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Enhancing the Eastern Partnership through Civil Society Digitalization

The Eastern Partnership (EaP) has been at the core of the European Union's foreign policy in its Eastern Neighborhood and it should remain in place for the foreseeable future. This paper argues that in order to enhance the EU's effort to achieve democratic progress in Eastern Europe and build stronger ties with the populations of the partner countries it is essential for the EU to intensify its support of civil society – the force that has already proven to be a major driver behind democratic transformations on the post-Soviet space. Estonia's presidency in the EU during the upcoming six months provides a great opportunity to increase this effort. As a world leader in e-governance and cyber security, Estonia possesses valuable knowledge of the digital world that it can share with civil society actors in Eastern Europe thus fostering their security, efficiency, and resilience.

Criticized by many for the lack of democratic progress that it has aimed to achieve in Eastern Europe, the EaP indeed faces many challenges today. In the security realm, the 'Russian factor' has been increasingly worrying. On the domestic level, widespread corruption and the weak rule of law are still characteristic of all the countries in the region. While Association Agreements and visa free regimes between the EU on the one hand and Georgia, Moldova, and Ukraine on the other are rightfully considered major successes of the Eastern Neighborhood Policy, the EU's relations with the other three partner countries, namely Azerbaijan, Armenia, and Belarus, have had much fewer positive outcomes. Azerbaijan's and Belarus' authoritarian rulers have viewed the EaP's liberal democratic agenda as a threat to their regimes, while Armenia's accession into the Eurasian Union has seriously undermined the progress previously made on the country's European integration.

Despite its ups and downs, the EaP nevertheless remains a crucial framework for the Union's relations with its immediate Eastern neighbors. As a sole financial contributor to the EaP budget, the EU has had the upper hand in setting the policy agenda. At the same time, acting as a bloc rather than exclusively on a bilateral basis, the voice of Eastern European countries is stronger and can be better heard in the EU, although now the division in two groups has clearly demonstrated different levels of ambition among the six EaP partners. Also, the multilateral track created within the EaP has enabled the partner countries who have many similarities in their social, political, and economic realities to exchange knowledge and best practices among themselves. Finally, although it proved to be extremely difficult to prevent non-democratic trends in the states where political will to do so is weak, the EaP's 'more for more' approach to financial assistance has nevertheless been helpful in incentivizing more pro-democratic partner countries to enhance their reform efforts, while preventing the authoritarian governments of Azerbaijan and Belarus from completely cracking down on the civil society and political opposition.

The problem of shrinking space for civil society has been a prominent issue in Eastern Europe and the South Caucasus. Even in the democratically oriented EaP partner countries civil society actors cannot fully enjoy their rights and freedoms. Discrimination against religious minorities is still widespread in Georgia, and in Moldova LGBTI people and the NGOs that work

with them are subject to harassment.[1] In Moldova, major media outlets are owned by a few politicians and businessmen and the government has been making attempts to deny journalists access to information and public hearings in courts.[2] In Belarus, telecommunication companies are obliged to install the SORM system on their hardware that provides the state authorities with the access to all private communication of Belarusian citizens.[3] In Azerbaijan, the environment for non-governmental organizations (NGOs) has dramatically worsened. The restrictive measures on foreign funding and increased administrative responsibilities introduced in the country have given another pretext for the government to impose heavy fines on NGOs, seize their bank accounts or even completely shut them down.[4] The Azerbaijani government has also become more sophisticated in its methods and used digital tools to arrange cyberattacks and surveillance of civic activists ultimately putting them in jail or making them leave the country. The stories of human rights defenders Leyla Yunus and Rasul Jafarov are the case in point.[5] While cyber security for NGOs is relevant in such contexts for political reasons, more generally, even the use of digital solutions for optimization of NGO work remains a challenge for the region and the notion of digital divide is still a very pertinent issue. The survey of NGOs conducted in late 2016 in Ukraine demonstrates that more than half of organizations lacks the knowledge of available ICT solutions relevant for their work, while almost 80% of them state the problem of cyber security.[6]

Working mainly with governments, the EU invested much less time and resources in civil society. NGOs in the EaP partner countries have been allocated only 5% of the total European Neighborhood Instrument funds for the period 2014-2020.[7] However, their contribution to the promotion of democratic principles has been crucial. For example, in Moldova, largely thanks to civic activism of Moldovan and Romanian NGOs, a controversial legislative proposal on 'capital liberalization' and 'fiscal amnesty' (that is meant to enable legalization of unlawfully acquired

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[1] See for example: OC Media, Ombudsman: Religious Rights are Still Unresolved in Georgia. 4 April 2017. Available at: http://oc-media.org/ombudsman-religious-conflicts-still-unresolved-in-georgia/ [accessed 8 June 2017] and Genderdoc-M, Report on the Situation with Observance of Rights of LGBT People in the Republic of Moldova in 2014, available at: http://tgeu.org/wp-content/uploads/2013/11/report-GENDERDOC-M-2014_english.pdf [accessed 8 June 2017].

