

"Unpacking Europeanisation in the South Caucasus and the Black Sea Region: Economic, Legal and Social Contexts"

Batumi summer school

15-24 July 2016

Batumi Shota Rustaveli State University Partner of the DESCnet
Consortium

COURSEBOOK



Batumi Team: Adam Makharadze

Gvantsa Davitashvili

Tatia Nakashidze

CONTENTS

Syllabus of the course.....	3
Description of the course.....	4
Course objectives.....	4
Learning outcomes	4
Course assignment	5
Assessment of the learning progress and final task	5
Statement of accomplishment	6
Programme/schedule of the course.....	6
Lecture 1: Development of minority rights framework in EU law	7
Lecture 2: The biopolitical approach in post-soviet studies.....	15
Lecture 3: Europeanisation and the case of Georgia.....	20
Lecture 4: Approximation to EU law: norm diffusion in Eastern periphery.....	22
Lecture 5: 'Bottom-up' discourse of Europeanisation: the case of Georgia.....	27
Lecture 6: Dealing with the past: social cohesion through dialogue.....	33
Lecture 7: Europeanisation & political backlash (i&ii)	34
Lecture 8: Good governance and minorities in Georgia - practice.....	47
Lecture 9: European social policy and migration. Future labour market.....	51
Lecture 10: Transnational political elites in Europe and the South Caucasus.....	71
Lecture 11: The EU charter of fundamental rights, the ECHR and domestic constitutions.....	82

Syllabus of the course	
Faculty/Department	Law Faculty
Amount of credits and working load	6 ECTS
Duration in semesters	15-24 July 2016
Course dates	16-24
Lecturers	<p>Aiste Mickonyte – University researcher at Russian, East European & Eurasian Studies Centre, University of Graz (Austria)</p> <p>Aleksandre Devidze, -LL.M., Head of Legal Department at the United Water Supply Company of Georgia as well as Invited Specialist at Batumi Shota Rustaveli State University (Georgia)</p> <p>Andrey Makarychev – Professor, Johan Skytte Institute of Political Studies, University of Tartu (Estonia)</p> <p>Benedikt Harzl – Researcher at Austrian Study Center for Peace and Conflict Resolution (ASPR), Austria</p> <p>Gvantsa Davitashvili – LL.M., Assistant Professor at the Technical University of Georgia as well as Invited Specialist at Batumi Shota Rustaveli State University (Georgia)</p> <p>Jürgen Pirker – Assistant Professor, University of Graz (Austria)</p> <p>Nicolaas Stijn Groenendijk – Visiting Professor of European Studies, Johan Skytte Institute of Political Studies, University of Tartu (Estonia)</p> <p>Oliver Reisner – Professor at School of Arts & Sciences, European & Caucasian Studies, Ilia State University (Georgia)</p> <p>Raul Eamets – Professor of Macroeconomics, Dean of the Faculty of Social Sciences, University of Tartu (Estonia)</p> <p>Shota Kakabadze – PhD student, Johan Skytte Institute of Political Studies, University of Tartu (Estonia)</p>

	<p>Stefano Braghiroli – Lecturer in European Studies, Johan Skytte Institute of Political Studies, University of Tartu (Estonia)</p> <p>Stephan Hinghofer-Szalkay – University researcher, University of Graz (Austria)</p> <p>Yeghishe Kirakosyan – Chief Legal Counsel, Initiatives for Development of Armenia (IDeA) Charitable Foundation, Yerevan (Armenia)</p>
Language of instruction	English
Target group and/or preconditions for participation	Undergraduate and graduate students with various backgrounds (political science, law, economics etc.)

The teaching provided concise yet fundamental knowledge of the history and processes of European integration from legal, socio-economic and political perspective. In addition, a special focus was put on the development of the EU as an international actor, specific external policies and the EU's relations with strategic partners and international organizations on the global and regional level, especially the countries of the Southern Caucasus. The academic workload of the school was 6 ECTS and working language of the school was English.

COURSE OBJECTIVES

Multidisciplinary, diverse and broad, course allows students as well as experts and scholars to touch in their lectures on wider topics and present the ongoing Europeanisation processes in the countries of the South Caucasus from different perspectives, be it either legal studies, sociology, political science or international relations.

The course offers a wonderful opportunity to students to share their experiences, thoughts and ideas. Local students from Georgia, Azerbaijan or Armenia will share their first-hand experiences with Europeanisation processes ongoing in these states, while students from the rest of the world bring their own stories, either about successful cases of European integration, like countries of Central and Eastern Europe, or about the discourse of EU enlargement and neighbourhood policies in the Western part of the continent.

LEARNING OUTCOMES

By the end of the school, students were expected:

- a) To be able to generalise and theorise on the process of EU enlargement and policy making;

- b) Assess the need for reforms in the region and analyse the resources available;
- c) Strive to start or continue their academic career in the field of European studies.

COURSE ASSIGNMENTS

All participants of the school are required to submit a policy essay (700-800 words) on one of the following topics:

- Countries of the South Caucasus on the Way towards Europeanization: Nation Building or Nation Branding?

In this theme the accent should be made on two different dimensions of a broadly understood Europeanization as seen from the regional perspective – as a branding policy (with advertising and promoting countries in European markets of tourism, hospitality, consumption, entertainment, etc.), and as a policy of building nation state institutions compatible with European normative order. Authors are free to focus on either one specific country or extend their analysis to the entire region.

- Soft Power in the South Caucasus: What Are the Prospects?

This topic implies a discussion on the concept of soft power against the background of a growing appeal of realist discourses and the concomitant reliance on military force, as opposed to the 'softer' power of attraction and persuasion. The key question therefore is whether there is a niche for soft power solutions in the region, and what they might look like.

- The Current Crisis in the EU and Its Implications for the South Caucasus.

Those participants who would prefer to tackle this subject are expected to explain how a series of critical developments in today's Europe (the crisis of Eurozone with discussions around Grexit, the refugee crisis and its implications for the Schengen zone, the rise of nationalist movements and far-right parties all across Europe, the Dutch referendum on Ukraine, and finally Brexit) affect the South Caucasus. Essays may discuss the repercussions of these events for countries making the region, and reactions within these countries to the challenges that the EU faces nowadays.

ASSESSMENT OF THE LEARNING PROGRESS AND FINAL TASK

Submissions will be assessed according to the following set of basic criteria:

- clarity of the main argument;
- validity of conceptual approach to the topic;
- empirical base;
- policy conclusions and implications for comparative cross-country research.

STATEMENT OF ACCOMPLISHMENT

The authors of three best essays will be invited to join 1,5-hour panel discussion to be held on July 23 and share the floor with the school staff. This panel is designed as a final event of the school giving an opportunity for school participants to engage in a joint analysis of basic trends shaping the Caucasus with University lecturers.

PROGRAMME/SCHEDULE OF THE COURSE

Timetable

	Thursday 14 July	Friday 15 July	Saturday 16 July	Sunday 17 July	Monday 18 July	Tuesday 19 July	Wednesday 20 July	Thursday 21 July	Friday 22 July	Saturday 23 July	Sunday 24 July	
9:00	Arrivals / check-ins	Registration and gathering	Breakfast									
10:00		Opening Ceremony	Lecture "Develop- ment of Minority Rights Framework in EU Law"	Lecture "Approx- imation to EU Law: Norm Di- fusion in Eastern Pe- riphery"	Lecture "The EU Charter of Fundamental Rights, the ECHR, and Domestic Constitu- tions. Part II"	Excursion to the West regions	Lecture "Eu- ropeanization and Political Backlash"	Individual work (research, interviews, reading)	Lecture "Security and Biopolitics in the South Caucasus" Part I	Lecture "Security and Biopolitics in the South Caucasus" Part II	Depart- ures / check-outs	
11:00												Refreshment break
11:30		Meeting with Georgian EU integration minister	Refreshment break				Lecture "Security and Biopolitics in the South Caucasus"	Lecture - "In- ternational le- gal aspects of joining a free trade regime- comparative regional expe- rience of East- ern European countries in negotiating Association Agreements with EU"	Visit to the Con- stitutional Court of the Republic of Georgia	Lecture "European social policy and migration"		
12:00- 12:30			Lecture "The EU Charter of Fundamen- tal Rights, the ECHR, and Do- mestic Con- stitutions. Part I"	Lecture "Dealing with the Past: Social Cohesion through Dialogue. Part I"	Lecture "Dealing with the Past: Social Cohesion through Dialogue. Part II"							
13:00		Introduction of the school concept										
13:30- 14:30		Lunch										
14:30		Possibility to join "Georgia's European Way" conference (Session V)	Discussion "Interplay between Internal Market and Minority Rights in EU"	Lecture "Approx- imation to EU Law: EU Conflict Manage- ment"	Working group discussion with Benedikt Harzl	Excursion to the West regions	Lecture "Good Governance and Minority Rights in Georgia"	Simulation of EU Decision- making on Issues related to the South Caucasus	Individual work (research, interviews, reading)	Follow-up / feedback session		
15:30												Possibility to join "Georgia's European Way" conference (Session VI)
16:00		Round table "Overview of political trends in the Caucasus"	Meeting with the Ukrainian ambassador to Georgia	The Policy- Academia Dialogue	Mid-term feedback		Leisure time	Visit to the Education Au- thority of the Autonomous Republic of Alara	Film screen- ing and discussion ("Tanger- ines")	Closing of the School / Farewell reception		
16:30		Tour in Batumi / Leisure time										Leisure time
17:00			Reception / dinner	Joint dinner	Leisure time	Leisure time	Leisure time	Leisure time	Leisure time			
17:30		Leisure time								Leisure time		Leisure time
18:00			Leisure time	Leisure time	Leisure time	Leisure time	Leisure time	Leisure time	Leisure time			
18:30		Leisure time								Leisure time		Leisure time
19:00			Leisure time	Leisure time	Leisure time	Leisure time	Leisure time	Leisure time	Leisure time			
19:30		Leisure time								Leisure time		Leisure time
20:00			Leisure time	Leisure time	Leisure time	Leisure time	Leisure time	Leisure time	Leisure time			

LECTURE 1.

DEVELOPMENT OF MINORITY RIGHTS FRAMEWORK IN EU LAW

Aiste Mickonyte – University researcher at Russian, East European & Eurasian Studies Centre, University of Graz (Austria)

Table of contents

- Concept of minority rights
- Historical background of state and nation building
- Two concepts
- European Framework for the Protection of Minorities
- Framework Convention for the Protection of National Minorities (FCNM) of the Council of Europe
- Minority rights under EU law
- Case study: CJEU, C-391/09, Runevič-Vardyn and Wardyn

National minorities: What are they?

- No generally accepted definition in international or EU law
- A commonly used definition laid down by Francesco Capotorti, Special Rapporteur of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities:
 - „A group numerically inferior to the rest of the population of a State, in a nondominant position, whose members – being nationals of the State – possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language“

Historical background of state and nation building

- Western Europe (England, France)
- Centralized states already during the transition from the middle ages to the modern age
- State-building before nation-building
- „State-nation“ („ethnically indifferent“)
- „Nation“ more or less synonymous with „state“
- Nationality synonymous with citizenship
- (whereas in German or Slavic languages „nationality“ and „citizenship“ depict different legal concepts)
- Nation-building „from above“ by state authorities based on imposed ethnic group distinction leading to cultural homogenization

Historical background of state and nation building

- Central Europe (Germany, Italy)
- State- and nation-building almost parallel in 19th century
- Fragmented political entities (e.g., Bavaria, Prussia)
- United into a common state based on the idea/ideology that the commonality of language and the [perceived] commonality of cultural heritage of the people
- Justifies formation of new states along the ethnic lines as ethno-cultural nation states
- „the people“ formed the state „from below“ in a state-seeking process

Historical background of state and nation building

- Eastern and South Eastern Europe
- Nation-building after the dissolution of the three multi-ethnic empires (Ottoman, Russian, Habsburg) after WWI and
- After the breakdown of the communist multi-national states – the USSR and Yugoslavia in the early 1990s
- Nation-building influenced by the Central European model of the nation-state

Self-determination and national minorities

- National self-determination of peoples after WWI
- No creation of homogenous states possible
- New states with a majority population and minorities
- Legal framework on minority protection
- Paris peace treaties / treaties between the Allies and CEE countries / special treaties (e.g., Åland Islands) / unilateral state declarations
- Civil and political rights
- Education-related and linguistic rights

Self-determination and national minorities

- Article 1(2) UN Charter: „(...) respect for the principle of equal rights and self-determination of peoples“
- Article 1 of ICCPR and ECESCR: „All peoples have the right to self-determination. (...) [T]hey freely determine their political status and freely pursue their economic, social and cultural development.“
- Friendly Relations Declaration (1970): „By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development“
- External and internal self-determination of peoples

- National minorities are entitled, in general, to internal self-determination within sovereign states

Concept of minority rights

- Two concepts
- Liberal
- Communitarian
- Liberal:
 - Indirect protection through the freedom of expression/assembly/religion
 - General prohibition of discrimination (Art 14 ECHR; Art 26 CCPR)
 - Affirmative action permitted only as an exception
 - No obligation to provide positive discrimination

Concept of minority rights

- Communitarian:
 - Individual and collective rights to battle structural discrimination
 - Preservation of minority culture and identity
 - Minorities have nationhood but no statehood
 - Internal self-determination
 - FCNM

Framework Convention

- Council of Europe discusses specific protection of national minorities since 1949 but
 - A firm commitment in 1990s
 - Framework Convention for the Protection of National Minorities (FCNM)
 - Opened for signature in 1995
 - Entered into force in 1998
 - The main instrument for the protection of national minorities in Europe
 - The only international legally binding instrument for the protection of national minorities

Framework Convention

- Protection of national minorities – part of international protection of human rights (Article 1 FCNM)
 - Who is a minority? No definition
 - Consultative/programmatic nature: obligations upon the states
 - Monitoring through the Advisory Committee as an enforcement mechanism
 - Ratified by 39 members of the CoE

- Not signed by France, Turkey
- Not ratified by Greece, Belgium, Iceland, Luxembourg
- Indirect source of EU law (via the case law of the ECtHR)

Framework Convention

- Effective equality of persons belonging to national minorities
- Social, economic, cultural, and political life
- Preservation/expression/development of culture and identity
- Intercultural dialogue
- Ensuring conditions for effective participation
- Monitoring:
- Advisory Committee
- State reports

Linguistic rights

- Language:
- Instrument of communication
- Expression of a personal and collective identity
- Evolving, not a static phenomenon
- Nonetheless: Identity marker
- Crucial role in the nation- and state-building in Europe
- Foundations of nation-states cemented through language/common cultural heritage
- Languages are seen as the embodiment of the spirit of the people/nation/ethnic group
- One of the essential elements of a minority culture/identity
- Effective instrument of self-identification

Linguistic rights

Related to:

- Right to identity
- Principle of non-discrimination
- Respect for private life
- Participation in public life

Linguistic rights

- The right to use traditional forenames and surnames and have them recognized in civil acts
- The right to use minority language in communication with authorities

- Collision with a state's official language policy
- European Convention on Human Rights (ECHR):
- Article 8 ECHR
- Restrictive approach of the ECtHR
- Wide margin of appreciation for the purposes of linguistic unity

FCNM linguistic rights

- Minimum standard:
- Clear legal and administrative framework
- Use and recognition of first and last names in the minority language, according to phonetic pronunciation, but:
 - Not necessarily in the alphabet of the minority language
 - Private signs (in shops, etc.)
 - Developmental standard (areas with minority population reaching 20%)
 - Topographical signs in minority language
 - Communication with public authorities

Minority rights under EU law

- CJEU, Runevič-Vardyn and Wardyn
- Minority protection under EU law
- High importance in EU's external relations
- Recognition of new states
- Eastern Enlargement
- Minor (or no) role in EU law
- No binding EU rules on minority protection (FCNM can be seen only as an indirect source)
 - Minority protection as an EU value
 - Focus on non-discrimination
 - Article 19 TFEU
 - Article 21 CFR
 - Case law of the CJEU relating to language rights
 - Against the background of the internal market
 - Respect for national constitutional identities of the Member States
 - Conclusion: no state monopoly in national minority questions if EU law applies

CJEU, Runevič-Vardyn and Wardyn

- Context:
- Polish minority in Lithuania (6,6%)
- Dispute over minority rights since the restoration of Lithuania's independence after the collapse of the USSR

