



KAUNAS UNIVERSITY OF TECHNOLOGY
FACULTY OF SOCIAL SCIENCES, ARTS
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EUROPEAN UNION VISA LIBERALISATION PROCESS: CASES
STUDIES OF GEORGIA AND MOLDOVA

Master's Thesis

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**KAUNO TECHNOLOGIJOS UNIVERSITETAS
SOCIALINIŲ, HUMANITARINIŲ MOKSLŲ IR MENŲ
FAKULTETAS**

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**EUROPOS SĄJUNGOS VIZŲ LIBERALIZAVIMO POLITIKA.
GRUZIJOS IR MOLDOVOS ATVEJŲ ANALIZĖ**

Baigiamasis magistro projektas

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Kaunas

Patvirtinu, kad mano, **Gintarės Ambrozaitytės**, baigiamasis projektas tema „European Union visa liberalization process: case studies of Georgia and Moldova“ yra parašytas visiškai savarankiškai ir visi pateikti duomenys ar tyrimų rezultatai yra teisingi ir gauti sąžiningai. Šiame darbe nei viena dalis nėra plagijuota nuo jokių spausdintinių ar internetinių šaltinių, visos kitų šaltinių tiesioginės ir netiesioginės citatos nurodytos literatūros nuorodose. Įstatymų nenumatytų pinigų sumų už šį darbą niekam nesu mokėjęs.

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(vardas ir pavardė)

(parašas)

GLOSSARY:

Governance – the process of collective decision- making and policy implementation, used distinctly from government to reflect broader concern with norms and processes relating to the delivery of public goods (Oxford Concise Dictionary of Politics).

Government – the institutions, rules and administration of state authority (Oxford Concise Dictionary of Politics).

Soft power- a persuasive approach to international relations, typically involving the use of economic and cultural influence (Oxford living dictionaries).

East- The near East – countries at the Eastern end of the Mediterranean (Dictionary of Governments and Politics).

European Union- a group of countries linked together by the Treaty of Rome, basing their cooperation on the four fundamental freedoms of movement: goods, capital, people and services (Dictionary of Governments and Politics).

Sovereignty – to have power to govern a territory (Dictionary of Government and Politics).

Amendments – there are two main types of amendment, legislative amendment and constitutional amendment. With regard to the former the ease with which bills can be amended depends on the parliamentary procedures and political complexation of the legislature in question (Dictionary of Political Science).

Foreign policy - policy followed by a country when dealing with other countries (Dictionary of Governments and Politics).

Power – is a central concept in political science, yet it remains elusive. It is often in the interests of power holders not to allow how much power they possess to be discovered (Dictionary of Political Science).

Visa – special document or special stamp in a passport which allows someone to enter a country (Oxford Concise Dictionary of Politics).

ABBREVIATIONS:

EU – European Union

EaP – Eastern Partnership

VLAP- Visa liberalization action plan

AA – Association Agreement

DCFTA – Deep and comprehensive free trade area

ENP – European Neighborhood Policy

NGO – Non- governmental organization

MS – Member states

CFSP – Common Foreign and Security policy

EC – European Commission

EEAS - European External Action Service

EED – European Endowment for Democracy

GAMM – Global approach to Migration and Mobility

ICAO – International Civil Aviation Organization

OEC – The Observatory of Economic complexity

ECI – Economic complexity index

NDI – National Democratic institute

GAMM – Global approach to migration and mobility

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Ambrozaitytė Gintarė. *Europos Sąjungos vizų liberalizavimo politika. Gruzijos ir Moldovos atveju analizė*. ES tarptautiniai santykiai magistro baigiamasis projektas. Vadovas prof. Algis Junevičius; Kauno Technologijos universitetas, Socialinių, humanitarinių mokslų ir menų fakultetas, Europos institutas.

Mokslo kryptis ir sritis: Socialiniai mokslai, Politikos mokslai

Reikšminiai žodžiai: *Europos Sąjunga, Europos Sąjungos Kaimynystės politika, Rytų partnerystė, Vizų liberalizavimas*

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SANTRAUKA

Magistro baigiamajame projekte analizuojama Europos Sąjungos užsienio politikos dalis -Europos Sąjungos Rytų kaimynystės politika. Siekiant glaudesnio bendradarbiavimo su rytų Europos valstybėmis 2009 metais pasiūlyta platesnė Rytų partnerystės iniciatyva. Partnerystė ir bendradarbiavimas pasiūlytas šešioms valstybėms: Gruzijai, Moldovai, Ukrainai, Azerbaidžanui, Baltarusijai ir Armėnijai. Mainais į demokratines reformas ir ekonominį bendradarbiavimą su Europos Sąjunga, bendradarbiaujančioms valstybėms vietoj narystės perspektyvos pateiktos įvairios galimybės glaudesniems ryšiams su ES, tarp kurių viena svarbiausių – vizų liberalizavimas. Laisvas žmonių judėjimas yra viena pagrindinių Europos Sąjungos laisvių. ES regione veikia pagal išorinį sąlygiškumo modelį, kur mainais už demokratines reformas Rytų partnerystės šalims yra atveriami vis daugiau galimybių. ES vykdomos politikos tikslas, glaudesnis bendradarbiavimas, takoskyros tarp Europos Rytų ir Vakarų valstybių mažinimas, bei atsvaros Rusijos įtakai regione sukūrimas. Siekiant išsiaiškinti Europos Sąjungos išorinio sąlygiškumo modelio kuriamą naudą ir kaštus bendradarbiaujančioms valstybėms keliama darbo problema: kaip vizų liberalizavimas Gruzijoje ir Moldovoje įtakoja tolimesnę Europos Sąjungos ir valstybių partnerių bendradarbiavimą? Iš keliamos problemos nustatomas magistrinio projekto objektas ES vizų liberalizavimo politika. Darbas atliktas naudojant aprašomąjį, lyginamąjį ir gretinamąjį darbo metodus. Keliamas darbo tikslas – įvertinti Europos Sąjungos įtaką Gruzijai ir Moldovai įgyvendinant vizų liberalizavimo politiką. Tikslui pasiekti keliami keturi uždaviniai. Pirmuoju uždaviniu, siekiama nustatyti Europos Sąjungos integracijos teorijų įtaką formuojamai ir minkštąja galia įgyvendinamai bendrijos užsienio politikai. Skyrius „Europos Sąjungos integracijos teorijų sąsaja su Europos Sąjungos užsienio politika“ pristato klasikinės Europos integracijos teorijas: neofunkcionalizmą ir tarpvyriausybinių derybų teoriją. Sujungiant pagrindinę neofunkcionalizmo idėją, kuria valstybės pradėjusios bendradarbiauti vienoje srityje tęsia savo bendradarbiavimą kitoje ir tarpvyriausybinių derybų teorijos mintį, kad bendradarbiavimo centre išlieka nacionalinis valstybės interesas formuojamos bendra Europos Sąjunga užsienio politika. ES bendradarbiavimas ir politikos įgyvendinimas remiasi turima minkštąja galia ir priklauso nuo valstybių narių ekonominių ir politinių interesų. Antrasis

uždavinys, detalizuoja Europos Sąjungos užsienio politikos dalį –Europos kaimynystės politiką, iš kurios atsirado Rytų partnerystės iniciatyva. Rytų partnerystė nebuvo sukurta kaip alternatyva ES plėtros politikai. Nepaisant ambicingų tikslų: bendradarbiaujančių valstybių demokratinio ir ekonominio progreso, takoskyros tarp Europos rytų ir vakarų valstybių mažinimas - įgyvendinamos politikos rezultatai tapo trijų daugiau pažengusių valstybių Ukrainos, Gruzijos ir Moldovos ir mažiau pažengusių: Armėnijos, Azerbaidžano ir Baltarusijos šalių atsiskyrimas. Trečiuoju uždaviniu analizuojamas Europos Sąjungos išorinis sąlygiškumo modelis, kuris remiasi Europos Sąjungos suteikiamu atlygiu bendradarbiaujančioms valstybėms mainais į įgyvendinamas demokratines ir ekonomines reformas. Išorinis sąlygiškumas Rytų partnerystės šalims Gruzijai ir Moldovai buvo taikytas įgyvendinant vizų liberalizavimo politiką, kur supaprastintas keliavimas į Europos Sąjungą buvo pasiūlytas valstybėms įgyvendinusioms ES pasiūlytas reformas. Ketvirtuoju uždaviniu siekiama išsiaiškinti su kokiomis kliūtimis Gruzija ir Moldova susidūrė įgyvendindamos ES pasiūlytą vizų liberalizavimo veiksmų planą. Ketvirtajame skyriuje detalizuojant Vizų liberalizavimo veiksmų planą paaiškėjo, kad Rytų partnerystės valstybės įgyvendindamos veiksmų planą susidūrė su išoriniais ir vidiniais iššūkiais. Tarp vidinių sunkumų: aukštas korupcijos lygis, didelis visuomenės nepasitikėjimas politine valdžia ir vykdomomis reformomis. Tarp išorinių veiksnių politinė ir ekonominė Rusijos įtaka. Kaip parodė išorinis sąlygiškumo modelis abi šalys būdamos posovietinėmis valstybėmis susidūrė su panašiais sunkumais, tačiau, reikia pastebėti, kad priešingai nuo Moldovos, Gruzijoje vienas svarbiausių trukdžių buvo politinė poliarizacija, ES vykdoma sienų apsaugos politika, siekiant suvaldyti migrantų krizę dėl kurios ES delsė patvirtinti bevizį režimą. Išorinis sąlygiškumo modelis taip pat parodė, kad valstybių interesai įgyvendinant vizų liberalizavimo politiką buvo skirtingi. Moldova pirmoji įgyvendino ES pasiūlytas reformas ir gavo vizų liberalizavimą, dėl palankių geopolitinių aplinkybių, kai Rusijos agresijos dar nebuvo. Tačiau, nepaisant parodyto progreso ir dalinai įgyvendintų politinių ir ekonominių reformų, Moldovos progresas sąlyginai žemas, dėl galimybės Moldovos piliečiams laisvai keliauti į ES turint Rumunišką pasą. Tuo tarpu Gruzijos pažanga ir įgyvendintos reformos įgyvendinant pasiūlytas reformas buvo neabejotina, tačiau šiuo atveju patvirtinimą dėl vizų liberalizavimo suteikti vėlavo Europos Sąjunga motyvuodama migracijos krize ir sunkumais derybose su Turkija ir Ukraina. Taip parodyta ES nevienodą poziciją bendradarbiaujančių valstybių naudai ir abejotinus tolimesnio bendradarbiavimo rezultatu.

Ambrozaitytė Gintarė, *European Union visa liberalization process: cases of studies of Georgia and Moldova*, European Union international relations Master Thesis. Supervisor prof. Algis Junevičius. Kaunas University of Technology, Faculty of Social Sciences, Humanities and Arts, Scientific direction: Social Science, Political Science

Key words: *European Union foreign policy, European Union neighbourhood policy, Eastern partnership, visa liberalization.*

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SUMMARY

The Eastern Partnership a huge part is derived in a way from the European Neighbourhood policy which date from 2004. The date is significant because it marks the EU enlargement to ten countries including countries from Central and Eastern Europe. The reasons why policy initiative appeared might be several: political, economic and social differences between Southern and Eastern Europe, the creation of new alliances between states. In the way of further collaboration with the External partners the EU seek to strengthen its positions in Eastern European Borders. For this instance the EU suggested a package of very important proposals: possibility of signing an Association Agreement, the proposal of membership in the Energy Community, partial incorporation into the EU electricity and gas markets and full visa liberalization, meaning a visa-free travel regime with the EU. Europeans see the freedom of movement as the cornerstone of the EU. Freedom of movement is one of the four basic freedoms of the single market, between capital, goods and services. Through external conditionality governance analyzing the use of the EU soft power therefore the aim of this paper is to determine the impact of the European Union to partner countries Georgia and Moldova implementing the visa liberalization process. There were used several research methods used: descriptive, interpretative and comparative. The work consists of four chapters. Each chapter constructed in line with the made research tasks. The first chapter of this work “Theories of European Union integration and their contribution to the European Union Foreign Policy” emphasizes how the European Union uses soft power based on integration theories. The EU, being one of the main geopolitical players, uses normative power to exert major influence upon its partners and member states. The EU as a normative power coexists with the justification and different forms of influence. The EU uses soft power focusing on the *acquis* as a strategy which at the same time makes the EU's external actions normatively sustainable. The second chapter of this work “The Eastern Partnership as part of the European Union Foreign Policy” contains information about the European Union foreign policy which part is the Eastern Partnership policy as integral part derived from the European Neighborhood policy. From the beginning of the Eastern Partnership initiative, the EU basically had different strategies to neighboring countries. The EU preferred to cooperate more closely with those partner countries, which made more progress

towards the EU. During the Eastern Partnership Summits set the main guidelines for further collaboration.

The third chapter of this work “The European Union visa free regime implementation” clarifies the European Union suggested opportunities for partner states to cooperate implementing the visa free regime. By using soft power the EU seeks to promote reforms in partner countries. The analyses of external conditionality theory let to evaluate the partner state interest to collaborate. Suggested visa liberalization was not desirable equally for partner states Georgia and Moldova. Therefore, when creating conditions and rewards, the EU should focus on the needs of partner states and their possibilities and capacities to adopt suggested norms.

The fourth chapter of this work “Case studies of Moldova and Georgia: the visa liberalization action plan implementation and further integration” gives the evaluation of the situation in the EU partner states Georgia and Moldova. Implementing the Visa liberalization action plan the main issue to solve in Moldova was a high level of corruption, while Georgia had to deal with political polarization at a time when parties in Georgia were governed mostly by personalities. After having compared Georgia’s and Moldova’s progress towards visa liberalization, it has to be acknowledged that both countries have strong economic, politic, cultural ties with the East. The external conditionality governance model improved to be partly successful evaluating the EU soft power influence in Eastern Partnership countries. Despite the fact, that both countries after suggested VLAP recommendations reached the full compliance with the EU standards, the further collaboration is questionable. The case study of Moldova showed that partner state interest visa liberalization is not considerable while the people from Moldova might freely travel holding Romanian passports. The case study of Georgia revealed that contrary from Moldova, Georgia has not received the EU support in directed time manner because of migration crises and interferences of negotiations between the EU, Ukraine and Turkey which means the lack of assurance of initiated promises.

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INTRODUCTION

The Eastern Partnership initiative derived from the European Neighborhood policy which dates back to 2004. The date is significant because 2004 marks the biggest enlargement of the EU. In 2009 seeking to foster security stability and prosperity in Eastern neighborhood the EU launched the Eastern Partnership policy initiative. It was believed, that cooperation under the EaP might help partner countries to strengthen their resilience in the face of new challenges to their stability. Having in mind that cooperation was suggested without membership perspective for Armenia, Azerbaijan, Republic of Moldova, Belarus, Georgia and Ukraine have pledged adherence to fundamental human rights and freedoms. It was argued that the EaP is a political region-building project, which has entailed the construction of the EaP region as a political and economic periphery, based on a process of assimilating the EaP countries to EU norms and standards (Giselle Bosse, 2014). Nevertheless, during the implementation of Eastern Partnership it became clear that six partner countries have different wishes and capacities to adopt European rules. A clear division of the EaP countries became inevitable.

The relevance of the research. The events of EaP Vilnius Summit in 2013 proved that the success of the policy initiative depends on the partner countries approach to the EU. Political turn starting from the events in Ukraine showed that the geopolitical situation has changed considerably. If the stakeholders from all EaP countries expected to observe continuing regional economic development, it was discussed that the EU need to recalibrate its EaP. Since 2014 it became clear that the EaP European integration process has become ‘two speed’ (Andrei Scrinic, 2009). The EU focused its attention to those Eastern Partnership countries which cooperate more closely. The Riga Summit became aspiration of the EaP Summit in Vilnius, which was fulfilled with monitoring of each partner state progress. Situation raised doubts as to whether the costs of adoption to the EU norms are not higher than the incentives offered of the EU (Work programme, 2013). Since the creation of the EaP the relations between partner countries relied on what scholars as Janine Reinhard, Steunenbergn Bernard and other name as the external incentives model (F. Schimmelfenning, 2016¹). Its essence – efficiency of adoption costs of the EU rules and regulations. If a partner country accepts to implement more than 80 per cent of the EU acquis norms, the EU gives an effort by incorporating partner into the Single European market for example. Part of the deal is a visa liberalization process, which is part of the broader incentives tool box of EaP. Thus, analyzing the effect of external incentives model on part of the policy initiative might be useful in evaluating such approach to the Eastern European countries as such.

¹ F. Schimmelfenning (2009) *The Europeanisation of Eastern Europe*. Available from the internet: <http://www.esiweb.org/enlargement/?cat=63>, Last viewed: 2016-11-01

The novelty of the research. According to a Eurobarometer survey, the free movement of people, goods, and services within the EU is regarded by the Europeans as the most positive achievement after peace creation ([The analyses of public opinion, 2015](#)²). 2016 is the pivotal year to Georgia, because the Commission adopted the last report of the action plan on visa liberalization and presented a proposal on visa liberalization to the Council of the EU and Parliament. The EU-Georgia Visa Liberalization dialogue was launched on 2012. Since then, Georgia fulfilled the Commission's recommendations and made the significance progress. Having in mind that Moldova has already travelled to the Schengen area, it is important to ask why similar EaP countries reached the agreement at the different time. The research paper analyzes how the external conditionality affects the EaP countries Georgia and Moldova in the field of visa liberalization process. Both countries faced a number of internal and external factors. The analyses of Visa liberalization in partner countries let to introduce the guidelines for further cooperation with the EU.

An attempt to create the closest possible political association and the greatest possible degree of economic cooperation led to the goal to create the EU on a shared values and common interest. European Neighborhood policy reached a new level in 2014 when three Eastern Partnership countries Georgia, Ukraine and Moldova signed the Association Agreement and Deep and Comprehensive Free trade area agreement. Since then, the pillar of the EaP- the Visa liberalization served as an important tool in terms of spread of democracy, protection of human rights or improved business opportunities. According to external conditionality governance theory, it suggested that visa free regime served as reward for partner countries. Through adopted EU recommendations implementing Visa Liberalization action plan the EU monitored regular progress of each partner. Suggested plan covered four blocks including biometrics, border management, migration, and asylum, public order and security and external relations and fundamental rights. The EU provisions implementing VLAP helped to reveal the problem areas in each partner country.

