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# The Limited Influence of the European Union in Armenia and Azerbaijan: A Domestic Explanation

Annika Tartes



DEPARTMENT OF EU INTERNATIONAL  
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## **Abstract**

This paper seeks to explain why the European Union (EU) has had limited influence in Armenia and Azerbaijan in the framework of the European Neighbourhood Policy (ENP). Combining approaches from external governance, norm diffusion and structural foreign policy, it offers an explanation based on domestic factors in the two countries: the political regime, state capacity, political structures, domestic incentives and the perceived legitimacy of EU rules. Although willingness to reform appears to exist in Armenia, such willingness remains constrained by the country's vulnerable geopolitical location and high dependence on Russia. By contrast, none of the domestic preconditions for EU influence identified by the analytical framework were found in Azerbaijan. The author argues that the Eastern Partnership has not properly addressed the extent to which the clan structures feed into informal political practices and enforce the sustainability of an existing regime in both countries, and that, in addition, the EU has underestimated the multipolar environment which the two countries have to operate in, making it unlikely that the current policy can reach its objectives in Armenia and Azerbaijan.

## About the Author

Annika Tartes is a College of Europe alumna with a Master's in EU International Relations and Diplomacy Studies. She also holds a Master's in European Studies from the University of Tartu. She worked for an international IT company for three years, organised simulations on EU decision-making procedure for four years and was a team member in several research projects throughout her studies. Her key research interests include the EU's external relations, democracy promotion and the European Neighbourhood Policy. She is currently carrying out a traineeship at the EEAS Headquarters in Brussels, which she was awarded for her thesis. This paper is based on her Master's thesis at the College of Europe (Falcone & Borsellino Promotion).

## Editorial Team:

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Dijver 11 | BE-8000 Bruges, Belgium | Tel. +32 (0)50 477 251 | Fax +32 (0)50 477 250 |  
E-mail [ird.info@coleurope.eu](mailto:ird.info@coleurope.eu) | [www.coleurope.eu/ird](http://www.coleurope.eu/ird)

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## Introduction: Domestic Constraints on External Influence

Armenia and Azerbaijan are engaged in a political dialogue with the European Union (EU) since the mid-1990s, throughout the course of which the EU has been promoting democracy, the rule of law, good governance and respect for human rights and fundamental freedoms in the two newly independent post-Soviet republics. Yet, in 2015, the Eurasian Economic Union (EEU) entered into force with Armenia as a full member, the longest running conflict in the South Caucasus became more intense, and Azerbaijan is holding more opposition members, journalists and human rights defenders in detention than Russia and Belarus combined.<sup>1</sup>

Although negotiations of a new framework agreement with Armenia were launched on 7 December 2015, the EU's relations with Azerbaijan were at their all-time low just three months ago.<sup>2</sup> The critical resolution adopted by the European Parliament in September 2015 was soon followed by the cancellation of the visit by the European External Action Service (EEAS) to Baku and "the withdrawal of Azerbaijan from the Euronest Parliamentary Assembly".<sup>3</sup> The draft Strategic Partnership Agreement (SPA) that Azerbaijan presented to the EU during the Riga Summit in May 2015 is still on stand-by.<sup>4</sup> So long as a new agreement with Azerbaijan and an EEU-compatible agreement with Armenia are to be negotiated, the EU's relations with both remain regulated by their Partnership and Cooperation Agreements (PCA) of 1999.<sup>5</sup>

Previous research has conceptualised the process of how EU norms and values are exported to third countries outside the framework of enlargement. By focusing on the act of transposition and the EU as the starting point for change, the literature has "reduced the role of domestic factors [in these countries] to mere intervening variables".<sup>6</sup> This paper seeks to fill this gap by analysing the domestic factors that

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<sup>1</sup> Abramowitz, Morton *et al.*, "Open Letter Regarding the Human Rights Situation in Azerbaijan", 13 April 2015, p. 1.

<sup>2</sup> European External Action Service, "EU and Armenia launch negotiations for a new agreement", *Press Release*, Brussels, 7 December 2015.

<sup>3</sup> European Parliament resolution of 18 September 2014 on the persecution of human rights defenders in Azerbaijan; E. Mamadov, "EU and Azerbaijan: Breaking Up or Muddling Through?", *Eurasianet*, 16 September 2015.

<sup>4</sup> F. Huseinzadeh, "A summit of discord", *Foreign Policy News*, 25 June 2015.

<sup>5</sup> European Commission, "The EU's bilateral trade and investment agreements – where are we?", *Memo*, Brussels, 3 December 2013; EEAS website, retrieved 19 October 2015, [eeas.europa.eu/azerbaijan/index\\_en.htm](http://eeas.europa.eu/azerbaijan/index_en.htm); [eeas.europa.eu/armenia/index\\_en.htm](http://eeas.europa.eu/armenia/index_en.htm).

<sup>6</sup> L. Delcour & K. Wolczuk, "The EU's Unexpected 'Ideal Neighbour'? The Perplexing Case of Armenia's Europeanisation", *Journal of European Integration*, vol. 37, no. 4, 2015, p. 492.

may have limited the EU's influence in Armenia and Azerbaijan under the European Neighbourhood Policy (ENP). The author argues that the domestic conditions under which countries undergo an institutional change are more instrumental in understanding the reasons for the success or failure of the EU's external action than the EU's internal structures or foreign policy models are.

Combining explanations drawn from the approaches of external governance, norm diffusion and structural foreign policy, the paper looks into domestic political characteristics that obstruct the EU's ability to induce a democratisation process in Armenia and Azerbaijan. In other words, the author analyses whether domestic political factors in the two countries meet certain conditions identified in the three theories, in the presence of which an externally incentivised policy is more likely to be implemented. The hypothesis put forward is that the EU's democracy promotion in Armenia and Azerbaijan has not been successful because the Eastern Partnership (EaP) does not take into account the countries' domestic political structures.

The paper is divided into three parts: the first part presents the three theories and deduces the domestic factors that will then be applied in the case studies. In the second part the case studies on the domestic political structures are carried out. The third part provides an analysis of the key findings and makes an effort to rationalise them through arguments of path dependence, the 'stabilisation-democratisation dilemma' and the 'paradox of authoritarian elections'.

### **Theoretical Conditions for the EU's External Influence**

External governance, structural foreign policy and norm diffusion were all inspired by traditional International Relations theories, comparative politics and Europeanisation studies which, by the late 1990s, had expanded their focus from EU member states to countries participating in the accession process, potential candidates, Norway and Switzerland. This paved the way for several authors who then assayed to give meaning to how EU rules are transferred to non-member states, using tools from the ideas of policy transfer, transnational diffusion, institutional isomorphism, structural power or soft power. This section presents the arguments made by three theories, and highlights the key takeaways for the case studies that follow. They all emphasise certain characteristics in the presence of which an externally incentivised policy is more likely to be implemented.

## External Governance

Defined as a form of interdependence where the EU's internal rules are extended beyond the borders of its formal membership, the external governance approach provides a framework for understanding how third countries are integrated into the European system of rules.<sup>7</sup> It relies on the projection of 'soft power', explaining the way in which the EU rules are adopted by third countries in the so-called 'soft security areas', such as justice and home affairs, energy policy and environmental policy.<sup>8</sup> External governance has a horizontal rather than vertical nature, inclusive rather than exclusive character, it focuses on process rather than output, and emphasises voluntarism as opposed to legal obligations.<sup>9</sup>

There are three ways in which external governance can take place: in a hierarchical, market and networked mode. The hierarchical mode is found in a relationship of domination and subordination, based on non-negotiable unilaterally enforceable rules, collectively binding prescriptions and supranational authoritative law.<sup>10</sup> This is mostly associated with the Community method and the prescriptive qualities of EU law in its enlargement policy.<sup>11</sup> In the market mode, "outcomes are the result of competition between formally autonomous actors", found, for example, in the extension of the principle of mutual recognition in the Single Market to the European Economic Area.<sup>12</sup> In its external relations, the EU tends to rely mostly on the networked mode of governance where actors are considered formally equal and relationships are formed around a voluntary agreement through the process of interaction, negotiations and bargaining.<sup>13</sup>

The mode and effectiveness of the EU's external governance is determined by a list of conditions which is the most intriguing part of the theory, summed up in Table 1 below. First, according to the institutionalist explanation, the quality of existing EU institutions, the method of rule transfer, the consistency of the EU's offer, the

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<sup>7</sup> S. Lavenex & F. Schimmelfennig, "EU Rules Beyond EU Borders: Theorizing External Governance in European Politics", *Journal of European Public Policy*, vol. 16, no. 6, 2009, pp. 791-812.

<sup>8</sup> S. Lavenex, "EU External Governance in 'Wider Europe'", *Journal of European Public Policy*, vol. 11, no. 4, 2004, pp. 680-700.

<sup>9</sup> S. Lavenex, "A Governance Perspective on the European Neighbourhood Policy: Integration Beyond Conditionality?", *Journal of European Public Policy*, vol. 15, no. 6, 2008, p. 940.

<sup>10</sup> Lavenex & Schimmelfennig, *op. cit.*, p. 797.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*, p. 799.

