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**EAP COUNTRIES' CONVERGENCE WITH EUROPEAN STANDARDS
IN BORDER MANAGEMENT:
EUROPEANISATION DRIVEN BY EU'S DEMANDS OR DOMESTIC AGENDA?**

Abstract

This article addresses Europeanization in third countries and aims to map and explain compliance patterns in EU's Eastern neighbourhood. This study attempts to define under what conditions the EU can trigger the transformation beyond its borders and to explore whether EU's conditionality principle in the absence of membership prospect can motivate reforms at domestic level and if not, what drives Europeanisation processes in these countries. This research is concerned with sector - specific explanations and dynamics of sectoral reforms under the European Neighbourhood Policy and Eastern Partnership. Meticulous investigation of Border Management reforms in Georgia and Ukraine provide profound insights for the final research findings.

Keywords: *Europeanisation, Conditionality, Border Management, Georgia, Ukraine*

Introduction

This research contributes to the academic discussion regarding the Europeanisation processes outside the European Union. The analysis proceeds within the framework of the European Neighbourhood Policy. It can be seen as "most-likely case for Europeanisation beyond Europe because it deals with close neighbours, covers a broad range of policies and is based on the explicit commitment of the EU to extend its *acquis* beyond membership" (Schimmelfennig, 2015, p. 6). In exploring third countries' rapprochement with the European Union standards and norms, scholars observe varying patterns of institutional adjustment across countries and across policy areas and develop theoretical findings that are puzzling and inconsistent. They have introduced contrasting arguments whether the EU is able to motivate domestic change in neighbouring countries or not in the absence of membership conditionality, which represents the most effective tool for Europeanisation. In line with this backdrop, scholars argued that the ENP countries may not be induced to undertake domestic reforms (e.g. Kelley, 2006; Schimmelfennig and Scholtz, 2008). However, against this pessimistic view, research on Europeanisation in neighbouring countries revealed that there is a surprising degree of institutional change in these countries (e.g. Börzel and Risse, 2012; Lavenex, 2014). In developing a plausible explanation for the reasons inducing the approximation with European standards in third countries, scholars have recently focused on Europeanisation of specific sectors and EU's conditionality tied to them (e.g. Ademmer and Börzel, 2013; Ademmer and Delcour, 2014; Langbein and Wolczuk, 2012). Conforming to this sight of thought, this paper aims to address the causes behind the third countries' motives to Europeanise and identify mediating factors for policy change. The research will shed light to whether there is a causal link between the European Union's pressures emanating from Brussels and domestic policy adjustment. While, "it is too early to present a consistent theoretical framework to explain differential policy change across policy fields and countries in the EU's neighbourhood" (Langbein and Börzel, 2013, p. 574), this research is concerned with the contribution to the process of theory development rather than the theory itself. The article proceeds in the following way: firstly, theoretical framework for analysis based on the EU's conditionality principle is developed; afterwards, the empirical evidence from two different case studies are examined and finally, main findings and concluding remarks are drawn from the comparative analysis.

Framework for Analysis

The European Neighbourhood Policy covers wide range of countries in East and South. Eastern neighbours of the EU grouped under the Eastern Partnership are Belarus, Ukraine, Moldova, Georgia, Armenia and Azerbaijan. To the South, EU cooperates with 15 countries, which share with the EU the Union for Mediterranean. These countries differ in terms of size, region and political system, which represents a challenge for researchers to present explanatory Europeanisation mechanism that would be generalised to all these countries. Therefore, in order to produce methodologically grounded findings, this research is focused on the Eastern Neighbours in the European Neighbourhood Policy, which according to the classification by Emerson, constitutes one of the Europe's circles of neighbours outside the EU (Emerson, 2011, p. 54).

For this study, I have selected two countries of Eastern Neighbours such as Georgia and Ukraine. These countries represent comparable cases since they are regarded to be "among the most active and most liberal participants in the ENP" (Freyburg, et. al. 2009, p. 919). Both countries share a relationship of asymmetric interdependence with the EU. Moreover, Georgia and Ukraine are distinguished with their European aspirations and have made EU membership goals as part of foreign policy agenda. Towards this road, on 27 June 2014, the EU signed Association Agreement with Georgia and completed the signature process with Ukraine, each providing for a Deep and Comprehensive Free Trade Area. In other words, they constitute most-similar cases, which means that we can generalise only negative findings: if the European Union is ineffective in Europeanising these countries, then it is more likely that it will be ineffective in other Eastern Neighbouring countries as well.

In contrast to country level Europeanisation explanations, this paper focuses on examination of meso-level factors at respective policy field in a comparative perspective. Thus, this research is motivated to observe policy level Europeanisation processes and constellation of internal as well as external determinants, which can induce countries to download EU norms to domestic arena. This type of research, concentrated on more detailed scrutiny, aims to produce methodologically sound findings located at sectoral level. Furthermore, "the empirically grounded discussion of concrete policy areas and countries allows for more nuanced findings of diverging effects" (Sasse, 2008, p. 300).

This research engages in seeking the evidence of whether third countries' Europeanisation processes are synchronised with the EU demands and explains how they respond to EU pressures coming from Brussels in the absence of membership 'carrot'. In other words, the research questions of the paper are: (1) Can the European Union be effective in Europeanising countries without the accession perspective? (2) To what extent these countries adapt to European norms, standards and values? (3) Which factors facilitate domestic change, which results in downloading of EU conditions in the domestic arena? In relation to the first research question, the paper defines 'effectiveness' as "the capacity of the institution to engage 'actively and deliberately' in relation to other actors in the international system" (Sjöstedt 1977, p. 16 cited in Bretherton and Vogler, 2006, p.17).

