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**CAN THE COVID CRISIS LEAD TO LEGITIMIZATION OF EUROPEAN UNION'S  
FOREIGN POLICIES?  
Lessons from Belarus**

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CAN THE COVID CRISIS LEAD TO LEGITIMIZATION OF EUROPEAN UNION'S FOREIGN POLICIES? Lessons from Belarus





## **EXECUTIVE SUMMARY**

The research paper explores how the Covid-19 crisis is redefining European Union's geopolitical stance and how the recent events in Belarus can provide lessons for legitimacy reform of the EU's foreign policies. Treating the Covid-19 pandemic and its accompanying events as an exogenous shock, the paper examines how the perception and prospects of EU's legitimacy are changing, both within the Union and in Belarus. The document finds that EU's foreign policy legitimacy will remain limited due to defective decision-making procedures, insufficient funding and Belarussians' reluctance to the deeper cooperation with the EU. The expansion of qualified majority voting on human rights issues, funding directed to civil society and projects oriented on fostering economic interdependence and free movement might mitigate the shortcomings of bilateral relations and improve the perception of legitimacy both within and outside the Union's borders.

### **Short bio**

Mikołaj Jerzy Bronert obtained a bachelor degree in Philosophy, Politics and Economics in 2018, at the University of Lancaster. In 2020, he graduated from King's College London with a master's diploma in European Studies with a specialty in EU Foreign Policies. Mikołaj Jerzy Bronert was a member of a research team examining violent extremism in Mali and Nigeria at Richardson Institute and a researcher for the Department of Political Economy at KCL. Currently, he works at the European Parliament.



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### **1. Introduction**

The paper attempts to answer the question whether the Covid-19 crisis as well as its accompanying events can lead to the increase in the legitimacy of EU's actions in the Eastern Partnership, particularly in Belarus and beyond. Both EU legitimacy and EU-Belarus relations constitute extremely important and relevant topics, especially in the presence of the pandemic crisis. The former issue has already been receiving its due attention from scholars and political figures across the continent. EU relations with Belarus on the other hand, have always been shadowed by geopolitically more central Eastern European actors: Ukraine and Russia. Nevertheless, the spontaneous and unexpected series of events which evolved in Belarus, forced the EU to look more closely into its neighbour. Considering thoroughly debated issue of legitimacy, it is worth examining how the covid-related developments changed geopolitical map of global relations and what particular lessons can be extracted from Belarus in order to augment the legitimacy of EU's external actions.

Legitimacy in the EU's foreign policy can be explained through three elements: utility, values and rights. The first one, stands for actions and mechanisms that lead to effective solutions of given political problems (i.e. events and processes in the EU's external area). 'Values' represent the identity of actors (EU member states' citizens, policy makers, Belarussian opposition etc). Finally, the latter, refers to the rules and procedures that are recognized and accepted by the political actors (Sjursen & Smith, 2018). While the legitimacy of the EU's foreign policy indeed requires primarily internal acknowledgement from its actors, there is no doubt that the legitimacy is essential for effective diplomatic efforts. To quote the pioneer of the soft power theory, Joseph S. Nye:

*“If a state can make its power seem legitimate in the eyes of others, it will encounter less resistance to its wishes.(...) This power tends to arise from such resources as cultural and ideological attraction as well as rules and institutions of international regimes.”* (Nye, 1990).

Common Foreign and Security Policy is still in the process of formation, which realistically commenced with the creation of European Political Cooperation in 1970 and despite continuous albeit often unnoticed reforms, it has not yet reached the structure and effectiveness anticipated by



the Lisbon Treaty. Although different integration theories are suitable for historical explanation of the EU's evolution, in this paper, we focus primarily on exogenous shock, brought about by the coronavirus crisis, which had an impact on the Union's both internal and external dynamics. Whether the crisis leaves a sustained effect on the EU integration, is still unknown, yet, it is essential to recall the findings of 'integration through crisis' theory, represented in the most modern form by Frank Schimmelfennig (2018) who observed that the crises can lead to deeper reforms, only if the supranational institutions have enough capacity to push for the change, just like during the Eurozone crisis. Nevertheless, the research paper will not omit the intergovernmental aspect of the EU reform for two main reasons. Firstly, because the power over EU foreign policy, despite the Lisbon Treaty, still remains predominantly in the hands of the member countries. Secondly, as we focus on legitimization of Union's external actions, this needs to stem from all of the 27 Member States of the EU.