- Dispute over language rights in particular
- Spelling of first and last name in the minority language in civil acts (passport, marriage certificate, etc.)
- Core part of an individual's identity
- Right to private life (Article 8 ECHR)
- LT law: names of persons belonging to minorities must be written in LT alphabet, in accordance with their phonetic pronunciation, with or without suffixes, but only in LT alphabet

CJEU, *Runevič-Vardyn and Wardyn*

- Facts of the case:
- Malgožata Runevič, LT citizen, marries Polish citizen Łukasz Paweł Wardyn
- In her marriage certificate: Malgožata RunevičVardyn because
- LT alphabet has no „w“
- Mrs Runevič-Vardyn contests the spelling of her married surname before an LT court
- Argues violation of EU law

CJEU, *Runevič-Vardyn and Wardyn*

- Can Lithuanian law address this?
- State policy: use of names belong to the public sphere, not private life
- Constitutional Court of Lithuania:
- Status of the Lithuanian language: state language; part of the constitutional and national identity
- Spelling in non-Lithuanian alphabet would undermine this status
- Constitutional status of LT language means that
- This is not an issue of private life
- Belongs to the public sphere
- The original spelling could be specified in other sections of official documents but they would not be equal to the main entry

CJEU, *Runevič-Vardyn and Wardyn*

- Can FCNM address this issue?
- LT signatory state
- FCNM – not directly applicable in national courts
- Consultative character
- Advisory Committee recommends allowing the spelling of names in the minority language
- But: allows phonetic spelling in the state's official language

CJEU, Runevič-Vardyn and Wardyn

- EU law on minority protection
- No legally binding provisions
- Predominantly an accession criteria for candidate countries
- Copenhagen criteria
- Devised in the early 1990s
- New democracies and their issues with national minority rights
- Ethnocentrism

CJEU, Runevič-Vardyn and Wardyn

- EU law on minority protection
- National minority issues as a threat to stability
- As a response to national minority issues in the CEE countries the EU imposes respect for national minorities as one of the accession criteria
- Post-Lisbon: Article 2 TEU – EU values
- Article 49 TEU

CJEU, Runevič-Vardyn and Wardyn

- EU law on minority protection
- Ratification of FCNM required
- Originally only an accession criterion (political criteria)
- Gradually seen as a membership criterion (ability to take on the obligations of membership)
- Relevant only pre-accession
- Post-accession no mechanism tackling minority rights • Article 7 TEU?
- Only a clear risk of a serious breach
- Serious and persistent breach by a MS of the values set out in Article 2 TEU
- Practical relevance disputed (has not been applied so far)

CJEU, Runevič-Vardyn and Wardyn

- EU law on minority protection
- Conclusion:
- National minority rights: product for export, not for internal consumption (Bruno de Witte)

Indirect protection of national minorities:
Four fundamental freedoms of the EU / Free movement of EU citizens

- CJEU, Groener
- CJEU, Angonese
- CJEU, Bickel and Franz
- Minority rights do not outweigh the objectives of internal market but can restrict them

- EU is based on market-focused assumptions
- Achievement of market integration goals is considered as the measure of EU's success

CJEU, Runevič-Vardyn and Wardyn

- Article 8 ECHR
- Name spelling rule can cause inconvenience in an individual's personal, professional, and social life thereby impeding the enjoyment of her rights as an EU citizen
- If the inconvenience sufficiently serious:
violation

CJEU, Runevič-Vardyn and Wardyn

- Article 22 CFR (respect of the cultural and linguistic diversity)
- But: invoked in favour of the state
- Article 4(2) TEU (respect for national constitutional identity)
- The CJEU left it for the national court to decide whether the inconvenience was sufficiently serious

CJEU, Runevič-Vardyn and Wardyn

- Conclusion:
- EU has no direct tools aimed at tackling national minority issues
- General principle of EU law?
- But MS must respect EU law and therefore do not have the monopoly in the field of national minority rights anymore

LECTURE 2.

The Biopolitical Approach in post-Soviet studies. Identities and Securities

Andrey Makarychev – Professor, Johan Skytte Institute of Political Studies, University of Tartu (Estonia)

General note

Identity making necessarily implies disciplinary practices of controlling and regulating human lives as a precondition for aggregating a population into a single collective body
Each hegemonic concept of identity needs some anchoring and fixing in nodal points

- National
- Imperial

Michel Foucault

- biopower as a transition from the right to take life (the sovereign power's prerogative) to the state's investments in administering life
- Biopower is about disciplining the population as a whole through managing health, hygiene, nutrition, birth, and sexuality
- biopolitics develops "apparatuses of control" aimed at improving, promoting and managing human life, which becomes a matter of government, thus making life no longer a private affair, but a matter of policy

Totalization

- Biopolitics implies submission of the individual to the common / collective on behalf of a shared set of norms

Examples:

- biopolitical understanding of conservatism, with anti-LGBT, anti-same-sex-marriage, and anti-immigrant discourses and practices at its core
- Biopolitical core of immigration debate

What is biopolitics about

- Biopolitics is a concept denoting a peculiar mode of making collective identities (communities) through "normalization"
- biopolitics always embraces an interplay between the outside and the inside, and thus implies (re)drawing boundaries of the collective body (of a nation or of an empire)
- the concept can help us better grasp reasons for actions aimed at consolidating power

Imperial connotations

- Jan Zielonka: "Empires hardly ever possess fixed and hard borders and they often find it impractical to differentiate between external and internal policy"

- Mechanisms of expansion / extension / enlargement:
 - Territorial
 - Biopolitical

How to understand biopolitics

- In a narrow and mostly technical sense as a set of policy tools that are meant to protect or control (groups of) population
- As a social construction of population – as a unified community supposedly sharing common normative grounding (the “Russian world”), as a group of internally displaced people that need to be taken care of (refugees in conflict areas), as recipients of humanitarian assistance, etc.

Facilitating factors

- Crisis of territorial conceptualizations of power: geography ceased to be the dominant prism for tackling international issues, and the latter are seen as increasingly related to human beings and their everyday lives (human security, R2P)
- Crisis of “grand narratives” (ideologies) □ the only universal is human life □ salience of (seemingly) ideological neutral issues (nutrition, healthcare, reproductive behavior, etc.)

Sovereignty

- A new understanding of sovereignty: not through fixed territorial borders at the outer-edge of the territorial state, but “infused through bodies and diffused across society” (Vaughan-Williams 2009)
- sovereignty now manifests itself through differentiation between “our lives” (subject to protection) and the lives of “aliens” (subject to “bare life”, Giorgio Agamben)

Russia’s biopolitics

exceptional and exclusive measures applied to residents of Russia-friendly countries:

- granting equal labor rights to Armenian citizens employed in Russia,
- exemption of eastern Ukrainians from a normal procedure of citizenship application,
- passportization in break-away territories of Transnistria, Abkhazia, and South Ossetia
- □ Imperial qualities of Russia’s integrationist project are manifested in developing mechanisms of managing and controlling large social groups rather than territories

Normative / identity-related dimensions

- The clearly articulated distinction between a “conservative” / “holy” Russia and a “liberally emancipatory / sinful Europe” (“traditional” and therefore tolerable, and “non-traditional” and unacceptable)

- Harsh lambasting of multiculturalism, moral support for multiple homophobic exposures (for example, against LGBT people)

The hard case of Crimea

- Putin, 2014: "Russia is more concerned about people than about borders"
- "Forget about advantages, it is all about people. Liberals are more concerned about gains rather than about human lives", a Russian law-maker (about Russia-Georgia war of 2008)
- The logic behind: Russia's policy is not about material gains through territorial acquisition, but about defending endangered lives of people looking for protection
- Indeed, is territory always the highest priority? Transnistria? South Ossetia and Abkhazia?

"Pastoral power" (Michel Foucault)

- The church is a biopolitical institution taking care of human lives (rather than territories)
- From the times of antiquity states exercised power "over land, whereas the shepherd wields power over a flock... The task of the shepherd is to provide continuous material and spiritual welfare for each and every member of the flock".

The case of Georgia

- Russian "pastoral power" aimed at including in the sphere of Russian normative counter-project Georgian population that shares Orthodox values constitutive for Putin's ideology.
- The pro-LGBT vs. anti-LGBT discussion transforms into a pro-EU vs. pro-Russian dilemma
- Activities of ROC in the break-away Abkhazia (despite the support for unity of the canonical territory of Georgia)

Citizenship

- Citizenship can be defined "in terms of people's rights to life, health and cure" (Rabinow and Rose 2006)
- The distribution of Russian passports among residents of break-away territories is a key driver for blurring the lines between the domestic and the external, the inside and the outside, which is one of characteristics of imperial behavior
- By the same token, with passportization, Russia was no longer an outside actor – it could now claim biopolitical sovereignty over a significant portion of Georgia's de-jure population

Georgia's biopolitics of reconciliation

- providing medical services for residents of Abkhazia and South Ossetia and supplying them with low priced medicaments
- free education for students from secessionist territories in Georgian Universities
- ID cards "of neutral status" for residents of separatist regions to facilitate their travel to a number of countries that recognize these documents (including the US, Japan, etc.)

NGOs

- "Journalists for Human Rights": a project of bringing together Georgian, Ossetian and mixed origin women to share their similar experiences of desperation, loss and sorrow during and after the hostilities
- "We organized a bike rally to cross the border. Then we lobbied for non-visa regime for Georgian NGOs. We also petitioned to the Russian authorities drawing attention to a tragic incident on the border when due to security restrictions and bureaucratic formalities a girl from Ossetia who needed medical treatment in Georgia died" (from interview in Tbilisi, summer 2015)

The Deputy Minister for Civil Integration of Georgia

- "People who remain in the territories surrounded by these ugly, shameful barriers, are isolated. This hurts people on both sides. We, as the government, take care of the population we can reach on one side, in an attempt to alleviate the humanitarian burden... We need to focus on those things that affect people in their daily lives, and see what can we do to alleviate people's suffering" (Tsikhelasvili 2013)
- For the sake of reunification "the Georgians must show first that they have built a socially oriented state where unemployment people are not in danger of going without gas, electricity and food" (Kantaria 2015).

Another example

- 300 tickets for the UEFA Super Cup held in Tbilisi in August 2015, have been delivered to young Abkhazians and Ossetians:
- "These young guys came to Tbilisi, since otherwise they wouldn't be able to. And they have seen what Georgia and Tbilisi are like nowadays, a beautiful stadium, Messi on the pitch. Then we took them to Batumi that is a kind of Las Vegas in comparison to Sukhumi. Perhaps this might help in a dialogue between Abkhazians and Georgians, when they come to power. The Berlin wall has fallen because West Germany was able to accommodate the interests of East Germany. Things might change if Georgia can make a difference."

Ukrainian debate

- Mikhail Minakov:

- The government speaks about reintegration of territories, instead of thinking about reassembling communities, social groups, citizens. This is a crucial point. We tend to deem that this war is over territories, not human being, and therefore rely basically on military instruments. But we need a dialogue with refugees and other groups that might be agents of changes in the future”
- Mykola Ryabchuk:
- No piece of land is worth having people die for it
- Pavel Zhebrivsky, the head of Donetsk administration:
- Parts of the Donetsk and Luhansk regions are nowadays sick, and this is exactly why we shouldn't cut them off

From a policy perspective

Greta Uehling, cultural anthropologist, University of Michigan:

- birth, death or acquisition of passports are matters of major concern in Crimea: “According to Ukrainian law, neither birth nor death certificates issued in territory controlled by Russia are recognized... This means a baby born in occupied territory doesn't exist as an official citizen of Ukraine. This complicates getting medical care, enrolling the child in daycare” etc.
- IDPs from Crimea are subject to this form of regulation. They find themselves in a legal limbo because of both Russian and Ukrainian state policies.
- Paul Rabinow (UCLA) and Nikolas Rose (LSE)
- “We have seen the rise of new kinds of patients' groups and individuals, who increasingly define their citizenship in terms of their rights (and obligations) to life, health and cure

Other voices

- Leonid Kuchma:
- “There exists a temporary line of demarcation between Ukraine and the Moscow-backed insurgents. It's time to stop bemoaning that “our people live there” and speak about humanism and help. We need to cut this territory off for the time being. The border is sacrosanct and will remain so”
- Olexiy Haran:
- On the other side of the border, there is a total deficit of everything. Prices are times higher. People have to go back and forth for shopping to the Ukraine-controlled territory... But yes, we need to toughen border regime, since the Kyiv authorities have to defend its territory”

Conclusions

- Biopolitical instruments (care and protection of human lives) are connected with constructing role identities of groups of people as related to protecting and taking care of their everyday lives.

- Biopolitical tools create new forms of inclusions to and exclusions, and new practices of bordering and debordering whose logics might not coincide with national jurisdictions.
- Russia integrates populations through bestowing Russian citizenship to their residents, being in the meantime hesitant to incorporate them territorially. For Georgia and Ukraine biopolitical instruments seem to be key chances to reintegrate territories.

LECTURE 3.

Europeanisation and the case of Georgia Andrey Makarychev and Shota Kakabadze

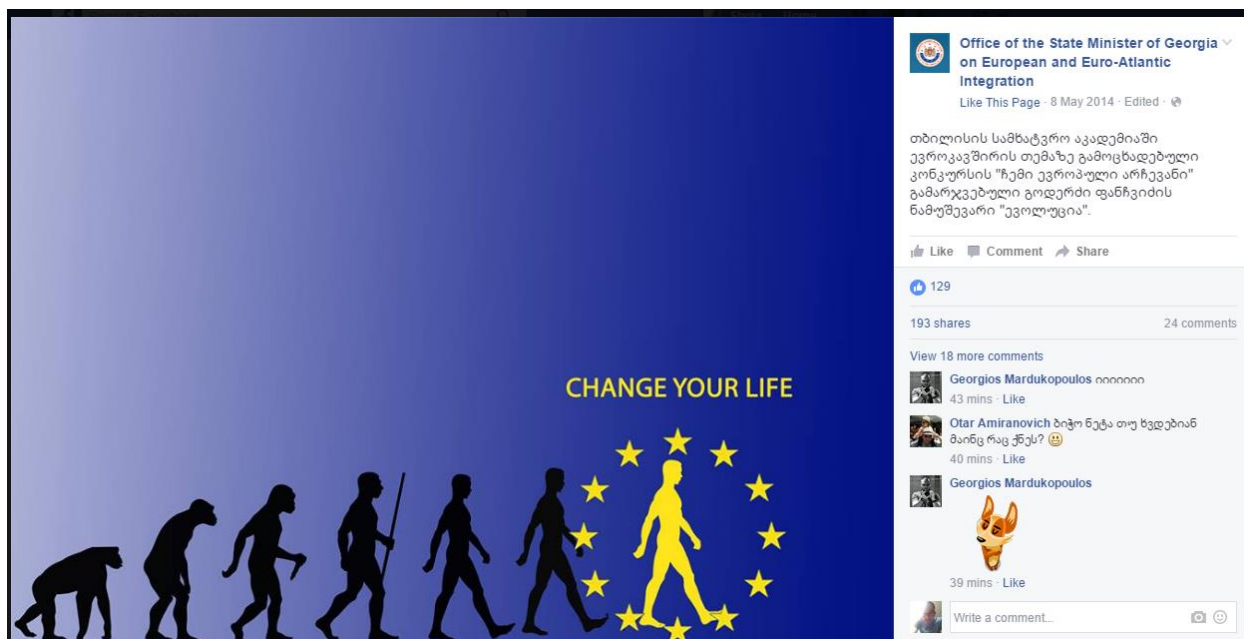
Shota Kakabadze – PhD student, Johan Skytte Institute of Political Studies, University of Tartu (Estonia)

"The EU policy, which reflects the basic concentric circles pattern, is to avoid ever saying 'no'. The answer is always "not yet," or "yes, but." The EU practice towards the East is not to draw a line between those who are European and potential members and those who are not. With the possibility of drawing on classical uncertainty about the Eastern boundary of Europe, the EU manages to place nobody as non-European, but everybody as more or less European, more or less close to the centre"(Waever, 2000: 263)



"a set of contested discourses and narratives about the impact of European integration on domestic political change" (Radaelli and Pasquier 2008, 35)

- Liberal
- Nationalist
- Pro-Russian



News

UK | World | Politics | Science | Entertainment | Pictures | EU referendum

🏠 > News

Sausage-wielding ultra-nationalists attack vegan cafe in Tbilisi



← → ↻ www.eurocommunicator.ge/eng/view_myth/1 ☆ ⓘ ⋮

Apps "Georgia is my home!" Aerial Georgia - YouTube Money on the Mind - ღმრთის აზრები | ღმრთი 8 Грузини обсуждают რუსეთი და დასავლეთი Go West: Georgia's EU [PSV] Eesti keele põhi

MYTH
DETECTOR

LATEST MYTH

Legislation - 30 Jul 2014

THE MYTH ABOUT LEGALIZATION OF INCEST IN THE WEST IS MISLEADING

- Incestual relationship with adolescents is a grave crime in all countries;
- Incest among adults is criminalized in the majority of EU member states;
- One of the most severe punishments for incestual relationships are provided in the US;
- Incestual relationship is only prosecuted in Moldova among former Soviet states;
- Georgia and its neighboring countries, including Russia, do not prosecute incest.

