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## CIVIL SOCIETY

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## Civil Society in the Caucasus: Myth and Reality

By Jonathan Wheatley, Zurich

### Abstract

Although touted as a victory of “civil society”, the success of the Rose Revolution in Georgia in 2003 was not so much the result of a successful mobilization from below, as the outcome of a split within the ruling political elite. This article seeks to debunk the myth that the so called “colored revolutions” in the former Soviet Union represented a renaissance of civil society. It begins by exploring what we mean by civil society, what civil does and what it is not, before going on to investigate whether the organizations and popular movements that were involved in mass demonstrations in the three South Caucasus republics (Armenia, Georgia and Azerbaijan) were in fact a part of civil society or whether they were instead something quite different. It concludes that neither the recent street demonstrations nor the emerging NGO sector in the Caucasus region can really be said to constitute civil society in the way that it is normally understood. Instead it proposes the nearest there is to civil society in the Caucasus can be found in the Georgian Orthodox Church. Despite its strongly illiberal agenda and often intolerant opinions, the views of the Church are far more representative of popular opinion than those of the narrow and elitist NGO sector.

### What Civil Society is

For Philippe Schmitter civil society is

“[a] set or system of self-organized intermediary groups that: 1) are relatively independent of both public authorities and private units of production and reproduction ...; 2) are capable of deliberating about and taking collective actions in defense or promotion of their interests or passions; 3) do not seek to replace either state agents or private (re)producers or to accept responsibility for governing the polity as a whole; and 4) agree to act within pre-established rules of a ‘civil’ nature.” (Schmitter 1997: 240).

Similarly, John Keane defines civil society as

“a complex and dynamic ensemble of legally protected nongovernmental institutions that tend to be nonviolent, self-organizing, self-reflexive, and permanently in tension, both with each other and with the governmental institutions that ‘frame’, constrict and enable their activities” (Keane 2009).

Finally, Larry Diamond defines civil society as

“the realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules” (Diamond, 1994: 5).

Overall these definitions underline four key attributes of civil society: independence from the state and private

capital, self-organization, deliberation and civility. To these four key attributes, I would propose a fifth: institutionalization. Civil society is an ensemble of organizations that is not dependent on the fate of any one organization and can instead be envisaged as a mesh of strongly institutionalized networks of communication that comprise the public sphere.

Given the principle of civility, civil society can be equated with social capital, defined by Putnam as “features of social organization, such as networks, norms and trust, that facilitate coordination and cooperation for mutual benefit” (Putnam 1993).

This definition is rather similar to Schmitter’s definition of civil society, especially in terms of its requirement for organization, cooperation and civility. Moreover, the notion of “capital” suggests a kind of institutionalized “reserve” that cannot be squandered in the course of a year or two, but is instead gradually accumulated or used up over decades or even generations. By equating civil society with social capital, the development of civil society can be seen in terms of the gradual deepening and institutionalization of cross-cutting social networks and the establishment within these networks of norms of reciprocity or mutual trust.

### What Civil Society Does

In general, civil society, by aggregating citizens’ demands, by communicating these demands to the state leadership and by mobilizing significant parts of the population if they are not met, enables citizens to exert influence over government in a way that would not be possible

if society were nothing more than “atomized individuals”. The various parts of civil society together therefore ensure the principle of vertical accountability, according to which the rulers are ultimately answerable to the ruled. Civil society is seen as an essential component of a democratic regime and is held to be particularly important in preventing democratic backsliding on the part of the incumbent regime during the consolidation of democracy.

Of interest here is not only the strength of civil society, but also its capacity to remain more or less autonomous from the various political factions that are vying for power. For Barry R. Weingast, restrictions on the capacity of incumbents to transgress democratic norms will “become self-enforcing when citizens hold [them] in high enough esteem that they are willing to defend them by withdrawing support from the sovereign when he attempts to violate [them]”. This implies not only an active civil society, capable of bringing its political leaders to account, but a civil society that is prepared to put aside group interests and punish all cases of subversion by the state even if the state’s actions may benefit certain powerful factions within civil society. Weingast argues that “[p]olicing the sovereign requires that citizens coordinate their reactions” and suggests that what is needed is the “construction of a consensus about limits on the state” amongst the broad mass of citizens (Weingast 1997: 251).

### What Civil Society Is Not

Baohui Zhang distinguishes between well established societal organizations with the capacity for both representation and control (as observed in parts of Latin America and Southern Europe) with large social movements that lack these capacities (more prevalent in former totalitarian states). Social movements in Zhang’s sense of the word lack both a formal organizational structure and the capacity to deliberate; typically, they act spontaneously and are characterized by an outpouring of the population into the streets in response to a particular grievance. Often they are strongly dependent on their leaders, whose oratory most effectively expresses the grievance and thereby maintains the momentum of the protest. For Zhang, social movements in post-totalitarian settings do not necessarily promote democratization because they “lack internal control ... and are dependent on the movement for their power and influence” and as a result “employ increasingly demagogic political positions” rendering them incapable of implementing a negotiated settlement with the authoritarian regime (Zhang 1994: 134). The result of the “social movement” model of popular protest is often a “winner takes all” struggle

between the authoritarian elite and its opponents. By implication, social movements – while possibly critical during the transition phase – would lack the capacity to help forge the consensus that is necessary during the consolidation phase.

Given that our definition of civil society emphasizes self-organization, deliberation and civility, it would be stretching this definition to the breaking point if we were to equate the sort of spontaneous social movements identified in the above paragraph with civil society. Such movements are in many ways opposed to civil society as they are disorganized, spontaneous and – by their refusal to compromise – at times uncivil.

Another open question is whether or not donor-funded NGOs constitute civil society. Despite a tendency in recent literature to reflect a liberal consensus that NGOs are somehow good for democracy and good for development, NGOs can be uncivil, prioritize donor-funded service provision at the expense of political activities, and are not always representative of society (Mercer 2002). In many developing countries, including those of the former Soviet Union, they are dominated by urban, educated, middle class elites. Moreover, frequently the NGO sector is highly fragmented, consisting of a very large number of tiny organizations that are bitterly competing with one another for donor funding. As such, they fail to form an “ensemble” as Keane requires, and are not self-supporting (Diamond) as they remain dependent on donor-funding. Finally, they are often poorly institutionalized within the country and unsustainable without donor funding. This is not to say that a self-supporting, relatively united and well-institutionalized NGO sector is not possible; I merely mean to say that NGOs do not necessarily constitute civil society according to the definitions provided above.

Finally, in order to represent civil society, and still more to be effective in promoting the consolidation of democracy, societal organizations should not represent any one faction of the political elite. Groups that are dependent on political groups or parties that are vying for control of the state represent political society, not civil society.

### Civil Society in the Caucasus

The first decade of the twenty-first century saw a series of popular protests that threatened to unseat from power the incumbent rulers in Azerbaijan, Georgia and Armenia. Listing these events chronologically, the first of these protests, which occurred on 16 October 2003, was directed against perceived electoral fraud in presidential elections that brought victory to the son of the long-

time leader of Azerbaijan, Heidar Aliiev. The rebellion was put down within hours by the Azeri security forces.

The second was the only successful protest, when large crowds in the centre of Tbilisi forced the resignation of long-time leader Eduard Shevardnadze after disputed parliamentary elections on 2 November 2003. The success of the so-called “Rose Revolution” in Georgia provided the impetus for protests in Armenia the following year; a campaign to remove President Robert Kocharian was launched in March–April 2004 on the grounds of suspected vote-rigging in elections the previous year. The protests were suppressed early in the morning of 13 April, when internal security forces used water cannons and batons to disperse demonstrators from the city centre and went on to raid the headquarters of three opposition parties.