In order to address the research questions and observe sector - specific conditionality, the research analyses border management issues in Georgia and Ukraine. The observation covers the period from the introduction of the ENP until the visa free regime with the EU. Although this field is under Justice, Freedom and Security of EU's cooperation umbrella with third countries, which includes wide range of areas such as "the rule of law and respect for human rights, protection of personal data, treatment of workers; mobility of workers; ... fight against money laundering and terrorism financing; cooperation on the fight against illicit drugs; the fight against crime and corruption; cooperation in fighting terrorism and legal cooperation" (EEAS, Guide to Association Agreement), the selection of respective policy field is justified. Firstly, the investigation of the unit of analysis in the outlined period reveals milestones for change in the fields of border management in Georgia and Ukraine. Secondly, the methodology allows to test 'domestic changes' against the visa liberalisation conditionality, which was officially introduced to Georgia in 2013 and to Ukraine in 2010 through Action Plans. Technically speaking, border management falls under the second block of the Visa Liberalisation Action Plans (VLAP) and this research is limited to this policy field. This approach enables to empirically observe the inter-temporal variation over the dependent variable and make appropriate findings based on the detailed scrutiny of policy adjustment to European standards.

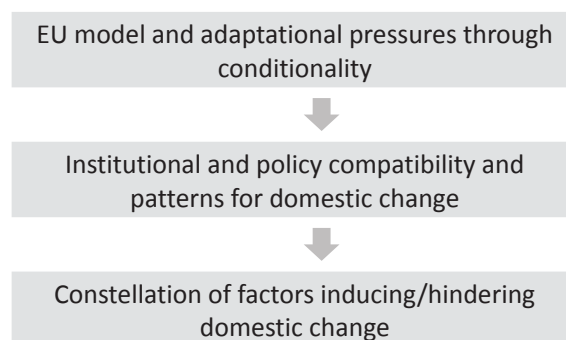
It is noteworthy, that while the European Union stands for European values and promotes the fundamental principles of human rights and democracy, it is predominantly "a system of issue-specific, technical international rules applied to a great variety of public policy areas make up its (Magen 2007, pp. 364-366; Lavenex 2014; cited in

Schimmelfennig, 2015, p. 12). Therefore, we observe Georgia's and Ukraine's convergence with EU rules in border management, while the Europeanisation is conceptualised as the impact of the policy on domestic arrangements. In these cases adaptational pressure rests on the compatibility between the European Union and domestic politics, policies and institutions (Knill and Lehmkuhl, 2002, p. 259).

This paper investigates the transformation of domestic structures and practices or creation of new ones in line with European requirements. I define 'policy change' as the dependent variable of the research, which is measured based on the EU and other international organisations' official assessments of the progress achieved by the country at sectoral level. The operationalisation of the 'policy change' is based on the fulfilment of EU requirements reflected in Action Plans, Progress Reports and other official documentations issued by the European Commission.

In order to engage in the investigation of our case studies, I develop theoretical framework in line with classic Europeanisation literature based on the 'rational-choice institutionalism' (Börzel and Risse, 2003). However, for our research purposes, I classify the theory in three general steps: (1) top-down adaptational pressures and their application through political conditionality; (2) institutional and policy compatibility between European and domestic arrangements; (3) constellation of factors of explaining domestic change.

Graph 1 **Analytical Framework**



This research analyses Europeanisation as a top-down process, where countries receive and implement reforms at domestic level in response to pressures coming from supranational institution. In this regard, Europeanisation proceeds through vertical mechanism, where the EU prescribes a specific model which should be downloaded in national legislations and practices. On the other hand, incumbents base their decisions on cost-benefit calculations. Sectoral policy represents a good framework for analysing top-down pressures in third countries. The research inquires to show how the EU exerts adaptational pressures through the use of political conditionality, which is in line with the rationalist theoretical model. EU conditionality mainly follows a strategy of reinforcement by reward. Under this strategy, the "EU pays the reward if the target government complies with the conditions and withholds the reward if it fails to comply" (Schimmelfennig and Sedelmeier, 2004, p. 671).

It is important to show that there was a dominant view in the literature of Europeanisation beyond the EU that political conditionality could not have an explanatory power in inducing neighbouring countries for change since it did not hold the most credible incentive - membership. (e.g. Kelley, 2006; Schimmelfennig and Scholtz, 2008)). On the other hand, recent research in the field was focused on the policy specific conditionality, i.e. specific rewards tied to convergence within a particular policy area (e.g. Gawrich, et. al, 2010; Langbein and Wolczuk, 2012; Ademer and Börzel, 2013). In advancing this argument, this paper researches border management in Eastern Partnership region, where the EU introduced conditional rewards for visa free travel for the citizens of respective countries in return of compliance. Moreover, these cases satisfy two main criteria for the application of conditionality: firstly, interdependence between the EU and Eastern neighbouring countries is highly asymmetrical in favour of the EU. Whereas these countries, in this regard, Georgia and Ukraine are of only marginal importance to the EU economy, they are heavily dependent on the EU market and will benefit strongly from their association (Schimmelfennig and Scholtz, 2008, p. 191). Secondly, EU incentives can be regarded as credible, because "the higher the costs of the rewards to the EU are, the more doubtful their payment to the target countries will be". (ibid). On this basis of reasoning, visa free perspective entails to be a more credible reward rather than accession. Consequently, this research

explores what constitutes adaptational pressures through conditionality in border management area in Georgia and Ukraine by looking at EU requirements such as changes in legislation and practices at national level. Thus, I operationalise adaptational pressures as EU demands at sectoral policies in Georgia and Ukraine.

After identification of EU requirements, the research investigates the degree of (mis)match between the European and national institutional settings, rules and practices. The second step of this approach applies to ‘goodness of (mis)fit’ framework put forward by Risse, Cowles and Caporasso, 2001; Börzel and Risse, 2003). In other words, the empirical investigation in policy areas in Georgia and Ukraine looks at what are the gaps in national arena, which have to be filled by the reforms in order to comply with European rules and standards. In opting for top-down rationalist framework, ‘goodness of (mis)fit’ represents a valid argument. It “assumes a clear, vertical, chain-of-command”, in which EU policy is descended from Brussels to national level (Bulmer and Radaelli, 2004, p. 9). Adaptational pressures and ‘goodness of fit’ can be regarded as point for departure for our research analysis. Since they constitute necessary, but not sufficient conditions for domestic change, we turn to the constellation of factors for explaining patterns of domestic adaptation.