Incest taboo exists in every culture of the world and manifests itself in legal prohibitions of sexual intercourse or marriage

<http://www.eurocommunicator.ge/geo/home>

FACTS ABOUT EUROPE

... See More

MOST VIEWED

- The statement that Georgia will join NATO at the expense of its territorial integrity is false
- How Russian Media Creates myths
- The myth about legalization of incest in the West is misleading
- The statement that a liberal means a worshiper of the Roman God is wrong.

"Stigma, then, is as much the internalization of a particular normative standard that defines one's own attributes as discreditable, as it is a label of difference imposed from outside" (Zarakol, 2010: 4)

- Normalcy
- Embrace

LECTURE 4.

Approximation to EU Law: Norm Diffusion in Eastern Periphery

Benedikt Harzl – Researcher at Austrian Study Center for Peace and Conflict Resolution (ASPR), Austria

Introductory Questions

- ▶ Philosophy of the project
- ▶ The Caucasus as inclusive space
- ▶ A test case for the confrontation of various legal dichotomies
- ▶ Defining *approximation of law*
- ▶ Political will as main requirement: The case of Slovakia under PM Vladimir Meciar in the 1990s

Introductory Questions

Europeanization of Central and Eastern Europe critically reflected

- ▶ Principle of conditionality (e.g. Art. 49 TEU)

“Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union...”

- ▶ A right to membership?
- ▶ How does Art. 49 TEU relate to the (current) Eastern periphery of the EU?

Introductory Questions

Europeanization of Central and Eastern Europe critically reflected

► Neighborhood Competence Art. 8 TEU)

1. *The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.*
2. *For the purposes of paragraph 1, the Union may conclude specific agreements with the countries concerned. These agreements may contain reciprocal rights and obligations as well as the possibility of undertaking activities jointly. Their implementation shall be the subject of periodic consultation.*

Introductory Questions

Europeanization of Central and Eastern Europe critically reflected

- Accession Criteria (Art 49 in conjunction with Art 2 TEU and The declaration of the June 1993 European Council in Copenhagen)
- Democracy
 - Rule of Law
 - Human Rights
 - Respect for and protection of minorities

Introductory Questions

Europeanization of Central and Eastern Europe critically reflected

- ▶ Principle of conditionality in five instruments (e.g. Art. 49 TEU)
 - ▶ Gate keeping
 - ▶ Benchmarking and monitoring
 - ▶ Provision of legislative and institutional transformations
 - ▶ Money
 - ▶ Advice

Group work

Please reflect on the questions below

- ▶ In order to satisfy the hopes and expectations of the individual countries, should the EU pursue a different approach?
- ▶ Where should the EU focus in its relationship with the individual country?
- ▶ Should the EU make greater allowance for the interests of other neighbors such as the Russian Federation or Turkey?
- ▶ What role should the Eastern Partnership play in the future? Is there a finalité at hand?

Dealing with the neighborhood - the case of Georgia

- ▶ TACIS
- ▶ PCA EU-Georgia (Art. 43 and Art. 81 → mixed cooperation council/legal approximation clause)
- ▶ Problems of the PCA implementation
- ▶ *Soft* conditionality (TACIS in conjunction with reform process)
- ▶ 2003: New neighborhood policy
 - ▶ No new dividing lines
 - ▶ „stake“ in the EU's internal market
 - ▶ No membership in the short or medium perspective
 - ▶ Security aspect → „problems of the Southern Caucasus“ / EU Security Strategy of 2003

Dealing with the neighborhood - the case of Georgia

- ▶ Action Plans → the case of Azerbaijan and Armenia
- ▶ 2009 Eastern Partnership
 - ▶ Complementary policy building on already existing contractual relations
 - ▶ Association Agreements as perspective
 - ▶ Georgia: AA and DCFTA
- ▶ Overall characteristics of EU's approach towards the neighborhood
 - ▶ Shaky membership perspective (Georgia as „East European country“)
 - ▶ Mixed legal form(s): Primary; secondary law; policies and recommendations
 - ▶ Externalization of values → normative dictate
 - ▶ Influence of some EU member states

Excursus: The Dutch Referendum

- ▶ Legal and political implications
- ▶ Treaty amendment procedure (Art. 48 TEU)
- ▶ Dichotomy: EU primary law vs. Mixed agreement
- ▶ Most parts of AA/DCFTA belongs to primary or implied EU competences (Art. 3 (2) TEU)
- ▶ Possible outcome: A protocol (?)

LECTURE 5.

'Bottom-up' Discourse of Europeanisation: The Case of Georgia

Gvantsa Davitashvili – LL.M., Assistant Professor at the Technical University of Georgia as well as Invited Specialist at Batumi Shota Rustaveli State University (Georgia)

Bottom-up Discourse of Europeanization: The Case of Georgia

This course aims to examine the changes in the national political system of Georgia that can be attributed to the development of European integration. The lecture approaches at substantial understanding of the theoretical framework of Europeanization beyond the formal borders of the EU. We will pay attention to the concepts, theories and methods of Europeanization, as well as the empirical aspects of EU's impact on its Eastern neighbouring state - Georgia. The EU scholarship has developed different scenarios and perspectives of external Europeanization, hence there remains domestically evolving variables to be discussed in the practical discourses of both top-down and bottom-up Europeanization. The lecture aims to open a debate regarding the applicability and limitations of Europeanization, pursuant to the case study of Georgia. In doing so, we will

provide an ample room for discussions of the participants. The course is designed to use interactive methods in order to ensure active participation of students.

Readings: Schimmelfennig, F. and Sedelmeier, U. (2005) 'Introduction: Conceptualizing the Europeanization of Central and Eastern Europe', in F. Schimmelfennig and U. Sedelmeier (eds.); *The Europeanization of Central and Eastern Europe*, Ithaca, NY: Cornell University Press: 1-28.; Lavenex, S. and Schimmelfennig, F. (2009) 'EU Rules Beyond EU Borders: Theorizing External Governance in European Politics', *Journal of European Public Policy*, 16(6): 791-812.

Aim of the Lecture

Debating the Europeanisation concept and assessing the case of Georgia:

- Discussing on the substantial/ontological understanding of Europeanisation;
- Examining the case of Georgia;

Methodology: How the lecture is organised?

- Brainstorming;
- Presentation (simple/familiar topics or complicated/need of explaining);
- Questions, comments, suggestions;
- Discussion.

Twofold objective of the lecture

- Theoretical Part: Explaining the theory of Europeanisation and its mechanisms*
- Empirical Part: Focusing on the Case of Georgia**

*students interested in research.

** practitioners.

- How would you define 'Europeanisation'?
- How do you understand Georgia's European integration process?

Concept of Europeanisation

- Europeanisation as a meso-theory deals with limitation of grand theories (governmentalism, inter-governmentalism, functionalism, neo-functionalism) in a more explicit way and determines the process in terms of 'iteration, interaction and continuity' (Howell, 2004: 2);
- Europeanisation constitutes the model of institutionalisation, when the rules and behaviours are firstly discovered and experienced in the EU context and then institutionalised inside the logic of behavioural action of domestic actor (Radaelli, 2004; Börzel and Risse, 2004; Olsen, 2002);
- Europeanisation constitutes a policy making process, given that 'diffusion of formal rules and informal rules, procedures, practices and beliefs are first defined in the EU policy-processes and then incorporated into domestic (national and subnational) structures, policies and identities (Radaelli, 2004; Magen, 2006: 385).

How Europeanisation operates...

Europeanisation has been analysed in both, rationalist and constructivist perspective (Checkel, 2001; Caporaso and Checkel, 2002; Radaelli, 2004; Börzel, 2010; Schimmelfennig, 2010).

The rational choice: misfit between the EU and the domestic norms creates a necessity of domestic adaptation and Europeanisation is an emerging political opportunity, which offers some additional resources to exert influence, while severely constraining the ability of others to pursue their goals.

The logic of rationalism: functions through cost-benefit calculations - domestic adaptation costs must not be higher than the rewards and benefits.

The constructive choice: idealistic and normative logic of appropriateness, when the process is understood as an emergence of new rules, norms and practices to be incorporated into the domestic structures.

The logic of constructivism: functions through appropriateness and social learning-persuasion of norms and ideas, when the EU teaches a third state principles and rules of European governance. Radaelli, 2004; Börzel and Risse, 2009; Schimmelfennig, 2010

External Europeanisation

The external ('top-out') perspective of Europeanisation seeks to conceptualise, explain and evaluate the impact of the EU policies and rules on the domestic institutions, legislation and political actions on non-Member States (Magen, 2006:386)

Europeanisation may be consistently extend to non-Member States, both candidate and non-candidate countries (Grabbe, 2003; Lavenex and Schimmelfennig, 2009):

- candidate countries
- non-candidate countries: EaP countries

The Methodology of Europeanisation

Linkage

- A "bottom-up" support for democratic forces, such as political opposition or civil society actors in target countries;
- Limited effect on the process of Europeanisation, because of weak civil society and political culture in the post-Soviet area.

Leverage

- A top-down reforms through the political conditionality;
- The most successful method of Europeanisation, with no alternative, as demonstrated by enlargement towards CEEC.

Sectoral governance

- Promotion of neighbouring countries to the system of EU rules and by the sectoral cooperation;

- There is no evidence to link democratic governance in policy sectors to Europeanisation of entire political institutions.

Lavenex and Schimmelfennig (2011); Freybourg et.al (2011: 1047)

Limits of Leverage

Effective:

- The success of leverage is attributed to the attractiveness of the membership reward.

Lavenex and Schimmelfennig (2011:887); Lavenex (2004)

Not effective:

- The EU offers a very little hope for the membership. Thus, the size of the declared rewards are not promising.

Wolczuk (2007)

- Membership perspective is not excluded as such, however potential eligibility is kept deliberately ambitious as an unilateral willingness of some of the ENP countries.

Magen (2006)

- High domestic costs of adaptation to the EU rules undermine the compliance, especially in the circumstances when harmonisation process with the EU acquis is not the part of accession process.

(Vachudova) 2005

- Determinacy of the rules in the ENP is low, unlike the pre-accession process with the CEES.

Schimmelfennig and Sedelmeier (2004)

Europeanisation of non-candidate countries

- Europeanisation constitutes a two-way process, where domestic structures do not appear as passive recipients of the EU impact (Featherstone and Kazamias, 2001)
- The EU can not force policy change in the countries, which do not aim to provide changes, as the EU approach is based on the "carrots rather than sticks" (Grabbe, 2003:66)

Europeanisation Dimensions:

Top-Down

"Downloading" - Reception of EU policies at the national level

Bottom-Up

"Uploading" - Member States/candidate/non-candidate countries shaping EU policies by which they are affected

Börzel (2002); Müller and Flers (2010)

Domestic Variables Matter!

- Non-Candidate Eastern European states impact the Europeanisation
- Dynamic “bottom-up” effects
- Pro-European Political Aspirations
- Historic Legacies/Reforms
- Other Factors: Wider Geopolitical context - power competition

European and Domestic Dimensions of EU-Georgian Relations

1991-2003

Declaration of Independence by Georgia

Conclusion of the Partnership and Cooperation Agreement between the EU and Georgia (1999)

2003-2008

Rose Revolution

2003

Introduction of the European Neighbourhood Policy (2003)

2008-2015

Occupation of Georgian Territories (2008)

Introduction of the Eastern Partnership(2008) and conclusion of the Association Agreement (2014)

Dynamic of EU-Georgian Relations

Pro-European Political Aspirations 1991-2003

- Narrative of “European Family” developed;
- Not declared pro-European aspirations;
- Not consistent political statements and debates about European perspectives;
- Contradictory positioning of political leadership;
- Security Strategy of 1997 – not clear.

Post-Soviet socialist country towards democratic governance 1991-200

Challenging Historic legacies:

- To be recognised as independent state;
- To exercise new forms of governance and adapt with the internationally recognised standards of democracy;
- To define territories and population;
- To open borders for international society and establish international relations;
- To protect independent economic market against state.

Reforms needed:

- High rate of poverty;
- Deeply rooted corruption;
- Institutional inertia;
- Weak and disorganised public institutions.

Geopolitical Context: Normative Power of the EU vs. Hard Power of Russia

- EU: Bilateral relations based on the Partnership and Cooperation Agreement;
- Value based framework: normative power of the EU.
- The Russian Federation: Imperialistic foreign policy of the Russian Federation;
- Strong political, cultural and economic links with Georgia;
- No actual competition of powers.

Pro-European Political Aspirations 2003-2008

- Strongly pro-European government;
- Declared objective of EU membership;
- Consistent foreign policy priority;
- Debate included political leadership, as well as society.

Reforms in Georgia 2003-2008

- Rose-Revolution of 2003;
- Reform-oriented governance;
- Anti-corruption strategy;
- Police reform;
- Increased democratic and the rule of law standards (Transparency International - Georgia; Nations in Transit);
- Increased Foreign Direct Investments (World Bank; International Monetary Fund).

Geopolitical Context: Normative Power of the EU vs. Hard Power of Russia

- EU: Introduction of the European Neighbourhood Policy - Security Dimension;
- Gap between the EU capacity and Georgian expectations.
- Russia: Increased political tensions between Georgia and Russia;
- Economic embargos;
- Occupation of Abkhazia and South Ossetia in 2008

Pro-European Political Aspirations 2008-2015

- Governmental changes and political debates regarding the country's foreign policy priorities;
- Elections: pro-European foreign policy promise;

- European integration - strategic priority;
- Increased information about the EU;
- Consistent foreign policy steps.

Reforms in Georgia 2008-2015

- Co-habitation of government;
- The most transparent and democratic elections in the history of independent Georgia;
- Reforms in justice system;
- Increased democracy standards: independent media, judiciary, elections, corruption.

Geopolitical Context: Normative Power of the EU vs. Hard Power of Russia

- EU: Political Association and Economic Integration;
- EaP 2008: Association Agreement, Deep and Comprehensive Free Trade Area, Visa Liberalisation.
- Russia: On-going occupation;
- Increased geo-political context of the EaP;
- Emerging security challenges in Eastern neighbourhood

Diachronic and Synchronic Analysis of Georgia's Europeanisation Process

1. The Europeanisation process of Georgia commenced shortly after its independence and by conclusion of the Partnership Cooperation Agreement with the EU, as far as relationship emerged through the value based framework of cooperation.
2. The peaceful revolution in Georgia together with the post-revolutionary reformist political climate soon catalysed the Europeanisation process, but provoked new security challenges in the region.
3. An upgraded bilateral relationship, such as the Association between the EU and Georgia within the Eastern Partnership framework, notwithstanding the increasingly tense geopolitical context, consistently follows the Europeanisation perspective of the country.

LECTURE 6.

Dealing with the Past: Social Cohesion through dialogue

Jürgen Pirker – Assistant Professor, University of Graz (Austria)

This lecture will focus on dialogue as method and approach for transforming past conflicts and their heritage. It will give a glimpse into an ongoing project, in which research on various dialogue formats for divided societies, rooted in different multi-

disciplinary fields of sciences, was translated into concretely applied dialogue pathways, thereby further developing the approaches of interactive problem solving. Taking the Alps-Adriatic Region in Central and South Eastern Europe as a case in point, this lecture will exemplify how scholars with an expertise in the field can and should contribute to the facilitation of these very formats.

LECTURE 7.