The next set of demonstrations occurred once again in Georgia, when tens of thousands of people took to the streets calling for the resignation of President Mikheil Saakashvili in early November 2007, resulting in a police crackdown and a nine-day state of emergency. The Armenian presidential elections provided the backdrop for the next set of protests in February–March 2008, when demonstrators took to the streets in protest at the victory of Serzh Sarkisian, allegedly with the help of election fraud. Once again the police used force to put down the protests, resulting in the deaths of eight people. Finally, Tbilisi was again the scene of opposition protests from April to July 2009, which were aimed once more at forcing the resignation of Mikheil Saakashvili. This time the authorities used a softly-softly approach and waited for the protests to dwindle of their own accord.

The one successful case of regime change through popular protests – the 2003 Rose Revolution in Georgia – led some observers to highlight the role of civil society in bringing authoritarian or semi-authoritarian leaders to book (Demes and Forbrig 2007). This idea that civil society in the former Soviet Union was a driving force for political change was reinforced by the Orange Revolution in Ukraine in November–December 2004 and the Tulip Revolution in Kyrgyzstan in March 2005.

However, if we look further at the six sets of protests in the Caucasus region identified above, we see that the Rose Revolution was successful not only because of the strength of the protests, but because of the internal divisions within the Shevardnadze administration. By 2003 Shevardnadze was relying on an ever more narrow circle of family friends and former communist apparatchiks and no longer had a winning coalition amongst those with coercive power (Wheatley 2005: 175–196). Those opposing him, including the man who would replace

him, Mikheil Saakashvili, were former Shevardnadze associates who had held top posts in the parliament and in government. Shevardnadze had even lost control of the poorly-paid and notoriously corrupt police force, and senior officers began progressively to desert him. Although the size of the demonstrations was just as large in Armenia in 2004 and in Georgia again in 2007 and 2009, the regimes were far more coherent and united and were able to resist the protests and remain in power.

Moreover, if we look more closely at the protest movements in the Caucasus, we see that the assumption that civil society played the key role in the protests – at least if we stick to the definitions of civil society provided above – is questionable. Indeed it is even open to question whether either the demonstrators that took to the streets or the NGO leaders that helped to co-ordinate them belonged to civil society at all. The mass of demonstrators resembled far more a social movement in Zhang’s sense of the word – spontaneous, disorganized and uncompromising – than civil society. Most of the protesters belonged to no organization, were driven onward by the fiery rhetoric of their leaders and would accept nothing less than the complete capitulation of their opponents. Their struggle with the authorities was a zero-sum game in which one would emerge victor and the other vanquished. Negotiation, deliberation and compromise were an anathema to such movements. Moreover, the networks that were used to mobilize them were short-lived and ephemeral and disintegrated after the success or failure of the protests. Once again they fail to satisfy the condition that civil society must be, in one way or another, institutionalized.

### The NGO Movement

The role of NGOs in the so-called “colored revolutions” is also cited by some commentators as evidence of the revival of civil society in the post-Soviet space. On the face of it, this appears to be a quite plausible explanation. By 2002 there were estimated to be around 5,000 NGOs in Georgia and NGO leaders took part in coordinating the protests and mobilizing protesters during the Rose Revolution. However, if we look beneath the surface we see that Georgian civil society was not what it seemed. Of the 5,000 or so NGOs, only 600–800 had carried out at least one project and most of these were small and highly dependent on outside donor funding. Only around 200 were considered to be relatively stable and just 20 to 30 had permanent staff and boards (Nations in Transit 2004). Those actively involved in organizing the Rose Revolution probably numbered little more than a dozen and the number of individuals coordinating the

protests therefore represented a tiny segment of society. In fact, at the national level, the most prominent organizers were Giga Bokeria, Giorgi Targamadze and Levan Ramishvili, the leaders of an NGO called the Liberty Institute. However, by 2003 the Liberty Institute and a handful of other politically active NGOs were co-operating closely with Mikheil Saakashvili's National Movement and it is therefore hard to distinguish their leaders from opposition party activists.

Since the Rose Revolution, many of the most prominent NGO activists in Georgia (including Bokeria and Targamadze) have entered active politics with the (now ruling) United National Movement. As a result a number of commentators have lamented the depletion of the NGO sector and its reduced influence on the body politic (Nations in Transit 2009). However, it would be a mistake to interpret the loss of a few individuals from the NGO sector as a weakening of civil society because if "civil society" can be undermined by the absence of a small number of key people, it is not civil society as we understand it. The year-on-year vicissitudes in the capacity of the NGO sector in Georgia and its Caucasian neighbors provides further evidence that the NGO movement does not constitute civil society as it does not represent an ensemble of relatively well-institutionalized societal networks that aggregate and articulate the interests of citizens. The problem with the NGO sector in Georgia – as well as in Armenia and Azerbaijan – is that it represents no more than a narrow stratum of political activists that belong more to political society than to civil society or, alternatively, providers of (mainly foreign-funded) humanitarian support.

### Conservative Civil Society and the Church

Probably the only well-institutionalized civil society actors in the region are the established churches of Armenia and Georgia. Of these, it is questionable whether the Armenian Apostolic Church can be said to constitute a civil society because of its close co-operation with the authorities. In recent elections the Armenian clergy were reported to have actively supported President Serzh Sarkisian and the ruling Republican Party.<sup>1</sup> In Georgia, the Orthodox Church is more independent and has exerted strong leverage on both Eduard Shevardnadze's government and subsequently Mikheil Saakashvili's administration. During the Shevardnadze period

it was pressure from the Orthodox Church that led, in March 2001, to a decision by Parliament to amend the Constitution in order to grant the Orthodox church and its clergy a privileged position in Georgian society. Despite the widely suspected hostility of some members of the United National Movement towards the Georgian patriarchy, the new government has not reversed the 2001 Concordat and the Church remains the most trusted institution in Georgia according to virtually all national opinion surveys.

In October 2009 after a video posted on YouTube mocking the Georgian Patriarch had appeared on the Facebook page of Tea Tutberidze, one of the leaders of the pro-government Liberty Institute, the Church accused a number of pro-government media channels of attacking the Church as the video sparked protests from both the Church itself and from the opposition. As a result, President Saakashvili's office was forced to step in with a statement condemning any attacks on the Church, claiming that they "wittingly or unwittingly" served the purpose of splitting society. While it is possible that some individuals close to the authorities are frustrated with the Patriarch's role in society, the authorities remain loathe to attack the Church, given the latter's strong institutional backing within both state and society.

However, the Georgian Orthodox Church seeks to propagate a vision of Georgia that is strongly opposed to that of many of the liberal-minded and western-funded NGOs. Deeply conservative and vehemently opposed both to non-Orthodox religions and to alternative lifestyles, it is believed that the Georgian Orthodox Church left the World Council of Churches in 1997 because of the endorsement by some churches of women priests, the revision of Christian views on homosexuality, as well as use of inclusive language for the Bible.<sup>2</sup> Amid rumors that a gay rally was to be held in Tbilisi in July 2007, resistance by the Church ensured that no such rally would take place and the Georgian patriarch, Ilya II, publicly opposed such a rally. A Church-sponsored organization called the Orthodox Parents Union regularly campaigns against the Vatican and in May 2009 disrupted a meeting held by the German-based Heinrich-Boell Foundation to commemorate the International Day Against Homophobia and Transphobia.<sup>3</sup> While the views of such

1 Manvel Sargsyan, "The problems of Constitutional state building and Armenian Apostolic church", Religions in Armenia, <http://www.religions.am/eng/index.php/home/79-the-problems-of-constitutional-state-building-and-armenian-apostolic-church.html>, 8 January 2010.