<sup>13</sup> *Ibid.*, pp. 795-798, 807.

allocation of rewards and the support for an EU rule among its own members circumscribe the credibility and the effectiveness of its external governance (see Table 1).<sup>14</sup> For example, as a method of rule transfer, social learning or lesson-drawing is more likely to be accepted in third countries, while external incentives and bargaining can cause domestic resistance and poor implementation.<sup>15</sup>

Table 1: Conditions under which external governance is more likely to be effective

EXPLANATION	CONDITIONS
Institutionalist	Rules that are transferred through social learning or lesson-drawing are less contested domestically
	The more an EU rule is complied with within the EU, the more likely third countries will accept it
	Cost-benefit calculations of target governments depend on the consistency of the EU offer
Power-based	Effectiveness of EU external governance varies with international structures of power
	If mutual interdependence between the EU and third countries is high, external governance is more likely to be effective
	External governance can only be effective when a target country does not have a credible alternative to EU integration
Domestic factors	Political conditionality is likely to be effective only in at least partly democratised countries with lower domestic adjustment costs → <b>political regime</b> and adjustment costs in third countries
	If EU rules are seen as legitimate, they are more likely to be accepted → <b>perceived legitimacy of EU rules</b>
	Domestically compatible EU rules are more likely to be accepted

Source: compiled by the author, based on Lavenex & Schimmelfennig, *op. cit.*, pp. 791-812; Schimmelfennig & Sedelmeier, *op. cit.*, pp. 669-687; Lavenex, "A Governance Perspective", *op. cit.*, pp. 938-955; Lavenex, "EU External Governance", *op. cit.*, pp. 680-700.

In the second, power-based approach, "the modes and effectiveness of EU external governance vary with international structures of power and interdependence between the EU and third countries" (see Table 1).<sup>16</sup> If mutual interdependence is high, the EU's policy is more likely to succeed.<sup>17</sup> Moreover, the effectiveness of

<sup>14</sup> Lavenex & Schimmelfennig, *op. cit.*, p. 802; F. Schimmelfennig & U. Sedelmeier, "Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe", *Journal of European Public Policy*, vol. 11, no. 4, 2004, pp. 674, 682.

<sup>15</sup> Schimmelfennig & Sedelmeier, *op. cit.*, p. 682.

<sup>16</sup> Lavenex & Schimmelfennig, *op. cit.*, p. 804.

<sup>17</sup> *Ibid.*



externalisation is limited by possible competing global or regional 'governance providers', such as the United States, Russia or the United Nations.<sup>18</sup>

The third explanation emphasises the role of domestic factors in target countries, according to which the effectiveness of externalisation is conditioned by the structures of the domestic political regime, the perceived legitimacy of the EU's rules, and their compatibility with domestic rules, traditions and practices (see Table 1).<sup>19</sup> First, the political regime is linked to the cost of rule adoption, meaning that reform-minded governments in at least partly democratised countries are more likely to adopt the EU rules than authoritarian states where democratic adjustment costs are higher.<sup>20</sup> Second, the perceived legitimacy of EU rules is seen as a prerequisite for third countries to select and implement external rules as a basis for cooperation with the EU.<sup>21</sup> Third, the EU rules are more likely to be adopted if they are compatible with the countries' domestic institutions.

In sum, Lavenex and Schimmelfennig have identified nine factors that condition the mode and effectiveness of the EU's external governance by either one of the three explanations. The one based on domestic factors provides key takeaways for the case studies in this paper, two of which are selected as a basis for case studies. The third one, the EU rules' compatibility with domestic institutions would require an extensive comparative analysis that falls out of the scope of this paper. A provisional judgment on this compatibility can also be derived from the analysis of the political regime – a factor that conditions the EU's norm diffusion as well.

### *Norm Diffusion*

Combining behavioural underpinnings with ideas of transnational diffusion, Börzel and Risse vindicate how the EU's influence brings about institutional change in third countries via norm diffusion.<sup>22</sup> They define institutions as "social structures and systems

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<sup>18</sup> Schimmelfennig & Sedelmeier, *op. cit.*, p. 674; Lavenex & Schimmelfennig, *op. cit.*, p. 803.

<sup>19</sup> Lavenex & Schimmelfennig, *op. cit.*, p. 804.

<sup>20</sup> *Ibid.*, p. 807; M. Emerson, G. Noutcheva & N. Popescu, "European Neighbourhood Policy Two Years on: Time Indeed for an 'ENP Plus'", Centre for European Policy Studies, *Policy Brief*, no. 126, March 2007, p. 6.

<sup>21</sup> Lavenex & Schimmelfennig, *op. cit.*, p. 807.

<sup>22</sup> T. A. Börzel & T. Risse, "From Europeanisation to Diffusion: Introduction", *West European Politics*, vol. 35, no. 1, 2012, pp. 1-19; T. A. Börzel & T. Risse, "The Transformative Power of Europe: The European Union and the Diffusion of Ideas", *KFG Working Paper Series*, no. 1, Kolleg-Forschergruppe (KFG) *The Transformative Power of Europe*, Freie Universität Berlin, May 2009, pp. 5-8.

of rules, both formal and informal”<sup>23</sup> and diffusion as “a process through which ideas, normative standards, or [...] policies and institutions spread across time and space”.<sup>24</sup> The EU’s norm diffusion, that is, changes in the aforementioned structures and systems that can be traced to an EU action or policy, takes place through direct or indirect mechanisms that vary according to geographic proximity and interdependence between the EU and a third country.<sup>25</sup> In case of indirect emulation, actors in their quest for overcoming a crisis or solving a problem look for best practices, thereby incentivising action at the receiving end.<sup>26</sup> Norm diffusion is expected to occur under four scope conditions that “are likely to affect domestic [...] change in response to the promotion or emulation of EU ideas”, summarised in Table 2 below.<sup>27</sup>

Table 2: Scope conditions for institutional change

CONDITIONS	DEFINITION
<b>Domestic incentives:</b> (non-)liberal reform coalitions	Liberal or non-liberal reform coalitions can be empowered by EU conditionality by using EU demands either to pressure for domestic reform or to further their own interests
Degree of statehood: <b>state capacity</b>	The more limited the statehood, the less likely diffusion leads to sustainable institutional change; or domestic actors adopt EU solutions to increase their legitimacy
<b>Regime type:</b> democracy vs autocracy	The more democratic a country is, the more likely it emulates EU institutions
Power (a)symmetries	If the economic and political relationship between the EU and a third country is more balanced/horizontal, the EU has less hierarchical leverage to impose its structures

Source: compiled by the author, based on Börzel & Risse, “When Europeanization Meets Diffusion”, *op. cit.*, pp. 192-207; Börzel & Risse, “From Europeanisation to Diffusion”, *op. cit.*, pp. 1-19; and Börzel & Risse, “The Transformative Power of Europe”, *op. cit.*, pp. 1-29.

First, change is “unlikely to take place unless domestic actors in politics or society take them [EU rules] up and demand reforms themselves”, especially in countries where the EU does not enjoy much of a leverage.<sup>28</sup> Conversely, the EU can empower both, liberal and non-liberal forces: liberal coalitions may use EU conditionality to insist on domestic liberal reforms, while authoritarian elites can use it to “push their own political agenda, please their constituencies [...] or consolidate

<sup>23</sup> Börzel & Risse, “From Europeanisation to Diffusion”, *op. cit.*, p. 3.

<sup>24</sup> *Ibid.*, p. 5.

<sup>25</sup> *Ibid.*, pp. 1-19; Börzel & Risse, “The Transformative Power of Europe”, *op. cit.*, pp. 9-14.

<sup>26</sup> Börzel & Risse, “From Europeanisation to Diffusion”, *op. cit.*, p. 5.

<sup>27</sup> *Ibid.*, p. 3.

<sup>28</sup> *Ibid.*, p. 11.

power”.<sup>29</sup> Second, the degree of statehood or state capacity – a combination of coercive capacity (monopoly of violence) and administrative effectiveness (ability to enforce the law)<sup>30</sup> – determines the government’s ability to change institutions, whereas the EU appears to be “less inclined to push for domestic change in states whose institutions are already fragile”.<sup>31</sup>

Third, the democratic quality of a regime “influences the willingness of state actors to promote domestic change in response to EU influence”, especially with regard to human rights, the rule of law and market economy which threaten the survival of an existing authoritarian regime.<sup>32</sup> The regime type also resonates with the first condition: in more authoritarian regimes, “liberal reform coalitions are [...] too weak *vis-à-vis* nationalist or post-socialist forces to get empowered by the EU”.<sup>33</sup>

By bringing in the EU, norm diffusion transcends the domestic sphere and proposes power (a)symmetries as the fourth condition for institutional change. The economic and political relationship between the EU and a third country undoubtedly has a great impact on the EU’s success in introducing its norms. However, the three conditions on certain domestic structures of a ‘recipient’ country will be more likely to contribute to this paper which aims to provide a domestic explanation to the EU’s limited influence. Domestic structures are also the basis for structural foreign policy which attributes key importance to sustainability.

### *Structural Foreign Policy*

Structural foreign policy (SFP) approaches the EU’s influence via ‘structures’ in third countries which Keukeleire and Delreux define as “organising principles, institutions, norms that shape and order the various interrelated sectors in a society” on individual, societal, state, inter-societal, interstate or regional, and international levels.<sup>34</sup> Highlighting connections between people, such as extended families, tribes, clans or religious groupings makes the societal level the most captivating part of the

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<sup>29</sup> T. A. Börzel & T. Risse, “When Europeanization Meets Diffusion: Exploring New Territory”, *West European Politics*, vol. 35, no. 1, 2012, p. 199.

