

AMERICAN UNIVERSITY OF ARMENIA

EU's Human Rights Policy towards Armenia and Georgia

Comparative Study

By

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LIST OF ABBREVIATIONS

AA-Association Agreement

AP- Action Plan

CFSP- Common Foreign and Security Policy

CIS- Commonwealth of Independent States

CoE- Council of Europe

DCFTA- Deep and Comprehensive Trade Agreements

EaP- Eastern Partnership

EED- European Endowment for Democracy

EIDHR- European Instrument for Democracy and Human Rights

ENP- European Neighbourhood Policy

ENPI- European Neighbourhood Policy Instrument

EP- European Parliament

EU- European Union

HRD- Human Rights Defender

NGO- Non-Governmental Organization

NSA & LA- Non-state Actors and Local Authorities

OSCE- Organization for Security and Cooperation in Europe

PCA- Partnership and Cooperation Agreement

TACIS- Technical Aid to the Commonwealth of Independent States

UN- United Nations

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INTRODUCTION

The countries of the Post-Soviet area have started the transition process in 1980s though the full consolidation of basic political and economic institutions has not still been accomplished. The international environment, specifically the great powers like the United States, Russia, etc. have influenced the transition of Armenia and Georgia, among which the European Union. The given study is aimed to compare the EU's human rights promotion policy in the two post-soviet countries under the framework of the European Neighbourhood Policy. Thus, the motivation of this research is influenced by the European policies towards Armenia and Georgia that have been called to promote human rights protection. The research examines what is the European contribution to the democracy building in the Armenia and Georgia putting the main emphasis on human rights protection.

PROBLEM STATEMENT

After the collapse of the Soviet Union, Armenia and Georgia made a significant shift to democratic regimes by transformation of their social, economic and political institutions. However, after more than two decades the countries still face difficulties in terms of consolidation of democracy and human rights protection because of various factors, including corruption and oligarchic structures. Armenia and Georgia face non-compliance with international standards of human rights protection; moreover, democratic indices show that the countries have not achieved consolidated democratization despite the engagement of global actors. On the other hand, the European Union has been investing technical and financial resources in the two countries. The problem that the study raises is identification to what extent the countries have been responsive towards the EU's policy and whether the EU's objectives are implemented. It is also important to understand what has been the impact of the EU's policy in the two countries and explain it.

To conclude, it is questionable to what extent the EU's support is implemented by Armenia and Georgia. There are certain sets of laws called to protect basic human rights and fundamental freedoms in each of the above-mentioned countries, but it is important to assess how they are enforced and what is the role of the Union in specific sectors of human rights protection. Though, democracy lies also on important principles of fair elections, strong civil society and free media, the research is not focusing on those aspects; instead the analysis is mainly drawn on the policy of the EU in the dimension of human rights, namely, women's rights, children's rights, minority rights, journalists' rights, freedom of expression and freedom of assembly, etc.

IMPORTANCE AND PURPOSE OF THE RESEARCH

Though there is a vast majority of policy research done in the sphere of democracy promotion in the scholarly literature, the academic importance of the given study can be illustrated by a more detailed and comparative analysis of the two countries: Armenia and Georgia. The evaluation of the EU's human rights policy towards the two countries in a comparative framework will represent a contribution to the existing knowledge on the European Neighbourhood Policy, since there are no studies focusing on the aspect. Besides, the research is largely based on primary sources, namely, official documentation and interviews, whereas much policy research on EU's policies in the region is often drawn on the analysis of secondary literature.

The main objectives of the research are 1) To gain insights into the Union's objectives in the sphere of human rights in Armenia and Georgia; 2) To understand the purpose of the policies from institutional and member states dimensions; 3) To identify to what extent the objectives have been implemented; 4) To compare the impact of the EU's human rights policy; 5) To develop policy recommendations on the basis of the evaluation. Thus, the purpose of the research is to assess the EU's human rights policy and measure the Union's role in the sphere of human rights in Armenia

and Georgia. The research, in fact, has an evaluative character, which can also be regarded as a novelty in the sphere of European Studies specifically in the dimension of the Union's Eastern Neighbourhood. Besides, the purpose of the paper is also to draw a comparison between Armenia and Georgia, which will give an opportunity to measure the impact of the EU's policy in a comparative framework

STRUCTURE

The research consists of an introduction, research methodology, literature review, 3 chapters and conclusion. The first chapter discusses the "how" dimension of the EU's human rights policy in Armenia and Georgia, introducing the main instruments and channels of cooperation. The implementation of the Eastern Partnership initiative, the European Neighbourhood Policy Instrument, European Endowment for Democracy, European Instrument for Democracy and Human Rights, Non-State Actors and Local Authorities budget lines as well as EU funded projects in the sphere of human rights in Armenia and Georgia are analysed in the chapter. The second chapter tackles the "why" dimension of the research, aiming to explain the Union's interests in human rights promotion in Armenia and Georgia, as well as analysing the institutional divergences in the process. The Member States and European initiatives targeting human rights promotion in Armenia and Georgia finalize the chapter. The third chapter mainly draws on the impact of the EU's human rights policy in Armenia and Georgia from a comparative perspective. The research is concluded by the presentation of the lessons learnt from the EU-Armenia/Georgia cooperation in the sphere of human rights, as well as recommendations for future research. The thesis is finalized by a conclusion, list of relevant studies that have been used in research, as well as annexes, consisting of interview questionnaire, discourse analysis tables and graphs.

RESEARCH QUESTIONS AND HYPOTHESES

As the research is an attempt to make a comparative analysis of Armenia and Georgia in terms of EU's human rights promotion policy, the research questions will be an attempt to identify the peculiarities of the human rights dimension of the ENP. Given the absence of substantial knowledge in the academic literature on EU's human rights policy towards Armenia and Georgia, the research questions of the study are:

RQ1: How does the European Union promote human rights policy in Armenia and Georgia?

RQ2: Why does the EU promote human rights in Armenia and Georgia?

RQ3: What is the impact of the EU's human rights policy in Armenia and Georgia?

Hypothesis 1: The EU's human rights policy is based on the Union's normative identity

Hypothesis 2: Georgia's political will has been more responsive towards the EU's human rights policy than Armenia's.

LITERATURE REVIEW

The issue of democracy and human rights promotion is well-grounded in the academic literature. The given literature review is an attempt to reveal the literature on the topic and provide the definitions of the problems that the thesis raises. The discussion of the scholarly literature is primarily drawn on the studies in the area of European studies that refer to the Neighbourhood Policy.

The concepts of democracy and democracy promotion have various definitions in the scholarly literature. Different authors have studied the field from various perspectives, putting

special emphasis on free and fair elections, political and civil liberties and accountability. Democracy promotion is also often analysed from the perspective of human rights and fundamental freedoms. Particularly, different authors, namely Mesquita, Diamond and Evans correlate democracy promotion and protection of human rights and insist on the positive relationship between those. In particular, Evans has implemented a research in this area questioning the link between democracy and human rights promotion and has shown the strong relationship of those by observation analysis. Similarly, Mesquita, Downs and others have implemented a quantitative study, though there is no specific reference to the EU's democracy and human rights promotion policy in Armenia and Georgia.^{1 2 3} In this context it should be noted that democratization represents the internal establishment for sufficient conditions that are necessary for a democratic political regime or “as a common background conditions against which a variety of different configurations of forces have generated similarly democratic outcomes”.⁴ Though "open contestation over the right to win the control of the government" is essential,⁵ a favourable international environment and the absence of violence are important prerequisites for the establishment of a democratic state within the transition process.⁶ However, Huntington insists that the process of democratization is much more complex before and after the elections; according to the author free, open and fair elections are the essence of democracy but they do not necessarily promote the election of non-corrupt and responsible politicians.⁷ Democracy is viewed as a “universal aspiration” in terms of *democracy*

¹ Mesquita, Bruce; George Downs, Ollastar Smith; Feryl Merie Cherif. "Thinking inside the Box: A Closer Look at Democracy and Human Rights». *International Studies Quarterly*, 2005:439-457

² Diamond, Larry Jay. "Thinking about Hybrid Regimes." *Journal of Democracy* 12, no. 2 (2002):21-35

³ Evans, Tony. "If Democracy, then Human Rights?" *Third World Quarterly* 22, no. 4(2001): 623-642

⁴ Edwards, Alistair. "Democratization and Qualified Explanation." In *Democracy and Democratization*, by Michael Moran Geraint Parry, 88-105. London: Routledge, 1994: 89-105

⁵ Linz, Juan J., Alfred Stepan. *Problems of Democratic Consolidation in: Southern Europe, South America and Post-Communist Europe*. London. John Hopkins University Press, 1996:3.

⁶ Parrot, Bruce. Perspectives on Post-communist Democratization in *Democratization and Authoritarianism in Post-communist Societies* edited by Dawisha Karen and Bruce Parrot. Cambridge. Cambridge University Press. 1997.

⁷ Huntington, Samuel P. *The Third Wave: Democratization in the Late Twentieth Century*. New Heaven: Oklahoma University Press, 1993.

promotion, since through the time different states and other international actors have sought to promote democratic values and principles in their external policies.⁸

The vast majority of the authors in the sphere of European studies refer to the instruments of the EU's democracy and human rights promotion that the Union uses to achieve its objectives in the sphere. In particular, different authors have referred to financial and technical assistance instruments and the majority of them have referred the Neighbourhood Policy as an example.^{9 10 11 12 13} Based on the EU's current and previous experience the studies mostly discuss in what ways the Union has promoted its norms and values, also, the "normative" character of the Union from this perspective. Besides, they analyse the models of the Union's democratic policy, namely, "linkage" and "leverage" "governance".^{14 15} In this regard, governance may be defined as "state-like activities going beyond the boundaries of the state... a script for sustainable communication, co-ordination, cooperation and legitimacy of their activities and outputs... used to describe multi-level and multi-actor constellations" and the external governance of the EU is drawn upon the political system of the Union.¹⁶ Moreover, regarding specifically the EU governance, Gaenzle notes that it "eases interaction, manages expectations with regards to the scope and scale of a relationship and

⁸ Robinson, William. "Globalization, the World System and Democracy Promotion in the US Foreign Policy". *Theory and Society* 25, no. 5 (1996): 615-665: 623.

⁹ Lavenex, Sandra; Frank Schimmelfennig. "EU Democracy Promotion in the Neighbourhood: From Leverage to Governance?" *Democratization* 18, no. 4 (2011): 885-909

¹⁰ Youngs, Richard. "European Approaches to Democracy Assistance: Learning the Right Lessons?" *Third World Quarterly*, 2003: 127-138.

¹¹ Pop, Irina. "The Assessment of the European Neighbourhood Policy in the South Caucasus. What Europe can do?" *Journal of the Institute for Euroregional Studies* 7 (2009): 22-35.

¹² Simao, Licina. "EU-South Caucasus Relations: Do Good Governance and Security Go Together." *Political Perspectives* 5, no. 2 (2011): 33-57.

¹³ Olsen, Gorm Rye. "Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism." *Democratization*, 2000: 143-167.

¹⁴ Freyburg, Tina. "National Identity Matters: The Limited Impact of EU Political Conditionality in the Western Balkans." NCCR Working Paper 19 (2008): 1-19:3

¹⁵ Lavenex, Sandra and Frank Schimmelfennig. "EU Democracy Promotion in the Neighbourhood: From Leverage to Governance?" *Democratization* 18, no. 4 (2011): 885-909: 885

¹⁶ Gaenzle, Stefan. "Externalizing EU Governance and the European Neighbourhood Policy: Towards a Framework for Analysis." *Canadian Political Science Association*. Vancouver: UBC, 2008:5

maximizes EU influence on policy-making processes in the third countries concerned".¹⁷ Several authors, namely, Freyburg, Schimmelfennig, Lavenex and others discuss the "governance" model, claiming that it suits more the European Neighbourhood Policy.^{18 19} Along with this, more policy research should be done in order to analyse the models of EU's policies per neighbour country in various dimensions.

Various studies discuss the Southern Caucasus under the framework of the European Neighbourhood Policy. They mainly refer to the advantages and disadvantages that the policy entails for the Union analysing the EU's policy in Armenia, Georgia and Azerbaijan. Some of the authors define the countries as a "challenge" of the ENP and analyse the possible impact of the Union's policy in the region.^{20 21} In this regard, several studies refer to the rationale of regionalizing the South Caucasian states. Also the authors question the possibility of the cooperation of among Armenia, Georgia and Azerbaijan that can be reached by the Neighbourhood Policy. Particularly, Stritecky looks at the interdependence between Armenia, Georgia and Azerbaijan and perspective of cooperation under the frame of the platforms that the EU may provide also in the sphere of democracy promotion.²²

The authors, who aim at defining the Neighbourhood Policy and discussing its various domains, often analyse its democratic components as well.^{23 24} In this regard, all the arguments are

¹⁷ Ibid. p.5

¹⁸ Freyburg Tina, Lavenex Sandra, Schimmelfennig Frank, Skripka Tatiana, Anne Wetzel. "EU Promotion of Democratic Governance in the Neighbourhood." *Journal of European Public Policy* 16, no. 6 (2009): 916-934.

¹⁹ Smith, Nicholas Ross. "The EU's Two-Track Promotion of Democracy in its Eastern Neighborhood: Examining the Case of Armenia." *Asia-Pacific Journal of EU Studies* 10, no. 1 (2012): 19-43.

²⁰ Bosse, Giselle. Values in the EU's Neighbourhood Policy: Political Rhetoric or Reflection of a Coherent Policy? *European Political Economy Review* 7:2 (2007): 43

²¹ Simao, Licia, Maria Raquel Freire. "The EU's Neighbourhood Policy and the South Caucasus: Unfolding New Patterns of Cooperation." *Caucasian Review of International Affairs*, 2008: 225-239.

²² Stritecky, Vit. "The South Caucasus: A Challenge for the ENP." *The European Union and its Neighbourhood: Policies, Problems and Priorities*, 2006: 59-76.

²³ Delcour, Laura; Elsa Tulmets. "Is the EU an International Actor in the Making? The Neighbourhood Policy as a Capability Test." *European Political Economy Review* 7 (2007): 3-8.

mostly based on the discussion of secondary sources and an in-depth analysis along with appropriate field work is absent from most of the studies. Several authors, however, have carried out an empirical analysis, in order to understand the democratization processes in the South Caucasian states focusing on the EU's democracy promotion policy.^{25 26} At the same time, there is no reference to specific domains of democracy promotion (elections, human rights, civil society, etc.) in most of the studies and they very often have a general character.

Several authors, who analyse the impact of the European Neighbourhood Policy on the partner countries, often make a correlation with the absence of membership perspective. Based on the previous cooperation between the Union and its partners, they put forward the idea that the incentives are not attractive for the Eastern and Southern neighbourhood of Europe. Besides, the studies analyse the issue of political conditionality under the prism of the EU's policy towards its neighbourhood indicating that conditionality cannot bring success unless the prospect of membership is provided.^{27 28} Interestingly, Devetak,²⁹ Biscop³⁰ and Missiroli³¹ discuss the EU's democracy promotion opposed to security and economic interests of the Union and bring forward an argument regarding the "double standards". In this regard, other authors evaluate the Union's policy in specific circumstances, for instance the interests of the EU in democracy promotion or economic

²⁴ Kelley, Judith. "New Wine in Old Wineskins: Promoting Political Reforms through the European Neighborhood Policy." *Journal of Common Market Studies* 44, no. 1 (2006): 29-55.

²⁵ Carothers, Thomas. "The End of the Transition Paradigm." *Journal of Democracy* 13 (2002): 5-21.

