20.

[127] Vachudova, M. A., "*Europe Undivided. Democracy, Leverage & Integration after Communism*", p. 71.

II CHAPTER

The European Union's Normative Power in Action with the Eastern Partners

2.1.   The European Neighborhood Policy: an overview

2.1.1.   Introduction

The second chapter presents an overview of the instrument used by the EU to spread its Normative Power, from the enlargement, through the European Neighborhood Policy, to the Eastern Partnership: in order to evaluate how it is actually acting, we will see what are the main differences that allowed a success in the case of the Enlargement and a failure in the case of the EaP. Then, we will assess the performance of the partner countries, as well as the perception of the EU in these states, in an effort to explain the factors that challenge the European transformative power: the membership card and the Russian influence.

2.1.2.   From the Enlargement to the ENP

The special role of the European Union as an actor that tries to "*shape the conception of normal in International Relations[128]*" has been a subject of debate and criticism for a very long time. The concept of Normative Power Europe provided by Manners was not intended to be an analytical instrument, but a descriptive one: "*It was, and is, a statement of what is believed to be good about the EU; a statement which needed to be made in order to stimulate and reflect on what the EU should be (doing) in world politics.[129]*" He focused on how the EU should be or act in the

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[128] Manners, I.,*"Normative Power Europe: a contradiction in terms"*, p. 239.

[129] Manners, I., "*The European Union as a Normative Power: A Response to Thomas Diez*", Millennium – Jorurnal of International Studies, Vol. 35 (1), 1 December 2006, p. 168, available at: https://journals.sagepub.com/doi/10.1177/03058298060350010201.

international arena, while in this chapter we will try to assess how is currently acting and what is doing in order to spread its normative power in the Eastern Neighborhood. As we have seen before, the enlargement is considered one of the main successful policies for the diffusion of the European norms and values in third countries, but it has also shed a light on Manners' notion of NPE: while his concept is based mostly on passive diffusion, the EU, through the enlargement, adopted more active measures and thus it can be seen as a *"regional normative hegemon that is using its economic and normative clout to build a set of highly asymmetrical bilateral relationships that help to facilitate an active transference of its norms and values.[130]"* In any case, the transfer of normative power relies not only on coercive means or on the conditionality clause, but another crucial factor that we have to take into consideration is legitimacy: as long as the EU power is perceived legitimate in the eyes of its partners, the promotion of norms can be achieved, and the scholars argue that this legitimacy is fostered among the countries due to the open nature of the Union, meaning that every country can apply for the membership. After decades of division, the EU was unified under the aegis of Brussels in 2004, when ten new countries joined the Union, followed in 2007 by Romania and Bulgaria, and in 2013 by Croatia.

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[130] Haukkala, H., *"The European Union as a Regional Normative Hegemon: The Case of European Neighbourhood Policy"*, in Whitman, R. G. (Ed.), *"Normative Power Europe. Empirical and Theoretical Perspectives"*, p. 46.

Image 2: "EU's enlargement from 1957 to 2013".
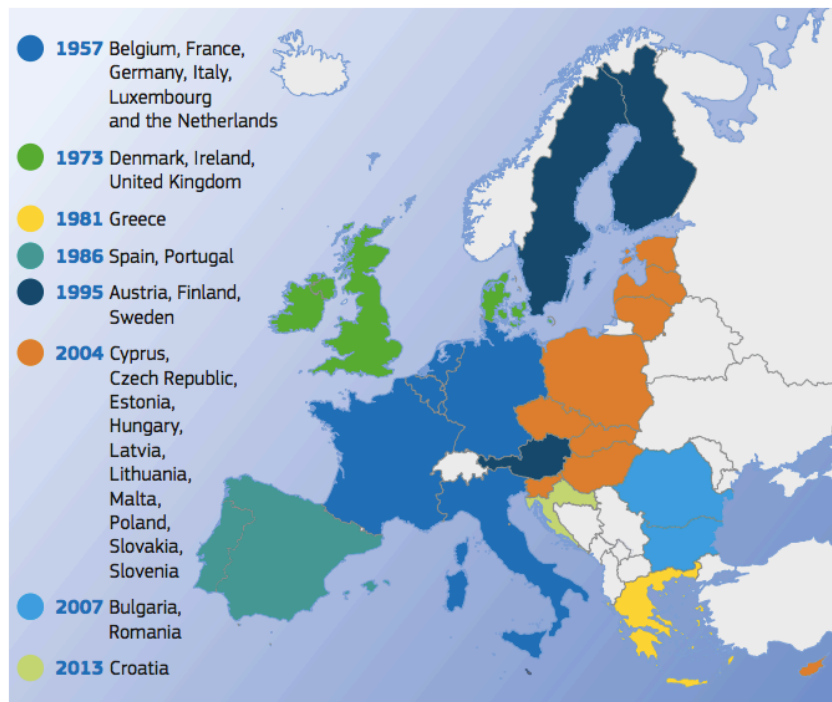
Source: Enlargement of the European Union.[131]

The literature sees the enlargement as an instrument for the accomplishment of two main functions for the European Union: stability and integration[132].

First, it guarantees stability in the neighborhood because the EU, acting like any other regional power, pursues the goal of peace and security, using its foreign policies to enhance a democratic and stable transition for its partner countries. This was the case, as we have seen in the first chapter, for the Eastern Enlargement: after the Cold War, the EU could not aspire to prosper and to become a key player in International Relations if chaos and insecurity were spreading in its immediate neighborhood. This argument was the starting point for the European Security Strategy (see page 35) and for the European Neighborhood Policy. Second, through the enlargement and through the combination of "sticks and

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[131] European Commission, "*Enlargement of the European Union*", Publications Office of the European Union, Luxembourg, 2015, p. 3, available at: https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/enlargement_brochure_en.pdf.

[132] Missiroli, A., "*The European Union and Its Changing Periphery: Stabilisation, Integration, Partnership*", in Dannreuther, R. (Ed), "*European Union Foreign and Security Policy. Towards Neighborhood Strategy*", Routledge Taylor & Francis Group, London, 2004, p. 12.

carrots"[133] the EU can exercise its normative power and spread its norms and values in an efficient and legitimate way: this approach based on integration and on conditionality that is present in the accession process has been very successful; using Manners' terminology, through diffusion (both procedural and informational) and transference, the EU was able to establish and impose its rules and its influence in third countries, developing a more secure and stable area. Among the scholars, the enlargement is seen as a successful instrument for the diffusion of the NPE because the prospect of membership was on the table; in this way, the process of domestic reforms in the candidate countries was seen legitimate in order to obtain a greater benefit and clear material interests, but when this prospect of accession is missing, the situation is radically different and the normative power that the EU enjoys is severely limited[134].

2.1.3.   The role of the Enlargement Fatigue

Following the big enlargement of 2004, the EU had to face new challenges: the Union acquired new neighbors, namely the Eastern republics that recently gained independence after the dissolution of the Soviet Union, and it thus had to reshape its external policies in order not to create a process of inclusion or exclusion for the new countries that were looking at Brussels with increasing interests. Also, the EU had to deal with a growing "enlargement fatigue" that was experiencing among its member states, which were worried that a further enlargement would foster new waves of immigrants, encouraged by the EU's rule about the free movement of labor, or that the single market could promote organized crime, already present in the Eastern countries, around the Union, or even that the introduction of new members with poorer economies could enhance the transfer of jobs and companies to these countries, fostering unfair competition, where the labor force was

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[133] Haukkala, H., "*The European Union as a Regional Normative Hegemon: The Case of European Neighbourhood Policy*", in Whitman, R. G. (Ed.), "*Normative Power Europe. Empirical and Theoretical Perspectives*", p. 47.
[134] Brethereton, C., Volger, J., "*The European Union as a Global Actor,*" Routledge Taylor & Francis Group, London, Second Edition, 2006, p. 134.

cheaper[135]. The mixed feeling about a further enlargement was also manifested in two factions between the member states, which has been divided among the scholars by "the deepeners", that aimed at pursuing a political integration in the European Union, in order to make it more stable and uniform, and "the wideners" that wanted to achieve a broader Union, spreading the economic and political benefits as far as possible[136]. The "enlargement fatigue" has been used as a justification to slow down the process of enlargement and acceptance of other candidate countries and it raised the question on which new methods and incentives could have been offered to the potential candidates, instead of membership[137].

In order to overcome both the enlargement fatigue and the necessity to institutionalize the relations with the new neighbors to foster security, the EU solved the dilemma by creating in 2004 the European Neighborhood Policy, which *"offered an uneasy and varied mix of proposals and plans for closer cooperation with a very diverse group of countries.[138]"*

The idea behind the policy can be seen already in a speech of 2002 of the then President of the European Commission, Romano Prodi:

> *"I do not deny that this process [the enlargement] has worked very well. But we cannot go on enlarging forever. We cannot water down the European political project and turn the European Union into just a free trade area on a continental scale. […] I want to see a "ring of friend" surrounding the Union and its closest European neighbors, from Morocco to Russia and the Black Sea. […] A proximity policy would not start with the promise of membership and it would not exclude eventual membership. […] On other*

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[135] Forgue, D., Kehoskie, N., S., *"Enlargement Fatigue in the European Union"*, International Law News, Vol. 36, No. 2, Spring 2007, p. 1, available at: http://www.barnesrichardson.com/4E8FDC/assets/files/News/tbl_s47Details_FileUpload265_126_forgue_fatigue.pdf.

[136] Rachman, G., *"The Death of Enlargement"*, the Washington Quarterly, Vol. 29 (3), Summer 2006, p. 51, available at: https://www.tandfonline.com/doi/abs/10.1162/wash.2006.29.3.49.

[137] Szolucha, A., *"The EU and the Enlargement Fatigue: Why has the European Union not been able to counter Enlargement Fatigue?"*, Journal of Contemporary European Research, Vol. 6 (1), 2010, p. 1, available at: https://www.jcer.net/index.php/jcer/article/view/124/192.

[138] Parmentier, F., *"The reception of EU Neighborhood Policy"*, in Laïdi, Z. (Ed), *"EU Foreign Policy in a Globalized World. Normative power and social preferences"*, Routledge & CRC Press, Oxford, 2008, p. 103.

occasions I have already referred to this concept, which I described as "sharing everything with the Union but institutions". The aim is to extend to this neighboring region a set of principles, values and standards which define the very essence of the European Union.[139]"

Through these words we can already sketch out the main premises that are at the basis of the ENP and subsequently of the European Eastern Partnership: following the logic of "sharing everything but institutions" the policy will offer economic and political benefits to its partners which have to comply with the governance standards of the Union, adopting its normative values and principles. As we will soon analyze, this can be seen as a double-edged sword: taking the card of membership off the table has meant, for the partner countries, a lacking of commitment in implementing the European values and, for the Union, a policy more focused on economic relations and opportunities, without coming to terms with the more authoritarian regimes[140].

2.1.4.   The acquisition of new neighbors: the technical instruments for fostering cooperation

After the big enlargement, the raise of a "*voisinage commun*"[141] between the two spheres of influence, the EU and Russia, highlighted the necessity to elaborate a line of action more intense with these countries, in order to guarantee security and stability at the doorstep of the Union. A first proposal was outlined in 2002 by the then Secretary of State for Foreign Affairs of the UK, Jack Straw, who draw the attention on the necessity of establishing

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[139] Prodi, R., "*A Wider Europe. A Proximity Policy as the key to stability*", speech at the Sixth ECSA – World Conference, Jean Monnet Project, 5 – 6 December 2002, Brussels, p. 3 – 5, available at: https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_02_619.

[140] Frappi, C., "*European Neighborhood Policy and the South Caucasus Challenge*", in Altunisik, M., B., Tanrisever, O., F., (Ed.) "*The South Caucasus: Security, Energy and Europeanization*", Routledge, London, 2017, p. 271.

[141] Facon, I., "*Russie-Union Européenne: L'enjeu Du Voisinage Commun*", Annuaire Français de Relations Internationales, Vol. VIII, 2007, p. 622, available at: https://www.afri-ct.org/article/russie-union-europeenne-l-enjeu-du/.

relations with Belarus, Ukraine and Moldova[142]; soon the proposal addressed only to the three partners grew larger, and the member states, moved by their own economic and political interests, pushed for the inclusion of other countries. In order to meet the voices of all parts involved, it has been decided to adopt a wide rage policy that aimed to manage the relations with the EU, creating a safety belt around the Union which could exercise its Normative Power. The first draft of the project has been presented to the European Commission in March 2003: it outlined the target countries and the main lines of action, based on promoting regional and inter regional cooperation, and on the transference of the EU's *acquis,* in order to enhance an actual Europeanization process.[143] After some exploratory talks with the countries involved, in 2004, the Commission drafted its Strategy Paper containing the details about the novel European Neighborhood Policy, which was no longer seen as just an instrument for guaranteeing security outside its borders, but as a tool for the establishment of privileged relations with the partners countries, based on shared and common values:

> *"The Union's neighbours have pledged adherence to fundamental human rights and freedoms, through their adherence to a number of multilateral treaties as well as through their bilateral agreements with the EU. […] The European Neighbourhood policy seeks to promote commitment to shared values. The extent to which neighbouring countries implement commitments in practice varies and there is considerable scope for improvement. Effective implementation of such commitments is an essential element in the EU's relations with partners.[144]"*

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[142] Straw, J., Letter to the European Council, *"EU's relationship with its future neighbours following enlargement (Ukraine, Belarus and Moldova)",* 28 January 2002, available at: https://data.consilium.europa.eu/doc/document/ST-7703-2002-INIT/en/pdf.

[143] Commission of the European Communities, Communication From The Commission To The Council And The European Parliament *"Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours",* Brussels, 11 March 2003, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52003DC0104&from=IT.

[144] Commission of the European Communities, Communication from the Commission, *"European Neighbourhood Policy – Strategy Paper",* Brussel, 12 May 2004, p. 12 – 13, available at: https://ec.europa.eu/neighbourhood-

In the final document the target countries increased from the initial 3 to 16, including also the countries of the South Caucasus, Armenia, Azerbaijan and Georgia, that had been excluded in the initial draft, due to their geographical position.[145] So, what was the reason behind the inclusion of the republics of the South Caucasus? An explicit signal for the inclusion was made in the European Security Strategy of 2003, which stated that: "*We should now take a stronger and more active interest in the problems of the Southern Caucasus, which will in due course also be a neighbouring region.*[146]" Taking the Caucasus into the "ring of friend" was a consequence of the events that occurred in Georgia in November 2003, known as the "Rose Revolution": the rise of a new pro-western ruling class made Brussels turn its eyes to the region with growing interest, and the perception of a peripherical area changed in favor of a strategic region seen as a possible bridge between Europe and Asia, as well as for concrete interests, like energy resources and the settlement of the regional conflicts, that could affect the relations between players like Russia and Turkey.[147] With the decision of including the South Caucasus, the ENP counts 16 countries from the East to the South.

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enlargement/sites/near/files/2004_communication_from_the_commission_-_european_neighbourhood_policy_-_strategy_paper.pdf.

[145] Commission of the European Communities, Communication From The Commission To The Council And The European Parliament "*Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*", p. 4.

[146] Council of the European Union, "*European Security Strategy. A Secure Europe In A Better World*", Brussels, 8 December 2003, p. 10.

[147] Coppieters, B., "*An EU Special Representative to a new periphery*", in "*The South Caucasus: a challenge for the EU*", Chaillot Papers, Institute for Security Studies, No. 65, December 2003, p. 164 - 168, available at: https://www.peacepalacelibrary.nl/ebooks/files/chai65e.pdf.

Image 3: "European Neighbourhood Policy Partners"
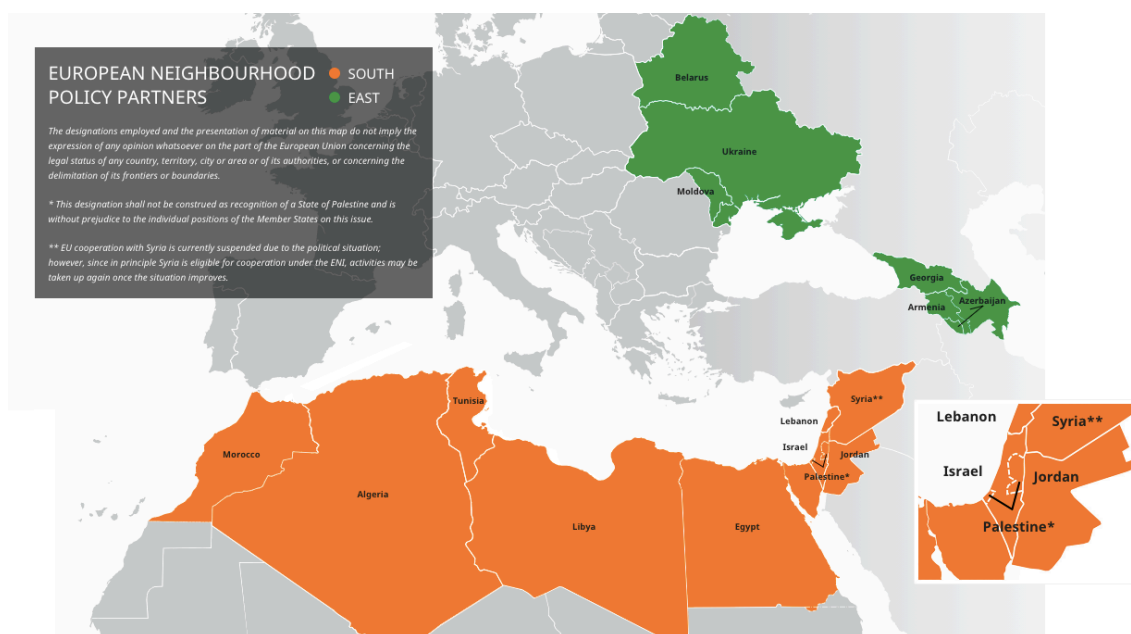
Source: EU Neighbours, available at: https://euneighbours.eu/en.

The relations between the European Union and the partner countries found their juridical basis on Association Agreements (AA) and Partnership & Cooperation Agreements (PCA); it is important to stress the difference between these two type of agreements, in order to understand also the different level of engagement among the countries: before the creation of the ENP, AAs had been signed with the Mediterranean partners, while the PCAs had been reserved to the Eastern partners, which have been excluded from the enlargement policies.[148] This marks the different kind of development that the Union was seeking at that time: association in the South and cooperation towards the East. On the basis of these agreements, the ENP put in the field two main instruments for addressing the target objectives:

- A political instrument, namely the Action Plans;

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[148] Bosse, G., "*Values in the EU's Neighbourhood Policy: Political Rhetoric or Reflection of a Coherent Policy?*", European Political Economic Review, No. 7, Summer 2007, p. 43, available at: https://www.researchgate.net/publication/29998016_Values_in_the_EU's_Neighbourhood_Policy_Political_Rhetoric_or_Reflection_of_a_Coherent_Policy_European_Political_Economy_Review_No_7_Summer_2007_pp_38-62.

- A financial instrument, namely the European Neighborhood Instrument (ENI), which replaced the former European Neighborhood and Partnership Instrument (ENPI).

Action Plans

The Action Plans are bilateral agreement of 3 or 5 years between the EU and its partners, that set out the agenda for the main priorities for the country, such as political and economic reforms, making sure to tackle both the Union's interests and the country's needs and capacities[149]. The Action Plans are built on the principle of *differentiation,* in order to meet all the requirements and peculiarities of each country; as outlined in the Strategy Paper:

> *"These [the Action Plans] differ with respect to geographic location, the political and economic situation, relations with the European Union and with neighbouring countries, reform programmes, where applicable, needs and capacities, as well as perceived interests in the context of the ENP. [...] Differentiation should at the same time be based on a clear commitment to shared values and be compatible with a coherent regional approach, especially where further regional cooperation can bring clear benefits[150]."*

The Action Plans are thus divided into two parts: first, the document covers the main priorities for the signing country, second, it focuses on the principle spheres of action that will bring the partner closer to the EU[151]. The cooperation with the targeting state is based upon the conditionality principle, in order to stimulate democratic reforms in exchange of the economic and financial opportunities provided by the *ENP*.

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[149] European Union External Action Service, "*ENP Action Plans*", 18 August 2015, available at: https://eeas.europa.eu/headquarters/headquarters-homepage/8398/enp-action-plans_en.

[150] Commission of the European Communities, Communication from the Commission, "*European Neighbourhood Policy – Strategy Paper",* p. 8.

[151] Ibid., p. 9.

ENI

In light of the review of the ENP in 2015, in 2014 came into force the European Neighborhood Instrument, the financial arm for implementing the objectives of the ENP, replacing the ENPI. The budget stipulated by the Commission for the period of 2014 – 2020 has been of €18,182 million (current prices of 2014)[152]. The "Specific Objectives of Union Support" are six spheres of action:

1. Promotion of human rights, fundamental freedoms and the core values of the EU;

2. Integration in the EU's internal market and enhancing sectoral and cross – cultural cooperation;

3. Better organization of legal migration and promotion of mobility and people-to-people contacts;

4. Supporting smart, sustainable and inclusive development (science, education, environment, etc.)

5. Promoting security and prevention and settlement of conflicts;

6. Enhancing sub-regional, regional and European Neighborhood-wide collaboration as well as cross-border cooperation[153].