<sup>30</sup> D. Andersen *et al.*, “State Capacity and Political Regime Stability”, *Democratization*, vol. 21, no. 7, 2014, pp. 1306-1307.

<sup>31</sup> Börzel & Risse, “From Europeanisation to Diffusion”, *op. cit.*, p. 12.

<sup>32</sup> *Ibid.*

<sup>33</sup> Börzel & Risse, “When Europeanization Meets Diffusion”, *op. cit.*, p. 199.

<sup>34</sup> S. Keukeleire & T. Delreux, *The Foreign Policy of the European Union*, Basingstoke, Palgrave Macmillan, 2<sup>nd</sup> edition, 2014, pp. 28-29.

theory, especially when societal structures in a third country do not meet Western standards.<sup>35</sup> Conducted over a long-term period of time and aiming to reach sustainable results, the purpose of SFP is to influence or shape these structures by either promoting change, tackling problems or, less ambitiously, supporting existing structures.<sup>36</sup> Sustainability, in turn, is conditional on three determinants, summed up in Table 3 below.

Table 3: Determinants of sustainable effects of a structural foreign policy

DEFINITION	CONDITIONS
The policy can only be sustainable if it is comprehensive or at least takes various interrelated sectors and levels into account	The number of sectors and levels addressed by the policy
Structures (or changes) are only internalised if they are perceived as desirable and legitimate	<b>Perceived legitimacy of external structures and desirability of internalising them</b>
Structural foreign policy is more likely to be successful, if it is complemented by relational foreign policy	Combination of structural and relational foreign policy

Source: compiled by the author, based on Keukeleire & Delreux, *op. cit.*

First, the results of SFP are sustainable only when the policy takes various interconnected sectors and levels into account.<sup>37</sup> This is not to say that a foreign policy must address all sectors and levels in order to be successful, but a policy that focuses on few levels or sectors is less likely to lead to sustainable results.<sup>38</sup> Second, for external structures to be internalised, they must be perceived as legitimate and desirable by the people.<sup>39</sup> For instance, the EU’s policy in Central and Eastern European countries in the 1990s can be seen as a successful SFP because both the population and political elites supported the idea of democratic and economic development, regardless of the cost of reforms.<sup>40</sup>

Third, in order to increase the likelihood of a successful SFP, it must be complemented by what Keukeleire and Delreux call ‘relational foreign policy’, meaning traditional foreign policy instruments of diplomacy, both declaratory and operational.<sup>41</sup> Conducting a successful SFP that takes all these conditions into account is beyond

<sup>35</sup> Keukeleire & Delreux, *op. cit.*, p. 31.

<sup>36</sup> *Ibid.*, pp. 28-30.

<sup>37</sup> *Ibid.*, p. 30.

<sup>38</sup> *Ibid.*, pp. 30, 329.

<sup>39</sup> *Ibid.*, pp. 30, 330.

<sup>40</sup> *Ibid.*, p. 330.

<sup>41</sup> *Ibid.*, pp. 27, 328.

the capacity of most individual states, making the EU a potential locus for developing such a policy.<sup>42</sup> Although SFP offers few conditions for the purpose of this research (see Table 3), its cross-cutting emphasis on political structures on the state and societal levels can be telling when applied to the case studies on Armenia and Azerbaijan, and is thus included in Table 4 as one of the conditions. Table 4 gathers the domestic factors that any of the three theories sees as conditioning the effectiveness of an external policy.

Table 4: Conditions for the effectiveness of an external policy

CONDITIONS	Armenia	Azerbaijan
Political regime – democracy or autocracy (external governance theory and norm diffusion)		
State capacity (norm diffusion theory)		
Political structures on the state and societal levels (structural foreign policy)		
Domestic incentives – liberal reform coalitions (norm diffusion theory)		
Perceived legitimacy of EU rules and desirability of internalising them (external governance theory and structural foreign policy)		

Source: compiled by the author.

This list provides a basis for the case studies below where the political regime, state capacity, political structures on the state and societal levels, domestic incentives and the perceived legitimacy of EU rules are studied on the examples of Azerbaijan and Armenia. After examining the two cases, the third part of the paper attempts to explain the way the findings affect the extent to which the EU is able to induce a domestic change.

**Case Studies**

The cases of Azerbaijan and Armenia illustrate how different yet interconnected domestic developments can lead to the same result in terms of the EU's influence. Both countries share the totalitarian past of the Soviet Union, neither of them has ever been fully democratic, but since the ceasefire on Nagorno-Karabakh came into force in 1994, the countries have evolved in distinct directions. Azerbaijan has

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<sup>42</sup> Keukeleire & Delreux, *op. cit.*, p. 30.

increased its military budget more than 8000% – from nearly 44 million to more than 3'583 million US dollars in 2014 – and Armenia, not enjoying the vast natural resources that would enable such an increase in defence expenditure, has signed a partnership with Russia and participates actively in the Collective Security Treaty Organisation.<sup>43</sup>

### *Azerbaijan: Semi-authoritarianism Fuelled by Oil Revenues*

Azerbaijan's oil resources have had an enormous impact on the country's economic development, but unlike in other oil-rich countries where high levels of corruption and huge oil revenues are usually marred with high societal inequalities, poverty has decreased rapidly in Azerbaijan.<sup>44</sup> There are aspects about its political regime and state structures where the oil industry has played a major role as well.

### Political Regime

The President enjoys exclusive powers by the constitution, while democratic institutions, such as the parliament, judiciary, political opposition and media are deemed decorative, weak or marginalised.<sup>45</sup> Although a constitutional separation of powers exists, it is the executive power that dominates in reality.<sup>46</sup> Scholars characterise Azerbaijan's political regime as (semi-)authoritarian, sultanistic, or hybrid, or see a transition from a democracy-oriented rule towards an autocracy.<sup>47</sup> At the same time, the leaders have bestowed a fair amount of stability to the political regime since the early 1990s.<sup>48</sup>

The principal aim back then was to build stability and security in a country that left the Soviet Union in an ongoing conflict with Armenia, fearing the politicisation of its energy resources and anticipating limited success in state-building and economic development.<sup>49</sup> Then, Azerbaijani authorities prioritised stabilisation over 'the burden

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<sup>43</sup> SIPRI Military Expenditure Database, retrieved 7 December 2015, [www.sipri.org/research/armaments/milex/milex\\_database](http://www.sipri.org/research/armaments/milex/milex_database).

<sup>44</sup> World Bank, *Azerbaijan*, retrieved 9 October 2015, [data.worldbank.org/country/azerbaijan](http://data.worldbank.org/country/azerbaijan).

<sup>45</sup> F. Guliyev, "Post-Soviet Azerbaijan: Transition to Sultanistic Semiauthoritarianism? An Attempt at Conceptualization", *Demokratizatsiya: The Journal of Post-Soviet Democratization*, vol. 13, no. 3, 2005, p. 418; S. Abbasov, "Azerbaijan: Achievements and Missed Opportunities", in Friedrich-Ebert-Stiftung, *South Caucasus – 20 Years of Independence*, 2012, p. 108.

<sup>46</sup> Guliyev, "Post-Soviet Azerbaijan", *op. cit.*, p. 418.

<sup>47</sup> *Ibid.*, p. 395; Abbasov, *op. cit.*, p. 108.

<sup>48</sup> Guliyev, "Post-Soviet Azerbaijan", *op. cit.*, p. 395.

<sup>49</sup> A. Yunusov, "Twenty Years of Independence in Azerbaijan", in Friedrich-Ebert-Stiftung, *South Caucasus – 20 Years of Independence*, 2011, p. 67.

of democracy',<sup>50</sup> until a production-sharing agreement was signed in 1994 between the State Oil Company of Azerbaijan and the Western Oil Consortium of 13 companies. This 'Contract of the Century'<sup>51</sup> was soon followed by an enormous economic growth that changed the initial rationale behind prioritising stabilisation over political change. Now, modernisation is equated with technological innovation and translating extensive oil revenues into an 'Azerbaijani miracle' rather than corresponding to political liberalisation or democratisation.<sup>52</sup> Political stability was well achieved and so was nepotism.

Only members of the President's family, personal connections or people loyal to the leadership run political institutions, head major corporations or are promoted to leading positions in the government.<sup>53</sup> The perpetuity of the ruling elite is furthered by a combination of hereditary succession of power and patronage.<sup>54</sup> Almost exclusive authority over deciding how money from the State Oil Fund is spent enables the President to practice neopatrimonialism in exchange for political loyalty.<sup>55</sup> Members of the elite whose fortunes depend on their connections with the leadership, tend not to oppose this arrangement either and, in effect, might even be more interested in the continuation of these practices than in the implementation of the rule of law.<sup>56</sup> As a result, the political elite is united by the recognition that any changes to the regime would mean a loss for all of them. Hence, underlying political structures have remained unchanged for decades.

### State Capacity

Azerbaijan is effectively operating its strong coercive capacity by taking preventative measures against potential threats from within. In 2005, fearing the spill-over of the 'colour revolutions' in Ukraine and Georgia, members of the opposition

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<sup>50</sup> A. Geybullayeva, "Azerbaijan and the Burden of Democracy", *Al Jazeera*, 11 May 2014.

