

Belarus and the EU: A tumultuous relationship

Maurice van Schendel (564805) and Juliëtte Schaffer (562224)

Int. Organisations & EU as Int. Actor (SBS-215)

Türkan Ertuna Lagrand

Erasmus University College

May, 29, 2022

Word count: 2016

Introduction

As a country aiding the invasion of a neighbouring nation, the Republic of Belarus is in a precarious position. Once enjoying close ties with the Russian Federation as well as the European Union (*EU Relations with Belarus*, 2022), Belarus is now tasked with salvaging what little is left of them. This comes at a time of an already deteriorating relationship with the EU which has increasingly enforced sanctions against Belarus after the 2020 presidential elections. After June 2021, Belarus even ended its engagement with the Eastern Partnership (*EU Relations with Belarus*, 2022).

In this paper we will be examining which events led to Belarus' waning democratic institutions and how this affected its relationship with the European Union. We will assess this against the backdrop of the European Neighbourhood Policy, what it entails, how it is applied to Belarus, what its goals are and if these are fulfilled. To conclude, we will provide policy recommendations.

Background

Belarus gained independence briefly in 1918, after the collapse of the Russian Empire. In the wake of this collapse, Belarus was swiftly, and forcibly incorporated into the newly formed Soviet Union. During World War two, the country was occupied by Nazi Germany and subsequently recaptured by the Soviet Union.

As Soviet leader Mikhail Gorbachev started slowly liberalising the Soviet Union in the late 1980s, a distinct Belarusian nationalist sentiment started emerging. This sentiment culminated in the Soviet republic declaring sovereignty in July 1990, followed by a declaration of independence a mere year later (French, 2022).

The post-Soviet democratisation of Belarus did not occur as resolutely as with other former Soviet states. After gaining independence, the Baltic states made swift moves towards

democratising and strengthening ties with the West. Instead, Belarus' independence was followed by an election in which the communist party gained supremacy (French, 2022). A new Belarusian constitution was adopted in March 1994, which constituted the position of president, to which Alexander Lukashenko was elected in July 1994 (Gordon, 1996) The European Communities recognized Belarus' independence in 1991 and even intended to implement a Partnership and Cooperation Agreement, this was suspended following several developments in Belarus (European Commission, 2022).

Lukashenko moved towards cementing his position and increasing his power. A highly controversial referendum granted him almost absolute power and extended his term limit to 2001 (Gordon, 1996). Belarus' relations with the EU have been strained since its independence, observing its slow, if not completely ineffective, democratisation process.

In 2008 EU-Belarusian relations briefly improved, following the release of political prisoners, sparking hopes that Lukashenko might move towards a less authoritarian style of governance (French, 2022). Belarus even joined the EU eastern partnership program that intends to improve EU relations with several Eastern-European and Caucasian countries as part of the European Neighbourhood Policy (European Council, 2022). In 2014, Lukashenko attempted to mediate an agreement between Russia and Ukraine, intended to stop the military conflict between the two countries in the east of Ukraine.

However, this optimism was short-lived, as Lukashenko was re-elected in questionable elections; and he continued to uphold several repressive policies, which kept Belarusian relations with the EU from improving any further.

In May 2021, Lukashenko drew universal international condemnation when his government intercepted a Ryanair plane flying over Belarusian airspace. The government employed the guise of a bomb threat as an opportunity for arresting one of the passengers on

board. Journalist Roman Protasevich, opposed to Lukashenko's regime, was taken into custody by Belarusian police, causing widespread outrage (Roth & Boffey, 2021).

Most recently, Belarus hosted Russian troops for a joint military exercise. This supposed exercise, was later revealed to be a front for the Russian troops being allowed to partly stage their invasion of Ukraine in February of 2022 from Belarus. Following March, the European Union imposed strict and severe sanctions on Belarus for its role in Russia's invasion of Ukraine (Sullivan, 2022).