²⁶ Borzel, Tanja, Yasemin Pamuk, Andreas Stahn. *The European Union and the Promotion of Good Governance in its Near Abroad: One Size Fits All?* Working Document No18, Berlin: SFB-Governance Working Paper Series, 2008.

²⁷ Sasse, Gwendolyn. "The European Neighbourhood Policy: Conditionality Revisited for the EU's Eastern Neighbours." *Europe-Asia Studies* 60, no. 2 (2008): 295-326.

²⁸ Verdun, Amy; Gabriela Chira. "The Eastern Partnership: The Burial Ground of Enlargement Hopes?" *Comparative European Politics* 9, no. 4/5 (2011): 448-466.

²⁹ Devetak, Silvio. *EU Eastern Partnership: Policy Mixture of Common Interests and Good Wishes*. Bridge, 2008.

³⁰ Biscop, Sven. *The ENP, Security and Democracy in the Context of European Security Strategy*. Global Europe Papers, 2008.

³¹ Missiroli, Antonio; Rosa Balfour *Reassessing the Neighborhood Policy*. Issue Paper No 54, Rome: Enlargement and Neighborhood Europe, 2007.

policies and analyse the possibility of the limitations of those because of security interests of the EU.

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Fawn³⁴ and Delcour³⁵ have implemented a qualitative and qualitative analysis on human rights protection in the post-soviet area. Though highlighting the influence of the previous USSR institutions, the authors also discuss certain benefits that the ENP has brought in the sphere of human rights, particularly, awareness raising, law enforcement, etc. From this perspective, the Neighbourhood Policy is analysed under the framework of Europeanization, which can be defined as “successful rule transfer to the candidate countries”. Other authors regard the ENP as an alternative to enlargement. However, the research implemented in the sphere has often neglected the roles of specific EU partner countries that have had certain impact on the Union's policies.

Certain arguments can be drawn on the above discussed scholarly literature. Though much policy research has been done in the sphere of the European Neighbourhood Policy, especially in the sphere of the Union’s democracy promotion, further analysis is needed to understand the impact in specific sectors. In particular, none of the discussed studies have concentrated on the human rights protection or civil society under the framework of the ENP. Normative arguments often prevail in different authors’ discussions and analyses. Thus, the importance of the given research can be highlighted in terms of its methodological approach and comparative framework of EU’s human rights policy towards Armenia and Georgia.

³² Kotzian, Peter; Michele Knodt, Sigita Urdze. "Instruments of EU's External Democracy Promotion." *Journal of Common Market Studies* 49, no. 5 (2011): 995-1018.

³³ Olsen, Gorm Rye. "Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism." *Democratization*, 2000: 143-167.

³⁴ Fawn, Rick. "Bashing about Rights? Russia and the New EU States on Human Rights and Democracy Promotion." *Europe-Asia Studies* 10 (2009): 1777-1803

³⁵ Declour, Laura. " *Shaping the Post-Soviet Space: EU Policies and Approaches to Region Building*": Oxion, Ashgate, 2011.

METHODOLOGY

The qualitative research method is applied in order to answer the research questions of the study. The analysis the ENP Action Plans towards Armenia and Georgia, National Indicative Programs and Progress Reports is carried out qualitatively. The discourse analysis is an attempt to assess the EU's involvement in Armenia and Georgia, define main priorities and the outcomes of the programs in the sphere of human rights. The research design is explanatory: the research is an attempt to explain the specificities of the EU's human rights promotion policies in Armenia and Georgia. Besides, the rationale of choosing the explanatory design lies behind the purpose of understanding and identifying the effectiveness of the EU's human rights policy.

Data Collection instruments: The European Parliament Resolutions, European Council and Council of the EU conclusions, along with the official statements, speeches and visits are analyzed on a scale from 1 to 5 (1- no reference to human rights; 2-general remarks on human rights (for instance: the cooperation is based on human rights, human rights comprise important domain of cooperation, etc.); 3- general remarks on human rights focusing per country: Armenia or Georgia; 4-somehow comprehensive reference to human rights, specifically referring to certain impact, problems or achievements in the region; 5-comprehensive reference to human rights issues). Fifteen semi-structured interviews are conducted in both countries. The questionnaire has been designed beforehand, though certain questions have been asked during the interviews to gain in-depth information on the topic. The field work in Tbilisi took place within the periods 27.03.2014-28.03.2014 and 09.04.2014-12.04.2014. The interviews in Yerevan have been conducted from 15th to 25th of March and from 1st to 7th of April. The interviews have helped to gain insights of the EU's human rights promotion policy from various dimensions: policy implementers, EU officials, human rights organizations. Later, the content analysis of the interviews has been implemented.

Sampling and Justification: The list of the interviewees consists of 1) Human Rights Focal Point and EU Liaison Officer on Human Rights at the EU delegation to Armenia and Human Rights Focal Point and EU Liaison Officer on Human Rights at the EU delegation to Georgia; 2) Deputy Head of the Human Rights Defender's institution of Yerevan and Head of Justice and European Integration Department of the Public Defender's office in Tbilisi; 3) Deputy Head of Open Society Foundation in Yerevan and Head of European Integration of the Open Society Foundation in Tbilisi; 4) Human rights/ legal experts of Armenian Young Lawyers Association NGO and Georgian Young Lawyers Association NGO; 5) Chair of the Parliamentary Committee on Human Rights of the National Assembly of the Republic of Armenia and Deputy Chair of the Parliamentary Committee on Human Rights and Internal Affairs of the Republic of Georgia; 6) Chair/human rights expert of Women Resource Center of Armenia and Chair of Women Democracy Network in Georgia; 7) Head of Civil Society Involvement NGO in Georgia and Head of Institute for Democracy and Human Rights NGO in Armenia; 8) Head of Mission of the Italian Embassy to Tbilisi.

In order to justify the chosen sample certain arguments must be brought up. Firstly, the EU human rights representatives in both countries have chosen to identify the peculiarities of the EU's human rights policy towards specifically Armenia and Georgia, as well as to understand further intentions and goals of the Union. On the other hand, the Parliamentary Chairs on human rights have provided details of the EU-Armenia/Georgia cooperation on the state level. Interviews with the HRD's Institutions, along with the leaders of human rights organizations and human rights experts from both countries have made it possible to measure objectively the impact of the EU's policies in the indicated countries, as well as to evaluate the credibility of the instruments of human rights promotion. The time frame for the discourse and content analysis comprised the period from 2006 to 2014, explained by the inclusion of Armenia and Georgia in the European Neighbourhood Policy.

The Progress Report analysis starts from 2007 since that was the year that first reports on Armenia and Georgia were issued. The same is the case for Amnesty International Reports.

CHAPTER 1

HOW DOES THE EU PROMOTE HUMAN RIGHTS IN ARMENIA AND GEORGIA?

The Background of Cooperation: Armenia and Georgia proclaimed independence during the early 1990s and the complex political transformation took place in the countries in terms of establishment of democratic political systems.³⁶ The EU recognized the independence of the states, though there was not much engagement in the South Caucasian “region”, in comparison with the European engagement in the democratization of Eastern and Central Europe.³⁷ By that time, the European Communities launched the Technical Assistance to the CIS (TACIS) program, which aimed to deliver economic support and humanitarian aid and foster institutional, administrative and legal reforms through technical assistance. The countries included in the program along with Armenia and Georgia were Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. TACIS was called to support the capacity building of the indicated countries, which was later transformed to a deeper cooperation by further agreements between the countries and the EU.

The bilateral cooperation between the European Union, on the one side, and Armenia and Georgia, on the other, were legally enforced through Partnership and Cooperation Agreements (PCA) as frameworks of political dialogue, signed in 1999 and 1996, respectively. The Agreements

³⁶ Karen Dawisha, Bruce Parrot. *Democratization and Authoritarianism in Post-Communist Societies*. New York: Cambridge University Press, 1997

³⁷ Cornell Svante, Frederik Starr. "The Caucasus: A Challenge for Europe." *Silk Road Paper*, June 2006: 1-35.

highlighted the importance of democracy, respect for human rights and rule of law as the base of deeper cooperation between the EU and the mentioned states. Along with this, the Agreements emphasized the prospective achievement of market economy and brought forward regulations of political dialogue. The 71st article of the PCA between the EU and Georgia and 68th article of the PCA between Armenia and the Union emphasize the cooperation in the sphere of democracy promotion and human rights protection with an identical language. The establishment of democratic institutions is called to strengthen the rule of law in the Republics of Armenia and Georgia according to the international principles. The cooperation in the sphere is implemented through technical assistance of certain programs in the areas of legislation, justice, elections, including strengthened contacts between the official authorities and civil societies. The TACIS program covering the period from 2000 to 2006 is based on the above mentioned PCAs and is aimed to foster democratization, ensure protection of human rights, and support economic and social development with financial and technical assistance comprising EUR 3,138 billion.³⁸

Armenia and Georgia became part of the European Neighbourhood Policy in 2004. The ENP can be defined as a “framework of cooperation” that includes the European Union, on the one side, and North African, Middle Eastern states along with Ukraine, Belarus, Moldova and Southern Caucasus on the other.³⁹ Besides being a “framework of cooperation” the Neighbourhood Policy may be regarded as a “democratization tool” with wide-ranging action plans⁴⁰ and comprises such features as “joint ownership”, “differentiation”, “partnership”, “shared values”, “conditionality”.⁴¹

³⁸ European Communities. Council Regulation No 99/2000: Tacis Programme (2000-2006), Brussels, 29 December, 1999.

³⁹ Kelley, Judith. “New Wine in Old Wineskins: Promoting Political Reforms through the ENP”. *Journal of Common Market Studies* 44, no. 1 (2006) :29-55: 30

⁴⁰ Barbe, Eshterl; Elisabeth Johansson-Nogues. "The EU as a modest 'force for good': The European Neighborhood Policy." *International Affairs*, 2008: 81-96: 88

⁴¹ Vasilyan, Syuzanna. "The 'European' 'Neighborhood' 'Policy' (ENP): A Holistic Account." In *Handbook on the European Union and Global Governance*, by Wunderlich U. Baley. D, 177-187. London and New York: Routledge, 2010: 183

The cooperation under the framework of the ENP is based on the Action Plans that include certain commitments and priorities that the partner states undertake.

Both the Armenian and Georgian Action Plans indicate that the level of cooperation will depend on the countries' commitments to common values and "jointly agreed priorities".^{42 43}In the Armenian and Georgian Action Plans the promotion of democracy and greater respect for human rights are emphasized in the framework of political dialogue, which includes reforms that are called to ensure stable and sustainable democratic system and pursue different other goals in the sphere of political reforms. The political reforms indicated in the Action Plan refer to the *Copenhagen criteria*, entailing democracy, human rights and rule of law, etc. Human rights are emphasized in the Second Priority Area of the Armenian Action Plan, entailing media independence, freedom of assembly, protection of individual property rights, reforms of the penitentiary system and close cooperation with international organizations. Insurance of property rights is included in the Armenian Action Plan.

The Action Plan of Georgia highlights the need of reforms in the sphere of justice, including training of judges, strengthening law enforcement mechanisms with regard to human rights. The strengthening of rule of law is largely connected with the development of independent judicial systems in accordance with the European standards and reforms strategy, whereas in Armenia the development of the Ombudsman institution and constitutional reforms are also highlighted in accordance with international standards. Close cooperation with international organizations is a matter of importance for both countries. However, both Action Plans have certain drawbacks in terms of abstract priorities and vague instrumentation since the priorities are wide ranging and there are no specific instruments that will implement specific actions. Besides, the priorities

⁴² European Commission, "EU/Armenia Action Plan," Brussels: European Commission, 2006: 1

⁴³ European Commission. "EU/Georgia Action Plan," Brussels: European Commission, 2006: 1

indicated in the Action Plans of both Armenia and Georgia do not refer to civil society, which, on the one hand, provides an important platform for the implementation of political and civil liberties, and on the other hand, is the necessary ground for democracy promotion. This can be explained by the argument that civil society represents an important platform to keep the official bodies accountable and ensure proper democratic representation. Along with this, the Action Plans do not include certain benchmarks and the promotion of “shared values” is implemented only on a volunteer ground.^{44 45} Besides, the objectives that the Union aims at achieving are not specific, for instance, it tries to strengthen democratic institutions but the statement is vague: there is no reference to the level of strengthening and particular type of the institution; the objectives are very generally framed. Besides, according to Barbe and Johansson-Nogues, the reform lists are “long and chaotic”, they contain “general priorities”, but “how the priorities tie together and how the progress will lead to further incentives remains unclear”.⁴⁶ The detailed prioritization of the Armenian and Georgian Action Plans are introduced in the table below.

Table 1 Action Plans (Armenia and Georgia)

	Priority 1	Priority 2	Priority 3
Armenia	Strengthening of democratic structures, of the rule of law, including reform of the judiciary	Strengthening of respect for human rights and fundamental freedoms, in compliance with international commitments of Armenia	Encourage further economic development, enhance poverty reduction efforts and social cohesion, contributing to the long term objective of sustainable development, the protection of the environment;

⁴⁴ European Commission. Action Plan/Armenia. 2006

⁴⁵ European Commission. Action Plan/ Georgia., 2006

⁴⁶ Barbe, Eshter; Johansson-Nogues Elisabeth. The EU as a Modest ‘Force for Good’: the European Neighborhood Policy. *International Affairs*: 84:1 (2008): 92

Georgia	Strengthen rule of law through reform of the judicial system, including the penitentiary system, rebuilding state institutions. Strengthen democratic institutions and respect for human rights and fundamental freedoms in compliance with international commitments of Georgia	Improve the business and investment climate, including a transparent privatization process, and continue the fight against corruption	Encourage economic development and enhance poverty reduction efforts and social cohesion, promote sustainable development including the protection of the environment; further convergence of economic legislation and administrative practices.
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1.1 EASTERN PARTNERSHIP

Apart from the ENP, the launch of the Eastern Partnership (EaP) in 2009, the Swedish-Polish initiative, can be viewed not only as a means to deepen the relations between the European and Partner countries both bilaterally and multilaterally, but also as a specific tool to support democracy promotion in the neighbourhood and establish and sustain stability as well. Democracy and good governance are included in the multilateral Eastern Partnership reform comprising the development of people-to-people contacts.⁴⁷

Defined as a “more ambitious partnership”, the EaP represents the EU’s willingness to introduce, implement and pursue specific reforms in its partner countries with full political engagement of the member states. Besides, closer cooperation and integration with the Union are going to be achieved through the Association Agreements (AA), along with deeper economic cooperation with Deep and Comprehensive Free Trade Agreements (DCFTA).^{48 49} In this regard, Article 13 of the AA between EU and Georgia establishes the respect for human rights and

⁴⁷ Sergunin, Alexander . “Bridging a (Mis)Perceptual Gap: the EU’s Eastern Partnership and Russian Policies in the Trans-Caucasus”. *Bilge Strateji* 5/8 (2013):17-37

⁴⁸ The Eastern Partnership includes Armenia, Georgia, Azerbaijan, Ukraine, Moldova and Belarus

⁴⁹ The Commission of the European Communities. Communication from the European Commission to the European Parliament and the Council: Eastern Partnership. (2008, December 3).

fundamental principles as the basis for cooperation in sphere of justice, security and freedom.⁵⁰ Established by the Prague Declaration in 2009, the EaP includes democracy and human rights promotion. Particularly, democracy, good governance and stability comprise one of the four thematic platforms of the Partnership policy. Strengthening the role of non-state actors in policy-making processes has an increased implementation through the Eastern Partnership initiative, thus enhancing the active participation of civil societies of the partner countries in the democratization processes. The need of certain political reforms is emphasized in the agenda of Eastern Partnership along with an important opportunity of democratic institution-building.⁵¹

The Warsaw Summit on the EaP reiterated the Union's and partner countries commitments with increased action of non-state actors through the Civil Society Forum. The establishment of the Euronest Parliamentary Assembly was one of the recognized achievements through the Summit, which has become an important platform of political dialogue.⁵² During the latest Summit of the EaP that took place in 2013 in Vilnius, the actors reaffirmed their European path of development on the basis of common values embracing the rule of law, democracy and human rights.⁵³ In this regard, three states, namely Armenia, Georgia and Moldova were provided with additional funding of EUR 25 million, EUR 27 million and EUR 35 million, respectively, for their efforts of democratization in 2013.⁵⁴

⁵⁰ "Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part". Brussels, 2013

⁵¹ The Council of the European Union. *Joint Declaration of the Prague Eastern Partnership Summit*. (2009, May 7).