<sup>51</sup> Official website of the President of the Republic of Azerbaijan, retrieved 2 May 2015, [en.president.az/azerbaijan/contract](http://en.president.az/azerbaijan/contract).

<sup>52</sup> Abbasov, *op. cit.*, p. 119.

<sup>53</sup> Q. Reed, "Regulating Conflicts of Interest in Challenging Environments: The Case of Azerbaijan", U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute, Issue 2, 2010, p. 11.

<sup>54</sup> V. Guseynov, "Алиев после Алиева: наследование власти как способ ее удержания" ["Aliyev after Aliyev: Hereditary Succession of Power as a Means to Keep it"], *Независимая*, ["*Nezavisimaya*"], 19 March 2004.

<sup>55</sup> F. Guliyev, "Oil and Political Stability in Azerbaijan: The Role of Policy Learning", *Caucasus Analytical Digest*, no. 47, 18 February 2013, p. 9.

<sup>56</sup> F. Guliyev, "Political Elites in Azerbaijan", in A. Heinrich & H. Pleines (eds.), *Challenges of the Caspian Resource Boom. Domestic Elites and Policy-Making*, Basingstoke, Palgrave Macmillan, 2012, pp. 128-129.

were jailed even before they took action and all orange material in shopping centres in Baku was confiscated in order to prevent mobilising opposition groups from using it.<sup>57</sup> Throughout the process, security forces remained loyal to the leadership, as opposed to defecting to the opposition as many of them did in Georgia and Ukraine, and a 'colour revolution' never materialised in Azerbaijan.<sup>58</sup> At the same time, economic boom, rapidly decreasing poverty and a growing middle class have made the people even less susceptible to revolutions.<sup>59</sup>

#### Political Structures on the State and Societal Levels

Informal practices on the state level reflect a widespread region- and network-based kinship on the societal level, referred to as 'clans'.<sup>60</sup> The political elite consist of two major clans: descendants of former immigrants from Armenia called 'Yeraz' (Yerevan Azerbaijanis) and the people from the Nakhichevan region – an enclave in the South Western part of the country where the President's family is from.<sup>61</sup> This tribal affiliation has an enormous impact on the country's political affairs where the Nakhichevan clan has been in power since 1993 when Heydar Aliyev "entrusted all important national and regional posts to his clansmen and family members" and created a system of power distribution between the different clans in order to defuse potential rivalries and ensure the survival of the regime to 'preserve his legacy'.<sup>62</sup> Not only has this 'balance of powers' *à la Aliyev* solidified the sustainability of the political regime, but it also shows that "family, cronies, clans, and patronage are more influential social constructions than formal legal institutions".<sup>63</sup>

What further dictates political debate, reform process and even the rise and fall of governments in Baku, is the course and development of the Nagorno-Karabakh conflict.<sup>64</sup> The war has either been used by the governments as an excuse for not implementing certain reforms or by the opposition in an attempt to increase their

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<sup>57</sup> V. Bunce & S. Wolchik, *Defeating Authoritarian Leaders in Post-Communist Countries*, Cambridge, Cambridge University Press, 2011, p. 181.

<sup>58</sup> L. Way, "The Real Causes of the Color Revolutions", *Journal of Democracy*, vol. 19, no. 3, 2008, pp. 55-69.

<sup>59</sup> Andersen *et al.*, *op. cit.*, p. 1305.

<sup>60</sup> S. Radnitz, "Oil in the Family: Managing Presidential Succession in Azerbaijan", *Democratization*, vol. 19, no. 1, 2012, p. 64.

<sup>61</sup> *Ibid.*

<sup>62</sup> Radnitz, *op. cit.*, p. 64; L.-C. Sim, "In Search of Security: Azerbaijan and the Role of Oil in the Caspian Sea", *Journal of Communist Studies and Transition Politics*, vol. 15, no. 3, 1999, p. 28.

<sup>63</sup> Radnitz, *op. cit.*, p. 65; Guliyev, "Post-Soviet Azerbaijan", *op. cit.*, p. 416.

<sup>64</sup> M. Grigoryan & S. Rzayev, "Between Freedom and Taboo: Media Coverage of the Karabakh Conflict", *Accord*, no. 17, 2005, p. 50.



political capital.<sup>65</sup> At the same time, Karabakh democratisation efforts and the argument of their incompatibility with the values of Azerbaijan's political culture are used by Karabakh Armenians to support their plea for international recognition.<sup>66</sup> This makes the societal impact of the way in which the conflict is communicated by political elites on both sides of the front line all the more multi-faceted.

### Domestic Incentives

Before President Ilham Aliyev took office in 2003, his father actually opened up the political regime which – although primarily intended to facilitate his son's rise to power – resulted in Azerbaijan having a more active civil society than most post-Soviet countries did at that time.<sup>67</sup> Even pro-Western liberal opposition parties existed until 2003: they participated in the parliamentary elections in 1995 and 2000, and ran alternative presidential candidates in 2003.<sup>68</sup> This earned the country an evaluation of 'partly free' by Freedom House between 1998 and 2003.<sup>69</sup>

Yet, shortly after Ilham Aliyev won the elections, the coercive capacity was enacted again: security forces were deployed pre-emptively, the most popular opposition candidate Isa Gambar was arrested along with several protesters and political repressions of liberal reform groups continued.<sup>70</sup> Occasionally, small liberal coalitions emerge but lack funding and opportunities to challenge the regime from within, for which some authors hold the West accountable: civil society organisations are mostly funded and controlled by the state and do not enjoy sufficient support from international actors.<sup>71</sup> Recently, some experts have assumed that Islamic communities could be emerging as a new political force, but the extent to which

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<sup>65</sup> Sim, *op. cit.*, pp. 29-30.

<sup>66</sup> N. Caspersen, "Separatism and Democracy in the Caucasus", *Survival: Global Politics and Strategy*, vol. 50, no. 4, 2008, pp. 123, 127; L. Broers, "The Politics of Non-Recognition and Democratization", *Accord*, no. 17, 2005, p. 71.

<sup>67</sup> Abbasov, *op. cit.*, p. 121; Yunusov, *op. cit.*, pp. 71-75; B. Shaffer, "Young Leader or an Affront to Democracy?", Letter to Wall Street Journal, Belfer Center Programs or Projects: Caspian Studies, 12 November 2002.

<sup>68</sup> Radnitz, *op. cit.*, p. 63; Bunce & Wolchik, *op. cit.*, p. 181.

<sup>69</sup> Freedom House, Freedom in the World, retrieved 19 October 2015, [freedomhouse.org/report/freedom-world/2003/azerbaijan](http://freedomhouse.org/report/freedom-world/2003/azerbaijan).

<sup>70</sup> Radnitz, *op. cit.*, p. 67.

<sup>71</sup> *Ibid.*, p. 69.

they could be empowered by the EU's conditionality appears remote.<sup>72</sup> For the time being, the regime simply imprisons pro-Western secular liberals.<sup>73</sup>

### Perceived Legitimacy of EU Rules

As far as the desirability of internalising EU norms is concerned, Baku is not interested in an Association Agreement such as the ones signed with Ukraine, Georgia or Moldova.<sup>74</sup> Instead, democracy is regarded as something that should have a certain 'national flavour' and not seen as a universal value, leaving Azerbaijan's political elite uninterested in aligning with EU political norms and mistrustful of external efforts to democratise the country.<sup>75</sup> In recent years, the perception of the EU among the authorities, as well as the population, has suffered in particular because of three issues: the Eurozone crisis, the EU's avoidance of criticism of human rights violations and response to the annexation of Crimea.

First, Azerbaijan does not see the EU as a model for development and modernisation: the country's annual GDP growth of 3% even in the situation of falling oil prices is still higher than the EU average.<sup>76</sup> Second, not only does the country's booming economy ensure its independence from external assistance, and thus resilience to international criticism, but its booming oil industry has made the situation of democracy in Azerbaijan subordinate to the EU's energy interests. After all, Azerbaijan is "the site of the largest energy contract signed since the end of the Cold War, and an ally sharing the West's goal of reducing Russia's influence in Eurasia".<sup>77</sup> Regardless of electoral frauds and human rights violations, the EU has never stopped its dialogue with the authorities as it did with Belarus in 1997.<sup>78</sup>

Third, advocating for the inviolability of internationally recognised borders and territorial integrity of Ukraine, while avoiding referring to the same principles in the

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<sup>72</sup> Abbasov, *op. cit.*, p. 121; Yunusov, *op. cit.*, pp. 71-75.

<sup>73</sup> E. Mamadov, "Azerbaijan and the EU: Bugged Down in Acrimony", *Eurasianet*, 4 December 2014.

<sup>74</sup> Mamadov, "EU and Azerbaijan", *op. cit.*

<sup>75</sup> Abbasov, *op. cit.*, p. 119; N. Popescu, "Keeping the Eastern Partnership on Track", *EUSS Alert*, no. 29, 6 September 2013, p. 2.

<sup>76</sup> N. Bagirova & M. Antidze, "Azerbaijan's Economic Growth Slows to 3 pct in 2014 due to Weaker Oil Price", *Reuters*, 12 January 2015; World Bank, retrieved 19 October 2015, [wdi.worldbank.org/table/1.1](http://wdi.worldbank.org/table/1.1).

<sup>77</sup> Radnitz, *op. cit.*, p. 70.