With such a presented rationale, the research is structured in the following manner: The paper will identify the impact of Covid-19 pandemic crisis on 3 crucial foundations of EU foreign policy legitimacy: 'policy effectiveness', 'community identity' and 'accepted mechanism of policy-making'. These elements will be considered dependent variables and examined in three corresponding chapters while the pandemic and associated events will be treated as an independent factor, stemming from external shock. The chapters would review the latest volatile events in Belarus and examine whether Belarussians' expectations of Union's response are of coherent nature with EU's drive for legitimacy reforms and its initial responses to the crisis. Then, the paper will be concluded with recommendations on strategy and foreign policy tools that can accompany EU legitimacy reform. The document assumes however, that despite willingness of both supranational and intergovernmental actors to actively participate in solving the crisis in Belarus and in spite of some favourable geopolitical conditions brought about by the Covid-19 crisis, any substantial improvement of EU foreign policy legitimacy will require major institutional reforms. More importantly, the events in Belarus shall not be misunderstood as Belarussians' shift in geopolitical orientation, from Eastern Europe and Eurasia, into the direction of Western and Atlantic community.

## **2. Policy Effectiveness**

The Covid-19 crisis brought about an extreme change to the landscape of global affairs as some leaders, primarily those from the European neighbourhood and beyond, tried to exploit the challenges of the moment. Chinese authorities utilized temporary chaos to tighten its grip over Hongkong while Russia's secret forces, most probably, attempted to assassinate Vladimir Putin's only viable political opponent, Alexei Navalny. Finally, Belorussia's Alexandr Lukashenka, did not hesitate to rig the presidential elections, responding to his fading popularity, persecuting his political adversaries and brutally crushing mass gatherings.

In that situation, one would expect increased endeavour from the EU actors to respond to global challenges. The willingness to act would always be followed by the presence of additional



spending on EU's foreign policy tools and instruments. Such an assumption would be even more intelligible in the presence of the pandemic-adjusted MFF and recovery plan for 2021-2027, which is expected to double the value of its 2014-2020 predecessor. In spite of this supposition, numerous instruments of external affairs funds are expected to be lower than in the pre-covid projects. The Neighbourhood, Development and International Cooperation Instrument (NDICI) was pledged with a budget of €79.2 billion (European Commission, 2018) in June 2018. In May 2020, the Commission proposed an increase to €86bln in 2018 prices (European Commission, 2020a). However, the Council scaled NDICI down to €70.9 billion by July 2020 (Concord, 2020). The cuts were made based on the agreement that the External Action Guarantee, financed under the new EU Recovery Instrument, would be topped with €15 billion (European Commission, 2020b), which has never happened due to legal obstacles (Concord, 2020). According to the Commission proposal, the humanitarian aid package would grow to €14.8bln (European Commission, 2020c) in the new MFF. This however, was diminished by the European Council below the 2014-2020 level of €10bln (General Secretariat of the Council, 2020a). Other foreign policy instruments, particularly relevant from pandemic and crisis-related standpoint were also contracted by European Council conclusions between December 2019 and July 2020. Within this period, the rapid response actions budget decreased by €200mln while the plan for unforeseen and crisis actions by over €500mln. Common Foreign and Security Policy resources grew only insignificantly (Presidency of the Council of the EU, 2019). Overall, the Commission's 2018 proposal designated almost €109 billion for 'Neighbourhood and the World' MFF cluster (Parry & Sapala, 2018). The new, pandemic-adjusted proposal grew to €118 billion (European Commission, 2020a) and if introduced, it would entail a 13% value increase in comparison to 2014-2020 MFF (Jones et al., 2018). Nevertheless, the value proposed in the Council's conclusions of July 2020 shrank to €98,4 billion (General Secretariat of the Council, 2020). The dissatisfaction was expressed by the European Parliament Foreign Affairs Committee in its report on the foreign policy consequences of the Covid-19 outbreak. The document noted that: *"EU geopolitical ambitions need to be underpinned by adequate budgetary allocations"* while: *"the European Council has proposed cuts to the budget lines for external policy instruments"* (Committee on Foreign Affairs, 2020). It seems therefore, that both the Commission and the Parliament accepted the need for a more robust foreign policy, even though the EU's global presence is clearly not among the priorities of the new MFF. The Council and the European Council on the other hand share EC's and EP's concerns to a limited degree.