⁵² The Council of the European Union. *Joint Declaration of the Eastern Partnership Summit*. Warsaw (2011, September 29-30)

⁵³ The Council of the European Union. *Joint Declaration of the Eastern Partnership Summit*. Vilnius (2013, November 29)

⁵⁴ European Commission. Eastern Partnership: Progress in Deep Democracy and Human Rights Awarded with Additional Funding (press-release) (12.12. 2013)

1.2 COOPERATION INSTRUMENTS

There are various instruments of external democracy promotion that the academic literature analyses, including encouragement of civil society or sanctions,⁵⁵ technical assistance and political integration;⁵⁶ consultations, electoral observation, political dialogue;⁵⁷ financial aid;⁵⁸ “human rights clause” or trade embargoes,⁵⁹ furthermore the negotiations as a part of accession process are viewed as specific democracy promotion instruments.⁶⁰ By the “systemic use of political aid” the Union has sought to promote democracy, comprising human rights, governance and peace.⁶¹ However, it is important to restate that democracy promotion is the “centrepiece of the EU foreign policy where it is heavily based on the instrument of political conditionality.”⁶² ⁶³ Moreover, additional financial assistance will be provided through the “*more for more*” principle, for instance if the country has achieved progress “in building deep and sustainable democracy and in implementing related reform objectives.”⁶⁴ Along with this, it is important to mention that the EU’s

⁵⁵ Olsen, Gorm Rye. "Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism." *Democratization*, 2000: 143-167.

⁵⁶ Simao, Licina. "EU-South Caucasus Relations: Do Good Governance and Security Go Together." *Political Perspectives* 5, no. 2 (2011): 33-57.

⁵⁷ Reinhard, Janine. "EU Democracy Promotion Through Its Neighborhood: The Temptation of Membership Perspective or Flexible Integration." *Caucasian Review of International Affairs* (4) 3 (2010): 196-213.

⁵⁸ Youngs, Richard. "European Approaches to Democracy Assistance: Learning the Right Lessons?" *Third World Quarterly*, 2003: 127-138.

⁵⁹ Balfour, Rosa ; Antonio Missiroli. *Reassessing the Neighborhood Policy*. Issue Paper No 54, Rome: Enlargement and Neighborhood Europe, 2007

⁶⁰ Pridham, Geoffrey. "EU Enlargement and Consolidating Democracy in Post-Communist States- Formality and Reality." *Journal of Common Market Studies* 40, no. 3 (2002): 953-973.

⁶¹ Youngs, Richard. "Democracy Promotion: The Case of the European Union Strategy." *Centre for European Policy Studies* 16, no. 7 (2001): 1-28:5

⁶² Freyburg, Tina. "National Identity Matters: The Limited Impact of EU Political Conditionality in the Western Balkans." *NCCR Working Paper* 19 (2008): 1-19:3

⁶³ Bosse, Giselle. "Values in the EU’s Neighbourhood Policy: Political Rhetoric or Reflection of a Coherent Policy?" *European Political Economy Review* 7 (2007): 38-62:39

⁶⁴ European Commission. *European Neighborhood Policy: Working towards a Stronger Partnership*. Brussels, 20 March, 2013. JOIN(2013) 4 final: 10

foreign policy tools in Armenia and Georgia have had a bottom-up approach (linkage model) through elite socialization and encouragement of civil society.^{65 66} Furthermore, chapter 3 of the study shows that the EU's impact on the civil societies has been crucial from a comparative perspective.

Furthermore, the EU implements human rights dialogues with different states, including Armenia and Georgia. Overall, the environment of the dialogue is friendly and constructive and the talks represent exchange of views on human rights issues both in the Union and in Armenia and Georgia as indicated by the interviewees from Human Rights Defenders' Institutions of both countries. If comparing the content of the Armenian and Georgia dialogues, certain similarities can be drawn, including concentration on the functioning of civil society, freedom of expression, freedom of media, freedom of assembly and association, rights of minorities and vulnerable groups, as well as cooperation with international organizations and reform of electoral frameworks. In the case of Georgia, the challenges in criminal justice system are emphasized, along with higher protection of Internally Displaced Persons' rights. The analysis of the Commission Progress Reports shows that the above indicated areas are major of specific concern through the ENP, thus, it is in the interest of both Armenia and Georgia to concentrate on these issues. Detailed analysis of the Progress Reports is provided in the third chapter. Apart from the indicated topics of discussion, the Armenian talks are also focused on the national framework for protection of human rights and the reform of the judiciary.^{67 68}

Armenia became the first country where the EU Advisory group was founded in order to foster cooperation between the state and the EU. The activities of the Democracy Advisor include

⁶⁵ Vasilyan, Syuzanna. "The European Union (EU) as a (Dis)Proportional Democracy-Promoter in the South Caucasus." *University Association for Contemporary European Studies*. Passau: UACES, 2012. 1-37.

⁶⁶ Balfour, Rosa ; Antonio Missiroli. *Reassessing the Neighborhood Policy*. Issue Paper No 54, Rome: Enlargement and Neighborhood Europe, 2007

⁶⁷ European Commission. *EU-Georgia Human Rights Dialogue*. Press Release. Tbilisi, 26 June, 2012

⁶⁸ European Commission. *EU-Armenia Human Rights Dialogue*. Press Release. Yerevan, 6 December 2011

certain policy advice on democracy to the Armenian Parliamentary Members under the framework of EURONEST. Specific guidance is provided for the implementation and further elaboration of the National Strategy of Protection of Human Rights and Strategy of Human Rights Defender's Office for 2011-2017. Besides, there is cooperation between the Human Rights Defender's office and the Advisory Group in preparation of legislation and policy advice in the sphere of human rights. Various experts are recruited by the Advisory group in order to assist the Ombudsman's office, as well as strengthen the capacities of the institution.⁶⁹ According to the Human Rights Defender, the EU-Armenia cooperation on human rights has a systematic and consistent character.⁷⁰

European Neighbourhood Policy Instrument: The European Neighbourhood Policy Instrument (ENPI) has been operational since 2007 and can be regarded as the major funding instrument of the Union under the framework of the ENP that replaces TACIS and MEDA. With the ENPI the Union seeks to strengthen national institutions, promote rule of law and fight against corruption. The principal objective of the ENPI is creation of an area of common values, stability and prosperity with the implementation of negative conditionality, meaning that that cooperation will end if the partner countries break certain preconditions as the ENPI Regulation indicates. This means that if the beneficiary countries fail to achieve respect for human rights and fundamental freedoms, the assistance will be suspended. The instrument covers a broad range of various domains, thus, fostering regional integration, supporting democratic and economic development, good governance, rule of law, etc. Certain innovations that the ENPI embraces are cross-border cooperation, governance facility, TWINNING and TAIEX, which are cooperation tools in the sphere of public

⁶⁹ The European Neighbourhood Partnership Instrument for the Republic of Armenia. *EU Advisory Group to the Republic of Armenia: Semi-Annual Report 2013*. 2013. Yerevan

⁷⁰ Newsletter: Delegation of the EU to Armenia. "Support to the Human Rights Defender's Office". *EU Newsletter*. October 1, 2013. <http://eunewsletter.am/focus-on/support-to-the-human-rights-defender%E2%80%99s-office>

administration, linking a partner country and a specific member state of the EU.⁷¹ The ENPI National Indicative Programs of Armenia and Georgia regard good governance and democracy as the most basic priorities which are illustrated in the Table 2. This may be explained by the primary need of reform in the indicated spheres both for Armenia and Georgia.

Table 2 Priority 1: Democracy, Rule of Law, Good Governance and Human Rights

	Sub-Priority 1	Sub-Priority 2	Sub-Priority 3
Armenia	Democratic institutions, rule of law, reform of the judiciary	Public administration reforms, fight against corruption	Respect for human rights and fundamental freedoms
Georgia	Media freedom, political pluralism, human rights and civil society development	Justice sector reform	Public finance management and administrative reform

Source: ENPI National Indicative Programs: eeas.europa.eu

According to the ENPI Country Strategy Paper 2007-2013, Armenia has received EUR 98.4 million. The amount of financial assistance has increased from 2007 to 2010 by approximately EUR 68 million. The first priority area of Armenia, specifically, democratic structures and good governance, receives EUR 47-55 million for the accomplishment of the political dialogue and democracy related projects. Meanwhile, the financial assistance to Georgia for the period 2011-2013 constitutes EUR 180.29 million, up to 35 per cent of which (EUR 31,5 million) is used for the first priority domain: democratic development, rule of law and good governance. For the period 2007-2011 Georgia has received EUR 31.5 million for democratic development, rule of law and governance.⁷² The ENPI National Indicative Programs state also certain results that are expected to be achieved through the cooperation with the partner states. For Georgia, those are mainly

⁷¹ The Council of the European Union. *European Neighborhood and Partnership Instrument*. (2006, November 9) Retrieved from <http://ec.europa.eu/>: http://ec.europa.eu/world/enp/pdf/oj_l310_en.pdf

⁷² European Commission. ENPI National Indicative Program Georgia (2007-2011). Brussels

connected with strengthened institutions of Human Rights Defender and Parliament, as well as higher protection of fundamental freedoms, including freedom of expression and freedom of media. The increased role of civil society in the process of policy making and greater transparency of the electoral processes are also included in the list.⁷³ In this regard, the specific results that are expected to be achieved in Armenia apart from respect for human rights are systematic consultations between legislative bodies and civil society and establishment of an improved legal framework for protection of media freedom.⁷⁴ However, as the ENPI is a policy instrument, the expected results will be achieved only if the partner country fulfils its commitments indicated in the Action Plan.⁷⁵

European Instrument for Democracy and Human Rights: One of the thematic programs of the ENPI is the European Instrument for Democracy and Human rights (EIDHR) which was launched in 2006 as a specific tool for democracy promotion and human rights protection which is independent in its actions from the respective countries' governments replacing the European Initiative for Democracy and Human Rights which was created by the initiative of the European Parliament in 1994. The EIDHR is an independent initiative that enables different countries to foster democratization and to achieve greater respect for human rights and fundamental freedoms in both flexible and organized manner.⁷⁶ Thus, it can be concluded that the Initiative largely supports the development of civil society and contributes to democracy promotion in the partner countries. According to the EIDHR Strategy Paper 2007-2010, the sphere of human rights is given special and comprehensive approach, as human rights protection “supports for state building, democratic governance and civil society development”.⁷⁷ The Strategy Paper of 2011-2013 identifies certain

⁷³ European Commission. ENPI National Indicative Program Georgia (2011-2013). Brussels

⁷⁴ European Commission. ENPI National Indicative Program Armenia (2011-2013). Brussels

⁷⁵ European Commission. ENPI Country Strategy Paper: Armenia (2007-2013). Brussels

⁷⁶ European Commission. *The European Union: Furthering Human Rights and Democracy across the Globe*. Brussels. 2007

⁷⁷ EIDHR Strategy Paper 2007-2010, (DG RELEX/B/I JVK 70618), Indicative EIDHR Financial Allocations 2007-2010, Annex 1: 4

objectives of the EIDHR, embracing protection of human rights and fundamental freedoms in specific countries where there is a risk of violation of those; fostering the role of civil society and implementation of democratic reforms. The international and regional frameworks of human rights protection, as well as building transparency in electoral processes are supported by the EIDHR as well. This initiative advocates that human rights and fundamental freedoms have to be promoted and protected worldwide, and becomes an important tool of political dialogue between the EU and other countries. Overall, EUR 120 million was spent for implementation of various projects through the EIDHR in cooperation with international organizations such as Council of Europe, OSCE, UNICEF, UNDP, etc. This can be explained by the active engagement of the mentioned organizations in the spheres of human rights protection, democracy promotion and sustainable development. The projects are managed primarily by the European Commission Delegations and local non-governmental organizations. The most recent scope of EIDHR activities for the period 2007-2010 includes also specific support to Human Rights Defenders of the partner countries.

The projects and programs of the EIDHR in Georgia are implemented by the EU Delegation. In 2010 there was an allocation of EUR 1,200,000 to Georgia, in 2013; EUR 1,335,000 million has been allocated. The priority areas are higher protection of rights of vulnerable people and their integration to social structures for the period 2011-2013.⁷⁸ In this regard, the Instrument has allocated EUR 600,000 per year to Armenia within the Country Based Support Scheme and the funding goes specifically to the local NGOs that are responsible for implementation of certain projects. Thus, Armenia and Georgia have received approximately similar amounts of financial assistance. Overall, the projects funded by the EIDHR are aimed to foster democracy in the country

⁷⁸ EU Neighborhood Policy. *Georgia: 15 Projects Selected under European Instrument for Democracy and Human Rights*. January 25, 2013

and are focused on the justice system, media framework, rights of vulnerable groups and child rights.⁷⁹

Besides the above discussed channels of financial assistance Armenia and Georgia are benefiting from Non-State Actors and Local Authorities (NSA & LA) under the auspices of European Consensus of Development. The Strategy Paper for the period 2011-2013 emphasized that the programme has actor-oriented approach and aims at ensuring the involvement of non-state actors and local authorities in the development process of the beneficiary countries. The programme, in fact, targets not only at the capacity building of NSA and LAs, but also raises awareness and promotes development in accordance with Millennium Development Goals.⁸⁰ As reflected in the Paper, NSA and LA are given major role in promotion of democracy, rule of law and human rights as well. Besides, human rights were one of the main areas of programme implementation in 2007-2008. The paper also establishes the complementary character of the NSA/LA programme with other European Instruments such as the EIDHR.⁸¹

Armenia benefits from NSA & LA budget lines and the EU contribution to the country under its frame constitutes EUR 1,500,000.⁸² Meanwhile, Georgia has received EUR 3,080,000 under the indicated budget line.⁸³ Thus, the difference of financial assistance comprises EUR 1,580,000 and Georgia receives more in this regard.

⁷⁹ European External Action Service. *Ten New EU Projects on Democracy and Human Rights in Armenia*. Press Release. November 25, 2010

⁸⁰ Millennium Development Goals have been defined by the UN in 2008 comprising eradication of poverty and hunger, achievement of universal rights of education, respect for gender rights, empowerment of women, improvement of maternal health, etc.

⁸¹ European External Action Service. *Thematic Programme: Non-State Actors and Local Authorities in Development. Strategy Paper 2011-2013*. Brussels. 2013

⁸² Vasilyan, Syuzanna. *Armenia from a Foreign Policy of "Complementarity" to "Supplementary"? A Sandwich Story!*. The International Affairs Forum. Center for International Relations. March 2014.

⁸³ Vasilyan, Syuzanna. "The European Union (EU) as a (Dis)Proportional Democracy-Promoter in the South Caucasus." *University Association for Contemporary European Studies*. Passau: UACES, 2012. 1-37.