Europeanisation & political backlash (I&II)

Nicolaas Stijn Groenendijk – Visiting Professor of European Studies, Johan Skytte Institute of Political Studies, University of Tartu (Estonia)

Europeanisation And Political Backlash

European integration has come with an increased presence of “Europe” in the daily lives of EU citizens. Through enlargement and neighbourhood policies, and through association agreements and partnership/cooperation arrangements, the EU has also permeated in countries outside of its borders. In the last decade we have however witnessed increased resistance against this process of Europeanization, as shown by the referenda on the draft Constitutional Treaty (turned down in France and in the Netherlands in 2005), on the EU-Ukraine Association Agreement (voted down in the Netherlands in 2016), and by the recent UK referendum, resulting in a Brexit. Throughout Europe, EU-sceptic parties and movements have emerged and support for the EU institutions and policies has eroded. In short: the European integration project suffers from severe political backlash.

This session will deal with the following questions:

- a. How does “Europeanization” take place (inside the EU as well as outside the EU)?
- b. b. How can we explain the large legitimacy problems of the EU? What mechanisms trigger political backlash of Europeanization?
- c. What are the implications of this political backlash for European integration at large, and for the South Caucasus region in particular?

The session will be a combination of lecturing, group assignments and plenary discussion. Readings: Laure Delcour & Kataryna Wolczuk, The EU’s Unexpected ‘Ideal Neighbour’? The Perplexing Case of Armenia’s Europeanisation, in: Journal of European Integration, 2015, Vol. 37, No. 4, 491-507,

Susi Dennison & Dina Pardijs, The world according to Europe's insurgent parties: Putin, migration and people power, European Council on Foreign Affairs, June 2016, ECFR/181.

A very, very brief history of European integration
Current governance problems in the EU-28
From "Ever closer union" to Brexit: political backlash
What is Europeanisation? How does it work?
"External" Europeanisation mechanisms
A closer look at Association Agreements/DC-FTAs
Future outlook

A very, very brief history of European integration
Process of deepening of cooperation ("Ever closer union") and widening (enlargement)
"Communities" of 1950s

- 6 countries (DE, IT, FR, NL, BE, LUX)
- no real parliament, no other well-developed institutions (intergovernmental), no real budget
- cooperation as a solution to security issues (WWII), but mainly in field of so-called low politics = areas that do not concern the basic state core functions/sovereignty (trade issues: Customs Union, 1968; Single European Market, 1993)
- EU of 2016
- 28 member states (MSs), but also regions, cities
- powerful European Parliament, powerful other supranational actors (Commission + EU agencies, Court of Justice)
- cooperation covers the full array of policy issues (low, high politics): single market (SEM), common monetary policy/EMU, Lisbon Agenda/Europe 2020 Strategy (environmental policy, social policy, education policy, competitiveness policies), justice & home affairs, foreign policy
- (small) budget, and coordination of MSs' fiscal policies
- EU financial institutions (EIB, ECB, banking union institutions)

EU competencies vary between policy fields:

- Exclusive competencies (decisions taken by EU)
- Shared competencies (decisions taken by MSs + EU)
- Supporting competencies (decisions taken by MSs)

Development over the decades in most fields:

- Stronger competencies for EU
- From unanimity voting rule to Qualified Majority Vote

Current governance problems in the EU-28

With enlargement: more heterogeneity in preferences, more diversity Policy issues have changed from positive sum games: all MSs profit; example: single market to zero sum games: some win, some lose; example: budget and even negative sum games: all MSs lose; example: allocation of refugees EU's external environment has changed (globalization/BRICS, security threats) in such a way that it is expected to act as a whole (example: global competitiveness requires EU wide goals on human capital, R&D, on patents)

Problems are latent since end of 90s/early 2000s, became more and more manifest since then:

- EU was "hit" where it had always been succesful: economy (Eurozonecrisis), free movement (refugee crisis)
- Downturn in support, smartly used (and to some extent cultivated) by populist parties/movements: 2005 referenda on Constitutional Treaty in NL, FR; Dutch 2016 referendum on Ukraine; Brexit: 2016

Implications:

- cooperation within EU is often not percieved anymore as the "solution" but as something problematic
- EU has to act, be decisive, enforce its goals, but lacks the (federal) means to do so (no large budget, no power to tax, tradition of slow intergovernmentalist consensus building towards -more and more- regulation)

"EU: The movie"

Groups of 4-5 students

10 minutes

Try to put all these developments into one movie title

Can be a new title, or (paraphrasing) existing title

"Solutions" used so far to deal with increased heterogeneity

- use new of policy modes ("modes of governance") that are less intrusive
- in addition to classical community method (= top-down, hard law harmonisation = EU as regulatory state)
- soft coordination = bottom-up processes and horizontal cooperation, peer learning, exchange of best practices (= open method of coordination, OMC)
- increasingly: differentiated integration (rather than uniform integration/"one-size-fits-all")

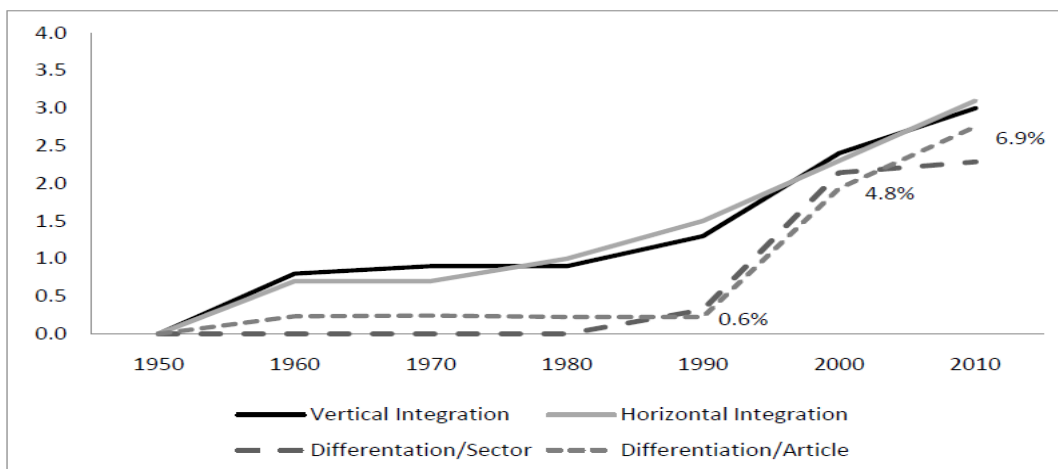


Figure 2 European integration and differentiation

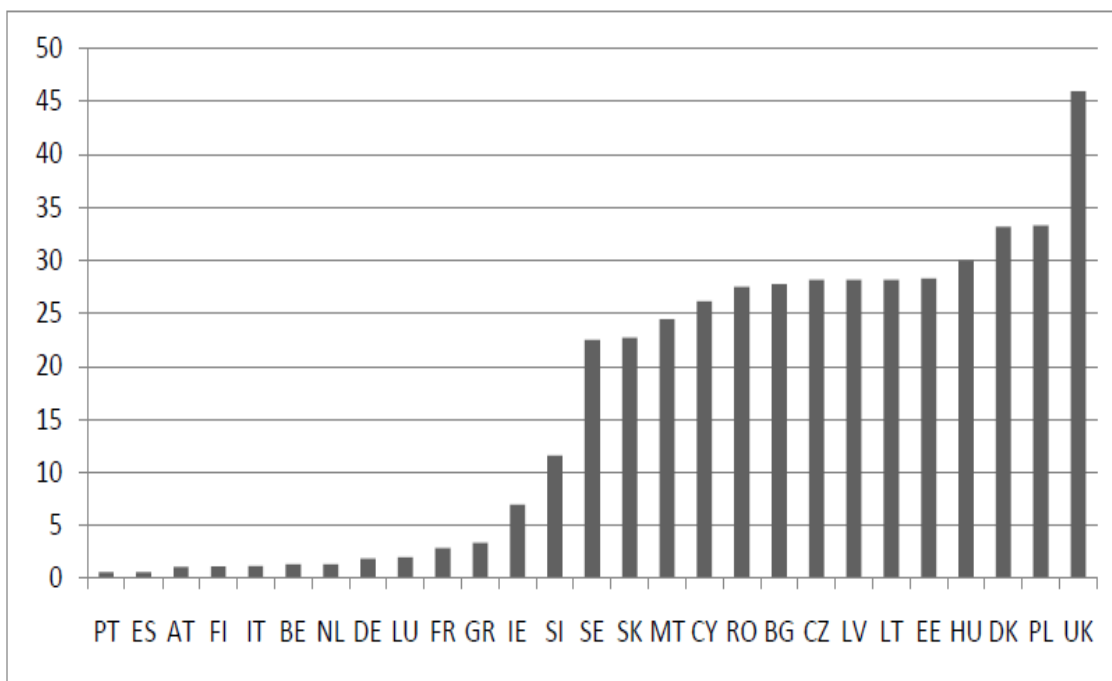


Figure 4 Differentiation across countries

Europeanisation & political backlash

A very, very brief history of European integration

Current governance problems in the EU-28

From "Ever closer union" to Brexit: political backlash

What is Europeanisation? How does it work?

"External" Europeanisation mechanisms

A closer look at Association Agreements/DC-FTAs

Future outlook

From "Ever closer union" to Brexit: political backlash

"How Europe hits home" <> "Home hits back"

Backlash of European integration, globalization, large scale crises (financial crisis, refugee crisis) on support for EU, due to:

- perceived loss of national sovereignty in policy making: policies and policy paradigms at odds with domestic preferences
- supposed threat to national identity: EU stands for norms/values, for "ways to do things" that are odds with what "we stand for"

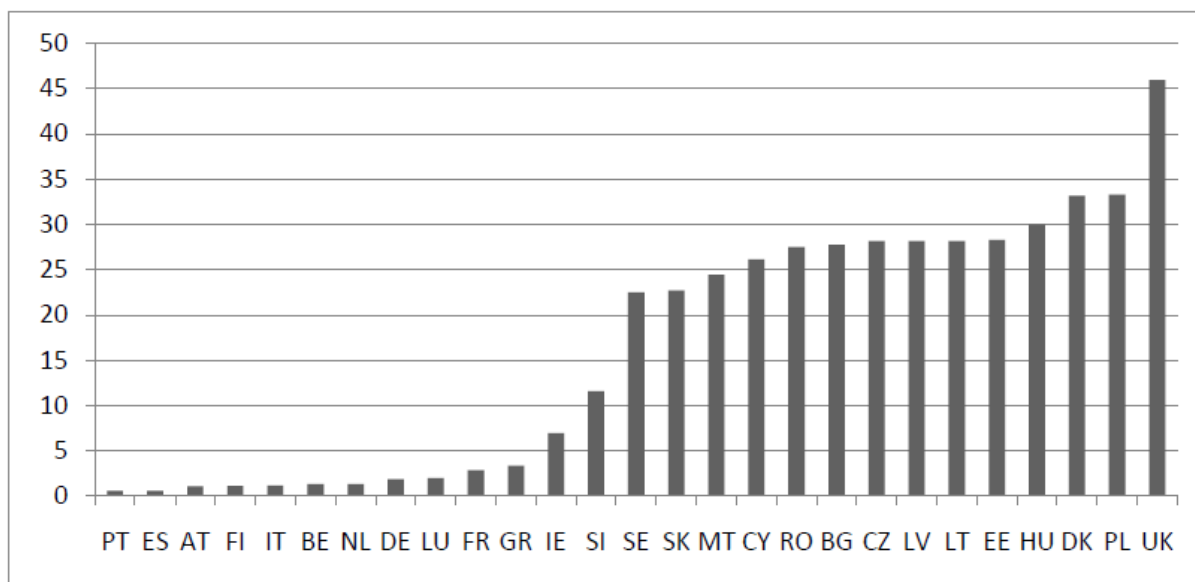


Figure 4 Differentiation across countries

NI: national identity

EI: European identity

CI: cosmopolitan identity

Euromyth: bent banana

Product standards:

is this acceptable?

EU Regulation 2257/94 ("bent banana regulation"):

- Dealt with issues of acceptable quality and standards, including specify minimum dimensions
- Plus: bananas shall be free from deformation or abnormal curvature, but this applied only to Class I bananas, not to Class II and III

Replaced by less strict Regulation 1333/2011

Similar regulations for other fruits/vegs were fully withdrawn in 2008

Concerns nourished and used for strategic purposes by Eurosceptic/-phobic parties (right, left):

- Successful in determining public discourse, in setting political agendas (migrant/"Islamic" threat, welfare chauvinism)

- Considerable support (not enough to govern, but enough to play a part in the political game)

Political competition forced established parties to shift their positions vis-à-vis EU/integration process (generally centre parties have remained the most loyal)

At the same time: influence of an individual MS in EU has decreased (more MSs, extended power of supranational institutions)

"Squeeze"/Two level game:

- In Brussels: part of the "integration machinery"

- At home: Brussels is to blame

This is not a problem for established politicians in:

- National elections (EU plays a minor role, everybody to some extent blames Brussels)

- EP elections (often seen as 2-nd order elections = covert national elections, but without any repercussions)

Changed with referenda on Constitutional Treaty (CT) = new Treaty to replace old Treaties (mood during CT Convention: democracy, transparency, closing gap between EU and citizens >>> referenda)

Before then: regular referenda in DK, IRE, but were minor inconveniences

2005:

- YES in referenda on in ES, LUX

- NO in FR, NL

- CT was withdrawn, other referenda were cancelled (CT replaced by revised Treaty = Reform Treaty = Lisbon Treaty)

NL-case:

- Unlike EP-elections: 2005 referendum was a mix of 1st order (EU/integration) and 2nd order (domestic issues) (higher European content than expected)

- NO votes came from:

- Voters that thought the CT did not went far enough

- Voters that thought the CT went too far

- Voters opposing CT for domestic political reasons

Salience of European issues also became apparent in NL referendum on UKR AA (turned out to be a referendum on EU and not so much on AA)

Same kind of cleavage (less <> more integration) was to be seen in UK referendum (which even divided established parties)

Suggested reading

ECFR report on Europe's "insurgent" parties (manifestos, interviews)

- Brexit as the start of a broader trend
- "Insurgent" parties can be found throughout Europe (45 in 25 countries, from left to right)
- Common position:
- Anti-EU, anti-US
- Pro (or not very much against) Putin
- In favour of closed borders, end to migration, trade protection
- Referenda will be main "weapon" of these parties; estimate is that in the coming years 34 referenda will be pushed for ...

What is Europeanization?

Background:

- European integration was studied mainly in an International Relations tradition: EEC/EU as an (unique, n=1) example of regional integration = cooperation between sovereign nation states by means of (upward) transfer of sovereignty
- Process of integration was explained by integration theories: idealism/federalism, realism/intergovernmentalism, functionalism, later: constructivism
- End 90s/early 2000s: European integration is more than just regional cooperation between nation states, goes much deeper and farther, involves much more actors, it has created new EU polity (institutions), EU is "everywhere" and (downward) impacts domestic level = Europeanisation

Term Europeanisation went down well, everybody jumped on the bandwagon ...