<sup>78</sup> Z. Rasulzade, "Игбал Агазаде: 'Азербайджан – не Сирия, а И.Алиев – не Асад' (наши беседы)" [Iqbal Aghazadeh: "Azerbaijan – not Syria, and Aliyev – not Assad" (our conversation)], *Haqqin*, 30 January 2015.

case of Nagorno-Karabakh, has encouraged accusations of double standards on the part of Azerbaijan. President Aliyev has repeatedly criticised the West for imposing "sanctions against Russia for its occupation of Crimea and support of separatism in the Donbas while it has never considered sanctions against Armenia for the occupation of Karabakh".<sup>79</sup> Although Armenians likewise expect the EU to support the principle of self-determination to support their case on Nagorno-Karabakh, their perception of the EU was less damaged by recent developments.

#### *Armenia: Reform Interests Constrained by Geopolitical Issues*

The EU's model of market economy still appeals to Armenians, even though they are now constrained by the country's membership in the EEU. This membership will not be easy: Armenia is comparably poorer than other EEU member states (Russia, Belarus and Kazakhstan), it does not share a land border with any of them, and its simultaneous WTO membership further complicates the issue of compensating the differences of tariffs for Armenia's already strained state budget.<sup>80</sup> In December 2015, the first talks since September 2013 are held to discuss a new framework agreement with the EU, but the past two years are still symptomatic of the enormous impact that Russia has on the country.

#### Political Regime

On 6 December 2015, Armenians voted on constitutional reforms that will transform the country from a semi-presidential political system into a parliamentary republic, change the parliamentary election system, and shift most of the power from the President to the Prime Minister.<sup>81</sup> Looking at the opposition's claims that the reforms are intended to consolidate the grip on power of the current ruling conservative party *Hayastani Hanrapetakan Kusaksutyun* (HHK), the term 'competitive authoritarianism' becomes quite telling.<sup>82</sup> This term refers to regimes where political

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<sup>79</sup> A. Valiyev, "Azerbaijan's Balancing Act in the Ukraine Crisis", *PONARS Eurasia Policy Memo*, no. 352, September 2014, p. 2.

<sup>80</sup> M. Zolyan, "An Offer Yerevan Could Not Refuse", *BTI Blog*, 6 October 2014.

<sup>81</sup> L. Fuller, "How Democratic Are Proposed Armenian Constitutional Amendments?", *Radio Free Europe*, 5 December 2015.

<sup>82</sup> *Ibid.*

opposition exists but “the rules of the competition are tilted in a way, which favours the incumbent political force”.<sup>83</sup>

The political rivalry became especially intense in February 2015, when the leader of the HHK and the current President Serzh Sargsyan confronted Gagik Tsarukyan, the leader of the second largest party *Bargavach Hayastan Kusakcutyun* (BHK) and one of the wealthiest men in the country.<sup>84</sup> This is argued to have been intended to eliminate opposition to the constitutional reform that would ensure HHK the majority of seats in the parliamentary elections in 2017.<sup>85</sup> In effect, HHK is accused of seeking to monopolise the political arena and although BHK presents itself as opposition, they too are criticised for stemming from various elite groups just like HHK is.<sup>86</sup>

Despite elitist pluralism, the political system is nevertheless based on consensus and coalitions.<sup>87</sup> This could be attributed to the separation of powers by the constitution. In reality, however, the ruling party maintains influence over the judiciary, members of the parliament head business corporations, and thus, the actual power is concentrated around three key figures: President Serzh Sargsyan and the two former Presidents Robert Kocharyan and Levon Ter-Petrosyan.<sup>88</sup> An overlap between economic and political interests evolved in the aftermath of the Nagorno-Karabakh war that exhausted the impoverished post-Soviet Republic of Armenia and led to the distribution of influence zones, licenses and access to resources, as a result of which businesspeople and oligarchs became key actors in politics.<sup>89</sup>

## State Capacity

Some say that Armenia is the best example of a strong coercive state in the former Soviet Union, having successfully captured 20% of the territory of Azerbaijan by

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<sup>83</sup> M. Zolyan, “From a Hybrid Regime to Authoritarianism? Armenian Politics in the Wake of the Destruction of the ‘Prosperous Armenia Party’”, *Regional Studies Centre Blog*, no. 2, 17 March 2015.

<sup>84</sup> H. Arshamyan, “ՄԻԱԲԵՎԵՆ ՔԱՂԱՔԱԿԱՆ ՀԱՄԱԿԱՐԳԻ ՇԵՄԻՆ” [Facing a Unipolar Political System], *Regional Studies Centre Staff Analysis*, vol. 4, no. 1, February 2015.

<sup>85</sup> *Ibid.*

<sup>86</sup> D. Petrosyan, “The Political System of Armenia: Form and Content”, *Caucasus Analytical Digest*, no. 17, 21 May 2010, p. 10; A. Iskandaryan, “From Totalitarianism via Elitist Pluralism: Wither Armenia?”, in M. Palonkorpi & A. Iskandaryan (eds.), *Armenia’s Foreign and Domestic Politics: Development Trends*, Yerevan, Caucasus Institute and Aleksanteri Institute, 2013, pp. 49, 54.

<sup>87</sup> Iskandaryan, “From Totalitarianism via Elitist Pluralism”, *op. cit.*, p. 54; Petrosyan, *op. cit.*, p. 9.

<sup>88</sup> Petrosyan, *op. cit.*, p. 9.

<sup>89</sup> Iskandaryan, “From Totalitarianism via Elitist Pluralism”, *op. cit.*, p. 52.

1994.<sup>90</sup> The 1992-94 Nagorno-Karabakh war provided Armenian leaders “with a force that has the experience, the stomach, and the cohesion to put down one of the most mobilised oppositions in the postcommunist world”.<sup>91</sup> Despite being able to suppress large-scale opposition unrest, Armenia’s administrative capacity relies on a combination of loose coalitions of competitive parties and is therefore vulnerable to defections from within.<sup>92</sup> The country’s foreign policy choices are limited by its geopolitical isolation due to closed borders with two of its four neighbours (Azerbaijan and Turkey) and its high dependence on Russia. All of Armenia’s key sectors, from telecommunications, banking and transport to electricity, energy and security, are shaped by Russian investment, even if this relationship is driven by political pressure and hard pragmatism.<sup>93</sup> Considering that Russia’s low-price gas distribution and security guarantee with respect to Azerbaijan is an offer that the EaP cannot match, and that all other issues are subordinate to security in Armenia’s national priorities, the fear of having to compromise its security is part of what encouraged Armenia’s ‘U-turn’ in 2013.<sup>94</sup>

At the same time, the need to simultaneously coordinate policies so as to avoid clashes between domestic political groups while “trying to profitably combine the interests of Russia, the United States, the European Union, and Iran, which largely oppose each other on regional issues” – often referred to as a foreign policy of ‘complementarity’ – has made the country’s political leaders extremely skilful at operating a *modus vivendi*.<sup>95</sup>

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<sup>90</sup> Way, *op. cit.*, p. 63.

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*, pp. 67-68.

<sup>93</sup> M. Emerson & H. Kostanyan, “Putin’s Grand Design to Destroy the EU’s Eastern Partnership and Replace it with a Disastrous Neighbourhood Policy of His Own”, *The Centre for European Policy Studies Commentary*, 2013, p. 1; N. Babayan, “Armenia: Why the European Neighbourhood Policy has Failed”, *FRIDE Policy Brief*, no. 68, February 2011, p. 2; S. Minasyan, “Russian-Armenian Relations: Affection or Pragmatism?”, *PONARS Eurasia Policy Memo*, no. 269, July 2013, p. 3.

<sup>94</sup> A. Iskandaryan, “Armenia’s Foreign Policy: Where Values Meet Constraints”, in M. Palonkorpi & A. Iskandaryan (eds.), *Armenia’s Foreign and Domestic Politics: Development Trends*, Yerevan, Caucasus Institute and Aleksanteri Institute, 2013, pp. 14-15; Babayan, *op. cit.*, p. 2; A. Shirinyan & S. Ralchev, “U-turns and Ways Forward: Armenia, the EU and Russia Beyond Vilnius”, *Policy Brief*, Institute of Regional and International Studies, Yerevan-Sofia, 14 November 2013, pp. 2-3.

<sup>95</sup> Iskandaryan, “Armenia’s Foreign Policy”, *op. cit.*, p. 12; Minasyan, “Russian-Armenian Relations”, *op. cit.*, pp. 3-4; Minasyan, “The Nagorno-Karabakh Conflict”, *op. cit.*, p. 23.