The problem of the research. The Visa liberalization process is based on the European Union requirements – direct rules and conditions for partner states. Partner countries implementing the Visa liberalization action plan faced a number of internal and external problems. Therefore, the problem of research thesis is to clarify how the cost-benefit approach might help evaluating country progress towards the visa liberalization process. It later seeks to predict, how the successful visa-free regime implementation guarantees further partner countries collaboration with the European Union?

The aim of the research is to determine the impact of the European Union to partner countries Georgia and Moldova implementing the visa liberalization process.

² Standard Eurobarometer (2015) *Public opinion in the European Union*. Available from the internet: http://ec.europa.eu/public_opinion/archives/eb/eb83/eb83_first_en.pdf Last viewed: 2016 11 01

Tasks:

1. To provide the European integration theoretical approaches impact to the EU soft power and to the domain of EU's Foreign Policy.
2. To clarify the main aspects of the EU Eastern Partnership and its evaluation.
3. To analyze the EU governance by conditionality transferring the European rules via visa liberalization process.
4. To compare the interferences of the EU visa liberalization process implementation in Georgia and Moldova.

The subject of the research is the European Union partner countries: Georgia and Moldova.

The object of the research is the European Union Visa liberalization process.

Research methods:

There were used several research methods: descriptive, interpretative and comparative.

The descriptive research method was used to introduce the main concepts of this research paper: the European Union Neighborhood policy, the Eastern Partnership policy initiative, Association agreements, bilateral and multilateral agreements, Visa free regime.

The comparative research method is used to analyze and compare practical implementation of the Visa free regime Action plan, the Eastern Partnership Summits declaration.

Comprehensive analyses of the visa liberalization process in partner countries Georgia and Moldova was based of the EU external governance conditionality.

The research fulfilled with standardized open-ended interview. Interview questions related with made research seeking to suggest recommendations and give an insights for further collaboration between the EU, Georgia and Moldova. The respondent was The Permanent Representative of the Republic of Lithuania to the EP Matas Maldeikis. The insights about the EaP and its further evolution shared the project Freedom House director Vytis Jurkonis.

Scientific significance of the final project is evident. Analyzing the external conditionality governance theory through which the EU, as a normative power, exerts the major influence on the Moldova and Georgia by extending the visa liberalization process allows evaluate the success of the EU foreign Policy in the region. The paper uses the most elaborated theory on EU's eternal policy and uses it to evaluate the validity of it in the specific sector.

Practical significance of the final project analyzed the EU and its partner countries partnership achievements and failures showed the aspects where the EU prevails. The reasons are internal and external. Above internal aspects: high level of corruption, political polarization, public opinion. The external reasons concern the Russia, changing geopolitical situation in Europe. By signing the Association and Deep and Comprehensive Free trade Area agreements the partner countries had to ensure that the made reforms applying for visa free regime will be further strengthened. Allowing

citizens of Moldova and Georgia to travel without applying in advance for visas was an important incentive which led to move toward to the European Union. These founding's could be used developing future EaP policy.

Structure:

1. The work consists of four chapters. Each chapter constructed in line with the made research tasks. The first chapter of this work **“Theories of European Union integration and their contribution to the European Union Foreign Policy”** emphasizes how the European Union uses soft power based on integration theories.
2. The second chapter of this work **“The Eastern Partnership as part of the European Union Foreign Policy”** contains information about the European Union foreign policy which part is the Eastern Partnership policy as integral part derived from the European Neighborhood policy.
3. The third chapter of this work **“The European Union visa free regime implementation”** clarifies the European Union suggested opportunities for partner states to cooperate implementing the visa free regime.
4. The fourth chapter of this work **“Case studies of Moldova and Georgia: the visa liberalization action plan implementation and further integration”** gives the evaluation of the situation in the EU partner states Georgia and Moldova.

1. THEORIES OF EUROPEAN INTEGRATION AND THEIR CONTRIBUTION TO THE EUROPEAN FOREIGN POLICY

The EU as one of the main geopolitical player uses normative power, which exerts the major influence to its partners and member states. Despite the sharpening of geopolitical challenges the EU seeks for cooperation within its partners through common foreign policy. By using the soft power instruments, the EU presents common tasks for its member states which formulation might be explained through the main European integration theories.

1.1. THE EUROPEAN UNION INTEGRATION THEORIES

The EU relation with its partner countries is based on internal and external governance. Internal governance focuses on the creation of rules and their implementation while external governance answers how to transfer created rules. The EU relations with non-member states come from the external governance. It is a various tools and instruments for democracy promotion: consultancy, political dialogue, financial aid, loans, economic cooperation, peace keeping interventions, election observations and other. The word governance means the establishment of policies, and continuous monitoring of their proper implementation (The Concise oxford dictionary of politics, 2009). According to the literature which deals with the EU, external governance first of all focuses on what is exported (Peters, 2000). In other words, the external governance analysis shows the way in which the EU conditionality policy could be applicable. Secondly, it is important to clarify how the selected policy might be delivered to action and transferred to member states. Why do partner states prefer to collaborate with the EU explains European integration theories.

One of the leading approach analyzing the European Union integration and enlargement waves is neofunctionalism. Classical neofunctionalism is a theory of regional integration built by E. Haas and L. Lindberg (Schmitter, 2004). Pioneer of the neofunctionalism is one the European Union father Jean Monnet. He declared that the member states from economic cooperation will involve their selves into functional logic of interdependence and will precede cooperation into deeper integration (Moravacsik A., 2005). Later on E. Haas argued that the neofunctionalism can explain the dynamics of the integration of the neighboring countries which integration process is led by political elites or political parties (Haas, 2004). The cooperation in one sector will lead to the cooperation in other because of their functional dependency (Dąbrowski, 2014). Partner states by signing the Association and Free Trades Agreements, due to spillover effect will be more interdependent, thus strengthening the EU governing system (Andrei Scrinic, 2014). Starting from economic cooperation the states would gradually evolve to political and social cohesion, which means that national identity gradually might be replaced by collective identity of the common union (Švarplys A., 2013). As Scrinic Andrei commented, “The Eastern Neighborhood thus represents a circle of friends countries that follow the logic of shifting the loyalties to a new center whose

institutions take over the jurisdictions of the nation-states through the spillover effect that incrementally passes over from the one area of cooperation to another”. From this point of view the figure 1 might illustrate the deeper understanding of the neofunctionalism initial idea.

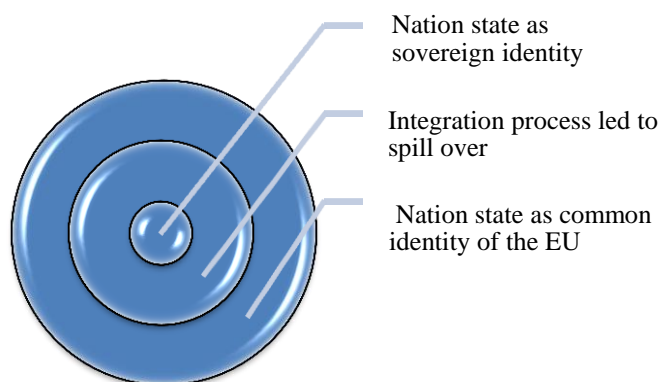


Figure no. 1 *Neofunctionalism approach*

Made by author according Schmitter, 2004.

According to Neofunctionalism the nation state is a part of integration. Here integration and the EU enlargement is understood as a process. Member state preferred to be closer to the EU also preferred to delegate a part of its powers to the supranational institutions. Through this the nation state weakened its positions. Neofunctionalist believed that the legitimacy of European supranational institutions will be supported by the growing transfer loyalties (Andrius Švarplys 2013). There was also expected that the supranational institutions might solve the EU legitimacy problem and rise people loyalty. *To sum up what was mentioned before neofunctionalism main idea is that from the cooperation in one field, partner countries will start to cooperate more closely with each other in another field of common interest. It is famously called spillover effect, according which the main interest could guarantee partnership. To work efficiency with each other neofunctionalist doctrine requires supervisors – supranational institutions. Supranational institutions, included national bodies, ensure loyalty and create direct path towards the integration.*

Another approach is quite contrary than discussed above. Intergovernmentalism explains that the power in international organizations is possessed by the member states and decisions are made unanimously. Intergovernmentalism analyzed by Hoffman, Milward and Moravscik (Rosamond B., 2000). Analyzing this approach the European Union retains its vitality as long as it fulfills the needs of the member states which are basically of economic nature (Andrius Švarplys 2013). Here nation states control all the process and negotiate with the EU for the best result. In other words, the nation state holds the central idea of primary role. The intergovernmentalism tends to explain that the cooperation will remain with the same limits if partner countries do not change. Therefore, the negotiation by signing the Association and Free trade agreements would denote power of negotiation and would ensure the economic interdependence of the EU with Eastern Neighbors,

promoting the extension of interests to other areas, where the member states have major interests (Andrei Scrinic, 2014). It is important to stress that controversy from neofunctionalism, this doctrine let to the nation state play zero sum game if the best result for the member state could be reached. From this point of view the figure no. 2 might illustrate the main idea of intergovernmentalism.

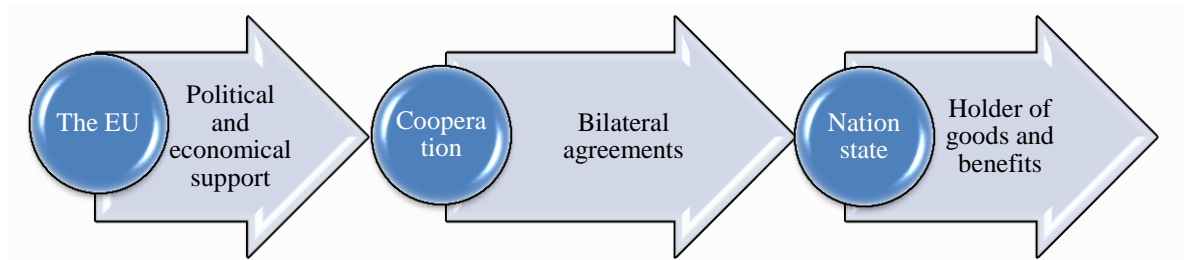


Figure no.2 *Intergovernmentalism approach*

Made by author according to Schmitter, 2004.

Intergovernmentalism explains that the member state might choose integration as a choice. From this and previous figure it is clear that the main point form both theories is the place of state. It depends on preferences which path could be the best for each of them. Western Europe countries had their nation states and possibility to choose, while the Eastern Europe countries were under the Soviet Socialist Republic pressure for a long time by struggling to choose their geopolitical path. Suggested cooperation with the EU seemed like possibility to choose geopolitical balance in the region, where the main player stay nation state. The strong pressure from Russia, aimed to suppress any pro-European manifestations of such countries (Andrei Scrinic, 2014). The EU suggested principle “more for more” forced countries to adopt the European Union rules and legislation which mean that they were forced to partly change their own norms. This condition were applicable not for all countries which became clear by analyzing the Eastern Partnership members. *Summarizing, what was mentioned before the European integration could be analyzed by using neofunctionalism or intergovernmentalims theories. In the first approach the member state starts to cooperate because of the common interest, which later on became inspiration for deeper integration. Due to spill over cooperation in one field led to the cooperation in another. Controversy, intergovernmentalism perspective argued that the member state supposed to be the main actor in international relations. This doctrine prefers integration as a choice with rational calculations. Partner country cooperates when the costs is less than benefit. In other word, member state can be interested in cooperation only in those cases when it will be the most suitable for her. The best examples and explanations how cost and benefit approach works via the EU soft power analyzes the external conditionality theory.*

1.2. THE ROLE OF SOFT POWER IN EUROPEAN UNION FOREIGN POLICY

The EU is largely viewed as the highest authority in Europe, which ensures its member states prosperity and welfare. Over the years, EU member states and partners had to harmonize their laws and adopt common policies in the line of the EU “*acquis communautaire*”. The EU member states work together to set common policy and collect different interests.

Originally the term “power” described as the capacity or ability to direct or influence the behavior of others (Concise Oxford dictionary of Politics, 2009). To describe political relations between states the terms hard and soft power presented. Hard power describes military, economic power while the soft power is more mild and subtle. Both powers imply the form what country uses in dealing with others. “Soft Power” presented by Professor Joseph Nye. The author soft power describe as the ability to get the outcomes that you want through attraction rather than coercion ([Maxime Gomichon, 2013](#)). Looking from a nowadays perspective the soft power matters for several reasons. Firstly, the nation state is not the only relevant actor in international relations as showed the neofunctionalism theory. Secondly, responsible decision makers become multi-lateral organizations, NGO, civil societies. This means that international relations have more relevant actors in global affairs. Finally, the international relations were affected by rapid movement of information across borders.

The EU is a unique kind of partnership. Being one of the most attractive geopolitical players the EU suggest political cooperation and economical support to its partners. The attractiveness of this cooperation came from common European foreign policy which legal basis constructed on the common agreement on the fundamental the EU values: peace, liberty, rule of law, and respect for human rights and fundamental freedoms. The EU’s treaties and agreements hold the source of legitimacy to act. The approaches which are crucial solving the inter-state problems are peaceful resolutions. The need to promote and protect the interests of the Member states is a secondary achievement of the EU external policy (Zielonka M., 2008). The EU has at least two distinguishes factors: first the “diffuse” of its rules and norms to partner countries, and specifics of its aid and trade agreements (Manners, 2002). The EU transfers its rules and norms to the partner states by institutionalization and further enlargement of its capacity. *Sum up what was mentioned before; the EU as a normative power uses the soft power to make an impact to its member states in the light of liberalization and westernization. The EU normative power coexists together with the justification and different forms of influence which belongs to the EU external actions. Therefore, focusing on the *acquis* as a strategy to one step towards at the same time makes the EU external actions normatively sustainable. Taking into account all global challenges the EU is facing today the tackle to solve remains the EU suggested to its partners conditions complexity and consistency. According*

the Ian Manners the normative assumption is inevitable in the perception of the EU as an actor in World politics (Manners., I, 2009).

2. THE EASTERN PARTNERSHIP AS PART OF THE EU FOREIGN POLICY

The EaP has derived from the European Union Neighborhood policy of 2004. This date is significant, as it marks the biggest enlargement of the EU by 10 countries, including eight Central and Eastern European countries. To begin of the analysis of the EaP, first of all we must define the main concepts and the main actors. Pursuing this goal, this chapter includes an explanation of the European Neighborhood Policy, the policy's interconnections with the Eastern Partnership, and the main actors of both policies.

2.1. EVOLUTION FROM EUROPEAN NEIGHBORHOOD POLICY TO THE EASTERN PARTNERSHIP

In 2002 a concept of the Wider Europe appeared (The Commission of the European Communities, 2003). Later on the concept was complemented with another European Commission initiative called the European Neighborhood policy, which was finally resumed with the Eastern Partnership policy initiative in 2009. The EU is using different tools for the same aim - economic integration and political cooperation of the countries by signing Association and Free trade agreements with the enlarged Europe countries. According to Iver Neumann (1999,115):

“ the existence of regions is preceded by the existence of region-builders... political actors who, as part of some political project, see it in their interest to imagine a certain spatial and chronological identity for a region and to disseminate this imagination to as many other people as possible”(Giselle Bosse 2014).

Despite the fact that the Commission proposed different tools and initiatives for the partner countries there are a lot of differences among the Eastern Partnership countries on their way to the EU integration.

As it was mentioned before a huge part of the guidelines for the the EaP policy initiative came from the European Neighborhood Policy. Through it, the EU ensures sustainable economic development, democratization and westernization of European values to the neighborhood (External Action service, 2016). The main objective of the ENP is to avoid the emergence of new dividing lines between the enlarged EU and its neighbors. According to the needs and capacities of individual partner countries, as well as the EU's interests, a number of agendas for political and economic reforms with short and medium term priorities were set out (Commission, 2004). The key measures of the European Neighborhood Policy were bilateral agreements (Action plans or Association agendas) between the EU and the ENP members: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria,

Tunisia and Ukraine ([External Action Service, European Neighborhood policy](#)). From the beginning, this policy initiative was seeking respect for democracy, the rule of law, proper governance, market economy principles and social cohesion. Therefore, from this point of view, it might be declared that the European Neighborhood Policy is a measure which helps the EU to achieve the closest possible political association through the greatest possible degree of political, economic and social integration. ENP helped the EU to support and foster security, stability and prosperity of each partner from Southern to Eastern neighbors.

The European Union offered a privileged relationship built upon a mutual commitment to neighboring countries. This policy covered a broad range of issues, reaching from employment and social policy, trade, industrial and competitiveness policy, to name a few (Lewandowski, Co-investigator, & Lewandowski, 2015). The EU revealed the “more for more” principle, under which it developed stronger partnerships with those neighbors that make more progress towards democratic reforms (Reinhard, 2010). Nevertheless, more cooperation did not result in increased integration. The policy, which included both the Eastern and the Southern neighbors, further weakened the link between Southern and Eastern regions. While the Southern dimension had for a long time been sufficiently institutionalized, the Eastern was missing from sustainable democratization (Cadier, 2013). In 2009, the EU changed the European Neighborhood Policy due to several reasons that will be explained below.

First of all, after the fall of the Iron Curtain in 1989, the political and economic situation changed. After World War II, the Iron Curtain divided Europe into the Western and the Eastern parts ([The Iron Curtain, 2016](#)). The entire region of Central Eastern Europe was excluded from the definition of a liberal, democratic Europe, although culturally and morally these countries always perceived themselves as an inseparable part of Europe. The whole world was looking for a new world order, including Eastern Europe, as a Post-Soviet region. The differences between the East and the West became apparent. Secondly, following the last rounds of EU enlargement, new European borders were drawn. The European Union gradually started to realize that the establishment of a single, coherent policy framework towards its neighbors was necessary ([Archick Kristin, Morelli L. Vincent, 2014](#)). The EU enlargement led to the change of the Union’s external borders.

