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Team Europe Democracy (TED) Initiative

United for Democracy

Sustainable Democracy and Rule of Law Reforms in Eastern Partnership Countries:
A Case for Engaging Citizens in Every Step

Policy memo

December 2024

Why this policy memo?

As political tensions rise across Eastern Europe, the European Union (EU) faces increasing obstacles to strengthen ties with Eastern Partnership (EaP) countries. Particularly for Ukraine, Moldova and Georgia, the journey toward potential EU membership includes crucial democratic reforms and improvements to the rule of law that are yet to be made. Recent elections in these countries show the deep political divides and geopolitical tensions that present significant challenges as they hinder progress, erode trust in, and undermine public support for, necessary reforms.

The EU and its member states are already undertaking a number of innovative projects to address this issue, such as support for the inclusion of civil society in the oversight of parliamentary processes and election management[i]. However, in EaP countries where political polarisation is strongly undermining progress, experts concur[1] that broad and early citizen engagement is needed in democracy and rule of law reform processes. Through inclusive dialogue and the development of collective narratives, support for and local ownership of government policy regarding democratization can be improved[ii].

This policy memo calls for the application of an inclusionary lens to democracy and rule reform in EaP countries. As this can advance the development of a practical and effective approach, taking democracy and rule of law reforms beyond the formal and technical, towards the truly sustainable.

Key takeaways

→	The path towards potential EU membership for Ukraine, Moldova and Georgia coincides with strong local and geopolitical political turmoil and polarization.
→	EU requirements for democracy and rule of law reforms can play a role in addressing the root causes of these challenges. However, these reforms will not suffice if they remain merely technocratic (e.g. laws, committees, capacities).
→	A broad engagement of citizens is needed. This will contribute to local ownership and collective vision, both of which are key to the long-term success and sustainability of democracy and rule of law reforms.
→	The EU should facilitate dialogue between government and citizens, beyond the usual suspects and supporters, so that other voices, including those of critics, are incorporated into the reform process from the very beginning.
→	This also involves the removal of barriers for local CSOs to co-create reforms and to collaborate with the EU, as well the continued support for independent and pluralistic media.

What's happening in EaP countries?

Increasing political tensions between Western states and other rising powers, specifically Russia, have led to a renewed sense of urgency for the EU to draw EaP countries politically and economically closer. Specifically, for Ukraine, Moldova, and Georgia, this dynamic has shifted their trajectory from mere neighbourhood partners to potential members. This transition has propelled both the EU and these countries into unchartered territory. A core element and precondition of successful accession is political alignment through sustainable improvements to democracy and rule of law[2]. This includes improving the independence and procedural quality of the judicial system, developing transparent and democratic political institutions, and ensuring a respect for human rights.

These reforms present a significant challenge to the accession process. This is not only due to the technical difficulties they present in terms of institutional reform, capacity gaps and new laws. It is also due to the striking discord in EaP countries regarding support for such reforms as part of the European integration process. In Georgia for instance, despite strong support from a large portion of society for

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[1] For more information on participating experts see background section.
[2] See the Copenhagen Criteria requiring political alignment through strengthening democracy and rule of law.

European integration[iii], the government prefers to develop relationships with both the EU and Russia, while balancing regional power interests, choosing more often than not to resist significant reforms impacting their hold on power. In Moldova, a societal divide between pro-European and pro-Russian groups has led to a government that has chosen to make full use of the current momentum to pursue an EU integration agenda[iv] but in so doing is alienating the part of society that does not directly support integration[3].

Civil unrest

There has been recent political unrest regarding European integration in both countries, highlighting the tense and divisive political climate.

In Georgia, a reported 50,000 people protested against the so called 'foreign agents' law, legislation modelled on the Russian example and designed to curb civil society activities in the field of democracy and rule of law.

In Moldova, nearly 10 thousand protesters called for the resignation of the pro-European government and President Maia Sandu. Supporters of the Russian backed Shor party, led by exiled oligarch Ilan Shor, and several other smaller parties, organised the protests after recent price increases, and their claim that the Moldovan government was trying to drag the country into a war with Russia[1].

Both these types of political polarisation[4] illustrate an increasingly exclusionary approach to politics that can quickly drown out moderate and conciliatory voices and erode the diversity of perspectives in favour of extremes. Over time, this can decrease public trust in government and undermine support for sustainable and inclusive democratic renewal[v]. Therefore, taking the broader societal support for, and ownership of, such reforms into account by international actors is essential for sustainable democracy and rule of law reform[vi].

By fostering greater participation by a plurality of citizens, a broad range of views will be heard in the policy making process. This will not only improve the quality of those policies but also increase broad support for them[vii]. The rest of this memo sets out initial thoughts and recommendations regarding how inclusive dialogue and a collective narrative can be achieved.

What approach is needed?