As it has been noted, previous empirical findings reveal the diverging patterns of policy change in neighbouring countries. On the basis of this reasoning, there is no single approach for explaining EU’s domestic impact and there is a need to consider different independent variables in order to account for the varying degree of Europeanisation. Drawing on the literature, previous research projects and primary observations, this study considers the following factors: the determinacy of conditions, credibility of incentives and assistance and capacity building as derived from ‘the external incentives model’ (Schimmelfennig and Sedelmeier, 2004); in addition, the presence of other international actors and ‘fit’ with domestic agenda are analysed. Opting for more variables rather than only a few allows us to control for alternative observations and avoid spurious relationship between theorised caused and observed effects (Gschwend and Schimmelfennig, 2007, p. 6). Patterns of relationship between variables posited in our framework for analysis can provide understanding of the interaction between these factors and possible impact of this relationship.

Graph 2 Operationalisation of Independent Variables

Operationalisation of Independent Variables	
IVs	Measurement
Determinacy of Conditions	Clarity, formality and consistency of EU requirements
Credibility of Incentives	Promise for visa liberalisation and increased economic assistance
Assistance and Capacity Building	Financial aid and capacity building programmes
Presence of Other International Actors	Cooperation frameworks, projects and programmes with donor organisations as well as other international agencies
Institutional Capacity	‘Fit’ with domestic agenda, political priorities of the countries

The empirical investigation of the policy across countries of EU’s Eastern Neighbourhood is focused merely not on outcome of reform against EU demands. It also digs down to observations of evolving dynamics and particular context of change. This proceeds through in-depth and systematic inquiry of embedded units of comparative case-studies through application of process tracing technique, which enables us to uncover causal mechanisms and identify hindering or stimulating determinants for policy compliance.

Empirical Evidence from Georgia

EU demands and top-down adaptational pressures through conditionality

The European Union exerts adaptational pressures on target countries through already determined rules and specific requirements hierarchically. Theoretically speaking the degree to what extent this mechanism is utilised by the EU can be largely reasoned how clear, determinate, consistent these conditions are. The substance of rules also indicates the importance of the topic. "In order to observe a high direct EU pressure on non-member states, EU policies should be determinate, that is unambiguously designed and holding a binding power. (Franck, 1990, pp. 52-83; Legro, 1997, p. 34; Schimmelfennig and Schwellnus, 2006, p. 5). Some scholars have referred to it as the 'density' of the rules or the extent of EU demands (Jacoby 2004, pp. 9-10)" (Timuş, 2007, p. 16). In order to assess the determinacy of EU rules in border management in Georgia, European Commission country progress reports from 2008 until 2015 are analysed. In addition, the ENP Action plan (2006) and Visa Liberalisation Action Plan (2013) are considered as they set out the concrete steps and objectives for the policy convergence in Georgia. Furthermore, observing EU's conditions over an extended period of time gives a broader picture how consistent the EU has been with its conditions, which would lead to extending adaptational pressures on Georgian officials in complying with European and International standards.

Georgia signed Partnership and Cooperation Agreement with the EU in 1996, which served as a legal basis for relations until Association Agreement. The PCA came into force in 1999. However, it made no reference to border issues. EU-Georgia ENP action plan identifies enhanced cooperation in the area of Justice, Freedom and Security, which includes border management as one of the perspectives of the new partnership and lists specific actions to be undertaken by Georgian officials. EU's requirements in this area refer to the development of the border management strategy; ratification and implementation of the UN Convention against trans-national organised crime and its three "Palermo Protocols" as well as UN Protocol on illicit manufacturing and trafficking of firearms; fulfilling border management reform; dialogue on fight against terrorism and organised crime, trafficking, illegal arms trading; inter-agency cooperation; border delimitation, demarcation and control; implementation of border cooperation agreements; education and training strategy on border management; enhance efficiency of Georgian relevant authorities; adopt and implement a strategy for integrated system of border management (EU-Georgia Action Plan, 2006, pp. 8, 18-19).

EU's requirements in border management became more specific and determinate once the visa liberalisation dialogue was launched and its corresponding action plan was released. The VLAP once again pressured Georgia to adjust sectoral policies to European standards. In border management, legal and institutional framework, inter-agency cooperation, ethical code and training programmes, IBM strategy and action plan were further emphasised. EU has been consistent with its demands in border management in its annual country progress reports. Although 2011, 2012 and 2013 makes no reference to border issues, EU's monitoring was complemented at visa dialogue platform during this period - in 2012 Georgia submitted a comprehensive report on the measures in regard to visa dialogue and from 2013 European Commission issued annual progress reports on the implementation by Georgia of the action plan on visa liberalisation. Moreover, VLAP introduced benchmarks for effective compliance under each block. These set milestones for assessment introduced by the EU. The complementary monitoring mechanism under visa dialogue strengthened EU's clarity and determinacy of conditions.

In case of Georgia, credibility of EU's rewards holds significant importance as reinvigorating the relationship with the EU permanently stays in the country's foreign policy agenda. And although the ENP does not offer the most tangible incentive at its disposal, the it is assumed to be a "proper tool for EU engagement in the process of Georgia's reforms, and a good institutional anchor making deviation from the "European way" less likely" (Gogolashvili, 2009, p. 90). The Partnership and Cooperation Agreement (PCA) represented a legal framework governing EU-Georgia's relations until 2014, when Georgia signed Association Agreement with the European Union. The PCA was a platform for political dialogue to provide "support for Georgia's efforts to consolidate its democracy and to complete the transition into a market economy, to promote trade and investment and harmonious economic relations" (Art. 1, EU-Georgia PCA) and enhance social, financial, civil, scientific, technological and cultural aspects of cooperation. EU-Georgia partnership was accelerated after "the so-called 'Rose Revolution' in 2003 where a new Georgian government started to seek closer cooperation with the US, NATO and the EU" (Ghazaryan, 2010, p. 227). The process was followed by Georgia's inclusion in European Neighbourhood Policy, which expanded the scope of cooperation.

The European Neighbourhood Policy also introduced predetermined rules to be downloaded at national level in a partner country and established monitoring mechanism to observe compliance. This hierarchical i.e. top-down

approach is largely facilitated by EU's conditionality, which is consistently mentioned in strategic documents by the EU in ENP policy. Commission Communication on 'Wider Europe' (2003) stated that "in return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms ... the countries ... should be offered the prospect of a stake in the EU's Internal Market and further integration and liberalisation to promote the free movement of – persons, goods, services and capital' (Commission, 2003, p. 4). Furthermore, ENP Strategy Paper (2004) referred to the conditional incentives in the following terms: "the level of ambition of the EU's relationships with its neighbours will take into account the extent to which these values are effectively shared" (ENP Strategy Paper, 2004, p. 3). This approach is also embedded in EU's relations with Georgia as proven in the ENP Action Plan. The pace of progress of the relationship would be dependent on the Georgia's "commitment to common values and as well as its capacity to implement jointly agreed priorities, in compliance with international and European norms and principles" (EU-Georgia Action Plan, 2006, p. 1).