The last and the main reason for the creation of the European Union policy initiative was the creation of different alliances. The European Union Neighborhood Policy was not applicable to all neighboring countries. Geographical, political and economic differences led to different bilateral agreements between non-member states and the European Union. The EU supported regional development in South-East Europe named Black Sea Synergy, in 2009 ([European External Action service, Black Sea synergy](#)). It encouraged all countries surrounding the Black Sea region: Armenia,

Azerbaijan, Georgia, Moldova, Russia, Turkey, and Ukraine. It approved political guidance and intended a flexible framework to ensure greater coherence. Another alliance, created at the same time, “Union for the Mediterranean”, held in 2008 ([The Union for Mediterranean official website](#)). The agreement constituted a framework for political, economic and social relations between the European Union and the Southern and Eastern Mediterranean countries. The initial proposal came from the Barcelona declaration which has three main objectives of partnership ([Barcelona declaration, 1995](#)). First, a clear definition of the common area of peace and stability, ensured with the reinforcement of a political and security dialogue. Second, a construction of a zone of shared prosperity. The main measures for this goal were an economic and financial partnership and the gradual establishment of a free trade area. Finally, suggested cooperation between people through a social, cultural and humanitarian partnership ([Ibid.](#)). Following different ideas and agreements in 2009, a joint Swedish-Polish initiative was initiated in order to make the EU more attentive to its Eastern Partners (Eberhard, Hrsg, Meister, & May, 2009). In the Eastern Partnership proposal, Poland and Sweden suggest that the existing instruments for cooperation between the EU and its neighbors be complemented by an intensified support from the EU. This support would be directed towards those EU neighbors, who already have advanced furthest in implementing the European Neighborhood Policy. *All in all, after the collapse of the Iron Curtain, Europe as a whole was looking for different tools seeking to ensure peace and stability. European Union enlargement waves led to the situation of new outsiders appearing. Looking for ways to avoid the emergence of new dividing lines between the enlarged EU and its new neighbors, in 2004 the European Union Neighborhood policy was launched. The European Union signed a number of multilateral as well as bilateral agreements with the main partner countries: Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine. Despite the fact that the European Neighborhood Policy included both Eastern and Southern neighbors, at the same time it further weakened the ties between the Southern and Eastern regions. The lack of cooperation between the EU and partner states might be explained by several reasons. Political, economic and social differences between Southern and Eastern Europe became inevitable after the collapse of the Iron Curtain, and the same suggested tools worked differently for countries that were better or worse integrated into the EU. Secondly, the creation of new alliances between states. In 2007, regional development was further strengthened by Black Sea Synergy alliance and the Union for Mediterranean. Despite the fact that regional cooperation under the European Neighborhood Policy increased, attention to the Eastern borders stayed at the same level. The common Polish-Swedish initiative proposed the way how the existing ENP instruments could be applicable for the Eastern Partners. In the way of further collaboration with the External partners the EU seeked to strengthen its positions in Eastern European Borders.*

2.2. THE BASIC TOOLS OF EASTERN PARTNERSHIP POLICY

The EU is seeking to foster security, stability and prosperity through a number of multilateral, as well as bilateral agreements. The Joint Declaration of the Prague EaP Summit of May 2009 stated that the goal of regional approach in the EaP is the creation of an additional – multilateral – layer of cooperation between the EU and EaP countries to complement the bilateral approach (Council of the EU, 2009). Therefore in this chapter I am going to shortly introduce the main bilateral and multilateral measures of the EaP.

The main measures were set through bilateral and multilateral tracks. Set bilateral agreements supported political and socioeconomic reforms in partner countries. Bilateral cooperation programs contributed to those objectives which focused on assistance to priority areas identified in each country's multi-annual programming document and complementary support for the implementation of agreements with the EU. Through bilateral agreements tried to enhance sector cooperation, support mobility of citizens with the future prospect of visa-free regime. The needs for different partner countries are presented below.

Table no 1. The differences of the Eastern Partnership members

Made by author using sources: the economist (2015) found: <http://www.yabiladi.com/img/content/EIU-Democracy-Index-2015.pdf> ; economic freedom index (2016) found: <http://www.heritage.org/index/explore> ; human development index (2013) found: http://hdr.undp.org/sites/default/files/2015_human_development_report.pdf

| | Democracy index (10= most democratic) | Economic freedom index (100= most free) | Trade freedom (100= most free) | Freedom from corruption (100= no corruption) | Human development (1= highest level of development) |
|-------------------------|---------------------------------------|--|--------------------------------|--|---|
| Azerbaijan | 2.71 | 60.2 | 75.8 | 29.0 | 0.73 |
| Armenia | 4.00 | 67.0 | 85.6 | 37.0 | 0.73 |
| Belarus | 3.62 | 48.8 | 79.0 | 31.0 | 0.79 |
| Georgia | 5.88 | 72.6 | 88.6 | 52.0 | 0.75 |
| Moldova | 6.35 | 57.4 | 73.6 | 35.0 | 0.66 |
| Ukraine | 5.70 | 46.8 | 85.8 | 26.0 | 0.74 |
| EU 28 (top performer) | 9.45 (SWE) | 77.3 (Ireland) | 88.0 (MS ³) | 92.0 (Italy) | 0.92 (DNK) |
| EU 28 (worst performer) | 6.68 (ROM) | 53.2 (Greece) | 83 (Greece) | 43.0 | 0.78 (BGR) |

In the first table the main indicators related to democracy, economic freedom and human development are presented. From this table it is clear, how different the member states are. According to the newest agenda, the best democracy spread is in Sweden, where the average is 9.45. However, the worst performer is Romania whose democracy index is equal to 6.68. Despite the differences inside the Union, the worst EU performer is in the better position than the best EaP performer. In this case Moldova has an index of 6.35. The level of economic reform also differs remarkably from one EaP country to another. Among the EaP countries the best performers are Georgia and Armenia. For example, Georgia, since the EaP was founded, liberalized its democracy

³ MS – member states

and is now performing better than the worst EU country in terms of economic index – Greece (Giselle Bosse, 2014). The biggest difference between member states of the Eastern Partnership is freedom from corruption. This index shows the lack of sustainable democratization. Therefore, these differences are also seen from the human development index. Differences regarding the six countries levels are inevitable. Therefore, different measures for different partner states might be applicable.

Eastern neighbors can also benefit from additional assistance as a reward for the process of building deep and sustainable democracy. The multilateral dimension complements bilateral relations with thematic platforms to exchange best practices on issues of mutual interest: good governance, economic integration and growth, energy, security and transport, contacts between people. For example, the initiative of economic integration and convergence with the EU policies (Work programme, 2013). The goal of the initiative is to promote smart, sustainable and inclusive development of a free market economy in the partner countries. For better understanding, the proposed scheme of EU’s multilateral treaties approach is presented below.

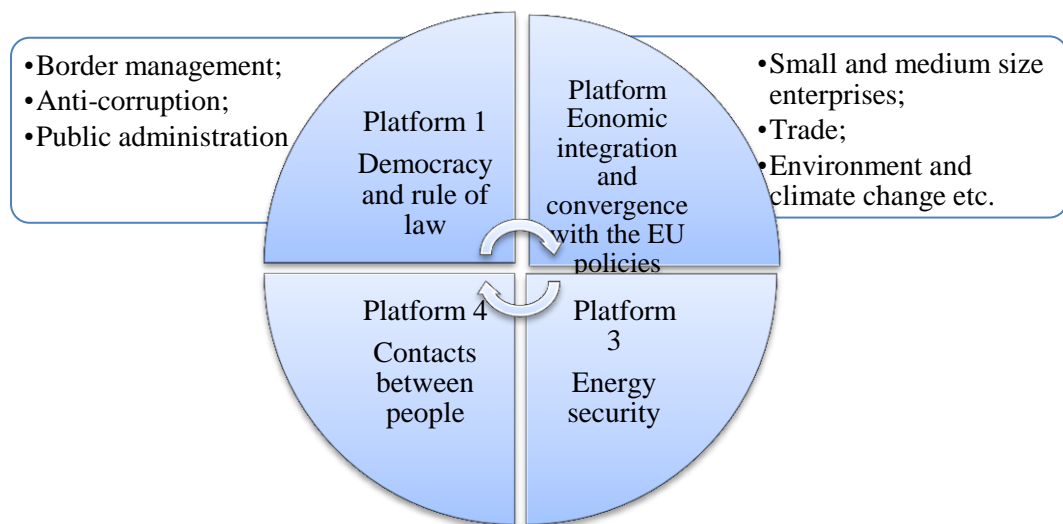


Figure No.3 The EaP Multilateral Platform.

Figure created by author according the Eastern Partnership from Prague to Riga. Found: http://eeas.europa.eu/eastern/docs/eap_riga_2015_en.pdf

From the diagram above it is clear that the European Union multilateral track is based on 4 main platforms, which all cover different policies. Through this, track partner countries are fostered to promote their best experiences. Nevertheless, member states face much more problems than the multilateral track suggests. Basically, multilateral track agenda is based on flagship initiatives that are suggested by regional cooperation. Flagship initiatives are regional cooperation programs in the fields of energy, environment, border management, or support to small businesses. For better understanding I am going to present an example of the Integrated Border Management Flagship

initiative. This flagship initiative contributes to a better collaboration between the border controls services ([Integrated border management flagship initiative, 2009](#)). This initiative ensures democracy, good governance and stability. Through this initiative, countries seek to strengthen public administration, civil service, judiciary management of state borders or fight with corruption. Showing the main problems, the flagship initiative suggests the cooperation areas that the multilateral track might fulfill. A number of flagship initiatives demonstrate both good and bad practices with partner countries. *Therefore to summary what was mentioned before the EU cooperates with its partner through bilateral and multilateral agreements. Bilateral agreement focuses on the individual partner country needs and capacities, while the multilateral suggests the regional cooperation platforms for all EaP countries. By promoting regional cooperation the EU seeks sustainable development and growth for the EU neighbors.*

2.3. DEVELOPMENT OF THE EASTERN PARTNERSHIP

As it showed the analysis of evolution of the ENP the Eastern partnership was not new initiative in terms of bilateral and multilateral the EU and its partner country agreements. By analyzing the declarations of the Eastern Partnership Summits, I am going to highlight the main achievements and failures of policy initiatives and present the main priorities for future partnerships. Four Summits for the European Eastern Partnership have already been held to this day. Each Summit had its own goals and objectives to highlight next year's partnership agenda. During these Summits, the leaders of the partner countries have an opportunity to present achievements in terms of spreading democracy and implementing economic reforms and share their intentions for the next meeting. Seeking to explore the Eastern Partnership evolution through held summits, each Summit will be analyzed separately.

The EaP is a political region-building project, which has entailed the construction of the EaP region as a political and economic periphery based on the process of assimilating the EaP countries to EU norms and standards (Giselle Bosse, 2014). The first summit was held in Prague in 2009. The partnerships were based on a commitment to the principles of international law and fundamental values, including democracy, rule of law and respect for human rights and fundamental freedoms, as well as to market economy, sustainable development and good governance (Prague Joint Declaration, 2013). From the beginning of this partnership initiative the EU basically had different strategies to neighboring countries. The EU preferred to cooperate more closely with those partner countries, which made more progress towards the EU. For this instance, the EU suggested a number of programs, which might help to democratize and westernize post-Soviet countries generally. However, six partner countries which started to cooperate under the Eastern Partnership Policy, adopted European rules differently and only part of them chose the EU as their main geopolitical direction. It is therefore possible to distinguish at least two blocks of the EaP countries as regards to

their different progress in implementing the program's provisions – more and less advanced partners. EU's natural counterparts are the countries with a strong public administration, a healthy private sector and a vibrant civil society, where the biggest gap between the Southern and Eastern neighbors exists (Mažylis, 1996). Today in the list of advanced countries are those that have already signed Association agreements: Moldova, Georgia and Ukraine ([The EU External Action service, Eastern Partnership](#)). Another half preferably chose the Eurasian Union for a simple reason: their transformational progress was considerably slower because of smaller economic aspirations. So the first Summit was full of expectations how partnership initiatives might step further. During the Summit, a large number of programs from different areas were suggested. However, the suggested programs and initiatives were applicable not to all member states, which divided partnership agreements from the beginning of the Eastern Partnership initiative.

The Second Summit of the European Eastern Partnership, held in Warsaw (Poland) in 2011, highlighted the significance of sectoral cooperation. The Summit was dedicated to the internal financial crisis and the lack of environmental support for the Eastern Partnership countries. The European Union had to slow down integration because of the financial crisis inside the Union's borders, and Arab Spring-related external policies. The Arab Spring made Europe to rethink this policy, in order to adapt to the events, as well as the new needs of the Southern and Eastern neighbors. Because of increased violations of human rights and the lack of achievements to the European Neighborhood Policy, it was decided to adopt the “more for more” principle. This principle works on the assumption that the EU should build a stronger partnership and offer greater incentives only to those countries that show progress. Two new instruments were proposed during the Summit, first of them being the European Endowment for Democracy, which is meant to increase and improve democracy promotion structures already operating in the ENP countries ([European Endowment for Democracy, 2016](#)). The EED has the potential to assist democratic reforms and the transition process of countries beyond the ENP area as well. Secondly, the EU proposes the creation of a civil society facility. Nevertheless, since its launch, during the Prague Summit in May 2009, the Eastern Partnership initiative – as the EU project under the European Neighborhood Policy has evolved considerably. As it is clearly seen in the case of this Summit, the EaP initiative lacks a sensible forked approach responding to the internal history, politics and socioeconomic conditions of the countries (Dostál & Karasová, 2015).

Following the Vilnius Summit in 2013, the subsequent political turn of events in Ukraine changed the geopolitical situation in Europe. The existing differences between individual EaP partner countries have become much starker. Even before the Vilnius Summit it was discussed that the EU would need to transform the Eastern Partnership policy initiative. The well-known idea that the Association process must be treated as a step forward the integration process was brought back

to the table. The prospect of membership was the key motivating integration factor for post-Soviet Central European countries which became fully fledged EU members in 2004 and 2007 (Ivanauskas & Kojala, 2014). The biggest wish for the countries participating in the EaP policy initiative was the membership negotiation process. However, turning to the future prospects of the Eastern Partnership initiative stakeholders from all EaP countries were expected to observe continuing regional economic development without possibility to become a candidate country.

The Riga Summit in 2015 continued the agenda of the Vilnius Summit. Traditionally into agenda were included: the monitoring process of the EU to support partner reform agendas, a further consideration of the visa free regime and the overall strengthening of the relations between the EU and Eastern Partners. During this Summit, the main challenge was the crisis in Ukraine. It was considering whether the EU's "acquis communautaire" adaptation costs were not higher than the incentives offered to Ukraine.

According to European's Commissions proposed review of the European Neighborhood Policy the further way of the European Neighborhood Policy will be the differentiation and greater mutual ownership reflecting both the EU and its partner countries wishes and capacities to implement new rules (Commission, 2015). The focus will be constructed on regional actors beyond the neighborhood of the EU. For this instance, the EU prepared the Global Strategy on Foreign and Security Policy ([The EU Global Strategy, 2015](#)). According it the five main pillars are: economic development and job creation, cooperation on energy, security, migration and neighbors of the neighbors. *To sum up, four Summits have already been held. The first EaP Summit took place in Prague in 2009 and laid the foundation for a common and shared policy to develop the EU's cooperation with six partner countries. The second EaP Summit held in Warsaw in 2011, focused on the need for a differential approach in the EU's relations with its partners and highlighted the significance of sectoral cooperation. The third EaP Summit in Vilnius held in 2013 marked a new stage of development of the EaP policy with the initiating the Association Agreements with Georgia and Moldova. This Summit also coincided with the beginning of the Ukraine crisis. The last Summit was held in Riga in 2015. The Riga Summit continued the trends of the previous one. Nevertheless, since the first Summit much has changed in relations with the Eastern Partnership countries. Different actors from the EU side and from partner countries understood partnership aims and final goals differently. Therefore the EU had to find new ways and approaches how to keep partner countries together in the line of Eastern Partnership.*

3. THE EUROPEAN UNION VISA FREE REGIME IMPLEMENTATION OF GEORGIA AND MOLDOVA

The EaP is a unique kind of relationship. The EU suggested a package of very important proposals: possibility of signing an Association Agreement, the proposal of membership in the Energy Community, partial incorporation into the EU electricity and gas markets and full visa liberalization, meaning a visa-free travel regime with the EU (European Parliament, 2015). Keeping the main pillar Association Agreement including the DCFTA of the EaP aside, in this chapter I will analyze the second important pillar – visa liberalization process. For this instance, the sub-chapters presents the EU visa free regime, its legal basis, objectives reached so far, as well as its strengths and weaknesses. By using soft power through external conditionality governance the EU promotes democratization and reforms in partner countries. In order to reveal how this model works, the methodology will be presented.

3.1. THE EUROPEAN UNION VISA FACILITATION AND LIBERALIZATION

Europeans see the freedom of movement as the cornerstone of the EU. Freedom of movement is one of the four basic freedoms of the single market, between capital, goods and services. However, the visa free regime nowadays is more controversial than it looked in the beginning. Common social policies might reduce disparities within each partner country across borders. Initially, the idea of free movement was presented as the possibility to encourage people to travel freely. Many believed that creating mobile workplaces would boost the economy by lowering the average level of unemployment (OECD, 2007). Another work labor benefit seemed to be Europe's working-age population. These benefits together were supposed to lead to the increased GDP overall Europe. Therefore, the idea of free movement came from the initial proposal for workers, individuals, employees and service providers to move freely without any external Unions borders. European Coal and Steel Community contained some basic measures in 1951, while the European Economic Community in 1957 established the Treaty of Rome with concept of people to move freely (The Treaty of Rome, 1957). During the evolution of the EU, the free movement of persons has changed its meaning. The Lisbon Treaty confirmed free movement of people in the general provisions on the Area of Freedom, Security and Justice (Lisbon treaty, 2007). In 1985, the established internal market confirmed the free movement agreements by creating the Schengen Agreement (Schengen Agreement, 1985). The initial proposal of the Schengen Agreement and the main proposal of the Convention implementing the Schengen Agreement were signed in 1990. The economic expansion created favorable conditions for the mass movement of workers and its further evolution into the free movement of people. The free movement of people was enriched by the Treaty of Maastricht in 1992 (European Parliament, [Fact Sheets on the EU](#)) and finally confirmed

by the Treaty of Amsterdam in 1999 (The European Communities, 1997). The concept covers: free movement of workers and family members which gives an opportunity to move freely in terms of economic activity. The evaluation of the free movement meaning is presented in the table below.