## Political Structures on the State and Societal Levels

The aforementioned three Presidents were all involved in the Karabakh movement, thus, their entourage has always consisted of “[f]ormer activists [...], combatants, or individuals who come from Nagorno-Karabakh or other formerly Armenian-populated regions of Soviet Azerbaijan”, even today.<sup>96</sup> Part of what contributes to this continuity of politicians is societal concern over the Nagorno-Karabakh conflict. A resulting resistance to change stems from Armenians’ perception that their interests are best represented and protected by those who experienced the war themselves. By the end of the 1990s, veterans of the Nagorno-Karabakh war made up a large group of the society, involved in political affairs and regulating the economy, but now the veterans are less prominent and function more like a business community.<sup>97</sup> There used to be a group of intellectuals among the leaders of the Karabakh movement as well, which now functions as opposition.<sup>98</sup> Much like in Azerbaijan, the war provides a useful tool in Armenia’s politics as well – either for the coalition to adopt a hard line on conflict resolution or for the opposition to criticise the official approach as ‘betrayal’, depending on the political situation.<sup>99</sup> Conversely, Nagorno-Karabakh is also the one issue on which the government is *not* divided.<sup>100</sup>

Civil society has gradually developed into institutionalised forms since the mid-1990s, along the lines of ‘*shrijapat*’<sup>101</sup> – horizontal networks and communication circles of people that were based on common values, lifestyle, social class, profession or kinship.<sup>102</sup> Yet, the general lack of civic culture and social apathy towards political affairs make self-organisation rare and only recent. The state is believed to be responsible for providing material well-being to its citizens, which creates a constant public demand for leftist parties with paternalistic or even populist programmes, and instigates political parties to position themselves as ‘catch-all’ parties rather than to have a clear ideology.<sup>103</sup> Moreover, there are no parties representing farmers, small

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<sup>96</sup> Minasyan, “The Nagorno-Karabakh Conflict”, *op. cit.*, p. 26; Petrosyan, *op. cit.*, pp. 8-11.

<sup>97</sup> Iskandaryan, “From Totalitarianism via Elitist Pluralism”, *op. cit.*, p. 52.

<sup>98</sup> *Ibid.*, pp. 53-54.

<sup>99</sup> Minasyan, “The Nagorno-Karabakh Conflict”, *op. cit.*, p. 27.

<sup>100</sup> Minasyan, “Domestic Dimensions of Armenia’s Foreign Policy: the Karabakh Conflict and Armenia-Turkey Relations”, PONARS Eurasia Policy Memo, no. 209, June 2012, p. 2.

<sup>101</sup> ‘Surrounding’, ‘environment’ or ‘the circle of people around you’ in English.

<sup>102</sup> H. Mikaelyan, “Civil Society in Armenia”, in M. Palonkorpi & A. Iskandaryan (eds.), *Armenia’s Foreign and Domestic Politics: Development Trends*, Yerevan, Caucasus Institute and Aleksanteri Institute, 2013, pp. 58-59, 63.

<sup>103</sup> Mikaelyan, *op. cit.*, pp. 61, 67; Iskandaryan, “From Totalitarianism via Elitist Pluralism”, *op. cit.*, p. 48.

businesses, retired people or the middle class, because “[t]he country lacks the political culture needed to make these strata aware of the need to be represented”.<sup>104</sup> Many middle class representatives do not even consider it necessary to organise themselves and fight for their rights, they either wait for problems to be solved by the authorities or emigrate.<sup>105</sup> In fact, the disposition to emigrate is extremely high among Armenians, not only due to the self-perpetuating draw of their diaspora, but also due to the low level of economic development, high unemployment, and widespread pessimism about the future.<sup>106</sup>

### Domestic Incentives

There are several groups that advocate liberal reforms. For example, the Heritage Party *Zharangutyun* seeks to restore constitutional order and establish impartial prosecution of the people involved in post-elections violence in 2008.<sup>107</sup> The Armenian National Congress demands the release of all political prisoners, free competitive TV broadcasting, a reform of the Electoral Code, and the removal of restrictions on rallies and gatherings that were imposed in 2008.<sup>108</sup> Both became especially active before the constitutional referendum, launched a large opposition campaign, and organised several rallies in June 2015 and on the week of the referendum in December.<sup>109</sup> This is quite remarkable, given that most scholars have found self-organisation to be rare and Armenians to be rather uninterested in politics. These groups have gradually emerged due to “Armenia’s geographical, economic and political situation as a small, poor, landlocked country involved in a territorial dispute” – a situation in which liberal reforms were considered necessary for the country’s stable development.<sup>110</sup> Internal urge for overcoming poverty, unemployment and inequalities made Armenia notably receptive to the EU’s requirements during the negotiations of an Association Agreement including a Deep and Comprehensive Free Trade Area (DCFTA) in 2010-2013, when substantial reforms

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<sup>104</sup> Iskandaryan, “From Totalitarianism via Elitist Pluralism”, *op. cit.*, p. 49.

<sup>105</sup> Mikaelyan, *op. cit.*, p. 61.

<sup>106</sup> *Ibid.*, pp. 60-61.

<sup>107</sup> Petrosyan, *op. cit.*, p. 11.

<sup>108</sup> *Ibid.*

<sup>109</sup> K. Avedissian, “No, thanks. Armenia’s opposition rallies against referendum”, *The Guardian*, 5 December 2015; Radio Free Europe/Radio Liberty’s Armenian Service, “Thousands Rally In Armenia Against Plan To Change Constitution”, *Radio Free Europe*, 1 December 2015.

<sup>110</sup> Iskandaryan, “Armenia’s Foreign Policy”, *op. cit.*, p. 12.

were made in competition policy, migration and food safety.<sup>111</sup> This has to do with the popular idea of Armenians 'becoming like Europe' by "replacing Soviet values and practices with modern European ones" which created an incentive for implementing many European standards.<sup>112</sup>

#### Perceived Legitimacy of EU Rules

EU norms find greater resonance within the civil society and the opposition than they do among the authorities who focus more on the pragmatic gains of EU integration and less on democratic transformation.<sup>113</sup> For Armenians, the EU symbolises economic well-being – something that they aspire to.<sup>114</sup> At the same time, part of why the political elite supported the DCFTA negotiations was that it did not require large-scale democratic changes that would have endangered the ruling elite.<sup>115</sup> Although the rule of law and human rights remain unattractive to the authorities, these values gain their legitimacy from being to some extent seen as instrumental for achieving material well-being.<sup>116</sup>

The perception of the EU was never damaged by the disillusionment with the lack of a membership perspective in the EaP framework, as Armenia never explicitly expressed a wish to join the EU. Despite having conducted numerous reforms towards greater economic integration with the EU, Armenians were constrained by their security calculations in pronouncing it.<sup>117</sup> What they were disenchanted with was the EU's contribution to resolving ongoing problems with its neighbours, because this is what Armenia was hoping for in its inclusion in the EaP.<sup>118</sup> Paradoxically, the very inclusion of Armenia in the EaP, following the lack of progress on the ENP Action Plan, the crackdowns of flawed presidential elections, police abuse and political

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<sup>111</sup> Iskandaryan, "Armenia's Foreign Policy", *op. cit.*, p. 16; Delcour & Wolczuk, *op. cit.*, pp. 495-498.

<sup>112</sup> Iskandaryan, "Armenia's Foreign Policy", *op. cit.*, p. 15; Delcour & Wolczuk, *op. cit.*, pp. 497-498.

<sup>113</sup> N. Babayan & N. Shapovalova, "Armenia: the Eastern Partnership's Unrequired Suitor", *FRIDE Policy Brief*, no. 94, September 2011, p. 2.

<sup>114</sup> Iskandaryan, "Armenia's Foreign Policy", *op. cit.*, p. 14; L. Delcour, "Faithful but Constrained? Armenia's Half-Hearted Support for Russia's Regional Integration Policies in the Post-Soviet Space", in D. Cadier (ed.), *The Geopolitics of Eurasian Economic Integration*, Special Report, London, London School of Economics, 2014, p. 41.

<sup>115</sup> Delcour & Wolczuk, *op. cit.*, p. 501.

<sup>116</sup> *Ibid.*, p. 494; Iskandaryan, "Armenia's Foreign Policy", *op. cit.*, p. 16.

<sup>117</sup> Iskandaryan, "Armenia's Foreign Policy", *op. cit.*, p. 12; Delcour & Wolczuk, *op. cit.*, pp. 502-503.

<sup>118</sup> Emerson & Kostanyan, *op. cit.*, p. 2; Babayan, *op. cit.*, p. 1.



arrests in 2008, had many Armenians question “how the EU can classify their country as democratic”.<sup>119</sup> This, and other outstanding issues revealed in the case studies, are summarised in Table 5 below and analysed in the following section.

Table 5: Main Findings

CONDITIONS	ARMENIA	AZERBAIJAN
Political regime	Competitive, elitist pluralism but favours incumbent political force, overlap of economic and political interests and authoritarian trends after 2008 presidential elections but based on consensus and coalitions	Semi-authoritarian, elitist, exclusive powers of the President, executive branch dominates, overlap of power and property, elections induce authoritarianism, executive power dominates
State capacity	High coercive and administrative capacity, but statehood limited by international isolation and dependence on Russia	High coercive and administrative capacity, loyal security forces, uprisings and opposition effectively pre-empted
Political structures on the state and societal levels	Political leaders originating from the Karabakh movement, social apathy towards politics, paternalistic conception of the state, lack of civic culture and self-organisation, high emigration mood	Region- and network-based kinship, nepotism, hereditary succession of power, clans more relevant than formal legal institutions
Domestic incentives for liberal reform	Demand for economic reforms and liberalisation, but populist political parties with no clear ideology, opposition activism prior to constitutional referendum	No interest in political change or liberalisation among political elite, opposition marginalised, civil society repressed and weak
Perceived legitimacy of EU rules	EU seen as a model for modernisation, ‘Europeanisation’ as a way for achieving economic well-being, reforms made during DCFTA negotiations but authorities only interested in democratisation in so far as it contributes to economic development	Technical innovation and economic growth prioritised over democratisation, authorities uninterested in implementing EU standards of democracy, perception of the EU damaged by selective use of territorial integrity argument

Source: compiled by the author.