The European Union supports democracy and the rule of law in its neighbourhood, which includes potential new members, with the expectation that this will contribute to reliable and stable neighbours and potential members. To effectively provide this support, the government of a recipient country must also agree. But this support might be accepted for different reasons, and the EU should adjust the focus of its inclusionary approach accordingly.

Reason 1: there is broad political and societal support for democracy and rule of law reforms.

The role of the EU, besides the provision of technical support to improve procedures and institutions, must be to encourage a civic culture of political engagement, **inspiring** the participation of a wide range of citizens voices in the change processes.

Reason 2: government is committed to pursuing a range of reforms aimed at European integration.

Besides technical support, here the role of the EU must be to facilitate civic engagement aimed at increasing citizens involvement in reform ambitions. **Ensuring** the participation of a wide range of citizens voices, especially those opposed to further integration.

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[3] Opinion polls show just over 50 percent of Moldovans support further integration.

[4] Affective polarisation and pernicious polarisation respectively.

Reason 3: reforms are a requirement to enjoy economic and security benefits provided by the EU.

When there is no governmental ownership of democracy and rule of law related reforms but a societal wish to pursue them, the role of the EU must be to support civil society in creating spaces for engagement with citizens and **preparing** for a potential shift in government policy.

How to move forward?

By integrating an inclusionary lens into technical support frameworks, citizen participation can be placed front and centre to sustainable change. Rather than proposing a comprehensive set of concrete actions, this memo aims to outline five initial suggestions for operationalizing an inclusionary approach. Which combinations can be made and where the emphasis lies, will depend on the specific context. This is intended to feed into further discussion and research regarding the design and implementation of support mechanisms for citizen engagement in democracy and rule of law reforms within EaP countries.

i.   Work towards a joint vision

Given the conflicting geopolitical interests pulling EaP countries in different directions, the EU can no longer simply presume that these states have a comprehensive interest in strengthening ties with Europe and the West, or a genuine commitment to democratization. A shared understanding can serve as a catalyst for sustainable reform and a more resilient society, and a joint vision could provide this as it requires a consensus between broad sections of society and government on their future development of democracy and rule of law in their country. Support from the European Union and its member states for shared vision building (including continued efforts to enhance communication, incorporate civil society voices into governmental policy making, and fight disinformation) should give special attention to constructive engagement between political elites and groups in society with alternative or otherwise unheard views.

ii.   Create inclusive spaces for dialogue

To develop shared narrative, various societal groups must interact, make connections and exchange their perspectives and needs. The government plays a central role in this process by acting inclusively, acknowledging differences and proactively fostering engagement. The European Union and its member states can support the creation of spaces for dialogue, first, by creating public spaces where diverse voices are welcomed (including network and dialogue platforms, such as political cafés and town halls), second, by establishing an environment that encourages participation. Crucially, to make these spaces genuinely inclusive, supporting partners will need to make a concerted effort to include 'unusual suspects' - groups and smaller organisations typically overlooked - as well as 'non-believers', those who may not necessarily support EU integration. This inclusivity can be achieved by expanding networks and investing in locally owned and innovative instruments and platforms.

iii.   Make it easier for local partners to contribute

To ensure that a wide range of civil society voices are clearly heard, a broad range of civil society organisations (CSO's) should be structurally engaged in democracy and rule of law reforms. The European Union and its member states should therefore facilitate their engagement by supporting the development of advocacy skills for involvement in political processes and negotiations, and capacity for collective action. At the same time the EU and its member states could simplify their funding procedures to make them more accessible to a broader range of civil society actors.

To underscore the importance of civic engagement, they should also proactively engage with governments to counteract the shrinking civic spaces too. This ensures a consistent and complementary role for CSO's and enriches the quality of reforms by safeguarding the inclusion of broader societal interests. This could also enhance relations with government and strengthen civil society as a whole.

iv. Support media pluralism

The fight against disinformation in ongoing, with Russia actively pursuing a policy of destabilisation and seeking to sway public opinion against European values and integration. Beyond countering this specific threat, the EU and its member states can do more to support long-term media pluralism, particularly in relation to democracy and rule of law reforms by ensuring a broad range of perspectives are shared via news media to strengthen understanding and interactions. While the EU and member states can collaborate with government to safeguard media rights and freedoms, it can also support media organisations to promote the inclusion of a plurality of voices in their programming. This effort should include enhancing their capacity to build sustainable organisations capable of delivering balanced and independent information to an array of audiences.

v. Coordinate, communicate, learn!