General reference to conditionality became more clear and credible after the introduction of the Eastern Partnership, which marked the next stage of development in Georgia's relations with the European Union. An extraordinary Council meeting in 2008, which discussed post war developments in Georgia, reaffirmed its position and underlined the need to step up relations with Eastern Neighbours (European Council, Factsheet #3, 19 and 20 March, 2009, p. 1). EaP brought a multilateral dimension of cooperation between countries on four policy platforms, but "with the bulk of its implementation pursued bilaterally with the participating states" (Whitman, Juncos, 2009, p. 203). EaP's key element was the prospect for AA with neighbouring countries and establishing better market access and Deep and Comprehensive Free Trade Agreement (DCFTA). Discussing capabilities and costs, Schimmelfennig and Sedelmeier (2004, p. 665) argue, that association can be more credible reward rather than membership. Apparently, this was the case with ENP countries. In addition to that, EU promulgated sector tied conditional rewards - country's prospect for visa free travel regime with the EU, which would be largely determined by the degree of implementation of internal reforms related to migration, border management and other relevant clauses of Justice and Home Affairs.

Georgia's 'homework' was very well illustrated in Visa Liberalisation Dialogue launched in 2012 and was organised under four blocks: document security, including biometrics; integrated border management, migration management, asylum; public order and security; and external relations and fundamental rights. This represented a good case for the credibility of EU's conditional promises since visa dialogue with Georgia was launched only after the "effective implementation of the visa facilitation and readmission agreements with Georgia" (Warsaw Eastern Partnership Summit Declaration 29-30 September, 2011 cited in EU-Georgia VLAP, 2013, p. 1). "The EU is able to exert a strong pressure on Georgia because of the linkage between an effective implementation of readmission agreements and further progress towards visa liberalisation" (Delcour, 2013, p. 350).

The EU's conditional rewards were accompanied by financial aid and capacity measures as well. EU Assistance National Indicative Programme was defined by 300 million EUR in 2007-2013 years, which itself is divided into Annual Action Plans. Since 2012 under the EU new initiative "More for More" additional funds were allocated for Georgia. Apart from that, in order to facilitate the implementation of Visa Liberalisation Action Plan as well as Association Agreement, 8 Million EUR was provided within the Comprehensive Institution Building (CIB) Programme (Office of the State Minister of Georgia on European and Euro-Atlantic Integration, Official Website).

Converging with European standards, institutional and policy compatibility and patterns for domestic change

The border management has been one of the sectoral policy areas, where the progress achieved over years is observed. Georgia has been successful in its efforts to converge with European standards in accordance with EU requirements under the ENP AP, Visa liberalisation dialogue and Eastern Partnership platform. As the European Commission notes, "Georgia has managed to transform its former military-based system for border protection into a law enforcement system based on the European Model" (European Commission, VLAP Report, 2013, p. 6). Indeed, reforms related to the border management of Georgia has been smoothly implemented by Georgian government over years. In response to EU demands, National Border Management Strategy was adopted in 2008 and its consequent Action Plan for implementation was approved in 2009. The strategy was in line with European Model of Integrated Border Management and envisaged the actions regarding the "attainable goals, assigned responsibilities and ensuring the necessary supervision" (ibid, p. 7). The National Security Council had a leading role in creating this

document from 2006 until 2008 and involved all line ministries. After the Georgian-Russian war in 2008, the strategy and its comprehensive Action Plan were updated in 2012 in order to illustrate the structural changes in border agencies. European Union's capacity building measures were absorbed in this process. The EU provided technical expertise to Georgian authorities in drafting and updating strategic documents through EU special representatives's Border Support Team and EU-funded South Caucasus Integrated Border Management Programme (SCIBM) (IOM, 2008a, p. 43; European Commission Progress Reports, 2010, p. 5; Samkharadze, 2013, p. 148). The fact that the Temporary Interagency Commission on Border Reforms under National Security Council of Georgia was created in 2008 in charge of elaborating the National Strategy on Border Management, underlines increased administrative capacity dealing with the Europeanisation processes in the policy area. Moreover, National Security Council of Georgia was the governmental body dealing with the monitoring of the implementation process. As Samkharadze notes, "another important step in terms of institutionalisation of the strategy elaboration process was to include border management in the national security review process, "which envisages mainstreaming the elaboration of all security related strategic documents in the same period" (Samkharadze, 2013, p. 149). Amending the strategy after Georgian Russian war in 2008 and discussion of border management issues imperative to Georgia's national security considerations underline the importance of the topic for Georgian government and its resilience on the political agenda. The strategy for the consequent years of 2014-2018 regarding state Border Management and its associated action plan were adopted in 2014, which were positively evaluated by the Commission (European Commission Progress Report Georgia, 2015, p. 13).

The development of the legal framework in convergence with European norms has been positively assessed. The main laws regulating border management issues in Georgia such as the Law on the 1998 State Border of Georgia, the 2013 Law on Police, the 2006 Law on Border Police, the 1998 Law on Maritime Space, the 1997 law on Defence and Presidential Decrees as well as other agreements are in alignment with EU standards (European Commission, VLAP Report, 2013, p. 6). After the introduction of the visa dialogue, several important amendments have been made. For example, in 2012 the Order #265 of the Minister of Internal Affairs on Regulation on Border Representatives-Border Commissioners was adopted according to which, "a border commissioner is responsible for implementation of the Georgia's state border policy, addressing the issues related to protecting the border regime and resolving border incidents" (Transparency International, 2014, p. 18). These changes approximated Georgian legislation with European regulations that brought "Tbilisi close to fulfilling of all the requirements in this field" (Chkhikvadze and Mrozeck, 2014, p 5). Furthermore, European Commission in its evaluation reports under Visa Liberalisation Action Plan positively assesses not only the development of these legal acts but also the implementation process (2015a, p. 3).