European Neighbourhood Policy

The European Neighbourhood Policy (ENP) lays the foundation for the EU's relations with 16 neighbouring countries. This is described in Article 8 of the Treaty of European Union (TEU). Article 8 warrants the creation of a special relationship with neighbouring countries with the aim of establishing an area of prosperity and good neighbourliness. Paragraph 2 of Article 8 describes a possible framework through which these relations can be established:

“...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...” (Excerpt from Article 8 ¶ 2 of the TEU, Official Journal of the European Union, 2012)

This section illustrates that fostering goodwill towards the European Union can be done through increasing economic cooperation and deepening of connections through joint activities. The manner in which the Union may seek to achieve this goal set out in the TEU is stipulated in the Treaty on the Functioning of the European Union (TFEU):

“The Union may conclude an agreement with one or more third countries ... in order to achieve ... one of the objectives referred to in the Treaties...” (Excerpt from Article 216 ¶ 1 of the TFEU, Official Journal of the European Union, 2012)

In 1995, the EU and Belarus signed its Partnership and Cooperation Agreement, in which the EU and Belarus agreed to general rules of cooperation, working conditions in commercial and investment fields and several worker protections (ILO, 1995). In 1997, the General Affairs Council suspended the ratification of the PCA, due to Belarus' continued use of the death penalty and lacking commitment to democratic values (European Commission, 2022).

Following the suspension of the PCA's ratification, trade relations with Belarus reverted to the agreements covered in the 1989 Trade and Cooperation Agreement between the European Economic Community and the USSR. The agreement made between the EEC and the USSR comprised harmonising trade mechanisms, diversification of trade and the development of economic and commercial cooperation in various fields (Official Journal of the European Communities, 1990).

In 2007 the EU withdrew all remaining trade preferences to Belarus, meaning its exports to the EU are subject to standard import tariff rates, this was followed by import restrictions on textiles and textile products in 2010 (European Commission, 2022). In March 2022, the EU imposed a sweeping sanction package on 183 individuals and 26 entities, following its involvement in the Russian invasion of Ukraine (Council of the European Union, 2022), these sanctions block 70% of Belarusian exports to the EU and can significantly impact the country's economy (Guarascio, 2022).

In its essence, the goal of the ENP is to foster a ring of stable and prosperous nations around the EU with the aim of avoiding unnecessary conflict with bordering nations and improving democratic institutions, rule of law and human rights in these partnering nations.

The Eastern Partnership, which is an element of the ENP, focuses on six eastern European and South Caucasus nations and aims to improve political ties and economic integration with these partner countries. Its policies extend to areas of trade, sustainability, education, infrastructure and jobs (Bosse, 2009). As of June 2021, Belarus has suspended its participation in the Eastern Partnership, following the imposition of new sanctions following fraudulent presidential elections; these sanctions were intensified because of Belarus' participation in the invasion of Ukraine in February 2022.

Belarus was included in the ENP, not because of mutual intentions for close-knit collaboration, but rather as a pro forma show of intent from the EU, indicating its support of a democratic Belarus, without compromising the EU's commitment to democratic institutions, the rule of law and the respect for international law (Bosse, 2009). An explanation for the EU's limited and pragmatic approach to relations with Belarus would rest on three pillars, concerns for values and principles, economic interests and geopolitical interests.

The EU invests in the promotion of democracy and human rights in Belarus by establishing contacts with civil society organisations within Belarus and supporting these financially.

The EU also holds moderate economic interests fuelling their relationship with Belarus, though this pertains more to Belarus' interests (Bosse, 2009). The EU is Belarus' second largest trading partner, after Russia, while Belarus rarely accounts for more than 0,3 percent of the EU's total trade (European Commission, 2022). This works in the EU's favour as the necessity of Belarusian trade is so little, it forms a powerful negotiating tool (Bosse, 2009).

Perhaps most relevant today is Europe's geopolitical interests in Belarus. Following the countries' independence from the Soviet Union in the 1990s, the European approach to Belarus was mostly focused on forging Belarus into a buffer state between Europe and

Russia. But as Belarus made some very distinct moves towards closer ties with Russia, the EU's level of engagement with Belarus entered a more pragmatic era, limiting engagement to the bare minimum.

An example of the EU's denial of the legitimacy of the Lukashenko regime is its action plan to aid Belarus, once it makes a democratic transition. The plan entails major financial support, infrastructure investments, a democratic transition package and the strengthening of EU Belarus relations (European Commission, 2021). Although this plan is only enacted once Belarus makes serious steps towards respecting universal fundamental freedoms, the rule of law and human rights. This does, however, seem unlikely for the foreseeable future, and is a key reason for the EU's limited interaction with Belarus' current government (European Council, 2016).