There are however, some silver linings emerging from this picture: The EU agreed in April 2020 on 'Team Europe' mechanism: it focuses on responding to health crises, humanitarian needs, improving health and sanitary standards as well as developing other capacities to deal with the pandemic (Bentzen, 2020). The EU is allocating over €960 million for Covid-19 response in Eastern Partnership countries (Bentzen, 2020). Overall, €60mln is being distributed to Belarus, which makes emergency medical services such as ambulances and respirators available (European Commission, 2020d). On top of that, €53 million has been rerouted from government accounts directly to the Belarusian civil society, 1 million of which will be devoted to strengthening the



civil sector and independent media (Cook, 2020). Additionally, the EU agreed to the Polish proposal for the so-called “Marshall Fund for Belarus” amounting to €1bln. The plan, which is still in its early development, anticipates, inter alia, to support Belarussian companies, to create a stabilization fund and to establish visa-free regime with Schengen countries. This money is conditional to commencing dialogue with the opposition and agreeing to hold free and fair elections (Adamczyk, 2020).

The effective Covid-19 response can be crucial to relaunch EU-Belarus relations. Since the very beginning of the crisis, Lukashenka has been disregarding and underappreciating the situation, claiming, for example that the coronavirus, if it truly exists, can be cured by vodka or tractor-driving (Kacewicz, 2020). His government, at the same time, kept falsifying the data, spreading further disinformation. Unlike western, or some east European governments, there was no formal lockdown imposed and massive public events, like the Victory Day grandiose parade of 9th May, proceeded normally. In effect, the pandemic in Belarus spread well beyond the extent expected for its population. As of the end of July, just before the presidential elections, the official data (which have little credibility), identified over 6200 active cases, 540 deaths and 67 000 overall infections since the beginning of the pandemic. The neighbouring Ukraine, which is nonetheless 4 times larger in terms of population, was hitting a similar number at the time (Kacewicz, 2020).

Ineffectiveness and lack of care of authorities were one of the reasons for such an abrupt U-turn in Belarussian politics. The importance of the current pandemic for the birth of civil society in the country is very smoothly captured by the cleverly constructed term and demand of ‘Breathing freedom’, referring both to ineffectiveness of health system in the times of pandemic and the demand for political and social liberty (Abdurasulov, 2020). The financial help offered by the European Union which plans to devote €53 million to directly support health service in Belarus is of utter importance for long-term relationship-building between the EU and the Belarussian nation. It also has a chance of, at least partially, filling the power vacuum freed by Aleksandr Lukashenka’s ineffective sanitary and pandemic administration. The importance of such help was highlighted by Svetlana Tikhanovskaya during her visit to the European Parliament. She also affirmed, that the opposition is constructing the plan: *“how to transfer this money directly to hospitals, directly to people who are suffering from Covid”* (Barigazzi, 2020) and insisted that it *“will manage to do this.”* (Barigazzi, 2020)

The €1bln ‘Marshall’ fund is also a positive novice yet one needs to mind the fact that Belarus’ annual financial shortages usually amount to €3-4bln. Russia is always eager to help its western neighbour for a certain price, thus it remains questionable whether such a help can trump out Russia’s incentives (Belsat.eu, 2020a). The effect will be a derivative of efficient channelling of the EU support to those actually in need and effective presence of the help in the awareness of Belarussian citizens. Therefore, the EU member states and the institutions should agree on a high level mission to Belarus, responsible for delivering and implementing efficient assistance as well as securing the dialogue between current authorities, opposition and citizens.





### 3. Values

The data show that the Covid-19 crisis dramatically altered how the Europeans perceive the EU on the international stage. The lion's share of European public (42%) believes that the world will be led by 'Strategic Sovereignists'-several actors who operate in a multipolar world of blocs and regions, in which Europe's position will depend upon its ability to act together. 29% of those surveyed believe that the post-covid order will resemble the world of 19<sup>th</sup> century's nationalisms and egoisms, where every country is on its own. 'New Cold War Warriors' (15%) anticipate that the international relations will become bi-polar: Democratic West led by the United States vis a vis authoritarian East dominated by China, composed of Russia and Iran (Krastev & Leonard, 2020).