Strengthening the coordination mechanism and administrative resources for efficient governance of the border management issues was illustrated in the changes in institutional framework. The reform started in parallel with the European Neighbourhood Policy and intensified in later years. The State Border Defence Department, which was incorporated in the Ministry of Internal Affairs (MIA), was renamed as the Border Police Department in 2006. As Mr. Samkharadze, Manager of Integrated Border Management Programmes at UNDP Georgia in 2010-2017 in his interview mentions, in 2006 new government made a political decision to reform border system and transform it from military-based to law-enforcement organ. Initially, it was based on the German model and European expertise was exploited in this process. It coincided with the introduction of the European Neighbourhood Policy (Interview 2). The reform process continued in 2008, when Georgian government made Patrol Police responsible for carrying out the operations of the border entry points. It has been argued, that it was "necessitated by the need to avoid an overlap of functions and additional expenses" (Patariaia, 2011, p. 62). These changes resulted in consolidation of different governmental bodies sharing responsibilities and duties for border management. It stimulated an efficient inter-agency cooperation between all agencies involved in the border management, which represented another important EU condition. "Today, Border Police of Georgia is fully fledged law enforcement organ as well as Patrol Police each of them having explicit functions: MIA Border Police of Georgia is responsible for land border defence and coast guard, while Patrol Police is assigned its role forstate border control at check points"(Interview 2). Inter-agency cooperation is streamlined by joint order between the Ministers of Internal Affairs and Finance; between ministers of Justice, Foreign Affairs and Internal Affairs. Coordination is further enhanced through the memorandum of cooperation on "General Rules of Cooperation between the Patrol Police and Border Police Departments and the Revenue Service" the Border Police Department and Patrol Police Department of the Ministry of Internal Affairs and the Revenue Service of the Ministry of Finance are responsible for managing borders (Transparency In-

ternational, 2014, p. 18; European Commission, VLAP Report, 2013, p. 6). Additionally, a Joint Maritime Operations Centre was established with the aim to enhance coordination in maritime border (Samkharadze, 2013, p.150; State Minister Office of Georgia Report, 2014, p. 99). In response to European standards, increasing knowledge and skills for Georgian agencies in border management was pursued through the Ministry of Internal Affairs Academy, which includes FRONTEX Common Core Curriculum. Mr. Samkharadze, in his interview mentioned that it represented an important component of the reform process. Initially, MIA academy was more specialised for training of patrol police personnel and offered only short courses to border guard staff. However, the situation improved after 2012 with the governor of the academy. In terms of career development, there is still space for improvement (Interview 2). As for the adoption of the Ethical Code, this requirement was fulfilled only in 2013 by several codes governing Border Police and Patrol Police, Georgian Customs Officers (European Commission, VLAP Report, 2013, p.7).

In terms of state border demarcation and delimitation, a slow progress is observed. Among neighbouring countries, Turkey is the only state with which borders are fully demarcated and delimited. The talks are being held with Armenia and Azerbaijan. However, the situation with Russia is stalled due to the military conflict in 2008. Although no evident results are achieved in this area, experts note that “this is a bilateral process and it would be wrong to blame only Georgian authorities for the lack of the progress” (Samkharadze, 2013, p. 149). In regards to international cooperation, Georgia concluded its cooperation plan for 2013-2015 with FRONTEX and created draft agreements on Border Commissioners that were bilaterally discussed with Armenia and Azerbaijan (European Commission, VLAP Report, 2014, p. 3).

European Union demands in border management outlined in the European Neighbourhood Policy are clear and focused and they are very similar, though further detailed, in Visa Liberalisation Action Plan. This underlines the consistency of EU demands and importance of determinacy in appealing country to reproach with its standards. Since 2000 Border Management issues were mentioned in each official document signed between Georgia and the EU. The conditionality principle was strengthened after the introduction of the Eastern Partnership which introduced incentives for Easternneighboring countries including visa dialogue. As the 2011 EaP Summit declares “EU and partner countries will take gradual steps towards visa-free regimes in due course on a case-by-case basis, provided that the conditions for well-managed and security mobility set out in the two phase action plans for visa liberalisation are in place” (EaP Summit Declaration, 2011, p. 4). After introducing motivating stimulus for positive change, the EU was further equipped to reinforce adaptational pressure on the country if the latter was willing to intensify its relations. However, as the evidence suggests, EU conditionality has not been the primary and most important driving factor in accelerating reforms in border management, since it does not coincide with timing. The changes in this area started from 2006 in parallel to the European Neighbourhood Policy (Patariaia, 2011, p. 62). “When we moved to more intensified dialogue on visa issues with the EU, reform process in border management continued. In fact, many EU standards had already been implemented in Georgia by the time VLAP was introduced. In my opinion, VLAP did not introduce a stimulus for positive change in Border Management since reform had started much earlier”, mentions Mr. Samkharadze in his interview. Europeanisation process can be explained by other facilitating factors such as ‘fit’ with domestic agenda and motives for increased financial assistance from the EU and other international actors.

The European Union provided substantial financial assistance as well as technical expertise for border management agencies in border, which increased the capacity of the country to actually modernise the policy sub-field based on the European and international standards. Support to Integrated Border Management Systems in the South Caucasus (SCIBM) programme has been created by the EU funding after the introduction of the ENP, which aimed to strengthen strategic border management in the region. The project had been implemented during 2010-2012 by the UNDP with ICMPD as implementing partner. The total budget of the project amounted EUR 6 million and covered Armenia, Azerbaijan and Georgia. As Manager of Integrated Border Management Programmes at UNDP Georgia notes, the project had different components including legal aspects, infrastructure development, trainings, piloting border crossing points, etc. It was the first EU funded project in the area. (Interview 2). The project also supported Georgia’s border management strategy elaboration and development process. (European Commission Progress Report Georgia, 2010, p. 15). Further technical expertise was provided by the EU through the EU special Representative (EUSP) Border Support Team, which was operational in Georgia from 2005 and closely collaborated with the Georgian Border Police. In terms of cooperation in South Caucasus region, 2 EU-funded projects with Armenia were launched: “Enhancement of the border management capacities at Bavra-Ninotsminda Border Crossing Point (BCP)” with Armenia (European Commission Progress Report Georgia, 2012, p.12) and another one on