The innovation introduced with the ENI is the application of the "*more for more*" principle, meaning that the principle of differentiation is fostered, since this instrument will provide greater funds to those countries which are genuinely implementing the objectives just mentioned[154].

The ENP is an ambitious policy, and in some ways, it proposes a new and experimental approach for bilateral relations; that is why it raised a lot of questions in the academic world,

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[152] European Commission, "*The Multiannual Financial Framework: The Proposals on External Action Instruments*", MEMO/11/878, Brussels, 7 December 2011, p. 2, available at: https://ec.europa.eu/commission/presscorner/detail/en/MEMO_11_878.

[153] European Union, "*Regulation (Eu) No 232/2014 Of The European Parliament And Of The Council of 11 March 2014 establishing a European Neighbourhood Instrument*", Official Journal of the European Union, I. 77/27, 15 March 2014, Title I, Art. 2 – 2, available at: https://eeas.europa.eu/sites/default/files/enp-regulation-11032014_en_0.pdf.

[154] European Commission, "*The Multiannual Financial Framework: The Proposals on External Action Instruments*", p. 5.

that did not held back from underlining the weaknesses and the critical points; in particular, the ENP reflects the challenges and limits of NPE: in fact, the promotion of norms and values has been particularly contested for a series of reasons. A brilliant analysis in provided by Gstöhl, who highlights the ambiguity and the abstractness of these values that need to be implemented; in this sense, also the Action Plans "*fall short of translating the political rhetoric on democratic reforms into operational and measureable plans of action and that democratic values are in fact only partially and to varying degrees included.*[155]" Furthermore, normative values can be in contrast with economic and political ones, and often the latter seems to prevail; Panebianco pointed out that "*Economic liberalization and the establishment of free markets – which are also crucial EU values – seem to come before human rights and democratic principles.*[156]" If some scholars argue that the power exercised in the ENP can be seen as "soft imperialism", meaning that the normative power of the EU is "*applied in a hard way, that is an asymmetric form of dialogue or even the imposition or strategic use of norms and conditionalities enforced for reasons of self-interest […][157]*", the crucial point is another: if on the one hand we agree that the EU, at some extent, is not using its NP for pursuing noble values, but it is rather focused on interests, on the other hand, we also have to consider the lack of legitimacy that it is experiencing in its partner countries; the lack of implementation can be explained by the absence of a concrete "carrot" that is, as we have said before, the membership card. The Union is behaving like a normative hegemony following the same path as in the accession process, but without guaranteeing the accession[158]. The unwillingness of the partner states to implement democratic norms and the inability of the EU to conduct a

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[155] Gstöhl, S., "*The Contestation of Values in the European Neighbourhood Policy: Challenges of Capacity, Consistency and Competition*", Draft Paper for the EUSA Fourteenth Biennial Conference, Boston, 5 – 7 March 2015, p. 4, available at: http://aei.pitt.edu/79028/.

[156] Panebianco, S., "*The Constraints of EU Action as a "norm exporter" in the Mediterranean*", in Elgstrom, O., Smit, M. (Ed.), "*The European Union's Role in International Politics. Concepts and analysis*", Routledge, London, 2006, p.141.

[157] Söderbaum, F., Hettne, B., "*Civilian Power or Soft Imperialism? EU as a Global Actor and the Role of Interregionalism*", European Foreign Affairs Review, December 2005, p. 5, available at: https://www.researchgate.net/publication/259576731_'Civilian_Power_or_Soft_Imperialism_EU_as_a_Global_Actor_and_the_Role_of_Interregionalism'.

[158] Haukkala, H., "*The European Union as a Regional Normative Hegemon: The Case of European Neighbourhood Policy*", in Whitman, R. G. (Ed.), "*Normative Power Europe. Empirical and Theoretical Perspectives*", p. 57.

credible policy is a consequence of lack of a concrete and attractive perspective. The majority of the scholars seem indeed to agree that only the prospect of the membership, could really help fostering the steps towards the achievement of more democratic institutions[159]; this challenges the theory of Manners, bringing into light the fact that mechanisms as contagion, influence, imitation have proven to be very weak when they are not hold by concrete, material incentives[160].

Due to the geographical scope of the ENP and the heterogeneity of the member states, this thesis confines itself to analyze more in detail the Eastern part, in order to understand the context and the NPE in action in this part of the world, paving the way for the examination of Azerbaijan.

2.2. The creation of the European Eastern Partnership: spreading democracy

2.2.1. From the European Neighborhood Policy to the European Eastern Partnership: not the best start

Among the several critical points of the ENP, the most evident is certainly the lack of an harmonization at the regional level: all the sixteen countries have been included into the "ring of friends" but the policy failed to take into consideration that these states shared deep differences, dictated by the context and by their historical past; incorporating into the same circle countries like Belarus and Libya has been seen as an action that reflected the needs of Brussels, without taking into account the peculiarities of the contracting partners. In order

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[159] Balázs, S., I., "*The EU's support for democratic governance in the Eastern Neighbourhood: the role of New Member State transition experience*", Europe Asia Studies, Vol. 66 (7), August 2014, p. 6, available at: https://www.researchgate.net/publication/264792860_The_EU's_Support_for_Democratic_Governance_in_the_Eastern_Neighbourhood_The_Role_of_Transition_Experience_from_the_New_Member_States.

[160] Schimmelfennig, F., "EU political accession conditionality after the 2004 enlargement: consistency and effectiveness", Journal of European Public Policy, Vol. 15 (6), 08 February 2011, p. 920, available at: https://www.researchgate.net/publication/248990498_EU_Political_Accession_Conditionality_after_the_2004_Enlargement_Consistency_and_Effectiveness.

to overcome the geographical obstacle, the proposal of an "Eastern Dimension" had been presented still in 2003 by Poland, which at that time was not a member of the EU but was invited in the process of consultation for the development of the ENP. Warsaw's proposal, presented in a non-paper, encouraged the creation of an Eastern Dimension that would tackle the specificities of each country.[161] The Polish initiative was not taken into consideration at that time, but it resurfaced in 2008, with a joint proposal made by Poland and Sweden to the European Council that, together with the Commission, prepared a Communication released on 8 December 2008 that outlined the principal steps forward from the NPE to the EaP:

> *"The ENP has already been successful in forging closer relations between the EU and its neighbours. The EaP should go further. The guiding principle should be to offer the maximum possible, taking into account political and economic realities and the state of reforms of the partner concerned, bringing visible benefits for the citizens of each country. An essential component of the EaP will be a commitment from the EU to accompany more intensively partners' individual reform efforts.[162]"*

The EaP is addressed to Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine and it was officially launched on 9 May 2009, during the EU Summit in Prague. If the impression was the beginning of a new era thanks to the establishment of a "*more ambitious partnership between the EU and the partner countries[163]*", the initiative was born with some weaknesses that can already be seen in the Prague Summit: it has been object of critique especially because of the heterogeneity of the states involved, of the limited financial means, of the not

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[161] Marcinkowskal, P., "*European Neighbourhood Policy, A Polish Perspective*", UNISCI Journal, No. 40, January 2016, p. 30 – 31, available at: https://www.ucm.es/data/cont/media/www/pag-78913/UNISCIDP40-2PaulaMarcinkowska.pdf.

[162] European Commission, "*Communication From The Commission To The European Parliament And The Council - Eastern Partnership*", COM(2008) 823 Final, Brussels, 3 December 2008, p. 3, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008DC0823&from=EN.

[163] Council of the European Union, "*Joint Declaration of the Prague Eastern Partnership Summit*", 8435/09 (Presse 78), Prague, 7 May 2009, p. 5, available at: https://www.consilium.europa.eu/media/31797/2009_eap_declaration.pdf.

so attractive offers and for the incapacity of tackling the complex conflictual situations in the region[164]. Furthermore, 33 head of states were expected to attend the Prague Summit, but only 21 were present; besides the absence of the leaders of the main European countries (except for Germany), also the presidents of Belarus and Moldova did not attend. Additionally, Brussels had a role in toning down the enthusiasm at the start: towards the policies of visa facilitation basically nothing changed, and the final document reported a framework already implemented by the EU, and the perspective of membership appeared always more far for the partner countries, which in the document are not even called "European Countries", but "Eastern European Partners"[165]; this distinction is fundamental because, according to Article 49 of the TEU only the "European Countries" can apply to become a member of the Union[166]. The Eastern Partnership was not born under the best auspices, and this was also reflected by the opening words of the then President of the European Council, Mirek Topolánek, who said:

> *"Each of us has probably come to this meeting with certain expectations that are not necessarily identical. Each of us has a more or less specific idea of what this day should bring to the partner countries and to the European Union respectively. Personally, I will consider it a success if upon leaving today we will feel that we have brought our expectations to a consensus."*

To conclude, the start was not one of the most promising, but what is important is to fully understand how this initiative works from a technical point of view, in order to assess, in the final part of the chapter, the performance of the member states.

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[164] Osservatorio di Politica Internazionale, "*Il Partenariato Orientale dell'UE tra potenzialità e debolezze*", Approfondimenti, Istituto per gli Studi di Politica Internazionale, 5 Dicembre 2009, p. 3, available at: https://www.parlamento.it/documenti/repository/affariinternazionali/osservatorio/approfondimenti/Approfondimento_5_ISPI_PartenariatoOrientale.pdf.

[165] Comelli, M., "Partenariato Orientale: una falsa partenza?", Affari Internazionali, 11 Maggio 2009, available at: https://www.affarinternazionali.it/2009/05/partenariato-orientale-una-falsa-partenza/.

[166] European Union, *Treaty on European Union (Consolidated Version)*, Treaty of Maastricht, Title VIII, Art. 49.

2.2.2. The Functioning of the EaP

First of all, what is important to underline is that the establishment of the EaP does not mean the end of ENP, but is the creation of an additional instrument designed at fostering the relations with its partners on a regional basis, but also at creating a greater cooperation among the same countries. The EaP works then combining bilateral and multilateral tracks, in order to enhance the process of region building.[167]

Bilateral track

The bilateral track is the body of the EaP; the first objective is the dismissal of the PCAs signed in the '90s, in favor of new Association Agreements with each partner countries and the EU, as well as the Association Agenda and the Partnership Priorities which had to follow, until nowadays, the EaP 20 Deliverables for 2020, that focus on: stronger economy, stronger governance, stronger connectivity and stronger society[168]. The second main point regulating the bilateral relations between the target country and the EU is the Deep and Comprehensive Free Trade Area (DCFTA); it represents a step towards the relations with the Union because it offers attractive incentives, such as the access to the European Single Market, and the four freedoms that are at the basis of the foundation of the Union: free movements of goods, services, capital and people; the movement of people is, however, intended as policies for visa facilitation and visa liberalization. Finally, the EU stressed also the importance on energy security, that should be included in the AAs with the countries:

> *"The Eastern Partnership aims to strengthen energy security through cooperation with regard to long-term stable and secure energy supply and transit, including through better regulation, energy efficiency and more use of renewable energy sources. Provisions on*

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[167] Council of the European Union, "*Joint Declaration of the Prague Eastern Partnership Summit*", p. 8.
[168] European Council, "*EaP - 20 Deliverables for 2020: bringing tangible results for citizens*", Factsheet, available at: https://www.consilium.europa.eu/media/44362/20-deliverables-for-2020.pdf.

energy interdependence could be included in the new Association Agreements or other bilateral arrangements between the EU and the partner countries.[169]"

Multilateral track

The multilateral track is the principal innovation brought by the EaP, in order to develop a process of region building among the countries that, included in an *ad hoc* context, can face common problems and challenges with the help of Brussels.

> *"[The EaP] It will facilitate the development of common positions and joint activities. The multilateral framework is aimed at fostering links among partner countries themselves and will be a forum for discussion on further developments of the Eastern Partnership.[170]"*

On the operational level, the multilateral dimension relies on biannual meeting between the heads of state or the ministries of foreign affairs of the EU and the partner countries in the EaP Summits and on thematic platforms that provide a horizontal and inclusive form of interaction for addressing common challenges;[171] the multilateral platforms planned for 2018 – 2020 are: (1) strengthening institutions and good governance, (2) economic development and market opportunities, (3) connectivity, energy efficiency, environment and climate change, (4) mobility and people-to-people contacts[172]. Every platform outlines common objectives and goals that have to be achieved and several actors are involved, such as representatives of the national parliaments through EURONEST, international financial institutions, experts, and civil society organizations[173]. The multilateral track is innovative

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[169] Council of the European Union, "*Joint Declaration of the Prague Eastern Partnership Summit*", p. 8.

[170] Ibid.

[171] Delcour, L., "*The Institutional Functioning of the Eastern Partnership: An Early Assessment*", Estonian Center of Eastern Partnership, No. 1, October 2011, p. 7, available at: https://www.researchgate.net/publication/280946319_The_Institutional_Functioning_of_the_Eastern_Partnership.

[172] EaP Foreign Affairs Ministerial, "*EaP Summit*", available at: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/eap_summit_map_a4_digital.pdf.

[173] EaP, "*Work Programme – Platform 2 (2018 – 2019 – 2020)*", availabe at: https://eeas.europa.eu/sites/default/files/eap_platform_2_wp_update_2020_approved.pdf.

and more advanced that the ENP not only because it stresses the importance of mutual cooperation between the parties, but also because it encourages a bottom-up approach for transformation and it thus takes a step forward from the traditional top-down approach typical of the bilateral track[174]. This shift can be seen for example in the establishment of the Eastern Partnership Civil Society Forum (EaP CSF), a true pillar in the EaP, that, according to the Commission, will be an essential instrument for *"promoting contacts among CSOs and facilitating their dialogue with public authorities[175]."*

Financing

With regard to the financial process, the partner countries continue to benefit mainly from the ENI, that covers the 16 countries of the ENP; the ENI is biggest financial instrument of the European External Action, representing the 24% of the total expenditure[176]. The approach adopted by the ENI is based on *differentiation*, meaning that it provides assistance to the partner countries relying on their needs and progress, and on the *more for more* principle (see page 57). The ENI is not the only instrument that supports the initiatives of the EaP, the six partner countries can also benefit from the assistance of the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD) [177], as well as from international organizations or the single EU member states[178]. For the multiannual indicative programme (2014 – 2020) the Union allocated an indicative budget of € 741,000,000 - € 906,000,000 for the Eastern Partnership[179]; furthermore, in case of

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[174] Frappi, C., "*European Neighborhood Policy and the South Caucasus Challenge*", in Altunisik, M., B., Tanrisever, O., F., (Ed.) "*The South Caucasus: Security, Energy and Europeanization*", p. 275.

[175] European Commission, "*Communication From The Commission To The European Parliament And The Council - Eastern Partnership*", p. 14.

[176] European Union External Action Service, "*Financing the ENP*", 18 August 2015, available at: https://eeas.europa.eu/diplomatic-network/eastern-partnership/8410/financing-enp_en.

[177] Council of the European Union, "*Joint Declaration of the Prague Eastern Partnership Summit*", point 18, p. 11.

[178] European Union, "*Regulation (Eu) No 232/2014 Of The European Parliament And Of The Council of 11 March 2014 establishing a European Neighbourhood Instrument*", Official Journal of the European Union, I. 77/27, 15 March 2014, Art. 7 – 9, available at: https://eeas.europa.eu/sites/default/files/enp-regulation-11032014_en_0.pdf.

[179] European External Action Service, European Commission, "*Programming of the European Neighbourhood Instrument (ENI) - 2014-2020: Regional East Strategy Paper (2014-2020) and Multiannual Indicative Programme*

emergency or need, the EU expressed its willingness to provide extra funds: this is the case of the EU's response to the Coronavirus pandemic in the EaP, where the European Commission allocated € 80 million for immediate needs and € 900 million to support the social and economic process of recovery in the area[180].

The ENP and the EaP are, without any doubt, two ambitious initiative, but after more than 10 years since its establishment, these policies seem not to have achieved the initial expectations, in particular, the normative agenda that the EU aims to diffuse seems a "mission impossible" in the area[181]. In order to assess the reasons and the causes of such a failure, it is useful to have a panoramic view of the partner countries and their achievements (or nonachievements) from 2009 until now.

2.3.   Moral values: a shield for economic and geopolitical interests?

Before getting deeper into the analysis of the partner countries, it is relevant to explain which are the common traits between them, and why they were chosen to be part of the EaP. First of all, the geographical reason is not the *fil rouge* that brings these states together: three of them (Belarus, Moldova and Ukraine) are located in Eastern Europe, while the other three (Armenia, Azerbaijan and Georgia) belong to the South Caucasus. Already from this first assumption we can pull into question the ambition of the EaP to foster a process of *region building* and cooperation, that appears to be only a shallow proposal, since we cannot consider the six countries as a region, or not even the partners from the South Caucasus, which, according to Lynch, "*the South Caucasus is hardly a region in itself*"[182]. Moreover, also

(2014-2017)", p. 13, available at: https://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/regional_east_strategy_paper_2014_2020_and_multiannual_indicative_programme_2014_2017_en_.pdf.

[180] European Commission, "*The EU's response to the coronavirus pandemic in the Eastern Partnership*", available at: https://eeas.europa.eu/sites/default/files/coronavirus_support_for_eap_en_june.pdf.

[181] Pożarlik, G., "(*In)securitising the Eastern Neighbourhood. The European Union Eastern Partnership's Normative Dilemma: Resilience Versus Principled Pragmatism*", in Rouet, G., Pascariu, G., C. (Ed.), "*Resilience and the EU's Eastern Neighbourhood Countries: From Theoretical Concepts to a Normative Agenda*", Palgrave McMillan, Cham, 2019, p. 139.

[182] Lynch, D., "*A regional insecurity dynamic*", European Institute for Security Studies, 1 December 2003, p. 10, available at: https://www.jstor.org/stable/resrep07037.4?seq=1#metadata_info_tab_contents.

in terms of historical, economic, political and social background are different; the only common trait between them seems to be their experience in the Soviet Union and the influence of Russia, even if in some countries is not as strong as it was before.[183] At the beginning of the century, the six countries were engaged in redefining their identities and looking for new partners in order to establish relations that could satisfy their needs and interests. They are all characterized by week governance and economy, as well as political instability, so the pragmatic answer of the EU was to include them in its "ring of friend" to ensure stability and security at its borders.

2.3.1.   Armenia

Among the Caucasian Republics, Armenia is the smallest and the poorest. After the independence of 1991, the newborn Republic found itself in a critical situation that led it to rely on Russia's support and influence: the economic crisis that all the post-soviet countries had to face had been more intense in Armenia, due to the lack of relevant energetic resources or of an outlet to the sea, to the conflict over the Nagorno – Karabakh and also because of its geographical position, surrounded both by Turkey and Azerbaijan.

The relations between Armenia and the EU dates back to 1999, when it entered into force the Partnership and Cooperation Agreement which outlined the framework for the political dialogue between the parties, based on the consolidation of democracy, transition to market economy, trade, lawmaking and cultural cooperation[184]. After the entering into the ENP in 2004 and in the EaP in 2009, the previous PCA was replaced by a new Comprehensive and Enhanced Partnership Agreement (CEPA), signed by the parties in 2017 and entered into force on March 2021, that aims at strengthening the relations in a wide ranges of area[185].

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[183] Osservatorio di Politica Internazionale, "*Il Partenariato Orientale dell'UE tra potenzialità e debolezze*", p. 5.

[184] European Union, "*Partnership And Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Armenia, of the other part*", Official Journal of the European Communities, I. 239/3, 9 September 1999, Art. 1, available at: https://eur-lex.europa.eu/resource.html?uri=cellar:cfa0c50d-97c4-444d-84d3-7fd45943cf14.0020.02/DOC_1&format=PDF.

[185] European Union, "*Comprehensive And Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other*

The process towards democratization in Armenia took several steps forward: from a formalistic top approach in the 90s, to a bottom approach that culminated in the Velvet Revolution in 2018[186], the Caucasian Republic earned positions, going up from the 45th place in 2017 to 55th in 2021, ranking in the "partly free countries"[187]. However, after the 2020 Nagorno Karabakh War with Azerbaijan, Armenia is now facing a period of instability, caused by humanitarian challenges and internal clash.

The allocation provided by the EU in the framework of the EaP for 2014 – 2020 is €252,000,000 to €308,000,000 (indicative) with the majority of the funds dedicated to the development of the private sector (35%) and to the reform of the public administration (25%)[188]. Analyzing the "Partnership Implementation Report on Armenia" of 2019, we can assess the following:

Table 1: Progress towards democracy promotion in Armenia[189]

Progress in 2019	*Armenia*
Democracy, Good Governance, Rule of Law	Improving
Human Rights	Some
Torture and ill treatment	Setback
Media environment	Improving
Freedom of assembly	Yes
Equal treatment and anti-discrimination	No

part", Official Journal of the European Union, I. 23/4, 26 January 2018, Art. 1, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22018A0126(01)&from=EN.