Indeed, the crisis in Belarus might support the case of 'Sovereignists'. During the Ukraine crisis, the international response was characterised by a duel of the US/EU democratic world vs Russia. The current situation reveals the absence of the US, which was deeply involved in response to the 2014 Revolution of Dignity and its aftermaths. The EU member states as well as the institutions took the initiative as early as 7 August 2020. On that day, High Representative Josep Borell discussed possible diplomatic scenarios with the Latvian Foreign Minister. The same day, Poland, France and Germany issued a statement calling for free elections and release of political prisoners. Few days later, on 12 August 2020 Estonia leveraged its non-permanent seat in the UN Security Council to announce an intention to bring the situation in Belarus to the Security Council "*at the earliest opportunity*". (Wieslander, 2020) The only early response which came at the time from the US Department of State was vague and not particularly constructive. The Secretary Pompeo only assured that he will "*work with (...) European friends*" (Pompeo, 2020). Moreover, as soon as the parliamentary holiday break ended, the Belarussian leader, Svetlana Tikhanovskaya was invited to participate in European Parliament's Committee on Foreign Affairs on 25 September 2020, effectively institutionalising the relations between the EU and the democratic opposition in the country. There was no similar initiative at the corresponding level of the United States Congress. Taking into consideration the latest developments within the United States, such as the enormous scale of the Covid-19 pandemic, intensity of the Black Lives Matter Movement, or the democratic crisis brought about by Donald Trump's refusal to acknowledge Joe Biden's victory in the presidential election, it can be expected that at least for months to come, the US will remain more self-occupied rather than reoriented on Europe's neighbourhood.

Despite the absence of Union's strategic ally, the Commission, the Parliament and the European Council seem to stay united in the approach to the crisis. The MEPs expressed their non-partisan support for the 'Recommendation to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on relations with Belarus' with 602 votes in favour, 44 against and 44 abstentions (European Parliament, 2020). Both the Parliament and the Foreign Affairs Council substantially agree on the strategy on Belarus (European Parliament, 2020). The 3 institutions quickly achieved common ground for not recognizing the results of the elections, prioritizing the necessity of implementation



of sanctions regime against Belarussian leadership and acknowledging greater financial support for the country's civil actors (General Secretariat of the Council, 2020b).

Despite the EU's general support for democratic developments in the country, the potential of an abrupt change in EU-Belarussian relations shall not be overestimated. The European's Parliament Foreign Affairs Committee meeting on 25 August 2020 allowed the European policy-makers to hear out Belarus' expectations towards the future relations with European Union. The opposition, led by Sviatlana Tikhonovskaya, made one statement very clear: *"This peaceful revolution is not about geopolitics. It is neither a pro-Russian revolution nor a contra-Russian revolution. It is neither a pro-European nor an anti-European revolution"* (Brzozowski, 2020). This approach is represented also by others. Veronika Tsepikalo, the second-fiddle opposition leader stated that if Vladimir Putin helped the Belarussian nation to depose Lukashenka, he could easily become a nation's hero (even though it is rather plain that he is a partial author of the country's political and economic situation) (Belsat.eu, 2020b). Indeed, the people of Belarus are not seeing themselves as the potential members of the Western/Euroatlantic political world. According to Belarussian Analytical Workshop survey, completed in autumn 2019, replying to the question: "In what union of states would it be better for the people of Belarus to live in – the EU or Russia?", 54.5% of respondents prefer the union with Russia, and 25% –with the EU. 20% of those surveyed are undecided (TUT.BY, 2019). What is worth mentioning however, is that in comparison to an analogical poll committed a year earlier, pro-Russian nostalgia is lower by 9 points. (TUT.BY, 2019). Nevertheless, even though similar number of Belarussians trust the EU and Eurasian Economic Union: 51%:45%, Larger share of the respondents mistrust the EU (32%) rather than the EEU (27%) (ACT LLC, 2019).



A EU-Ukraine flag unfurled at the Euromaidan protests of 2013-2014. (Author unknown, c2013).

What is a rather straightforward conclusion from the data is that the protests in Belarus are fundamentally different than the 2013-2014 'Revolution of Dignity' in Ukraine. Indeed, freedom, democracy or better governance were priority demands for both civic movements but these are some of only few similarities that can be drawn. In regard to their attitude towards the European Union, the differences become apparent. In the winter of 2013-2014, Kievans were gathering on Independence Square in response to Yanukovich's refusal to sign the Association Agreement with the European Union. The protesters were waving the navy-blue flags with yellow stars, chanting *"Ukraine is Europe"* and singing 'Ode to Joy'. Many protesters were also explicitly pro-European and hostile to Russia, opposing *"Russian rule for hundreds of years"* and hoping that: *"their children and grandchildren will live in Europe, that they will live a better life than they had."*



(Grytsenko, 2013). The numbers reflect the pro-EU attitude of the Ukrainian nation: 53% prefer close ties with the EU even if at the expense of the links with Russia. Only 13% responded conversely (Zoria, 2019). These ratios are opposite for Ukraine's northern neighbour.