2 Orthodox Christian Information Centre, "Georgian Orthodox Church to leave WCC and CEC", originally posted by Ecumenical News International, ENI News Service (26 May 1997) at [http://www.orthodoxinfo.com/ecumenism/georgia\\_wcc.aspx](http://www.orthodoxinfo.com/ecumenism/georgia_wcc.aspx), 8 January 2010.

3 "IDAHO in Tbilisi: Orthodox group disrupts homophobia related discussion insulting participants" (2 June 2009) at <http://idahomphobia.org/wp/?p=1382&lang=en>, 8 January 2010.

organizations are shared by a large majority of the Georgian population they do not reflect the liberal western conception of civil society.

### Conclusion

Despite appearances to the contrary, civil society in the Caucasus region remains weak and fragmented. While it is true that mass protests directed against the incumbent authorities have been observed on a number of occasions, demonstrations that are not supported by well-organized and institutionalized civil society networks and organizations are ephemeral phenomena that cannot be sustained in the long term. They represent spontaneous and dis-

organized social movements, led by more or less charismatic leaders, rather than civil society as understood in terms of social capital. Moreover, they will only succeed when the incumbent regime is fatally divided. The NGO sector too has proven to be an ephemeral phenomenon; while a multitude of NGOs exist, few are active beyond the provision of basic goods and services. The few that are active are recruited from a narrow stratum of the urban intelligentsia and can be readily incorporated within the political elite. NGOs may have the capacity to recruit new political leaders but they do not, at present, form the basis for civil society.

### About the Author

Dr Jonathan Wheatley is a senior researcher at the Centre for Research on Direct Democracy (c2d) in Aarau, Switzerland. He is also lecturer at the University of Zurich and the Swiss Federal Institute of Technology in Zurich (ETH). Before moving to the University of Zurich he was a researcher based at the Institute of East European Studies at the Free University in Berlin and was later a research associate at the European Centre for Minority Issues at Flensburg, Germany.

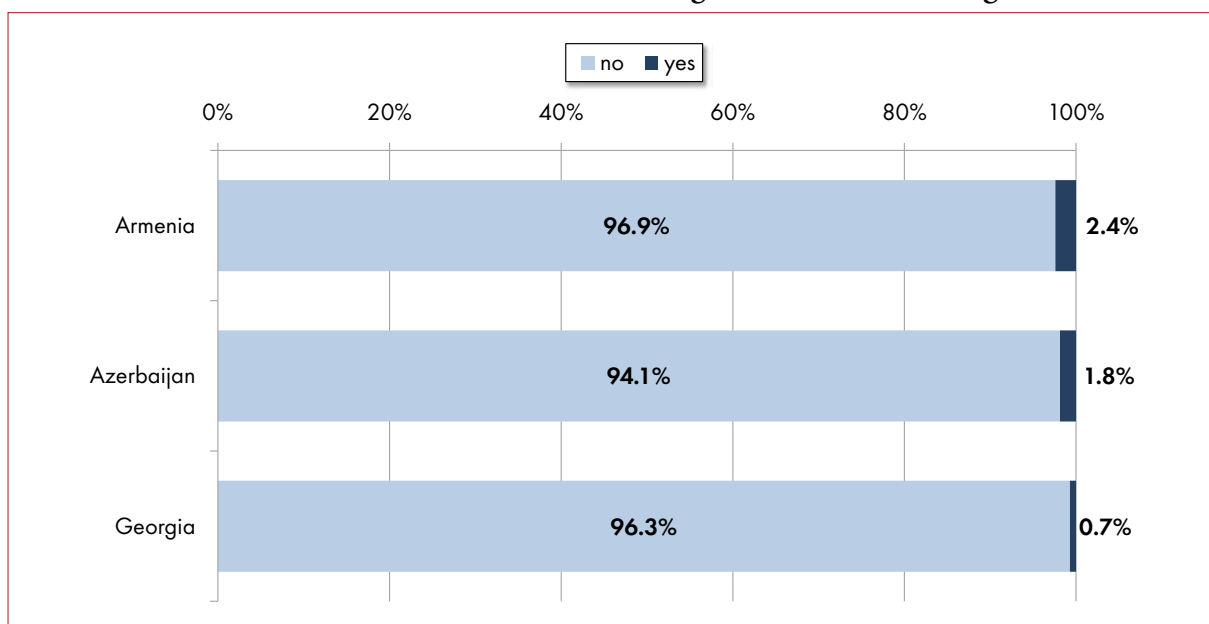
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## Tables and Diagrams

### Civic Participation in the South Caucasus (2007)

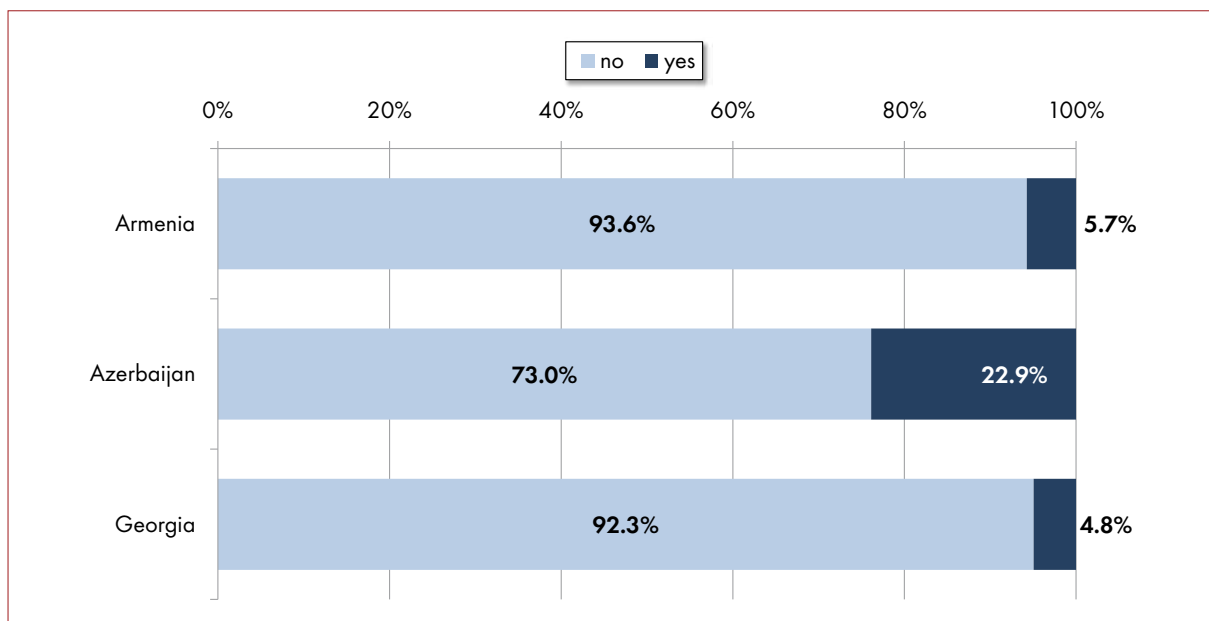
Within the Last Six Months, Did You Go to a Meeting of a Club or Civic Organization?



Source: opinion poll conducted by the Caucasus Research Resource Centers, 2007,

<http://crrc-caucasus.blogspot.com/2008/10/comparing-civic-participation-caucasus.html>

Within the Last Six Months, Did You Do Volunteer Work?