[186] Vasilyan, S., "*Moral Power of the European Union in the South Caucasus*", Plagrave Macmillan, London, 2020, P. 287.

[187] Freedom House, "*Freedom in the World 2021 – Armenia*", available at: https://freedomhouse.org/country/armenia/freedom-world/2021.

[188] European Commission, European External Action Service, ""*Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Single Support Framework for EU support to Armenia (2014-2017)"*, p. 7, available at: https://eeas.europa.eu/sites/default/files/armenia_2014_2017_programming_document_en_0.pdf.

[189] European Commission and High Representative Of The Union For Foreign Affairs And Security Policy, "*Joint Staff Working Document - Partnership Implementation Report on Armenia"*, Brussels, 20 May 2019, available at: https://eeas.europa.eu/sites/default/files/partnership_implementation_report_armenia.pdf.

Fight against corruption	Some

Despite the improvements towards democracy in Armenia, the perception of the European Union in the country is contradictory: according to Caucasus Barometer, the level of trust regarding the EU is been unstable in the past decade.

Image 4: TRUSTEU – ARMENIA – Trust towards EU (%)
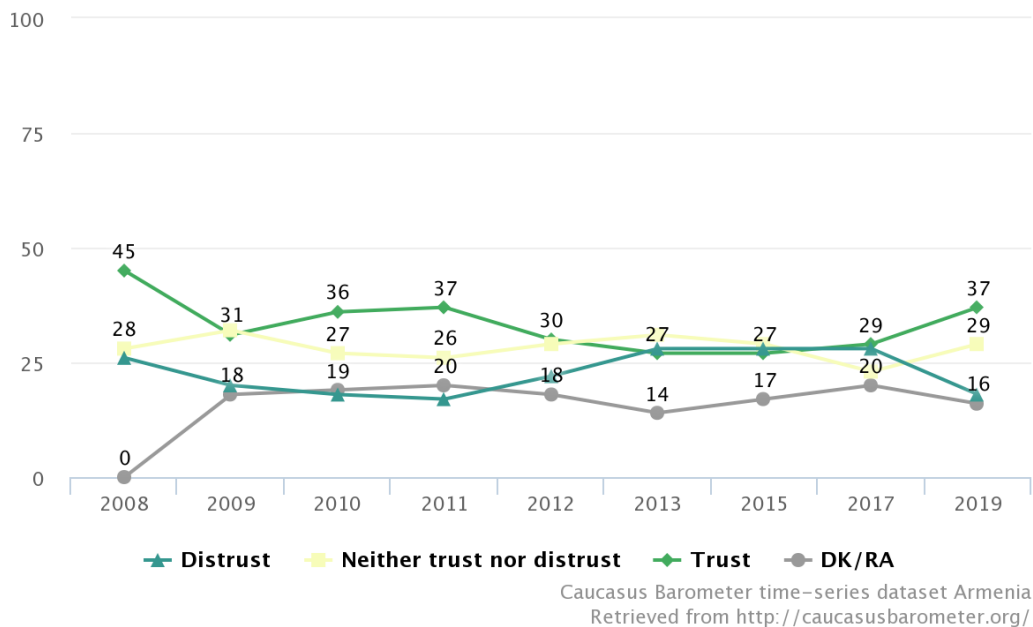
Source: Caucasus Barometer[190]

Furthermore, when asked for the main reason for not supporting a possible Armenia's membership in the EU, the respondents pointed out the deterioration of Armenian culture and tradition.

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[190]Caucasus Barometer, Trust Towards the EU, available at: https://caucasusbarometer.org/en/cb-am/TRUSTEU/

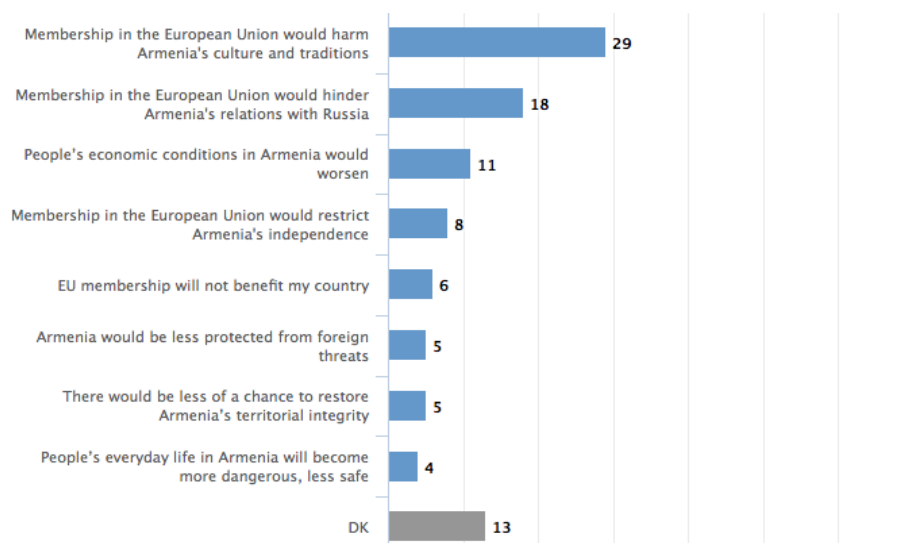*Image 5: What is the main reason you would not support Armenia's membership in the EU? (%)*


Source: Caucasus Barometer, 2020[191]

These factors can be explained by taking into consideration the role that Russia plays in Armenia: even if the Russian influence is decreasing, Moscow has been considered an alley in the eyes of Erevan for the conflict with Azerbaijan (Armenia is in fact part of the Collective Security Treaty Organization – CSTO - with the Russian Federation), while the response of the EU has been practically absent, and Russia is still an important economic partner. Moscow is indeed the principal destination for Armenia's export, with a value of $734 million in 2019, with a share of 22%, but, most importantly, it is the principal supplier of oil and gas with a percentage of 28,7% and a value of $1,44 billion, making Armenia dependent on Russian energetic supplies.[192] With regard to European values, the skepticism is high towards the European way of living, and this can be explained by the social and cultural background of the country, based on a "*powerful popular identity of religion-based origins.[193]*"

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[191] Caucasus Barometer, What is the main reason you would not support Armenia's membership in the EU?, available at: https://caucasusbarometer.org/en/cb2019am/EUNSUPW/.

[192] The Observatory of Economic Complexity, "*Product Trade Armenia – Import / Export 2019*", available at: https://oec.world/en/profile/country/arm.

[193] Onofrei, M., Oprea, F., "*Public Administration and Governance in the EU's Eastern Neighbourhood Countries: Comparative Approach and Relevance for the European Neighbourhood Policy Effectiveness*", in in Rouet, G., Pascariu, G., C. (Ed.), "*Resilience and the EU's Eastern Neighbourhood Countries: From Theoretical Concepts to a Normative Agenda*", Palgrave McMillan, Cham, 2019, p. 64.

Image 6: The EU fosters the preservation of traditional values in our society. To what extent do you agree with this statement about the EU?
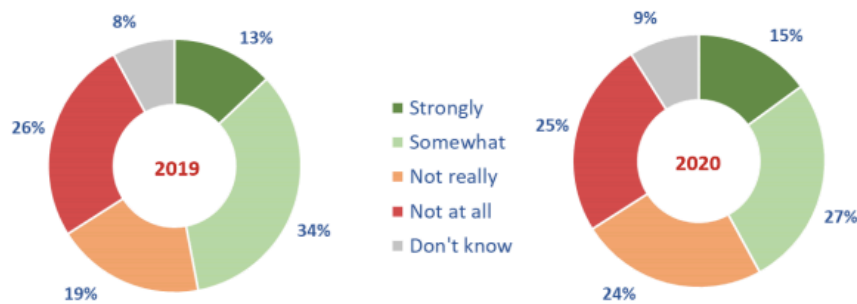
Source: EU Neighbors East, Annual Survey Report – Armenia[194].

Indeed, 49% of the respondents consider the EU as a threat to traditional values; also this skepticism can find an answer in Russia's influence: the Russian soft power that spreads "family values" is closer to the conservative and traditional approach of the Armenian culture and society, than the European values.[195]

To conclude, the NPE in Armenia obtained somehow the effects promised, but only in some fields. The presence and the authority of the Union is still challenged by the Russian influence, which appears not to back off the region.

2.3.2.   Belarus

The relations between Belarus and the EU are often tense and not easy at all. Among the six partner countries, Minsk appears to be the most pragmatic actor, interested at pursuing its own interests, in fact, it is also the only one who did not establish diplomatic relations with Brussels. A PCA was concluded in 1995, but it has not been ratified by the EU due to the constant violation of human rights and the lack of commitment to democracy promotion in

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[194] EU Neighbors East, "*Annual Survey Report – Armenia*", March 2020, p. 10, available at: https://www.euneighbours.eu/sites/default/files/publications/2020-06/EUNEIGHBOURS_east_AS2020report_ARMENIA.pdf.

[195] Ibid., p. 9.

the country[196]. Therefore, the relations with Belarus remain bound to Trade and Cooperation Agreement of 1989, concluded with the Soviet Union, which does not contain any provision about democracy promotion or human rights[197]. The deterioration of the relations began in 1994, with the election of Aleksander Lukashenko, known in the media as "Europe's last dictator", who consolidated the presence of a strong authoritarian regime that, by its nature, opposes the transition towards the achievement of democratic institutions[198]. The relationship with Minsk is characterized by sanctions and restrictive measures: first introduced in 2004, in response to severe violations of human rights, of international electoral standards and to the crackdown of civil society, new sanctions have been introduced in 2020[199], following the fraudulent presidential elections in August 2020 which saw Lukashenko as the winner for the sixth time with 80% of the votes.

Moving on to the framework of the EaP, the allocation provided by the EU for 2014 – 2020 is €129,000,000 to €158,000,000 (indicative) with only a 10% of funds dedicated to civil society[200]. No reports have been found regarding the implementation of the objectives of the EaP but, by looking at the statistics presented by Freedom House, we can assess the failure of the NPE in Belarus, that from the 20th position in 2017, went down to the 11th in 2021, ranking in the "not free countries".[201]

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[196] European Commission, "Countries and Regions – Belarus", available at: https://ec.europa.eu/trade/policy/countries-and-regions/countries/belarus/.

[197] European Economic Community, "*AGREEMENT between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation*", Official Journal of the European Communities, No. L 68 / 3, 13 March 1990, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:21990A0315(01)&from=EN.

[198] [198] Onofrei, M., Oprea, F., "*Public Administration and Governance in the EU's Eastern Neighbourhood Countries: Comparative Approach and Relevance for the European Neighbourhood Policy Effectiveness*", in in Rouet, G., Pascariu, G., C. (Ed.), "*Resilience and the EU's Eastern Neighbourhood Countries: From Theoretical Concepts to a Normative Agenda*", p. 55.

[199] European Union, "Official Journal of the European Union", L 370 I, Vol. 63, 6 November 2020, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2020:370I:FULL&from=EN.

[200] European Commission, European External Action Service, ""*Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Single Support Framework for EU support to Belarus (2014-2017)*", p. 18, available at: https://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/belarus_2014_2017_programming_document_en.pdf.

[201] Freedom House, "*Freedom in the World 2021 – Belarus*", available at: https://freedomhouse.org/country/belarus/freedom-world/2021.

The perception of EU in Belarus is mostly neutral, with a percentage of 46, and, like in Armenia, when it comes to the preservation of traditional values, the majority shows skepticism towards the role of the EU.

Image 7: Do you have a 'very positive', 'fairly positive', 'neutral', 'fairly negative' or 'very negative' image of the European Union?
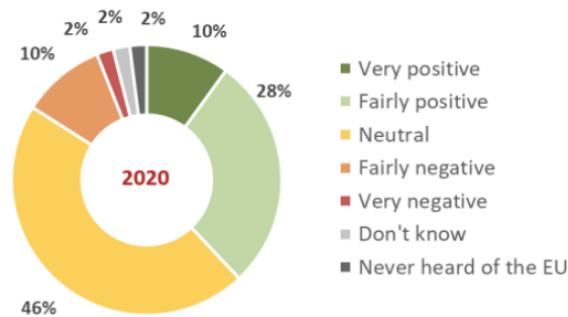
Source: EU Neighbors East, Annual Survey Report – Belarus[202]

Image 8: 'The EU fosters the preservation of traditional values in our society'. To what extent do you agree with this statement about the EU?

Source: EU Neighbors East, Annual Survey Report – Belarus

To conclude, the NPE in Belarus seems an utopia: the autocratic regime leaves no room for democratic reforms, and, like with the case of Armenia, we are facing a country still

[202] EU Neighbors East, "*Annual Survey Report – Belarus*", March 2020, available at: https://www.euneighbours.eu/sites/default/files/publications/2020-06/EUNEIGHBOURS_east_AS2020report_BELARUS.pdf.

dependent on the influence of Russia, especially in economic and security terms; Moscow confirms its position as top exporter partner (42%) and top importer (57,2%) with Minsk in 2019[203], and Belarus, as Armenia, is part of the CSTO.

2.3.3. Georgia

The major success towards democracy promotion in the framework of the EaP has been achieved in Georgia. Thanks to the experience of the Rose Revolution, Tbilisi has shown from its independence the desire to align with the Western societies, proven by its collaboration with NATO and the EU, as well as its membership in the GUAM Organization for Democracy and Economic Development, together with Azerbaijan, Ukraine and Moldova[204]. The shift towards a closer cooperation with the EU happened in 2008, when Europe played a leading role in the mediation between Russia and Georgia over the conflict of Abkhazia and South Ossetia[205]. That is why, the participation of Georgia to the EaP is seen not only as an instrument for closer relations with EU, but also as a tool for long-term support enabling the country to get away from the Russian influence and to get enough contribution for the economic reconstruction of the country in the aftermath of the 2008 war[206]. However, the progress made in terms of good governance and democratic reforms allowed the signing of the EU – Georgia Association Agreement and the DCFTA which entered into force in 2016, as well as a visa wavers for the Schengen area[207].

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[203] The Observatory of Economic Complexity, "*Product Trade Belarus – Import / Export 2019*", available at: https://oec.world/en/profile/country/blr.

[204] Osservatorio di Politica Internazionale, "*Il Partenariato Orientale dell'UE tra potenzialità e debolezze*", p. 5.

[205] De Waal, T., "*Georgia's choice. Creating a future in uncertain times*", Carnegie Endowment for International Peace, Washington DC, 2011, p. 35, available at: https://carnegieendowment.org/files/georgias_choices.pdf.

[206] Kentchadze, T., "*The Promise of Eastern Partnership*", Policy Brief, ISPI – Istituto per gli Studi di Politica Internazionale, No. 136, May 2009, p. 5 – 6, available at: https://www.ispionline.it/sites/default/files/pubblicazioni/pb_136_2009.pdf.

[207] European Parliament, "*Three Eastern Partnership Neighbours In The South Caucasus*", Fact Sheets on the European Union, 2021, p. 1, available at: https://www.europarl.europa.eu/ftu/pdf/en/FTU_5.5.6.pdf.

The European Union is also the largest trade partner with Tbilisi (27% of total trade in 2020), followed by Turkey and Russia[208]. In the framework of the EaP, for the period of 2014 – 2020, the EU allocated € 610,000,000 – € 746,000,000 (indicative), with half of the budget focused for the reform of public administration sector and for the justice sector[209]. Even if Georgia occupies the 61st position in the Global Freedom Score in 2020, recent years have seen a backsliding due to oligarchic influence that affect the political affairs of the country[210]. Looking now at the report on the implementation of the objectives of the EaP we can assess the following:

Table 2: Progress towards democracy promotion in Georgia[211]

Progress in 2019	*Georgia*
Democracy, Good Governance, Rule of Law	Yes
Human Rights	Improving
Torture and ill treatment	Improving
Media environment	Improving
Freedom of assembly	Yes
Equal treatment and anti-discrimination	Yes
Fight against corruption	Improving

Source: European Commission and High Representative Of The Union For Foreign Affairs And Security Policy (2019).

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[208] European Commission, "*European Union, Trade in goods with Georgia*", available at: https://webgate.ec.europa.eu/isdb_results/factsheets/country/details_georgia_en.pdf.

[209] European Commission, European External Action Service, ""*Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Single Support Framework for EU support to Georgia (2014-2017)*", p. 8, available at: https://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/georgia_2014_2017_programming_document_en.pdf.

[210] Freedom House, "*Freedom in the World 2021 – Georgia*", available at: https://freedomhouse.org/country/georgia/freedom-world/2020.

[211] European Commission and High Representative Of The Union For Foreign Affairs And Security Policy, "*Joint Staff Working Document - Partnership Implementation Report on Georgia*", Brussels, 30 January 2019, available at: https://eeas.europa.eu/sites/default/files/2019_association_implementation_report_georgia.pdf.

Regarding the perception of the European role and values in the country, unlike Armenia and Belarus, the picture is more optimistic: according to the annual survey of 2020, the majority of the respondents have a positive or neutral image of the EU, and they are confident that the Union fosters the preservation of traditional values in the society.

Image 9: Do you have a 'very positive', 'fairly positive', 'neutral', 'fairly negative' or 'very negative' image of the European Union?
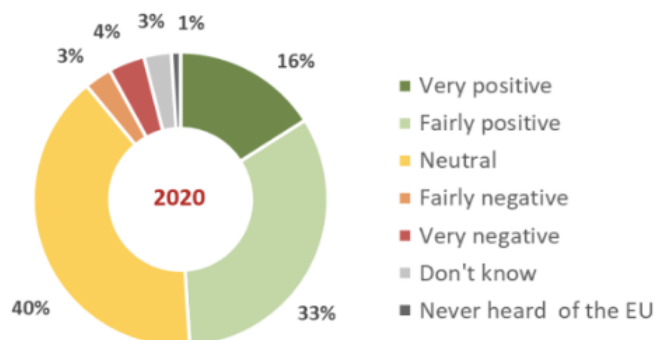
Source: EU Neighbors East, Annual Survey Report – Georgia[212]

Image 10: 'The EU fosters the preservation of traditional values in our society'. To what extent do you agree with this statement about the EU?

Source: EU Neighbors East, Annual Survey Report – Georgia

Moreover, when asked about the support of an eventual membership in the EU, an overwhelming majority declares itself in favor of joining the EU:

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[212] EU Neighbors East, "*Annual Survey Report – Georgia*", March 2020, available at: https://www.euneighbours.eu/sites/default/files/publications/2020-06/EUNEIGHBOURS_east_AS2020report_GEORGIA.pdf.

Image 11: Support of country's membership in EU (%)
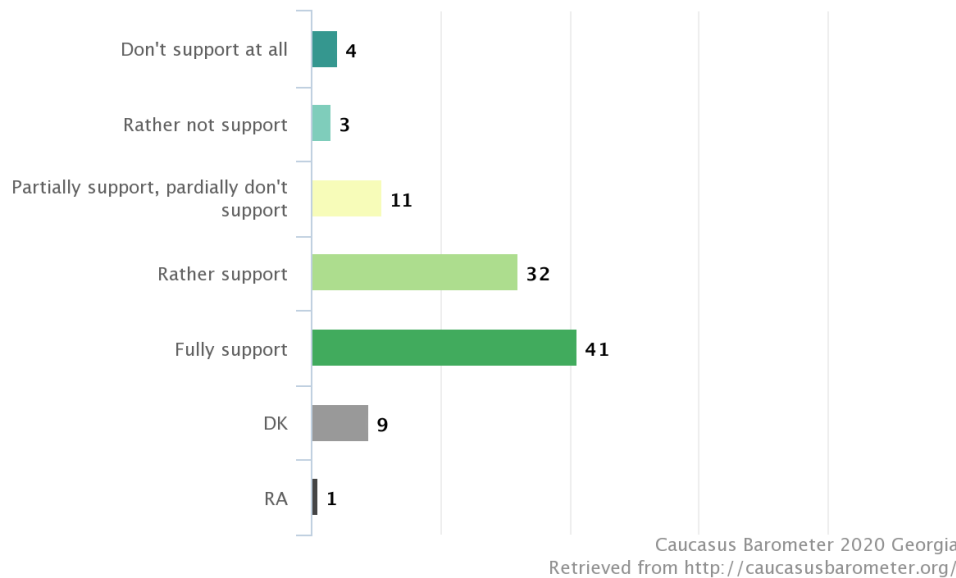
Source: Caucasus Barometer, 2020[213]

To conclude, Georgia can be seen as one country where NPE actually worked in the diffusion of democracy; however, it is necessary to underline the factors that made this possible: as argued before by Haukkala, when the membership cart is not on the table, the NPE faces more challenges and limits (and to this extent one does wander how long Georgia will continue to implement and comply with European standards if it will never receive the possibility to apply for membership), but another crucial aspect that foster NPE is legitimacy. In the case of Armenia and Belarus, legitimacy is challenged by the presence of Russia, Georgia, on the other hand, is doing the opposite, trying to avoid Russian influence in order to get closer with the EU[214].