In 2007 the Instrument for Stability (IFS) was launched aiming at crisis management, conflict resolution and peace building. The IFS, in general, is “limited to instances when the mainstream external assistance instruments cannot be mobilised in a sufficiently timely or appropriate manner” including such instruments like Pre-Accession Assistance, European Instrument for Democracy and Human Right, European Neighbourhood and Partnership Instrument, etc.⁸⁴

European Endowment for Democracy: The European Endowment for Democracy (EED) was created in 2011 under the Polish presidency in order to facilitate the EU’s democracy promotion policies in various countries through flexible decisions, transparent financing and regular evaluations.⁸⁵ The 1st Article of the Statute of the Endowment states that its primary objective is fostering and encouraging democratic development where political transitions take place. Thus, the program focuses specifically on countries that are on the road of establishment of deep and sustainable democracy. In this regard, “deep” democracy goes beyond its classical definitions embracing such important aspects like “awareness of diversity of people, roles and feelings”.⁸⁶ The 3rd Article establishes the activities that are implemented through the EED, including financial assistance to non-state actors and institutions, financial assistance to the beneficiaries directly and, finally, a range of own activities of the EED. The Endowment is financed by the Member States of the EU, primarily in a voluntary manner. The Commission’s allocation for the EED has constituted EUR 6 million to ensure the launch of the program which aims to foster democratization by financing civil society organizations and political parties supporting largely the countries of the European Neighbourhood Policy.

⁸⁴ European Commission. *2012 Annual Report on the Instrument for Stability*. Brussels. July 26, 2013: 3

⁸⁵ The Council of the European Union. *Declaration on Establishment of European Endowment for Democracy*. Brussels. 20 December, 2011

⁸⁶ Mindell, Arnold. *The Deep Democracy of Open Forums: Practical Steps to Conflict Prevention and Resolution for the Family, Workplace, and World* 2002. Hampton Roads Publishing. Charlottesville: 2

The High Representative of the Union for Foreign and Security Affairs Baroness Ashton has noted that the EED is a specific tool to show the EU's commitment to democratic values. The EED takes a form of a complementary instrument focusing specifically on the European Neighbourhood.⁸⁷ According to the High Representative for CFSP Lady Ashton, the role of the Endowment is essential in terms of direct relations with beneficiary countries that strive for democratization. Being a joint political project established by the EU Member States, the Endowment represents a foundation which acts as a strategic mean to foster democracy in the EU neighbourhood. The first meeting of Board of Governors took place in 2013, where a EUR 6.2 billion grant was signed by the European Commission.⁸⁸

Human Rights related Projects Financed by the EU: There are variety of projects that the EU funds in Armenia and Georgia under the framework of the indicated instruments and certain projects, which specifically refer to the sphere of human rights protection. In Armenia and Georgia the following projects may be emphasized from the human rights perspective. The selected are on-going projects that are financed by the European Union and are implemented by local non-profit organizations. The third chapter of the research identifies the impact of these projects in practice.

Table 3 EU Funded Human Rights Projects in Armenia

EU Projects	EU Contribution	Implementing Organization	Duration And Categories
Mitigating social consequences of labor migration; maximizing migrants involvement in local development	€ 882,159.81	United Nations Children'S Fund	12/2012-12/2015 Social and Labour Rights

⁸⁷ European Commission. European Endowment for Democracy: Press Release (November 11, 2012) http://europa.eu/rapid/press-release_IP-12-1199_en.htm

⁸⁸ European Union. "European Endowment for Democracy: Additional Support for Democratic Change". Brussels, 9 January 2013 http://eeas.europa.eu/delegations/moldova/press_corner/all_news/news/2013/european_endowment_for_democracy.pdf

Fundamental Rights and Freedoms to Guarantee the Future	€ 150,000.00	Martuni Students Council Ngo	01/2013-01/2014 Human Rights
Know Your Rights	€ 150,000.00	Youth Center Of Syunik Ngo	01/2013 to 07/2014 Social Rights
Support of Circular Migration and Re-integration Process in Armenia	€ 826,136	Clovek V Tisni Ops	01/2013 to 01/2015 Labour Rights
Promotion of European Model of Justice in Armenia	€ 149,668.00	Femida Public Organization	01/2013- 01/2015 Human Rights
Development and Enforcement of Labour Rights of RA Citizens	€ 149,297.00	Hakastver	01/2013 -01/2015 Labour Rights
Exclusion of Torture and Forced Confessions as a Ground of Free Trial	€ 135,000.00	Civil Society Institute Ngo	01/2013 -01/2015 Torture and Ill-Treatment
Total Number of Human Rights Related Projects	7	Total Amount of the EU contribution	2,442,260

Source “European External Action Service” eeas.europa.eu

The first project relates to the rights of working migrants and their families through the provision of certain services and achieving best use of migrants’ resources. Similarly, the project “Development and Enforcement of Labour Rights of RA Citizens” is called to enforce and protect social and labour rights of Armenian labour force. The project “Fundamental Rights and Freedoms to Guarantee the Future” is aimed to increase the respect for fundamental rights and freedom specifically within the Armenian youth. The “Know Your Rights” support the protection and promotion of social rights and is implemented in the Syunik region. Femida organization is aimed to improve the quality of judicial protection of the Armenian citizens through higher compliance with the European standards. Civil Society Institute NGO through the project of “Exclusion of Torture and Forced Confessions as a Ground of Free Trial” enhances the protection of human rights and fundamental freedoms, focusing on protection from abuse and ill-treatment. Overall, if

comparing the categories of the projects, the funding of the category of labour and social rights prevails with EU contribution of EUR 2,007,592, which constitutes almost 82 % of total financial assistance.

Table 4 EU Funded Human Rights Projects in Georgia

EU Projects	EU Contribution	Implementing Organization	Duration And Category
Ensuring Access to Rehabilitation Services for People Affected by Torture and Contribution to Prevention of Torture in Georgia	€ 766,000.00	Georgian Centre For Psycho-Social And Medical Rehabilitation For Torture Victims	09/2010 to 02/2013 Human rights
Let's Break the Silence	€ 99,978.00	Guria Agribusiness Centre Union	12/2011 to 08/2013 Domestic Violence
Implementing children's rights in Georgia: protecting children from abuse and neglect	€ 97,438.26	The Public Health And Medicine Development Fund Foundation	12/2011 to 12/2013 Children's Rights
Increasing the Role of Women in Security Sectors	€ 60,572.00	Association for Justice and Liberty	12/2011 to 12/2013 Women Rights
The Way to Inclusion	€ 95,00.00	Association Of Disabled Women And Mothers Of Disabled Children	11/2012 to 03/2014 Rights of Disabled People
Forward to Perfect Life	€ 77,301.00	Guria Agribusiness Centre Union	11/2012 to 03/2014 Domestic Violence
Coalition for Rebuilding Trust	€ 938,210.24	Den Norske Helsingforskomite Forening	11/2012 to 11/2015 Civil society capacity building
Total Number of Projects	34	Total Amount of the EU Contribution	€ 6,0212,481

Source: European External Action Service. eeas.europa.eu

In addition to the above mentioned projects, the EU funded projects in Georgia involve a wide range of other projects that are implemented in the sphere of human rights and fundamental

freedoms. Along with this, one of the projects implemented by Public Defender's office and having financial assistance of EUR 1,900,000 is aimed at achieving strengthened institution of the Georgian Ombudsman. Besides, the improvement of social integration of women and minorities are also emphasized by a number of projects. The social rights of elderly and disabled people are the spheres where the EU has contributed EUR 420,564. If comparing the categories of the EU funded human rights related projects in Georgia, number of projects related to prisons and integration of former prisoners with total EU contribution of EUR 818,364 are prevailing. However, though there are only two civil society related projects the EU contribution constitutes EUR 1,034,300.

The projects that are funded by the EU are numerous both in Armenia and Georgia. However, the projects that are implemented specifically in the sphere of human rights protection are prevailing in Georgia if compared to Armenia. According to the majority of the interviewees, Georgia gets more from the Union, because there is more impact of the projects in the country. Besides, they regard Georgia as a more willing partner that is eager to implement human rights related projects and the impact is more sustainable, which, in fact, creates the necessary ground for additional financing from the EU. Others have also noted the geopolitical interests of the Union, which can be regarded as an incentive to invest in Georgia more than in Armenia, specifically pro-western orientation of Georgia and aim to have more influence in the country. An alternative, though less recurrent view expressed by the chairwoman of a human rights NGO in Georgia is that Georgia represents a neutral territory where the realization of the project is not an obstacle for Azerbaijanis and Armenians get together.⁸⁹

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⁸⁹ Interviews conducted by the author in Yerevan and Tbilisi 15.03.2014-15.04.2014

The chapter has discussed the main instruments of democracy and human rights promotion that the EU implements in its Neighbourhood and, specifically, in Armenia and Georgia. It is obvious that the Neighbourhood Policy helps to implement EU's external democracy promotion in a more systemic manner provided the existence of Action Plans and possible Association Agreements. In particular, the Action Plans and AAs establish certain goals, objectives and aims that provide consistency for the implementation of the EU's human rights policy. The ENP with its Action Plans and Country Progress Reports may also be considered similar to pre-accession process since they establish certain benchmarks that the partner countries seek to achieve. However, if in the accession case this means inclusion in the EU, for Armenia and Georgia this can be regarded as further institutional integration with the Union. Besides, the EIHDR and EED present useful tools for democracy and human rights promotion that also provide financial assistance to NGOs, thus strengthening the capacity of civil society apart from cooperation with the governments of beneficiary countries. In general, the instruments present "soft law" dimension, since there are no specific benchmarks and the countries receive as much assistance as they are willing to get: the Action Plans do not have binding character. Along with this, the ENPI may be regarded as "hard law" instrument, since it entails the principle of negative conditionality: if the benchmarks are not met, the financial assistance will be no longer available.

CHAPTER 2

HOW AND WHY DOES THE EU PROMOTE HUMAN RIGHTS IN ARMENIA AND GEORGIA?

The European Union has a long-term interest in democracy promotion, and it may be regarded both as an “agent of international democracy promotion”⁹⁰ and a “significant and more unified actor”⁹¹ in the process of democracy assistance.⁹² The ENP becomes a platform for the realization of the above-mentioned interests through the creation of “ring of friends”. This chapter analyses the rationale of democracy promotion of the EU from the institutional stances. The chapter proceeds as follows: after an introduction on the EU’s human rights and democracy promotion in the context of its normative identity, the EU’s interests that are implemented through the Neighbourhood Policy are demonstrated, for instance, geopolitical, economic and other aims of the Union. The analysis of the EU institutions and Member States initiatives is provided through discourse analysis.

2.1 THE NORMATIVE IDENTITY OF THE EUROPEAN UNION UNDER THE FRAME OF THE ENP

The Article 130 of the Maastricht Treaty establishes consolidation of democracy and rule of law, as well as respect for human rights as the general objective of the Community Policy in the area of development cooperation.⁹³ The Article J.1 of the Amsterdam Treaty, which defines the common foreign and security policy of the Union, provides the EU with the capacity to develop and

⁹⁰ Lavenex, Sandra and Frank Schimmelfennig. “EU Democracy Promotion in the Neighbourhood: From Leverage to Governance?” *Democratization* 18, no. 4 (2011): 885-909: 885

⁹¹ Youngs, Richard. “European Approaches to Democracy Assistance: Learning the Right Lessons?” *Third World Quarterly*, 2003: 127-138: 127

⁹² Pop, Irina. “The Assessment of the European Neighbourhood Policy in the South Caucasus. What Europe can do?” *Journal of the Institute for Euroregional Studies* 7 (2009): 22-35.

⁹³ Treaty on the European Union (Maastricht Text), July 29, 1992, O. J. C. 191/1

consolidate democracy, the rule of law and respect for human rights and fundamental freedoms, noting that the Council shall ensure the compliance of the principles.⁹⁴ The Article 181a of the Treaty of Nice, that defines the scope of economic, financial and technical cooperation with the Third countries, declares that the EU's policy "shall contribute to the general objective of developing and consolidating democracy and the rule of law, and to the objective of respecting human rights and fundamental freedoms".⁹⁵

The principles of respect for human rights, democracy, rule of law and equality are considered the bases of the European Union, emphasized in Article 1a of the Lisbon Treaty. Along with this the Union undertakes the responsibilities of consolidation and support for the abovementioned principles in its internal and external policies in the Article 10b of the Treaty. The Preamble of the Charter of Fundamental Rights of the European Union is called "to strengthen the protection of fundamental rights...as the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law".⁹⁶

Human rights protection presents an important dimension of the external policy of the Union which is emphasized in the Strategic Framework on Human Rights and Democracy which states that "the EU will continue to throw its full weight behind advocates of liberty, democracy and human rights throughout the world".⁹⁷ Along with this, the European Security Strategy states that the best mean to protect the Union's security are well-governed democratic states. Furthermore, it is noted that "spreading good governance, supporting social and political reform, dealing with corruption and

⁹⁴ European Union, Treaty on the European Union (Consolidated Version), Treaty of Amsterdam, 2 October 1997, available at <http://www.eurotreaties.com/amsterdamtreaty.pdf>: 7

⁹⁵ European Union, *Treaty of Nice, Amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts*, 11 December 2000, Official Journal C 80 of 10 March 2001; 2001/C 80/01, available at: <http://www.refworld.org/docid/3f4e45f54.html>:20

⁹⁶ European Union. *Charter of Fundamental Rights of the European Union*. 26 October 2012. 2012/C 326/02: 1

⁹⁷ The Council of the European Union. *Strategic Framework on Democracy and Human Rights*. Luxembourg, 25 June 2012. 11885/12, available at https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/131181.pdf: 1

abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order".⁹⁸

The above mentioned principles of the Union's external policy and the very normative bases of the Union highlight the EU's capacity in terms of being a "normative power", having human rights, the rule of law and democracy as its "normative basis".⁹⁹ Democracy promotion, good governance and human rights protection as the EU's external policy elements are the objectives of all EU activities apart from being universal values. Democracy promotion has given the EU an internationally accepted "strong profile"¹⁰⁰ pushing the integration process even further.¹⁰¹ The Union is commonly perceived as a "significant international actor"¹⁰² whose both goal and foreign policy instrument is democracy promotion.¹⁰³

As a foreign policy tool, the ENP places democracy and human rights at "the forefront of the EU's foreign policy priorities".¹⁰⁴ Along with this Gaenzle puts democracy promotion, human rights protection and the rule of law in the cultural boundaries frame of the ENP as the "external governance" with "overarching policy goals".¹⁰⁵ To conclude, the EU identifies itself with the very principles of human rights, democracy and the rule of law, which creates objectives of strengthening that "normative identity" internally and promoting those externally.

⁹⁸ Council of the European Union, "A Secure Europe in a better World: European Security Strategy," Brussels: Council of the European Union, 2003: 10

⁹⁹ Manners, Ian. "Normative Power Europe: A Contradiction in Terms." *Journal of Common Market Studies*, 2002: 235-258: 243

¹⁰⁰ Olsen, Gorm Rye. "Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism." *Democratization*, 2000: 143-167:164.

¹⁰¹ Peter Kotzian, Michele Knodt, Sigita Urdze. "Instruments of EU's External Democracy Promotion." *Journal of Common Market Studies* 49, no. 5, 2011: 995-1018.

¹⁰² Olsen, Gorm Rye. "Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism." *Democratization*, 2000: 143-167:144.

¹⁰³ Vasilyan, Syuzanna. "Moral Power as Objectivization of 'Civilian'/'Normative' Eulogy: EU as a Conflict-Dealer in the South Caucasus." *Journal of International Relations and Development*, 2013: 1-28:7.