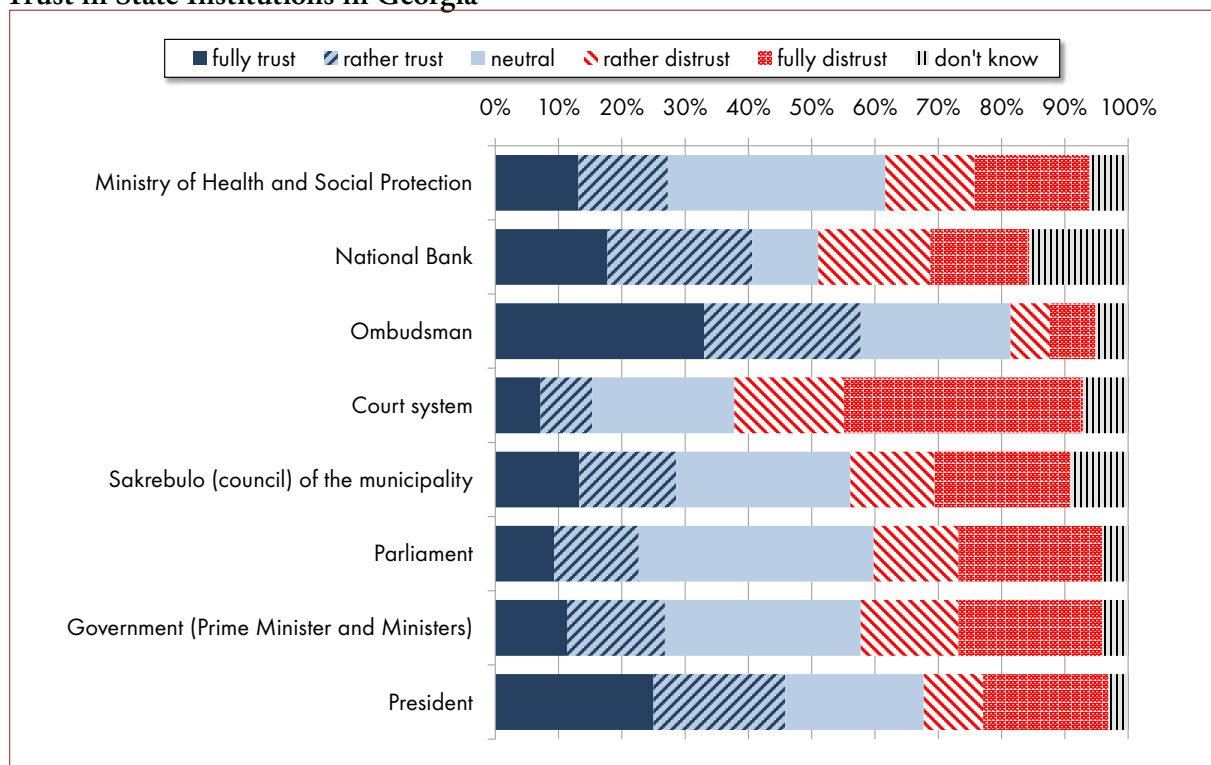


Source: opinion poll conducted by the Caucasus Research Resource Centers, 2007,

<http://crrc-caucasus.blogspot.com/2008/10/comparing-civic-participation-caucasus.html>

## Trust in Institutions in Georgia (2008)

### Trust in State Institutions in Georgia

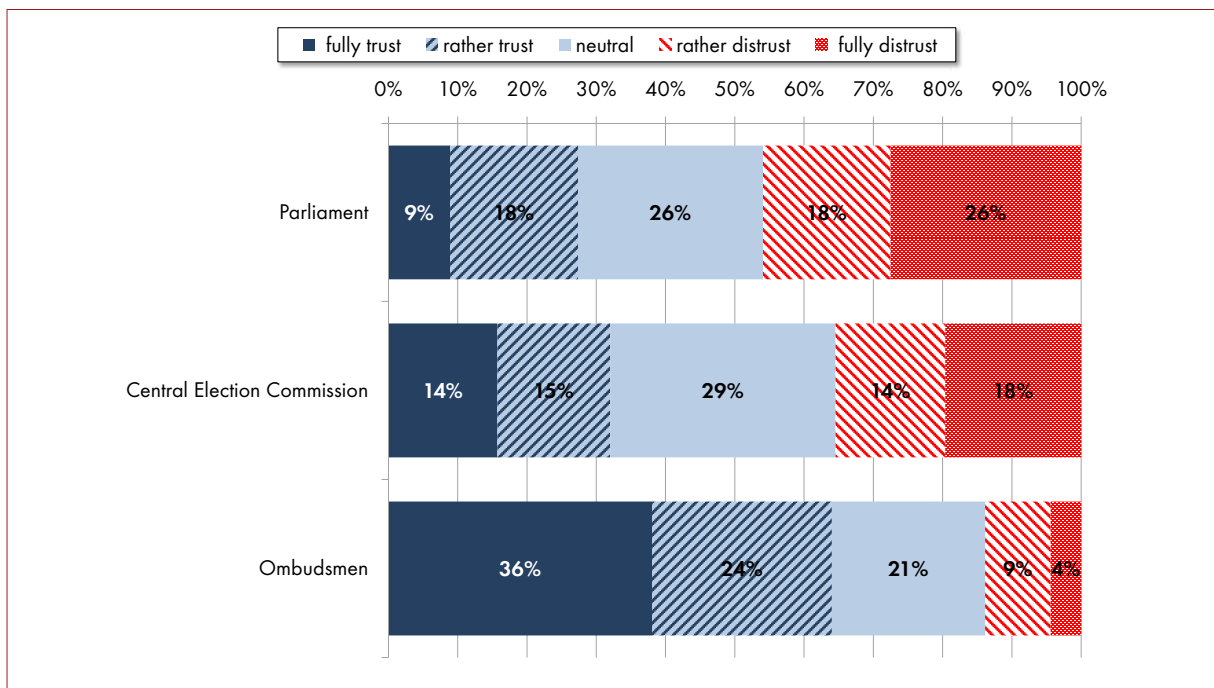


	Ministry of Health and Social Protection	National Bank	Ombudsman	Court system
fully trust	13%	17%	32%	7%
rather trust	14%	22%	24%	8%
neutral	34%	10%	23%	22%
rather distrust	14%	17%	6%	17%
fully distrust	18%	15%	7%	37%
don't know	6%	15%	5%	7%

	Sakrebulo (council) of the municipality	Parliament	Government (Prime Minister and Ministers)	President
fully trust	13%	9%	11%	24%
rather trust	15%	13%	15%	20%
neutral	27%	36%	30%	21%
rather distrust	13%	13%	15%	9%
fully distrust	21%	22%	22%	19%
don't know	9%	4%	4%	3%