While many domestic and international organisations and agencies work to support democracy and rule of law in EaP countries, there remains a significant amount of work to be done. This highlights the need for strong coordination between regional programs, bilateral interventions at the country level, and individual INGOs. Enhanced coordination will amplify the effectiveness of these initiatives and their complementarity. In addition, the international community can seem opaque to local actors, who perceive a lack of transparency in decision making and sometimes mixed or contradictory messaging concerning. A continued effort needs to be made to explicitly communicate the challenges being tackled, the goals being pursued, and the outcomes of these efforts. Finally, effective action can be further supported by integrated learning and collaboration with each other (for instance within the Team Europe Democracy or Eastern Partnership Civil Society Forum frameworks) and academic institutions for research and development. This approach ensures that organisations build on established knowledge and innovations.

Guiding principles

The above indicates a need for an enhanced approach to citizen engagement within the EaP framework to ensure the sustainability of democracy and rule of law reforms. This improved approach needs be guided by the following three principles to be successful:

- Citizen engagement is central

In societies characterised by a polarized political landscape, successful political reform will need a narrative that resonates both with the government and the wider society. This **shared narrative** must accurately reflect the diverse opinions and desires of various societal segments. Developing such a narrative necessitates broad citizen engagement and **inclusive dialogue**, including the integration – or at least better understanding - of less heard or divergent voices into constructive political discussions. This way citizens can reclaim the debate on how they see the future of their societies, thereby strengthening their roles and the social contract.

- The EU as reliable a partner

In the current geopolitical environment, it is increasingly important for the EU and its member states to maintain their role as credible development partners. In the past, the EU has faced criticism for making trade-offs between democracy and other geopolitical interests which has diminished public support for integration in recipient countries[1]. It is therefore essential that the EU and its member states persist with **continuity** and **integrity**. Being *clear* about expectations while taking a *firm* and *consistent* stance against anti-democratic behaviour, will further enhance their credibility.

- Knowledge development is ongoing

EU integration, as envisioned by EaP policies in recent years, has ventured into uncharted territory for all those involved. It is critical for development partners to grasp the political nuances in the EaP countries, and ensure that solutions are *context-specific, conflict-sensitive,* and *evidence-based*. This calls for the development and implementation of an ongoing research agenda.

This memo aims to draw attention to the importance of citizen engagement in democracy and rule of law reforms in EaP countries and provides initial insights into how to move forward. While also recognising that this approach can only be successful as part of a broader strategy addressing poverty and security threats persistently affecting many EaP citizens, this memo calls on the EU and its partners to increase local ownership of democracy reforms through a more inclusive, citizen-centred approach. Through the fostering of dialogue and the engagement of diverse voices, a shared narrative can be created that will contribute to broad and long-term support for democracy and rule of law reforms.

This memo was produced through a collaboration between Team Europe Democracy (TED) and the Knowledge platform Security Rule of Law (KPSRL). This collaboration aims to stimulate discussion regarding the topic of this memo among policy makers within the European Union, its members states and civil society actors across Europe. This collaboration builds on a KPSRL learning trajectory addressing polarisation in the Eastern European Neighbourhood. A project that utilised the cases of Georgia and Moldova, and included three online expert sessions, with domestic and international civil society and academia, as well as representatives of the European Union and European Union member states. For session reports please see the KPSRL project page.

Amy Eaglestone (author) is currently a doctoral researcher at the University of Birmingham and lecturer at Leiden University. Before pursuing an academic career, she worked for many years in the field of democracy development. She is specialized in (de)democratization, political participation, and dialogue processes, particularly in the Eastern European Neighbourhood.

The Team Europe Democracy (TED) initiative is a global thematic Team Europe Initiative (TEI), launched in December 2021 to promote democracy and human rights worldwide. The TED Secretariat is composed by staff members of GIZ and Enabel, in close cooperation with the TED Coordinator of DG INTPA.

The Knowledge Platform Security & Rule of Law (the Platform) aims to jointly explore innovative approaches to emerging challenges in the field of security and rule of law in fragile and conflict affected contexts. The Platform was established by the Dutch Ministry of Foreign Affairs in 2012.

[i] See contributions by EU officials to the webinar 'Supporting Civic Engagement on Democratic Reform and Rule of Law in the EU's Eastern Partnership Countries' on July 11 2024

[ii] OECD discussion paper: Exploring New Frontiers of Citizen Participation in the Policy Cycle. From the 2024 OECD Global Forum on Building Trust and Reinforcing Democracy, Milan, Italy, 21-22 October 2024.

[iii] Library of NDI Georgia Public Opinion Research 2023

[iv] Government of the Republic of Moldova, Bureau of European Integration

[v] Milačić, F. (2021) The Negative Impact of Polarization on Democracy. Friedrich Ebert Stiftung: Vienna.

[vi] Panchulidze, E. & R. Youngs (2024) Beyond the Copenhagen Criteria: Rethinking the Political Conditions of EU Accession, Carnegie Europe: Brussels.

[vii] Gegeshidze, A. & T. de Waal (2021) Divided Georgia: A Hostage to Polarization. Carnegie Europe: Brussels.