¹⁰⁴ Tocci, Nathalie. "Can the EU Promote Democracy and Human Rights through the ENP? The Case for Refocusing on the Rule of Law." *European University Institute*, 2006: 1-20:3

¹⁰⁵ Gaenzle, Stefan. "Externalizing EU Governance and the European Neighbourhood Policy: Towards a Framework for Analysis." *Canadian Political Science Association*. Vancouver: UBC, 2008. 1-20: 6.

2.2 EXPLAINING THE WHY DIMENSION: THE EU'S INTERESTS IN ARMENIA AND GEORGIA

Overall, democracy promotion can be viewed as a primary interest of the European Union under the framework of the ENP in the Southern Caucasus. The EU's interests in the Southern Caucasus can be defined in a three-pillar framework, including firstly governance, democracy and human rights, secondly energy and trade and finally security.¹⁰⁶ Moreover, Armenia and Georgia provide the EU with an opportunity to develop democracy and human rights and “acquire a strong leadership role in world politics”.¹⁰⁷ The Southern Caucasus has a specific importance in the range of the EU's “strong interests” in terms of stability and development.¹⁰⁸ This is also reflected in the European Security Strategy of 2003, where the Union declares its willingness to undertake a “more strong and proactive role” in the region.¹⁰⁹

Established as a “joint ownership”, the ENP is based on “awareness of shared values and common interests” as essential determinants of current and future cooperation. The ENP may be also be defined as “win-win policy” because of above-indicated factors.¹¹⁰ Moreover, the clear identification of “shared values” in the respective Action Plans is given primary importance. Regarding the three South Caucasian states, the EU announces its wish to see the fulfilment of the commitments in terms of sustainable democracy, the rule of law and respect for human rights.¹¹¹ As the 2013 Commission Communication indicates, the Neighbourhood Policy is the ground on which highest degrees of political association and economic integration are developed and implemented

¹⁰⁶ Cornell, Svante; Frederic Starr. “The Caucasus: A Challenge for Europe”. *Silk Road Paper*, June 2006: 1-35

¹⁰⁷ Dekanozishvili, Mariam. *The EU in the South Caucasus: By What Means to What Ends?*. Tbilisi: Georgian Foundation of Strategic and International Studies, 2004: 1-28: 4

¹⁰⁸ European Commission. *European Neighbourhood Policy: Strategy Paper*. 2004. Brussels: 10.

¹⁰⁹ Council of the European Union, “A Secure Europe in a better World: European Security Strategy,” Brussels: Council of the European Union, 2003

¹¹⁰ Ferrero-Waldner, Benita. *European Neighbourhood Policy: Helping Ourselves through Helping our Neighbours*. London. 2005

¹¹¹ *Ibid.* 8 and 10

which, in fact, is based on common interests of the EU and the partner states. The base is strengthened by common values, namely, democracy, rule of law and human rights.¹¹² In an overall analysis of the ENP documentation it may be concluded that they rather reflect the common interests that European states and the partner countries have, than the Union's own interests that it expects to realize with the help of the ENP.

Along with this, though the official documentation declares that the ENP is a reciprocal process where the interests and values are common and shared, the Neighbourhood Policy itself can be regarded as the Union's interest to build a sustainable neighbourhood as a "circle of friends" to avoid problems and instability. This can be shown by the Commission's Communication "Wider Europe" where the EU posits that the enlargement "will strengthen the Union's interest in enhancing the relations with new members".¹¹³ Moreover, here the EU notes that there is a correlation between its willingness to provide stability and security to its new neighbourhood and its interest for deeper cooperation and integration with the partner countries.¹¹⁴ Thus, it is "in European interest that the countries on its borders are well-governed", and it is important to prevent the emergence of new "dividing lines".¹¹⁵ According to the Commissioner Benita Ferrero-Waldner, the "network of interconnected interests" can be realized through the ENP which is founded "on the premise that by helping our neighbours we help ourselves".¹¹⁶ The interests are realized in number of areas, namely, security, since the policy helps to control the borders of the Union; migration by making the

¹¹² European Commission. *European Neighbourhood Policy: Working towards a Stronger Partnership*. 2013. Brussels.

¹¹³ European Commission. *Wider Europe- Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*. 2003. Brussels: 2.

¹¹⁴ Ibid.

¹¹⁵ Cameron, Fraser. *An Introduction to European Foreign Policy*. Abington. Routledge. 2007: 228

¹¹⁶ Ferrero-Waldner, Benita. *European Neighbourhood Policy: Helping Ourselves through Helping our Neighbours*. London. 2005: 1-15

neighbourhood more attractive regarding the job market and solving certain security issues. Finally, the economic growth will be ensured through the involvement of new markets.¹¹⁷

Given the geopolitical conditions of the South Caucasus, specifically, the strategic location of Armenia, Georgia and Azerbaijan, the European Parliament has concluded that the states should be given the highest priority and considered its "utmost importance" as an area of competition of great powers like Russia or the US.¹¹⁸ As the High Representative for Foreign and Security Policy Lady Ashton has mentioned, the EU, in fact, can influence the stability and democracy of its Neighbourhood, which is "crucial for them and but it is also extremely important for Union's own economic and security interests".¹¹⁹

Besides, the Southern Caucasus has specific importance for the Union in terms of its energy security, organized crime and terrorism. These threats are closely correlated to the EU's long-term interests of security and stability and the ENP serves as an instrument or realization of those interests. Thus, though based on European values such as democracy and human rights, the Union promotes its main long-term interest in terms of stability and security.

In this regard, the Union's Neighbourhood Policy has been criticized being regarded as an instrument for member states to promote their interests, in terms of energy demands and commercial interests, etc., which can create the suspicion that the Union, in fact, is not fully committed to democratic values.^{120 121 122 123} This can be illustrated by the double standards of the Union's policy

¹¹⁷ Ibid

¹¹⁸ European Parliament. Parliament Resolution 2007/2076 (INI): A More Effective Policy for South Caucasus. 17 January 2008: 30

¹¹⁹ Ashton, Catherine. *On the Latest Developments in the Common Foreign, Security and Defence Policy.* (Speech)Strasbourg, 2013

¹²⁰ Wetzel, Anne, Jan Orbie. *The EU's Promotion of External Democracy: In search of the plot.* Policy Brief No 281, Brussels: Centre of European Policy Studies, 2012.

¹²¹ Vasilyan, Syuzanna. "The 'European' 'Neighborhood' 'Policy' (ENP): A Holistic Account." *In Handbook on the European Union and Global Governance*, by Wunderlich U. Baley. D, 177-187. London and New York: Routledge, 2010.: 183

where certain interests like economy, security, and energy are prioritized over others, namely rule of law or human rights. Several authors demonstrate that democracy promotion and human rights protection, as important foreign policy domain of the European Neighbourhood Policy, can clash with certain practical considerations resulting in “double standards” of the Union’s character.^{124 125} In addition Wood insists that the ENP has emerged “as energy security was intensifying as one of the EU’s most urgent concerns”.¹²⁶ , there is a “clear conflict” between democracy promotion and security which is underlined in the scholarly literature. By evaluating the Union’s policy in the democratic, economic and security domains and taking into consideration the Union’s interests, Reinard posits that EU’s democracy promotion has had specific limitations because of security and stability interests.¹²⁷ Thus, it can be concluded there exists clash between the Union's norms and interests which can be illustrated by the Neighbourhood Policy.

2.3 THE INSTITUTIONAL FRAMEWORK OF THE EU: WHO’S FOR WHAT?

The institutions that are involved in the implementation of democracy promotion under the framework of the Neighbourhood Policy are the European Council, European Commission and the Council of Ministers. The main aims of the institutions are achieving deeper political association and economic integration in the context of the ENP. The policy is a jointly owned initiative by the

¹²² Simao, Licina. "EU-South Caucasus Relations: Do Good Governance and Security Go Together." *Political Perspectives* 5, no. 2 (2011): 33-57.

¹²³ Tocci, Nathalie. "Can the EU Promote Democracy and Human Rights through the ENP? The Case for Refocusing on the Rule of Law." European University Institute, 2006: 1-20.

¹²⁴ Balfour, Rosa; Antonio Missiroli. Reassessing the Neighbourhood Policy. Issue Paper No 54, Rome: *Enlargement and Neighborhood Europe*, 2007.

¹²⁵ Wood, Steve. "The European Union: A Normative or Normal Power?" *European Foreign Affairs Review*, 2009: 113-128.

¹²⁶ Ibid. 118

¹²⁷ Reinhard, Janine. "EU Democracy Promotion Through Its Neighborhood: The Temptation of Membership Perspective or Flexible Integration." *Caucasian Review of International Affairs* (4) 3 (2010): 196-213:196.

EU and the partner states, where the External Action Service aims at issuing reports on the progress along with the European Commission ensuring the “coherence” of the external action of the Union, as well as. In this regard, coherence is defined as guiding and consistent way of policy organization. In the implementation of the ENP are involved also the High Representative of the Common Foreign and Security Policy and Vice President of the Commission Lady Catherine Ashton, as well as the Commissioner for the Neighbourhood Policy Stefan Fule. Their speeches and statements are analysed in the following sections of the chapter.

The European Council: The analysis of the Presidency Conclusions from the period 2006-2013 shows that from 38 conclusions only 16 refer to the European Neighbourhood Policy. The time frame from 2006-2013 can be justified by the inclusion of Armenia and Georgia in the ENP, as well as the availability of the documents. In 2006 the Presidency has referred to the ENP as a means to “strengthen the cooperation with the neighbourhood and expand prosperity, stability and security beyond the borders of the EU” by supporting the reforms and implementation of the shared values in the partner countries.¹²⁸ The conclusions largely draw upon the EU’s role in its neighbourhood and reaffirm the “core priority”¹²⁹ along with “utmost”¹³⁰ and “paramount”¹³¹ importance of the ENP. The majority of the conclusions refer to the Eastern Partnership in the context of the ENP. Yet, the conclusions do not refer to Armenia or Georgia specifically.¹³² Regarding human rights and democracy promotion, the European Council mainly refers to the EaP; stressing the latter’s importance in strengthening the EU’s policy towards its Eastern neighbourhood by provision of necessary ground for political, economic and social approximation with the Union. The Presidency also emphasizes the fact that the EaP is based on democracy, rule of law and respect for human

¹²⁸ The European Council. *Presidency Conclusions*. Nr 10633/1.06. 17.07.2006: 17

¹²⁹ European Council. *Presidency Conclusions*. No 16616/1/07. 13 December 2007

¹³⁰ European Council. *European Council Conclusions*. No.EUCO 76/12. 28-29 June 2012

¹³¹ European Council. *Presidency Conclusions*. No 11177/1/07. 21-22 June 2007

¹³² Note: Georgia has been mentioned only in 2013 regarding its progress on the AA

rights, which are the bases of cooperation and that the Partnership “should help the partner countries to make progress in their reform processes, thereby contributing to their stability and bringing them closer to the EU”.^{133 134 135 136} The Conclusions rarely refer specifically to human rights: there is no reference to the EU’s democracy promotion policy or human rights issues specifically in Armenia or Georgia, thus the mean of all conclusions is only 1,43 both for Armenia and Georgia.¹³⁷

The Council of the European Union: The Council Conclusions “Strengthening the European Neighbourhood Policy” refer to the latter as one of the core priorities for the Union’s foreign policy. The Presidency advocates for effective cooperation in order to achieve secure and stable neighbourhood. However, there is no reference to human rights in Armenia and Georgia.¹³⁸ The Joint Staff Working Document adopted in 2013 emphasizes the importance of human rights, democracy and the rule of law in the European neighbourhood and declares the need of additional attention towards progress on this dimension.¹³⁹ Though the documents often refer to the implementation of the ENP, the assessments are made on the basis of Freedom House Reports.¹⁴⁰¹⁴¹ Within the period 2009-2010 the Council did not issue conclusions on the Neighbourhood Policy. In general, there are only 10 Conclusions of the Council on the ENP for the period 2006-2013. Other documents present the communications from the Commission to the Council and the Parliament. The mean of the Council conclusions is 2,125 for Armenia and 1,812 for Georgia. Overall, the

¹³³ European Council. *Presidency Conclusions*. No 17271/1/08. 11-12 December 2008: 10

¹³⁴ European Council. *Presidency Conclusions*. No 7880/1/02. 19-20 March 2009

¹³⁵ European Council. *Presidency Conclusions*. No EUCO 21/1/10. 16 September 2010

¹³⁶ European Council. *Presidency Conclusions*. No EUCO 52/1/11. 23 October 2011

¹³⁷ The scale: 1- no reference to human rights; 2- general remarks on human rights; 3- general remarks with more focus on human rights per country; 4- somehow comprehensive reference to human rights; 5- comprehensive reference to human rights

¹³⁸ The Council of the European Union. *Strengthening the European Neighbourhood Policy: Council Conclusions*. 11016/07. Brussels. 19 June 2007

¹³⁹ The Council of the European Union. *Joint Staff Working Document: Implementation of the European Neighbourhood Policy in 2012 (Statistical Annex)*. March 3, 2013

¹⁴⁰ Ibid.

¹⁴¹ The Council of the European Union. *Joint Staff Working Document: Implementation of the European Neighbourhood Policy in 2011*. May 23, 2012

documents refer to the human rights dimension as one of the cornerstones of the political dialogue under the framework of the ENP. The analysis shows that the EU's policy towards Armenia and Georgia is based on the normative identity of the Union, including democracy, the rule of law, human rights and fundamental freedoms.

European Parliament (EP): The 2006 Resolution on the European Neighbourhood Policy of the Parliament declares “the aim of privileged relations with the EU’s neighbours includes, as an essential precondition, an active and concrete commitment to common values in the fields of the rule of law, good governance, respect for human rights and fundamental freedoms, democracy and the principles of a transparent social market economy and sustainable development”.¹⁴² The 2012 Resolution of the Parliament on ENP though notes that Armenia has advanced to some extent in the sphere of democracy, the area still need further improvements. Regarding Georgia, the EP welcomes the state’s reforms and meeting the requirements of the AA. Along with this, it is noted that Georgia still needs to take steps towards independent judiciary, respect for minority rights, full respect of European values, etc. Overall, human rights dimension was mentioned 30 times in the document. The majority of the resolutions refer to media independence and pluralism as important determinants of consolidated democracy. In 2008 the Parliament issued a Resolution on a policy towards the South Caucasian stressing the need for improvement of the Neighbourhood Policy in order to bring more efficiency to the EU's policy " whereas the EU needs to develop a clear profile and a stronger presence in the region". This shows that the Parliament aims to promote human rights in the context of overall democracy promotion. The content analysis shows that there is much reference to human rights compared to other EU institutions, though they take the form of general remarks. Particularly, they are mainly referred to as the bases and priorities of cooperation, thus explaining the rationale of the Union’s policy in the dimension of human rights and fundamental freedoms. Though there is

¹⁴² European Parliament: Resolution on European Neighbourhood Policy: P6-TA (2006)0028

specific upward going trend in the resolutions regarding human rights or civil society, it may just be explained by the fact the number of resolutions in recent years is comparatively higher. In this regard, the increase of resolutions concerning the ENP; Armenia and Georgia may be mainly connected with the process of preparation for the Association Agreements.