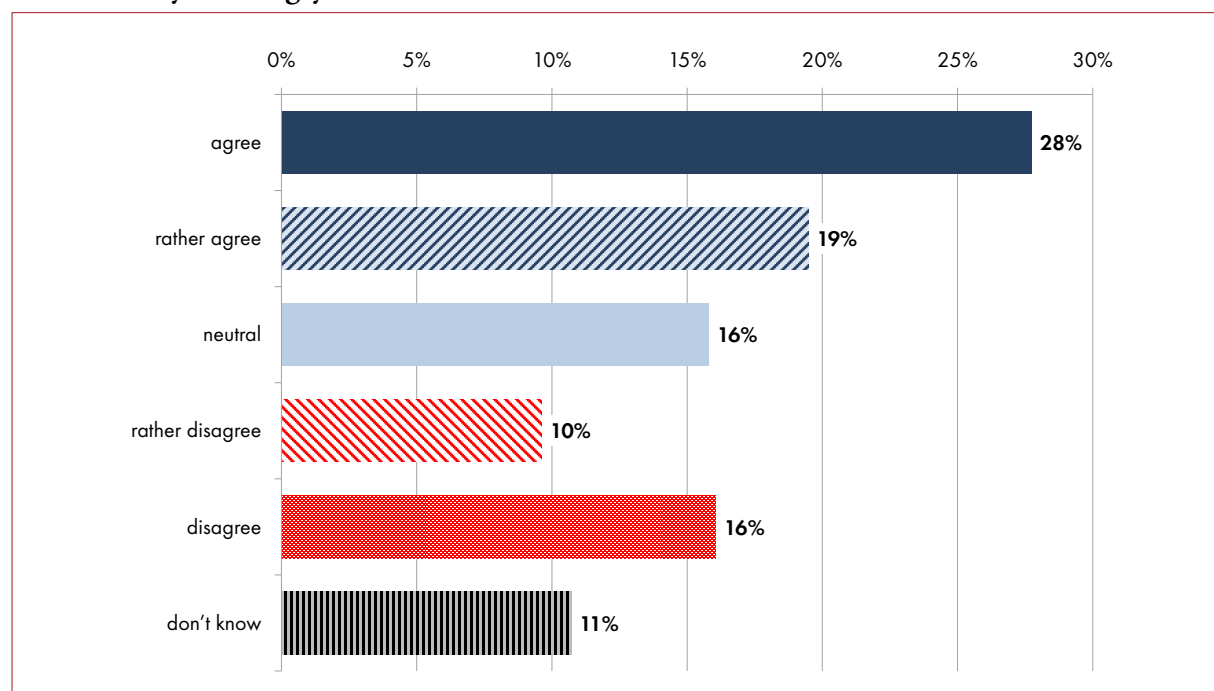
Source: opinion poll conducted by the Caucasus Research Resource Centers, 2008, <http://www.crrccenters.org/>

## Trust Levels in State Institutions in Georgia



Source: opinion poll conducted by the Caucasus Research Resource Centers, 2008, <http://www.crrccenters.org/>

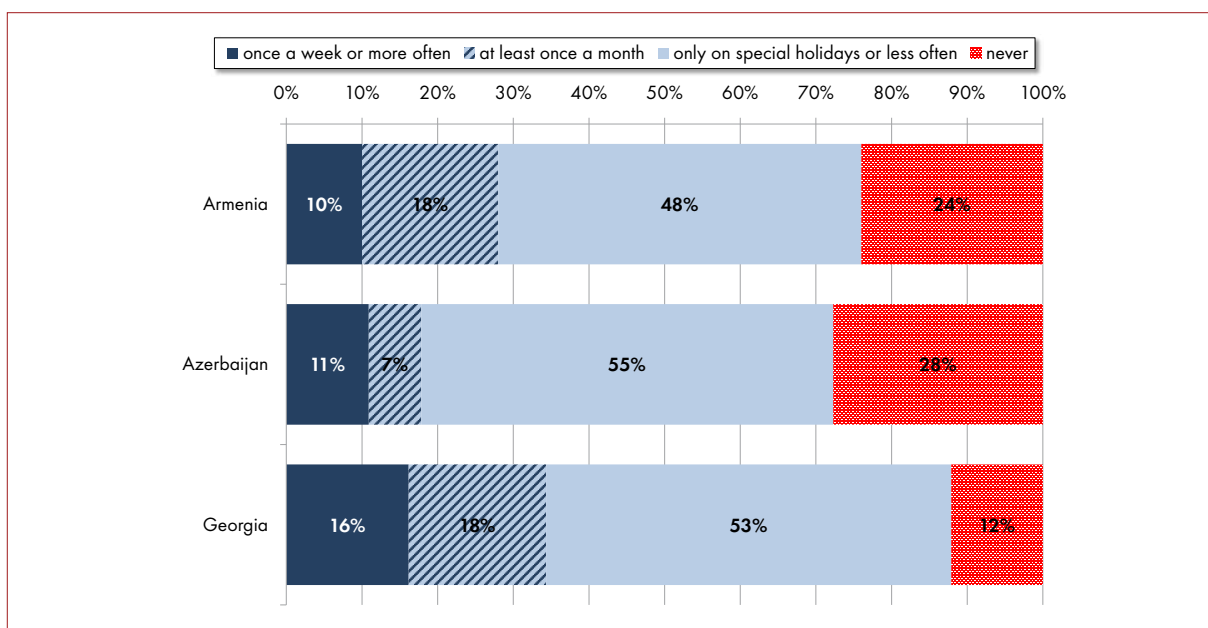
## The Government Listens to the People Only When They Organize Together in Large Numbers to Show They Are Angry.



Source: opinion poll conducted by the Caucasus Research Resource Centers, 2008, <http://www.crrccenters.org/>

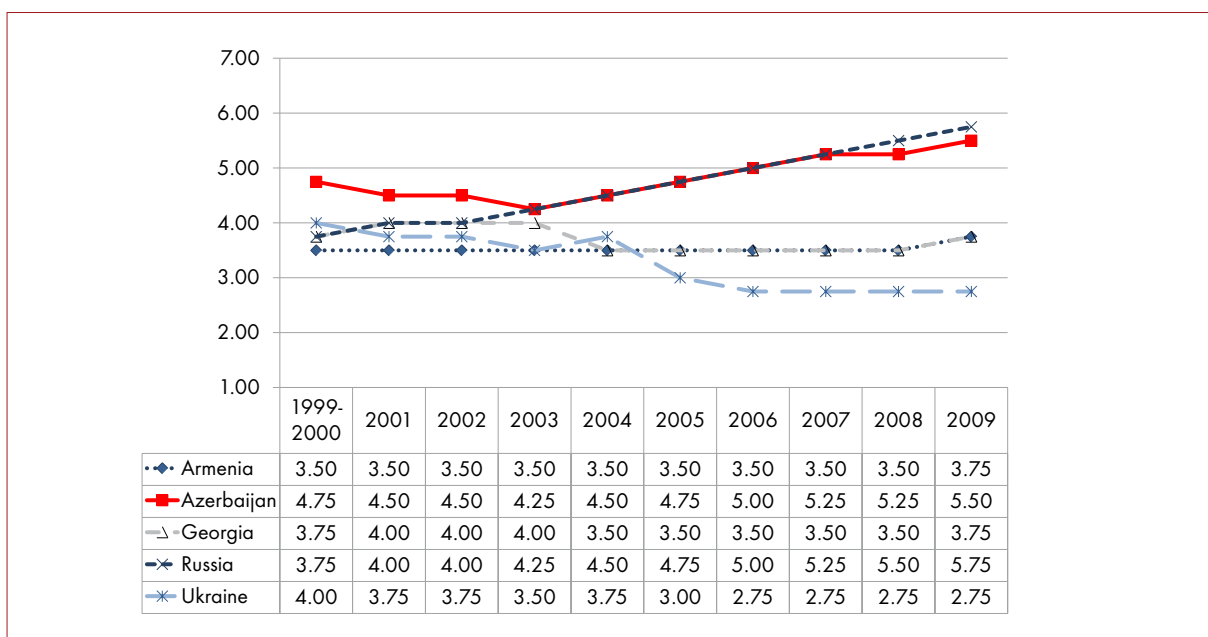
## Religious Feeling in the South Caucasus (2007)

### How Often Do You Attend Religious Services?



Source: opinion poll conducted by the Caucasus Research Resource Centers, 2007, <http://www.crrccenters.org/>

## Nations in Transit “Civil Society” Ratings for the South Caucasus Countries, Russia, and Ukraine (1999–2009)



NB: The ratings are based on a scale from 1 to 7, whereby 1 represents the highest level of democratic progress and 7 the lowest.