Recommendations

It is clear that the ENP does not meet its objectives concerning relations with Belarus. We cannot speak of Belarus as a stable or prosperous nation as long as enduring protests against the regime, breakdown of democratic institutions, economic regression, and increasing dependency on Russia continue (*Judy Asks: Is Belarus's Sovereignty Over?*, 2022; *Judy Asks: Is Belarus's Sovereignty Over?*, 2022). Freedom House even calculated Belarus's status on freedom to have deteriorated over the years (Freedom House, n.d.). None of the four principles: (1) safekeeping of democracy, rule of law, and human rights; (2) growing economic development as a means towards stabilisation; (3) security; (4) migration and mobility (Dandashly, 2018) of the policy have improved. Some aspects even clearly deteriorated.

Additionally, with the current state of Belarus' democratic institutions and its involvement in the invasion of Ukraine, it would encroach on the Union's values stipulated in

Article 2 of the TEU to engage with Belarus at this time (Official Journal of the European Union, 2012).

One could argue that as the approach towards Belarus was always more symbolic and directed towards democratic reforms of Belarus' democratic institutions, the ENP hasn't necessarily failed. However, the ENP has also not succeeded. Taking the deterioration of relations with Belarus into account, the question then emerges whether further continuation of the ENP concerning Belarus remains desirable.

A new engagement with Belarus should be centred around moving away from direct engagement with the regime, as this has currently shown to not promote any of the goals of ENP. Furthermore, due to the current political situation, engagement with Belarus would go against the Union's values.

Therefore, we recommend a focus on strengthening civil society in Belarus. After the 2020 presidential election, the Commission increased its help towards civil society. This help includes assistance to those exposed to repression and state violence, independent media, and healthcare facilities (European Commission, 2021).

This trajectory should be continued and enhanced. Included in the current sanctions, is the suspension of assistance to Belarus through the European Neighbourhood Instrument program, ENI (European Commission, 2022). These sanctions make sense as the majority of the overall 257 million euros previously donated to Belarus was dispersed to Belarusian public bodies (Bosse, 2021; European Commission, 2022).

However, with rampant deteriorating democratic institutions and services, citizens in Belarus need support now more than ever. Ways in which ENI can become accessible to independent civil society organisations, possibly without official registration in Belarus, should be explored.

It is hard to predict how the political situation in Belarus will develop. However, diplomats, academics, and other experts expect a move even further away from the West as Russia's involvement in the country is becoming more and more dominant (*Judy Asks: Is Belarus's Sovereignty Over?*, 2022). If this process continues, fulfilment of the ENP goals will become less and less likely. Additionally, the relationship between the EU and Belarus will move towards a precarious future.

References

- Bosse, G. (2009). Challenges for EU governance through Neighbourhood Policy and Eastern Partnership: the values/security nexus in EU–Belarus relations. *Contemporary Politics*, 15(2), 215–227.
<https://doi.org/10.1080/13569770902858152>
- Bosse, G. (2021). Authoritarian consolidation in Belarus: What role for the EU? *European View*, 20(2), 201–210. <https://doi.org/10.1177/17816858211061839>
- Bosse, G., & Korosteleva-Polglase, E. (2009). Changing Belarus? *Cooperation and Conflict*, 44(2), 143–165. <https://doi.org/10.1177/0010836709102736>
- Council of the European Union. (2022, April 4). *EU restrictive measures against Belarus*. European Council. Retrieved 20 May 2022, from <https://www.consilium.europa.eu/en/policies/sanctions/restrictive-measures-against-belarus/>
- Dandashly, A. (2017). EU democracy promotion and the dominance of the security–stability nexus. *Mediterranean Politics*, 23(1), 62–82.
<https://doi.org/10.1080/13629395.2017.1358900>
- European Commission. (2017, May). *Report on the Implementation of the European Neighbourhood Policy Review*.
https://www.eeas.europa.eu/sites/default/files/2_en_act_part1_v9_3.pdf
- European Commission. (2021a, May 28). *Plan for €3 billion support package to democratic Belarus*. Retrieved 25 May 2022, from https://ec.europa.eu/commission/presscorner/detail/en/ip_21_2685
- European Commission. (2021b, December 12). *EU further steps up its support to the people of Belarus*. Retrieved 21 May 2022, from https://ec.europa.eu/commission/presscorner/detail/en/ip_21_6794