Table no 2. The evolution of free movement of people

Made by author according “*The free movement of persons in the EU*”. Found: http://www.obets.ua.es/pioneer/bajaarchivo_public.php?iden=40

| Year | Treaty | Meaning |
|------|-----------------------------------|--|
| 1951 | European Coal and Steel Community | Permitted the free movement of workers on EU territory. Refers to qualified workers in the indicated sectors and not to the whole workforce. |
| 1957 | European Economic Community | Established the premise which accepted the right of workers to move freely within the EC Community with two limitations: <ol style="list-style-type: none"> 1. Referring general to workers of member states; 2. Requires the existence of an employment position. |
| 1987 | Single European Act | The free movement of goods, persons, services and capital is ensured in accordance with the Treaty. |
| 1992 | Treaty of Maastricht | Reinforced the protection of the rights and interests of the nationals of its member states, introduces the citizenship of the European Union. Increased a conception of individual of a fully-fledged citizen of Europe. |
| 1999 | Amsterdam | Inserted meaning permitting persons to move across borders for the humanitarian reasons: asylum seekers, refugees, displaced persons. |

From the table above it is clear that the conception of free movement of people had changed its meaning gradually. With each new EU Treaty, Act or agreement between the members states the idea of free movement was expanded. The benefit was evident and became the main argument for cooperation which let to reduce disparities and increase economic growth. However, the internal Union benefits were not equal to all member states. Western European countries which had higher living standards gave foreigners better opportunities to work and to live. For this instance the economic growth in Western countries was faster and more beneficial than in the East. A control mechanism for migration flows was required. The main rules ensuring free movement will be presented further.

The legal basis of rights primarily can be found under Article 3(2) of the Treaty on European Union, Article 21 of the Treaty on the Functioning of the European Union Titles IV and V which sanction the right of every EU citizen to move freely within the EU territory. The Treaty of the EU was fulfilled by the treaty of the Functioning of the EU and particularly by Article 45 ([TFEU, 2012](#)). The EU secondary legislation and the Case law of the Court of Justice enriched the understanding and the applicability for EU citizens. Primarily, the EU gave free movement rights only to people who moved to another member state to work there or to be self-employed. These people may also bring their families. Any EU citizen can move to an EU member country and stay there up until 3 months. Students might remain for the duration of their studies with the condition that they will have enough financial support for this period (European Commission, [Employment, social affairs and Inclusion](#)). However, by giving the rights to EU citizens to move freely, the EU also has set some restrictions. Mostly there are limitations based on considerations of public

security, policy, public health grounds and employment in the public sector (European Commission, [Free Movement – EU nationals](#)). By giving to its member's permission to move freely, the EU also has to ensure its citizens protection, therefore the free movement rights are applicable to those who move between the member states.

Seeking to strengthen internal security, the EU created border-free Schengen Area with a common visa policy. Citizens from non-EU countries are required to hold a visa when travelling to the Schengen Area. The EU has formulated [Regulation No. 539/2001](#) which created two lists: one for countries whose citizens must have a visa when crossing the external borders and a list of countries whose citizens are exempt from this requirement (European Commission, [The EU visa policy](#)). Decisions on visa free regime to the Schengen Area depend on bilateral state and EU negotiations. The agreement depends on progress made by the country in such areas as: the rule of law, organized crime, corruption or illegal migration, administrative capacity in border control. The procedures and conditions for visas are set in the EU Visa Code ([The EU Visa Code, 2016](#)). Usually the EU visas are perceived as a security measure; therefore the procedure is quite long. Visa Code regulation establishes the procedures and conditions for short stays and transit through EU countries. The Visa Code is further specified in the Handbook for the processing of visa applications and the modifications of issued visas (Commissions decision, [The handbook, 2010](#)). The last element of the common visa policy is the uniform for the visa sticker ([The visa sticker, 1995](#)). The EU has set a visa reciprocity mechanism for those who cooperate more closely with the EU ([Visa reciprocity mechanism](#)). Citizens who are planning to travel from country which not belong to the Schengen area in order to get visa need to fulfill several requirements. One of them is justify the purpose and conditions of trip. A consular might ask to present a number of documents to improve the purpose. Comparing with the visa facilitation agreement and its benefits the citizen has to supply only one or two documents and in different cases the visa agreement specifies which ones. For example students in order to improve their aim of trip enough to have a proof from his university. However, other requirements remain in force: the applicant must demonstrate financial means for both sides of trip forward and back, health insurance and medical care, finally there might be asked the proof of residency. *To summarize, free movement brings opportunities and threats to both the partner country and the EU. The EU as the main partner is responsible for EU external borders and their protection. Also the EU has to ensure solidarity for those partners who show more determination in terms of visa free regime and cooperation with the EU. Economic developments and the EU performance in the long term depend on bilateral relations with partner state, therefore promoting growth inside the EU borders, at the same ensuring economic growth of external partners. The attractiveness of the visa liberalization process makes the significant impact to the EaP countries. In order to be closer to the EU Schengen area the EaP partners introduce the performance*

towards democratization and westernization. Promoting liberalization of the visa free travel the EU expand its good practices exchange among the external partners

3.2. THE EUROPEAN UNION DEMOCRACY PROMOTION THROUGH SOFT POWER

Critics of the ENP argue that the EU cannot provide attractive incentives without offering prospects of partnership (Reinhard J., 2010). Even though, that the membership perspective has not been presented the EU looked for a ways how to reach high level of integration with no need to result in full membership. The possible tool and instrument of democracy promotion seemed to be visa liberalization process. The EU uses the external conditionality governance as a promising strategy to promote democracy in partner country. In order to make the strategy work both parts of negotiations have to find the common interest. Therefore, both actors have to be in a place of certain issues. The reasons why this visa liberalization process reward appeared suggested below.

Several decades before the European Neighborhood Policy was launched, one of the EU's strategy goals was the removal of obstacles of the free movement of people around neighboring countries. The European Commission has pledged to examine wider application of visa free regime in Wider Europe Communication in 2003 ([Commission, 2003](#)). The final achievement was supposed to be closer ties with Europe's neighbors. With the same aim was created the EaP with a framework for more intensive cooperation between the EU and Eastern neighbors. Among the suggested ideas, the EaP aimed to promote mobility of citizens from the six EaP countries: Moldova, Ukraine, Georgia, Armenia, Azerbaijan and Belarus ([GAMM, 2005](#)). The EU suggested steps towards visa liberalization were similar to the ones suggested for Balkan countries.

Following the EU suggested recommendations, in 2008, an agreement between the EU on the one side and Albania, Bosnia and Herzegovina, Macedonia and Serbia on the other side was signed ([Commission reports, 2015](#)). In 2009, the EU opened its borders to three Balkan states: Macedonia, Montenegro and Serbia. This marked the first time when the EU lifted the Schengen requirements for the countries concerned ([Exodus A.,2016](#)). Instead of a visa regime, the EU suggested a number of requirements for the Balkan states starting from new biometric passports, border security, cooperation with the European bodies Europol and Frontex, and so on (Ibid.). The European Commission monitored, assessed and verified the progress during the implementation until the Balkans reached the set goal. According to Alexandra Stiglamayer, a Senior analyst in Brussels, this promising new policy was the result of initially unrelated events and the longing of people of the Western Balkans for visa free travel (Stiglamayer A., 2011). Therefore, the steps leading visa liberalization in Georgia and Moldova are quite similar to those that the Western Balkans had. The EU was looking for ways of concluding such an agreement; therefore visa liberalization looked like a more simplified procedure. The initiated policy led to ensuring internal security reforms in the neighboring countries, also external borders protection therefore, this approach was then applied to

Eastern Europe. The Balkans showed the precedent of conditionality when the carrot of visa liberalization showed how the necessary reform might be achieved. The Balkans and the EU relations showed how newly established relations might bring mutual benefits: for the EU – monitoring the flows of migration, asylum seekers, and readmitted persons by working with Frontex, Europol, Eurojust, and for the Balkans – visa liberalization. Guided by the example of the Balkan countries, Ukraine and Moldova were presented with the EU Visa liberalization action plan. *All in all, the Visa Liberalization process in Balkans gave the guidelines for the EU external governance. In order to be able to answer if this policy incentive was attractive to the EaP member state Georgia and Moldova I am going to use external conditionality governance to reveal the partner state progress towards visa liberalization.*

3.3. THE EUROPEAN UNION – PARTNER COUNTRIES RELATIONS AND THE USE OF EXTERNAL CONDITIONALITY GOVERNANCE

Seeking for spread of democracy the EU presented a great variety of policy areas. As it was presented the example of Balkan states, the EU effectiveness varies from the credibility of the suggested reward and partner countries adaptation costs. The EU policy balance depends on its preference to deeper – further integration or wider – further enlargement considerations. In addition, different histories and opportunities to adopt initiated reforms often influence the member states' policy preferences. Therefore the EU was looking for ways how to promote cooperation without further enlargement. Frank Schimmelfennig and Ulrich Sedelmeier suggested the external conditionality governance. The model explains why member states of Eastern Europe cooperate under different conditions with the EU.

In the external incentives model, the involved actors have to be assumed to be strategic utility maximizers interested in the maximization of their own power and welfare (Schimmelfennig & Sedelmeier, 2004). According to conditionality theory, the EU external governance follows a strategy in which the EU sets its rules as conditions, and the target country has to fulfill them in order to get the reward. A state adopts EU rules if the benefits of EU reward exceed the domestic adoption costs. The cost-benefit balance depends on the determinacy of conditions, the size and speed of rewards, the credibility of threats and promises, and size of adoption costs (Schimmelfennig & Sedelmeier, 2004). These five conditions help to reveal both the EU and partner state interests. Also it is a helpful tool to analyze how member states cooperate with the EU and regional partners in order to reach the main goals. Finally, an analysis of bilateral relations shows how external actors make a significant impact on the negotiation and how to control this impact in terms of conditionality theory.

The clarity and formality of rules depends on the determinacy of conditions. The clearer the behavioral implications, the higher the determinacy is. From this perspective determinacy depends

on three variables: legitimized status, formality of rules and credibility of conditionality. So, the value of the determinacy is informational. The EU, by giving direct rules, avoids situations of different interpretation and misunderstanding of suggested conditions. By giving the rules as a reward, the EU guarantees a successful transfer to the partner state.

Another important issue is the size and speed of reward. Not every reward or possibility suggested by the EU might be desirable for the member states. Therefore, when creating conditions and rewards, EU should focus on the needs of partner states and their possibilities to adopt suggested norms. A given action plan for the partner country requires supervisors, who will act as an external consulting agency, and additional funds for financial support, in case the member state is not able to make changes individual. The way how the EU guarantees the reward presented in the table below.

Table no. 3 External governance theory of conditionality

Made by author according Schimmelfenning and Sedelmeier “*Governance by conditionality*” (Schimmelfenning and Sedelmeier 2004)

| Variables | Conditions | Hypothesis |
|--|--|---|
| Determinacy of conditions | <ul style="list-style-type: none"> • Clarity and formality of rule; • Legalized behavioral status; • Credibility of conditionality. | The effectiveness of rule transfer increases if rules are set as conditions for rewards and the more determinate they are. |
| Size and speed of rewards | <ul style="list-style-type: none"> • Temporal distance to the reward; • The size of reward. | The effectiveness of rule transfer increases with the size and speed of rewards. |
| Credibility of conditions | <ul style="list-style-type: none"> • A strategy reinforced by reward; • Supervisor: external agency; • Conditional payments; • Consistency of reward; • Cross-conditionality. | The likelihood of rule adoption increases with the credibility of conditional threats and promises. |
| Veto players and adoption costs | <ul style="list-style-type: none"> • Status quo; • Number of veto players; • The distance of veto players. | The likelihood of rule adoption decreases with the number of veto players incurring net adoption costs (opportunity costs, welfare and power losses) from compliance. |

The higher the costs of withholding the reward, the higher is the interest of both partners to complete the process. Therefore, the EU has to offer comparable benefits at lower adjustment costs in order to keep focus on a partner country. *To sum up all in all, Schimmelfenning and Sedelmeier suggested external conditionality theory, which consist on reward mechanism. In order to get a desirable reward partner country have to fulfill the EU suggested conditions. The EU by giving cooperation conditions evaluates the partner states interests and possibilities to make changes and gives the most desirable reward. Theory is similar to the idiom of a carrot and stick where the rewards influence behavior. External conditionality covers the neofunctionalistic approach by including spill-over effect. Seeking to get support from the EU a partner country has to adopt all suggested rules and norms, which gradually changes the domestic system. External conditionality might be analyzed by giving intergovernmentalist approach, where the partner country prefers the interest fields separately and individual decision cannot be changed by the bigger geopolitical player than the nation state. In order to compare different conditions suggested to the EaP partners*

Georgia and Moldova external conditionality theory will be used for the analyses.

4. CASES OF STUDIES OF MOLDOVA AND GEORGIA: THE VISA LIBERALIZATION ACTION PLAN IMPLEMENTATION AND FURTHER INTEGRATION

The partnership and Cooperation Agreement between the Moldova and the EU was signed in 1994 ([Partnership and Cooperation Agreement, 1994](#)). The Agreement provided the legal basis of cooperation within the EU in the political, commercial and legal areas. In 2007, Moldova unilaterally abolished visas for the EU citizens with hope of a similar reaction from the EU ([Revenco E., 2013](#)). However, Moldova's Government started negotiations with the EU for a Visa free regime only in 2010 and in 2011 it received the first progress report. The analyses of Moldova's visa free regime will be constructed on four benchmarks according the EU suggested VLAP. Each benchmark analyses will be fulfilled with the insights from the EU progress reports. Finally, the analysis determines the internal and external interferences according the external conditionality governance theory.

4.1. METHODOLOGY

The ENP was one of the foreign policy instruments promoting prosperity within the Eastern borders. Later on the EaP fulfilled the policy by promoting the political association, economic integration, legal mobility and visa liberalization of partner countries. Among the first signatories of Mobility partnerships were the Eastern Partnership countries – Ukraine, Republic of Moldova and Georgia. These bilateral agreements were based on mutual initiatives covering the mobility, migration and asylum issues ([European Commission](#)). The mobility of citizens of the EaP countries guaranteed through visa facilitation agreements which provided the rules for managing irregular migration ([Visa policy](#)).

Suggested Visa liberalization action plan served as a guideline for the partner country to begin the negotiations with the EU. The action plan meets all the requirements that the country needs to meet to qualify for visa liberalization. It takes a long time and has two phases of implementation: the adoption of the legal framework, plans and strategies, and the actual implementation ([ESI, 2016](#)). The Action Plan on Visa Liberalization is an instrument for visa dialogue. The plan consists of four main factors:

- Document security (including biometrics) – a framework ensuring the integrity and security of the civil status and civil registration process. The framework is compliant with the highest ICAO⁴ standards in order to secure identity management.

⁴ICAO standards – International Civil Association Organization is looking towards better practice in national identification management set criteria for Passport issuing Authorities and National Civil Registration. ([International Civil Association Organization](#), looked 2016 11 26)

- Migration management – the consolidation of the legal and institutional framework for migration policy in line with the EU and international standards. Asylum policy relates to effective implementation of Asylum legislation: staff, funding, training programs.
- Public order and security – consolidation according to the EU and international standards, of the legal and institutional framework in preventing and fighting against organized crime, together with national strategy.
- External relations and fundamental rights – the consolidation of a legal and regulatory framework on registration procedures for legally staying foreigners or stateless persons.

Within this framework, the EU suggests countries to implement a two stage Action Plan. Each Plan block contains two benchmarks. The preliminary benchmark concerns policy making, legislation and planning. The benchmark gives the guidelines for the second one (EU-Moldova Visa Plan, 2011). It directs the way for meeting specific benchmarks in an effective and sustainable manner. Both benchmarks ensure that suggested recommendations will be implemented by directed recommendations in set time.

The implementation of the Action Plans has been monitored by the Commission through progress reports. These reports were presented to the European Parliament and Council to evaluate the partner state progress made. The Visa Liberalization Dialogue in Moldova started in 2010 and received five Progress Reports in less than three years including a Report on the Possible Migratory and security Impact of Future Visa in 2012. For Georgia, the Visa dialogue started two years later in 2012 and included four progress reports until the Commission's proposals. A successful implementation of all benchmarks under the Visa liberalization action plan is an evidence of advancing towards far reaching reforms. The existing difference in terms of progress in visa dialogue between Georgia and Moldova allows analyze the partner countries' interest in collaboration with the EU. ***Therefore, the hypothesis of the research is as follows: achievements in visa liberalization arise from both internal and external factors, which had an impact to the visa liberalization process in Georgia and Moldova.***

During the research there were used several research methods:

The descriptive research method was used to introduce the EU suggested recommendations through visa liberalization action plan.

The comparative research method is used to compare and analyze partner's country made progress towards visa liberalization progress reports.

The analyzes made according external conditionality governance. Following the main variables presented: determinacy of conditions, size and speed of reward, credibility of conditions and veto players, and adoption costs in each partner state.

The research fulfilled with standardized open-ended interview. Interview questions related with made research seeking to suggest recommendations and give an insights for further collaboration between the EU, Georgia and Moldova.

The respondent was The Permanent Representative of the Republic of Lithuania to the EU Matas Maldeikis. Form more than 10 years Matas Maldeikis was the advisor of the European affairs committee in Lithuania Parliament. The insights about the EaP and its further evolution shared a project director at Freedom House Vytis Jurkonis. Vytis Jurkonis is primarily known as the expert of Belarus, Eastern Partnership and Russia. There were also invited to answer the questions related to the visa free regime the embassies of Lithuania in Georgia and Moldova. However, there was no answer.