2.3.4.   Moldova

Moldova, together with Georgia and, as we will see soon, Ukraine, has achieved a good level of implementation with regard to democracy promotion. It is one of the poorest

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[213] Caucasus Barometer, *Support of country's membership in EU*, 2020, available at: https://caucasusbarometer.org/en/cb2020ge/EUSUPP/

[214] Maass., A.S., "*The Limits of the European Union's Normative Myth in Armenia and Georgia*", in in Neuman, M. (Ed.), "*Democracy Promotion and the Normative Power Europe Framework*", p. 112.

countries in Europe, it went through a period of strong recession after the independence in 1991, coupled with the Transnistrian conflict, that weakened the territorial integrity of the state, which today is a self-proclaimed republic (*de facto)* backed by the Russian Federation. The dispute with Russia, and the poor conditions of the country contributed to look at Brussels as a potential alley. The true shift happened in 2009, when the Communist Party of Vladimir Voronin, was replaced by the Alliance of European Integration: it was the first time that in a post-soviet state a transition towards a more liberal regime occurred without a *coup d'ètat,* but with a full-blown democratic process[215]. This shift paved the way for the signing of the AA and DFCTA with the EU, that entered into force in 2016, furthermore, Moldova was the first country of the EaP to enjoy a visa-free regime. [216] From an economic perspective, the EU is the biggest trade partner, the 64% of the export of Moldova is destined to the Union[217]. In the framework of the EaP, Moldova received through the ENI a budget of € 610,000,000 - € 746,000,000 (indicative, for 2014 – 2020), more than a half (60%) destined to reform in the public administration sector and in the agricultural and rural development sector[218]. According to Freedom House, the position in the last few years of Moldova has remained stable, with a ranking of 61 in 2021, included in the "partly free" countries. Analyzing the "Partnership Implementation Report on Moldova" of 2019, we can assess the following:

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[215] Iarovoi, A., Albert, J., Smargiassi, L., "*Republic of Moldova: Transition from communism to democracy*", New Eastern Europe, 16 May 2018, available at: https://neweasterneurope.eu/2018/05/16/republic-moldova-transition-communism-democracy/.

[216] European Parliament, "*Three Eastern Partnership Neighbours: Ukraine, Moldova, Belarus*", Fact Sheets on the European Union, 2021, p. 4, available at: https://www.europarl.europa.eu/ftu/pdf/en/FTU_5.5.5.pdf.

[217] European Commission, "*Countries and regions – Moldova*", available at: https://ec.europa.eu/trade/policy/countries-and-regions/countries/moldova/.

[218] European Commission, European External Action Service, ""*Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Single Support Framework for EU support to Moldova (2014-2017)*", p. 6 - 7, available at: https://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/republic_of_moldova_single_support_framework_2014-2017_en.pdf.

Table 3: Progress towards democracy promotion in Moldova[219]

Progress in 2019	*Moldova*
Democracy, Good Governance, Rule of Law	Improving
Human Rights	Setback
Media environment	No
Public administrative reform	Yes
Equal treatment and anti-discrimination	No
Fight against corruption	Improving

Source: European Commission and High Representative Of The Union For Foreign Affairs And Security Policy (2019).

As for the perception of the EU and its values in the country, the overall response is good: 61% of the respondents have a positive image of the Union and they are confident that the EU foster the preservation of traditional values.

Image 12: Do you have a 'very positive', 'fairly positive', 'neutral', 'fairly negative' or 'very negative' image of the European Union?
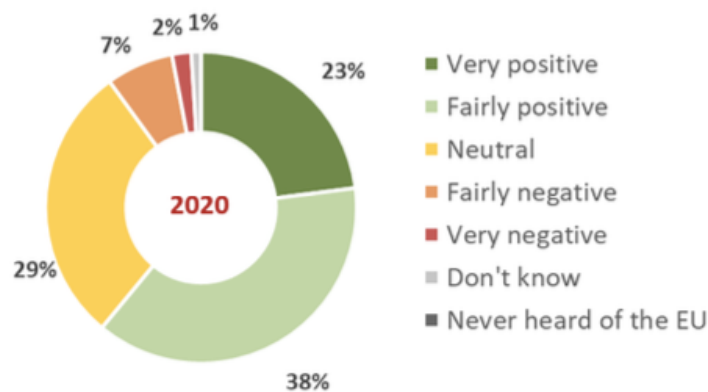
Source: EU Neighbors East, Annual Survey Report – Moldova

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[219] European Commission and High Representative Of The Union For Foreign Affairs And Security Policy, *"Joint Staff Working Document - Partnership Implementation Report on Moldova"*, Brussels, 11 September 2019, available at: https://www.consilium.europa.eu/media/40700/swd_2019_325_f1_joint_staff_working_paper_en_v10_p1_10 45191.pdf.

Image 13: 'The EU fosters the preservation of traditional values in our society'. To what extent do you agree with this statement about the EU?

Source: EU Neighbors East, Annual Survey Report – Moldova[220]

To conclude, the pattern of Moldova appears similar to Georgia's history: they both rely on Brussels to find an alternative to Russia's influence, and both took some steps forward to reach the European standards, but the question remains the same: with the ongoing process of adoption of the *acquis,* what is the final perspective?

2.3.5.   Ukraine

Ukraine is "*more than just a neighbor*"[221] for the EU, due to its geographical and strategical position: it is the bigger state of the EaP and it represents one of the main transit area for the import of energy resources from Russia, as well as one of the starting point of migration flows to Europe, which increased with the raising of the Iron Curtain in 1991[222]. That is why "*The freedom, independence and stability of Ukraine rank among the greatest achievements in the*

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[220] EU Neighbors East, "*Annual Survey Report – Moldova*", March 2020, available at: https://www.euneighbours.eu/sites/default/files/publications/2020-06/EUNEIGHBOURS%20east_AS2020report_MOLDOVA.pdf.

[221] Longhurst, K., Nies, S., "*Recasting Relations with the Neighbours - Prospects for the Eastern Partnership*", Europe Vision 4, February 2009, p. 7, available at: https://www.ifri.org/sites/default/files/atoms/files/Europe_Visions_4.pdf.

[222] Fedyuk, O., Kindler, M., "*Migration of Ukrainians to the European Union: Background and Key Issues*", in Fedyuk, O., Kindler, M., (Ed.), "*Ukrainian Migration to the European Union: Lessons from Migration Studies*", Springer Open, 2016, p. 2.

new Europe rid of old dividing lines[223]", as stated in the Common Strategy on Ukraine, which formalized the relations with the EU already in 1999. Between 2007 and 2011 the negotiation for the establishment of the AA and the DCFTA started, but the process for the ratification slowed down in 2013 when the then president, Viktor Yanukovych, refused to sign in favor of closer relations with Russia. This event led to the Euromaidan movement in November 2013 and to the Ukrainian Revolution in 2014, which brought to a change in a pro-European government.[224] The relations with Russia worsened in 2014, when Russia illegally annexed Crimea: the EU in response progressively imposed restrictive measures to Russia. Finally, the AA entered into force in 2017 as well as a visa facilitation regime and the EU confirmed its position as Kiev's most important trading partner (more than 40% in 2019)[225]. As for Moldova, also Ukraine's position in the charts of Freedom House has remained stable, with a score of 60 in 2021, ranking in the "partly free" countries[226]. In the framework of the EaP, Ukraine received an indicative allocation from the EU of € 433,800 000 - € 530,200 000, for the period of 2018 – 2020 (the program for 2014 – 2020 is not available)[227]. Analyzing the "Association Implementation Report on Ukraine" (2019) we can assess the following:

Table 4: Progress towards democracy promotion in Ukraine[228]

Progress in 2019	Ukraine

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[223] European Council, "*Common Strategy of 11 December 1999 on Ukraine*", (1999/877/CFSP), 20 December 2003, p. 2, available at: file:///Users/giadagavasso/Downloads/01999E0877-20031220-en.pdf.en.pdf.

[224] European Parliament, "*Three Eastern Partnership Neighbours: Ukraine, Moldova, Belarus*", Fact Sheets on the European Union, 2021, p. 1, available at: https://www.europarl.europa.eu/ftu/pdf/en/FTU_5.5.5.pdf.

[225] European Commission, "*Countries and Regions – Ukraine*", available at: https://ec.europa.eu/trade/policy/countries-and-regions/countries/ukraine/.

[226] Freedom House, "*Freedom in the World 2021 – Ukraine*", available at: https://freedomhouse.org/country/ukraine/freedom-world/2021.

[227] European Commission, "*Programming of the European Neighbourhood Instrument (ENI) - 2017-2020 - Single Support Framework for EU support to Ukraine (2018-2020)*", available at: https://eeas.europa.eu/sites/default/files/ukraine_c_2017_8264_annex_en.pdf.

[228] European Commission and High Representative Of The Union For Foreign Affairs And Security Policy, "*Joint Staff Working Document - Association Implementation Report on Ukraine*", Brussels, 12 December 2019, available at: https://eeas.europa.eu/sites/default/files/swd_2019_433_f1_joint_staff_working_paper_en_v4_p1_1056243.pdf.

Democracy, Good Governance, Rule of Law	Improving
Human Rights	No[229]
Media environment	Some
Public administrative reform	Yes
Equal treatment and anti-discrimination	No
Fight against corruption	Improving

Source: European Commission and High Representative Of The Union For Foreign Affairs And Security Policy (2019).

With regard to the perception of the EU in Ukraine, half of the respondents have a positive image of the EU; the survey underlines the fact that opinions about the Union largely depend on the region of residence: Western Ukraine seems to be more favorable to the presence and influence of the EU rather than Easter and Southern Ukraine, which appear to be more vulnerable to political populism and somehow still attached to the soviet past.

Image 14: Do you have a 'very positive', 'fairly positive', 'neutral', 'fairly negative' or 'very negative' image of the European Union?
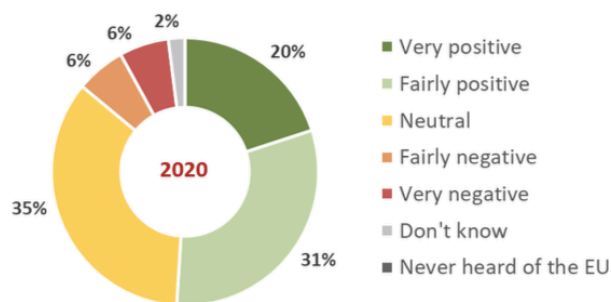
Source: EU Neighbors East, Annual Survey Report – Ukraine[230]

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[229] According to the report, the humanitarian situation is deteriorating especially in the illegally annexed peninsula of Crimea and in Eastern Ukraine.

[230] EU Neighbors East, "*Annual Survey Report – Ukraine*", March 2020, available at: https://www.euneighbours.eu/sites/default/files/publications/2020-06/EUNEIGHBOURS%20east_AS2020report_UKRAINE.pdf.

As for the normative principles and values that the EU shares with its neighbors, the majority of Ukrainian respondents are confident that the EU helps the preservation of traditional values in the country.

Image 15: 'The EU fosters the preservation of traditional values in our society'. To what extent do you agree with this statement about the EU?

Source: EU Neighbors East, Annual Survey Report – Ukraine

If we look at the achievements gained thanks to the Orange Revolution and the Euromaidan movement, we can draw a positive conclusion about the EU – Ukraine relations: Kiev, in fact, seems more than happy to be closer to the Union and to embrace its normative values; also if we compare Ukraine to the other EaP member states, we can assess that some steps towards democracy promotion have been taken. On the contrary, Nienke de Deugd, in his brilliant analysis, argue that there is a dichotomy between the professed goals and the actual results, and in this sense, NPE in Ukraine is rather limited and challenged by several factors[231]. First, as in the case of the other Eastern partners, with the absence of the possibility of a future membership, the conditionality instrument used by the EU to enforce the process of norms' promotion appears a week tool. Second, another important factor is the influence and presence of Russian Federation in the area: at the end, the Union seems to prioritize its relations with Russia, leaving Ukraine at the second place, due to the EU's dependence for energy security with Moscow. This is also emphasized by the role of the EU member states:

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[231]De Deugd, N., "*A Normative Power Yes or No? The European Union, Ukraine, and the Transfer of Democracy*", in Neuman, M. (Ed.), "*Democracy Promotion and the Normative Power Europe Framework*", Springer International Publishing, Cham (Switzerland), 2019, p. 119 - 133.

as we have seen in Chapter 1, the realist paradigm argues that NPE can be challenged by the member states themselves that use the EU as a tool for their material interests. In the case of the triangle EU – Ukraine – RF, internal divisions have to be taken into consideration, since the EU is home of states that take up the cudgels for Russia, as well as states that have developed a hostile relation with Moscow. This is why the EU cannot use an iron fist towards Ukraine, because it could risk endangering its relations with Russia, a partner that cannot afford to lose in the international stage.

2.3.6.   Awareness of EU's limits: between Russia's influence and Principled Pragmatism

To conclude, we have seen how the Enlargement has been a successful tool for the NPE, because it coupled integration with conditionality: in this way, the European power has been efficient because it was considered legitimate in the eyes of the candidate countries, in order to achieve the membership. On the contrary, the ENP and, more specifically, the EaP, did not achieved the expected results: the "sharing everything but institutions" has turned out to be a not so incisive strategy for the democratization process as well as for the diffusion of the normative principles and norms of the EU. In particular, the conditionality leverage, that was the main instrument used in the Enlargement, has proven to be quite weak in the framework of the EaP, due to the fact that this policy failed to tackle the long-term expectations of the partner countries, like Georgia, that aspire for a possible membership, but it is offering only economic and political benefits.[232] The credible perspective of membership plays a central role in the NPE's success: first, it provides the Union with a much greater power in terms of conditionality, second, the candidate countries have a clear objective that can be displayed to their public opinion when it is time to make radical change

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[232] Frappi, C., "*European Neighborhood Policy and the South Caucasus Challenge*", in Altunisik, M., B., Tanrisever, O., F., (Ed.) "The South Caucasus: Security, Energy and Europeanization", p. 276.

at the domestic level. The absence of this condition, as we have seen, challenges the transformative power of the EU.[233]

To pull the strings of the countries' performances it is evident the role that Russia still plays in this area of the world: Armenia, Belarus and to some extent also Ukraine are still subjected to Moscow's influence, for economic or for security reasons, and that is why the democratization process promoted by the EU has been very limited and challenged in these countries; on the contrary, where the role of Russia is unwelcomed, the countries tend to perform better, like for Georgia and Moldova, which try to get away from Russian influence by getting closer to the EU. Even if some countries performed better than others, a more or less intense lack of democracy characterize all the post-soviet partner states. The democratization process experienced by some of them has a non-linear character, and it is better do describe it as a "long-term, open-ended, and potentially reversible processes[234]". The influence of Russia and its interference with the NPE has been described by many scholars as the "black knight paradigm", that is when an actor *provides alternative sources of economic, military, and/or diplomatic support, thereby mitigating the impact of U.S. or European pressure[235]*. The countries part of the ENP are considered as "near abroad" both by the EU and Russia, and the former feels legitimate back up its influence in an area of special interest, undermining the democratization process, that is seen by Moscow as Western interference within its sphere of influence. Fostering autocratic regimes in its near neighborhood is a way of action to hinder democratization, and this is what happened, for example, in Belarus for more than two decades: Russia supported Alexander Lukashenko in 2005 – 2006, when the President was committed to prevent a color revolution scenario from happening in

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[233]Crombois, J. F., "*Conflicting Narratives? Geopolitical And Normative Power Narratives In The Eu Eastern Partnership*", in "*Politeja*", Pismo Wydziału Studiów Międzynarodowych i Politycznych Uniwersytetu Jagiellońskiego, No. 4 (49), Krakow, 2017, p. 115, available at: https://www.researchgate.net/publication/323949553_Conflicting_Narratives_Geopolitical_and_Normative_Power_Narratives_in_the_EU_Eastern_Partnership.

[234] Whitehead, L., "*Democratization Theory and Experience*", Oxford University Press, Oxford, 2002, p. 244.

[235] Levitsky, S., Way, L., A., "*Competitive Authoritarianism: The Origins and Dynamics of Hybrid Regimes in the Post-Cold War Era*", Cambridge University Press, 2010, p. 28, available at: http://homes.ieu.edu.tr/~ibagdadi/INT435/Readings/General/Levitsky-Way-Stanford%20-%20Competitive%20Authoritarianism.pdf.

Minsk, with a strategy of election bolstering, which included a backup of Lukashenko's image through Russian media, financial help and assistance in harassing the democratic opposition[236]; to some extent, the same happened with the presidential election fraud in 2020: autocratic regimes as Russia and China immediately recognized the results of the election and the Russian state media tended to minimize the protests, depicting the riots as a "*minority controlled by hostile Western actors*"[237]. Given the support to the radicalization of authoritarianism by the *black knight* Russia, it is clear that the EU is not doing enough, and future efforts to promote normative values and principles must be addressed in such a way that can counterbalance the black knight effect[238].

From the EU's side, the actor seems more bound to a geopolitical narrative, that depicts the Union as an actor interested in creating a "*buffer zone or a bridge between the EU and Russia*"[239], clearly more concerned to material gains than at pursuing the "*milieu goals*", due also to the energy dependence from Moscow and to the discrepancy between the member states' interests. The approach adopted towards Moscow has changed since the establishment of the EaP, and the EU moved from a more conflicting position to an appeasing one, in order not to deter the relation with Moscow and by taking into account the different interests and positions of the EU member states. Furthermore, Russia's foreign policy towards the shared neighborhood, the political stability of the region, as well as energy interests and the issue of conflict resolution, pushed the EU to a revision of its foreign policy, adopting a security-

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[236] Tolstrup, J., "*Black knights and elections in authoritarian regimes: Why and how Russia supports authoritarian incumbents in post-Soviet states*", European Journal of Political Research, 17 December 2014, p. 11 – 12, available at: https://ejpr.onlinelibrary.wiley.com/doi/abs/10.1111/1475-6765.12079.

[237] Fisher, S., "*Between Neighbours: How Does Russia View the Election Aftermath in Belarus*?", German Institute for International and Security Affairs, 13 August 2020, available at: https://www.swp-berlin.org/en/publication/between-neighbours-how-does-russia-view-the-election-aftermath-in-belarus/.

[238] Tolstrup, J., "*How "black knights" such as Vladimir Putin's Russia help dictators survive elections*", Democratic Audit UK, 7 December 2015, available at: https://www.democraticaudit.com/2015/12/07/how-black-knights-such-as-vladimir-putin-help-dictators-survive-elections/.

[239] Crombois, J. F., "*Conflicting Narratives? Geopolitical And Normative Power Narratives In The Eu Eastern Partnership*", in "*Politeja*", p. 117.

first approach.[240] Aware of the limits of its Normative Power, the EU shifted from its traditional idealism to an idealism combined with political realism: this has been described as "principled pragmatism", outlined in the new Global Strategy for the EU's Foreign and Security Policy of 2016, that aims to update the EU's approach bearing in mind that the international context is rapidly changing. The strategy, therefore, states that:

> *"We will be guided by clear principles. These stem as much from a realistic assessment of the current strategic environment as from an idealistic aspiration to advance a better world. Principled pragmatism will guide our external action in the years ahead.[241]"*

The vague and oxymoronic terminology used does not clarify if the fundamental values of the EU will be put in a second place by a more Realpolitik attitude, as Blockmans clearly said: *"By putting security first, the EU is trying to balance its interests and principles. But this pragmatic approach raises questions about the perceived demotion of fundamental rights in the external action of a Union that appears ill-equipped in matters of security.[242]"* If the previous strategy of 2008 was invoking an Europe that *"should be ready to share in the responsibility for global security and in building a better world[243]"*, the Mogherini's strategy went in the direction to *"make Europe stronger: an even more united and influential actor on the world stage that keeps citizens safe, preserves our interests, and upholds our values.[244]"* With regard to EU – Russia relations, the Strategy uphold an ambiguous position: if on the one hand the document firmly condemn the annexation of Crimea, on the other hand it admits that the EU and

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[240] Pozarlik, G., "(*In)securitising the Eastern Neighbourhood. The European Union Eastern Partnership's Normative Dilemma: Resilience Versus Principled Pragmatism*", in Rouet, G., Pascariu, G., C. (Ed.), "*Resilience and the EU's Eastern Neighbourhood Countries: From Theoretical Concepts to a Normative Agenda*", p. 146.

[241] European Union Global Strategy, "*Shared Vision, Common Action: A Stronger Europe*", June 2016, p. 16, available at: https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf.

[242] Blockmans, S., "*The Obsolescence of the European Neighbourhood Policy*", Centre for European Policy Studies, Rowman & Littlefield, London, 2017, p. 1, available at: https://www.ceps.eu/ceps-publications/obsolescence-european-neighbourhood-policy/.

[243] Council of the European Union, "*European Security Strategy. A Secure Europe In A Better World*", p. 28.

[244] European External Action Service, "*A Global Strategy for the European Union*", p. 1, available at: https://eeas.europa.eu/sites/default/files/from_visionto_actionfactsheet_0.pdf.