Result: many different definitions, which by and large can be put in to three groups:

1-Europeanization as institution-building (and more) at EU level (upward, bottom-up, uploading)

The emergence and development at the European level of distinct structures of governance, that is, of political, legal and social institutions associated with political problem-solving that formalise interactions among the actors, and of policy networks specialising in the creation of authoritative European rules (Risse, Cowles and Caporaso, 2001)

Political unification (federalization) at the European level (institutions/polity), including shared popular culture and identity (Olsen, 2001)

2-"Europe hits home" (top-down, downloading)

A situation where distinct modes of European governance have transformed aspects of domestic politics (Buller & Gamble, 2002)

A process whereby domestic politics becomes increasingly subjected to European policy-making (Knill, 2001)

A process whereby Europe affects domestic politics as well as informal rules, beliefs, paradigms, styles, ideologies and culture (Dyson, 2000; Radaelli, 2001)

3-Geographical spread of governance (sideways, top-out or bottom-out)

Export of distinct European forms of organisation and governance outside Europe's territorial boundaries (Cole & Drake, 2000)

What is outside "Europe" can differ (EU before/after enlargements, Europe): enlargement as Europeanisation, Europeanisation in European neighbourhood, Europeanisation outside Europe

Blended definition:

Europeanisation comprises processes of (a) construction (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU public policy and politics and then incorporated in the logic of domestic* discourse, identities, political structures and public policies (Radaelli, 2003 and others)

*Domestic can be: EU-MS level or domestic outside EU

"External" Europeanisation mechanisms

Linkage: EU-bottom (civil society, political organisations) linked to non-EU-bottom

Low effectivity due to weak civil society and different political culture in non-EU countries; exception: role of political elites (see lecture Stefano Braghiroli)

Sectoral governance/functional cooperation between EU/non-EU

Similar problem (low institutional capacity non-EU), but relatively successful in specific cases of (functional) cross-border cooperation, and in framework of EU macro-regional strategies (Baltic Sea Region, Danube Region, Black Sea Region-in-development)

Leverage: "association" in return for adaptation (political conditionality)

Successful in case of CEE EU-MSs (membership reward)

Lecture Gvantsa Davitashvili

Dynamic "bottom-up" effects/domestic variables matter

- Historic Legacies/Reforms
- Pro-European Political Aspirations
- Wider Geopolitical context, regional security

Armenia (article Delcour & Wolczuk): same approach (= look at domestic context), using three main variables:

- Domestic demand for reform
- Perceived legitimacy of EU offer
- Security context

In the case of Armenia the 3rd factor eventually "over-ruled" the others, whereas it did not in Georgia

A closer look at Association Agreements/DC-FTAs

Hard power EU?

Soft power EU?

Market power EU! = use by the EU of the SEM in its external relations

Examples:

- FTA with Western Balkans
- DC-FTA (deep & comprehensive FTA) with Georgia, Moldova, Ukraine, Canada, US (TTIP)
- CU with Turkey
- Full integration with EU-SEM: Switzerland, Norway, Iceland

DC-FTA = FTA that:

a-removes tariff and quota barriers

b-removes non-tariff barriers ("barriers behind the borders"): differentials in regulation

In between a FTA and the SEM

a: less and less important (WTO liberalisation has largely eliminated/reduced these barriers)

- esp. true for EU, US, Canada
- less so for for example RF, EaP countries (have still significant tariff and quota barriers)

Recently:

- - Increased use of such DC-FTAs and similar arrangements with partners such as Canada, US (Transatlantic Trade & Investment Partnership, TTIP) = Transatlantic partnerships to counter esp. China
- - DC-FTAs are also much used in the European neighbourhood: Association Agreements ex art. 217 TFEU are for 90% about liberalisation of trade (and include DC-FTA agreements), other 10% are the "political" provisions (on rule of law, democracy, minority rights et cetera)

EU-SEM has two main characteristics:

- Sufficient market size to matter (increases export opportunities)

- Is "hooked-up" to other FTAs, makes it interesting for others to join >> SEM as a network
- that make it very suited to be externalized

All EaP and some CEE-EU-candidate-MSs (Baltics) had been USSR republics
Other CEE-EU-candidate MSs (such as Poland, Hungary, Czechoslovakia, Rumania, Bulgaria) were satellite states under USSR sphere of influence:

- USSR republics had been integral parts of Soviet Union (SU) + its planned economy, had nothing to fall back on when SU collapsed
- CEE countries that were satellites had relatively more left of their own (economic) institutions

EU quickly reeled in CEE-EU-candidates (SU power at low-point, CEE in heart of Europe)

From late 90s: RF initiated its own integration schemes

Tug-of-war over EaP countries between EU and RF in post-Soviet space



Economic integration in the post-Soviet space

- ▶ **Free Trade Area (2012)**
 - ▶ no import or export duties
 - ▶ no quotas
- ▶ **Eurasian Economic Community (2000)**
 - ▶ envisaged as a customs union/single market
 - ▶ de-facto focuses on technical regulation
- ▶ **Customs Union (2010)**
 - ▶ customs union
- ▶ **Common Economic Space (2012)**
 - ▶ four freedoms
- ▶ **Eurasian Economic Union (2015)**

Integration in the post-Soviet space

Country	FTA 2012	EAEC 2000	CU, CES ('10-'12) EaEU (2015)
Russia			
Belarus			
Ukraine			
Armenia			
Azerbaijan			
Kazakhstan			
Kyrgyzstan			
Moldova			
Tajikistan	Ratification pending		Prospective member
Uzbekistan	Special status	2006-2008	

EU: DC-FTAs

EU eventually went fully for Deep and Comprehensive Free Trade Agreements (DC-FTAs) between EU and EaP countries

- July 2013 (after just 1,5 years of negotiations): AAs/DC-FTAs with Armenia, Georgia and Moldova to be initialed in Vilnius in November 2013; idem, signed with Ukraine
- September 2013: Armenia dropped out >> moved over to EAU
- November 2013*: Ukraine (Yanukovich): announced he would not sign (revolution, Crimea annexation, Eastern Ukraine)

*Situation very similar to 2003/2004 with UKR parliament in 2003 being in favour of joining Eurasian CU and then in 2004 president Yuschenko turned to EU instead

Regional conflicts (in EaP area), all with involvement of Russia

Generally: Free trade normalises relationships

In EaP case trade agreements have not helped in solving regional conflicts, but have become part of these conflicts

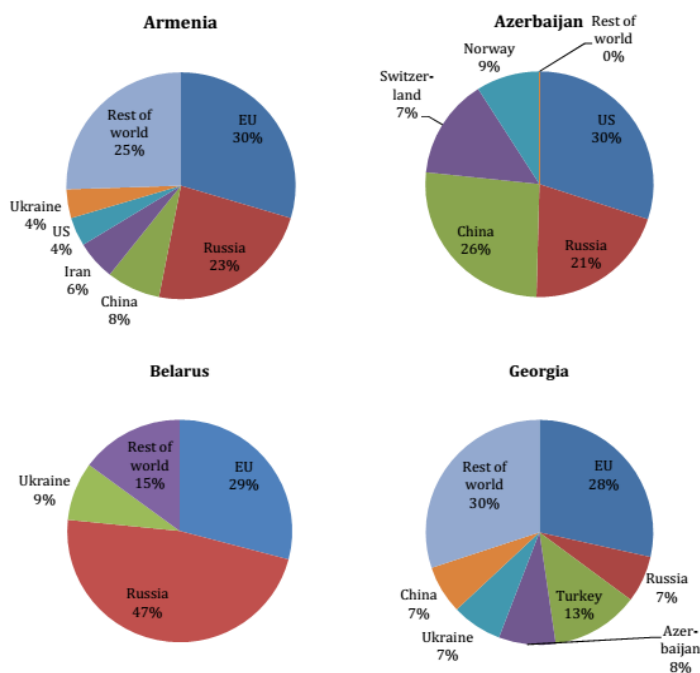
A-symmetry in choices

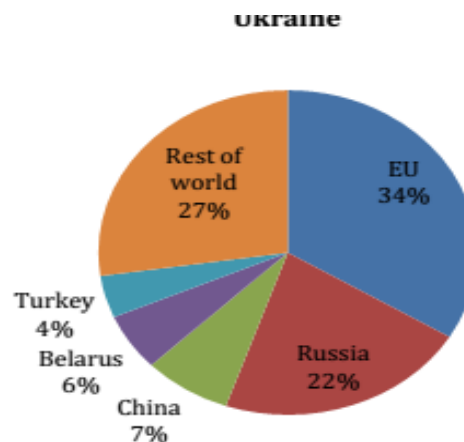
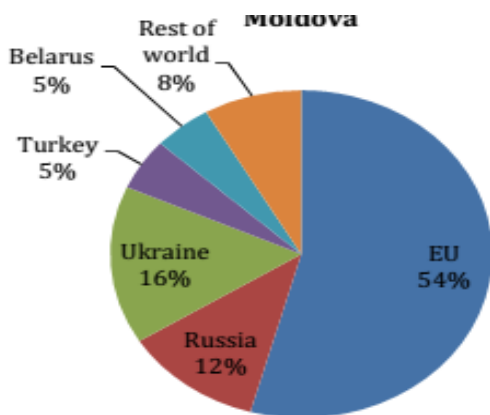
- EAU offers countries (= pushes for) full membership
- In terms of trade it forces countries to choose: bilateral FTA with another country/bloc outside of EAU was possible when EAU was still only a FTA, but is not allowed any more (no individual external trade policy possible, because EAU is CU)
- EU does not offer (full SEM) membership to EaP countries
- does not force trade choices, bilateral free trade arrangements with other EaPs or with Russia/Eurasian Union are allowed in the case of EU AA/DC-FTA with an EaP country

What (theoretically) is best for EaP countries themselves?

- Full EAU membership (= CU, eventually single market)
- DC-FTA with EU
- DC-FTAs with both

Diagram 10. Direction of trade in former Soviet Republics 2012 (% of total)





Source: European Commission.

Which arrangements would optimise trade of the EaP countries?

Better off with DC-FTA with EU than with EAU-membership:

- EU represents larger market
- EAU-membership will as such not significantly increase trade between EaP and Russia compared to current situation... and it will ultimately hinder other trade because RF has declared EAU to be exclusive

Also: better off with (DC-)FTAs among themselves than with EAU membership (esp. Georgia and Moldova)

DC-FTA between EU and Russia (EU-28 + EAU: RF, KAZ, BEL) to which other 5 states in the region can join, would be optimal

Future outlook

More differentiation in membership:

1-Hard core

SEM, EMU (euro) with integrated fiscal policies, Euro minister of Finance, Europarlament, deep integration in taxation, labour markets, social security, pensions, cooperation in JHA, CFSP

Germany, France, Benelux and others

2-Soft core

SEM, cooperation in JHA, CFSP

Most CEE countries

3-EU-FTA

DC-FTA

UK, EaP?

LECTURE 8

Good Governance and Minorities in Georgia – Practice

Oliver Reisner – Professor at School of Arts & Sciences, European & Caucasian Studies, Ilia State University (Georgia)

CONCERNING ESSAYS / FEEDBACK on FEEDBACK

- Essay deadline postponed for 10 days until 30 July
- Submissions are to be done to Prof Andrey Makarychev asmakarychev@gmail.com
- Students are free to choose a dimension that is relevant for their field of study/research
- All lecturers agreed to provide consultations to students, if needed, regarding references, point of view, additional reading on the topic
- The essay is a part of final assessment and subject to obtain ECTS
- A Big Thanks to the feedback provided!

OVERVIEW

- What is the key question to be addressed?
- Governance of Minority Affairs in Georgia in Practice
- Case 1 – The Anti-Discrimination Law
- Case 2 – The Repatriation of Meskhetians
- Discussion instead of Conclusion

Case 1 – The Anti-Discrimination Law (1)

On May 2, 2014 Georgian Parliament adopted (115-0) the bill “Elimination of All Forms of Discrimination” despite serious protests:

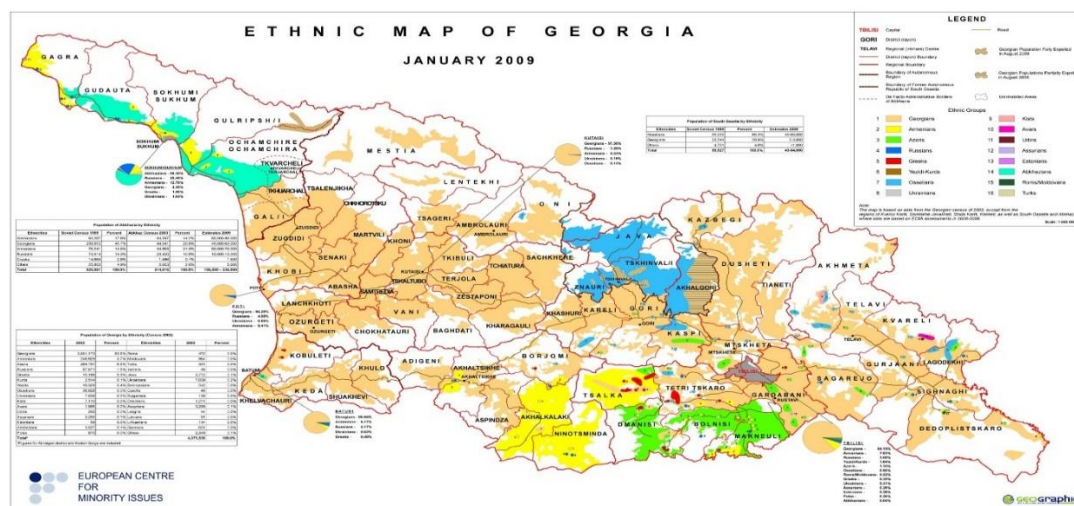
- Major opposition from Georgian Orthodox Church, which insisted on removing of “sexual orientation” & “gender identity” from the bill; it’s opposition culminated in heated debates at HR Parliament committee session on April 29 during which Orthodox clerics warned GD lawmakers of political consequences.
- Street rallies were also held outside the Parliament in Kutaisi, as well as in Tbilisi, by Orthodox groups led by priests, but less than during protest against law on legal status of religious minority groups.
- HR organizations criticized the bill as a significantly watered down version of the draft originally developed by the Ministry of Justice as it no longer envisaged efficient implementation mechanisms, incl. financial penalties for perpetrators.

Case 1 – The Anti-Discrimination Law (2)

- GD parliamentary majority rejected calls for removing "sexual orientation" and "gender identity" from the bill, seeking compromise by a number of changes in the legislation during the second hearing e.g. by introducing wording "public moral".
- UNM parliamentary minority group voted for the bill, but echoing concerns of HR organizations regretting that the bill was not providing enough mechanisms to make it an efficient tool in fight against discrimination.
- A coalition of several non-parliamentary opposition parties, led by former parliament speaker Nino Burjanadze, most vocal in criticizing the bill mainly echoing those arguments voiced by the Georgian Orthodox Church.
- Public Defender's Office (PDO) in charge of overseeing anti-discrimination measures with complaints about alleged cases filed to PDO; right to look into reported cases on its own initiative without a formal complaint.

Case 1 - The Anti-Discrimination Law (3)

- PDO at first mediates between parties involved & tries to reach an out-of-court settlement; if attempt yields no result, PDO will send a "recommendation" to an entity or a person to address a problem related to discrimination; if recommendation is left unheeded, PDO can then take the case to court.
- A victim of discrimination will have the right to seek remedies in court that, among others, may also include pecuniary and non-pecuniary compensation.
- HR & legal advocacy organizations: measure will be inefficient as in practice, perpetrators can get away without financial penalty since discrimination usually incurs no financial damage, seeking compensation for moral damages, as the practice shows, is too complicated. Their proposal to introduce financial penalties for violators was rejected by government & GD parliamentary majority group.
- Adoption of the law was one of those requirements for Georgia under its Visa Liberalisation Action Plan in order to be granted short-term visa-free regime by EU



Case 2: The Repatriation of Meskhetians (1)

- Over 100,000 people were deported by Stalin in 1944, from the Meskheti region of Georgia, among them Hemshin (Muslim Armenians), Kurds, & Karapapakhs. By far the largest group relocated, however, were the Meskhetian Turks.
- With CoE membership in 1999 Georgia was obliged to secure a repatriation mechanism for their return from Azerbaijan, Russia & CA.
- Since 2003, ECMI Caucasus became a leading institution on the issue; began with a large-scale research programme in 2004-06
- July 2005: an interagency expert working group under then State Minister for Conflict Resolution Issues, Giorgi Khaindrava, also Head of the State Commission for Repatriation, was established.

Case 2: The Repatriation of Meskhetians (2)

A draft law on repatriation following consultations with the CoE elaborated was very different from the law eventually adopted by parliament in July 2007, the process served to bring renewed attention in Georgia to the issue of repatriation.

A coordination group on repatriation of deported persons convened: CoE, OSCE High Commissioner on National Minorities (HCNM), Int. Organization for Migration (IOM), ECMI Caucasus, later EU Delegation to Georgia & EU Special Representative to the South Caucasus.

In 2008-09, ECMI Caucasus – in collaboration with IOM & funded by CoE – also carried out comprehensive information gathering on repatriation procedures among Meskhetians in Azerbaijan, Kazakhstan and Kyrgyzstan.

From March 2010, ECMI Caucasus supported the Refugees & Migration Division of the Ministry of Refugees & Accommodation of Georgia (MRA) with the processing of applications for repatriation submitted to the Georgian authorities, later supported by OSCE HCNM without any allocated state funding.