Table no 4. The analysis of the interview questions

Made by author.

| No. | Author | Proposition | Question |
|-----|---|---|---|
| 1. | Drăgan, Gabriela (2015) | The direct exchange of people, especially among the young people and youth workers, should be encouraged and visa facilitation regime be extended. Moreover, more courageous steps towards a customs union, which represents a better formula to both achieve the goals of regional economic integration and reduce the distortions coming from rules of origin in FTAs, might be envisaged. On | What needs to be done to make the Eastern Partnership substantial Project for its partners? |
| 2. | Marcin Dąbrowski (2014) | Adjustments motivated by the desire to acquire EU funds and/or by obligation are considered as indicators of strategic and ‘shallow’ change. Conversely, the adoption of partnership stemming from the desire to enhance the outcomes of the actors’ actions indicates internalization. | How does the Eastern Partnership achieve its objectives? |
| 3. | Janine Reinhard (2010) | As shown above in the costbenefit analysis, elements of flexible integration, namely a free trade area or a visa-free regime, can bring advantages for both the EU and the neighboring country. | What do you consider as the most important EaP achievements? |
| 4. | Ditmir Bushati Gledis Gjipali Ilir Qorri (2007) | However, the main challenge for meeting the standards in the area of immigration remains the incorporation of international standards in the domestic legislation. | What are the biggest challenges the EaP are facing? |
| 5. | Ana Popa (2015) | Signing of the Association Agreement (AA) with the European Union (EU) and establishment of the Deep and Comprehensive Free Trade Area (DCFTA) with EU in 2014 generated even more dissatisfactions from the Russian Federation’s part. | What is the future for the EU partners and Russia relations? |

The table above presents the questions for open-ended interview. Each question was important in order to find out the meaning of partnership agreement for partner countries. Used external conditionality theory explained what measures used in order to reach measurable results. There were presented five questions with different insight. The first question presented in order to reveal the most beneficial reward for the partner country to begin cooperation. Analyzing the EU impact initiating reforms and changes in partner countries analyzed practical meaning of external conditionality governance theory. Seeking to reveal what was the biggest obstacles implementing the EU suggested recommendations the comprehensive analyses of two EaP members Georgia and Moldova will be presented.

4.2. MOLDOVA'S VISA LIBERALIZATION ACTION PLAN

The EU and Republic of Moldova Visa Liberalization Dialogue was launched in 2011. Since then the European Commission High Representative of the European Union for foreign affairs and security policy presented to the EU Parliament and the Council five progress reports regarding Moldova's VLAP implementation. During the evaluation, a number of internal and external challenges were significant. Above internal factors were the political situation and the parliamentary discussion of costs and benefits. Significant also was the external factors which also had an impact in terms of decision making and the preferences of the further collaboration way. In 2013, the European Commission proposed to allow visa free travel to the Schengen area for Moldavian citizens holding a biometric passport ([European Commission ,2013](#)). 2013 also marked the political crisis resulted in the victory of Pro-European Coalition, which had impact to the reforms implementation in set time. Each VLAP benchmark will be analyzed separately in order to show what the EU requirements were comparing then with political, economic and social situation.

MOLDOVA'S DOCUMENT SECURITY INCLUDING BIOMETRICS EVALUATION

Moldova already had the legislative framework, which appeared to be in place in terms of document security. However, the requirement for ICAO standards required a number of legislative changes. Basically, according to the first progress report, the EU asked the existing Moldova's law no.1549-XV provisions regarding the situations covered by relations arising from the acquisition of fingerprint information during the process of production and issuance of ID documents that contain biometric data (The first progress report, 2011). The applicability of common ICAO standards is set for all European Union; therefore the Republic of Moldova was not an exception.

The Government of Moldova also was asked to present the relevant training programs that deal with international or domestic passports and the content of ethical code. During the third progress report the EU suggested provisions which were fulfilled by the amendments to the existing law. Three of five requested reforms appeared in less than a year, when the Government of Moldova in 2011 adopted Ethical code for staff working in civil registration and document issuance (Second progress report, 2012). The codex covered the provisions of conflicts of interest, incompatibilities an obligation to report irregularities.

According to the forth progress report, Moldova was requested to provide further information on the number of lost passports, to introduce the use of booklet of chip and implement the Extended Access Control and the Supplemental Access Control⁵ (Fourth progress report, 2013). Ensuring data protection there was a need to set guidelines according to which in the near future data protection measures are supposed to be set. In order to present such kind of measures against corruption,

Extended Access Control – is a set of advanced security features for electronic passports that protects and restricts access to sensitive personal data. ([E-passport extended access control](#))

Moldova followed the Risk Management Action plan on corruption risks in the field of population documentation and civil status registration (Fourth progress report, 2013). Once again by showing support for the EU, Moldova adopted all suggested amendments and presented the sticker passport booklet tested by French company Ingelis Expertise, which acknowledged full compliance with ICAO standards (Fifth progress report, 2013).

At the same time when the approval of an independent auditor was received, the Public Procurement Agency of the Ministry of Finance for registration in order to start the use biometric passports with integrated chips started the production and delivery. Finally, the fifth progress report marked that Moldova had reached full compliance with ICAO standards and set the deadline until the complete phasing out of non-biometric passports in 2020. Up until then all the requirements including passport changes were supposed to be done. It has to be mentioned that during the fourth progress report Moldova had reached the EU set goals (The fourth progress report, 2013). However there was a need from the EU to Moldova as the pioneer of the EaP Mobility partner to reach full compliance with the biometric passports and their compliance with the law on protection of personal data. *To sum up, the conditions presented to the Government of Moldova was similar like Balkans. The EU asked full compliance with ICAO standards, training programs and ethical code for the information about changing system spread, collaboration with international institutions in monitoring situation of lost passports and strategy for the fight against corruption. By giving all the efforts for implementation of suggested recommendations the Government of Moldova in less than a year showed progress in terms of document security. However, despite the fact that partner country reached the full compliance with international standards in 2013, there was made a gap year considering the made reforms future and the ability to continue it. As it will show the conditionality theory the reasons, why the EU considered the approval of Moldova's made reform will be domestic political crises in 2013. Therefore, despite the fact that Moldova reached the full compliance with ICAO standards in fourth progress report in terms of Document security including biometrics, the final approval from the EU appeared when political crises solved.*

IRREGULAR MIGRATION INCLUDING BIOMETRICS IN MOLDOVA

In the area of irregular immigration, including readmissions, significant importance belongs to border management, migration related legislative framework, integration of foreigners and the status of stateless persons. According to the first progress report, the issue to solve for the Government of Moldova was the remaining laws for the integration of foreigners (The first progress report, 2011). Even though the strategy in the area of migration and asylum seekers had been already adopted into the Migration Strategy, the covered topics were relevant to efficient border management and the compliance with European Practices and standards, therefore the EU asked for the deeper attention to the establishment of the Migration and Border Service.

Moldova presented the draft “Law on the State Border” and “Law on the Migration Border Service” to grant the state border management. These draft proposals were included into the strategy action plan. The ethical code for border guards, describing the standards to be respected, was foreseen (The first progress report, 2011). The Ethical code for border guards belongs to common European Practice. Also with the support of the common practices, the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) prepared a training plan for the National Border Guards College. During the second progress report the Government of Moldova had already signed cooperation agreements between Several EU Member states which was finalized with the signed agreement with FRONTEX⁶ in 2008 (Second progress report, 2012). These agreements let the Republic of Moldova to be an active member and join the EU Border Assistance Mission.

Seeking for the effective implementation of the legal framework, the Government of Moldova approved the strategy in the area of migration and asylum (The first progress report, 2011). The strategy had to ensure the comprehensive regulatory management and further development. For this instance, there were presented a number of draft laws in terms of migration management: “Law on the integration of foreigners”, “Law on the Accession of the Republic of Moldova to the EU Convention relating to the Status of Stateless Persons”, “Law on the Accession of the Republic of Moldova to the UN Convention on the Contraventions Code of the Republic of Moldova” and other. Moldova was encouraged to consider negotiations on the readmission agreements with third and neighboring countries. Consulting with the Bureau for Migration and Asylum, under the new law for foreigners the Republic of Moldova established principle “one-stop-shop” which means that visa procedure became clearer and simpler (The second progress report, 2012). One of the most necessary legislation under this benchmark was in the area of asylum. The main achievement was presented by the Law of Asylum, which provided the necessary institutional framework, legal procedures and principles and was in line with European and international standards. *Summing what was mentioned, the fulfillment of the legal basis of the EU by initiated amendments and draft laws in initiated areas did not solve the law implementation into legal system and socialization into society problem. As showed the analyses of the first benchmark the similar steps towards VLAP presented: the amendments of existing laws, the draft proposals of new legislation, the ethical codes and action plans came in force together with VLAP. However, the biggest gap was a lack of special law on integration of presented reforms. This gap was tried to fulfil with suggested the EU provision during the fourth progress report on the second benchmark.*

FRONTEX – European Border and coast guard agency fostering the free movement of people.
Official website: <http://frontex.europa.eu/>

PUBLIC ORDER AND SECURITY IN MOLDOVA

Public order and security covers a wide range of issues. In some areas like human trafficking, money laundering, anti-drugs policy, the existing legislative basis guarantee full protection. However, the other issues like organized crime fight against corruption and the data protection still need to be improved (The first progress report, 2011). The amendment related to the fight against corruption was approved only in the fourth progress report, which means that the common opinion faced a number of options how this fight should look like. In the fourth progress report it was noticed that in order to fight corruption, a National integrity agency should be created (Fourth progress report, 2013). Therefore, the information about the new reform should be relevant for all related institutions and authorities in Moldova.

The Government of Moldova was looking for measures to fight against organized crime. For this purpose, they prepared a draft strategy for 2011-2016 (The first progress report, 2011). The existing legislative framework was formed on the National Plan, which covered the investigation of the involvement of public officials but it did not include measurable performance results which was the biggest problem. Seeking to solve it, Moldova initiated a number of training activities in the area of law enforcement and cooperation. Coordination between the national agencies and common database created on the issue that would allow for concrete results. The adequate level of data protection belongs to Europol which organized an awareness raising seminar for Moldavian law enforcement in the view of future extension of SIENA⁷ (Second progress report, 2012). The third progress report marked that the Government of Moldova established relations with EUROJUST in a contact point and started to negotiate on data protection issue further (Third progress report, 2013). The effective implementation of the created system and coordination allowed Moldova to keep the EU acquis during the required evaluation. Therefore, since the second progress report the Government of Moldova declared that legislation concerning combating human trafficking is consolidated and advanced (Second progress report, 2012). It might be said that one of the main challenge partner country faced was the incorporation of the international standards in domestic policy (Bushati D., 2007). *However, difficulties appeared on the factual implementation of a huge number of amendments made almost in all laws which might create legal certainty. Seeking to avoid this kind of situation, detailed provisions, an action plan and monitoring process which at the same let define financial and human resources, have to be created.*

MOLDOVA'S EXTERNAL RELATIONS AND FUNDAMENTAL RIGHTS

External relations and fundamental rights part covered the freedom of movement within Moldova, Citizens rights including protection of minorities, implementation of National Human

SIENA – Europol initiated system for Secure Exchange of Information - is a state-of-the-art platform that meets the communication needs of EU law enforcement. Found: <https://www.europol.europa.eu/activities-services/services-support/information-exchange/secure-information-exchange-network-application-siena>

Rights Action Plan and communication with supranational institutions. During the coordination of the UN and Council the Government of Moldova implemented a number of legislative acts constituted as the cornerstone in the light of the anti-discrimination framework. In 2011 the Parliament of Moldova endorsed a Comprehensive National Human rights Action Plan (The first progress report, 2011). According to this plan, all recommendations from the UN bodies, the Office for Democratic Institutions and Human Rights and other were presented. The provided plan suggests reforms in a wide variety of issues from private life to minorities' rights. Supranational institutions coordination and recommendations allowed Moldova to reach full compliance with the European standards, which meant that all of the requirements were fulfilled.

Summarizing the whole VLAP proposal to the Republic of Moldova, it might be declared that the EU suggested provisions which were related to technical implementation, for example: Ethical code creation on certain issues, National Strategy implementation, consultation with supranational institutions and organizations were successful in the cases in which there was no need for political observation and interpretation. The most relevant example is the implementation of documents security including biometrics which complies in line with ICAO standards. Moldova successfully created passport changes, used the guidelines and got approval of international experts which led to successful production and delivery. However, there were areas of recommendation in VLAP which hardly complied with national preferences. On the contrary, in the aforementioned policy area the biggest difficulties were reached in terms of the fight against corruption. The example of long delays of anti-corruption and anti-discrimination law implementation up until the fourth progress report shows the lack of political confidence and measure achievements in democracy spread. The Created National Integrity Agency was empowered to find the way and suggest the measures on how to fight against it in the future. To sum up, after the brief observation of whole VLAP benchmarks the biggest changes made in modernization of legal basis, reorganization of states administration and public sphere: Moldova reached European standards in terms of freedom, justice and security. The main reason for the process and changes was the EU conditionality through the “more for more” approach. By giving the reward and confirming the visa free regime in Moldova, the EU stepped further during the implementation of Association Agreement/DCFTA.

4.3.INTERFERENCES IMPLEMENTING VISA LIBERALIZATION PROCESS IN MOLDOVA

According the analyses of VLAP and its insights, conditions suggested by the EU confirms that the effectiveness of rule transfer increases if rules are set as the conditions for reward. Therefore, further I will analyze the EU external conditionality governance interferences implementing the Visa free regime action plan in Moldova.

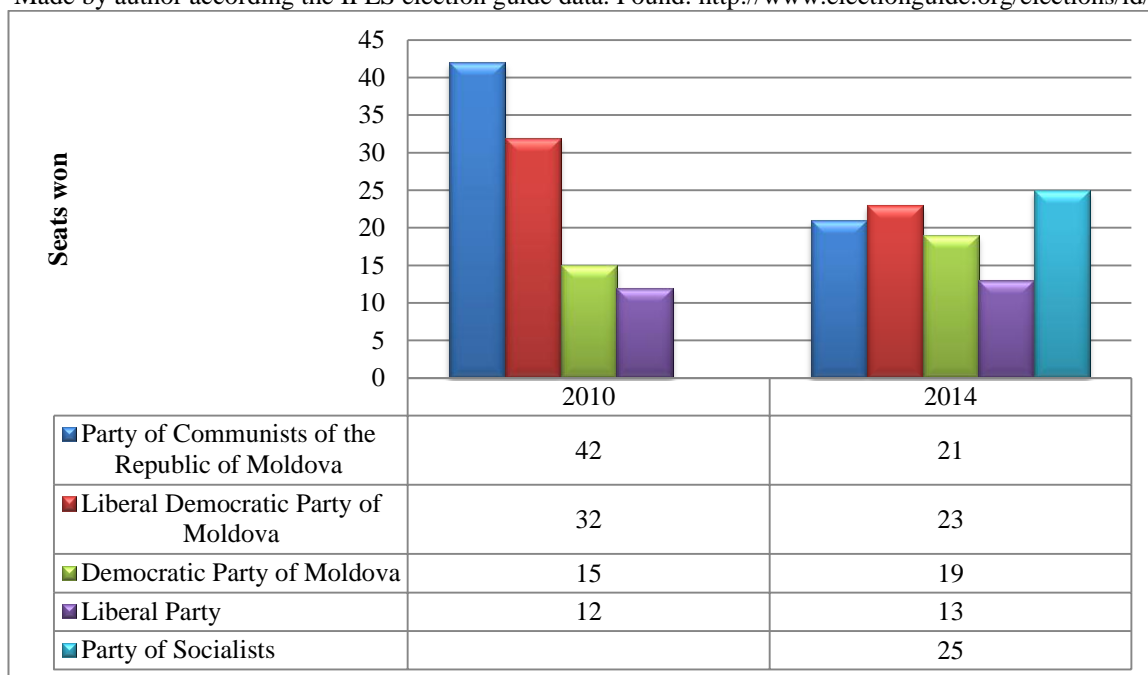
The VLAP analyses showed the formality of the EU suggested rules. Presented guideline with mandatory implementation was one of the prior conditions in order to reach visa free regime. According the external conditionality governance both sides supposed to have common interest. However, the interest from the EU side was controversial comparing with Moldova. Without getting visa free regime, the people of Moldova might travel to Europe holding Romanian passport. In order to reveal domestic problems, which faced Moldova implementing the VLAP I am going to observe the main objectives which might had an influence.

Moldova started negotiations in 2010 and in 2011 received the first progress report. When was launched the VLAP in 2010 the government of Moldova held the referendum ([Elections guide, 2010](#)). The referendum asked would people of Republic of Moldova agree with the Constitutional amendment, which would allow the election of the President of the Republic of Moldova by the entire population. It was the first step towards European Union as a gesture to begin negotiations. More than 87.83 percent respondents answered positive ([Elections guide, 2010](#)).

In 2010 the Head of Moldova was the President Mihai Ghimpu and the Prime Minister Vlad Filat. At that time Moldovan authorities adopted a strategy for implementing reforms which partly liberalized political system. Since 2010 both the Parliament and the President are directly elected for four year term. It has to be mentioned that the liberalization held before it became the requirement of the EU. The Republic of Moldova has a mixed political system: parliamentary and presidential. The interconnections between the executive power is directly related. Prime minister is appointed by President after confidence vote of parliamentary majority (Legislation of the Republic of Moldova, 2016). Even though, the President has power in legislative and defense areas. Together the President, the Government and the Parliament are responsible for high level of democracy. As it was mentioned before one of the main interferences implementing VLAP was internal. Parliamentary discussion about costs and benefits was significant to the further collaboration way. Therefore the political class and political parties were relevant decision makers in terms of Visa Liberalization. In order to observe the political class and its changes presented a diagram below.