Table 5 Content Analysis of EP Resolution

Year	<u>Resolutions concerning ENP</u>	<u>Frequency</u>
2006	2	Human Rights 27 Armenia 7 Georgia 5 Democracy 15 Fundamental freedoms 9 Civil Society 7
2007	1	Human Rights 21 Armenia 5 Georgia 8 Democracy 10 Fundamental freedoms 10 Civil Society 13
2008	1	Human Rights 11 Armenia 34 Georgia 51 Democracy 20 Fundamental Freedoms 4 Civil Society 9
2009	1	Human Rights 5 Armenia 3 Georgia 5 Democracy 7 Fundamental freedoms 1 Civil Society 5
2010	1	Human Rights 11 Armenia 35 Georgia 43 Democracy 17 Fundamental Freedoms 3 Civil Society 9
2011	3	Human Rights 54 Armenia 12 Georgia 15 Democracy 57 Fundamental freedoms 32 Civil Society 49
2012 ¹⁴³	N/A	N/A
2013	4	Human rights 51 Armenia 10 Georgia 13 Democracy 48 Fundamental freedoms 45 Civil Society 32

Visits of EU Officials: The analysis of the visits to Armenia and Georgia shows that the different EU officials have visited the two countries for an official visit 7 and 12 times, respectively within the implementation of the Neighbourhood Policy. Specifically those officials have been the High Representative for CFSP Lady Catherine Ashton, Commissioner for Enlargement Stefan Fule, Commissioner for the ENP Ferrero-Waldner and President of the European Commission Jose Manuel Barroso. However, the majority of the visits have had little reference to human rights and fundamental freedoms. Thus, the mean for both countries is low, in particular, for Armenia the mean is 1.64 and for Georgia 1.75.¹⁴⁴

Statements/Speeches Mainly, the speeches have been given by the High Representative for CFSP and the Commissioner Stefan Fule. The majority of speeches have not referred to specific dimensions of human rights and fundamental freedoms, for instance, freedom of assembly, women rights, etc. However, they have constantly called upon the partner countries' governments to accelerate reforms in the spheres of democracy and human rights. The joint statement by High Representative for CFSP Lady Ashton and Minister of Foreign Affairs of the Republic of Armenia delivered on the 29th of November, 2013 states that the Union reconfirms its commitment to strengthen and continuously improve the democratic institutions of the state and promote human rights.¹⁴⁵ Similarly, in 2014 the President of the European Commission Jose Manuel Barroso has mentioned that "human rights, in particular rights of minorities are vital and those should be taken as a priority".¹⁴⁶ According to the statement of Fule delivered on 10th of July, 2013, human rights are

¹⁴⁴ The scale: 1- no reference to human rights; 2- general remarks on human rights; 3- general remarks with more focus on human rights; 4- somehow comprehensive reference to human rights; 5- comprehensive reference to human rights

¹⁴⁵ Joint Statement between the European Union and the Republic of Armenia as agreed by High Representative Catherine Ashton and Foreign Minister Edward Nalbandyan 291113/03. Vilnius, 29 November 2013
http://www.eeas.europa.eu/statements/docs/2013/131129_03_en.pdf

¹⁴⁶ Remarks by President Jose Manuel Barroso after his Meeting with Mr. Irakli Garibashvili, Prime Minister of Georgia: European Commission. Speech no. 14/88. Brussels, 3 February 2014
http://europa.eu/rapid/press-release_SPEECH-14-88_en.htm

the basis of cooperation between the EU and its partner countries.¹⁴⁷ The overall analysis of the statements, visits and speeches shows that the importance of human rights is presented under the framework of good governance and democracy. Also, human rights are one of the principles of cooperation in the context of the ENP along with the rule of law that can be derived from the analysis. Thus, according to the discourse analysis, the EU’s human rights policy towards Armenia and Georgia is explained by the fact that the whole cooperation with the indicated countries is based on human rights and fundamental freedoms to a certain extent. The analysis of statements and speeches by the official representatives is shown in the table below.

Table 6 Official Statements per Country for the period 2006-2014

Official Statements/Speeches	Armenia	Georgia
Number of statements	61	87
Mean	1.88	1.71

Source: European External Action Service. 2014

2.4 MEMBER STATE INITIATIVES TARGETTING HUMAN RIGHTS

Kelley notes that it is difficult to build consensus among the member states to promote a “coherent” policy towards the partner countries of Neighbourhood Policy in terms of the absence of consensus upon interests and policy considerations.¹⁴⁸ Generally speaking, the Member States of the EU have not given much attention to Armenia, Georgia and Azerbaijan. Sweden can be regarded as the state that had more or less "coherent" policy towards South Caucasus explained as a “consistent” policy on the basis of shared values. Consistency of the policy thus may be defined as realization of

¹⁴⁷ European External Action Service. "Commissioner for Enlargement Stefan Fule to Visit Armenia on 10th of July". Yerevan, July 10, 2013

http://eas.europa.eu/delegations/armenia/press_corner/all_news/news/2013/20130710_en.htm

¹⁴⁸ Kelley, Judith. "New Wine in Old Wineskins: Promoting Political Reforms through the European Neighborhood Policy." *Journal of Common Market Studies* 44, no. 1 (2006): 29-55.

the shared values in all aspects of the policy. In this regard, Bosse puts forward certain criteria for analysing the Neighbourhood Policy, in particular:

"1) the coherence and consistency of the policy discourse on the significance and substance of 'shared values', 2) a wider consensus on the content of values, rather than select member state interests or technocratic EU institutional interests and 3) the existence of appropriate measures to institutionalise the relevance and enforceability of values".¹⁴⁹

The Eastern Partnership, which represents a platform for democracy and human rights promotion, is a joint Swedish-Polish initiative. Before March 2014 the Swedish Embassy in Tbilisi was responsible for representing country's interests both in Armenia and Georgia. Currently, there is a permanent diplomatic mission in Yerevan. The policies of the Embassy include promoting European integration as well as implementation of political, economic and cultural contacts within the countries. Along with this, several authors have criticized the ENP, which has been regarded as an instrument for member states to promote their economic, security or energy interests which has been explored earlier in the chapter.^{150 151}

The British Embassy in Armenia declares promotion of democracy and human rights as the main priority of cooperation between the countries. Though the UK uses Human Rights Development Funds to achieve better protection of human rights, there is coordination with the EU Delegation as well. The implementing agencies are the Foreign and Commonwealth Office and the British Embassy in Armenia.¹⁵² Regarding Georgia, the British government states, that as the country approaches to the EU, there is certain cooperation in the sphere of human rights protection. Though there are issues of concern regarding minority and property rights, as well as values and

¹⁴⁹ Bosse, Giselle. Values in the EU's Neighbourhood Policy: Political Rhetoric or Reflection of a Coherent Policy? *European Political Economy Review* 7:2 (2007): 40-43

¹⁵⁰ Simao, Licina. "EU-South Caucasus Relations: Do Good Governance and Security Go Together." *Political Perspectives* 5, no. 2 (2011): 33-57.

¹⁵¹ Tocci, Nathalie. "Can the EU Promote Democracy and Human Rights through the ENP? The Case for Refocusing on the Rule of Law." *European University Institute*, 2006: 1-20.

¹⁵² The Government of the UK. *Promoting Democracy and Human Rights in Armenia*. 30 March 2013 <https://www.gov.uk/government/priority/promoting-democracy-and-human-rights-in-armenia#actions>

tolerance, the human rights dimension is not the core priority of the cooperation. The increase of trade, as well as resolution of conflicts is prioritized in this regard.¹⁵³ The German Embassy in Armenia has implemented activities in the sphere of human rights by screening films. Besides the Embassy, more coordinated cooperation between Germany and Armenia and Georgia is implemented through the Konrad Adenauer Foundation. For the implementation of the project "Democracy Starts with you", the foundation has allocated EUR 1,880,000 to Armenia, Georgia and Azerbaijan. It promotes democracy through capacity building of civil society, specifically within the youth putting emphasis on human rights, political and civil liberties.¹⁵⁴

The official site of the French Embassy to Armenia shows most of the cooperation is focused on cultural and educational spheres. Similarly, the German DAAD initiative is a platform for Armenian and Georgian students to study in Europe. The Netherlands supports democratic reforms in Georgia and number of social reforms in Armenia which include the human rights dimension as well by the encouragement of the initiative. The latter has launched political reform to achieve judicial independence encouraged by Netherlands and the EU.^{155 156}

Besides bilateral and multilateral cooperation, there are number of European NGOs that are working in the sphere of human rights and cooperate with Armenia and Georgia. For instance, the International Partnership for Human Rights with headquarters situated in Brussels works in the post-Soviet area and its main activities involve implementation of research and awareness rising. The British Helsinki Group of Human rights implements its activities both in Armenia and Georgia in order to achieve higher respect for human rights and fundamental freedoms.

¹⁵³ The Government of the UK. *Promoting Human Rights in Georgia*. 30 March, 2013
<https://www.gov.uk/government/priority/promoting-human-rights-in-georgia>

¹⁵⁴ Konrad Adenauer Stiftung. *European Projects: Asia.2014*
<http://www.kas.de/wf/en/71.8080/>

¹⁵⁵ Government of Netherlands. *Relations with Armenia.2014*
<http://www.government.nl/issues/international-relations/armenia>

¹⁵⁶ Government of Netherlands. *The Netherlands Supports Political Reforms in Georgia*. 2013
<http://www.government.nl/news/2010/03/04/the-netherlands-supports-further-reforms-in-georgia.html>

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The main interests of the Union in promoting human rights have been discussed in this chapter. It can be concluded that the Commission represents the "watchdog" of the Neighbourhood Policy, while the European Parliament issues Resolutions which can be regarded as the "soft law" dimension. While the former refers to the issuing Progress Reports and identifying whether the Policy achieves its expected results, the latter may be defined as certain rules and principles which have no legally binding power, though may have practical effects and consequences. Similarly, the Action Plans of the ENP, that provide guidelines and objectives of the cooperation, can be placed under the "soft law" category. Along with this, the Parliamentary Resolutions referred more to human rights issues per country if compared to European Council Presidency Conclusions. This can be explained by the fact that the European Parliament, as the only directly elected institution of the EU, has more democratic features, if compared to the other institutions. The European Council comprises Heads of States and governments which are more likely to pursue the states' economic, security, energy and other interests. The institution presents an arena, where in an intergovernmental bargaining process the Member States have decisive voice over the Union's policies thus having an opportunity to influence the Neighbourhood policy according to their national preferences which can also be the case for the other institutions.

Most of the reports on the Neighbourhood Policy have been developed by the Council of the European Union and European Commission. This shows higher involvement of Council and the Commission in the implementation of the ENP. The official statements of the Union's officials rarely refer to specific human rights issues; also, the official visits have had not covered the dimension of human rights, fundamental freedoms and the rule of law substantively so far. This can

be explained by the fact that the visits are usually concentrated on political dialogue, which, in fact, includes the dimension of human rights. Apart from the initiatives at the institutional level, the member states also cooperate with Armenia and Georgia from human rights perspective. However, there is no much literature on the issue of Member States bilateral human rights policies and the recommendation of the study is further in depth analysis in order to identify all the possible channels of bilateral cooperation.

To sum up, the EU has sought to promote human rights in Armenia and Georgia, since human rights constitutes one of the basic values the Union on. This has been concluded by the analysis of the official documentation of the EU's institutions that are involved in the implementation of the Neighbourhood Policy and from the official statements and speeches delivered by the Union's officials. In particular, though the discourse analysis has not shown much reference to human rights issues, it can be stated that the EU's human rights policy is grounded on its normative identity. Besides, the ENP, as it has been discussed in this chapter, is a “win-win” policy, that provides the Union with an opportunity to secure its interests through the cooperation based on democracy and human rights. Particularly, respect for human rights, democracy and the rule of law in the external and internal policies is legalized in the founding treaties of the Union and safeguards the basic principles of the EU. This explains why the EU promotes human rights in Armenia and Georgia.

CHAPTER 3

COMPARATIVE FRAMEWORK OF THE EU'S HUMAN RIGHTS POLICY IN ARMENIA AND GEORGIA

The academic literature on the topic has looked at the EU's democracy promotion policy in the Southern Caucasus. The given chapter reveals the arguments that have been expressed so far on the topic, putting the main emphasis on human rights and adding an analysis of the Commission's progress reports and in depth interviews that have been conducted in Armenia and Georgia. The chapter proceeds as follows: after introducing the secondary literature, the impact of the EU's policy specifically in the human rights dimension is discussed through the analysis of the primary data. Secondly, the findings of the study are introduced. Finally, the conclusion of the chapter finalizes the main arguments that have been discussed and brings forward policy recommendations on the basis of the analysis.

3.1 THE IMPACT OF THE EU'S HUMAN RIGHTS POLICY

Achievements: Delcour and Duhot analyse the impact of the ENP in the Southern Caucasus and put forward the argument that the Policy has succeeded in several important dimensions including democratization and good governance. The authors also note that the most significant results have been achieved by Georgia emphasizing the democratic reforms that have taken place and been enforced in the country. Armenian success in the launch of the Human Rights Dialogue and strengthening of the institution of Human Rights Defender have been mentioned in terms of the positive impact of the EU's policy.¹⁵⁷ The Neighbourhood Policy has emphasized not only

¹⁵⁷ Delcour, Laure; Hubert Duhot. *Bringing South Caucasus Closer to Europe: Challenges and Implementation*. Warszawa: College of Europe, 2011

economic and security issues, but also the alignment of the national legislations of the EU's Eastern neighbour countries with the EU acquis.¹⁵⁸ This can be specifically highlighted in terms of the strong relationship between the successful impact of the EU's policy towards the South Caucasus and the implementation of democratic reforms by the governments'.¹⁵⁹

Limits: Based on qualitative and quantitative analysis of the EU's policies towards the Southern Caucasus different scholars have argued that democratization of the countries included in the ENP is moving forward very slowly, which shows the limits of this foreign policy tool. This is often explained by the lack of political will of non-member countries on the one hand, and the broadness of the EU's policy on the other which finances both civil societies and authoritarian regimes. Besides the EU's democracy and human rights promotion under the auspices of the ENP are also considered to be limited due to lack of transparency and concreteness in terms of "striking an adequate balance between intergovernmental and civil society actors".¹⁶⁰ Thus the EU's democracy promotion shortcomings may be explained through the lacking internal capacities along with "asymmetric interdependence" which can even create negative attitude towards the EU in the partner states. This can be explained by the argument that the EU promotes its legal setting to the partner countries along with the absence of further institutional integration.^{161 162 163} Pop argues that Europe will face the rejection of the Neighbourhood Policy by the states due to no promise of

¹⁵⁸ Simao, Licina. "EU-South Caucasus Relations: Do Security and Good Governance Go Together?" *Political Perspectives* 11, no. 2 (2011): 33-57

¹⁵⁹ Dekanozishvili, Mariam. *The EU in the South Caucasus: By What Means to What Ends?* Georgian Foundation for Strategic and International Studies. Tbilisi (2004).

¹⁶⁰ Eshter Barbe, Elisabeth Johansson-Nogues. "The EU as a modest 'force for good': The European Neighborhood Policy." *International Affairs*, 2008: 81-96: 92

¹⁶¹ Youngs, Richard. "European Approaches to Democracy Assistance: Learning the Right Lessons?" *Third World Quarterly*, 2003: 127-138.