Sadakhlo-Bagratashen border crossing point started in 2013. Additionally, 2 projects with Azerbaijan were funded by the EU: "Pilot project on Introduction of advanced Integrated Border Management at the land border between Azerbaijan and Georgia within the framework of the Eastern Partnership Programme (EPPIBM)" was launched in 2014 (State Office on European and Euro-Atlantic Integration Report, 2012, p. 54) and the second project aimed at improvement of veterinary and phytosanitary control at the Red Bridge crossing point of Azerbaijan-Georgia border (European Union External Action Service, Press Release, 2017). Furthermore, under capacity building mechanisms of the BM Flagship Initiative Training Project under EaP (EaP IBM FIT) Georgian personnel skills were enhanced in order to facilitate border related cooperation in the wider region of East of Europe (State Office on European and Euro-Atlantic Integration Report, 2012, p. 53). Incentives for EU's increased financial assistance provided Georgian agencies with better motivation to implement reforms. "Georgian agencies saw that more convergence with EU standards and norms would lead to more financial assistance. They were particularly interested in infrastructure development, because border guards had to work in really difficult conditions. Initially the EU restrained from allocating money to infrastructure. However, once the EU saw that country achieved the progress, it started to allocate finances in infrastructure as well. Apart from that, the prospect to receive more financial support through 'More for More' appeared" (Interview 1). In 2012 the EU provided EUR 12 million to Georgian government in order to support Border management and migration reforms within the framework of "More for More" initiative (State Office on European and Euro-Atlantic Integration, Official Website, EU Financial Assistance). EU's blueprint was evident in Georgia's progress in the area. Apart from convergence with EU norms in legislative and institutional framework, Georgia's border checkpoints were modernised and the infrastructure was compliant with international standards for organised movement of different entry and exit flows (ICMPD, 2015, p. 14).

As evidence suggests, there is a substantial correlation with Georgia's positive change in BM and EU's capacity building measures. However, merely EU's assistance cannot explain positive convergence process. 'Fit' with domestic agenda and presence of other international organisations in the field should be taken into account. First of all, as mentioned above, the reform started from 2006 in parallel to the ENP. It was prioritised by the new government, which came to power after revolution, there was a high political will and these issues were high on the agenda (Interview 1). From that period onwards Georgian authorities were assisted in these reforms by other international donors and organisations. As IOM report claims, Georgian Border Police cooperates with IOM, OSCE, EU, ICMPD, UNDP (IOM, 2008a, p. 43). Although involvement of these international actors are of particular importance in reform process, actions delivered by them are most frequently implemented under EU funding. As experts in the field note, another international key player in this field is US state agencies, which also supports the Georgian Border Police and the assistance is mainly addressed at training and equipping border check-points (Pataraiia, 2011, p. 63). As State Office on European and Euro-Atlantic Integration of Georgia in its 2012 report mentions, "all road, sea, railroad and air BCPs are fully equipped with radiation detection equipment, provided by US DoE; [...] In the frame of South Caucasus Integrated Border Management project as well as US State Department "Georgian Border Security and Law Enforcement program" (GBSLE), second line document inspection equipment has been purchased: fixed integrated passport readers, mono-microscopes video spectral comparators, etc. (2012, pp. 52-53). As Mr. Hulst, Georgia Programme Office at IOM mentions, US was a big donor and there was coordination between the EU and the US regarding the allocation of finances in border management areas (Interview 3). Georgia has been implemented reforms in border management not only under EU requirements, but also under the NATO Individual Partnership Action Plan (IPAP) as well (ICMPD, 2015, p. 14). The reform started as early as 2005 and coincides with the time when Georgia officially joined the initiative for Individual Partnership Action Plan at NATO Summit held in Istanbul in 2004. Georgia's commitment for NATO integration has been paramount in Georgia's political agenda after country gained independence and relations intensified after Rose Revolution. Accession to the organisation is one of the top foreign and security policy priorities (Ministry of Foreign Affairs of Georgia, Official Website, 2014). NATO Integration bears security considerations for Georgia, which have been highly sensitive for country due to its secessionist regions as a result of the conflict with Russian Federation. Thus, NATO integration could have been another important and strong stimulus for Georgian government to modernise border management. As Defence Minister of Georgia by that time, Bachana Akhalaia noted in 2010 at the meeting of the NATO-Georgia Commission, Georgia is "ready for successful implementation of the reform process and are committed to use intensively all the existing partnership mechanisms to accelerate Georgia's integration into NATO" (Ministry of Defence, Official Website, NATO-Georgia Commission, 2010). The political priority of NATO Integration did not change after the change of government in 2012. A new prime minister, Bidzina Ivanishvili had reportedly claimed his intention to intensify ties with NATO and even intended to get NATO Membership Plan in year of 2014 (Kucera, 2013). Therefore, Georgian successive governments successfully managed to utilise EU resources in pursuing its own political agenda since

modernisation of Border issues were of paramount importance in Georgia's Euro-Atlantic Integration aspirations. Positive domestic change in border management in convergence with European and International standards was further facilitated by EU demands' 'fit' with domestic agenda.

Empirical Evidence from Ukraine

EU demands and top-down adaptational pressures through conditionality

Justice and Home Affairs has been one of the most dominant issues on EU-Ukraine cooperation agenda. In observing adaptational pressures coming from Brussels on Ukrainian government in the field of border management, a review of EU-Ukraine contractual agreements as well as prominent policy documents, action plans and European Commission country progress reports provide good basis for analysis. Ukraine signed the Partnership and Cooperation Agreement with the EU in 1994 which entered into force in 1998. The document defined the goals for cooperation with the dimension of the JHA being "limited to the issue of internal market-related legal harmonisation only" (Gawrich, Melnykovska and Schweickert, 2010, p. 1224). In late years, EU's relations with Ukraine in the area of Justice and Home Affairs, notably in border management was regulated with separate action plans (2001, revised version in 2007). This underlines the important substance of EU's requirements for Ukraine.