*Mass demonstration in Minsk, 23 August 2020 (Viačorka, c2020)*



During the Belarussian protest, on the other hand, EU flags were largely absent. The gatherings were dominated by the nation's historical white-red-white flags, enhancing the contrast to soviet-styled flag imposed by Lukashenka in 1995. The current revolution is therefore a catalyst, to a certain extent, shaping the awareness of a modern, Belarussian citizenry. In

comparison, the participants of Ukraine's 2014 Revolution of Dignity were in most cases profoundly aware of the nation's modern identity and the direction the country should undertake, as noted in the previous paragraph.

The reasons for a rather reluctant relationship between Belarussians and the EU are quite straightforward. Firstly, there is a limited interaction between EU and Belarus' citizens. Compared to Poland alone, in 2020, a little less than 8 000 temporary staying decisions were granted to Belarussians. The number is much bigger for Ukrainians (over 180 000) or even for Indians (8 200) (Migracje.gov.pl, 2020). EU-Belarus economic relations are also stagnant. Among all Eastern Partnership countries, Belarus has the lowest share of trade with the EU (24%; Armenia is second-lowest with 25%). Its trade portfolio is also the most Russia-dominated among all 6 EaP countries (49% of total trade value; Armenia comes second with 26%) (Damen, 2019). Thus, there is little chance that the Covid-19 pandemic and the protest would dramatically increase the support for the EU integration, which is also detrimental to the EU's array of options. This view is shared by Helga Schmid, former Secretary General of the European External Action Service (EEAS) who pointed that: *"There are no EU flags flying at the demonstrations and we must take this into account when considering what the EU can do."* (Brzozowski, 2020). In order to change such a state of play, all future EU's Belarus funding should be contingent upon intensification of the EU-Belarus economic relations. The prospect of visa-liberalisation schemes should also be considered a backbone of conditional financing.

#### **4. Rights and Rules**

Almost 70% of the EU population expects the EU to have more competences to fight the crises similar to the current pandemic. Only 20% have a reverse attitude (Zalc & Maillard, 2020). At the same time, the vast majority of the citizens in most of the member states agreed that there is a greater need for European cooperation (Krastev & Leonard, 2020). More interestingly,



European's public sees the capability of the EU to respond to the global crises in a more coherent manner as the most pressing issue for the European integration. For the question: Once the crisis is over, how should things change in Europe? The largest share responded that: The EU should develop a more common response to the global threats and challenges (52%). Only 27% of those questioned think that more power should be returned to the member states (Krastev & Leonard, 2020). Although the data is lacking for the pandemic period, the numbers measured between 2016 and 2018 show that there is an increasing popular support for more foreign policy at the EU level. Between those two years, such a sentiment grew by 7% on average for all EU-28 countries. Apart from Italy (-7%), Bulgaria (-5%), Austria (-2%) and Estonia (-2%), the numbers escalated, often by double digits, among both large (e.g. Germany: +18%; Spain: +11%) and smaller member states (e.g. Romania: +14%; Ireland: +10%). Taking into consideration results cited in the first lines of the paragraph, one can expect that the pandemic will augment the trend (Pichon & Dobрева, 2019).

Indeed, a number of international events evolved within the past months and were exacerbated by the development of the pandemic. In their presence EU's foreign policy decision-making procedures remain slow and fragile. In May 2020 the Chinese government broke the Sino-British Joint Declaration of 1984 and forced Beijing's even stronger rule over Hongkong, brutally crashing the opposition protests and violating human rights on a massive scale. European capitals found it difficult to speak with one voice, especially in Eastern Europe, where Chinese investments in the Belt and Road initiative are profoundly present. Similarly, Belarus' leadership planned to use the Covid-19 crisis as a smoke screen in order to secure another term for Aleksandr Lukashenka, owing to falsified election results and a brutal crush of street protests. Again, the rapid implementation of the sanctions regime was impossible due to Cyprus opposition, lifted last minute. Both cases epitomize the EU's chronic inability to respond to human rights and international law violations. In 2016, Hungary and Greece delayed and blocked an EU statement on the South China Sea territorial dispute between China and the Philippines. In March 2017 Hungary refused to sign a Joint Letter denouncing the reported torture of detained lawyers in China. The same country blocked the renewal of arms embargo against Belarus three times between 2017 and 2019 (Koenig, 2020).