[2] Freedom House, *Freedom of the Press 2016 - Moldova*, 21 July 2016, available at: http://www.refworld.org/docid/57a1a2296.html [accessed 7 June 2017] and Bloknot-Moldova, *Supreme Court of Moldova made access to public hearings more complicated* (author's translation, original title: *ВСМ усложнил доступ СМИ на открытые заседания суда*), 24 October 2016, available at: http://bloknot-moldova.md/news/vsm-uslozhnil-dostup-smi-na-otkrytye-zasedaniya-su-790127 [accessed 8 June 2017].

[3] Amnesty International, Belarus*: "It's Enough for People to Feel It Exists": Civil Society, Secrecy and Surveillance in Belarus*, 7 July 2016, available at: https://www.amnesty.org/en/documents/eur49/4306/2016/en/ [accessed 7 June 2017].

[4] IRFS, *Shrinking Space for Civil Society in Azerbaijan,* 28 June 2016, available at: https://www.irfs.org/wp-content/uploads/2016/07/Shrinking-Space-for-Civil-Society-in-Azerbaijan.pdf [accessed 7 June 2017].

[5] Amnesty International*, Azerbaijan: Activists targeted by 'government-sponsored' cyber attack,* 10 March 2017, available at: https://www.amnesty.org/en/latest/news/2017/03/azerbaijan-activists-targeted-by-government-sponsored-cyber-attack/ [accessed 7 June 2017].

[6] GURT Resource Center, *Ukraine: NGOs and ICT Needs*, Techsoup Europe 28 February 2017, available at http://www.techsoupeurope.org/ukraine-ngos-ict-needs/ [accessed 7 June2017].

[7] Ozoliņa, Z. & Schwarzer, D. & Bouchet, N. & Diamond, J. & Knodt O. & Sraders, S., 2015 'European Eastern Partnership: Recommendations for a Redefined approach' *German Marshall Fund* http://www.gmfus.org/publications/european-eastern-partnership-recommendations-refined-approach [accessed 7 June 2017].

property and assets) was withdrawn.[8] Even in Belarus, a highly authoritarian country with major restrictions on freedom of speech, the so-called parasite tax previously imposed on the unemployed citizens was suspended when people across the country went out on the streets protesting against it.[9] Finally, the role of civil society organizations (CSOs) in the Euromaidan protest in Ukraine and its aftermath cannot be underestimated and civil society's crucial role in the reform process of the country since then has been widely acknowledged.[10] While digital tools are used at a lower scale by CSOs in Eastern Europe than by their counterparts in the EU, nevertheless a number of impressive projects have already been developed online. Visualizing government expenditures or electoral data in an understandable way for a non-expert audience in Belarus, Georgia, or Ukraine is a big step towards more open and accountable politics that needs to be further supported.[11]

Recognizing CSOs' innovation potential and the need for cooperation between civil society and the government in order to enhance the modernization process in the partner countries, the European Commission identified engagement with 'a wider range of civil society organizations' as a cross-cutting deliverable in the EU's work in the EaP region. The same document also identifies harmonization of digital markets as one of twenty key priority areas for the EU activities in the Eastern Neighborhood.[12] While concentrating on the creation of 'pan-European e-Government and e-Business services', this focus area conveniently omits the non-profit sector. This deficiency needs to be remedied, as digitally equipped NGOs can play an equally important role in providing public services, boosting economy and creating new jobs.

During its presidency in the Council of the EU, Estonia will have an enhanced standing to bring to the fore the question of civil society digitalization in the EaP. It is especially good timing to do so now, in the run up to the biannual Eastern Partnership Summit, where new policy priorities can be discussed with the EaP partners. Including civil society in the digitalization process would potentially provide an area for people-public-private partnerships that in their turn could facilitate more understanding between the three sectors of the society that oftentimes lack meaningful interaction in the EaP partner countries. In addition, enhancing cybersecurity of CSOs would strengthen significantly their resilience and could improve the situation with shrinking space for civil society in Eastern Europe.

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[8] Cristi Vlas, *"Capital liberalization" and "fiscal amnesty" draft laws withdrawn from the Parliament of Moldova,* Moldova.org, 28 February 2017, available at*:* http://www.moldova.org/en/capital-liberalization-fiscal-amnesty-draft-laws-withdrawn-parliament-moldova/ [accessed 7 June 2017].

[9] BBC News, *Belarus Suspends 'social parasite' tax,* 9 March 2017, available at: http://www.bbc.com/news/world-europe-39221147 [accessed 7 June 2017].

[10] Freedom House, *Country Report: Ukraine – Nations in Transit*, 2016, available at: https://freedomhouse.org/report/nations-transit/2016/ukraine [accessed 7 June 2017].

[11] On state budget expenditures see for example http://www.koshturada.by, http://www.priceofthestate.ge, http://costua.com; on electoral data visualization see http://cifragroup.org [all accessed 7 June 2017].

[12] European Commission, Staff Working Document, Eastern Partnership – Focusing on Key Priorities and Deliverables, 15 December 2016, available at: https://eeas.europa.eu/sites/eeas/files/swd_2016_467_f1_joint_staff_working_paper_en_v3_p1_8733051.pdf [accessed 7 June 2017].