Russia are "interdependent"; the vague position underlines, as said before, the role that the EU member states play, more interested in keeping a good relation with Moscow than with the terms of such relation.[245] To conclude, the shift towards principled pragmatism means that the EU is aware of its limits and has come to terms with the fact that a mere idealistic approach is not sufficient if it is not coupled with a dose of realism, in order to face the challenges that the European neighborhood presents, as well as the "black knight" action of Russia.

The third and final chapter will present the case of Azerbaijan, that seems to escape from the pattern that we have depict so far: the Caucasian Republic is not tied to Russia for economic or security reasons and religion does not play a big part in shaping the values of the country, as for Armenia. Indeed, Baku seems more aligned with the profiles of Moldova and Georgia, yet the performance of the country towards democracy promotion is not satisfactory and the NPE seems to be very limited and challenged. This thesis will then try to investigate the causes and the factor of this poor performance and will give a final evaluation of the effectiveness of NPE.

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[245] Mihalache, I., "*Principled pragmatism in EU foreign policy: A return to Realpolitik or rapprochement with Russia*", Centre for Geopolitics & Security in Realism Studies, London, 8 September 2016, p. 6 – 7, available at: http://cgsrs.org/publications/80.

III CHAPTER

European Union's exportation of democratic norms: the case of Azerbaijan

3.1. Azerbaijan foreign policy: what role for the EU?

3.1.1. Introduction

The third and final chapter will focus on the case – study of Azerbaijan: it will try to assess why the NPE is not efficient in the country and which are the main challenges to its effectiveness. In order to do so, an initial overview of the Land of Fire will be presented, to understand the economic power and the direction of its foreign policy, balanced between East and West. Then the chapter will move to analyze the relation with Brussels, focusing on the main priorities of Baku, that is the restauration of its territorial integrity and economic cooperation. The third paragraph will assess the perception of the EU in Azerbaijan and the achievements made by the Republic in terms of democracy promotion since the establishment of the EaP, as well as the potential role that civil society could play for enhancing a bottom-up change. The final paragraph will try to understand which is the real relation between Baku and Brussels, and why the NPE is weak in the country: it will take into consideration the Azerbaijan's point of view, as well as the EU's point of view, in order to draw objective conclusions.

3.1.2. Azerbaijan from independence to the present day

The history of Azerbaijan from its independence can be seen as the passage from a weak political system led by Abulfaz Elchibey from 1992 to 1993, to an autocratic republic under the leadership of Heydər Əliyev first, (1993 – 2003), and then of his son, İlham Əliyev, who

is in charge as President since 2003. Azerbaijan is considered one of the most dynamic economy in the region, thanks to the resources on which it can rely: oil and gas.

With the collapse of the Soviet Union, Azerbaijan had to face not only the economic crisis that struck all the novel Republics, but also the Nagorno – Karabakh conflict with Armenia, which put to a hard test both the political and institutional stability of the country.[246] During the Soviet times, the Caucasus Republic was a precious resource for the energy sector and it produced almost "the 75% of all oil extracted in the Union's territory[247]", but it was later relegated to a marginal role during the 80s, after the oilfields in Siberia and in the Volga area were discovered; thereby, the Azerbaijan's oil production went down from 78% to 8% from 1940 to 1965.[248] After gaining the independence, the situation did not fare better: due to the monopolistic system of production that existed in the Soviet era, Baku found itself with an infrastructure network still orientated towards Moscow, that could undermine the just acquired independence as well as the sovereignty of the Republic. Heydər Əliyev was, for Azerbaijan, the man of the moment: he was able to lead the country towards the economic recovery and stability by signing a ceasefire with Armenia over the territorial dispute and by developing the energetic potential of the country; the turning point occurred in 1994, with the ratification of the *"Contract of the Century"*, that gave the green light to international oil companies for the exploitation and exploration of the oilfields of Azeri, Chirag e Guneshli; the agreement "*paved the way for the signing of another 26 contracts with 41 oil companies from 19 countries.*"[249] This event is seen as a milestone in Azerbaijan's economy, and the then President welcomed the ratification saying:

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[246] Ismayilov, K., "*Rethinking Azerbaijan's Foreign Policy Strategy vis-à-vis Hegemony – Seeking Russia, 1991 – 2017*", in Shafiyev, F., (Ed.), "*Azerbaijan's Geopolitical Landscape. Contemporary Issues, 1991 – 2018*", Karolinum Press, Prague, 2020, p. 28.

[247] Frappi, C., "*Azerbaigian, crocevia del Caucaso*", Sandro Teti Editore, 2012, pag. 56.

[248] Frappi, C., Verda, M., "*Azerbaigian, energia per l'Europa*", Egea Editore, 2013, pag. 44.

[249] President of the Republic of Azerbaijan, "*Oil Sector*", available at: https://en.president.az/azerbaijan/contract#:~:text=The%20Contract%20of%20the%20Century%20was%20ratified%20on%20December%2012,by%20the%20parliament%20of%20Azerbaijan.&text=The%20Contract%20of%20the%20Century%20paved%20the%20way%20for%20the,been%20developed%20in%20three%20phases.

"The foundation we laid with the contract of the century has created favorable conditions for the strengthening of state sovereignty of independent Azerbaijan, the development and happiness of the people of the country in the 21st century. I believe that the 21st century will be the happiest period for the independent state of Azerbaijan.[250]"

1995 can be seen as a watershed for the start of the real development of the country's economy, with a constant growth of the GDP:

Image 16: Azerbaijan GDP Growth Rate 1991-2021

Source: Macrotrends[251]

Also, in terms of Doing Business, the country ranks in a 34th position out of 190 in 2019, preceded only by Georgia (9th position) of the EaP countries.[252] The year 2015 marked a downturn for the Azerbaijani economy, due to the falling prices of oil, that brought to a devaluation of the national currency, the Manat; this episode showed the vulnerability of the country's economy, that needs to diversify its productive sectors, in order not to depend

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[250] Aliyev, H., "*Contract of the Century", The Ministry of Energy of the Republic of Azerbaijan*", 31 January 2020, available at: https://minenergy.gov.az/en/neft/esrin-muqavilesi.

[251] Macrotrends, "*Azerbaijan GDP Growth Rate 1991-2021*", available at: https://www.macrotrends.net/countries/AZE/azerbaijan/gdp-growth-rate.

[252] The World Bank, "*Ease of Doing Business rankings*", May 2019, available at: https://www.doingbusiness.org/en/rankings.

only on the oil and gas one. The economic and political framework of the country makes it appealing to the eyes of the European Union, that has also the necessity to diversify its partner countries for the import of oil and gas, since it largely relies on Russia, that confirms itself as the greater supplier to the EU, with a share of 39.3% in the first semester of 2020.[253] In addition, geography is another crucial factor that makes the country stands out from the other partners of the EaP: the geostrategic position of Azerbaijan, that connects the Caucasus to Central Asia, Europe to Asia and Russia to the Middle East, allows the little country to play the role of a bridge between two spheres of influence; there is no surprise, then, that Baku is contended both by the West and the East.

Therefore, before analyzing the relations with the EU, it is useful and interesting to see which is the approach adopted by Baku at the dawn of its independence towards its foreign policy.

3.1.3.   A Soft - Balancing Foreign Policy

The foreign policy pursued by Baku is characterized by pragmatism, and it is described by Anar Valiyev as "*silent diplomacy*"[254], since the strategy adopted by the country aims at strengthening the role of Azerbaijan in the region, by balancing its relations both with the West and the East. The scholars agree on the fact that in the post-soviet area, Russia wants to establish a sphere of influence, it "*wants to be the only external power with the right to interfere*"[255], and in doing so, Moscow did not hesitate to use military, economic or cultural tools at its disposal, as well as the involvement in multilateral organizations such as the

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[253] Eurostat, "*EU imports of energy products - recent developments*", October 2020, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=EU_imports_of_energy_products_-_recent_developments#Main_suppliers_of_natural_gas_and_petroleum_oils_to_the_EU.

[254] Valiyev, A., "*Azerbaijan's Foreign Policy: What Role for the West in the South Caucasus?*", in Hamilton, D., S., Meister, S. (Ed.), "*Eastern Voices. Europe's East Faces an Unsettled West*", Centre for Transatlantic Relations, Washington, 2017, p. 133.

[255] Biscop, S., "*The EU and Multilateralism in an Age of Great Powers*", in Echle, C., Rueppel, P., Sarmah, M., Hwee, Y., L., (Ed.), "*Multilateralism in a Changing World Order*", Konrad-Adenauer-Stiftung, Singapore, 2018, p. 40, available at: http://library.kas.de/GetObject.ashx?GUID=66c7b3c8-e779-e811-b68a-005056b96343&IDUSER=NotAllowed.

CSTO, the Commonwealth of Independent States (CIS) or the Eurasian Economic Union (EEU). Towards Azerbaijan, Moscow tries to exercise its influence over Baku's domestic and foreign affairs: from obstructing the implementation of several projects in the energy sector, in order to preserve the dominance of the export towards the EU, to strengthening its military alliance and support to Armenia over the Nagorno Karabakh conflict.[256] That is why Baku keeps a skeptical attitude to Russia, but the strategic importance and power of the country, coupled with its role in the maintenance of the peace process with Armenia, as well as the physical presence of Russian troops at its borders, have left Baku with no choice but to establish good relations with the East. When Aliyev took over the country, he understood that *"defying Russia in any significant way would lead Russia to support internal opposition elements that might overthrow their rule"[257]*, and that the foreign policy of the country should be characterized by pragmatism and should not be aligned with any ideology. The behavior of Azerbaijan in International Relations from a theoretical point of view, can be explained, according to Kamran Ismayilov, with the "balance of threat theory": formulated by Stephen Walt and rooted in the Neorealist theory that we have previously analyzed, it argues that perceived threats are a factor as important as power when shaping the foreign policy of a country[258]. In response of a threat, states tend to form alliances, which can be characterized by *balancing*, meaning allying against the threat, or by *bandwagon*, that is allying with the source of threat[259]. According to Walt, while bandwagon can be seen as a form of appeasement and a strategy for trying to benefit from the powerful state, balancing is conceived to be a proactive strategy, that can also increase the influence of the state, because the weaker side that opposes the stronger power needs assistance.[260] The balancing behavior

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[256]Ismayilov, K., "*Rethinking Azerbaijan's Foreign Policy Strategy vis-à-vis Hegemony – Seeking Russia, 1991 – 2017*", in Shafiyev, F., (Ed.), "*Azerbaijan's Geopolitical Landscape. Contemporary Issues, 1991 – 2018*", p. 30.

[257] Horowitz, S., Tyburski, M., D., "*Reacting To Russia: Foreign Relations of the Former Soviet Bloc*", in Williams, K., P., Lobell, E., S., Jesse, N., G., (Ed.) "*Beyond Great Powers And Hegemons: Why Secondary States Support, Follow, Or Challenge*", Stanford University Press, California, 2012, p. 168.

[258] Walt, S., "*The origins of Alliances*", Cornell University Press, New York, 1987, p. 263.

[259] Walt, S., "*Alliance Formation and the Balance of World Power*", International Security, Vol. 9, No. 4, Spring 1985, p. 4, available at: https://www.jstor.org/stable/2538540?origin=JSTOR-pdf&seq=1#metadata_info_tab_contents.

[260] Ibid., p. 5 – 8.

can be both strong, including the involvement of military capabilities or economic power, or soft, involving non-direct and non-military measures. This narrative suits the foreign policy followed by Azerbaijan, that engages in a soft balance strategy in order to pursue its self-interests and to ensure the self-preservation: the line adopted by Baku towards Moscow can be summarized by the words of the then President Heydər Əliyev:

"You have to take into consideration the interests of every country. You can't be friends with some countries and enemies with others despite the fact that this is the way most countries function. Azerbaijan doesn't want to be an enemy with any country. At the same time, we will not become victim to another country's policies. Azerbaijan has its own independent policy.[261]*"*

That is why Baku tried to balance its foreign policy both with the West and the East, and the energy sector was the perfect instrument for achieving this: for example, the Baku – Tbilisi – Ceyhan Pipeline that became operational in 2006 for exporting the oil to the Mediterranean coasts, or, more recently, the project of the Trans Adriatic Pipeline, that started to working in 2021 and secured the supply of natural gas to the Italian coasts. Thanks to these projects, Azerbaijan was able to grow in economic terms, but also to strengthen its sovereignty and independence, as well as balance *vis-à-vis* the Russian influence.

To conclude, Azerbaijan pursue a foreign policy characterized by pragmatism and by the pursuing of the national interests, always being careful to balance the two spheres of influence which surround it. Cooperation with the EU is one of its key priority, both because it is a good market for its resources, both because it can counterbalance the role of Russia.

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[261] Blair, B., *"Azerbaijan's President, Heydar Aliyev. Looking Back on the Century - Personally and Professionally"*, Azerbaijan International, Vol. 7 (4), Winter 1999, p. 3, available at: http://www.azer.com/aiweb/categories/magazine/74_folder/74.articles/74_aliyev3.html.

3.1.4. EU – Azerbajani relations: between conflict resolution and strategic interests

Since its independence, the foreign policy of Azerbaijan has been going into three main directions: first, the priority of the country has been the resolution of the Nagorno Karabakh conflict and the restauration of its territorial integrity, second, the preservation of its independency and security, and third, strengthening its position in the region by becoming a relevant economic player, by exploiting its resources and its strategic geographic position[262]. Cooperation with the European Union has been one of the key priorities of Baku, in search of new partners for doing business.

Economic cooperation
The history of relations between Azerbaijan and the European Union dates back to 1999, when the two parties formalized their bilateral relations through the Partnership and Cooperation Agreement, which strengthened the cooperation in the sectors of political dialogue, trade, investment, economy, legislation and culture[263]. Azerbaijan joined the ENP and the EaP, working with the EU in a large number of issues, from trade to visa facilitation, however, when in 2016 – 2017 the AAs in Ukraine, Moldova and Georgia entered into force, Azerbaijan took a step back and from EU integration: currently the negotiations for updating the legal basis of the relations between the two parties are still ongoing.[264]
The cooperation between the two parties is probably the most pragmatic compared to the others EaP countries, and both Baku and Brussels understand the potential of working together: energy plays a huge role in trade relations between the two countries. From a legal

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[262] Valiyev, A., "*Azerbaijan's Foreign Policy: What Role for the West in the South Caucasus?*", in Hamilton, D., S., Meister, S. (Ed.), "*Eastern Voices. Europe's East Faces an Unsettled West*", p. 133.

[263] European Commission, "*Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Azerbaijan, of the other part*", Official Journal of the European Communities, L 246, Vol. 42, 17 September 1999, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:1999:246:FULL&from=en.

[264] Valiyev, A., "*Azerbaijani – EU Relations: More Opportunities on the Horizon*", in Shafiyev, F., (Ed.), "Azerbaijan's Geopolitical Landscape. Contemporary Issues, 1991 – 2018", Karolinum Press, Prague, 2020, p. 57.

perspective, the EU and Azerbaijan operate according to a Memorandum of Understanding in the field of Energy, signed in 2006, which it states that:

> *"The gradual convergence with the EU's internal energy market, aiming ultimately at its integration, remains a shared priority for the EU and Azerbaijan.[265]"*

The energy sector is a crucial issue for the European Union, which is the first trade partner for Baku, with a share of $11.8 billion in 2019, but the real interests are carried on by its member states: key actors that mostly rely on the import of oil from Azerbaijan are Italy (46,7%), Germany (8,09%) and Spain (5,94%)[266], as well as member states whose companies are operating in the Land of Fire, for the majority the UK and the Netherlands[267]. Furthermore, for the EU, the strategic location of the small republic and its dependency on external supplies of gas and oil, coupled with the necessity to diversify its import routes in order not to rely exclusively on Russia, make Azerbaijan a partner not to miss out. On the other hand, for Azerbaijan, the EU is a very appealing market, not only for the export of its resources, but also for counterbalancing the influence of Russia in the region. Cooperation with the EU, through the ENP and the EaP, means also foreign investments: the Union in fact, covers the role of investor, providing assistance to non-oil sectors that are crucial for Baku in its attempt to diversify the economy[268]; such as transport and logistics projects in the region, investments in the field of education, agriculture or finance[269]. As stated by the former Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Johannes Hahn:

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[265] European Union, "*Memorandum of Understanding Aimed at Strategic Partnership in the Field of Energy between the EU and Azerbaijan*", Brussels, 7 November 2006, p. 4, available at: https://www.europarl.europa.eu/meetdocs/2009_2014/documents/dsca/dv/dsca_20130321_14/dsca_20130321_14en.pdf.

[266] The Observatory of Economic Complexity, "*Product Trade Azerbaijan – Import / Export 2019*", available at: https://oec.world/en/profile/country/aze.

[267] Van Gils, E., "*Azerbaijan and the European Union*", Routledge, Oxford, 2020, p.13.

[268] Valiyev, A., "*Azerbaijani – EU Relations: More Opportunities on the Horizon*", in Shafiyev, F., (Ed.), "*Azerbaijan's Geopolitical Landscape. Contemporary Issues, 1991 – 2018*", p. 58.

[269] Van Gils, E., "*Azerbaijan and the European Union*", p. 16

> *"We see Azerbaijan's efforts to enhance its resilience, in particular to diversify its economy, and we stand ready to support the emergence of new economic and social actors to help create a diverse, strong and inclusive society in Azerbaijan.[270]"*

Regarding the negotiation of the new bilateral agreement, Federica Mogherini, the former High Representative of the Union for Foreign Affairs and Security Policy, said that:

> *"Together we will look for more opportunities for young people to meet and to travel, possibilities for businesses to grow, to protect human rights and to facilitate energy relations, bringing real benefits to our respective citizens.[271]"*

By looking from a rationalist perspective, it becomes clear that the economic interests that are at the basis of the relations between Baku and Brussels, both at the supranational level of the EU, both at the national level of its member states, plays the role of constraints, compelling the EU to make a cost-benefit calculation in order to decide which are the main issues that need to be prioritized.

Conflict Resolution

In partnering with the EU Baku was hoping to find an ally that could also assist in the resolution of the conflict over Nagorno Karabakh with Armenia, but its action has not been effective enough. Since the 90s, the EU, together with the UN, the OSCE and other actors like Russia and USA tried to solve the conflicts in the South Caucasus but, 30 years later, we can assess the failure of the European action. As Vasilyan explains, conflict resolution is composed of different stages: *conflict prevention*, which tries to settle down the incompatibilities between the parties, *conflict management,* which aims at mitigating the conflict, *conflict settlement,* that it is typically the negotiation phase, when the parties bargain over the solution of the dispute, and finally, *conflict transformation,* which involves a

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[270] European Union External Action Service, *"EU report: Azerbaijan renews engagement and dialogue",* Press Release, Bruxelles, 20 December 2017, available at: https://eeas.europa.eu/headquarters/headquarters-homepage/37699/eu-report-azerbaijan-renews-engagement-and-dialogue_fa.
[271] Ibid.

reshaping of the societies, as well as identities and interests of the parties involved in the conflict[272]. The strategy adopted by the EU for conflict resolution has been strengthening democratic institutions and promoting social and economic development and, even if this strategy in Georgia has been effective with the Rose Revolution, it still did not prevent the rise of hostilities between Tbilisi and Moscow over Abkhazia and South Ossetia in 2008. That is why it is important to keep in mind that, "*the spread of democracy and tolerance for ethnic and religious minorities should be major foreign policy goals because they are desirable for their own sake, but not with the expectation that they are "magic bullets" for the prevention or resolution of civil war.[273]*" Focusing more on the Nagorno Karabakh conflict, the weapon put in field in 1994 by the OSCE was the Minsk Group, composed by eight permanent members (Armenia, Azerbaijan, Belarus, Germany, Italy, Sweden, Finland and Turkey) and three co-chairs, namely Russia, France and the US. Despite the establishment of the Minsk Group for a coordinate action, the role of Russia in conflict resolution has been predominant compared to the other member states: one example is the meeting organized by Russia in Saint Petersburg with the Presidents of Armenia and Azerbaijan after the four-day war in 2016, without informing the Minsk Group[274], whose effectiveness has been questioned by the two conflicting parties. In addition, while the EU took a decisive position in the case of Crimea, as we have seen before, or of Abkhazia and South Ossetia, over the territorial dispute of Nagorno Karabakh a strong position has not been taken.[275] The European commitment to solve the conflicts in the Caucasus region resonate in the Communication from the Commission issued 1995, where the Commission stated that:

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[272] Vasilyan, S., "*Moral Power of the European Union in the South Caucasus*", p. 208.

[273] Fearon, J., D., Laitin, D., D., "*Insurgency, and Civil War*", The American Political Science Review, Febrary 2003, Vol. 97, No. 1, p. 88, available at: https://www.jstor.org/stable/3118222?seq=1#metadata_info_tab_contents.

[274] Vasilyan, S., "*Moral Power of the European Union in the South Caucasus*", p. 217.

[275] Popescu, N., "*How the EU became marginalised in Nagorno-Karabakh*", 13 October 2020, European Council on Foreign Relations, available at: https://ecfr.eu/article/commentary_how_europe_became_marginalised_in_nagorno_karabakh/.