With that being said, it is worth to recall the provisional agreement between the Commission and the Council, to move towards the implementation of the conclusions on the Action Plan on Human Rights and Democracy entailing, inter alia, the implementation of human rights affairs decisions by Qualified Majority Voting (European Commission, 2020e). Despite such an arrangement, the November 2020 Council's agreement and approval for the Action Plan does not mention the QMV once in the document (General Secretariat of the Council, 2020c). The idea itself was known before the crisis, it was widely acknowledged during Juncker's 2018 State of the Union (Juncker, 2018). The von der Leyen Commission picked up the proposal, making it one of the priorities of its term until the eruption of the Coronavirus crisis in Europe. Accompanying events taking place in the neighbourhood and in other parts of the globe only rearticulated the relevance of the Action Plan. Additionally, the Commission president pledged to



propose the EU's Magnitsky Act, widening the scope of human rights related sanctions regime (Legislative Train Schedule, 2020). Both reforms are supported by the Parliament. According to David McAllister, chair of the European Parliament's Foreign Affairs Committee,

*"In this context, I am pleased to note that (...) the European Commission, together with Vice President and High Representative Josep Borrell, will make a proposal for an EU targeted human rights sanctions mechanism - an 'EU Magnitsky Act'. Given the dramatic situation in Belarus (...), we need (...) to enable qualified majority voting on Common Foreign and Security Policy matters, in particular on human rights issues (...)." (McAllister, 2020)*

While the position of the Parliament and the Commission express some alignment of views, the picture is again much murkier when it comes to the EU member states. Indeed, some major countries, such as Germany and Spain used to speak rather positively about the idea of QMV expansion to human rights issues (as declared by diplomatic sources) whereas France would see the linkage with QMV on tax matters. Other relatively influential states, like Italy or Poland oppose the idea on the basis of potential Franco-German domination (Koenig, 2020). It can be expected that such pivotal reforms would cause reluctance and uncertainty, yet it is also essential to recall, that these developments are anticipated by the Europeans and that they would lead to greater policy efficiency. QMV would also eliminate certain pathologies such as the attempts made by third parties to pressure single member states, effectively derailing EU's actorness (Besch, 2020).

As long as Belarussians are concerned, it is hard to anticipate any clear-cut opinion in this area. Traditionally, the awareness of the EU and its policy procedures has been mediocre among the Belarussian citizens. In 2009, one fifth of respondents failed to identify EU member countries, while 50% could not name the location(s) of EU headquarters (Korosteleva, 2016). Nevertheless, Belarussians recognize the EU as an international player (more Belarussians see the EU as the independent actor in foreign relations: 47% rather than as an irrelevant entity: 34%), especially in the field of human rights. 'Human rights' constitute the second most important value for Belarussians (44%). The EU is also widely associated with them: 67% associate the bloc with their protection. Only two characteristics remain more related to the EU, according to Belarussians: 'economic prosperity' (70%) and 'freedom of religion' (69%), which again, should be considered a human right in itself (Korosteleva, 2016).

The expectations towards the EU response to the events in Belarus and the anticipation of concrete procedures that ought to be undertaken by the EU were best expressed by Sviatlana Tikhanovskaya during her visit to the European Parliament. She urged the EU to be 'brave' and to denounce Lukashenka's legitimacy as the president (such a move had already happened earlier in September), make sure that the €50mln promised to Belarus' collapsing health system would not end up in the hands of the President and his cronies (Barigazzi, 2020) and, above all:

*"(...) Consider the prosecution of those associated with human rights crimes in Belarus (...) Sanctions against them can be imposed in accordance with the European "Magnitsky Act". I ask*



*you not to finance the dictatorial regime and transfer support programs in Belarus from state to non-state bodies'* (BelarusFeed, 2020)

These words of Mrs Tikhanovskaya perfectly synthesize the opposition's expectations and reflect a rather informed and realistic perception of the EU foreign policy abilities. In order to fulfil them, at least in the long term, however, the Commission and the Council would have to follow European Parliament's recommendations on the Action Plan on Human Rights and Democracy and EU's Magnitsky Act.