Case 2: The Repatriation of Meskhetians (3)

Overall objective of international support was to promote a fair & dignified repatriation process for the Meskhetians within the framework of the Law on Repatriation, which promotes respect for their HR.

Group itself divided “Meskhetian/Ahiska Turks”, Islamised Georgians from Meskheti living mainly in RF, AZB, Central Asia, TR with some organisations claiming sole representation, not united.

Georgian Meskhetian criticized “non-repatriation law” to prevent the at least 400,000 Meskhetians that now live outside of Georgia from their return: 9.350 applications for repatriation mainly from residents in AZB, 5.841 valid according to Ministry of IDPs, Accommodation & Refugees, 1.254 received repatriate status and seven already repatriated.

Local Georgians & ethnic Armenians are afraid their compact repatriation would strain inter-ethnic relations, the Georgian government is settling Meskhetian Turks throughout the country.

Governance of Minority Affairs in Georgia in Practice: Evaluation assessment

The Georgian State and society have some way to go to ensure the protection of minorities. The challenges that lie ahead have been highlighted during the debates about the anti-discrimination law, which has faced numerous vociferous protests from political parties, members of society and the Georgian Orthodox Church. In addition to these protestations, the challenge also lies in the effective implementation of the Law, which has inherent limitations ranging from weak sanctions to vague institutional enforcement mechanisms. Other hurdles that Georgia has to overcome in its quest to protect minority rights and ensure their meaningful integration have to do with: (1) low levels of tolerance among the public, which is often exacerbated by the clergy; (2) low levels of knowledge of the Georgian language among the ethnic minorities; and, (3) a lack of consistency in approaching the issue of minority protection by the Georgian state."

Evaluation of EU Support to the Integration of Minorities in Georgia. Final Report, September 2014, p. 9

Discussion instead of Conclusion

How to achieve a better integration of minorities in Georgia?

What might be the best tools or approaches?

Where to start?

How should "Georgia's European Way" look like in the field of integration of minorities?

...

Bibliography

- Stephen Jones: Georgia. A Political History Since Independence. I.B. Tauris 2013
- Terry Martin: The affirmative action Empire. Nations and Nationalism in the Soviet Union, 1923-1939. Cornell UP, 2001
- Yuri Slezkine: The USSR as a Communal Apartment, or How a Socialist State Promoted Ethnic Particularism, in: Slavic Review Vol. 53, No. 2 (Summer, 1994), pp. 414-452
- The Meskhetian Turks at a Crossroads: Integration, Repatriation or Resettlement? (Berlin: LIT, 2007) eds. Tom Trier, Andrei Khanzhin
- Oliver Reisner: Between State and Nation Building: The Debate about 'Ethnicity' in Georgian Citizens' ID Cards. In: Françoise Companjen, László Marác, Lia Versteegh (eds.): Exploring the Caucasus in the 21st Century. Essays on Culture, History and Politics in a Dynamic Context. Amsterdam: Pallas, 2010, pp. 157-179

LECTURE 9.

European social policy and migration. Future labour market

Raul Eamets – Professor of Macroeconomics, Dean of the Faculty of Social Sciences, University of Tartu (Estonia)

European social policy and migration

Definition of social policy and historical developments in EU, EU social models. Migration theories, migration patterns in EU, economic consequences of migration.

Content

- Social policy in Europe
- Migration
- Future labour markets

Social policy in Europe

- Social insurance
- Social protection
- Free movement of labour
- Labour protection and health in workplace
- Discrimination in labour market
- Equal treatment
- Unemployment in different social groups
- Labour policy
- Labour relations, social partnership

Cornestones

- Amsterdam treaty
- Lisbon agenda
- Europe 2020

Europe 2020 main priorities

- Smart growth
- Sustainable growth
- Inclusive growth
- Exiting the crisis

The 5 targets for the EU in 2020 (1)

- **Employment**
 - 75% of the 20-64 year-olds to be employed
- **R&D / innovation**
 - 3% of the EU's GDP (public and private combined) to be invested in R&D/innovation
- **Climate change / energy**
 - greenhouse gas emissions 20% lower than 1990
 - 20% of energy from renewables
 - 20% increase in energy efficiency

The 5 targets for the EU in 2020 (2)

.

- **Education**

- Reducing school drop-out rates below 10%
- at least 40% of 30-34-year-olds completing third level education

- **Poverty / social exclusion**

- at least 20 million fewer people in or at risk of poverty and social exclusion

Flagship Initiatives

- The areas most in need of attention will be addressed by 7 flagship initiatives at EU, national, local and regional level
- Within each initiative, both the EU and national authorities will have to coordinate their efforts so they can be mutually reinforcing

The 7 Flagship Initiatives

- Digital Agenda for Europe (roaming charges, digital signature, cybersecurity etc)
- Innovation Union (better environment, public-private partnership etc, to make Europe more competitive)
- Youth on the move (education and employment of young people, youth mobility)
- Resource-efficient Europe (low carbon economy)
- An industrial policy for the globalisation era (new industrial and innovation policy)
- An agenda for new skills and jobs (flexicurity, new skills, job creation)
- European platform against poverty (Social inclusion, social policy innovations etc)

Smart Growth

“Smart growth” means improving the EU's performance in:

- *education*
- *research/innovation* (creating new products/services that generate growth and jobs and help address social challenges)
- *digital society* (using information and communication technologies)

Sustainable growth

Sustainable growth” means:

- *building a competitive low-carbon economy that makes efficient, sustainable use of resources*
- *protecting the environment and preventing biodiversity loss*
- *capitalising on Europe's leadership in developing new green technologies and production methods*
- *introducing efficient smart electricity grids*
- *harnessing EU-scale networks to give our businesses an additional competitive advantage*
- *helping consumers make well-informed green choices*

Inclusive Growth

“Inclusive growth” means:

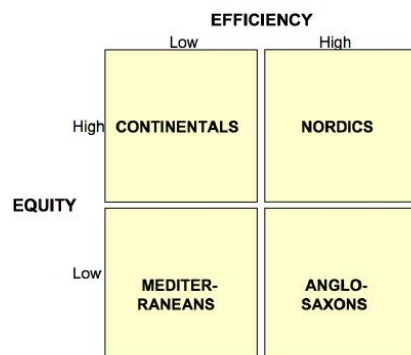
- *raising Europe's employment rate, especially with regard to women, young people and older workers*
- *helping people of all ages anticipate and manage change through investment in skills & training*
- *modernising labour markets and welfare systems ensuring the benefits of growth reach all parts of the EU*

Addressing the crisis

- Euro-area finance ministers agreed on the establishment of the future *European Stability Mechanism (ESM)* as of mid-2013. This will involve a change to the TEU (Lisbon) Treaty
- The ESM will safeguard financial stability in the Euro area and will build on the existing temporary European Financial Stability Facility (EFSF), which is due to expire in 2013, and also complement the new framework for reinforced economic surveillance in the EU
- This stability mechanism will assist Euro area Member States in financial distress in combination with a strict economic and fiscal adjustment
- The new framework, which includes in particular a stronger focus on debt sustainability and more effective enforcement measures, focuses on prevention and will substantially reduce the likelihood of a crisis emerging in the future



Typology of European „(sub-) models“ (Sapir, 2005)



Nordic model (*flexibility+security*)

- easy access to both hiring and firing
- High level of social protection expenditures
- Universal welfare provision
- Active interventionist's labour market policy

Anglo-Saxon model

- Large social assistance of the last resort
- Cash transfers oriented to people in working age
- Low level of labour market regulation

Continental model

- Insurance-based benefits, Old-age pensions
- Elaborated labor law, Relatively strong unions
- Labor co-decision in firms, collective bargaining on working conditions

Mediterranean model (similar to previous)

- Focus on employment protection and early retirement provisions
- Regional decision making – regional differences

Two efficient, two inefficient, but efficiency is not a matter of social choice but equity is.
Sapir's conclusion: Continental and Mediterranean models 90% GDP of Euro zone EU-12 inefficient and unsustainable to comply with opportunities offered by globalization and avoid threats
Therefore need to move to efficiency not to converge

Core classification

- temporary labour migrants,
- settler- migrants,
- refugees.

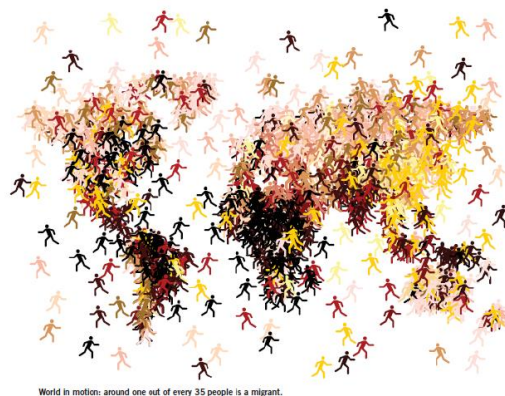
- Economic migrants
- Political migrants
- Social migrants

Different classifications

- Legal migrants
- Illegal migrants
- Permanent migration
- Temporary migration
- Voluntary
- Involuntary



A survey by Manpower in 2008 found that more than 190 million people live outside their countries of birth, about three per cent of the world's population



World in motion: around one out of every 35 people is a migrant.

Neoclassical Economics: Combining Macro and Micro

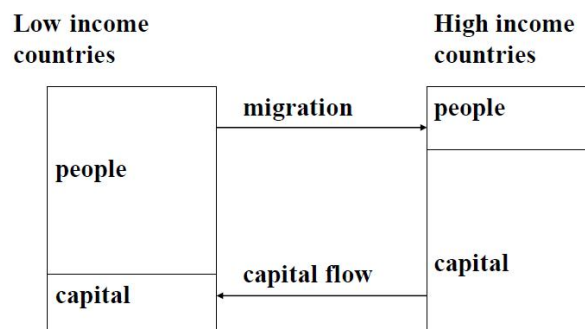
Propositions:

- International migration stems from international differentials in wages and opportunities.(macro-level)
- To maximize their human capital return, individuals who can have higher return to human capital in receiving countries are more likely to move internationally than others (human capital theory).
- When the cost of migration is lower, the possibility for potential migrants to move is higher (network theory)

Pre-conditions for neoclassical approach

- ☐ Migration has no cost
- ☐ Migration is risk-free
- ☐ Migrants have complete and free information
- ☐ They behave rationally
- ☐ They do not have social network
- ☐ No barriers for free movement (legal, cultural, language etc)

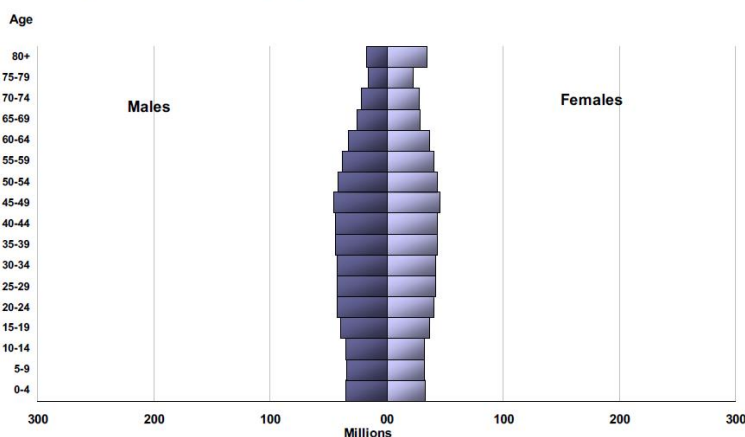
Neoclassical theory



Push and pull factors

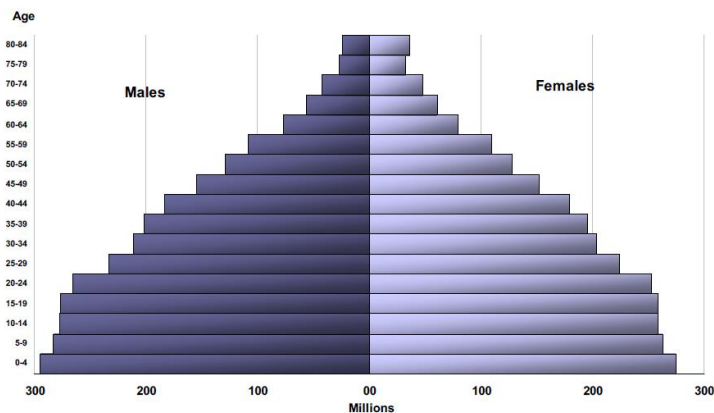
- Demographic situation
- Labour market situation
- Income differences
- Geographical proximity
- Migration networks and traditions
- Culture and language
- Ethnic and political problems
- Expectations

Fewer and Fewer Young People and Future Aging Developed Countries by Age and Sex, 2009



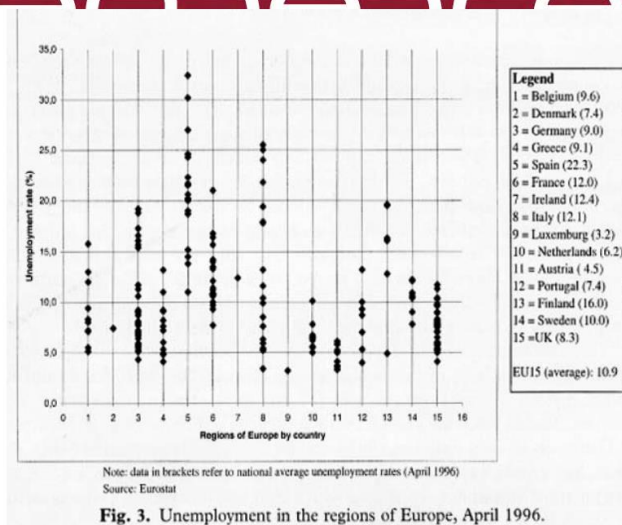
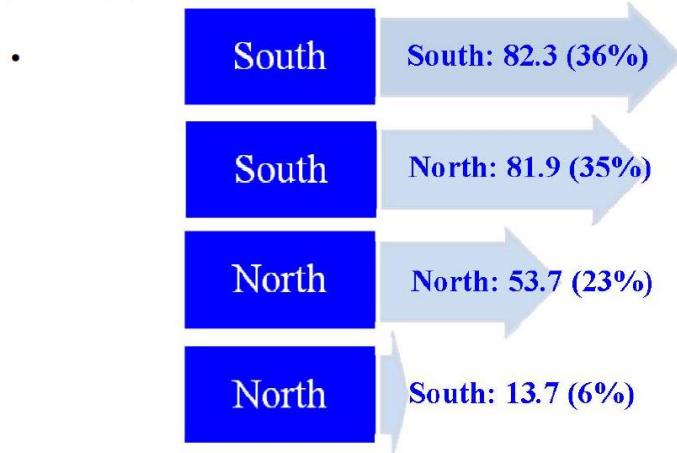
United Nations Population Division, *World Population Prospects, The 2008 Revision, medium variant*

Large Numbers of Young People and Large Population Growth Developing Countries by Age and Sex, 2009



United Nations Population Division, *World Population Prospects, The 2008 Revision, medium variant*

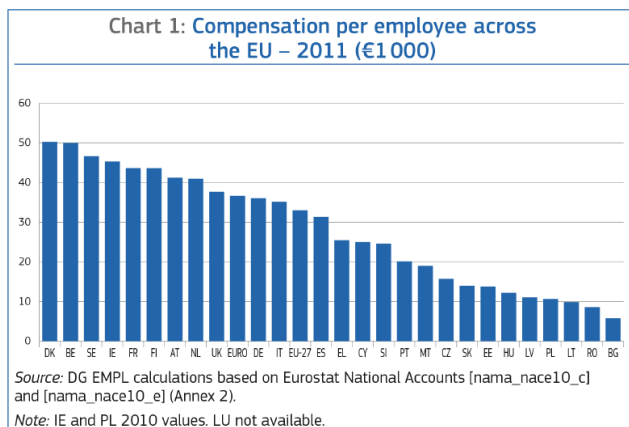
Distribution of international migrants by origin and destination, 2013 (millions and percent-age)



Intra-EU migration

- Earlier South -North flows are replaced with East-West flows
- From new member states – blue collar workers
- Between old EU countries white collar employees
 - Flows inside multinational firms
 - Temporary migration (also related to different EU projects etc)

Wage differences

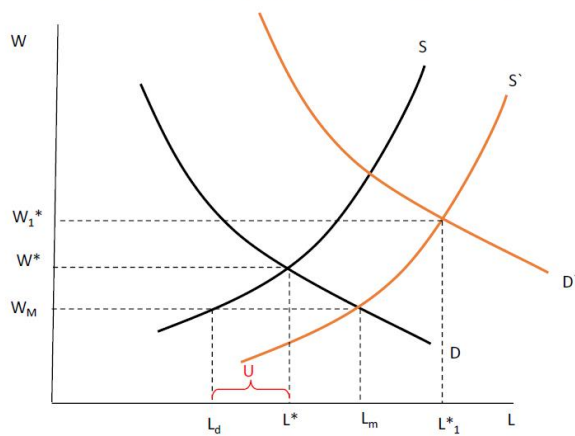


Migration impact to destination country (1)

Positive aspects

- + Increasing domestic demand
- + More opportunities for consumers: increasing variety of goods and services
- + Job creation, new talents
- + 3D (dirty, dangerous, difficult) jobs
- + More flexible labour force
- +/- Low skill versus high skill workers: effects on employment and wages

Low skill and high skill effects



Migration impact to destination country (2)

Negative aspects

- Cheap and flexible labour: gain in short run, loss in long run, competitiveness issues
- Social dumping and hidden labour market
- Social problems, high unemployment among immigrants, slums in big cities
- No incentives to improve working conditions
- Negative effect on native wages??