**Analysis of Domestic Conditions and the EU’s Influence**

Semi-authoritarian trends, high state capacity and informal political clan structures can be identified in both countries, but when it comes to the perception of the EU and domestic incentives for liberal reform, the EaP appears to have a greater

<sup>119</sup> Babayan, *op. cit.*, p. 3.

resonance in Armenia than it does in Azerbaijan. However, as much as the case studies have found on the political regime, state capacity, political structures, domestic incentives and the perception of the EU in the two countries in the South Caucasus, each of the fields of research would surely deserve more in-depth analysis than this paper could accommodate. The following analysis nevertheless attempts to understand the reasons for the main findings of this study, as summarised in Table 5.

The EU's ability to foster domestic reform processes is ultimately determined by the political regime and leaders in both countries. External governance and norm diffusion are more effective in countries that are at least partly democratised, where incumbent authorities share the willingness to reform. Indeed, the EaP has had greater impact in Armenia where the political system is already based on coalitions and competition, than it has in Azerbaijan where the President enjoys almost exclusive powers and the political elite has no interest in democratic change that would threaten their position (see Table 5). The reforms required in the EaP framework imply a series of costs for countries where large-scale changes are needed to establish a functioning electoral democracy, which risk making the costs of meeting the EU's norms and values higher than the rewards for these efforts.

The concept of path dependence provides useful insight into understanding why the cost of reforms plays such a key role in the process of democratisation. According to Pierson's concept of 'increasing returns', "once a country [...] has started down a track, the costs of reversal are very high" to the point where further movement in the chosen direction is induced.<sup>120</sup> Previous institutional behaviour, decisions and practices do not only affect future political outcomes, but institutions can even become stuck on the course determined in the past, such that political arrangements are especially resistant to change.<sup>121</sup> On the one hand, with the continuity of its political system and former Soviet practices, Azerbaijan appears to be trapped in certain path dependence.

On the other hand, the EU itself is often faced with a 'democratisation-stabilisation dilemma' of two sometimes mutually exclusive objectives, as promoting democratisation in (semi-)authoritarian countries entails a risk of destabilisation, at

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<sup>120</sup> P. Pierson, "Increasing Returns, Path Dependence, and the Study of Politics", *American Political Science Review*, vol. 94, no. 2, 2000, pp. 251- 267; M. Levi, "A Model, a Method, and a Map: Rational Choice in Comparative and Historical Analysis", in M. I. Lichbach & A. S. Zuckerman (eds.), *Comparative Politics: Rationality, Culture, and Structure*, Cambridge, Cambridge University Press, 1997, p. 28.

<sup>121</sup> Pierson, *op. cit.*, pp. 251-252, 262.

least in the short term.<sup>122</sup> “[T]he lower the degree of political liberalisation, the greater the risk of destabilisation”, and the more hesitant the EU is to support political opponents in asserting a democratic reform agenda, having to favour stability over change.<sup>123</sup> As a result, “the EU is less likely to [...] promote domestic change, [...] even if this means strengthening authoritarian regimes”.<sup>124</sup> Ironically, stabilisation is exactly what Azerbaijani leaders have prioritised since 1991 and in some ways the EU has supported governments in both countries in achieving that. However, it would be naive to assume that the EU, having just set up a joint steering body for the Southern Gas Corridor project in February 2015, has refrained from criticising the country’s poor human rights record only to avoid destabilising the political system.<sup>125</sup>

Börzel and Risse’s presumption of semi-authoritarianism being coupled with low levels of state capacity is not particularly convincing in the cases of Armenia and Azerbaijan.<sup>126</sup> Both countries enjoy an impressive coercive capacity, especially at times preceding or following elections (see Table 5): in Armenia, restrictions on the right of assembly and the freedom of speech were re-established after violent post-elections protests in 2008; in Azerbaijan, pre-emptive measures against potential uprisings are regularly taken prior to elections. Seeing the high state capacity coupled with semi-authoritarian trends, the correlation initially proposed by norm diffusion becomes questionable.

As the 2008 presidential elections in Armenia showed, there are some liberal groups who become more vocal during the pre-elections campaigning, giving hope with regard to mobilising liberal coalitions in the country. However, contrary to praising elections as the hallmark of democratisation or a benchmark for testing the quality of it, in countries with a high state capacity, elections tend to strengthen the existing political regime either way, be it authoritarian or democratic – a phenomenon referred to as ‘the paradox of authoritarian elections’.<sup>127</sup> This tendency is related to the enforcement of an authoritarian style of governance around the time of

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<sup>122</sup> T. A. Börzel & V. van Hüllen, “One Voice, One Message, but Conflicting Goals: Cohesiveness and Consistency in the European Neighbourhood Policy”, *Journal of European Public Policy*, vol. 21, no. 7, 2014, pp. 1033-1049.

<sup>123</sup> Börzel & van Hüllen, *op. cit.*, p. 1041; R. Balfour & A. Missiroli, “Reassessing the European Neighbourhood Policy”, *EPC Issue Paper*, no. 54, June 2007, p. 11.

<sup>124</sup> Börzel & Risse, “When Europeanization Meets Diffusion”, *op. cit.*, p. 201.

<sup>125</sup> European Commission, “Southern Gas Corridor: Vice-President Šefčovič attended Ministerial Meeting in Baku”, *Press Release*, 13 February 2015.

<sup>126</sup> Börzel & Risse, “From Europeanisation to Diffusion”, *op. cit.*, p. 15.

<sup>127</sup> M. B. Seeberg, “State Capacity and the Paradox of Authoritarian Elections”, *Democratization*, vol. 21, no. 7, 2014, pp. 1265-1285.

elections. Yet, the EU's democracy promotion focuses on free and fair elections as the fundamental establishment for a democratic transition. Conversely, elections in Armenia and Azerbaijan have had the exact opposite effect: due to high state capacity, elections induced further stability of the existing semi-authoritarian regime. The "analysis of formal institutions (presidency, elections, civil society, etc.) can distract our attention from the core realm of pseudopolitics".<sup>128</sup> Unlike in Western democracies, what matters in these societies are "ethnic, religious, regional, clan, community, family, personal, tribal, and other informal [...] relations".<sup>129</sup>

People from the Karabakh region keep dominating political affairs in Armenia, partly because of uncertainty about the country's stance in the Nagorno-Karabakh conflict, should the leadership become more representative of the whole population. In fact, regardless of the corrupt behaviour and business interests of the politicians, people seem content with the way they address the conflict. As long as Nagorno-Karabakh remains the primary concern for Armenians, the ruling clan is likely to stay as well. In Azerbaijan, providing oil wealth nurtures the patronage network around the Nakhichevan and Yeraz clans, there is no interest in implementing the rule of law or strengthening democratic institutions either (see Table 5). Paradoxically, key members of both leaderships originate from territories that lie geographically closer to the capital of their counterpart – a combination that seems to enforce mutual hostility rather than enabling conflict resolution.

Civil society activism, in turn, is a relatively new phenomenon in all post-Soviet countries. In Azerbaijan civil society continues to be restricted and controlled by government funding, whereas in Armenia independent civil associations and NGOs have gradually emerged, but nevertheless remain disengaged in politics (see Table 5). The EU's assistance to civil society organisations, as much as it is welcomed by the people, "has often led to a short-lived mushrooming of NGOs" without accomplishing a long-term structural change which is arguably a great challenge in a culture where social apathy makes the people distance themselves from the elitist game of politics.<sup>130</sup>

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<sup>128</sup> Guliyev, "Post-Soviet Azerbaijan", *op. cit.*, p. 401.

<sup>129</sup> *Ibid.*, p. 403.

<sup>130</sup> T. A. Börzel, "The Transformative Power of Europe Reloaded: The Limits of External Europeanisation", *KFG Working Paper Series*, no. 11, Kolleg-Forschergruppe (KFG) *The Transformative Power of Europe*, Freie Universität Berlin, February 2010, p. 20.

The South Caucasus is sometimes referred to as the least likely case of Europeanisation, due to the costliness of the process, limited EU incentives and generally low resonance of EU norms.<sup>131</sup> Indeed, the EU has not managed to bring about a change in Azerbaijan, but similar failure in Armenia is a misconception. During the three years of DCFTA negotiations, large-scale reforms were conducted according to the EU's recommendations, partly owing to Armenia's geopolitical situation. Namely, as the "direct route to Europe [is] shut off by the sealed Armenian-Turkey border", 70% of Armenia's total imports and exports are carried through Georgian territory, the long detour of which has made the Armenian market unattractive for most businesses to invest in.<sup>132</sup> As a country whose economic situation is dependent on stability in Georgia, Armenia was encouraged by the 2008 Russo-Georgian war to diversify its trade relations, which ultimately resulted in an increased leverage for the EU. Not having publicly cheered their economic reform or pronounced a willingness to join the EU does not mean Armenians are not interested in the EU's economic model. Due to security concerns and heavy reliance on Russian support, Armenia simply had to go through a process of 'silent Europeanisation'. Even though Armenia is now constrained by its participation in the Eurasian Economic Union, the domestic desire to reform remains acute.