## **5. Conclusion and Recommendations**

Overall, this paper observes a mixed picture for possible legitimization of the EU foreign policy in Belarus and elsewhere. As far as efficiency of policy-making is concerned, the crisis in Belarus created a possibility for the EU to support the Belarussian nation in its fight against the pandemic as this policy area was widely neglected by the Belarussian authorities. Nevertheless, the expected EU's foreign affairs budget is too small to cause a larger change, not only in Belarus, but also in other countries and regions seriously tarnished by the pandemic. As the number of external challenges grows, the EU will not be ready to efficiently deal with them. The value of rapid response and emergency instruments is expected to be limited within the new financial framework. Rerouting of the EU funds from the Belarus' authorities to the civil society is an important and relevant reaction to the struggles of Belarussian, yet in order to ensure effectiveness and 'visibility' of this help the EU should create a viable guiding and monitoring architecture. Secondly, Union's citizens and Belarussians recognize the EU as an international player, especially within the field of human rights hence their effective protection might lead to increased legitimization of the EU. Unlike Ukrainians, the Belarussians do not anticipate rapid integration with the European Union. Their expectations are politically limited and they are built upon the conviction that the EU should and can play the role of human rights guarantor when being involved in the third country. More importantly so, the United States needs to face a growing amount of domestic problems. Therefore the EU will gradually become more and more solitary in the region. In order to fulfil this role in the long run, the EU needs to upgrade its decision-taking process when it comes to human rights protection and introduce the EU's Magnitsky Act and the QMV within the framework of Action Plan for Human Rights and Democracy. It is still unclear, however, if some of the member states will be eager to relinquish part of their decision-making power. Finally, the EU policy makers must bear in mind that even without Lukashenka in the big picture, Belarus would remain less attached to the concept of greater bilateral cooperation, than it is in the case of Ukraine, at least for some foreseeable future. The €1bln plan for Belarus should become the Union's 'stick and carrot' for a deeper bilateral economic activity and visa liberalisation scheme, yet the project's more specific shape is still unknown.

On a more positive note, the Covid-19 crisis indeed provides an opportunity to augment EU's foreign policy legitimacy both within and outside its borders. European citizens learned that only more unified actions of the bloc can improve the response to the pandemic, future crises and



the EU's global stance. Also, Belarussian society slowly, but steadily grows reluctant towards integration with Russia and is more and more interested to look westwards. The Belarussian opposition sees the EU as a human rights protector and anticipates adequate response to their violations. The EU policy actors, such as the Council, the Commission, the Parliament or the VP recognize and agree on the necessity and the scope of adequate actions. Nevertheless, postponing the introduction of the EU's Magnitsky Act and the Action Plan for Human Rights and Democracy and limiting the expenses on foreign policy initiatives in the new Multiannual Financial Framework will hamper the Union's external endeavours leading to the delegitimization of its actions both within and outside the Union.

#### Recommendations:

- Updating the architecture of EU-Belarus relations. The EU, represented by its institutions and the representatives of Belarussian opposition should produce a road map, identifying the scope of the Union's aid to Belarussian civil society, health system and an independent media sector. The design of the assistance should consider direct payments to civil society actors.
- In order to achieve tangible results in this area, the deployment of EU special mission to Belarus should be taken into consideration. The mission's goal should be to monitor and guide the Belarussian civil society actors with effective allocation of EU assistance. Alternatively, the EU should set up a Task Force coordinating Union's relations with Belarussian opposition.
- Implementing the so called 'Marshall Plan for Belarus' which could work towards visa liberalisation regime and greater economic interdependence between Belarus and EU, using the volume and conditionality of the one-billion-euro fund.
- To enhance its foreign policy capabilities and to display its human rights protection actorness and relevance in Belarus, the EU should implement its own 'Magnitsky Act' and the Action Plan for Human Rights and Democracy, widening the scope of the QMV usage within the field of human rights protection. The data both in Belarus and the EU reveal, that the societies demand more unified and swifter EU foreign policy actorness.
- The EU institutions, particularly the Council and European Council should prioritize foreign policy spending more. The lessons from Belarus show that any substantial social, political or economic change would require investments of considerable funds. As the budgetary capabilities are limited, the EU should consider increasing the financing of the external endeavours from prospective and already existing revenue-collecting instruments.



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