Source: Human Migration, Issue 7, January 2009

Impact of migration to sending country (1)

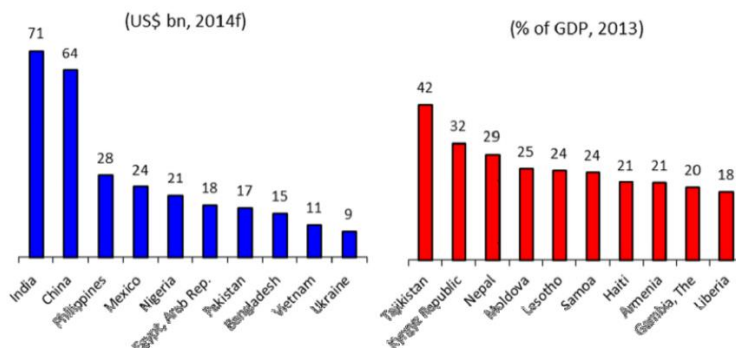
- + Increasing internal mobility
- + Increasing human capital (commuting, temporary migration)
- + Remittances
- + Brain circulation
- + Opportunity to reduce unemployment and alleviate the negative effects of sharply restructuring economic process;

Impact of migration to sending country (2)

- +/- labour shortage can cause the wage increase
- Brain drain, declining productivity
- Negative net migration will accelerate demographic problems, like ageing, low birth rate etc.
- Depopulated areas, deepening of regional discrepancies;
- Social problems with dependants remained at home (especially children);
- Inflationary pressure (due to remittances).

Remittances

Figure 1.3: Large countries receive more remittances, but small countries are often more dependent



Sources: IMF, World Bank World Development Indicators, and staff estimates

Global trends

- Demographic change, especially an ageing population.
- Growing diversity, increasing representation of gender and ethnic groups in the labour force.
- Growing household income uncertainty and regional inequalities.
- Growing desire for a better work-life balance.
- Changing work environments shaped by Information and communications technology (ICT), outsourcing, internationalisation and the need for greater flexibility.

Global trends (cont.)

- Converging technologies and cross-disciplinary skills, particularly the combination of biotechnology, information and communications technology, nanotechnology and cognitive science.
- Digitalisation of production: automated and additive manufacturing processes, involving 3D printing.
- ICT development and the age of big data, the power of digital devices and the potential to capture and use vast amounts of data.
- Changed economic perspectives due to globalisation and technological change, particularly volatility and uncertainty in the period post the 2008 crash.
- Shift to Asia, growing economic power and influence of countries in the East.

Global trends (cont.)

- New business ecosystems leading companies to be increasingly defined as 'network orchestrators.'
- Growing scarcity of natural resources and degradation of ecosystems: finite environmental resources leading to higher extraction costs and environmental decline.
- Decreasing scope for political action due to constrained public finances, as well as greater levels of social transfers for the aging population, limits resources for education and skills initiatives.

Trends shaping the future of jobs and skills

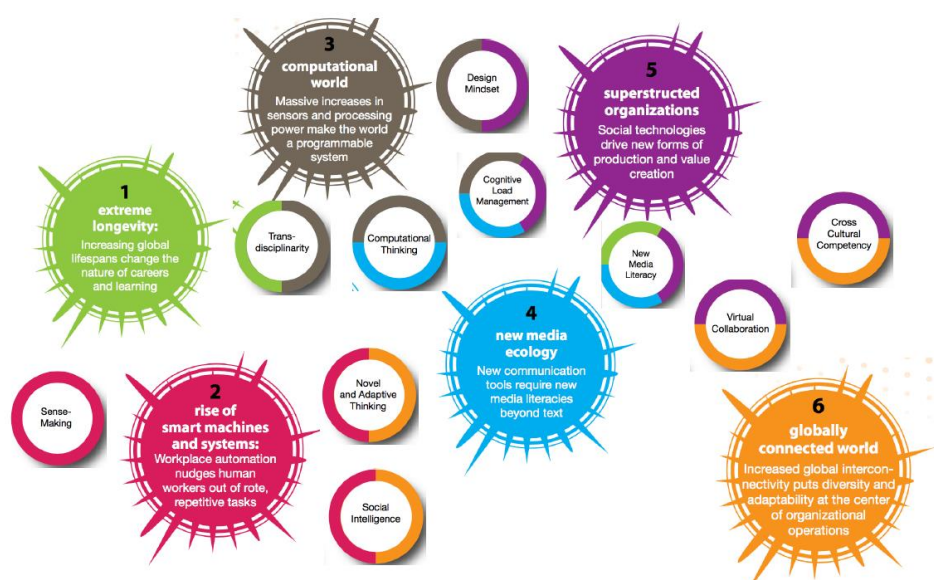
- Emerging economies acquiring shares in global production chains;
- Demographic change and migration changing the face of the workforce;
- Technological developments weakening the once clear differentiation of sectors and traditional modes of working;
- The structure of businesses evolving and developing into more flexible and networked models;
- Employees becoming more mobile (through preference or necessity) leading to higher job turnover rates.

Potential disruptions

- Reverse migration
- Changing values of employees', where workers select employers on the basis of alignment with their own values
- Zero-hour contracts, and similar flexible arrangements, become the norm
- Anytime, anywhere skills delivery, enabled by virtual and peer-to-peer learning
- Artificial intelligence (AI) and robots, penetration of AI and automation into highly skilled occupations

Potential disruptions (cont.)

- De-globalisation
- Geographically alternative centres of excellence, the Europe's leading position in key economic sectors is lost to high growth economies
- Disrupted Internet developments due to cyber crime
- Resource conflicts or climate disasters threaten supply
- Partial fragmentation of the EU.



Skills needed for 2020 knowledge worker (IFTF)

Sensemaking
Social Intelligence
Novel Adaptive Thinking
Cross Cultural Competency
Computational Thinking
New Media Literacy
Transdisciplinarity
Design Mindset
Cognitive Load Management
Virtual Collaboration

Sensemaking



Determine the deeper meaning or significance of what is
being expressed

rise of smart machines and systems

<http://www.flickr.com/photos/btrayner/259804265/>

7

Social Intelligence



Connect to others in a deep and direct way, to sense and
stimulate reactions and desired interactions

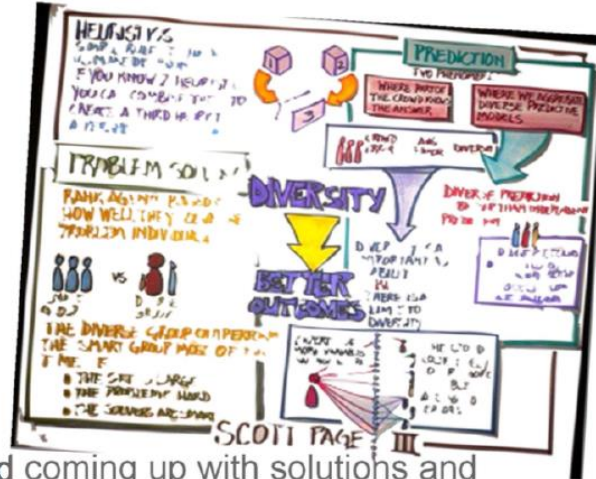
rise of smart machines and systems

globally connected world

<http://www.flickr.com/photos/jordigraells/475843606/>

8

Novel Adaptive Thinking



Proficient at thinking and coming up with solutions and responses beyond that which is rote or rule-based

rise of smart machines and systems
globally connected world

<http://www.flickr.com/photos/jurvetson/49191352/>

Cross Cultural Competency

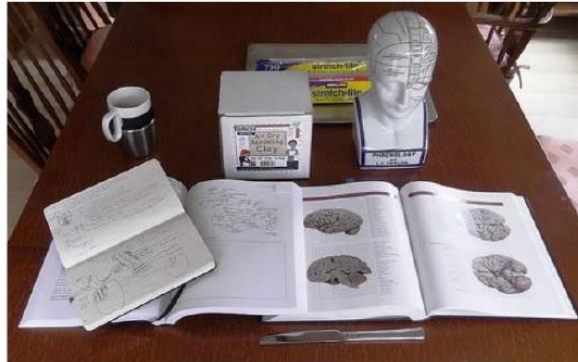


Operate in different cultural settings

globally connected world
superstructured organizations

<http://www.flickr.com/photos/cognizant-worldwide/8589181792/>

Computational Thinking



Translate vast amounts of data into abstract concepts and
to understand data based reasoning

new media ecology
computational world

<http://www.flickr.com/photos/brewbooks/8690960990/>

New Media Literacy

Critically assess and
develop content using
new media forms, and
to leverage for persuasive communication



new media ecology
superstructured organizations
extreme longevity

computational world
extreme longevity

13

[illegible]

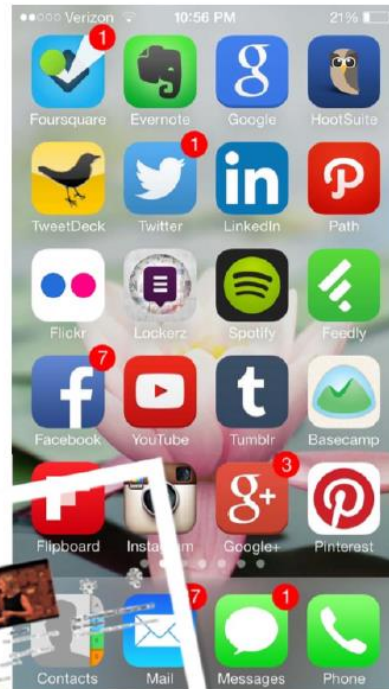
computational world
superstructured organizations

14

Cognitive Load Management

Discriminate and filter information for importance, and to understand how to maximize cognitive functioning using a variety of tools and techniques

superstructured organizations
computational world
new media ecology



15

Virtual Collaboration



Work productively, drive engagement, and demonstrate presence as a member of a virtual team

globally connected world
superstructured organizations

<http://www.flickr.com/photos/john-norris/3494842764>

Jobs that robots will not take over



Teachers
Police
Managers
Personal services

Jobs which most probably disappear

- Translators
- Data analyses (simple ones), accountants
- Drivers
- Different type of brokers, mediators (shared economy)
- Assembly line workers
- Cleaning workers

For further reading

- **Future Work Skills 2020**

<http://www.iftf.org/futureworksills/>

- **The Future of Work: Jobs and skills in 2030** , UK Report

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/303334/er84-the-future-of-work-evidence-report.pdf

- C. Anderson, J. F. Gantz **SKILLS REQUIREMENTS FOR TOMORROW'S BEST JOBS**

https://news.microsoft.com/download/presskits/education/docs/IDC_101513.pdf

LECTURE 10

Transnational Political Elites in Europe and the South Caucasus

Stefano Braghiroli – Lecturer in European Studies, Johan Skytte Institute of Political Studies, University of

Lecture "Transnational Political Elites in Europe and the South Caucasus"

The class has the objective to define the political role played by the key European institution towards the process of progressive and diversified Europeanization of South Caucasus. Following an short introduction of the institutional context, it will delineate how European-level parties and national and supra-national political groups/institutional actors react to and frame the recent developments in the South Caucasus. The discussion will highlight how relevant appears South Caucasus from the Brussels' perspective (i.e. European Parliament and other representative EU institutions) and what degree of politicization does the the EU involvement imply.

Readings: Boonstra and Shapovalova (2011); Cianciara (2008); InternationalRelations-2011-Korosteleva-243-62.

Simulation of Eastern Partnership Summit

The EaP Summit negotiating exercise (role game) will apply the knowledge and notions acquired during the school. In particular, students will be grouped as representatives of Member States, Candidate countries, ENP countries, and EU institutions and will have to conduct multi-lateral and bi-lateral negotiation accordingly. Students' activism is taken into account. The final result will be the adoption of a Summit resolution.

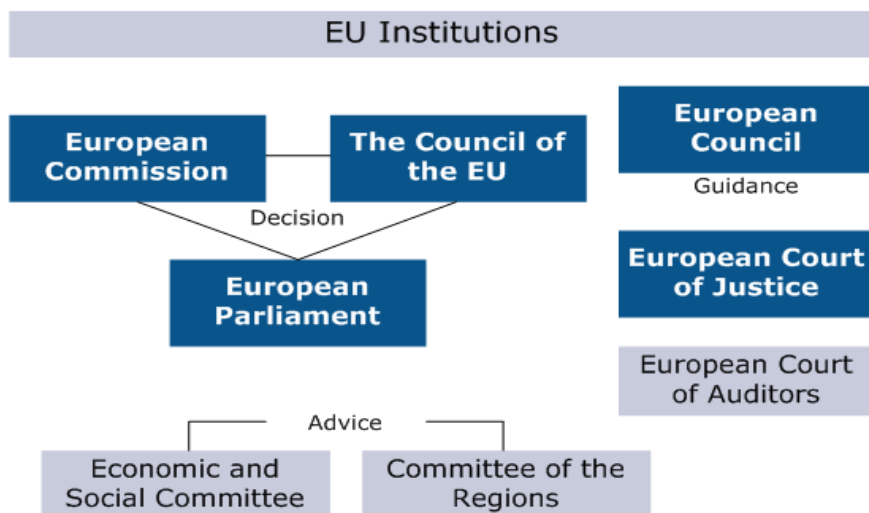
Readings: Review of the European Neighbourhood Policy; Rules of procedure; Task for representatives.

Who are the European elites?

Who decides when it comes to South Caucasus? And Eastern Partnership?

- Member States
 - European Commission
 - European Parliament
 - European Council
- multilevel...*

EU institutions... multi-level game



Problems of EU elites with S. Caucasus

- Unity in diversity
- Treated as one, but need for differentiation
- Perceived distance: Case of EU S.R. South Caucasus and Georgia
- Lack of specific knowledge / Partial engagement
- Limited economic relevance
- Conflicts
- Russia
- Multi-directionality
- Practice, better than formality

New window of opportunity in 2014? E word on the table?

European Parliament... why?

Think of democratic deficit...

- Only elected institution
- Bigger voice
- Multi-national
- Political / ideological
- Most „famous“ institution

What about CFSP? *Flag legislation / liberté de manoeuvre / reflect the public*

Key points

- EP has developed as a body from an 'irrelevant' to a major player
- EP influence is stronger in policy-making decisions and weaker in history-making and policy-implementing decisions
- Growing EP influence has indirectly increased the advantage of the big MS

- Role and increase of powers hampered/limited by EU type institutional checks and balances and catalogue of EU competences

Party groups

- Group of the European People's Party (Christian Democrats)
- Group of the Progressive Alliance of Socialists and Democrats in the European Parliament
- Group of the Alliance of Liberals and Democrats for Europe
- Group of the Greens/European Free Alliance
- European Conservatives and Reformists Group
- Confederal Group of the European United Left - Nordic Green Left
- Europe of Freedom and Direct Democracy Group

25 MEPS from ¼ of Member states

AGENTS with TWO PRINCIPALS

Do you know *votewatch*?

Consider it for your essay, and beyond...