Diagram no 1. The comparison of Parliamentary elections in Moldova

Made by author according the IFES election guide data. Found: <http://www.electionguide.org/elections/id/1576/>



The diagram above shows the comparison between the Parliament elections in 2010 and in 2014. From this diagram see the political parties' stability during the elections. The winning Party of Communists of the Republic of Moldova in 2010 lost its popularity in 2014 elections and won half the seats. Still, the existing Party of Communists shows Moldova's tight relations with Russia. Following the elections from 2010 Moldovan government was formed from Liberal Democratic Party, the Liberal Party, the Democratic Party and Our Moldova Party which declared its positions for European integration ([Kostayan H.2016](#)). Since 2013 the Head of state became Nicolae Timofti and since 2013 Prime Minister Lurie Leanca. Both of them belongs to the pro-European powers which seeks further European integration, the sustainable economic growth and fight against poverty and the efficient public management ([Trade Bridge Consultants, 2014](#)). Despite the fact that in 2014 Moldova from the one side and the EU together with 28 member states signed DCFTA and AA the between parties the partnership still prevailing (Delegation of the EU,2016). 2016 Moldova began with political crises (Moldova political crises, 2016). The corruption crises in 2015 erupted Moldova when the previous Prime Minister Vlad Filat, the leader of Liberal Democrats Party was arrested. In 2016 held presidential elections led that the Socialist Party member Igor Dodon won the elections (The election guide, 2010). He faced the main problems which Moldova had for decades: weak states institutions, public administration, and ineffective judiciary and law enforcement agencies ([Trade Bridge Consultants, 2014](#)).

The even more complex situation determined Russia. Political support from Russia occur the threats for further political preferences. The opposition of Russia to European Integration made process even more challengeable. Tolstrup J. suggested three types of levers regarding Russia's

foreign Policy: military, political and economic (Tolstrup J.,2009). The Russia’s foreign policy levers presented in the table below.

Table no. 5 Russian foreign policy levers in the “Near Abroad”

Source: Bugajski, Cold Peace, 32-49; Hedenskog and Larssn, Russian Leverage, 7; Kramer Russian Policy, 4

| Military lever | Political lever | Economic lever |
|--|--|-----------------------|
| Military interventions | Support of anti-Western groups/governments | Energy monopoly |
| Military threats | Opposing pro-Western groups/governments | Trade embargos |
| Military bases abroad | Support of secessionist republics | Subsidizations |
| Military support to secessionist republics | Multilateral organizations dominated by Russia | Credits |
| Peacekeeping forces | Russian state TV | Debt payments |
| Military alliances dominated by Russia | Russian diaspora | |

The table above shows the way how the Russia’s spread its impact in the neighborhood. As it was declared from the political level Russia shows support for Moldova’s Communist party. In this way Russia emerges the domestic policy and takes part in responsible decision making. In response to signing the Association Agreement Russia introduced the economic sanctions. Russia Federation for a long time has been one of the main Moldova’s trade partners. The Share of exports to Russia accounted to 18 % of all Moldova’s export, which accounted to be 2.3 GDP in 2014 ([Popa A., 2015](#)). At the same time Russia is important import partner holding 13.5 % total Moldova’s import. Even though a number of Moldovan products produced to the EU markets by signing Association Agreement, a country suffered from Russia’s trade obstacles. Also, at the same time when Association Agreement was signed Russia cancelled the tariff free preferences for 19 categories of products ([Cenusa D., 2014](#)). Country also introduced an import duties and import bans on Moldovan products ([Popa A., 2015](#)). Because of Russia’s sanctions Moldova’s products limited its competitiveness. According the economic complexity index Moldova holds 76th most complex economy after Tunisia and 126th largest export economy (ECI, 2014). The main trading partners presented in the table below comparing the pivotal year 2014 when signed the AA/DCFTA with 2015 data.

Table no 6. Moldova's trading partners

Made by author according World Integrated trade Solution data 2014 and 2015. Found: <http://wits.worldbank.org/CountryProfile/en/Country/MDA/Year/2014/TradeFlow/Import/Partner/all/Product/Total>

| Export destinations | 2014 | 2015 | Import destinations | 2014 | 2015 | |
|---------------------|---------|---------|---------------------|---------|---------|----------|
| | Other | 966.143 | | Other | 2.342 | Other |
| Russia | 423.717 | Russia | Ukraine | 543.370 | Russia | 535.691 |
| Romania | 434.042 | Romania | Russia | 717.220 | Ukraine | 371.128 |
| Italy | 243.407 | Italy | Romania | 803.088 | Romania | 4555.137 |
| Germany | 137.525 | UK | China | 481.167 | China | 366.426 |

From the table above export partners remained the same. However, comparing the data export decreased almost with all trading partners. Similar situation appeared with import. Therefore the partnership and signed Association Agreement with the EU even though was the pivotal does not bring the expected benefit as fast as it was expected. Despite much encouragement on the reforms and the success of European integration is considerable. The quick and strategic win by signing the Association Agreement and visa free travel does not guarantee the further progress. According to National democratic institute public opinion survey done in 2015 showed that people are frustrated because of deteriorating economic situation and high level of corruption ([NDI, 2015](#)). Decreasing support force to look forward the EU suggested reforms in the near future. Despite the fact, that the EU budget in 2014-2020 are talking the place during the difficult financial time the assistance provided as part of development funding foreseen for further initiated reforms implementation ([European Commission, 2014](#)).

Finally, the military analyses illustrate the region of Transnistria. The region became separate part from Moldova in 1990. Similar like in Nagorno-Karabakh, an ethnic Armenian part of Azerbaijan, and Abkhazia and South Ossetia, which have separated themselves from Georgia, Transnistria belongs to the frozen state (Faith R., 2014). Despite the fact, that in 1992 peace achieved by 1500 Russian peacekeepers, the citizens of Transnistria are super eager to become a part of Russia. The region has its own government, military, parliament, police system.

Analyzed all aspects concerning the visa liberalization process implementation in Georgia the external conditionality governance theory could be detailed. Including both internal and external factors shows how the EU policy of conditionality has directed positive and negative effects to domestic partner states policy. By using comprehensive analyses of VLAP suggested recommendations shows the impact to states internal affairs in short term and can mechanisms described below have an impact on the long term. The analyses of external conditionality governance theory presented below.

Table no 7. The EU External conditionality governance. Case study of Moldova

Made by author according the EU external conditionality governance model.

| Variables | Conditions | Results |
|--|---|---|
| Determinacy of conditions | <ul style="list-style-type: none"> • Clarity and formality of rule; • Legalized behavioral status; • Credibility of conditionality. | EU suggested provisions which were related to technical implementation, for example: Ethical code creation on certain issues, National Strategy implementation, consultation with supranational institutions and organizations were successful in the cases in which there was no need for political observation and interpretation. The most relevant example is the implementation of documents security including biometrics which complies in line with ICAO standards. |
| Size and speed of rewards | <ul style="list-style-type: none"> • Temporal distance to the reward; • The size of reward. | The reward visa process regime liberalization was not expectative because people of Moldova had an opportunity to travel to Europe holding Romanian passport. Visa liberalization process implementation took 4 year, and Moldova received 5 progress reports. |
| Credibility of conditions | <ul style="list-style-type: none"> • A strategy reinforced by reward; • Supervisor external agency; • Conditional payments; • Consistency of reward; • Cross conditionality. | In 2007, Moldova unilaterally abolished visas for the EU citizens by showing the support towards European direction. The EU suggested recommendations required a number of amendments existing laws including new legislation and institutionalization. Difficulties appeared on the factual implementation of a huge number of amendments made almost in all laws which might create legal certainty. Moldova had to ensure the full compliance with suggested recommendations and ensure its enforcement. Therefore the EU coordination between the national agencies and common database created on the issue that would allow for concrete results. |
| Veto players and adoption costs | <ul style="list-style-type: none"> • Status quo; • Number of veto players; • The distance of veto players | Implementing the VLAP Moldova faced a number of internal factors: weak states institutions, public administration, and ineffective judiciary and law enforcement agencies. Above external factors was Russia, which made an impact in three main areas. Still, the existing Party of Communists shows Russia's politically support, Russia also introduced an import duties and import bans on Moldovan products which limited Moldova's product competitiveness, finally the military peace keeping mission in Transnistria region. |

Despite the fact that the introduction for visa free regime with the EU for Moldova citizens was pending for a year after the fulfillment of the EU suggested recommendations Moldova showed the significance progress in terms of elections, political freedom and human rights. The successful visa liberalization process gave the possibility to sign AA, as an integral part of DCFTA.

Summarizing what was mentioned before the strategy of advanced implementation of reforms in short term proved to be correct. The EU guarantee all the efforts in terms of the speed at which the technical and financial assistance is granted. Nevertheless, as showed the example of multiples conditionality the more changes asked the more complicated implementation might be in the passage of time. Moldova has made progress with high political costs. The ruling government relied on the benefit of visa free regime which might balance out the political investment. Moldova was the first country of the EaP to be granted visa free travel for its citizens and one of three who signed DCFTA and gradually joined internal market. Seeking to become competitive partner Moldova in the near future has to improve its governance issues as corruption, economic underdevelopment and underdeveloped social standards and societal issues. Success could be increased if the EU takes direct responsibility to ensure strict conditionality: measurable results

against implemented reform. In Moldova explaining by the EU external governance theory the reward moving towards is trade and political interdependence which at the moment is stronger with the EU than with Russia. Also, Moldova because of Transnistria stands to undermine the country's commitment to Europe. Finally, Moldova's engagement with the EU is primarily driven by cost-benefits approach which forces to keep collaboration.

4.4.GEORGIA'S VISA LIBERALIZATION ACTION PLAN

In 1996, the EU and Georgia signed the "Partnership and Cooperation Agreement" which came into force in 1999 ([Partnership and Cooperation Agreement, 1996](#)). The agreement marks the legal basis of cooperation beginning between the EU and Georgia which covers a wide area of issues including trade, investments, economy and culture. The Agreement was fulfilled by signing the European Neighborhood Policy in 2003. The relations between the partner country and the EU were formalized in 2006 by signing the EU and Georgia Action Plan ([The Eu/Georgia Action plan, 2004](#)). A plan set the strategic objectives and priorities for cooperation inter alia in the field of justice, liberty and security. Initiated in 2009, the EaP provided additional opportunities to strengthen cooperation. Georgia is implementing the EaP bilateral and multilateral Roadmaps later on called Action Plans, which above other cooperation fields suggest reforms in migration related areas.

Seeking to solve problems related to illegal migration, the EU suggested to Member states and Georgia to sign a Joint Declaration on cooperation in the framework of the EU's Partnership for Mobility ([Council of the EU, 2009](#)). Within this Declaration, the EU seeks to promote legal migration including labor migration, readmissions, reintegration, diaspora, document security, labor market and mutual recognition of professional qualifications. To strengthen its positions in 2011 the EU introduced the "Global Approach to the Migration and Mobility framework ([GAMM, 2011](#)). The initiative presented the opportunities of preventing brain drain on the one hand and, on the other hand, avoiding the ineffective use of human capacity. From the number of agreements, a hypothesis that both parts were seeking sustainable collaboration can be extrapolated. Therefore, each agreement between Georgia and the EU was fulfilled by new conditions and different approaches. Common interests consolidate both partners to put all the effort in terms of visa free regime from the Georgian side and democracy spread from the EU side. The main basis of signed agreements between the EU and Georgia is presented in the table below.

Table No 8. The EU- Georgia visa free regime agreements

Made by author according the EU External Action service

| Years | Initiative | Partners |
|--------------|---|--------------------------|
| 1996 | Partnership and Cooperation Agreement | Georgia and the EU |
| 2003 | The European Neighborhood Policy | The EU and 16 partners |
| 2004 | The EU Georgia Action plan | Georgia and the EU |
| 2009 | The Eastern Partnership Policy | The EU and 6 partners |
| 2011 | The Global Approach to the Migration and Mobility | The EU and its neighbors |
| 2012 | “Visa dialogue” | The EU and Georgia |

In the table are presented the agreements which reflect the wide range of issues relevant to the visa liberalization dialogue and show the importance of clear terms and requirements that have to be achieved in terms of all partner security and prosperity in the long time perspective.

In 1961, the United Nations signed the Convention on the Reduction of Statelessness with the main goal to prevent the incidents of statelessness. Also, the Convention was the leading instrument of migration, which is not an exemption from the Visa liberalization Action plan. As it was mentioned before, the Action plan is based on four blocks concerning passport and travel security, border management, internal security and fundamental rights for its residents. Each of them has two phases concerning the legislative and policy framework or benchmark for effective implementation. These blocks serve as the guidelines for Georgia’s progress. In other words, it might be said that by giving the Action plan the EU presented the main conditions which supposed to be fulfilled if Georgia would like to join the visa free regime. Numerous legal, political and bureaucratic reforms were presented.

DOCUMENT SECURITY INCLUDING BIOMETRICS IN GEORGIA

According to the Action plan, the EU in terms of document security in legislative and policy framework asked for four main changes. Firstly, recommendation was directed to the legal and institutional framework which has to ensure a unified and secure electronic population registry (VLAP, 2012). Secondly, seeking to create secure identity management it was also recommended to create machine-readable biometric passports. Of course, on pursuance to complete roll-out of biometric passports there was a need to set a clear timeframe. And finally, in order to be able to ensure security without the periodical monitoring on behalf of the EU it was asked to create an ethical code and training program on anti-corruption. The set goals could not be available without financial and human aid and adequate training programs suggested by the EU. Therefore the EU ensures manifold support if Georgia guarantees full compliance with ICAO standards in terms of document security, informs the Interpol and LASP the EU database on the stolen and lost passports and provides regular exchange of specimen’s visa forms and information on false document (VLAP, 2012).

In 2013, the first progress report which revealed the aspects of future negotiations between the EU and Georgia was launched. In Georgia the main body responsible for civil registration and travel documents is the Public Service Development Agency, of the Ministry of Justice ([PSDA](#)). According to the first progress report, Georgia used a unified database for civil registration since the 2005 (The first progress report, 2013). However, this database had several shortcomings as the digitalization of the civil act records started in 2007, while the registration had been in place since 2005, or replaced personal identification number which at first was assigned to every person receiving an ID or a passport before 2008, and after 2008 PIN is registered in the database at the time of birth registration.

Since the adoption of the VLAP, Georgia legislated the Law on Personal Data Protection laying down basic definitions and principles ([Law of Georgia, on personal data protection, 2012](#)). In 2013 the Personal Data Protection Inspector was appointed, which had to scrutinize the existing legal framework (The first progress report, 2013). In terms of biometric passports, which also was the issue in the Action plan Georgia currently has two types of passports, namely a non-biometric, machine readable and biometric which already implemented by the EU financial support. Other tools and programs which ensure security were delegated to the above mentioned Data Protection inspector. The required reporting of Interpol on lost and stolen passports was done by giving the report of 2013. A problem appeared for persons residing in Abkhazia and South Ossetia, where 233 neutral status identity cards and 29 neutral status travel documents have been issued (The first progress report, 2013). By drawing guidelines for Georgia, fight against corruption was foreseen. For this instance it was suggested to create training programs focusing on the issue.

Georgian governance already provides internal training seminars twice a year, which are monitored by an independent auditor. On the basis of these findings, the EU recommended Georgia to adopt new law related to the rolling-out of biometric passports, also adopt the code of conduct for officials working in the PSDA, establish a plan for complete digitalization, provide information about possible amendments concerning personal data protection. The second progress report focused on the previous recommendations and guidelines with the main issues: amendments of the rolling out of biometric passports, ICAO standards compliance, the code of the PSDA and a plan of indicative timeframe and financial resources (Second progress report, 2014).

All recommendations were implemented by Georgian authorities therefore the third progress report on Georgia's implementation of the action plan on visa liberalization was the last, declaring that Georgia document security benchmark is deemed to be achieved. To summarize what was mentioned about the documents security and biometrics, Georgia made substantial progress in the area in less than two years. By fulfilling all the recommendations, the Country showed the will to be closer to the EU.

GEORGIA'S INTEGRATED BORDER MANAGEMENT, MIGRATION MANAGEMENT, ASYLUM

Due to the existence of a wide range of topics falling under border management there were suggested a number of recommendations. Beginning from the integrated border management, main importance was given to the inter-agency cooperation between agencies which work in particular fields (VLAP, 2012). These agencies are the Patrol Police department, the Border Police and the Border Police Coast Guard. This inter-agency cooperation supposed to be enshrined into the national integrated border management strategy and Action plan containing future legislation in the area. The suggested strategy is supposed to be enriched with an ethical code and training programs for officials responsible for border management and surveillance (VLAP, 2012). In order to implement the suggested recommendations, Georgia was asked to prepare adequate border checks and border surveillance procedures, and situational picture at national and local level. Also, the need for provisions of an adequate infrastructure and continued improvement of international cooperation including that with neighboring countries was indicated.

According to the first progress report, Georgia found a successful way how to adapt a military-based system for border protection into a law enforcement model based on the European model (The first progress report, 2013). Georgia's legislative base of border management laid down in the Constitution, international and bilateral agreements and various joint standards. In 2013, Georgia signed a Memorandum of Mutual understanding between the Ministries of Internal Affairs and Finance on general rules of cooperation on the issue of state border defense. Inter-agency cooperation is regulated by the Joint Order of the Ministers of Internal Affairs and the Finance on tasks signed in 2010 (The first progress report, 2013). The biggest problems appear when analyzing the demarcation of state borders. Abkhazia and South Ossetia are claiming independence from Georgia since 2008, when Republic of Kosovo declared its independency from Serbia. According to the first progress report, the borders with Turkey, Armenia and Azerbaijan are controlled while the border with Russia is only partly monitored and the two occupied territories South Ossetia and Abkhazia are not controlled by the Georgian authorities (The first progress report, 2013). Seeking to solve the problem areas, the Georgian Government adopted the State Border Management strategy in 2014 (Second progress report, 2014). By showing clear commitment to further developing its state border security Georgia, achieved measurable results in the third progress report.

Migration management was the second important issue in the face of illegal migration threat. Visa liberalization action plan directed that, in order to keep security, Georgia has to follow the EU-Georgia readmission agreement and agreements dealt with third countries (VLAP, 2012). Also, the country has to ensure reliable data on migration stocks and flows and guarantee an inland detection system of irregular migrants. In order to adopt a comprehensive legal framework, Georgia in 2014

adopted the Law on the Legal Status of Aliens and Stateless Persons (Second progress report, 2014). State Commission on Migration issues was set to be responsible for migration coordination and management. Cooperating with the International Center for Migration Policy Development, the Commission started to draw up a strategy for the next programming 2016-2020 timeframe (Second progress report, 2014).