"The EU has, inter alia, geopolitical and economic interests in the region. It 'also has a moral interest in participating in humanitarian activity in a part of the world which is a bridge between Europe and Asia.[276]"

Despite the fact that conflict resolution and the call for a coordinated strategy have been priorities for the EU, in managing the different conflicts a "double standards" approach has been adopted by the Union, which has not been welcomed in Baku. This hypocrisy is confirmed by the fact that the EU took a stance about the Georgian conflicts, stating that *"The EU remains firmly committed to its policy of supporting Georgia's territorial integrity within its internationally recognized borders[277]"*, while a strong position towards the conflict of Nagorno Karabakh has never been took: in particular, while in the EU – Armenia Action Plan of 2006 reference is made to the principle of self – determination of peoples, stating that *"Increase political support to the OSCE Minsk Group conflict settlement efforts on the basis of international norms and principles, including the principle of self- determination of peoples[278]"*; in the EU – Azerbaijan Action Plan of 2006, the principle of territorial integrity is taken into consideration: *"The ENP of the EU sets ambitious objectives based on mutual commitments of the EU and its Member States and Azerbaijan to common values, including the respect of and support for the sovereignty, territorial integrity and inviolability of internationally recognized borders[279]"*. With this contradictory discourse, it is clear that the EU does not want to prioritize any of these two principles, and the role that the Union has been playing so far has been the one of a "conflict dealer[280]", reactive more than proactive, providing technical assistance and

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[276] Commission of the European Communities, "*Communication from the Commission: Towards A European Union Strategy For Relations With The Transcaucasian Republics*", COM (95) 205 Final, Brussels, 31 May 1995, p. 2, available at: http://aei.pitt.edu/4329/1/4329.pdf.

[277] European Commission, "Facts And Figures About Eu-Georgia Relations", p. 3, available at: https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/eap_factsheet_georgia.pdf.

[278] Commission of the European Communities, "*EU – Armenia Action Plan*", COM(2006) 627 Final, Brussels, 25 October 2006, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52006PC0627.

[279] Commission of the European Communities, "*EU – Azerbaijan Action Plan*", COM(2006) 637 final, Brussels, 26 October 2006, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52006PC0637&qid=1622731330159&from=EN.

[280] Vasilyan, S., "*Moral Power of the European Union in the South Caucasus*", p. 229.

mediation services, while the role of "conflict manager" has been played by Russia: it seems therefore that the member states and the Union itself, prioritized their material interests with Moscow, (gas supplies) as well as with Azerbaijan, avoiding facing directly Baku due to the fear of jeopardizing the import of hydrocarbons. Focusing on its noble goal of "Europeanisation", the EU focused its work on "confidence building measures" and on democracy promotion, which is seen as a tool for achieving peace and stability in the long – term, but it failed to understand that the main priority was preparing the ground for it, tackling the present problems with short – terms efforts in the direction of peace. Furthermore, the engagement of the EU in the Nagorno Karabakh conflict has been rather limited compared to the role of other actors, like Turkey or Russia, and this validated the vision of the Union as a reluctant partner, with its normative power that is nothing more that "beautiful words".[281]

We can than conclude that the resolution of the conflict and the normative values have been less important than the preservation of influence in the area and the material and economic interests with the parties involved for the member states and the EU itself, and the last 2020 war in Nagorno Karabakh displayed the failure both of the Minsk Group and of the EU to be an active player over the conflict resolution in the area, while Moscow scored another point and "*Putin made himself the de-facto custodian of the South Caucasus corridor*"[282].

After describing the framework on which the relations between the EU and Azerbaijan are based, balancing interests and influence, we will focus on the main topic of the thesis: the NPE in Azerbaijan. As we have seen before for the other member states of the EaP, we will analyze the perception of the Union in the Republic as well as the achievements made since its entry in the EaP, with a close look to the role of civil society.

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[281] Simao, L., "*The problematic role of the EU democracy promotion in Armenia, Azerbaijan and Nagorno-Karabakh*", Communist and Post-Communist Studies, Vol. 45, No. 1/2, March / June 2012, p. 199, available at: https://www.jstor.org/stable/48609673?seq=1.

[282] Grgic, B., "*The EU suffered a major loss in Nagorno – Karabakh*", 23 November 2020, Aljazeera, available at: https://www.aljazeera.com/opinions/2020/11/23/the-biggest-loser-in-nagorno-karabkh-is-not-armenia.

3.2. EU Influence in Azerbaijan: the role of civil society in norms diffusion

As we have largely seen so far, the spread of normative principles is one of the policy priorities of the EU in the EaP but Azerbaijan appears not to be interested in engaging with this policy: in fact, the regime led by Ilham Aliyev is considered to be authoritarian and undemocratic according to international standards and, on the other side, democracy and human rights promotion it is one of the most criticized European external policy, because the Union acts with double standards when it comes to strategic countries that serves its material interests, like the Caucasian Republic. We will start then to analyze the perception of the EU in Azerbaijan, in order to understand how is welcomed this international actor and what are the steps taken so far towards democratization; we will move then to describe the current state of the civil society and human rights in the country, and which tools and instruments the Union concretely put in the field to enhance its NPE.

3.2.1. EU's perception in Azerbaijan

The legal framework of the relations between the two parties is based on the PCA of 1999, where very little space is reserved for cooperation in the field of democracy and human rights promotion, and the agreement focuses more on matters like trade, business or investments.[283] Azerbaijan joined the ENP and the EaP initiatives, seen by Baku as a great opportunity for integration: the country was able to cooperate with the Union in major projects, like the Trans Anatolian Natural Gas Pipeline (TANAP) or the Trans Adriatic Pipeline (TAP), and it successful negotiated a visa facilitation regime, in order to simplify the procedure for obtaining a Schengen visa for Azerbaijani citizens. However, when the other partner countries signed AAs, Baku took a step back and expressed its interest in signing a separate Strategic Modernization Partnership Agreement: the reasons behind this

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[283] European Commission, "*Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Azerbaijan, of the other part*".

decision can be found especially in the "double standards" behavior adopted by the West, which has been perceived with a suspicious eye by Baku. In particular, the pressure that Russia put on Armenia or the Russian – Georgian war in 2008 displayed an EU incapable of facing and tackling the challenges that Moscow was posing in the region; furthermore, the intervention of Russia in Ukraine, with the illegal annexation of Crimea, was the proof, for Baku, of the double standards adopted by the Union, which has been ready to take the side of Kiev supporting the principle of territorial integrity, but it failed to do the same with the Nagorno – Karabakh case, as we have seen before[284]. These factors showed to Baku the Union's passive approach especially towards conflict resolution and the security area, two of the main priorities of Azerbaijan's foreign policy, and they made change Baku's direction to a pragmatic relation: Baku that did not see any benefit in signing the agreement risking that negative factors could interfere with the few successes achieved in the framework of the European initiatives.[285] The EU-Azeri relations are thus based mostly on economic cooperation, and Azerbaijan is reluctant to engage in the commitment to EU norms and standards[286]; in fact, if we look at state of democracy in Azerbaijan, according to Freedom House, the Caucasian Republic occupies the 10th position out of 100 in 2021, ranking in the "*not free*" countries; the situation has gone through a deterioration, since in 2017 Azerbaijan scored 14 out of 100. Freedom House describe the current state of the society as: "*Corruption is rampant, and the formal political opposition has been weakened by years of persecution. The authorities have carried out an extensive crackdown on civil liberties in recent years, leaving little room for independent expression or activism.[287]*" It seems that the EU has turned a blind eye on the human rights' situation: since the priorities and the terms of the relations are jointly decided by the EU and the Azeri government, and the assistance, even the one reserved for

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[284] Gotev, G., "*Azerbaijan's rejection of EU association was an eye-opener for Brussels*", 11 February 2016, Euractiv, available at: https://www.euractiv.com/section/armenia/news/azerbaijan-s-rejection-of-eu-association-was-an-eye-opener-for-brussels/.

[285] Valiyev, A., "*Azerbaijani – EU Relations : More Opportunities on the Horizon*", in Shafiyev, F., (Ed.), "*Azerbaijan's Geopolitical Landscape. Contemporary Issues, 1991 – 2018*", p. 60.

[286] Gogia, G., "*The EU and Azerbaijan: mismatched objectives*", Human Rights Watch, 19 June 2013, available at: https://www.hrw.org/news/2013/06/19/eu-and-azerbaijan-mismatched-objectives.

[287] Freedom House, "*Freedom in the World 2021 – Azerbaijan*", available at: https://freedomhouse.org/country/azerbaijan/freedom-world/2021.

civil society (this point will be better explained in the final paragraph), is granted to governmental bodies and institutions, this allows Baku to pursue what it has been described as a "cherry-picking" strategy; in this way, Azerbaijan is collaborating only on the areas that are convenient for the pursuing of its national interests[288]. It is no surprise then that, despite the efforts, even if limited, of the EU, the situation of human rights and fundamental freedoms has deteriorated.

Analyzing the funding that Azerbaijan received in the framework of the EaP we see that the ENI put in the field for 2014 – 2020 an indicative allocation of € 139,000,000 - € 169,000,000 divided in the following sectors[289]:

- 40% for regional and rural development;
- 20% for reforms in the justice sector;
- 20% for education and skills development;
- 15% for capacity development and institution building;
- Only 5% in support of the civil society.

Already by looking at the division of the spheres of action, we can understand the priorities of the bilateral relation between the EU and Azerbaijan, that is certainly not democracy promotion. Comparing the funding allocated for Azerbaijan with the other two Caucasian Republics, we can assess that Baku is receiving half of the budget destined to Armenia (€ 252,000,000 - € 308,000,000) and less than one-fifth of the allocation destined to Georgia (€ 610,000,000 – € 746,000,000), despite the fact that it is the biggest and most populated Republic of the South Caucasus, as well as the one most in need in terms of democratic development. Analyzing the report regarding the EU – Azerbaijan relations, we can assess the following:

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[288] European Parliament, "*Analysis of the EU's assistance to Azerbaijan,*" Briefing Paper, October 2008, p. 11, available at: https://www.europarl.europa.eu/RegData/etudes/note/join/2008/388968/EXPO-AFET_NT(2008)388968_EN.pdf.

[289] European Commission, European External Action Service, ""*Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Single Support Framework for EU support to Azerbaijan (2014-2017)*"*, p. 8, available at: https://eeas.europa.eu/sites/default/files/azerbaijan_2014_2017_programming_document_en.pdf.

Table 5: Progress towards democracy promotion in Azerbaijan[290]

Progress in 2019	*Azerbaijan*
Democracy, Good Governance, Rule of Law	No
Human Rights	No
Torture and ill treatment	Yes
Media environment	No
Freedom of assembly	No
Equal treatment and anti-discrimination	Improving (especially gender equality)
Fight against corruption	No

Source: European Commission and High Representative Of The Union For Foreign Affairs And Security Policy (2019).

In the document is made specific reference to the difficult situation in which the civil society has to operate: activists are arrested or detained and the space for freedom of expression in severely limited; the respect of human rights is still a critical point, especially towards political opposition movements, and also freedom of expression and opinion is severely restricted, especially through media, where a lot of websites or social media pages of political opposition representatives have been blocked or deleted. Another point on which the document focuses is torture and ill-treatment, that is considered endemic in the system, as well as corruption. Only the sphere of gender equality seems to be moving in the right direction, even if slowly: the government put in the field different programs and plans to support the development of women entrepreneurship, but Azerbaijan has still to ratify the Istanbul Convention and enforce the prohibition of sexual harassment[291].

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[290] European Commission and High Representative Of The Union For Foreign Affairs And Security Policy, *"Joint Staff Working Document: Report on EU - Azerbaijan relations in the framework of the revised European Neighbourhood Policy"*, Brussels, 11 March 2019, available at: https://data.consilium.europa.eu/doc/document/ST-7443-2019-INIT/en/pdf.

[291] Ibid., p. 2 – 4.

Comparing the achievements of Georgia and Armenia with the (non)achievements of Azerbaijan, the difference is quite astonishing:

Table 6: Comparative analysis of the progress towards democracy promotion

Progress in 2019	Armenia	Georgia	Azerbaijan
Democracy, Good Governance, Rule of Law	Improving	Yes	No
Human Rights	Some	Improving	No
Torture and ill treatment	Setback	Improving	Yes
Media environment	Improving	Improving	No
Freedom of assembly	Yes	Yes	No
Equal treatment and anti-discrimination	No	Yes	Improving
Fight against corruption	Some	Improving	No

If in the case of Georgia, we have a country, as said before, that genuinely wants to adjust to the European standards, in order to get closer to the EU, in the case of Armenia we have a country that, despite the influence of Russia and the religion-based society, has still made progress. As for Azerbaijan, the case is interesting because neither religion neither Russia's influence plays a big role in the country, but it seems to be simply a lack of interest in applying the normative values and principles.

With regard to the perception of the Union in Azerbaijan, the survey results are for the majority positive, and the EU enjoys a good reputation in the country.

Image 17: Do you have a 'very positive', 'fairly positive', 'neutral', 'fairly negative' or 'very negative' image of the European Union?
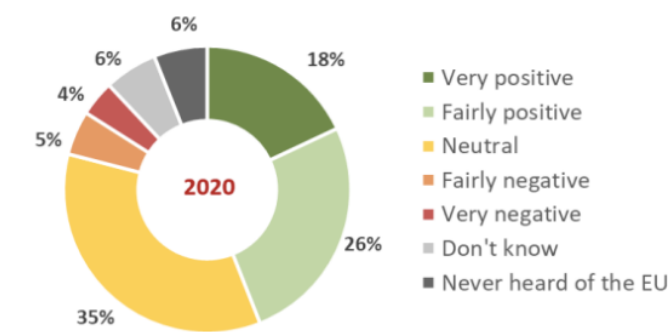
Source: EU Neighbors East, Annual Survey Report – Azerbaijan[292]

The report shows that Azerbaijani are becoming more aware of the Union and the general perception of this actor is for the majority positive.

Image 18: 'The EU fosters the preservation of traditional values in our society'. To what extent do you agree with this statement about the EU?

Source: EU Neighbors East, Annual Survey Report – Azerbaijan

With respect to traditional values, 47% of the respondents are confident that the EU helps in the preservation of these, confirming that the religious factor it is not an obstacle for the spreading of normative principles.

As for trust in the EU, if the survey conducted by Caucasus Barometer in 2013 displayed a modest level of support among Azerbaijanis, we can see that things have rapidly changed and the EU in 2020 is the most trusted institution, compared to the US, NATO or the EAEU.

[292] EU Neighbors East, "*Annual Survey Report – Azerbaijan*", March 2020, available at: https://www.euneighbours.eu/sites/default/files/publications/2020-06/EUNEIGHBOURS_east_AS2020report_AZERBAIJAN_0.pdf.

Image 18: Azerbaijan: Trust – EU (%)

Fully distrust — 12
Somewhat distrust — 15
Neither trust not distrust — 31
Somewhat trust — 18
Fully trust — 6
DK — 15
RA — 1
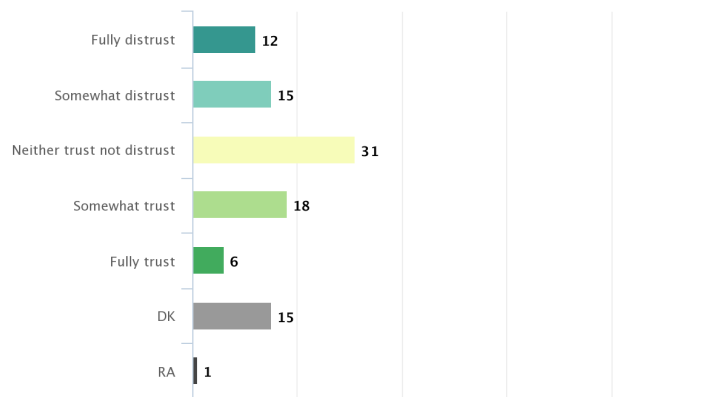
Source: Caucasus Barometer[293]

Image 19: Trust towards different institutions

European Union — 41% / 31% / 28%
United Nations — 31% / 38% / 30% / 1%
NATO — 25% / 38% / 34% / 3%
Eurasian Economic Union — 26% / 27% / 36% / 11%

■ Tend to trust   ■ Tend not to trust   ■ Don't know   ■ Never heard of this institution
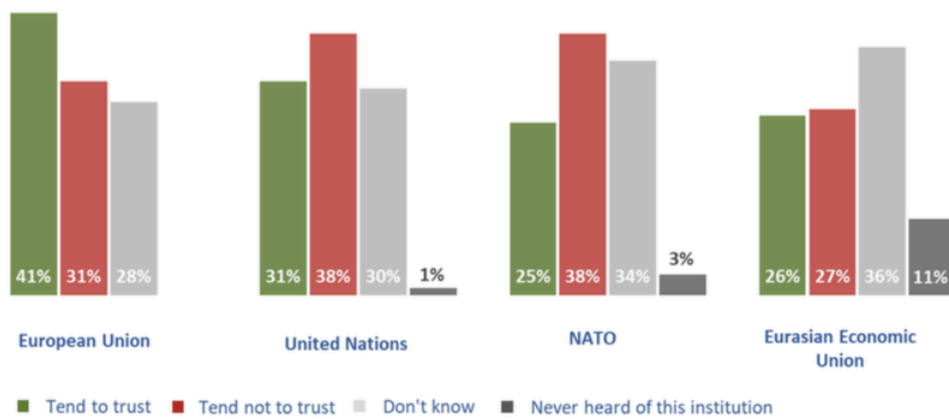
Source: EU Neighbors East, Annual Survey Report – Azerbaijan

To conclude, the ground and the reputation that the EU enjoys in Azerbaijan, according to the data, seems to be quite favorable, but yet the performance of the country towards democracy promotion is the worst among the other partner countries of the EaP. One factor that the EU has always taken into account as an instrument for the promotion of democracy from inside is civil society; for this reason, we will now move on to analyze the state of civil society in the country, as well as the instruments at its disposal for enhancing the Normative Power Europe.

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[293] Caucasus Barometer, Trust Towards the EU, 2013, Azerbaijan, available at: https://caucasusbarometer.org/en/cb2013az/TRUSTEU/.

3.2.2. The state of civil society: an agent for the EU?

In 2006, two year after the establishment of the ENP, a Communication from the Commission showed the weaknesses and the limited impact that the Normative Power of the EU was having on its neighborhood and called for a strengthening of the policy; specifically:

> *"[…] Poverty and unemployment, mixed economic performance, corruption and weak governance remain major challenges. […] These are not only our neighbors' problems. They risk producing major spillovers for the EU, such as illegal immigration, unreliable energy supplies, environmental degradation and terrorism. […] It has thus become clear that the ENP could and should be strengthened, particularly when one considers the prohibitive potential cost of failing to support our neighbors in their reform efforts.[294]"*

It became clear that the mere bilateral cooperation with the national governments was not sufficient for strengthening the EU values and goals, but it was necessary to involve other actors in the process: several documents made the way for a greater involvement of civil society, *"for promoting shared principles, enhancing EU visibility in the ENP region and strengthening local civil societies.[295]"* Civil society is thus seen as a key instrument for the democratization process in that it can enhance the respect for human rights and fundamental freedoms and strengthen the EU visibility in the region; in the literature, the role that civil society plays is described not only *"an agent for EU foreign policy[296]"*, but also as an *"agent of democratization from inside":* if human rights are considered legitimate

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[294] European Commission, "*Communication From The Commission To The Council And The European Parliament On Strengthening The European Neighbourhood Policy*", COM(2006)726 final, 4 December 2006, Brussels, p. 2, available at: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0726:FIN:EN:PDF.

[295] Council of the European Union, "*Press Release 2851st Council meeting - General Affairs and External Relations*", 6496/08 (Presse 41), 18 February 2008, Brussels, p. 9, available at: https://data.consilium.europa.eu/doc/document/ST-6496-2008-INIT/en/pdf.

[296] Böttger, K., Falkenhain, M., "*The EU's policy towards Azerbaijan: what role for civil society?*", SPES Policy Papers, June 2011, p. 10, available at: https://d-nb.info/1013525418/34.

according to International Law, democracy has to be conceived as a process that develops from within the country, "*involving all sections of society and institutions[297]*".

In the case of Azerbaijan, the EU stressed that the civil society needs to grow in order to "*ensure a truly pluralistic and democratic development of the country[298].*" But what is the state of civil society in Azerbaijan? Civil society in Azerbaijan has often been described in the media as "paralyzed", due to its inability to operate because of the pressure exercised by the government; fulfill its function as an agent of democratization has been difficult, since any action taken by civil society representatives becomes political and for this reason organizations are severely limited to play a role that can influence policy making. According to the CSO Sustainability Index, Azerbaijan in 2019 got a score of 5.9, ranking in the "impeded civil society environment".