<http://www.votewatch.eu/en/term8-conclusion-of-the-association-agreement-with-georgia-motion-for-resolution-vote-resolution.html#/##vote-tabs-list-2>

<http://www.votewatch.eu/en/term8-association-agreements-deep-and-comprehensive-free-trade-agreements-with-georgia-moldova-and-ukraine-4.html>

Parties' positions

Statements

Votes

Surveys

EPP, PES – deeper integration, but no membership

ALDE, Greens – membership but...

EUL-NGL – Russia factors

EFDD, ECR – Euroscepticism & Russia factor

ENP Barometer (2014)

AD2. I would like to ask you a question about how much trust you have in certain institutions.
For each of the following institutions, please tell me if you tend to trust it or tend not to trust it.

		The European Union				The United Nations				The NATO			
		Tend to trust	Diff. Aut.2014-Sp.2014	Tend not to trust	Diff. Aut.2014-Sp.2014	Tend to trust	Diff. Aut.2014-Sp.2014	Tend not to trust	Diff. Aut.2014-Sp.2014	Tend to trust	Diff. Aut.2014-Sp.2014	Tend not to trust	Diff. Aut.2014-Sp.2014
ENPI East		49%	+1	35%	-1	43%	+3	34%	-1	34%	+3	41%	-3
	GE	58%	-3	25%	=	52%	-2	27%	-1	58%	-1	24%	=
	UA	56%	+3	31%	-1	47%	+4	30%	-2	38%	+4	37%	-5
	AM	50%	+5	46%	-5	56%	+4	40%	-3	41%	+5	53%	-4
	AZ	28%	-8	45%	+11	25%	-2	44%	+9	23%	-2	44%	+9
	BY	31%	+5	46%	-7	34%	+7	40%	-7	11%	+2	58%	-6
	MD	50%	-1	38%	+2	36%	-4	41%	+4	30%	=	44%	+1
	RU	21%	-2	63%	+3	22%	-6	60%	+5	9%	-3	75%	+2

AD4a. On the whole, are you very satisfied, fairly satisfied, not very satisfied or not at all satisfied with the way democracy works in (OUR COUNTRY)?

		Total 'Satisfied'	Diff. Aut.2014-Sp.2014	Total 'Not satisfied'	Diff. Aut.2014-Sp.2014	Don't know	Diff. Aut.2014-Sp.2014
ENPI East		29%	=	64%	+2	7%	-2
	GE	24%	-6	70%	=	5%	+5
	UA	22%	=	71%	+3	7%	-3
	AM	32%	+3	68%	-3	0%	-1
	AZ	56%	=	35%	+4	8%	-4
	BY	48%	=	42%	=	10%	=
	MD	18%	+2	79%	-1	2%	-2
	RU	54%	=	36%	=	10%	+1

AB6. Could you tell me to what extent you agree or disagree with each of the following statements concerning the European Union?

	The European Union is an important partner of (OUR COUNTRY)		(OUR COUNTRY) and the European Union have sufficient common values to be able to cooperate		The European Union brings peace and stability in the region surrounding (OUR COUNTRY)		The support of the European Union contributes a lot to the development of (OUR COUNTRY)		The European Union has the appropriate level of involvement in (OUR COUNTRY)	
	Total 'Agree'	Diff. Aut.2014-Sp.2014	Total 'Agree'	Diff. Aut.2014-Sp.2014	Total 'Agree'	Diff. Aut.2014-Sp.2014	Total 'Agree'	Diff. Aut.2014-Sp.2014	Total 'Agree'	Diff. Aut.2014-Sp.2014
ENPI East	61%	+3	59%	+3	52%	+4	47%	+3	47%	-4
GE	68%	-1	56%	=	58%	+2	55%	-3	39%	-6
UA	67%	+4	63%	+5	58%	+6	51%	+5	52%	-5
AM	75%	+8	62%	+10	62%	+12	65%	+7	59%	+6
AZ	42%	=	47%	-1	38%	-4	37%	-2	40%	-7
BY	42%	=	51%	=	30%	+3	22%	=	25%	+1
MD	60%	+1	54%	=	48%	-2	60%	+2	58%	-3
RU	52%	-2	58%	-1	19%	-6	25%	-7	50%	+1

AC5. In your opinion, from the following list, which are the most important areas of cooperation between the European Union and (OUR COUNTRY)?

	Peace and security	Diff. Aut.2014-Sp.2014	Trade	Diff. Aut.2014-Sp.2014	Tackling poverty	Diff. Aut.2014-Sp.2014	Human rights	Diff. Aut.2014-Sp.2014	Employment	Diff. Aut.2014-Sp.2014	Democracy and good governance	Diff. Aut.2014-Sp.2014
ENPI East	66%	+6	40%	+3	38%	+4	31%	-1	28%	+1	27%	-2
GE	76%	=	39%	+4	59%	-1	37%	=	38%	-6	39%	=
UA	73%	+10	41%	+4	39%	+5	32%	=	29%	+3	27%	-5
AM	58%	+1	38%	+5	58%	+4	47%	+6	25%	+1	23%	-1
AZ	51%	-1	30%	+4	17%	=	21%	-7	25%	-2	24%	+6
BY	58%	+7	47%	+1	31%	-1	24%	+3	16%	=	23%	-1
MD	43%	-3	36%	+5	51%	+2	44%	+4	40%	-1	34%	+4
RU	74%	+1	40%	-6	26%	=	23%	-5	11%	-3	20%	-3

AB7. And for each of the following areas, please tell me whether or not you think the European Union should have a greater role to play in (OUR COUNTRY)?

Answer: 'Yes'

	Trade	Economic development	Security and defence	Human rights	Regional cooperation	Education	Energy security	External policy and foreign affairs	Democracy	Justice	Refugees/displaced people	Migration	Culture	Transport	Media freedom	Environment and climate change	Equality between men and women
ENPI East	76%	74%	64%	64%	62%	62%	60%	58%	56%	55%	52%	51%	51%	50%	46%	45%	38%
GE	80%	90%	84%	79%	77%	76%	70%	82%	78%	78%	80%	74%	84%	87%	70%	69%	65%
UA	78%	81%	72%	69%	66%	60%	67%	61%	60%	60%	52%	50%	49%	49%	45%	46%	34%
AM	87%	81%	70%	77%	73%	74%	65%	71%	66%	73%	70%	71%	66%	71%	65%	54%	44%
AZ	62%	59%	42%	45%	46%	65%	39%	42%	47%	38%	45%	42%	48%	45%	40%	36%	43%
BY	73%	58%	43%	46%	47%	57%	43%	47%	37%	34%	46%	42%	53%	44%	42%	44%	36%
MD	62%	71%	47%	60%	43%	61%	43%	48%	54%	49%	33%	56%	47%	54%	43%	29%	37%
RU	62%	54%	45%	38%	43%	37%	48%	55%	33%	31%	40%	39%	45%	38%	37%	43%	27%
<div> <div>Highest percentage per country</div> <div>Lowest percentage per country</div> <div>Highest percentage per item</div> <div>Lowest percentage per item</div> </div>																	

AB2. In general, how would you describe the relations that the European Union has with (OUR COUNTRY)?
Would you describe them as very good, fairly good, fairly bad or very bad?

	Total 'Good'	Diff. Aut.2014- Sp.2014	Total 'Bad'	Diff. Aut.2014- Sp.2014	The EU does not have any relation- ship with (OUR COUNTRY) (SP.)	Diff. Aut.2014- Sp.2014	Don't know	Diff. Aut.2014- Sp.2014
ENPI East	57%	+4	18%	+2	8%	+1	17%	-6
GE	66%	-2	16%	=	4%	=	14%	+2
UA	63%	+5	13%	+4	6%	=	18%	-9
AM	69%	+7	23%	-8	1%	-1	7%	+2
AZ	48%	=	19%	+4	12%	+9	21%	-12
BY	29%	+3	38%	-1	18%	-2	15%	=
MD	63%	+3	17%	-1	6%	=	14%	-2
RU	18%	-9	65%	+11	5%	=	12%	-1

BL9. Personally, to what extent do you feel close to ...
Answer: Total 'Close'

	The culture of (OUR COUNTRY)	Russian culture	European culture	American culture
ENPI East	95%	60%	40%	11%
GE	94%	38%	26%	12%
UA	96%	61%	46%	10%
AM	95%	65%	32%	21%
AZ	96%	26%	27%	11%
BY	92%	87%	36%	10%
MD	89%	68%	34%	16%
RU	94%	96%	48%	19%

Eastern Partnership & ENP



In-between-ness

In-between-ness

Think of Europeanisation... outside of the EU

Think of conditionality...

"a process involving, a) construction, b) diffusion and c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public choices..." (Radaelli 2003)

Eastern Partnership (part of ENP, 2004)

What? Joint policy initiative to bring Eastern neighbours closer to the EU – Not pre-accession – Ring of friends

Since when? Launched by PL-SE at the Prague Summit May 2009

Who? 6 countries concerned: (Armenia, Azerbaijan, Georgia), Belarus, Moldova, Ukraine

Eastern Partnership – basis and goals

Based on common interests, shared values:

Rule of law & good governance

Respect for human rights and fundamental freedoms

Market economy and sustainable development

Main goal – its about supporting long-term reforms for:

Closer relations – political association

Business and trade – economic development and integration

People: mobility, contacts, civil society

Eastern Partnership : a 2-track approach

Eastern Partnership follows two tracks:

Bilateral:

- association agreements
- deep and comprehensive free trade areas (DCFTAs)
- mobility, civil society
- Sector cooperation

Multilateral:

- thematic platforms and panels
- flagship initiatives
- Regional programmes
- multilateral stakeholders

“More for more”

More support for more progress

Increased funding for development

Larger programmes for institution building

Greater access to EU market

Increased financing for investments

Diversified EU funding

	Armenia: € 182 million
	Azerbaijan: € 75.5 million
	Belarus: € 41.5 million
	Georgia: € 208 million
	Moldova: € 308 million
	Ukraine: € 389 million

Political fora

Summit every two years

Foreign Minister meeting annually

Informal dialogue twice a year

Senior officials twice per year

Regular thematic platforms, panels

EURONEST Parliamentary Assembly

Tools

AA - Nothing new: included in the Treaty of Rome, for co-operation with the UK (1950s) - MFNT

DCFTA... towards exclusivity!

Similar to enlargement -> action plan - country report

Assessment by COM / DG NLRG

Decision by Member States

DCFTA

Towards exclusivity

- Freedom of establishment in services and non-services sectors

- expansion of the internal market for a set of key services sectors, upon implementation the EU-acquis

- access to the EU internal market for the sectors concerned

- an unprecedented level of integration

Three thematic areas

Democracy, good governance and stability

Economic integration and convergence with EU policies

Respect for human rights and fundamental freedoms

2015 review

"Stabilisation, differentiation and ownership

More flexibility, effectiveness and a new partnership approach"

What changes?

What stays the same?

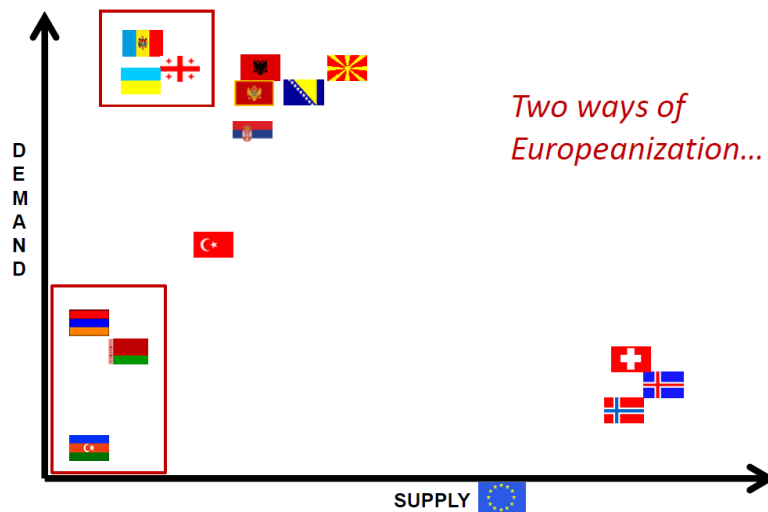
How does this affect the ENP countries?

How does this affect the EU MS?

In-between-nees

What comes related to this? Bargain...

How to make ENP more effective?



Georgia and Ukraine

Enough on the table to push Europeanization?

- DCFTA
- AA
- Visa lift

How about politics?

And security?

What to do?

What else on the map?

Bilateral

Multilateral

Heard of it?

Letter on cooperation between EU, Eurasian Economic Union sent by EC chief to Putin

Business & Economy November 19, 2015, 20:29 © UIC+3

Jean-Claude Juncker sent the letter



Jean-Claude Juncker and Vladimir Putin in 2012

Eurasian Union – mimicking the EU?

But what is it really about? Only politics? How about supranationalism?

Let's ask Vladimir...

Article by Prime Minister Vladimir Putin "A new integration project for Eurasia: The future in the making" ("Izvestia", 3 October 2011)

Part of the effort to develop alternative geo-strategic structures

We plan to go beyond that, and set ourselves an ambitious goal of reaching a higher level of integration – a Eurasian Union. How do we understand the prospects for this project? What shape will it take? First, none of this entails any kind of revival of the Soviet Union. It would be naïve to try to revive or emulate something that has been consigned to history. But these times call for close integration based on new values and a new political and economic foundation. Alongside other key players and regional structures, such as the European Union, the United States, China and APEC, the Eurasian Union will help ensure global sustainable development. Second, the Eurasian Union will become a focal point for further integration processes since it will be formed by the gradual merging of existing institutions, the Customs Union and the Common Economic Space. Third, it would be a mistake to view the Eurasian Union and the Commonwealth of Independent States as opposing forces. Each institution has its place and its role to play in the post-Soviet space.

Fourth, the Eurasian Union is an open project. We welcome other partners to it, particularly CIS member states. At the same time, we are not going to hurry up or nudge anyone. A state must only join on its sovereign decision based on its long-term national interests.

In this respect, I would like to touch upon an important issue. Some of our neighbours explain their lack of interest in joining forward-looking integration projects in the post-Soviet space by saying that these projects contradict their pro-European stance. I believe that this is a false antithesis. We do not intend to cut ourselves off, nor do we

plan to stand in opposition to anyone. The Eurasian Union will be based on universal integration principles as an essential part of Greater Europe united by shared values of freedom, democracy, and market laws. Russia and the EU agreed to form a common economic space and coordinate economic regulations without the establishment of supranational structures back in 2003. In line with this idea, we proposed setting up a harmonized visa-free community of economies stretching from Lisbon to Vladivostok.

Later, this framework will also include common visa and migration policies, allowing border controls between our states to be lifted. In fact, we are adapting the experience of the Schengen Agreement that benefits Europeans as well as everyone who comes to work, study, or holiday in the EU.

It took Europe 40 years to move from the European Coal and Steel Community to the full European Union. The establishment of the Customs Union and the Common Economic Space is proceeding at a much faster pace because we could draw on the experience of the EU and other regional associations. We see their strengths and weaknesses. And this is our obvious advantage since it means we are in a position to avoid mistakes and unnecessary bureaucratic superstructures.

For example, take the two largest associations on our continent – the European Union and the Eurasian Union currently under construction. In building cooperation on the principles of free trade rules and compatible regulation systems they are in a position to disseminate these principles, including through third parties and regional institutions, all the way from the Atlantic to the Pacific Oceans. They will thus create an area that will be economically harmonised, but that still will remain diverse when it comes to specific mechanisms and management solutions. At that point, it will make sense to engage in a constructive dialogue on the fundamentals of cooperation with the countries of the Asia-Pacific region, North America and other regions.

And then what happened?

LECTURE 11.

The EU Charter of Fundamental Rights, the ECHR, and Domestic Constitutions

Stephan Hinghofer-Szalkay – University researcher, University of Graz (Austria)

The European system of fundamental rights protection has become both more efficient and more complex than ever before. Its humble beginnings have evolved into a multilayered system in which no single court or lawmaker truly has the last word. These lectures will look at the origins of the current European system, the joint DNA of the various systems of protection and the complex interactions between domestic, international and European law. While the relationship between the EU and the CoE and their respective member states remains a central factor for understanding the European system of fundamental rights protection as a whole, the key roles played by domestic constitutional courts and other actors will also be taken into account.