Source: Freedom House Nations in Transit Country Reports, <http://www.freedomhouse.org/>

## Can the Eastern Partnership Program of the EU Help Civil Societies in Participating States?

By Ghia Nodia, Tbilisi

### Abstract

The European Union's Eastern Partnership Civil Society Forum exemplifies the EU's vague foreign policy initiatives toward its eastern neighbors. However, the civil society organizations that make up the Forum have sought to transform it into a meaningful instrument for the support of civil society in fledgling democracies and autocracies in eastern Europe. Through lobbying efforts, as well as developing and implementing a variety of communication plans, their efforts may help promote incremental change.

### Vagueness and the Need for Creativity

It is conventional wisdom among analysts and politicians that, so far, the EU's Eastern Partnership Program (EaP) is an empty shell. It began as a political initiative proposed by the Polish and Swedish leadership and was more or less reluctantly accepted by the rest of Europe. The sense of confusion in the wake of the August 2008 Russian-Georgian war contributed to the decision: Europe felt it had to respond but did not know how. Europeans could not agree on any strong response to Russia ("there is no way to isolate Russia" was the dictum of the day). The result was a tacit recognition that Russia could get away with what it had done in August. But this acquiescence had to be balanced by at least some gesture showing that Europe would not really accept the former Soviet Union as a sphere for exclusive Russian hegemony. Launching EaP was, first and foremost, a political statement: the European Union particularly cares about developments in the geographically and culturally European part of the former Soviet Union, and is going to be present and active there.

European initiatives are well known for their vagueness and generality – especially when they are about foreign policy but do not include a promise of accession to the EU. This one may be particularly difficult to develop into something substantive. First, some countries, especially Germany, do not like any European policy that makes Russia unhappy – and Russian leaders did not hide their wrath at this initiative, which they saw as a European encroachment on their legitimate sphere of influence. Therefore, these countries will not particularly encourage filling the new European instrument with greater political and economic substance. Second, the six participating states (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine) are too different in their attitudes to Europe, as well as in their levels of democracy or autocracy. How to design a policy that would

be at the same time concrete and applicable to such a diverse group of countries – because all of them are also supposed to agree on those policies within bilateral and multilateral frameworks?

Creative vagueness has its strong sides too – and Europe is also known for gradually filling broad frameworks with substance, and moving forward in slow and incremental, but ultimately sure steps. Empty shells also imply opportunities: they call for specific initiatives.

### A Small Color Revolution in Brussels

The story of the Eastern Partnership Civil Society Forum may be an excellent case study. The Forum was convened in Brussels on November 16–17, 2009, and it included representatives of up to 150 civil society organizations (CSOs) from the six EaP countries, as well as European practitioners active in promoting democracy and civil society. The Forum was probably also intended as a gesture of sorts: It was supposed to demonstrate that EaP is not only about EU relations with governments (who happen to be mostly autocratic or semi-autocratic): Civil societies should be involved as well. The meeting was facilitated by a Steering Committee created by the European Commission, and the EU selected (on a competitive basis) participating organizations.

The specific way of the involving CSOs was to let them design a series of recommendations with regard to each of four thematic platforms that are supposed to constitute the substantive backbone of the new EU instrument. The recommendations were then handed to Benita Ferrero-Waldner, European Commissioner in charge of External Relations and European Neighbourhood Policy, who expressed appreciation for the work and activism of the civil societies in the six participating countries, though – quite naturally – did not promise that all the recommendations would be taken up.

Apart from this, a parallel process also unfolded that was not part of the official Forum agenda, so it had to take part during the breaks, at night, or partly forced upon the moderators during the planned sessions. The idea of a number of organizations – the Ukrainians and Belarusians were most active, being supported by some activists from EU countries, especially Poland – was to establish an EaP Civil Society Forum as a stable self-governing organization rather than a forum for occasional meetings convened and facilitated by the EU. The Brussels meeting was to provide some source of democratic legitimacy for such an endeavor by having the attending participants elect steering committee members according to specific pre-designed quotas. So that what started as a top-down process (meeting of CSOs selected by the European Commission) would turn into a bottom-up one (CSO representatives from different countries democratically elect their own Steering Committee).

This looked somewhat like a small “color revolution” re-enacted in Brussels – after all, participants came from the countries where CSOs either had been leading forces in such revolutions, or dream of doing something similar in the future. At times debates between revolutionary CSOs and representatives of the Commission became quite heated – one participant from Belarus even accused a European facilitator of making him feel like he was in his native (autocratic) Minsk.

The democratic legitimacy of the “revolution” was questionable: Since participants themselves had been selected by the EC, they had to reluctantly admit (under some pressure) that their claim to being “national delegations” representing civil societies of respective countries was not valid. On the other hand, EC representatives grudgingly accepted the “democratically” elected 17-member Steering Committee. Everything ended in a classical European compromise. A step towards establishing a new Civil Society Forum (CSF) was made. The new Steering Committee is expected to meet in the near future in Brussels and we shall see what the new entity will be like.

### EaP and Civil Society Needs

The quasi-democratic and self-governing nature of the newly established CSF is not the main issue, though. The unplanned development in Brussels only shows that CSOs in the participating states are eager to take advantage of any opportunity to enhance their status and influence, and may be capable enough to succeed – at least when faced by European bureaucrats rather than their native autocrats. Now the question is: What can the EaP do for the civil societies of the participating countries,

apart from symbolic recognition of their importance? What is the added value of the new European instrument in this respect?

The core problem is that in all EaP countries democracy is either purely formal or fledgling at best, and civil society feels either weak or endangered. In a highly notable development, Tatsiana Shaputska, a CSF participant from Belarus, was expelled from her university in early December, and it is widely believed that participation in the CSF was the real reason. Will the EaP significantly help development of democracy in those countries?

This is rather questionable. Experience shows that without the promise of membership, EU conditionality instruments are not very powerful, especially when they face fairly stable autocratic regimes like those in Belarus and Azerbaijan. However, civil society organizations there need a strong friend and protector, and the European Union could be one. It cannot turn those countries into democracies, but it can help in expanding the breathing space for civil society in them. The new CSF could be a major force lobbying Brussels to use whatever political leverage it has for this honorable task, and turn its attention to particular cases and opportunities. That is quite a job in itself.

Another big area for activity is coaching CSOs from participating countries in the European ways of doing things. The prospect of EU membership is very remote even for the countries where CSOs are fairly free to pursue their agendas, such as Ukraine, Moldova, and Georgia. But in these and all other EaP countries, prospects for advancing democracy in general, and developing civil society in particular, are largely linked to the process of moving closer to Europe. The EaP does not have an efficient mechanism of sticks and carrots expressed in conditionality – and this conditionality is to be applied to governments anyway. But CSOs can and should be major carriers of European *socialization*.

In general, EaP is an instrument supposed to make participating countries more European. This goal should be reached not only through bilateral contacts between the EU and individual states, but through the multi-lateral format of the EaP. However, the governments of participating states have very diverse agendas and varying levels of interest towards cooperating with the EU. CSOs are much more prepared for working together to Europeanize their respective countries – and they can start by Europeanizing their own milieu.