Image 20: Overall Cso Sustainability Of Azerbaijan: 5.91
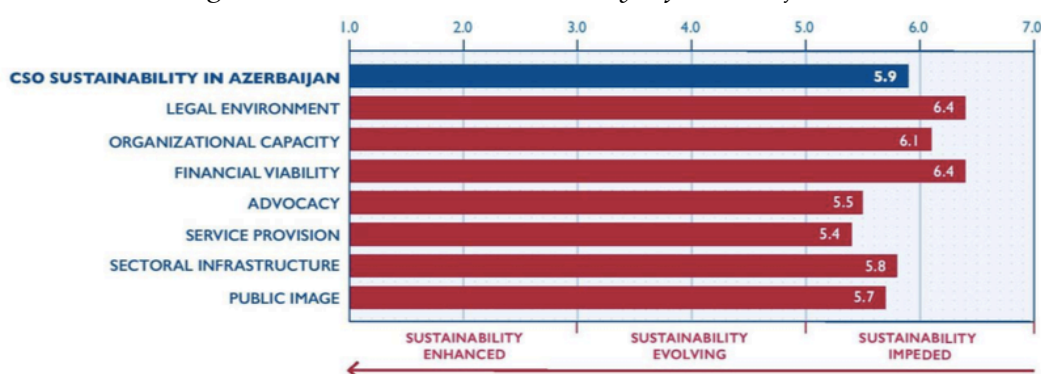
Source: 2019 Civil Society Organization Sustainability Index[299]

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[297] European Union, "*Regulation (Ec) No 1889/2006 Of The European Parliament And Of The Council on establishing a financing instrument for the promotion of democracy and human rights worldwide*", Official Journal of the European Union, L386/1, 29 December 2006, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32006R1889&from=EN.

[298] European Parliament, "*European Neighbourhood And Partnership Instrument Azerbaijan Country Strategy Paper 2007-2013*", Brussels, p. 9, available at: https://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/dsca20081006_09/dsca20081006_09en.pdf.

[299] USAID, ICNL, FHI360, "*2019 Civil Society Organization Sustainability Index- Azerbaijan*", July 2020, available at: https://storage.googleapis.com/cso-si-dashboard.appspot.com/Reports/CSOSI-Azerbaijan-2019.pdf.

The legal environment is still very restrictive, and it is difficult for civil society organizations to operate; the main challenge that they face is registration of CSOs by the Ministry of Justice, that often takes a subjective approach regarding the mission of the organization or its founders. Funding is another critical issue, since the government requires that all grants, both foreigner and domestic have to be registered within the Ministry of Justice. Furthermore, freedom of expression and assembly continued to be very limited in Azerbaijan, and an interview with an EU official revealed that to protesters or demonstrators are reserved remote locations outside the city and, during election times, for political opposition parties is almost impossible to hold public debates in popular locations because the venues are "already taken or booked months in advance"[300]. The organizational capacity of CSOs is very weak, especially in the regions, where the organizations have little access to funds and there is lack of skilled human capital, but also in Baku, due to the difficult access to funds, "*most CSOs operate without full-time staff and have limited access to lawyers, accountants, IT managers, and other key personnel.*[301]" Engaging in advocacy activities is still very limited for organizations that address critical issues like political prisoners or corruption, and they are very rarely taken into consideration in public discussions with the Cabinet of Ministries. Civic activism and civic freedoms are always challenged in Azerbaijan; during the Covid-19 pandemic, despite the restrictions put in place by the countries, people have continued to mobilize and to protest all over the world, and the government used Covid-19 measures to silence the activists: before the introduction of the quarantine regime in the country, the information law of Azerbaijan was amended, in order to prevent the publication online of information "*that might cause danger to the public*[302]", and the authorities were accused of taking advantage of the restrictive measures for targeting and silencing opposition supporters or critics[303].

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[300] Interview with an official of the EU Delegation in Azerbaijan, Baku, 26 May 2021.

[301] USAID, ICNL, FHI360, "2019 Civil Society Organization Sustainability Index- Azerbaijan", p. 4.

[302] CIVICUS, "*Civic Freedoms Under Threat During The Covid-19 Pandemic*", October 2020, available at: https://reliefweb.int/report/world/civic-freedoms-under-threat-during-covid-19-pandemic-snapshot-restrictions-and.

[303] Human Rights Watch, "*Azerbaijan: Crackdown on Critics Amid Pandemic*", 13 July 2020, available at: https://www.hrw.org/news/2020/04/16/azerbaijan-crackdown-critics-amid-pandemic.

Overall, the state of civil society is very paralyzed, and the current restrictions make it difficult to engage with a broad audience, leaving the activists alienated. But the history of Azerbaijan's civil society has not always been so dark: according to CSO Sustainability Index, in 2005 the country obtained a score of 5.0, and things got out of hand from 2013 – 2014. As reported by an interview with Arzu Geybullayeva[304], Azerbaijani journalist and activist, civil society in the past was quite active: the organizations were receiving grants and they had the freedom to engage also in sensitive subjects as election transparency or human rights; they were even able to fight back, as happened in 2009, when there was the first attempt by the government to discuss a modification of the existing legislation on funding for NGOs; a coalition of organizations was able to push back and postpone the discussion[305]. The roots of the crackdown can already be found after the Color Revolutions in Georgia (2003), Ukraine (2004) and Moldova (2009), but the peak was reached in 2013 – 2014, after the impact of the Arab Spring in the Middle East and Nord Africa[306]; these movements have caused many authoritarian regimes to use a firm hand against democracy promotion in their countries[307]. "The beginning of the end for civil society", using Geybullayeva's words, coincided with the hosting of the Eurovision Song Contest in Baku, which was used as an instrument to show the main social problems that the country was facing, from unemployment to corruption. The civil society took advantage of the big event in order to draw the international attention to human rights abuses in Azerbaijan and it succeeded; if we look at the press of 2012, all the major newspapers were focusing on the social issues of the country, rather than on the Eurovision itself: from the New York Times

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[304] Interview with Arzu Geybullayeva, via Zoom, Baku, 23 April 2021.

[305] Arzu Geybullayeva, "*Bittersweet relief for NGOs in Azerbaijan*", Osservatorio Balcani e Caucaso, 8 July 2009, available at: https://www.balcanicaucaso.org/eng/Topics/Civil-society/Bittersweet-relief-for-NGOs-in-Azerbaijan-46228.

[306] Human Rights Watch, "*Azerbaijan's Crackdown on Civil Society and Dissent*", September 2013, p. 11, available at: https://www.hrw.org/report/2013/09/01/tightening-screws/azerbaijans-crackdown-civil-society-and-dissent.

[307] Gahramanova, A., "*Internal and External Factors in the Democratization in Azerbaijan*", Democratization, Vol. 16(4), 04 August 2009, p. 786, available at: https://www.tandfonline.com/doi/abs/10.1080/13510340903083919.

with *"Police in Azerbaijan Arrest Protesters at Eurovision Rally[308]"*, through Amnesty International *"Azerbaijan: Eurovision is deaf to human rights abuses[309]"*, to the Daily Mail *"Greetings from Azerbaijan: The voices of protest you won't hear at this month's Eurovision Song Contest.[310]"* This event was therefore a sign for the government to get rid of the noise that was polluting the image branding that the country was building and it began to repress the civil society, imprisoning and harassing political activists, intimidating journalists and putting pressure on NGOs, to the point that even the oldest organizations had a very hard time in continuing to work. To conclude, the state of civil society in Azerbaijan is in a critical situation, due to internal factors, such as the repressive measures that make it hard for activists to have a significant impact, but also due to external factors: Gahramanova argues, in fact, that external actors don't boost or promote social activities because they are more concerned about energy security rather than enhance a process of democratization[311]. It is worth then analyzing whether the EU is holding the promise of engaging the civil society in the political process, even if going against the will of the government, and if the civil society in Azerbaijan is able to play the role of an agent of democratization from inside; in order to do so, we will first briefly describe the main instruments at its disposal that the EU put in field.

3.2.3. The instrument at the disposal of Civil Society

The role and the development of civil society is already taken into consideration at the regional level in the bilateral track of the EaP, through the Action Plans of each country and through the ENI: the Action Plan for Azerbaijan of 2018 – 2021 stressed the importance of

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[308] Herszenhorn, D., M., "*Police in Azerbaijan Arrest Protesters at Eurovision Rally*", The New York Times, 25 May 2012, available at: https://www.nytimes.com/2012/05/26/world/europe/azerbaijani-police-arrest-protesters-at-eurovision-rally.html.

[309] Amnesty International, "*Azerbaijan: Eurovision is deaf to human rights abuses*", 22 May 2012, available at: https://www.amnesty.org/en/latest/news/2012/05/azerbaijan-eurovision-deaf-human-rights-abuses/.

[310] Eagar, C., "*Greetings from Azerbaijan: The voices of protest you won't hear at this month's Eurovision Song Contest*", Daily Mail, 12 May 2012, available at: https://www.dailymail.co.uk/home/moslive/article-2141940/Eurovision-Song-Contest-2012-The-voices-protest-wont-hear-Azerbaijan.html.

[311] Gahramanova, A., "*Internal and External Factors in the Democratization in Azerbaijan*", p. 778.

enhancing the dialogue of civil society organizations as well as reforming the domestic legislation on NGOs, in order to be closer to the Council of Europe standards[312]. Futhermore, the EU created some *ad hoc* initiatives to target the civil society, such as the EaP Civil Society Forum, the EaP Civil Society Facility and the European Instrument for Democracy and Human Rights.

EaP Civil Society Forum

The Civil Society forum was conceived in 2009 at the Prague Summit and it was the first attempt by the EU to empower civil society in the Eastern neighborhood. Its mission is to strengthen the multilateral track, by promoting the dialogue between civil society and the political authorities and the capacity building and networking. The EaP CSF consists of six National Platforms that aims at facilitating the achievement of the goals established by the EaP in the partner countries and of five working groups, divided according the priorities of the EaP, namely:

1. Democracy, human rights, good governance and stability;
2. economic integration and convergence with EU policies;
3. Environment, climate change and energy security;
4. Contacts between people;
5. Social & labor policies and social dialogue.[313]

The forum works for engaging civil society in the process of planning and implementing the EaP policies, it supports regional projects through the emission of grants and issues policy papers on different topics addressed to the decision makers. If we take a look at the past re-granting projects, aimed at connect the CSOs with the interests and necessities in the partner countries, we see that the participation of Azerbaijan has been very low; for instance, in the Working Group 1, from 2016 to 2020, Baku has took part only in one project, "*Civil Society for Combating Corruption and Promotion Open Governance in the EaP Countries*" and the

[312] Council of Europe, "*Council of Europe Action Plan for Azerbaijan 2018-2021*", GR-DEM(2018)15, 11 September 2018, p. 21, available at: https://rm.coe.int/action-plan-azerbaijan-2018-2021/16808e70d6.

[313] Eastern Partnership Civil Society Forum, "*Our Structure*", available at: https://eap-csf.eu/our-structure/.

project outputs showed how little the country was implementing the goals of its National Action Plan:

> *"The Monitoring results have revealed a low implementation level, […] deterioration of the access to information status, low accountability in spending the state finances and lack of transparency in public procurement process. Besides, restrictions on the activities of Civil Society (CS) have not been eliminated, independent NGOs were not involved in the monitoring of the implementation of the plan, and establishment of public councils has almost stopped.[314]"*

EaP Civil Society Facility

The EaP Civil Society Facility was a project founded by the EU with a regional focus on the Eastern Partnership, that took place from 2017 until March 2021, and it aimed at promoting the role of civil society in the reforming process of the six partner countries. The project focused in five main areas: mapping studies and research for understanding the state of civil society and their challenges, e-learning courses and webinars, hackathons, development of a better communication and civil society fellowships. The Fellowship program supports the initiatives of young civil society activists from the EaP and every year 20 fellows can receive a grant of €5.000 in order to develop their projects and activities. Of the total 80 Civil Society Fellows over 2017 - 2020, Azerbaijan was able to obtain only 6 of them, and the projects focused for the majority on social issues, like "*Increasing Awareness on Persons with Disabilities*" (2017), "*Building up self – confidence of rural women and motivate them to participate in decision making process*" (2019) or "*Women Changemakers' Academy*" (2020)[315].

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[314] EaP CSF, "*Assessment on the implementation of "National Action Plan on Promotion of the Open Government Initiative in Azerbaijan for 2016-2018*", Baku, 2019, p. 5, available at: https://eap-csf.eu/wp-content/uploads/Policy-paper-PIC-Azerbaijan.pdf.

[315] Eastern Partnership Civil Society Facility, "*Fellowships*", available at: https://eapcivilsociety.eu/fellowships-2.

European Instrument for Democracy and Human Rights

Another instrument provided in the framework of the ENP and EaP is the EIDHR, an Action Program that allocates grants to civil society organizations and projects that aim at strengthening the promotion of democracy and respect for human rights, the role of civil society and the transparence of democratic elections in non-EU countries[316]. It was adopted by the European Parliament and the European Council in 2014 for the period of 2014 – 2020 by the EU Regulation 235/2014, with a total budget of € 1 332.75 million. Regarding the participation of Azerbaijan to this program, very little information is available online, and due to the current restrictive legislation on funding for NGOs in Azerbaijan, the EU is meeting several challenges in allocating funding for civil society.[317]

To conclude, even if the instruments at the disposal of the civil society do not have huge differences in terms of content and modalities, the lack of interest of Azerbaijan in engaging with these activities is evident. The next and last paragraph will try to pull the strings of what we have said so far: what is the real relation between the Baku and Brussels? Why the performance of NPE is weak in Azerbaijan?

3.3. Normative Power Europe in action: objective, results, challenges and limits

The European ability to *"shape conceptions of "normal" in International Relations"* has been object of large debate between the scholars who argued the effectiveness of such power. If the Enlargement of the European Union has been the instrument *par excellence* for displaying the NPE and its transformative ability in other countries, the same cannot be said for the ENP and more specifically for the EaP. The promotion of democracy and of the European values has found fertile ground in some partner countries, but the effect remains very

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[316] EuroAccess, "Programme: European Instrument for Democracy and Human Rights", available at: https://www.euro-access.eu/programm/european_instrument_for_democracy_and_human_rights.
[317] Interview with an official of the EU Delegation in Azerbaijan, Baku, 26 May 2021.

limited, for the reasons that we have seen so far: lack of an appealing incentive (e.g. the membership) and consequently lack of legitimacy of the EU, or interference of external force, like Russia, which counterbalance the Western influence. To tackle these challenges the EU shifted its approach from an idealistic one to a more pragmatic one, as well as underlined the necessity to involve other actors in order to pursue its *milieu goals.* When it comes to Azerbaijan, the mission of the EU is even more complicated, since it has to deal with an autocratic regime with no interest in complying with normative principles and norms, where the conditionality principle and the EU leverage are not working, because, paradoxically, the little Republic found itself in a stronger position, comparing to the EU. In order to understand this power play between Baku and Brussles, we will analyze first the main problems that civil society is meeting in Azerbaijan, then how the EU is responding, and finally, we will sum up the terms and condition of this difficult relation.

3.3.1.   Azerbaijan and civil society: a small place for an important actor

Azerbaijan's performance in the framework of the EaP is the weakest among the other five partner states, according to the Eastern Partnership Index of 2018 – 2019, which takes into consideration the dimension of political dialogue and cooperation, trade flows and citizens of Europe.

Image 21: EaP Index - Linkage Dimension 2018 - 2019
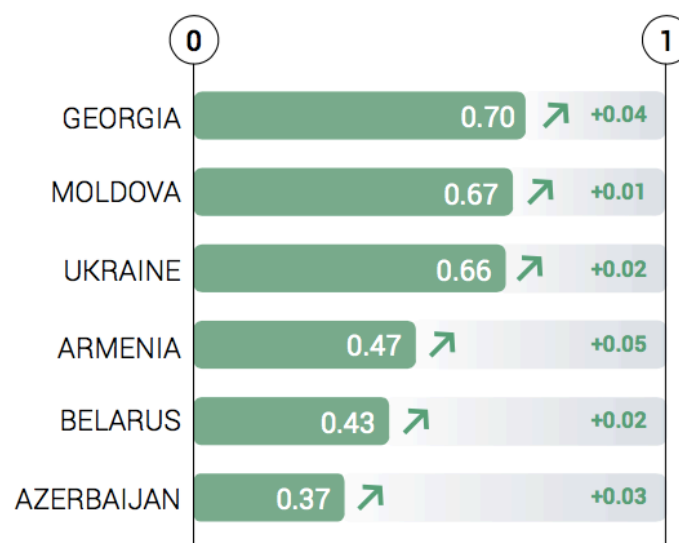
The poor performance of Azerbaijan is particularly evident in the sector of fundamental freedoms: as reported by the chart of 2017, the score for "Democratic rights and Election" was of 0.16, in "Independent media" the country scored 0.13, and in the field of "Freedom of Speech and Assembly" Azerbaijan got a score of 0.00[319]. The actors that have the power to contribute to the development of this sector are, as Van Gils reported, civil society organizations, political opposition and non-governmental actors[320].

The Civil Society, that should be, as we have seen before, *an agent for EU foreign policy*, has been "*the main target of government attacks*"[321]: the sector of NGOs, especially the organizations that work on political matters or on human rights, is suppressed by the government and the activists are kept silenced. During the period of researches in Baku, I have conducted an interview with Akif Gurbanov, chairman of the Institute for Democratic Initiatives and former member of the Central Election Commission of Azerbaijan. His NGO was established in 2013 by a group of lawyers and public figures in Baku who try to draw the attention on human rights and democratic issues and to "*achieve an open society by developing democratic initiatives[322]*". The work of Gurbanov in the civil society sector has been very hard and challenging: since the establishment of his NGO, the problems started with the registration of the organization as legal entities, as it is required by the domestic law. Gurbanov explained that there is not a mandatory requirement for registration, but it order for the organization to operate effectively, including receiving and registering grants or

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[318] Eastern Partnership Civil Society Forum, "*EaP Index: Linkage 2018 – 2019"*, December 2020, p. 20, available at: https://eap-csf.eu/wp-content/uploads/EaP-Index_Linkage-2018-2019.pdf.

[319] Eastern Partnership Civil Society Forum, "*EaP Index: Linkage 2017"*, available at: https://eap-csf.eu/eastern-partnership-index-2018-19/#section-fillup-1.

[320] Van Gils, E., "*Whose Resilience? Resilience and Regime Strength in EU-Azerbaijan Relations*", in Rouet, G., Pascariu, G., C. (Ed.), "*Resilience and the EU's Eastern Neighbourhood Countries: From Theoretical Concepts to a Normative Agenda*", Palgrave McMillan, Cham, 2019, p. 454.

[321] Abbasov, S., "Civil Society in Azerbaijan: Under Fire but Still Resisting", Caucasus Analytics Digest, No. 12, 22 January 2010, p. 13, available at: https://www.laender-analysen.de/cad/pdf/CaucasusAnalyticalDigest12.pdf.

[322] Institute for Democratic Initiatives, "*History"*, available at: http://www.idi-aze.org/en/institute-for-democratic-initiatives-idi/.

opening bank accounts, the achievement of the legal status is necessary[323]. After meeting several problems with the registration process, Gurbanov, together with other 16 founders of NGOs applied to the European Court of Human Rights for the violation of Article 11 of the Convention, "Freedom of Association" and today the judgment is still pending[324]. According to Article 8 of the *Law on State Registration and the State Register of Legal Entities of the Republic of Azerbaijan:*

> *"State registration of non-profit structures wishing to obtain the status of legal entity, as well as representations or branches of foreign non-profit legal entities is performed as a rule no later than within 40 days.[325]"*

But in the case of Gurbanov and the other applicants, the Ministry of Justice of Azerbaijan rejected several times the request for state registration on account of certain deficiencies, making the process of registration impossible. Another challenging issue is the access to financial resources: the Law on Grant has been amended in 2014 and it has severely restricted the access to funding; firstly, the donor organization has to obtain the permission from the Ministry of Finance for providing a grant to an NGO, then, the recipient organization has to obtain registration for a grant agreement from the Ministry of Justice; if the grant is allowed, the NGO has to register every service agreement signed with the donor within the Ministry of Justice, before taking any action[326]. The access to funding is a very selective process and related to the political situation; as Gurbanov said, it is very difficult that grants and funding for sensitive topics are allowed. Before the crackdown of civil society, NGOs in Azerbaijan functioned mostly thanks to foreign donors who supported

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[323] Interview with Akif Gurbanov, Baku, 22 April 2021.

[324] European Court of Human Rights, "*Ruslan KHALILOV vs. Azerbaijan and 15 other applications*", Application no 11923/15, 11 October 2016.

[325] Republic of Azerbaijan, "*Law on State Registration and the State Register of Legal Entities",* Article 8, available at:http://cssn.gov.az/documents/Law%20of%20the%20Republic%20of%20Azerbaijan%20on%20%20%E2%80%9CState%20registration%20and%20state%20registry%20of%20legal%20entities%E2%80%9D.pdf.