After the inclusion in the ENP, a joint Action Plan with Ukraine was developed in 2005. As for the specific conditions in border management, the reference was made to the already agreed EU Action Plan on Justice and Home Affairs with Ukraine (2001). While the latter document laid the foundations for broad range of activities including the security issues of border management, the revised Action Plan in 2007 made more precise and clear demands in the field. In other words, within the framework of ENP, more emphasis was made on legal harmonisation and practical implementation of internationally recognised standards. It is noteworthy, that cooperation became more prominent after 2004 enlargement which resulted in a EU-Ukraine common border. The EU urged for Ukraine's compliance in the field border management with the aim to "improve the management of migration; [...] facilitate human contacts and travels while strengthening cooperation in the fields of border management and document security" (EU-Ukraine Action Plan on Freedom, Security and Justice, 2007, pp. 2-3). The EU has been consistent in its requirements for Ukraine and pressured officials for the approximation of Ukrainian standards with the European ones.

Border management issues were incorporated in EU-Ukraine's relations from the very first Action Plan on Justice and Home Affairs. However, more required actions were more specified in 2007 as a result of revised Action Plan and VLAP in 2010. The EU introduced following demands border management: adoption and implementation of national integrated border management strategy; demarcation of Ukraine's borders in line with international standards; improvement of legal framework and procedures of integrated border management; development of the State Border Service; improvement of border crossing points; implementation of the law enforcement programmes; support for an effective border management; continuation of a dialogue on visa issues (more specifically outlined in VLAP). As for the condition regarding the cooperation and improved coordination with Moldova on border issues and with the EU Border Assistance Mission is expressed in all strategic documents except for VLAP. This could be an indication that EU's demands have been more result oriented when a specific conditional reward such as promise for visa liberalisation was introduced and benchmarks for effective implementations were set. Furthermore, EU stressed for compliance in identified areas in each annual country progress reports issued by European Commission and has been consistent with its demands deriving from relevant Action Plans and strategic documents. The pressure for adaptation became stronger from 2010 when the EU issued VLAP with Ukraine and strengthened its monitoring of border management issues in corresponding progress reports.

The degree of importance of EU's conditionality in Ukraine can be merely assessed by the fact that the country declared its European aspirations back in 1993 in the decision of the Verkhovna Rada of Ukraine (the Parliament of Ukraine) "On the Key Directions of the Foreign Policy of Ukraine". The document mentioned that "the priority of Ukrainian foreign policy is Ukrainian membership in the European Communities, as long as it does not harm its national interests" (Mission of the Ukraine to the EU, Official Website). The first step in this regard was Partnership and Cooperation Agreement, which represented a legal basis for EU-Ukraine relations until signature of the Association Agreement.

Ukraine was one of the forerunners in Eastern European region. After the introduction of the ENP it was the first country along with Moldova who agreed the Action Plans with the EU. Besides its European aspirations, Eastern enlargement in 2004 and 2007 made the county an important neighbour in the east for the EU. Due to no reference to membership promise in ENP, Ukraine declared that this policy did not meet country's determined European

choice and was eager to get more than the EU was offering. "There was a strongly held opinion within the Ukrainian political elite that the country, geographically situated in the centre of the European continent, should not participate in the ENP; her aspirations are more ambitious than merely subscribing to partnership with the EU" (Stegniy, 2011, p. 54). On the other hand, "the EU continuously bemoaned the patchy implementation of the PCA, which was presented as the first step towards any new type of relationship" (Sasse, 2008, p. 306). EU's conditionality was also reflected in EU-Ukraine Action Plan 2005, which stated that "the pace of progress of the relationship will acknowledge fully Ukraine's effort and concrete achievements in meeting commitments to common values" (EU Ukraine Action Plan, p.1). EU's conditional promises referred to closer degree of integration, stake in EU's internal market and Ukraine's participation in key aspects of EU policies (ibid, p. 2).

After "Orange Revolution" Ukraine's demonstrated determination for closer relations with the EU was welcome by the EU in its "10 point programme", which listed preparations for a free trade area and more intense cooperation about visa facilitation among other incentives such as consultations on an enhanced agreement to succeed the PCA. This promise was delivered when in 2007 the EU started negotiations on a new type of agreement, which would "renew the EU - Ukraine common institutional framework, facilitate the deepening of relations and strengthen political association and economic integration" (EU-Ukraine Association Agenda, 2009, p. 2). This perspective included Ukraine's access to Free Trade Area, upon the entry of Ukraine to the World Trade Organization. The speed of deepening relations with the EU would be reasoned by country's implementation of identified priorities on a sector by sector basis. This was pre-conditional for the Association Agreement. The progress would be monitored, reported and assessed annually. Despite the fact that the EU did not offer membership incentive with this new agenda, its conditionality was still credible due to the promise for Association Agreement and its entailing DCFTA.

In case of Ukraine, when determining conditions in the field border management, EU-Ukraine Association Agenda (in 2009 and then updated version of 2013) referred to the revised EU Action Plan on Freedom, Security and Justice (ENP Action Plan made reference to AP on JHA with Ukraine of 2001). This document noted that the FSJ AP would be "reviewed to strengthen the partnership between the EU and Ukraine and to take stock of progress made in the light both of the development of the EU's area of Freedom, Security and Justice and of the new shared border" (Revised EU-Ukraine Action Plan on Freedom, Security and Justice, 2007, p. 1). The new momentum was marked in 2010, when the EU offered the prospect for visa liberalisation and provided VLAP to Ukraine. It created a new impetus for the country to comply with EU demands. Scholars argue that the only visa liberalisation could be a credible motivation for domestic reforms because visa free regime was regarded as one of the key priorities for all Ukrainian governments (Nizhnikau, 2015, p. 499; Jaroszewicz 2011 cited in Wetzel, 2016, p. 78).

The country's commitment to convergence with European standards and internationally established practices was precondition for the EU's increased financial assistance as well. The EU provided impetus for change through financial aid. In 2007-2013, the EU committed €1 billion for bilateral assistance to Ukraine under the ENPI. Furthermore, Ukraine could benefit from additional financial assistance through 'more for more'- the incentive-based mechanism that rewards progress towards building deep and sustainable democracy (European Commission. 2016. Countries of the Region. Ukraine).