This is why, apart from the task of lobbying for greater support for civil society in EaP countries by the EU, the CSF should focus on developing and implementing a coherent *communication strategy*. In fact, there should

be multiple communication strategies. One is needed on the general EaP level, and the CSF Steering Committee will have the job of designing it. However, it may be even more important for civil society groups within participating countries to develop operational communication

instruments (especially through the Internet) to make the best use of new opportunities emerging from EaP and its CSF. These institutions will not work miracles – but as we said already, EU instruments are at their best when they work in incremental steps.

*About the Author:*

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## Civil Society in Azerbaijan: Under Fire but Still Resisting

By Shain Abbasov, Baku

### Abstract

The situation with basic human, civil, and political rights and freedoms has been deteriorating considerably in Azerbaijan since 2003 – the year in which a new president took office and a massive inflow of petrodollars started to fill the state coffers. Azerbaijan's democracy record has been traditionally poor, but it has worsened during the last seven years. Today, there is no political opposition or independent media. Society lives in a general sense of apathy and fear. Against this background, the country's civil society sector, which numbers more than 3,000 non-government organizations (NGOs), remains the only safeguard resisting the country's slide into full-scale dictatorship. Thus, the civil society sector is gradually becoming the main target of government attacks.

### Azerbaijan's Democracy Record in 2009

The system of checks and balances between the branches of power does not work in Azerbaijan as the executive, headed by President Ilham Aliyev, exercises tight control over the legislature and judiciary. Neither parliament nor the court system provides any efficient mechanism to protect civic, property and media rights. The windfall from oil revenues, which was the basis for economic growth in Azerbaijan during recent years, as well as the country's close ties to foreign oil companies and Western states, provided the government with the confidence it needed to pursue an authoritarian path in domestic affairs. This authoritarianism works in parallel with massive corruption. According to Transparency International's 2009 Corruption Perceptions Index, Azerbaijan ranks a dismal 143<sup>th</sup> out of the 180 countries on the list.

Azerbaijan's democracy record worsened considerably during 2009. In January, the government canceled the FM broadcast licenses for several popular foreign radio stations, including the Azerbaijani services of Radio Liberty, the BBC and Voice of America. A popular referendum on constitutional changes conducted in March

removed the two-term limit for presidents, allowing the incumbent to remain in office indefinitely. Also in March, parliament reduced the freedom of religion by tightening state control over Muslim communities and limited freedom of speech through amendments to the laws dealing with the mass media and television and radio.

### Curbing Internet Freedom and Arresting Bloggers

In 2009, the government began attacking freedom of speech on the Internet. Traditionally, this area had been a relatively free space in which young people could express their opinions and take part in vigorous debates. However, now the authorities are openly speaking out in favor of legislative restrictions and supervision over publications on the Internet. Government officials also seek to regulate audio and video products placed online.

The purpose of these efforts is to slow the development of civic journalism, including Internet TV and radio, and also to curb the growing activity of youth groups via online social networks. Due to the lack of

independent traditional media and general restrictions on free debate in society, the Internet became the single most important tool for young people in Azerbaijan to express their political views and to obtain unbiased information. Therefore, the younger generation rushed to take advantage of the opportunities offered in the virtual world, and currently Azerbaijan leads the South Caucasus in the number of personal blogs and Facebook pages, with more than 25,000 blogs compared to 6,000 in Georgia and about 4,000 in Armenia.

The social potential of the Internet became apparent to the government when the day after a terrorist attack against the Azerbaijan State Oil Academy in April 2009 about one-thousand young people took to the streets after organizing a meeting over Facebook.

Internet social networks also played a critical role in the huge international public campaign launched to defend two bloggers and youth activists, Emin Milli, 30, and Adnan Hajizada, 26, who used new technologies and social networks extensively in their public activities. In November 2009, a district court sentenced Milli and Hacizada to two-and-a-half and two years of prison respectively. They were charged with hooliganism following an incident in a restaurant in July. International human rights advocates argue that the two bloggers were arrested for political reasons and that they did not receive a fair trial or sentences. The authorities have used the case to harass young people as they prepare for the November 2010 parliamentary elections.

International civil society organizations, high-ranking European and US officials, and parliamentarians from many countries expressed deep concern over the case. Council of Europe Secretary General Thorbjørn Jagland even warned that continued repressions against the free media might challenge Azerbaijan's membership in this organization. However, the authorities continue to confidently ignore all international criticism.

Social activities and networking on the Internet had been on the rise before the arrest of the two bloggers. It was particularly popular among the alumni of Western universities. The Internet is still seen as a major arena in the fight for freedom of speech in Azerbaijan, and it is unlikely that the government will be able to fully control it. Yet the harsh sentences given the two bloggers could discourage many youth from engaging in social networks, at least in the near future.

### **Pressure on NGOs: The Case of Nakhchivan State University**

NGOs in some Azerbaijani regions are facing even more serious government pressure. In December 2009, the

authorities used violence against journalists and human rights activists in the Nakhchivan Autonomous Republic. During the morning of December 15, about 40 people led by Mammad Razi, Vice President of Nakhchivan State University, and Elman Jafarly, chief of the university branch of the ruling Yeni Azerbaijan party, severely beat three investigators studying corruption at the university.

The victims were Ilgar Nasibov, an employee of the Nakhchivan Resource Center and correspondent in Azerbaijan for Radio Liberty, human rights activist Vafadar Eyvazov and journalist Elman Abbasov. "We interviewed students and distributed booklets among them to familiarize them with their rights. Nakhchivan State University demanded that we leave the university building. We left and continued our work in the Resource Centre office, but they came here without notice and attacked us," Nasibov told journalists.

Nasibov's rib and nose were fractured and he suffered cuts and bruises on his face. The others were also injured. However, the hospitals in Nakhchivan refused to provide first aid to them. Law-enforcement agencies also refused to accept their complaints. Nasibov and Eyvazov applied to the Media Rights Institute Director, who will lodge complaints with the Ministry of Internal Affairs and the Azerbaijan General Prosecutor's Office.

Following the incident, the representative office of the Nakhchivan Autonomous Republic in Baku issued a "Soviet style" statement on the events. The statement denied that the authorities had used violence against the journalists and representatives of civil society, but declared their activity as "hostile and anti-national." Nakhchivan's representation claimed that the Resource Center and Institute for Reporters' Freedom and Safety (IRFS), a nation-wide media watchdog, have been operating in Nakhchivan "illegally," because "they have not been granted state registration." "Ilgar Nasibov and Vafadar Eyvazov were born in Nakhchivan, but they are ready to sell everything for money," the statement reads in the best Soviet traditions. However, Malahat Nasibova, head of the Resource Centre, said that it was registered in the Nakhchivan Justice Ministry in 2004.

Increased government pressure on all areas of public life combined with the controlled judiciary have narrowed the space for NGO activity throughout Azerbaijan. According to official statistics, there are more than 3,000 registered non-governmental organizations in the country, however, only about 100 of them are active and truly independent. Many so-called GONGOs (pro-governmental NGOs) have appeared during recent years to serve various purposes – to dilute the free civil society

environment and absorb part of the funds allocated by Western donors for civil society development in Azerbaijan. Needless to say, these GONGOs do not challenge government policy much.

NGO registration remains a serious problem in Azerbaijan as many organizations, both in the capital city Baku and in the provinces, have unsuccessfully sought to win official registration for years. Many of them function without registration, but the lack of official status creates many logistical and other problems for them.