In terms of irregular migration Georgia created a number of institutions, which are meant to ensure irregular migration flows. These institutions are: Migration Service, Mobility Centre, and Temporary Accommodation Centre. The Secretariat of the State Commission on the Migration Issues is monitoring the implementation of Migration strategy and gives recommendations to above mention centers (Second progress report, 2014). Despite the efforts, migration management was not fully achieved. In 2015 States Commission presents the Concept of Migration Risk Analyses System (Third progress report, 2015). The created Unified Migration Analytical System which allows to collect data from state agencies that work in the fields of immigration, emigration and internal migration. Georgia's government adopted 2016-2020 Migration strategy in which the country ensures the establishment of Mobility Centers which provide reintegration services (Fourth progress report, 2015). Georgia Migration strategy created in line with the 2014-2017 EU Integration and Communication strategy (The EU Communication and Information Strategy). The Strategy focuses on areas such as prevention and control of irregular migration, promotion of legal migration and reintegration of citizens in Georgia ([Migration Strategy of Georgia, 2016-2020](#)). The financial support was partly financed from the EU by giving 16 million euro for "Capacity Building in Support of Border management and Migration management" (The fourth progress report, 2015). Full compliance with the EU standards led to approval of the migration management benchmark in the fourth progress report (Fourth progress report, 2015). Fully compliance with the EU standards led to approval of the migration management benchmark in fourth progress report (Fourth progress report, 2015).

More or less the same requirements from the EU were applicable in terms of Asylum policy. The EU asked Georgia's government to arrange staff, funding and training programs for asylum legislation (VLAP, 2012). The concept of asylum covers the asylum seekers, refugees and other persons in need of international protection. The Ministry of Internally Displaced Persons from Occupied Territories is responsible for asylum procedures and for accommodation of asylum seekers and beneficiaries of international protection (The first progress report, 2012). Georgia clarified the implementation of the provisions imposing the obligations to apply for asylum by concluding the agreement with UN Refugee Agency and the US Office of Defense Cooperation for the extension of the reception center (Second progress report, 2014). According to the third progress report, Georgia adopted the main legislative framework for asylum within a relatively short period.

It was noted that the Georgian legislative framework is supposed to be amended with a visa on humanitarian ground. Therefore, the Law on Refugee and Humanitarian status has been amended with the ground on which an application can be rejected for state security purposes (Fourth progress report, 2015). The significant changes made by creating the new database containing country of origin information, the deadline for appealing a negative decision for asylum was prolonged and state guarantee sponsored free legal aid, including access to naturalization (Fourth progress report, 2015).

PUBLIC ORDER AND SECURITY IN GEORGIA

Security is one of fundamental nation state principles. According to VLAP, the EU asked Georgia to fulfill conditions related to prevention and fight with organized crime, terrorism, corruption, judicial co-operation in criminal matters, law enforcement and data protection. Each area is important in terms of democratization (VLAP, 2012). The analysis of previous recommendations shows that Georgia made progress in less than two years since the Action plan was adopted. The Country reformed more than a half legislative related to boarder security, stateless people and migration. The reforms made by willing to cooperate more closely politically, economically and socially. Georgia is progressing in the consolidation of its legislative framework for a number of areas including battling organized crime.

In 2013, Georgia adopted a National Strategy on the Fight with organized crime ([National Strategy, 2013](#)). The strategy covers a broad area of issues including racketeering, grand theft auto, illegal circulation of firearms and others. The institutional system was fulfilled by establishing the Inter-Agency Council on Fight against Organized crime (The first progress report, 2013). How a country manages to deal with new legislative approach is monitored by the Interagency Coordinating Council for Combating Organized Crime (Second progress report, 2014). The Council ensures the information sharing and inter-agency communication. Also, the Council ensures monitoring of National State Strategy implementation by giving the reports. It has to be mentioned that since the adoption of VLAP, Georgia made significant progress in the field of battling criminal corruption. Georgia partly ratified the UN Convention against corruption by ratifying Civil Law Convention on Corruption and the Criminal Law Convention on Corruption (The first progress report, 2013). It also established the Anti-Corruption Interagency Coordination Council whose task is the coordination of anti-corruption efforts (The first progress report, 2013). Therefore, a number of recommendations was given to Georgia how to fight against corruption: including amendments to election law, legal person registration system, the establishment of advisory commissions and other. The constructive dialogue and institutional work allowed Georgia to implement all necessary recommendations and reach the third progress report where it was stated that the organized crime benchmark is deemed to be achieved (The third progress report, 2015).

The European Union's Judicial Cooperation Unit (EUROJUST) helps national authorities cooperate to combat serious organized crimes involving more than one European Country (EUROJUST). Seeking to share existing practices in the field of judicial cooperation in criminal matters, the EU suggested consulting and exchanging the information in common cases and sounding the implementation of international conventions concerning the judicial assistance (VLAP, 2012). Prior to the suggested recommendations, Georgia in 2010 adopted the Law on International Cooperation in Criminal Matters (The first progress report, 2013). The law covered international cooperation, mutual legal assistance, including consulting with the European legal institutions. Georgia created both domestic and international legal instruments which allowed it to become a sufficiently strong and reliable partner in international legal cooperation (Third progress report, 2015).

In the VLAP, mentioned law enforcement asked to create an adequate coordination mechanism between relevant national agencies (VLAP, 2012). The difference between the above mentioned and analyzed judicial cooperation and criminal matters is the internal and external use, while the law enforcement might guarantee direct access for relevant officers. For this instance in 2013 in order to facilitate law, enforcement coordination, secure e-mails exchange system, a Memorandum of Understanding on Inter agency Cooperation on Law issues was signed (The first progress report, 2013). The Memorandum was signed by the Ministry of Internal Affairs, the Ministry of Justice and the Ministry of Finance including the Chief Prosecutors Office. The Chief Prosecutor institution rebuilding was the overreaching justice reform.

EXTERNAL RELATIONS AND FUNDAMENTAL RIGHTS IN GEORGIA

The Action Plan draws the guidelines for Georgia in terms of freedom of movement within Georgia, conditions and procedures for the issuance of travel and identity documents and citizens' rights including protection of minorities (VLAP, 2012). Some of the provisions are already mentioned when analyzing stateless people. Georgia has ratified a number of international treaties on minority protection and elimination of different forms of discrimination. For example: the UN International Convention on the Elimination of all Forms of Racial Discrimination and the Council of Europe's Framework Convention on the Protection of National Minorities (The first progress report, 2013). To be closer to the European standards Georgia ratified the European Charter for Regional Minority language (The first progress report, 2013). The list is still incomplete.

To summarize what was analyzed, the overview of the Action plan shows the problem areas which Georgia had to reform. The biggest challenges Georgia faced were the fight against corruption and organized crime. The suggested EU recommendations were partly approved negotiating with the future steps and provisions. The EU-Georgia Visa Dialogue has proved to be an important tool for advancing far-reaching and difficult reforms in the Justice and Home Affairs

area (The fourth progress report, 2015). Georgia showed a constant progress and fulfillment of the VLAP benchmarks. Georgia has modernized its migration management policy; the asylum system was improved by creating new institutions, reforms made in building data protection system and relevant information. All together since the adoption of VLAP were made more than 130 legislative changes, adopted eight national strategies which came along with action plans and seven international convention ratified. All these reforms helped Georgia to become more prosperous and western country. Because of the made progress Georgia is recognized as one of the most advanced countries. The DCFTA and AA signed in 2014 already show substantial results. Granting Georgia visa liberalization will be the step towards support for pro-Western forces by showing an example for the rest the EaP countries.

4.5.INTERFERENCES IMPLEMENTING VISA LIBERALIZATION PROCESS IN GEORGIA

Alongside with the VLAP suggested reforms Georgia since the beginning of negotiations Georgia made changes in more than 100 legislative acts, initiated new laws, presented eight national strategies and action plans, and ratified eight international conventions. Un-distributable progress made towards migration management policy, asylum seekers control and border protection. Made progress created business friendly environment.

VLAP analyses showed that contrary from Moldova Georgia focused on the initiated reforms quality and full compliance to the European standards. According Permanent Representative of the Seimas of the Republic of Lithuania to the European Union the EU is mostly structural and formal institution which can give promise to cooperate if all technical criteria are fulfilled (Maldeikis M., 2016). In the light of migration crises the biggest threat from the European sceptics side was misguided external borders control and migration flow. However, comparing the last year data before signing the Association Agreement seems that Georgia decreased its asylum seekers number for 11.9 per cent comparing to 2015 data ([Lominadze R., 2016](#)). Just few of the successful examples are decreased the number of citizens who refused to enter the external borders of the EU, the number of false visas and residence permits. Seeking to reveal was the key for the sustainable growth and constructive collaboration with the EU I am going to analyze domestic factors when the VLAP came into force.

Georgia is presidential state headed by the President Giorgi Margvelashvili. The President was elected in 2013 to serve for a five years term ([Election guide, 2013](#)). Giorgi Margvelashvili belongs to the Georgian Dream- Democratic Georgia political party which top priorities on the 2012 election was human dignity, freedom and security, economic development, social welfare, Pro-western aspirations ([Georgia dream](#)). According the European Commission's final report the biggest challenge implementing the visa free regime for Georgia was political polarization

(Commission, 2014). Governed by Mikheil Saakashvili the partial system was tremendously weak (Foresti M., 2010). Mikheil Saakashvili's first victory as President pushed the new Government towards the changes to the constitution that adopted the position of a Prime Minister. Parties were governed mostly by personalities of their leaders, rather than they ideology. The analyses of political class and political parties comparing two last Parliament elections presented below.

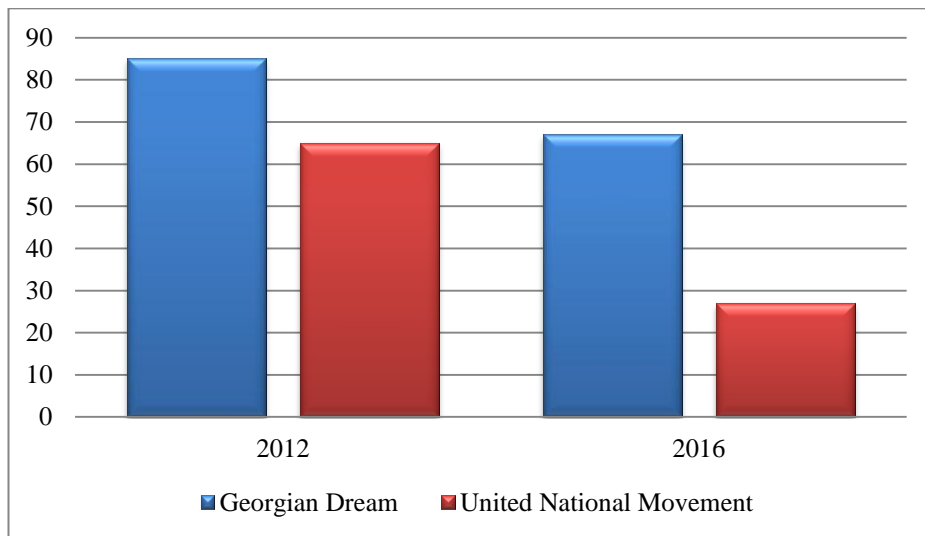


Diagram no 2. The comparison of Political parties in Georgia's Parliamentary elections

Made by author according the Election guide. Elections in Georgia.

Found: <http://www.electionguide.org/elections/id/2577/>

The Political Party Georgian Dream winning in both held Parliamentary elections shows the support from people to the ruling government. The political elite was able to lead the VLAP in a timely manner, gain public support, ensure transparency of the process and hold active dialogues around the most problematic issues. The Georgia's ex-prime minister Bidzina Ivanishvili, was perceived to be the strongest political figure in political elite (The EaP after five years,2015). On the one side he supported Georgia integration with the West, on the other side he would not deny that he would prefer to maintain a kind of status quo with the EU and Russia (Ibid.). Therefore the EU concerned about selective justice in Georgia.

By signing the Association Agreement made some significant electoral reforms which have to be mentioned. Firstly, was created State Constitutional Commission. The Commission aims to identify the problematic issues, perform the relevant work and recommend the possible changes in the Constitution ([Georgia's State Constitutional Commission](#)). Secondly, into the EU suggested recommendation list was included stronger role of Parliament which was reached in second progress report. (Second progress report, 2012). The institution role was also launched in the reforms of Prosecutor office.

Considering the visa free regime in Georgia alongside were analyzed situation in Turkey. However, these cases are very different in terms of made progress ([Schengen visa, 2016](#)). The EU uses the visa free access as the main reward for Ankara's cooperation with choking of a flow of

people to Europe ([Turkey to EU, 2016](#)). According to the EU Join staff document “Implementation of the European Neighborhood Policy in Georgia Progress in 2014 and recommendations for actions” the EU Special Advisor on Constitutional and Legal reform Thomas Hammarberg issued the need to implement checks and balance system into political/ constitutional system (Commission, 2015). According to European’s Commissions report of Georgia’s made progress the notably achievements was reached in the areas of Human rights and freedoms and in visa liberalization process.

Comparing Georgia’s and Moldova’s made progress towards visa liberalization it has to be noticed two significant issues. Both countries were formal Soviet Socialist republics and for this instance have strong economic, politic, cultural ties with the East. Secondly, evaluating the progress which Georgia made it has to be considering the Moldova’s as a pioneer country made an example even though there were a number of changeable places. Contrary from Moldova the level of corruption in Georgia is much lower. According to World corruption rank Georgia holds 48 place while Moldova 103 ([Trading economics](#)). Vytis Jurkonis in interview add that the fight against corruption is the main task in Ukraine and Moldova while the Georgia politicians and society should go beyond the Sakashvili and start to think about their future (Jurkonis V., 2016).

The signed Association Agreement and DCFTA created a closer economic integration of Georgia with the EU based on the reforms in trade related areas. As reward for made progress the EU removed all import duties on goods and provided a broad mutual access to trade in services. The import and export changes presented in the table below.

Table no 9. Georgia’s trading partners

Made by author according World Integrated trade Solution data 2014 and 2015. Found: <http://wits.worldbank.org/CountryProfile/en/Country/MDA/Year/2014/TradeFlow/Import/Partner/all/Product/Total>

| Import | 2014 | 2015 | Export | 2014 | 2015 | |
|---------|-----------|-----------|------------|---------|-----------|---------|
| | Other | 4.658.849 | | Other | 1.336.220 | Other |
| Ukraine | 546.120 | Russia | Russia | 269.950 | Turkey | 168.308 |
| China | 732.996 | China | Armenia | 280.564 | Bulgaria | 214.247 |
| Turkey | 1.727.542 | Turkey | Azerbaijan | 544.223 | Russia | 158.845 |
| Germany | 465.907 | Ireland | Turkey | 222.376 | Armenia | 156.949 |
| | | 456.14 | | | | |

From the table it is clear that Georgia’s import and export remains almost the same before and after the signing of Association Agreement. On the way to European integration the biggest challenge to government of Georgia was ensure the economic security and prosperity. As it was mentioned before the EU will try to reduce energetic interdependency in the near future. Meanwhile, Georgia is strongly dependent from Russia. Interdependence is different from the Moldova’s and Ukraine’s. In economic relations with Russia Georgia has four main areas:

investments, trade, energy, and remittances (Kapanadze S.,2014). After Revolution of Rose in 2008 Georgia explicit pro-western foreign policy (Foresti M., 2010). This confirms the analyzed progress reports, in which public opinion in second report was 59% in favor for the collaboration with the EU.

The EU's Deep and Comprehensive free trade area and Russia driven Eurasian Economic Union are both mutually exclusive (Delcoure L., 2014). A partner country has to make a choice in in which side move towards and restrict links with other. Presented Common neighborhood gradually changed its meaning. After signing the Association Agreement the neighborhood seems to be divided between countries that have joined Eurasian Economic Union (eg. Armenia and Belarus) and countries who have signed the Association and Deep and Comprehensive free trade Area agreements. The analyzed external governance of conditionality primarily framed the external actors, which in this case are the EU and Russia. According to this point of view the external actors might initiate stimulus and pressures against partner country. However, both interviewees agree that the major EU countries opposing any further enlargement to the east (Jurkonis V., Maldeikis M., 2016). Engagement with the Eastern Partnership or Eurasian Union is influenced by three main factors: the external partner's offers in terms of norms and identities, structural interdependencies and the expected benefits (Delcour L., 2015). The case study analyses of Georgia's external conditionality theory presented below:

Table no 10. The EU External conditionality governance. Case of Georgia

Made by author according the EU external conditionality governance model.

| Variables | Conditions | Results |
|--|---|---|
| Determinacy of conditions | <ul style="list-style-type: none"> • Clarity and formality of rule; • Legalized behavioral status; • Credibility of conditionality. | Georgia made changes in more than 130 legislative acts, initiated new laws, presented eight national strategies and action plans, and ratified eight international conventions. Un-distributable progress made towards migration management policy, asylum seekers control and border protection. |
| Size and speed of rewards | <ul style="list-style-type: none"> • Temporal distance to the reward; • The size of reward. | Visa liberalization process implementation took 4 year, and Georgia received 4 progress reports. Country sees visa travel to the EU as the movement towards European aspirations. |
| Credibility of conditions | <ul style="list-style-type: none"> • A strategy reinforced by reward; • Supervisor external agency; • Conditional payments; • Consistency of reward; • Cross conditionality. | Georgia directly bordering with the EU therefore the made progress towards visa free travel was one of the most important issue to the citizens of Georgia. A lack of results was caused by the concerns of on Abkhazia and South Ossetia. Russia in 2014 introduced trade sanctions against Georgia in order to shift away from closer integration with the EU. |
| Veto players and adoption costs | <ul style="list-style-type: none"> • Status quo; • Number of veto players; • The distance of veto players | Georgia suffered from political poliarization, therefore the threat of selective justice appeared. For example, Georgia's ex-prime minister Bidzina Ivanishvili, was perceived to be as the strongest political figure in political elite On the one side he supported Georgia integration with the West, on the other side he would not deny that he would prefer to maintain a kind of status quo with the EU and Russia. |

Both countries Georgia and Moldova face the similar challenges related with anti -democratic tendencies. The military expansion, economic embargos and political polarization negatively affect

the domestic policy. However, only the constant pressure from society, demanding for further democratization and the rule of law might be a guarantee for further westernization. Therefore the visa liberalization process has significant impact to partner states society. The changes of good practices, might help to ensure the public support for democratization in Georgia and Moldova.