The perception of the EU in the two countries has been damaged by the all-inclusive structure of the ENP not meeting the countries' expectations. Azerbaijan saw its inclusion in the policy as a way to establish visa-free travel for its citizens and enhance the energy partnership, but remained uninterested in political reforms or deep economic integration with the EU.<sup>133</sup> Armenia was hoping for a greater EU contribution to resolving the Nagorno-Karabakh conflict, but trying "to play a policy of equidistance between Armenia and Azerbaijan [...] meant that the EU ended up having virtually no policy at all".<sup>134</sup> This balanced and indeed somewhat ambiguous approach worked until the annexation of Crimea in 2014 when the perceived legitimacy of the EU deteriorated significantly: Azerbaijani authorities are very disappointed that the EU is not supporting the territorial integrity of Azerbaijan as vocally as it does in the case of Ukraine.

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<sup>131</sup> T. Börzel & Y. Pamuk, "Pathologies of Europeanization: Fighting Corruption in the Southern Caucasus", Anti-Corruption Resesarch Network, 21 February 2011.

<sup>132</sup> Iskandaryan, "Armenia's Foreign Policy", *op. cit.*, p. 10; A. C. Killough, "Armenia in Need of an Alternative Export-Import Route", *Eurasia Daily Monitor*, vol. 5, no. 195, 10 October 2008.

<sup>133</sup> Popescu, "Keeping the Eastern Partnership on Track", *op. cit.*, p. 1.

<sup>134</sup> N. Popescu, "ENP and EaP: Relevant for the South Caucasus?", in *South Caucasus - 20 Years of Independence*, Friedrich-Ebert-Stiftung, 2011, p. 325; Babayan, *op. cit.*, p. 3.

The recent ENP review attempts to close this gap between expectations and the EU offer. The most significant change for these two countries is the greater emphasis on the principle of differentiation.<sup>135</sup> This means that each country will enjoy a more tailor-made approach of the EU, as opposed to the previous model where each of them was headed towards similar Association Agreements and visa liberalisation.<sup>136</sup> This is something that Azerbaijan has long wished for. The review is promising in terms of taking each country's individual challenges into greater consideration, but in order to ensure the influence the EU is seeking, the implementation of this principle would need to be accompanied by a thorough understanding of the dynamics of how these five conditions affect the success of any external influence.

It is difficult to assess whether all five conditions analysed above are of the same relative weight. Undoubtedly, they are interconnected. The region-based kinship, the lack of civic culture or the rarity of self-organisation on the societal level are reflected in the continuation of elitist pluralism, informal practices of nepotism, or the formulation of 'catch-all' political parties on the state level, and *vice versa*. The countries' political regimes, in turn, constitute the space for domestic liberal coalitions to emerge, and these coalitions can only be empowered by the EU's conditionality, if the EU norms are perceived as desirable and legitimate among the people. This legitimacy is always affected by the extent to which an EU norm is followed among its own member states, and, lastly, in case a competing governance provider already has a great influence in the country, the EU is left with a rather narrow niche in which to introduce its own democratisation agenda. Despite context-dependence, the same interconnectedness is true for any other ENP country as well, or for any third country for that matter.

### *Evaluation of the Theories*

The authors of the theories have not always recognised these links between different conditions. Compared to norm diffusion and SFP, the external governance approach offers the most comprehensive set of conditions under which the externalisation of EU rules is likely to be more effective, from institutional setup and power-relations to domestic factors. However, external governance does not present

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<sup>135</sup> European Commission and High Representative of the Union for Foreign Affairs and Security Policy, Joint Communication "Review of the European Neighbourhood Policy", JOIN(2015) 50 final, Brussels, 18 November 2015.

<sup>136</sup> *Ibid.*

the three explanations and the nine factors that condition the mode and effectiveness of external governance as complementary to each other. Instead, they are presented as an 'either-or' case, omitting potential conjunctions between, for example, the extent to which an EU rule is complied with among member states is related to the third countries' perception of the EU. Unlike external governance, SFP acknowledges interlocking between the different sectors and levels of analysis.

The factors are not equally relevant in all countries but vary in terms of significance and impact. In this study, Armenians' willingness to reform and their admiration for the EU's model of economic well-being became a key driving force behind the country's economic modernisation, outweighing all other conditions. SFP sees these immaterial factors as crucial for a foreign policy to have sustainable effects, and norm diffusion mentions domestic incentives as 'essential elements'. External governance does not discern any of the conditions as being crucial *per se*, although they too lean more towards the explanation based on domestic factors. As all theories are remarkably context-dependent, the results of their application will, in any case, vary across countries, regions and policy fields. If one were to test these conditions for the EU's influence in Georgia, Moldova, Ukraine, Belarus, or any other country, their conclusions would certainly differ from the ones arrived at in this paper.

By focusing on domestic structures, the theories – as well as this paper – risk underestimating the impact of mutual interdependence not only between a third country and the EU, but between the third countries themselves and in their relation to other regional powers. This became especially relevant in the case of Armenia, whose dependence on another competing structural power has greater impact on the country's foreign policy choices than its political regime, state capacity or domestic liberal incentives do. Norm diffusion and the external governance approach acknowledge power asymmetries in the bilateral relationship between a norms exporter and a target, but applying this notion to a wider multilateral environment would complement both models. It would also reveal that, compared to Russia, Turkey or Iran, the EU has had far less of an impact on the two countries in the South Caucasus than it likes to believe.

All three theories explain how the EU's norms, rules, values or practices are adopted in other parts of the world. Therefore, it is inevitable that the EU is at the centre of their attention. As much as the theories emphasise the importance of domestic factors in partner countries, they still attribute democratic change to actions taken by the EU.

Even when indirect emulation posits an action starting from the 'receiving' end, the model still assumes the principal 'source' for change being the EU. Interestingly, only liberal reforms are ascribed to the EU's positive conditionality model, but if developments on the ground take the opposite course, such as transition from a democracy-oriented rule towards authoritarianism in Azerbaijan, it is considered to be something unrelated to the EU's actions.

In an attempt to lessen this ambivalence, SFP is not confined to the occurrence of change – it might as well be aimed at sustaining the *status quo* in a target country. This is something completely different from the ideas of external governance, norm diffusion, transformative power or even Europeanisation theories. Institutional change is neither a necessary precondition nor a dependent variable for Keukeleire and Delreux, while neither external governance nor norm diffusion consider sustaining existing structures as an option. For them, anything less than a domestic change is not regarded as a result of the EU's influence. Arguably, the impact of one actor on another in supporting existing structures is even more difficult to be determined than external influence in case of change is.

Although a successful SFP takes into account the organising principles within as many sectors and levels as possible, it offers little explanation for how these then influence the internalisation of norms. Norm diffusion and external governance models explain that liberal reforms are more likely to be accepted in partly democratised countries than in authoritarian regimes. SFP would simply deduce that the foreign policy has to take into account that the third country is authoritarian/semi-authoritarian/democratic, but the theory is missing an argumentation on how exactly these domestic structures then affect the sustainability of a policy's effects.

Altogether, it is important to keep in mind that in social sciences, no theory can offer an absolute truth, and external governance, norm diffusion and SFP are no exceptions. All three theories provide presumable contingencies and explanations on some identifiable tendencies, but after all, they were all constructed on the basis of different case studies themselves that do not necessarily correspond to the ones conducted in this paper. Moreover, as the practices of foreign policy change over time, so do the endeavours to conceptualise them. Nevertheless, it is argued that a combination of several theories that overlap in some areas, disagree in others, but most importantly, complement each other where they have weaknesses, provides a more reliable basis for case studies than any of them alone.



## **Conclusion: Domestic Limits to Europeanisation**

This paper sought to explain why the EU has had limited influence in Armenia and Azerbaijan when it comes to democracy promotion. It showed that the domestic political structures in the countries do not meet the core conditions for the EU to enjoy sufficient leverage to induce a democratic change. Elitist political regimes, social apathy towards politics, unjust elections, occasional authoritarian trends, constant security concerns and the dependence on Russia constrain Armenia's Europeanisation effort more than the perception of EU rules and the desirability of internalising the economic model can facilitate it. The high state capacity of Azerbaijan should, in theory, facilitate the diffusion of EU norms. However, corruption, clan structures and informal practices in this oil-rich semi-authoritarian country make the political elite immune to international criticism on human rights violations and the state of democracy. In both cases, factors obstructing EU influence have greater reverberation than the ones encouraging a change.

The reason why the EU has "neither managed to be a decisive force for good, nor to prevent negative regional trends" in the South Caucasus, is its little appreciation of the factors that shape the governments' policies and contribute to the continuity of the current regime.<sup>137</sup> A lot of the challenges identified in the case studies stem from the ongoing Nagorno-Karabakh conflict, suggesting that any external actor is more likely to bring about a domestic democratic change when putting greater emphasis on conflict resolution than on political conditionality. Yet, the EU's democracy promotion agenda of supporting civil society, political opposition and elections has been inspired by the Western experience of democratic transition.

This overlooks informal organising principles, societal structures, security concerns and economic situations that dictate political affairs. Although the structural political problems are essentially different, with elitist pluralism in Armenia and nepotism in Azerbaijan, informal clan structures prevail over formal democratic institutions in both of them. On that note, the hypothesis of this paper is confirmed: the EaP has not been able to induce a democratic change in Armenia and Azerbaijan, because the EU's policy does not take into account the countries' domestic political structures. Understanding and accepting these domestic limits to Europeanisation can be the basis for either adjusting expectations to the reality or negotiating a more ambitious agreement in future.

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<sup>137</sup> Popescu, "ENP and EaP", *op. cit.*, p. 316.

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