### Against all Odds: NGO Success Stories

Nevertheless, Azerbaijan's civil society remains among the strongest in the region, with several well-institutionalized, active, efficient and independent organizations working in almost all areas of public life. There are more than ten strong human right organizations and watchdogs enjoying well-established links with international organizations and Western human rights groups. These NGOs play important roles in protecting human rights, monitoring the situation in prisons, campaigning against tortures and a variety of other tasks.

In the area of freedom of speech there are several efficient NGOs protecting media and journalists' rights, including the Institute for Reporters' Freedom and Safety (IRFS), the Media Rights Institute (MRI), the Legal Education Society and others. More than a dozen economic think-tanks are united in the National Budget Group, a professional watchdog looking into the issue of oil revenue distribution by the government.

There are also many NGOs working independently in different areas of public life in Azerbaijan, including education, public healthcare, and youth activism. These NGOs were able to unite and, rather surprisingly, managed to put up a successful resistance to government plans to make draconian amendments to the "Law on Non-Governmental Organizations in Azerbaijan" in summer 2009. If passed, the amendments presented to the parliament for consideration in June would have established serious obstacles for the continued existence of independent NGOs in the country. The draft proposed a ban on NGOs which received more than half of their funding from foreign donors, declared unregistered NGOs illegal, and put restrictions on the activity of foreign non-governmental organizations.

Within a short period of time, civil society leaders managed to launch serious domestic and international

campaigns against the draft. Strong international protests doubled the pressure on the government and it had to step back from its original proposals. Ultimately, the parliament adopted a much softer version of the law.

### "State NGO Support Council"

In early 2008, President Ilham Aliyev set up the "State NGO Support Council", a government-financed body envisaged to support civil society activism in Azerbaijan. The Council, which is headed by a member of Parliament, is not considered an independent organization by many local experts and NGO leaders.

The massive inflow of oil revenues and the high inflation rate in Azerbaijan during recent years has enabled the government to finance its own state-loyal NGO-network. Within two years the Council awarded grants worth more than about \$4 million, but mostly to GONGOs and for activity which does not challenge key lines of government policy. As a result, the Council turned into an organization which in fact supports government attempts to monopolize civil society activism and diminish the role of foreign donors.

Despite the Council's existence, most independent NGOs still depend on foreign donors for 100 percent of their budgets. The US National Endowment for Democracy, the Open Society Institute (Soros Foundation), USAID, the European Commission and several Norwegian, British, and Danish organizations are among the most active donors in Azerbaijan.

It can be expected that the government, which is annoyed by the existence of independent civil society groups, will continue its attempt to suppress this sector, to silence the most active NGO leaders and to restrict the activity of foreign donors in Azerbaijan in the future. Such efforts could force civil society into becoming something like a dissident movement operating underground.

Paradoxically, while the country became much richer since 2003, civil society and independent media need much more financial support from the outside. It is possible that the government will seek to impose even harsher legal measures on NGO activity in the future. Therefore, it is vitally important that Western donors continue and increase their support for Azerbaijani civil society groups, which are currently on the frontline of the struggle to improve the country's democracy and human rights record.

#### *About the author:*

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## Chronicle

### From 19 November 2009 to 19 January 2010

19 November 2009	Azerbaijani President Ilham Aliyev accuses Armenia of delaying efforts to resolve the Nagorno-Karabakh conflict
19 November 2009	Armenian Prime Minister Tigran Sarkisian becomes a member of the ruling Republican Party of Armenia (HHK)
22 November 2009	Armenian President Serzh Sarkisian and Azerbaijani President Ilham Aliyev meet in Munich to discuss the Nagorno-Karabakh conflict
24 November 2009	Georgia releases three Russian citizens arrested at the administrative border with South Ossetia
27 November 2009	Georgian Defense Minister Bacho Akhalaia meets with Polish Defense Minister Bogdan Klich in Tbilisi
28 November 2009	Two leaders of the Armenian Revolutionary Federation party (Dashnaksutyun) criticize Russian policies towards Turkey and Azerbaijan, in particular Russia's deepening military cooperation with the two countries
2 December 2009	Former British Prime Minister Tony Blair held talks with Azerbaijani President Ilham Aliyev in Baku
7 December 2009	Iran plans to cancel its visa regime with Azerbaijan
4 December 2009	The Georgian Parliament approves Georgia's 2010 state budget
5 December 2009	The Armenian government unveils plans to create a Russian-Armenian joint venture to build a nuclear power station
12 December 2009	Two Russian coast guard boats are deployed in Abkhazia
13 December 2009	Sergey Bagapsh is re-elected after presidential elections are held in the breakaway region of Abkhazia
14 December 2009	Iranian Foreign Minister Manouchehr Mottaki says that Iran is ready to mediate in the Nagorno-Karabakh conflict during a meeting with the Azerbaijani Foreign Minister Elmar Mammadyarov
15 December 2009	The Pacific island of Nauru recognizes Abkhazia and establishes diplomatic ties with Sukhumi
15 December 2009	The State Oil Company of Azerbaijan (SOCAR) and the National Iranian Gas Export Company sign an agreement on gas supply from Azerbaijan to the northern provinces of Iran
16 December 2009	The Pacific island of Nauru recognizes South Ossetia and establishes diplomatic ties with Tskhinvali
17 December 2009	The European Parliament adopts a resolution critical of media freedom in Azerbaijan calling for the release of jailed opposition journalists
18 December 2009	Giorgi Chkheidze is appointed as the new Georgian ambassador to Belarus
19 December 2009	Two people are killed in the demolition of a World War II memorial in the Georgian town of Kutaisi
19 December 2009	Former Georgian Prime Minister and opposition leader Zurab Nogaideli meets the leader of breakaway South Ossetia Eduard Kokoity in Tskhinvali
23 December 2009	Local elections are held in Azerbaijan
23 December 2009	Former Georgian Prime Minister and opposition leader Zurab Nogaideli meets with Russian Prime Minister Vladimir Putin in Moscow
23 December 2009	A delegation of the Russian State Duma visits Azerbaijan
26 December 2009	SOCAR President Rovnag Abdullayev says that Azerbaijan will increase gas supplies to Russia to up to 1 billion cubic meters per year in 2010
29 December 2009	The Georgian Foreign Ministry denounces an agreement between the Russian oil company Rosneft and the breakaway region of Abkhazia as being in violation of Georgian and international laws
5 January 2010	Georgia launches a Russian-language Caucasus television channel
8 January 2010	Georgian Airways conducts its first Tbilisi-Moscow charter flight
14 January 2010	Russian Deputy Interior Minister Arkady Yedelev says that terrorist groups are being trained at military bases in Georgia to launch attacks on the territory of the Russian Federation
14 January 2010	Russian Foreign Minister Sergei Lavrov urges progress in the Turkish-Armenian rapprochement
19 January 2010	Armenian opposition journalist Nikol Pashinian is sentenced to seven years in jail on charges of organizing mass unrest following the presidential elections of 2008

## About the Caucasus Analytical Digest

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### Research Centre for East European Studies at the University of Bremen

Founded in 1982, the Research Centre for East European Studies (Forschungsstelle Osteuropa) at the University of Bremen is dedicated to socialist and post-socialist cultural and societal developments in the countries of Central and Eastern Europe. One of the core missions of the institute is the dissemination of academic knowledge to the interested public. This includes regular e-mail service with nearly 20,000 subscribers in politics, economics and the media.

### Resource Security Institute

The Resource Security Institute (RSI) is a non-profit organization devoted to improving understanding about global energy security, particularly as it relates to Eurasia. We do this through collaborating on the publication of electronic newsletters, articles, books and public presentations.

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