[326] Republic of Azerbaijan, "Law on Grant", available at: https://www.legislationline.org/download/id/7528/file/Azerbaijan_Law_on_grant_1998_am2013_en.pdf#:~:text=Those%20providing%20grants%20shall%20be%20donors%20in%20respect%20of%20a%20beneficiary.&text=The%20relevant%20body%20of%20the,foreign%20legal%20and%20natural%20entities.

their activities, but when the amendments entered into force, the number of foreign donors started to decrease, due to the difficult procedure. Once the obstacles of registration and access to funds are overcome, another challenge for the civil society is the environmental landscape: for every project or event, often the authorities have to go over the list of participants or activities, and it is no surprise that activists have to go through intimidation, travelling ban or freezing of bank accounts.

A similar example is the case of Human Rights Club, founded in 2010, which was not allowed to be registered by the government; the organization continued to conduct its activities even if not registered as a legal entity and received attention both at the national and international level; due to its activities, Rasul Jafarov, head of the organization, was arrested *"on charges of illegal entrepreneurship, large-scale tax evasion and abuse of power, for receiving allegedly unregistered grants and donations, including those received for various HRC projects.[327]"* The case of Jafarov v. Azerbaijan was examined by the ECHR and a violation of Article 5 (Right to Liberty and Security) and Article 18 (Limitation on use of restriction on rights) of the Convention.

The paralyzed civil society in Azerbaijan has made impossible for NGOs to work freely, which have to operate in a climate of apathy and skepticism; moreover, the vacant place of independent organizations has been taken by a state-controlled civil society[328]: Gurbanov has a very black view of the current state of things, and he admitted that there is not a middle way, *"you are either with the government or against it[329]"*. To sum up, the space for an open debate and free expression in Azerbaijan is very limited, and there is no surprise that, given the current environment, the European values and principles are not implemented and not even taken into consideration in the first place. What is necessary now to understand is what

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[327] European Court of Human Rights, "*Case Of Jafarov And Others V. Azerbaijan*", (Application no. 27309/14), Judgment, 25 October 2019, available at: *https://hudoc.echr.coe.int/spa#{%22itemid%22:[%22001-194613%22]}*.

[328] Aliyev, H., "*Examining the use of informal networks by NGOs in Azerbaijan and Georgia*", Journal of Civil Society, Vol. 11(3), 11 August 2015, p. 320, available at: https://www.researchgate.net/publication/281059325_Examining_the_Use_of_Informal_Networks_by_NGOs_in_Azerbaijan_and_Georgia.

[329] Interview with Akif Gurbanov, Baku, 22 April 2021.

is doing the European Union: this thesis started with recalling the Article 10 of the Treaty of Lisbon, *"the Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world"*; yet in Azerbaijan this seems not to be the case.

3.3.2. The EU in Azerbaijan: the civil society as a sick patient or as a valuable partner?

As stated in the official discourses, the EU views civil society as a key instrument for the promotion of democracy and human rights, an actor that should be included in the political debate, in order to provide assistance for implementing the goals and the objectives of the Action Plans. However, in Azerbaijan, the role of civil society seems not to be taken into consideration even from Brussels itself: the funds allocated for Azerbaijan in the framework of the EaP are considerably less in respect to the other partner countries; in addition, the budget reserved for civil society is the lowest percentage[330]. According to an official of the EU Delegation in Baku, the restricted financial portfolio destined to Baku is certainly a limit for the EU action, but the main constraints that challenge the potential of the civil society are the difficult environment and the awareness of it. Firstly, as we have just seen, the voice of NGOs is constantly oppressed and they are not involved in the political dialogue at all; secondly, there is a lack of knowledge of what civil society is from the broader audience's point of view. According to the interview, the Azerbaijani society has not the awareness required to understand what is the role that civil society can play, neither its objectives. Furthermore, internal factors make the job very hard for the EU; the resources are very limited, both human and financial, as well as the opportunity structures inside the country: the EU official pointed out that the main areas that need support are the regions, yet the main CSOs are only located in the capital.

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[330] European Commission, European External Action Service, *""Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Single Support Framework for EU support to Azerbaijan (2014-2017)"*, p. 8.

However, taking a look at the financial allocations of the main instruments put in the field from the EU, we can see that the majority of the budget and the financed projects in collaboration with the Azerbaijani civil society focus on social issue, such as:

- *"EU 4 Gender Equality: Together Against Gender Stereotypes and Gender-Based Violence"*: with a budget of € 7.5 million for the period of 2020 - 2023[331];
- *"EU Initiative on Health Security"*: with a budget of € 6 million for the period 2020 – 2024[332];
- *"EU4Youth Capacity Building – Eastern Partnership Youth Window"*: with a budget of € 11.08 million for 2017[333].

These are only few examples of projects that are focusing for the majority social issues, whereas projects that are tackling the main problems of Azerbaijan, as well as the fundamental values and principles that the EU aims to spread, are neglected. According to Geybullayeva, certainly these projects are for a noble cause, but, using her words, "*the majority of the projects that the EU is financing are destined to NGOs that in the end are affiliated somehow with the government, that is why in the long run the transparency and the effectiveness is questionable. Furthermore, the EU has been working on these social issues for a very long time, more than a decade ago since the EaP has been established, but whether it has been able to have an effective impact in these areas is very difficult to prove.[334]*" The main problem, according to her, is the superficiality of the projects, it is like "*putting a bandage over a wound that requires a surgical operation*": for example, the EU has been financing initiatives that focus on women entrepreneurship or gender equality, yet, if we look at the statistics on violence against women in 2019 among the 6 partner countries of the EaP, Azerbaijan is the country with the highest percentage, 28.0 (Ukraine 2.9, Belarus 4.1, Georgia 8.6, Armenia 10.1, Moldova

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[331] EU Neighbours East, "*EU 4 Gender Equality: Together Against Gender Stereotypes and Gender-Based Violence*", available at: https://www.euneighbours.eu/en/east/stay-informed/projects/eu-4-gender-equality-together-against-gender-stereotypes-and-gender.

[332] EU Neighbours East, "*EU Initiative on Health Security*", available at: https://www.euneighbours.eu/en/east-south/stay-informed/projects/eu-initiative-health-security.

[333] EU Neighbours East, "*EU4Youth Capacity Building – Eastern Partnership Youth Window*", available at: https://www.euneighbours.eu/en/east/stay-informed/projects/eu4youth-capacity-building-eastern-partnership-youth-window.

[334] Interview with Arzu Geybullayeva, via Zoom, Baku, 23 April 2021.

11.2).[335] The same problem is underlined by the EU official who stressed the importance on finding a balance between keeping a good relation with the government and the promotion of values: the Union is meeting several challenges in the registration of its programs, that is why the EU Delegation in Baku is working in finding non-controversial areas for the framework of 2021 – 2027, like children's rights, rights of the disabled, digital economy or education. The core problem is not tackled then, the EU prefers adopting an approach that is limited at offering some sparkles of collaboration, instead of providing the necessary support for capacity building of the civil society. In addition to that, it seems that the work of the EU is not necessarily promoted in Azerbaijan, in fact the majority of the respondents ignore that the Union is conducting several programs and projects in the country:

Image 22: Do you know of any specific programmes financed by the European Union in Azerbaijan?

	2017	2018	2019	2020
Yes	38%	21%	43%	48%
No	62%	79%	57%	52%
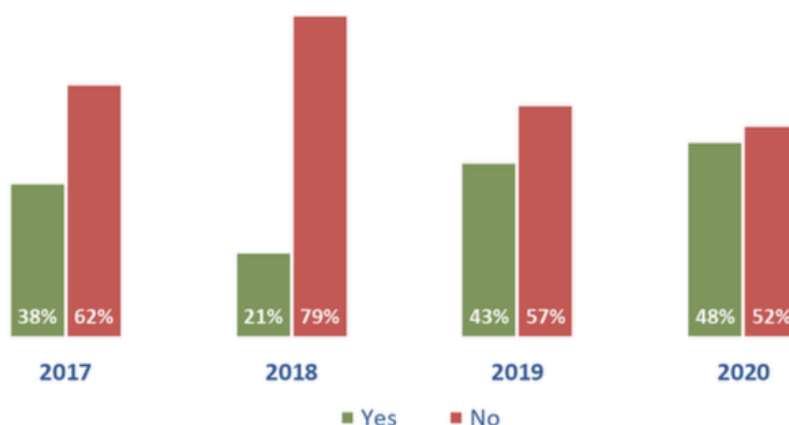
Source: EU Neighbors East, Annual Survey Report – Azerbaijan[336]

To conclude, both internal and external problems are challenging the operate of the Union and civil society in the country: on the one hand, the lack of funding and the unwillingness of the EU to engage in effective and brave programs that can promote its mission as a Normative Power, on the other, a paralyzed civil society that cannot raise its voice and don't

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[335] OECD Data, "*Violence Against Women 2019*", available at: https://data.oecd.org/inequality/violence-against-women.htm.

[336] EU Neighbors East, "*Annual Survey Report – Azerbaijan*", March 2020, p. 13.

find someone who can listen. Cooperation is paradoxically restricted to organizations that are affiliated with the government, and this can lead to have an opposite effect: instead of enhancing an open and transparent dialogue with different actors, the EU is strengthening its relationship with the government, that in the long term, can increase the legitimacy of the central power and consolidate the capacities to oppress domestic resistance.[337]Furthermore, the promotion of democracy has been focusing on short term outcomes, instead of building a link from micro objectives to the macro ones and enhance a bottom-up process that can effectively enhance the European values[338]. Ultimately, it appears that the civil society in Azerbaijan is treated like a "sick patient" and it has been deprived by its role of actor of change and promoter of values.[339]

3.3.3.   A balance of power not balanced

The ENP was established to create a "ring of friends" and to enhance stability, security and well-being in the European neighborhood; especially the regional dimension, the EaP, was meant to have e transformative effect in the six partner countries, which have the chance to benefit both from economic and technical cooperation in a different range of sectors; but as we have analyzed, despite some exceptions, the promotion of democracy and fundamental values in the whole region appears to be quite limited. Clearly each partnership presents its own particular features, its own goals and interests; Georgia, for instance, aims at a future partnership, while Belarus finds in equilibrium between the East and the West. The case of Azerbaijan is particularly interested because it depicts a change in the balance of power: if the ENP and the EaP are conceived as frameworks where the EU can exercise its influence and its transformative effect through the "stick and carrot" logic, the relation between Baku and Brussels seems to be the opposite. The legal basis of the partnership is still based on the

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[337] Van Gils, E., "*Whose Resilience? Resilience and Regime Strength in EU-Azerbaijan Relations*", in Rouet, G., Pascariu, G., C. (Ed.), "*Resilience and the EU's Eastern Neighbourhood Countries: From Theoretical Concepts to a Normative Agenda*", p. 457.

[338] Gahramanova, A., "*Internal and External Factors in the Democratization in Azerbaijan*", p. 793.

[339] Böttger, K., Falkenhain, M., "*The EU's policy towards Azerbaijan: what role for civil society?*", p. 17.

PCA of 1999, where basically no space is reserved for the promotion of democratic principles; when the two countries started the talks in 2010 over the possibility of an Association Agreement, Baku started to take a stronger stance in the negotiation process, aiming for a tailor-made agreement, without the normative agenda[340]. The pressure over a more differentiated policy brought the EU to change direction and the negotiation for a Comprehensive agreement started around the principle of a differentiated approach "*Azerbaijan is free to choose to which extent it will participate in the EU's offer of political association and economic integration*", even if the EU stressed that this will not compromise the commitment to the core values of the EaP.[341] If we look at the practice, the narrative is another: Rashad Ibadov, Assistant Professor of EU Law at ADA University, underlined that democracy promotion and human rights promotion, in the case of Azerbaijan, are treated separately: in the first case, even if it is internationally recognized that the regime of Aliyev is very far from being democratic, the effort put in the field towards democracy promotion by the EU is not strong and effective, because it recognizes that at least, under the power of Aliyev, stability is preserved. In the case of human rights, the lack of the European influence is evident: despite the EU condemned in different occasion the violations of human rights, Baku continued the repression of activists or of civil society[342].

The relation between Azerbaijan and EU is more pragmatic than the others: if traditionally the partner countries want to cooperate with the Union in order to obtain a closer integration, Azerbaijan is not interested in that; Baku wants to preserve its economic and political independence from external actors, and this approach is reflected also in its foreign policy, as we have seen before: standing in balance between East and West, Azerbaijan maintains good relations both with Turkey and with Russia (especially because of the just finished conflict), and with the European Union, more due to opportunistic interests[343]. The cooperation with the Union is marked by cooperation in economic and technical areas,

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[340] Interview with Anar Valiyev, Baku, 4 April 2021.

[341] European Council, "EU Relations with Azerbaijan", available at: https://www.consilium.europa.eu/en/policies/eastern-partnership/azerbaijan/.

[342] Interview with Rashad Ibadov, Baku, 13 May 2021.

[343] Interview with an official of the EU Delegation in Azerbaijan, Baku, 26 May 2021.

rather than political matters, and the lack of interest, from the Azerbaijani side, in the normative agenda, shift the balance of power towards a bilateral relationship based on communication and exchange. When asked which is the main foundation of the relationship between Baku and Brussels, the EU official responded "oil"[344]. The importance of the energy sector is certainly the main pillar for both countries: the EU is the first trade partner for Azerbaijan and, vice versa, the EU depends on Azerbaijani oil in order to diversify its trading partners. The central role that oil plays, makes it hard for Brussels to have a strong normative agenda, and this can be seen also in relation with other partner countries: if the EU takes a more strong stance towards the human rights violations or the undemocratic regime of Belarus, for example, the same cannot be said for Azerbaijan, where strategic interests are the core of the partnership[345]. The main problem, underlined by the EU official, is not the absence of the normative power, but rather the limited use that can exercise in this country: the promotion of values has to be balanced with maintaining a good relation with the government, in order not to hinder the cooperation in the economic sector. As Whitman wrote, the discrepancy is between what the EU says and what the EU actually does: "*in terms of democracy and human rights, although we can speak of a common commitment to the normative principles, albeit at different levels for various norms, when the actual practices of the EU are analyzed, inconsistencies remain quite stunning.*[346]" In the case of Azerbaijan, the EU's leverage is very weak, and the inconsistencies of its policies among the EaP underline the actual priorities of the Union when exercising political conditionality. This behavior, in the long term, can also undermine the image of the EU as a Normative Power in the international arena and the credibility of its commitments[347]; there is then no surprise then that among the International Relations scholars the promotion of human rights and

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[344] Ibid.

[345] Van Gils, E. "*Differentiation through bargaining power in EU–Azerbaijan relations: Baku as a tough negotiator*", p. 392.

[346] Whitman, R., G., "The neo-normative turn in theorising the EU's international presence", Cooperation and Conflict Journal, Vol. 48 (171), 4 June 2013, p. 183, available at: https://journals.sagepub.com/doi/abs/10.1177/0010836713485538.

[347] Balfour, R., "*Principles of democracy and human rights. A review of the European Union's strategies towards its neighbors*", in Lucarelli, S., Manners, I., (Ed.) "*Values and Principles in European Union Foreign Policy*", Routledge, Oxford, 2006, p. 115.

democracy is the most criticized external policy of the Union: the EU has been accused of "double standards" that seems to be the *life motif* of its policies when strategic interests play a bigger role[348].

To conclude, the Normative Power Europe in Azerbaijan is inefficient because the power of balance is not balanced at all: all the interviews agreed on the fact that the EU needs Azerbaijan more than Azerbaijan needs the EU, that is why Baku finds itself with more bargaining power and the EU is incapable of taking an hard stance on its normative agenda due to the fear of endanger the cooperation in the energy sector. As Van Gils pointed out, Azerbaijan's foreign policy is oriented at pursuing its national priorities and interests, and, paradoxically, the small Caucasian republic "*does not allow to be made a subject of Western democracy and human rights promotion or their policies, but it plays an active role in order to secure an outcome favorable to itself, using its bargaining power.[349]*" Azerbaijan has thus the power of influencing the relation with the EU, cooperating only in the sectors that it wants, and it can afford to behave in this way because of its economic power; on the other hand, the Union tries to enforce its normative agenda but it is constantly ignored by its partner; the focus of the relation shifted then to a more pragmatic and realistic approach: aware of the limits of its transformative power in a country like Azerbaijan, the EU started to "*pragmatically look at the world as it is, and not as it would like to see it[350]*", and it seems that it started to somehow sacrifice its noble mission in the name of real, material interests.

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[348] Van Gils, E., "*Azerbaijan and the European Union*", p. 68.

[349] Ibid., p. 103.

[350] Tocci, N., "*Framing The Eu Global Strategy: A Stronger Europe in a Fragile World*", Palgrave Macmillan, Cham, 2017, p. 64.

Conclusion

The present dissertation has analyzed to which extent the European Union acts as a Normative Power in Azerbaijan and whether its civilizing aim of spreading democratic values is a mission possible or impossible. The results leave us with mixed feelings, poised between the professed words and the actual facts.

First of all, at the dawn of the new geopolitical order after the fall of the Soviet Union, the EU has tried to shape its identity and find its place as an influencing actor in World Politics: the scholars of International Relations seemed to agree that the unique structure of the novel Union was suited for pursuing a civilizing mission and spreading normative values and principles around the world; civilian ends and means are the ultimate objective of the EU for achieving the "milieu goals". The Union has therefore to rely on its soft power for the promotion of attractive values like democracy or human rights, values that cannot be imposed with coercive means. To implement its role as a Normative Power that has *"the ability to shape conceptions of "normal" in International Relations"*, the EU has constitutionalized its core norms in the forms of its founding treaties and they are then projected abroad with its engagement in the international world as well as with its foreign policy. According to Manners' theory, the European norms are spread mostly through diffusion, both informational al procedural and with transference, which relies on the conditionality principle. If on the one hand the mission appears to be noble, on the other hand the neorealist paradigm criticizes the approach adopted by the Union, claiming that material and geopolitical interests are as important as values and norms and that the "civilizing mission" is only a cover for the imperialistic nature of the EU, that is interested in exporting its model abroad for derive economic and political benefits from it[351] and that, as any other actor, also the Union is moved by ulterior motive.

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[351] Del Sarto, R. A., *"Normative Empire Europe: the European Union, its Borderlands, and the Arab Spring"*, p. 216.

In the second part, the thesis analyzed the action of the NPE with its Eastern Partners; if one the one side the enlargement can be considered the most successful instrument of the EU foreign policy, since 13 new countries were able to comply with the Copenhagen criteria and with the EU's acquis, on the other hand the same cannot be said for the other instruments put in the field by the Union, such as the European Neighborhood Policy and the Eastern Partnership. In the case of the enlargement the approach based on integration and conditionality has been successful, while in the case of the ENP and the EaP several factors challenged the performance of the transformative power of the Union. The enlargement *fatigue* has precluded the incentive of the membership in favor of a policy that aims at "sharing everything but institutions[352]" and this has showed to be a big constraint for countries such as Georgia or Moldova that aspired to become candidate countries. Second, another factor that challenges the civilizing mission of the EU is the role of Russia as a "black knight", that for economic or security reasons, confirms its influence in the EU's near abroad and its willingness of hinder the democratization process. Aware of the limits of its idealistic approach, the EU shifted to a more pragmatic paradigm, named "principled pragmatism", in order to face the challenges that the European neighborhood presents.

Finally, the case of Azerbaijan perfectly shows the weaknesses of the NPE and the hypocrisy of the EU. The country is the less integrated partner in the framework of the EaP and steps forwards towards democracy promotion have not been made; but if the Union with other actors, like Belarus, feels legitimate to take a strong stance in the case of violations of fundamental freedoms or human rights, when it comes to Azerbaijan, the behavior is shaped by "double standards". As this thesis analyzed, the foreign policy adopted by Baku is calibrated to maintain good relations both with the East and the West, for pursuing its national interests, while the EU direction towards Azerbaijan has been vague: on the issue of conflict resolution the Union has never taken a strong position as well as in the sector of human rights and democracy promotion. If on the paper the role of civil society is essential for promoting its transformative power, in the reality the engagement with this actor in

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[352] Prodi, R., "*A Wider Europe. A Proximity Policy as the key to stability*".

Azerbaijan has been very low: the state of civil society is paralyzed and the Union is focusing only on superficial and secondary issues, in order to maintain a good relationship with the central power. The very fundament of the relation between Baku and Brussels is energy cooperation and in these terms Azerbaijan has more bargaining power than the EU: the small Republic knows its value and utility for the West, that is why it can afford not to engage with political cooperation and ask for tailor-made policies and differentiated agreements. On the other hand, as the realist scholars predicted, the EU, moved by geopolitical and material interests, keeps a low level of promotion of principles and values in order to use it as a façade and not to lose the legitimacy as a Normative actor in the eyes of its partners. It is questionable whether in the long term this strategy is going to last; as Nye underlined, if a state promotes foreign policies that are incoherent or hypocritical with the true behavior of the state, the undermining of its soft power will be inevitable. For now, given the current situation and relation that it has been established by these two partner countries, we can conclude by assessing that the action of the Normative Power Europe in Azerbaijan is, indeed, an *EU-topia*.

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