European Commission. (2022a, March 4). *Commission suspends cross-border cooperation and transnational cooperation with Russia and Belarus.*

European Neighbourhood Policy and Enlargement Negotiations. Retrieved 19 May 2022, from

https://ec.europa.eu/neighbourhood-enlargement/news/commission-suspends-cross-border-cooperation-and-transnational-cooperation-russia-and-belarus-2022-03-04_en

European Commission. (2022b, March 18). *EU trade relations with Belarus.*

European Union. Retrieved 26 May 2022, from

https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/belarus_en

European Council. (2016, February 15). *Council conclusions on Belarus.* Retrieved 2 May 2022, from

<https://www.consilium.europa.eu/en/press/press-releases/2016/02/15/fac-belarus-conclusions/>

European Council. (2022a, January 11). *Eastern Partnership.* Retrieved 26 May 2022, from <https://www.consilium.europa.eu/en/policies/eastern-partnership/>

European Council. (2022b, April 19). *EU relations with Belarus.* Retrieved 26 May 2022, from

<https://www.consilium.europa.eu/en/policies/eastern-partnership/belarus/>

European Parliament. (2021, October 1). *The European Neighbourhood Policy | Fact Sheets on the European Union | European Parliament.* Retrieved 20 May 2022, from

<https://www.europarl.europa.eu/factsheets/en/sheet/170/the-european-neighbourhood-policy>

- European Parliament. (2022, May 19). *MEPs: All EU sanctions against Russia must apply to Belarus* | News | European Parliament. Retrieved 20 May 2022, from <https://www.europarl.europa.eu/news/en/press-room/20220517IPR29937/meps-all-eu-sanctions-against-russia-must-apply-to-belarus>
- Freedom House. (n.d.). *Belarus*. Retrieved 25 May 2022, from <https://freedomhouse.org/country/belarus/freedom-world/2022>
- French, R. A. (2022, May 2). *Belarus* | History, Flag, Map, Population, Capital, Language, & Facts. Encyclopedia Britannica. Retrieved 26 May 2022, from <https://www.britannica.com/place/Belarus>
- Gordon, M. R. (1996, November 26). *President of Belarus Wins Referendum on Expanding His Power*. The New York Times. Retrieved 26 May 2022, from <https://www.nytimes.com/1996/11/26/world/president-of-belarus-wins-referendum-on-expanding-his-power.html>
- Guarascio, F. (2022, March 2). *EU bans 70% of Belarus exports to bloc with new sanctions over Ukraine invasion*. Reuters. Retrieved 26 May 2022, from <https://www.reuters.com/world/europe/eu-approves-new-sanctions-against-belarus-over-ukraine-invasion-source-2022-03-02/>
- International Labour Organisation (ILO). (1995, April 12). *Belarus, European Union - Agreement of partnership and cooperation between the European Community and its member States and the Republic of Belarus (Text No. 2)*. ILO. Retrieved 25 May 2022, from https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=43974&p_lang=en
- Judy Asks: Is Belarus's Sovereignty Over?* (2022, February 24). Carnegie Europe. Retrieved 25 May 2022, from <https://carnegieeurope.eu/strategieurope/86512>

Official Journal of the European Communities. (1990, March 15). *AGREEMENT between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation*. Official Journal of the European Communities. Retrieved May 25, 2022, from [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:21990A0315\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:21990A0315(01)&from=EN)

Official Journal of the European Union. (2012, 10 26). *Consolidated version of the Treaty on European Union*. EUR-Lex. Retrieved May 20, 2022, from https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF

Roth, A., & Boffey, D. (2021, May 24). *Belarus KGB believed to be on plane forced to land in Minsk, says Ryanair CEO*. The Guardian. Retrieved 20 May 2022, from <https://www.theguardian.com/world/2021/may/24/belarus-seizure-blogger-ryanair-flight-us-outcry>

Sullivan, B. (2022, March 11). *Why Belarus is so involved in Russia's invasion of Ukraine*. NPR. Retrieved 20 May 2022, from <https://choice.npr.org/index.html?origin=https://www.npr.org/2022/03/11/1085548867/belarus-ukraine-russia-invasion-lukashenko-putin?t=1653061569660>