¹⁶² Raik, Kristi. "Promoting Democracy in Eastern Neighborhood: The Limits and Potential of the ENP." *The International Spectator*, 2006: 31-45: 39

¹⁶³ Wolczuk, Kataryna. "Convergence without Finalite: EU Strategy towards Post-Soviet States in the Wider Black Sea Region." In *Black Sea Region and EU Policy: Challenge of Divergent Agendas*, by Carol Weaverl Karen Henderson, 49-64. Ashgate Publishing Group, 2010.

membership.¹⁶⁴ This goes in line with arguments of Schimmelfennig and Scholz who insist on correlation between the successful Neighbourhood Policy and membership perspective, particularly noting that democracy promotion is fully effective if the partner countries are not only awarded by financial assistance but are also institutionally integrated into the Union's structures.^{165 166}

3.2 MEASURING THE IMPACT OF THE EU'S HUMAN RIGHTS POLICY IN ARMENIA AND GEORGIA

The 2013 Communication of the ENP gives an opportunity to assess the impact of the implemented policies. While Georgia has implemented "*most of key recommendations*", Armenia has implemented "*some*" of those.¹⁶⁷ Armenia has adopted the "National Human Rights Strategy" along with reforms in the judiciary and public administration spheres and improved the rule of law in compliance with the EU acquis.¹⁶⁸ Georgia has succeeded in the implementation of free and fair parliamentary elections and performed an active role in the Geneva talks. Certain measures were adopted by the country in order to improve the well-being of Internally Displaced Persons. The reforms in the judicial system along with the strengthened freedom of speech, opinion and expression indicate about certain progress of the country.¹⁶⁹

Further analysis of the impact of the EU's human rights policy can be illustrated by country progress reports that are issued by the European Commission. The Progress Reports refer to human

¹⁶⁴ Pop, Irina. "The Assessment of the European Neighbourhood Policy in the South Caucasus. What Europe can do?" *Journal of the Institute for Euroregional Studies* 7 (2009): 22-35.

¹⁶⁵ Schimmelfennig, Frank; Hanno Scholz. "EU Democracy Promotion in the European Neighbourhood: Political Conditionality, Economic Development, Transnational Exchange." *European Union Politics* 9, no. 2 (2008): 187-215.

¹⁶⁶ Trauner, Florian. "EU Justice and Home Affairs Strategy in the Western Balkans: Conflicting Objectives in the Pre-Accession Strategy." Working Document 259. Brussels: CEPS, 2007. 1-24.

¹⁶⁷ European Commission. *European Neighbourhood Policy: Working towards a Stronger Partnership*. Brussels, 20 March, 2013. JOIN(2013) 4 final

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

rights area, indicating that though progress has been achieved in various areas, there is room for further improvement and reforms in the sphere of human rights.¹⁷⁰ Interestingly, though protection of individual property is stated as an objective in the dimension of human rights of the European Neighbourhood Policy in the Armenian Action Plan, there is no reference to it in the Commission Progress Reports for the period 2007-2013. Similarly, the 2013 report of EU Special Adviser on Constitutional and Legal Reform and Human Rights in Georgia Thomas Hammarberg stressed that the journalists face various difficulties while implementing their professional activities and are often subject to violations.¹⁷¹ However, only two Commission Progress reports have referred to this issue. The issues concerning the freedom of assembly, as well as the safety of demonstrators have been mentioned by Hammarberg and several Georgian interviewees, only the last 2013 report made reference to the problem. The reason may be explained by the limited problems that the area has in comparison with other dimensions of human rights.

Table 7 Progress Reports Analysis 2007-2013¹⁷²

Indicator	Armenia	Georgia
Media Independence	2.66	1.5
Media Pluralism	2.5	2.5
Freedom of Assembly	2.5	1.5
Protection of Individual Property	1	1.33
Detention conditions	2.33	2.33
Strengthened Institute of HRD	4	3.5

¹⁷⁰ European Commission. Progress Reports on Armenia and Georgia: 2006-2013

¹⁷¹ Hammarberg, Thomas. "Georgia in Transition: Report on the Human Rights Dimension: Background, Steps Taken and Remaining Challenges", Tbilisi, 2013.

¹⁷² Scale: 1- no reference to the issue; 2- no improvement/inefficiency/lack of..; 3- efforts, reforms, legislation, implementation; 4- limited progress, slight improvement, some progress; 5- progress, strengthening, higher respect for

Strengthened Civil Society Capacity	2	1.8
Women Rights ¹⁷³	2.1	2.6
Children Rights	2.33	1.8
Minority Rights ¹⁷⁴	1.6	2.5
Journalists' Rights	2.1	2

What can be deduced from this data is that the only dimension where the two countries have advanced in the sphere of human rights is the strengthening of the Human Rights Defenders' institutions. The same mean has been recorded for detention conditions: 2.33 for both countries, though it is difficult to conclude that both countries have succeeded in the dimension equally based on the interviews conducted in Yerevan and Tbilisi. This can be explained by the fact that the EU assistance to the improvement of detention conditions, rehabilitation of former prisoners, and reform of the penitentiary system is one of the prevailing categories among the projects. Thus, certain progress has been achieved in the sphere according to the majority of the interviewees. The same rating goes for media pluralism as well, which corresponds to the reality to a certain extent if considering the interviewees' opinions on the issue. Along with this the rate for media independence is relatively high in Georgia. This can be illustrated by the evident progress of the country in the sphere of media freedom though further reactions against pressure on journalists and full transparency may be recommended.¹⁷⁵

The progress in certain dimensions of democratization, in particular in the sphere human rights can be presented through the Freedom House reports. Though there are no indices specifically

¹⁷³ Women rights entails gender equality and domestic violence

¹⁷⁴ Minority rights entail rights of gender, sexual, religious and national minorities

¹⁷⁵ Hammarberg, Thomas. "Georgia in Transition: Report on the Human Rights Dimension: Background, Steps Taken and Remaining Challenges", Tbilisi, 2013.

on human rights, the Nations in Transit Reports explore such dimensions like media independence and civil society that are units of analysis of the given study. The Freedom in the World report refers to civil liberties and political rights which constitute important aspects in the human rights dimension. As it can be witnessed from the Table 2, Georgia does much better in spheres civil liberties and political rights, as well as media independence. However, the two countries have equal ratings in the civil society dimension. In this regard, it can be argued that both Armenia and Georgia

Table 8. Freedom House. Nations in Transit 2013

	Independent Media				Civil Society				Civil liberties				Political Rights			
	2010	2011	2012	2013	2010	2011	2012	2013	2010	2011	2012	2013	2010	2011	2012	2013
A	6.0	6.0	6.0	5.75	3.75	3.75	3.75	3.75	4.0	4.0	4.0	4.0	6.0	6.0	6.0	5.0
G	4.25	4.25	4.25	4.25	3.75	3.75	3.75	3.75	4.0	3.0	3.0	3.0	4.0	4.0	4.0	3.0

Source: "Nations in Transit 2013". Freedom House; "Freedom in the World 2013" Freedom House (The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest).

Amnesty International Reports

Armenia

Freedom of Expression: The 2007, 2008 and 2009 reports of Amnesty International indicate that the freedom of expression was largely limited. The reports also bring forward cases of violations and harassment against independent journalists resulting even in one's death. Similarly, the 2010 report brings examples of journalists whose rights were violated when carrying out their professional activities. The 2013 report indicates that the freedom of expression has been largely unrestricted in Armenia. However, those who have expressed oppositional opinions have been subject to violence. **Freedom of Assembly:** The 2009 report indicates about excessive use of force during demonstration though in 2010 report a reference to the amnesty of the arrested participants of

those is made. The 2012 report indicates that number of improvements has occurred in the sphere. There is no reference to freedom of assembly in the 2013 report. However, **Women Rights:** In the 2009 report violations of women rights are highlighted. In 2009 draft law on domestic violence designed by number of NGOs become available for wide public circles. The 2010 indicates the absence of appropriate legislation condemning domestic violence. In 2011 several important cases on violation of women's rights occurred. The same report notes that protection of women's rights did not meet international standards. **Torture and Ill-Treatment:** The 2008 and 2009 reports refer to the excessive use of force during mass demonstrations. The 2010 Report indicates that police officers have used excessive use of force during mass demonstrations. In 2012 the area of torture and ill-treatment remained an area of concern as the Amnesty International reports. The 2013 report notes that the state has not implemented the recommendations given by the European Committee for Prevention of Torture. **Civil Society:** From 2007 to 2012 there is no reference to civil society issues in Armenia. According to 2013 report, the civil society activists have become subject to violence during implementation of certain activities (e.g. organization of festival on Azerbaijani films). The reports have not referred to **protection of individual property, children's rights, human rights defender's institutions** which cannot be explained in the framework of the given research. **Minority rights** have been referred largely in the context of violation of the rights of religious minorities which is reflective of the country situation.

Georgia

Freedom of Expression: The 2007 report of Amnesty International posited that the freedom of expression was at risk in the country, while the 2009 report refers to the limitations imposed on television media. In 2010 journalists were subjected to harassment, arrest and their freedom of expression was limited. Similarly, the 2013 report of the Amnesty International indicates that several violations towards journalists have occurred in Georgia. **Freedom of Assembly:** In 2008 the

former President Saakashvili restricted the freedom of assembly, as well as the right of receiving information before his resignation. Similarly the 2010 report stated that the freedom of Assembly was restricted in Georgia. Several demonstrations during 2012 have been violently dispersed. In 2013 though the freedom of assembly has been largely unrestricted, certain cases of violations have taken place in Georgia. **Women Rights:** The 2007 and 2008 Reports of Amnesty International note about problems in the sphere of women rights and domestic violence though the positive developments in the country occurred in terms of a new law on domestic violence. In 2010 the country adopted an Action Plan on domestic violence .The 2011 Report refers to women rights progress in terms of shelter for those who has become subject to violations. **Torture and Ill-Treatment:** The 2007 Report refers to excessive use of force by police officers in Georgia. Cases of ill-treatment occurred towards inmates as well, while the governmental authorities failed to protect their rights. The 2008, 2010 and 2012 reports indicate that the police have used force while demonstrations, whereas the 2011 refers to certain progress in the sphere of torture and ill-treatment. **Minority Rights:** In 2008 certain violations on the rights of ethnic minorities have occurred in the country. In 2011 Georgia adopted Law on the Gender Equality. In 2013 discrimination of religious minority rights, as well as attacks on LGBT's rights have taken place. The 2009-2013 reports do not refer to the **protection of individual property, the institution of Public Defender, as well as civil society** which cannot be explained in the context of the given research. Overall, the majority of the reports frequently refer to the war between Russia and Georgia in the context of living conditions of internally displaced people, as well as to the violations of international human rights and humanitarian law.

Interview Analysis

The analysis of Progress Reports, Freedom House and Amnesty International data show any significant results in terms of the achieved progress and drawbacks for both Armenia and Georgia in

the dimension of human rights. Along with this, the data does not define specifically the EU's impact in the sphere of human rights. Thus in order to measure the impact of the EU's policy in the above indicated dimensions, interviews have been conducted in order to provide detailed information about the EU's policy, as well as to identify the peculiarities of the process. The Table 3 illustrates the interviewees' perspectives and assessment of the EU's human rights policy in specific domains which are common EU objectives both for Armenia and Georgia.

Table 9 The EU's impact on Human Rights in Armenia and Georgia

Indicator	Armenia	Georgia
Media Independence	2.2	3.75
Media Pluralism	2.4	3.75
Freedom of Assembly	2	3.625
Protection of Individual Property	2.1	2.25
Detention conditions	2.5	3.75
Strengthened Institute of HRD	3.8	4.5
Strengthened Civil Society Capacity	3	4.43
Women Rights	2.5	3.125
Children Rights	2	2.625
Minority Rights	2.2	3.625
Journalists' Rights	2.2	3.25

Scale: From 1 to 5, where 1 presents the lowest and 5 the highest rate

As it can be witnessed from the table above, the impact of the EU's human rights policy is evaluated by the Armenian and Georgian interviewees in a different manner. However, the majority

of the interviewees from both countries have identified the role of the Union in the achievement of significant results in certain dimensions. At the same time, financial and technical support to the Ombudsman's institution has been highlighted by a number of interviewees as one of the positive outcomes of the EU's human rights policy. As the First Deputy of the Ombudsman of the Republic of Armenia notes, the European Union has provided huge financial assistance to the Office of Human Rights Defender, as well as raising the problems in different domains and provided recommendations. The institution is independent from the government; it has a certain budget line and capacity to initiative legislation.¹⁷⁶ Similarly, the Institute of Public Defender of Georgia has strengthened in its capacity, it fulfils its legal capacities and has some additional competences and the EU is noted to have wide involvement in the process.¹⁷⁷

The most prominent view that has been expressed during the interviews has been the positive impact of the preparation of the Association Agreement of Armenia. For instance, the Chair of the Standing Committee on Protection of Human Rights and Public Affairs of the National Assembly of Armenia has emphasized the importance of the Advisory Group and the positive cooperation the state has had with the latter. In particular, Ms. Vardanyan has stated *"I think that this can be regarded as one of the most effective ways of cooperation because the advanced experts from EU have tried to share their experience and knowledge with the Armenian colleagues by giving valuable policy advice and recommendations."* Also the Chair says,

"I will emphasize once more, though the direction of the Armenia's foreign policy has changed into Russian, the EU's role in the dimension of human rights has not changed. I hope that the Advisory group will continue its activities next year. Besides, it is critically important for Armenia to keep good relations with the EU".^{178 179}

¹⁷⁶ Interview with the First Deputy of the Armenian Ombudsman, Ms. Genya Petrosyan, Yerevan, 22.04.2014

¹⁷⁷ Interview with the Head of Justice Department of the Institute of Public Defender of Georgia Ms. Natia Katsitadze, Tbilisi, 27.03.2014

¹⁷⁸ Interview with Chair of the Parliamentary Committee on Protection of Human Rights and Public Affairs of the National Assembly of the Republic of Armenia Ms. Elinar Vardanyan, 16.04.2014, Yerevan

Thus, Armenian preference to join the Russian-led Customs Union can be illustrated as an implication for the successful implementation of the ENP in terms of shutting down the activities of the Advisory Group, etc.

The idea that has been mentioned most frequently by Georgian interviewees has been the importance of the Georgian government and the effective internal response by the latter to the EU's human rights policy. In particular, all of the interviewees have referred to the positive outcomes and significant impact of the EU's policy after the change of the government in 2012. They have emphasized the fact, that the state has become more responsive to the Union's human rights policy from 2012, as well as certain measures have been undertaken by the new government to strengthen the state of human rights in specific dimensions. For instance the appointment of Personal Data Protection institution, improved legal framework of children's rights, amendment of the Labour Code, adoption of National Concept for Tolerance and Civic Integration and various other examples can illustrate the progress carried out by the government. Strengthening the Human Rights Defender's Office, strengthening the capacity of civil society, as well as the increase of media independence and pluralism have been identified by the interviewees as the aspects where Georgia has had essential success in response to the EU's policy. The sphere where the EU has had fewer interventions is the right of property, which one of the areas of concern as mentioned in the Georgian Action Plan and identified as an area of concern by numerous interviewees.¹⁸⁰

In this regard, another argument that has been recurrent among the Armenian and Georgian interviewees is the impact of the Georgian pro-Western orientation in relation to the EU's human rights policy. As the Deputy Chair of the Parliamentary Committee on Human Rights and Civil

¹⁷⁹ The prospect of further cooperation has been questioned during the interview due to the change of the Armenia's external policy where the interviewee has emphasized the importance of the EU in the sphere of human rights.

¹⁸⁰ However, the interviewees could not provide information why the EU does not have much involvement in the sphere of property rights in Georgia

Integration of the Georgian Parliament states, *"Georgia has chosen its policy orientation, its external political discourse is distinctly mapped towards the EU. Naturally, in the sphere of human rights Georgia orients towards the EU, tries to get more technical and financial assistance to improve its performance."*¹⁸¹ The concern that the Armenian interviewees have expressed is the Armenian prospect of joining the Customs Union and less cooperation with the EU. Along with this, the Georgian interviewees have referred to EU-Georgian cooperation and emphasized the fact that the majority of the population has pro-EU orientation and wants to sign the Association Agreement. Besides, the process of preparation of signing the AA has had an essential and positive influence in the sphere of human rights which has also been mentioned by the Armenian interviewees. All of the interviewees have mentioned that signing the AA will improve the Georgian standing in various domains, where human rights and democratization present an important sphere where the country will have significant improvements.