To summary all in all the biggest threat implementing the EU suggested reforms seemed to be political polarization. However, when the new president elected the same problems remain. Even though that Comparing Georgia's and Moldova's made progress towards visa liberalization it has to be noticed two significant issues. Both countries were formal Soviet Socialist republics and for this instance have strong economic, politic, cultural ties with the East. An example remains that both countries inside their territories had conflict areas which have to solve: Transnistria in Moldova and South Ossetia and Abkhazia in Georgia. Secondly, evaluating the progress which Georgia made it has to be considering the Moldova's as a pioneer country made an example even though there were a number of changeable places: for example insufficient work of newly created institutions.

4.6. THE SUCCESS OF RULE TRANSFER AND FURTHER COLLABORATION

In 2014 signed the Association Agreement strengthened the partnership agreement of the European Neighborhood policy for the three best performing countries: Georgia, Moldova and Ukraine. Suggested for Moldova and Georgia Action plan is similar in content and structure. Being the common Eastern Partnership members both countries preferred the path toward European Union but with different capacities and varying expectations. Moldova being a pioneer directed guidelines for the visa-free regime implementation to other EaP member states. The biggest difficulties for Moldova were institutional capacity to implement suggested recommendations in the directed time manner, politicized environment and political instability (GISS, 2014). The same situation with insufficient institutional practice and actual policy implementation faced Georgia. The comparison between states implementing the visa liberalization policy showed in the diagram below.

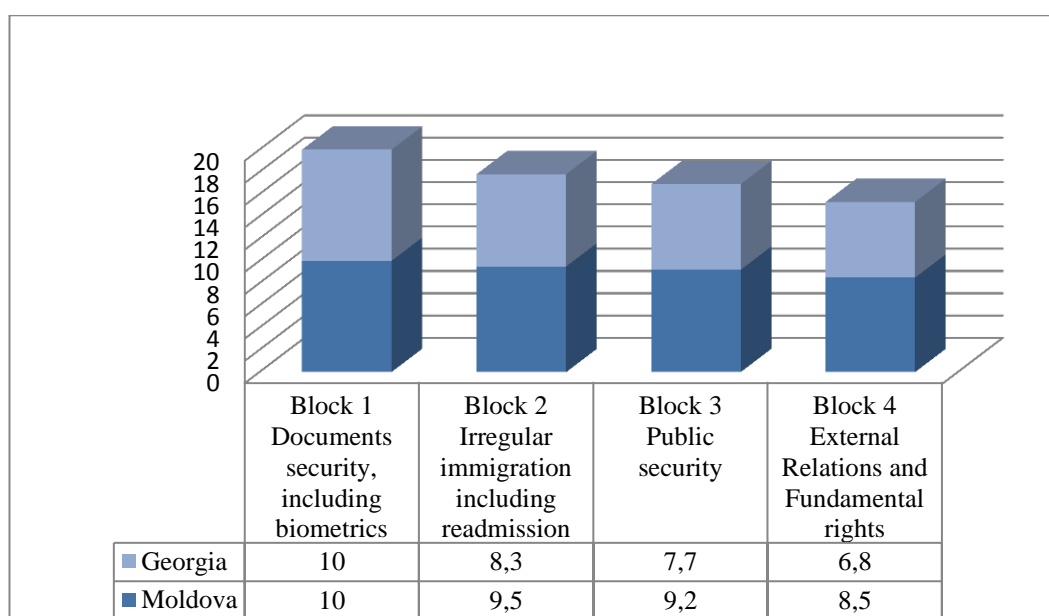


Diagram no 3. Progress of Moldova and Georgia implementing Action Plan

Made by author according the EaP Visa liberalization index 2015. Source: Benedyczak J., Litra L., Krzysztof M. "Moldova's success story. The visa-free regime with the EU one year on", 2015

From the diagram above it is clear that the comparing the Moldova and Georgia made progress in all benchmarks. However, modernizing the state administration and the public sphere Moldova faced challenges in full compliance with the European standards while Georgia's institutions took longer period of time for suggested reforms implementation and was ready after certain changes appeared (GISS, 2014). Also, the EU asked both countries to introduce training system which supplements with their made amendments to the legislative system during the implementation of VLAP. If the fight against corruption is the main impediment in Moldova, the biggest challenge for Georgia is the changing political situation.

The European Integration Index for Eastern Partnership countries evaluates the progress which the EaP countries made toward the integration. The most recent quantitative data provide the continued fulfillment of democratic standards. The index measured linkage between the EU and partner country cooperation areas. Approximation in set areas, suggested by the VLAP reforms and the EU supported management. For example the variable approximation covers deep and sustainable democracy, market economy and DCFTA and sectoral approximation. In order to compare the final results on VLAP and the results implementing Association Agreement and DCFTA a diagram of approximation variable of market economy and DCFTA presented below.

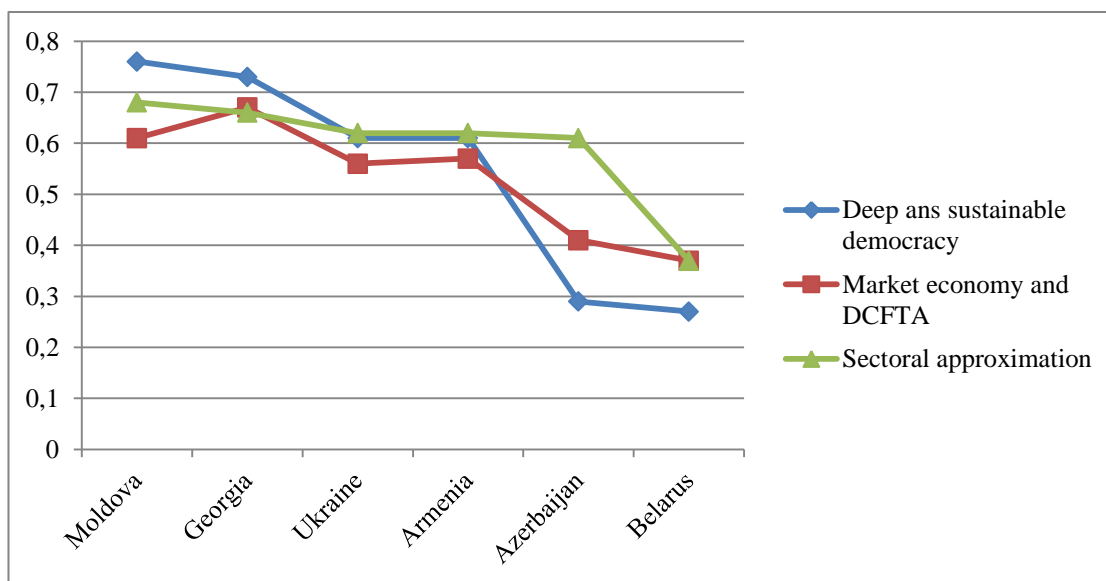


Diagram no 4. The approximation comparison between the EaP members

Made by author according to the Eastern Partnership index. Found: <http://www.eap-index.eu/>

The diagram above shows the best and the worst EaP performers since the beginning of the EaP. Gradual implementation of the EU suggested reforms by using its soft power let countries to become reliable partners for the EU. An examples how promised visa free regime implementation and its benefits might initiate reforms is one of the example how it works. However, initiated reforms and initiatives from the EU were not fully applicable. According to Vytis Jurkonis the EU evaluating partner state made progress has to be realistic about the timelines and not to raise too high expectations (Jurkonis V., 2016).

The challenges related to full implementation of the visa liberalization process are still unsolved conflict areas in Georgia South Ossetia and in Moldova Transnistria. Even though during the negotiations and preparations to the Association agreement was initiated and implemented support for such regions, the possibility to reform institutional structure was useless. By settling technical issues related to visa liberalization in order to improve the exchange of information among experts the communication at political level remained the same. The communication barriers inside the territory of Georgia and Moldova were one of the challenges to the visa liberalization process. *The VLAP analyses showed a number of new legislation acts, made amendments and created*

institutions in Georgia and Moldova. There were a number of challenges which states had to solve: institutional capacity to implement suggested recommendations in the directed time manner, politicized environment and political instability, insufficient institutional practice and actual policy implementation, fight against corruption, negotiations with conflict areas inside the country borders and other. One of the biggest problems appeared after the EU suggested changes in terms of monitoring initiated reforms and following suggested rules. For this instance the EU has find a way how to ensure further the partner states security and prosperity towards democratization.

CONCLUSIONS:

1. The EU, being one of the main geopolitical players, uses normative power to exert major influence upon its partners and member states. European integration theories explain why partner states prefer to collaborate with the EU. Neofunctionalism is one of the leading approaches to analyze European Union integration and enlargement waves. The theory argues that due to economic cooperation member states are supposed to employ functional logic of interdependence and precede cooperation into deeper integration. Another approach, intergovernmentalism, explains that the power in international organizations is possessed by member states and decisions are made unanimously. The main idea is that the partnership remains vital as long as it fulfills the needs of the member states. As long as the nation state is not the only relevant actor in international relations, the EU member states and partners harmonize their laws and adopt common policies in line with the EU *acquis communautaire*. The EU as a normative power coexists with the justification and different forms of influence. The EU uses soft power focusing on the *acquis* as a strategy which at the same time makes the EU's external actions normatively sustainable.

2. Eastern Partnership is derived from European Neighborhood Policy. This policy covered a broad range of issues, such as employment and social policy, trade, industrial and competitiveness policy, to name a few. The EU is seeking to foster security, stability and prosperity through a number of multilateral, as well as bilateral agreements. From the beginning of this partnership initiative, the EU basically had different strategies to neighboring countries. The EU preferred to cooperate more closely with those partner countries, which made more progress towards the EU. The first Summit was full of expectations how partnership initiatives might step further. During the second Summit, the principle of “more integration for more reforms” appeared which showed the lack of the EU's sensible forked approach responding to the internal history, political and socioeconomic conditions of the partner countries. Even though the third Summit discussed the possibility to transform Eastern Partnership, the changing geopolitical situation further strengthened regional economic development. The Riga Summit continued the agenda of the Vilnius Summit including the monitoring process of the EU to support partner reform agendas, a further consideration of a visa free regime and an overall strengthening of the relations between the EU and Eastern Partners.

3. The EU had to find new ways and approaches of how to keep partner countries together in line with the Eastern Partnership. Therefore, the EU suggested a package of crucial proposals: the possibility of signing an Association Agreement, the proposal of membership in the Energy Community, partial incorporation into the EU electricity and gas markets and full visa liberalization, meaning a visa-free travel regime with the EU. Freedom of movement is one of the four basic freedoms of a single market, between capital, goods and services. Usually, EU visas are perceived as a security measure; therefore the procedure is quite long. Guided by the example of the Balkan countries, the EU suggested Visa

Liberalization Action Plans (VLAP) to Georgia and Moldova, which was meant to incentivize the partner states to show progress. The EU external governance follows a strategy in which the EU sets its rules as conditions, and the target country has to fulfill them in order to get the reward. According to the external governance of conditionality, the cost-benefit balance depends on the determinacy of conditions, the size and speed of rewards, the credibility of threats and promises, and the size of adoption costs. By using soft power to promote reforms in partner countries, the EU suggested visa liberalization. However, not every reward or possibility suggested by the EU might be desirable for the member states. Therefore, when creating conditions and rewards, the EU should focus on the needs of partner states and their possibilities to adopt suggested norms.

4. Summarizing the whole VLAP proposal to the Republic of Moldova, it might be declared that most of the EU suggested provisions were related to technical implementation, for example: the creation of an ethical code, National Strategy implementation, consultation with supranational institutions and organizations. These provisions were successful in the cases in which there was no need for political observation and interpretation. The areas of recommendation in VLAP, which hardly complied with national preferences, showed the lack of political confidence and measure achievements in democracy spread. The interferences are both internal and external, the internal being due to political crises, high level of corruption, low public opinion about the benefits of visa liberalization. The attractiveness of visa liberalization in Moldova is questionable because Moldovans were able to move freely within European borders by holding Romanian passports. Similarly like Moldova, to implement the VLAP Georgia had to solve: institutional capacity to implement suggested recommendations in the directed time manner, politicized environment and political instability, insufficient institutional practice and actual policy implementation issues. If the main issue to solve in Moldova was a high level of corruption, Georgia had to deal with political polarization at a time when parties in Georgia were governed mostly by personalities. After having compared Georgia's and Moldova's progress towards visa liberalization, it has to be acknowledged that both countries are former Soviet Socialist Republics and for this instance have strong economic, political, cultural ties with the East. Responding to the signed AA and DCFTA agreements, Russia made significant impact to hinder the cooperation between the EU, Georgia and Moldova cooperation. Russia responding to signed agreement introduced additional import duties and import bans on products which limited competitiveness. Being one of the main veto players in the region, Russia supports the existing Communist Party in Moldova and is ensuring peace keeping missions in Transnistria region, while keeping a focus on South Ossetia and Abkhazia. The external conditionality governance model improved to be successful evaluating the EU soft power influence in Eastern Partnership countries. Both countries after suggested VLAP recommendations reached full compliance with the EU standards, which also improved that Georgia and Moldova might ask for more cooperation with the EU in the near future.

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APPENDIX

| Respondent: Matas Maldeikis | | Permanent Representative of the Seimas of the Republic of Lithuania to the European Union |
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| No. | Question | Answer |
| 1. | What need to be done to make the Eastern Partnership substantial Project for its partners? | Even though the EU for the Eastern Partnership countries never promised membership perspective the partner states are willing to cooperate more closely with the EU. The membership perspective might be an example how the already implemented the EU norms and rules might be strengthened in further collaboration between the EU and its partners. Also it has to be taken into account the partner state already made progress which means that partner is ready to cooperate as equal partner. |
| 2. | How does the Eastern Partnership achieve its objectives? | By promising further cooperation and collaboration. Monitoring the partner states made progress the EU strengthen the support to those areas which need. Scrutinizing all recommendations and practical implementation the EU ensures the full compliance with the common standards and norms. |
| 3. | What do you consider as the most important EaP achievements? | Singing the Association Agreement including Deep and Comprehensive Free Trade Area. |
| 4. | What are the biggest challenges the EaP are facing? | The EU is facing a number of internal and external challenges this year itself. Brexit, Republicans party winning in America, upcoming elections in France, Netherlands. All these internal factors require decisions which have fully support from all the EU members. The EU policy balance depends on its preference to deeper – further integration or wider – further enlargement considerations. Therefore the biggest challenge supposed to be the decision of further collaboration between the more and the less advanced Eastern neighbors. |
| 5. | What is the future for the EU partners and Russia relations? | The EU is unlikely to lift sanctions against Russia taking into account the still remained Minsk agreement. Confrontation zone between the EU and Russia remains the EU's Eastern Neighborhood. EU security is threatened by dependence on Russian energy imports and the effects of propaganda. Cooperation on international issues such as terrorism has become a victim of tensions between the two sides therefore the EU has to find a way for the further collaboration and negotiations. |

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| Respondent: Vytautas Jurkonis | The project Freedom House director Institute of International Relations and Political Science, Vilnius University |
| <p>When debating the current status of the Eastern Partnership, I think the famous quote by Winston Churchill, “This is not the end, it is not even the beginning of the end, but it is perhaps the end of the beginning,” is rather accurate.</p> <p>The summit in Riga was just an episode in the entire process of the Eastern Partnership and it’s certainly not over yet. The challenges the EaP initiative faces today require setting a combination of short- and long-term goals. The short-term goals include damage control in conflict areas, immediate financial assistance for economies in need, and a clear diversification of policies between the willing three (Georgia, Moldova and Ukraine) and the others (Azerbaijan, Armenia and Belarus).</p> <p>The work with the unwilling three (Azerbaijan, Armenia and Belarus) should include a bigger focus on civil societies there, strengthening independent media and cooperation with the authorities whenever they are genuine about reforms and not just hunting for investment opportunities. Meanwhile, the willing three (Georgia, Moldova, Ukraine) need to sustain their EU prospects—nobody has closed the door to them if they do their homework. We just need to be realistic about the timeline and not raise expectations of our partners too high. It took a decade for the Visegrad and Baltic countries to become EU members and the starting positions were rather different. Moreover, the transition there is still happening.</p> <p>The Ukrainian people have sacrificed a lot in showing their determination for a chance at a European perspective, but Maidan was only the beginning of the long struggle. Building an accountable government that will follow European standards doesn’t happen in a day, and corruption remains a key challenge on that way.</p> <p>We do see an attempt by the Moldovan people to fight the corrupt government—tens of thousands people gathered in May and June. The energy of civil society is there, but the EU also needs to be unequivocal—we are not interested in cooperation with (former Ukrainian President) Yanukovich types of oligarchs and politicians in Moldova.</p> <p>If fighting corruption is the main task in Ukraine and Moldova, overcoming polarisation in politics and society is the main challenge in Georgia. Georgian politicians and society should go beyond the dichotomy of Saakashvili and Ivanishvili and start thinking about their own future instead. Otherwise, this country will simply drown in its internal battles. Everyone is also aware that the Kremlin is very skilful at playing the divide-and-rule game.</p> <p>The beginning of the EaP initiative has ended and with the opening of the new phase we should be clear about our priorities more than ever and not waste our time and resources with the unwilling but assist those who are ready for genuine dialogue. Therefore, everything is in the hands of the people of Georgia, Moldova and Ukraine. Nobody in the EU can deny their European perspective, but Brussels cannot make any promises in advance, either.</p> <p>Maria Przelomiec. <i>Is the EP Summit in Riga the End of the European Perspective for Georgia, Moldova and Ukraine?</i></p> <p>Source: https://blog.pism.pl/blog/?p=1&id_blog=36&lang_id=12&id_post=596</p> | |