Table 10 Evaluation of the EU's Human Rights Promotion Instruments in Georgia¹⁸²

	Eastern Partnership	European Endowment for Democracy	EIDHR	Human Rights Dialogue	EU Financed Projects
Relevance	4.8	2.75	3.125	4.625	4.625
Effectiveness	4	2.65	2.68	3.25	3.75
Impact	4.125	2.5	2.52	3.0	3.75
Sustainability	4.125	2.65	2.75	3.25	3.5
Efficiency ¹⁸³	3.75	2.5	2.75	3.375	3.375

¹⁸¹ Interview with Deputy Chair of the Standing Committee on Human Rights and Civil Integration of the Parliament of Georgia Mr. Ruslan Poghosyan, 28.04.2014, Tbilisi

¹⁸² Because of the fact that the majority of the interviewees experienced difficulties in evaluating the Non State Actors and Local Authorities budget lines, the instrument misses from the given data

Added Value ¹⁸⁴	4.125	2.625	2.75	3.25	3.75
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Scale: From 1 to 5, where 1 presents the lowest and 5 the highest rate

As it is illustrated above, the relevance of the Eastern Partnership and the EU-Georgia Human Rights Dialogue to the Georgian reality is relatively high. Moreover, the interview analysis shows that the Eastern Partnership is highly evaluated by the Georgian policy implementers, leaders of the human rights NGOs, as well as the EU Delegation itself. In this regard, the Human Rights Focal Point of the EU Delegation to Georgia and EU Liaison Officer on Human Rights notes that

“without Georgia the EaP would be a failure; moreover, it is super-relevant to Georgia and Georgian needs, where it is not comparable to other ENP countries; besides, the majority of the population is pro-European, you can see the EU flag on the buildings, people want to join the EU, which is important factor for the success of the EU's policy, especially in the sphere of human rights”.¹⁸⁵

Though the effectiveness, impact and sustainability of the European Endowment for Democracy, as well as the European Instrument for Democracy and Human Rights have relatively low rates, the majority of Georgian interviewees have expressed a positive view upon EU financed human rights projects, which are often financed by the above indicated instruments, namely EED and EIDHR. The low ratings of the EED have been explained by the majority of the interviewees by the insufficient information about the instrument, as well as the fact that is a new initiative of the EU.

¹⁸³ While effectiveness indicates the achieved goals and implemented objectives or vice versa, , efficiency refers to the process: how well is something done and at what costs

¹⁸⁴ Added value represents the credibility of the instrument of the Union compared to others

¹⁸⁵ Interview with Human Rights Focal Point and EU Liaison On Human Rights of the EU Delegation to Tbilisi Ms. Eva Pastrana. 27.04.2013. Tbilisi

Table 11 Evaluation of the EU's Human Rights Promotion Instruments in Armenia¹⁸⁶

	Eastern Partnership	European Endowment for Democracy	EIDHR	Human Rights Dialogue	EU Financed Projects
Relevance to Armenia	4.14	3.29	3.57	3.43	4.14
Effectiveness	3.43	2.57	3.0	2.71	3.29
Impact	3.29	2.57	2.71	2.43	3.0
Sustainability	3.0	2.43	2.57	2.86	3.0
Efficiency	3.14	2.71	2.86	2.43	3.0
Added Value	3.86	3.0	3.43	2.71	2.86

Scale: From 1 to 5, where 1 presents the lowest and 5 the highest rate

Though several interviewees did not have much information about the European Endowment for Democracy, an interviewee who preferred to stay anonymous, stated that the EED is the best instrument for promoting human rights, since it transfers financial aid directly to the NGOs, and not to the governments of Armenia and Georgia. The Eastern Partnership initiative, however, is the instrument of the EU's human rights policy rated as the most effective, relevant and efficient one by the Armenian respondents. They regard the EaP as the most relevant, effective and sustainable instrument for human rights promotion in Armenia. The EU funded projects also have high rates among the Armenian interviewees, though the majority of them has mentioned the need of comprehensive monitoring of those.

¹⁸⁶ Because of the fact that the majority of the interviewees experienced difficulties in evaluating the Non State Actors and Local Authorities budget lines, the instrument misses from the given data

3.3 FINDINGS OF THE STUDY

The interview analysis shows that certain views have been recurrent both in Georgia and Armenia. In particular, all of the interviewees from both countries have stated that EU is an outstanding organization from the human rights perspective. The Union is perceived as a normative hegemon and the EU's human rights policy towards Armenia and Georgia is explained by the normative basis of the organization, in terms of democracy, human rights and the rule of law. The Union's policy in the sphere of human rights is evaluated as pro-active by all of the Georgian interviewees and the majority of the Armenian interviewees. According to them, human rights and democracy constitute that base of cooperation between EU and Armenia/Georgia. Besides, all of the interviewees have noted that the EU can be regarded as a significant organization that promotes fundamental freedoms and rights and the countries still expect cooperation in this dimension. Along with this, the discourse analysis shows that the EU's human rights policy is stimulated by and based on its normative basis. Thus, the hypothesis that the given study puts forward, namely **"The EU's human rights policy is based on its normative identity"** is proven.

Finally, the hypothesis that the study has proposed, namely, **"Georgia's political will has been more responsive towards the EU's human rights policy than Armenia's"** is addressed. Having in regard the Commission Communications and the analysis of the 15 interviews, both Georgia and Armenia have had achieved certain results in response to the EU's human rights policy. Also, both countries still have problems to be solved in the sphere of human rights. However, the EU's financial assistance to Georgia in terms of human rights projects has been larger compared to Armenia. The most prominent view expressed during the interviews both in Armenia and Georgia in this regard has been more demand from the Georgian side. At the same time, the Commission

reports have indicated that Georgia has implemented most of policy recommendations. Also, the interviewees have assessed the EU's impact in the sphere of human rights as quite high in Georgia. Thus, the suggested hypothesis is proven too.

3.4 POLICY RECOMMENDATIONS

Overall, the evaluation of the EU's human rights policy towards Armenia and Georgia has been positive, which can be explained by the fact that the countries have experienced certain improvements in the sphere of human rights in response to the Union's policy. Since the launch of the ENP both Armenia and Georgia have achieved certain progress in specific dimensions of human rights. For instance, the development and strengthening of Human Rights Defenders' institutions or women rights can be the illustrations of the achieved progress. Regarding Armenia, the limited results of the EU's policy have been linked to the lack of political will of the country. Similarly, the positive impact of the EU's policy in Georgia is linked to the increased political will of the newly elected government. This shows the importance of the internal response to an external “policy”, which in this case is the EU's human rights policy. Thus, a proper internal response of the EU's policies, in terms of the states' willingness to cooperate and improve their human rights performance has strategic importance.

The table below shows certain areas where the countries still face serious problems in human rights dimension, where the EU's potential can be realized. Regarding the justice sphere, apart from giving recommendations, the EU should be more pro-active in the sphere of judicial independence both in Armenia and Georgia. The reports released by the EU conclude that the independence of judiciary is yet to be achieved; thus, more decisive steps should be undertaken in

this dimension. All of the interviewees have mentioned that the justice sphere needs to be improved; it lacks independence and needs substantial reforms. At the same time, further development of democratic institutions should be continued in order to implement reforms and make better enforcement of those in response to the EU’s policies.

Table 12 Issues of Concern in the Sphere of Human Rights¹⁸⁷

	Armenia	Georgia
Issues of Concern	Independence of judiciary; detention conditions, reform of the penitentiary system; women rights, domestic violence; rights of disabled	Gender discrimination; minority rights (sexual, religious and national); independence of judiciary; children’s rights

Having in regard the findings of the given study, the greater potential of the EU can be realized in the sphere of human rights in Armenia and Georgia. Regarding Armenia, the success of the cooperation is often linked to the lack of political will of the state, also the change of the external political course. Political conditionality can be regarded a less influential tool of the EU’s foreign policy compared with the enlargement policy, since the accession will not mean more democratic states with higher respect for human rights. At the same time, it is understandable that the accession of Armenia and Georgia may be still problematic, due to various reasons, thus it cannot be regarded as a policy recommendation. Instead, more strategic focus on human rights in the context of the ENP should be implemented.

Differentiation should continue to be the feature distinguishing the EU’s policy towards the South Caucasian countries due to their differences. Much focus should be given to the bilateral relations with the states: the Action Plans along with the negotiations for Association Agreements

¹⁸⁷ The table includes the opinions of the interviewees’ on the challenges their countries face in the sphere of human rights and fundamental freedoms

are the illustrations of the bilateral approach. This can refer also to the establishment of the Advisory Group of the EU to Armenia to ease the association process which has had a positive impact in different domains. However, the interviewees have stated that the work of the Advisory Group will most probably stop its operation in September 2014 due to Armenia's wish to join the Customs Union. One of the recommendations that the given study puts forward is continuation of the activities of the Advisory Group in Armenia and the establishment of a similar group in Georgia. For Armenia it would definitely have benefits in terms of competent policy advice by the EU and for the EU this would mean having more security and stability.

The further involvement of civil societies in the human rights promotion policies and the implementation of the reforms is a matter of primary importance as well. The creation of EED can be regarded as an important instrument in this regard. The main advantage of the instrument is a direct financial assistance to the NGOs or pro-democracy activists who carry out projects in the sphere of human rights and democratic reforms. At the same time, the multilateral dialogue should be strengthened to improve regional cooperation. However, as the majority of the interviewees both from Georgia and Armenia note, certain policy implications exist on the regional domain due to frozen conflicts, which complicates the inter-regional cooperation. Also the countries spend the vast majority of their budgets in the military sphere, which means less allocations to human rights protection and democratization processes. In this regard, the Union may take more decisive steps in conflict resolution which will positively affect the human rights sphere of Armenia and Georgia. The limits of the EU's human rights policy in Armenia were also linked to the inability of the population to defend their rights. The interviewees have stated that Georgia is more developed in this regard, people are aware of their rights which make the impact of the EU's policy more effective. Thus it is recommended to the EU implement awareness raising projects in Armenia.

CONCLUSIONS OF THE STUDY

The EU's policy towards Armenia and Georgia can be analysed from various perspectives. In particular, democracy promotion, security and economy policy represent important domains of cooperation. The given study has looked at the EU's human rights policy towards Armenia and Georgia with an attempt explain the "how" and "why" dimensions of the cooperation. Another important goal of the research has been the measurement of the impact of the human rights policy in the indicated countries. The following paragraphs summarize the main findings of the study and provide recommendations for further research.

The EU has deepened its presence in the region with the adoption of the European Security Strategy, which has underlined the importance of democratic governments as important means of global security. Along with this, the Union declares in the Strategy its will of playing more active role in the process of development of its neighbourhood. In this regard, Armenia and Georgia receive substantial amounts of financial aid along with technical assistance through various channels and programs. The success of the policies relies not only on continuous and comprehensive implementation of the Action Plans, but also on countries' capacities of using the ENP strategies in a proper way. The available data on democracy performance shows that both Armenia and Georgia are on the way of establishment of democratic institutions, but the transition process is not ended yet. Thus, the transition can be effectively framed by the EU's policy.

The political dialogue under the auspices of the Neighbourhood Policy can become the base of the countries' integration into the European institutions along with further adoption of European values including democracy, the rule of law and respect for human rights. These principles comprise the important aspects of state-building having specific impact on better economic performance and

sustainable development. Besides, the frozen conflicts in the region will have political and diplomatic resolution if the countries become consolidated democracies and refuse from the use of force.

The study has looked at the cooperation between the EU on the one side and Armenia and Georgia on the other side, from different perspectives. Firstly, the research has explored all the possible instruments and channels through which the Union promotes human rights in Armenia and Georgia. Among those are the European Neighbourhood Policy Instrument, European Endowment for Democracy, European Instrument for Democracy and Human Rights, as well as budget lines for Local Authorities and Non-State Actors. The instruments have been assessed by the interviewees from various perspectives, including relevance to the country, effectiveness and efficiency, sustainability and added value. The latter present the evaluation criteria that have been developed through the study in order to identify the peculiarities of the EU's human rights policy.

Secondly, the study has explained main interests of the Union in Armenia and Georgia with an aim of finding the rationale that lies behind the EU's human rights policy. The normative identity of the Union has discussed in correlation with the EU's external policies. The research has concluded that the EU's human rights policy is stimulated by its normative identity. Finally, the impact of the policy in the sphere of human rights has been assessed getting mixed results for Armenia and Georgia. As the findings of the study show, the EU is evaluated as significant actor in human rights dimension for both countries. However, it can be concluded that there are certain problems that the countries still face. Thus, the study has proposed certain policy recommendations, including more emphasis on civil society through identification of main stakeholders and direct financial assistance; consistent monitoring and evaluation of the EU funded projects, etc.

RECOMMENDATIONS FOR FURTHER RESEARCH

Certain recommendations can be drawn based on the implemented analysis. Firstly, there is a lack of academic knowledge regarding the role of specific EU institutions in human rights policy towards the Neighbourhood. Similarly, the role and stances of the member states of the EU do not have substantial coverage in the literature. Thus, further studies may look at the above mentioned dimensions of the EU's policy. Along with this, the study has had policy oriented character and further research may explain the EU's human rights policy from a theoretical perspective. In particular, various theories from International Relations and European Studies may be applied to the case.

Other recommendations are linked to the limitations of the given study. In particular, the methodology of the study has included semi-structure interviews with human rights NGO leaders, Parliamentary Chairs on human rights and the Human Rights Defenders' institutions with a sample of 15 people. Further research may be done in the sphere with an increased number of interviewees, including parliamentary deputies and officials from the executive branch. Another limitation of the study is the absence of a complete regional approach. In particular, Azerbaijan misses from the research and further academic endeavours in the sphere may include the country as well.

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ANNEX 1

Interview Questionnaire

1. What is the role of the EU in democracy promotion and human rights protection of Armenia/Georgia? Has the role increased or decreased since 2006?
2. How would you assess the overall impact of the EU's human rights protection policies in Armenia/Georgia? Has the respect for human rights increased in the following domains:
 - 2.1 Women's rights
 - 2.2 Children's rights
 - 2.3 Journalists' rights
 - 2.4 Minority rights
 - 2.5 Freedom of Assembly
3. Has the role of civil society of Armenia/Georgia strengthened since the launch of the European Neighbourhood Policy (ENP)? Are there systemic consultations between the official bodies (Parliament, Government, etc.) and civil society regarding legislation? If yes, what is the intensity of the consultations? If not, why?
4. Has media pluralism increased since 2006? What is the role of the ENP in this regard? Can you mention some examples?
5. Have the detention conditions improved in Armenia/Georgia? What is the role of the EU in this regard?
6. Have the capacities of Ombudsman increased in Armenia/Georgia? Does he fulfill its legal and constitutional commitments?
7. To your mind, why does Georgia get more from the EU in the dimension of human rights projects?
8. To your mind, what are the issues that Armenia/Georgia faces from human rights perspective?

9. Using from 1 to 5 ratings assess the instruments for human rights and democracy promotion in Armenia/Georgia, where 1 presents the lowest and 5 the highest rate?¹⁸⁸

	Eastern Partnership	European Endowment for Democracy	EIDHR	Human Rights Dialogue	EU Financed Projects
Relevance to Georgia					
Effectiveness					
Impact					
Sustainability					
Efficiency					
Added Value					

ANNEX 2

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¹⁸⁸ 1- totally dissatisfied (total inefficiency, lack of, urgent problems), 2-dissatisfied (no improvements, inefficiency, problems), 3-neutral (efforts, need of further implementation), 4-somehow satisfied (limited progress, some progress, slight improvements), 5-totally satisfied (progress, higher respect for human rights, essential improvements)

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