Converging with European standards: institutional and policy compatibility and patterns for domestic change

European Union's cooperation in border management issues is dominated by the security considerations and concerns regarding the threats emanating from the illegal immigration from Ukraine to the EU. Among other neighbouring countries, Ukraine remained to be a major transit country for irregular migrants (Filippova, 2016, p. 73; IPP, IDSI "Viitorul" & ICPS, 2008, p. 35). Due to the undeveloped infrastructure for detention and accommodation of illegal migrants, Ukraine detained persons illegally entering to the country only at the border crossing points. According to estimates included in information received during the two missions, the Ukrainian authorities only apprehend a small part of all irregular migrants crossing the territory. (ICMPD, 2006, p. 13). In regard to 'fight against illegal migration', the border management cooperation is central tool the EU employs with third countries "with the unambiguous objective of strengthening control capacities particularly in directly bordering countries" (Wunderlich, 2013, p. 29). Ukraine, as a border country to EU member states of Poland, Slovakia, Hungary and Romania, represented a challenge for the European continent due to its "incomplete legal frameworks, unfinished delimitation and demarcation processes, a lack of efficient infrastructure, and the existence of so-called "frozen conflicts" (Sushko, 2006, p. 45). This encouraged European counterparts to put pressure on the government of Ukraine to introduce

legislative and institutional changes in the area of border management and at the same time provided technical and financial assistance in order to upgrade and modernise border crossings and management related issues.

EU requirements in border management issues were mainly related to adoption, development and implementation of the border management strategy; enhancing inter-agency coordination; improve legislative framework; increase the effectiveness of the administrative capacity; support the process of border delimitation and demarcation; providing training for staff; etc. These demands were consistently reiterated in all strategic documents under EU's cooperation on JHA with Ukraine starting from AP of 2001 including Visa Liberalisation Action Plan.

The EU has been generously supporting reforms to be undertaken in Ukraine in border issues. First of all, the technical assistance was provided for the modernisation of the State Border Guard Service (SBGS) through the collaboration with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU (FRONTEX). FRONTEX, that became operational since 2005, is "the EU agency in charge of coordinating operational cooperation along with the EU external Border", in particular to Russia and Eastern Partnership (Sagrera, 2014, p. 171). There is a practical cooperation between SBGS and FRONTEX on joint operations that cover the total lengths of the EU's external border with Ukraine through the 'Five Borders' joint-pilot project. (Commission of the European Communities, Progress Report Ukraine, 2009, p. 12). In addition to FRONTEX, the promotion of the Integrated Border Management by the EU was pursued by the EU Border Assistance Mission (EUBAM). With the aim of to support the conflict-resolution process, EUBAM was set up in 2005 with the mandate to assist and advise Moldovan and Ukrainian border and customs services "on the reduction of irregular migration flows, combating cross border crime as well as providing know-how in the field" (Sagrera, 2014, p.171). EUBAM provided support under the Integrated Border Management flagship initiative launched within the framework of the Eastern Partnership (EUBAM 2011). In addition to that, Ukraine participates in cross border cooperation programmes adopted in 2008 for the period 2007– 2013: Romania– Moldova–Ukraine, with a budget of EUR126.718 million, Poland– Belarus– Ukraine (EUR186.201 million) and the Black Sea Basin (EUR17.306 million) (Olga Filippova, 2016, p. 75). After the launch of the visa dialogue and establishing specific demands for converging European models and practices in border management, the EU sector budget support was provided to Ukraine in the area with the amount of 66 million EUR for the period of 2011-2017 (Mission of Ukraine to the European Union, Official Website, EU's assistance to Ukraine). It supported the implementation of Integrated Border Management Strategy and Action Plan (European Commission, Progress Report Ukraine, 2013, p. 14). Through EaP IBM Flagship Initiative under ENI, the EU also provided financial assistance for enhanced integrated border management along the Moldovan-Ukraine border in 2016 with the total amount of EU budget contribution: EUR 4 750 000. (European Commission, Annex 1 of the Commission Implementing Decision on the ENI East Regional Action Programme 2016 Part II). In assessing of Ukraine's capacities to ensure aid effectiveness, Valeriya Shamray claims that the cooperation between the EU and State Border Guard Service of Ukraine exemplifies a positive influence of external assistance in Ukraine (Shamray, 2012, p. 12). "On the one hand, the EU assisted in developing border infrastructure and construction of the migration custody centers and temporary holding facility through the CBMM, READMIT BOMUK and GUMIRA projects. On the other hand, the HUREMAS projects contributed to the improvement of the human resources management of the SBGSU and its gradual transition from the military type organization to the EU-like law enforcement agency" (ibid).

Apart from EU assistance, other international actors including USA, UN, OSCE, International Atomic Energy Agency contributed to the improvement of the border management. In 2007, the Administration of State Border Guard Service was a beneficiary of 26 projects of international assistance (IPP, IDSI "Viitorul" & ICPS, 2008, p. 38). As Ms. Yuliya Ryzhykh, expert of IOM office in Kiev notices, "the US as a donor through USAID has been very active covering lots of issues including border security" (Interview 4). The US investments in Eastern Border became of paramount importance after the Russian annexation of Crimea in March 2014 and two breakaway eastern provinces seeking independence with Russia's backing. As a result of these events, "an estimated 2 million people forcibly were displaced as of May 2015 including 1.3 million internally displaced people" (Düvell and Lapshyna, 2015). "US provides assistance in Eastern Border by providing equipment in terms of security as well as durable solutions for IDPs", mentions Mr. Solodko, Analyst at CEDOS in Ukraine (Interview 6).

These actions positively correlates with domestic changes. "The borders became more and more secured, especially western border, where Ukraine has a common border with the EU countries. The progress was achieved with EU's support and the capacity of personnel is at much higher level compared to previous years; border guards are more professional. Ukraine got access to INTERPOL databases in 2015. There are several lines of checking identity and travel documents of foreigners and stateless persons arriving and exiting Ukraine" (Interview 4). However,

the ultimate reforms started from 2006 and continued in parallel to the ENP and visa dialogue. Firstly, government adopted a concept and programme for the development of the State Border Guard Service of Ukraine in April 2006 with the aim to “create modern integrated system of state border protection” (cited in EWB, 2012, p. 108). As a result, professionalism in the service increased, career development system became more transparent and merit-based. As for the legislative changes, a number of laws were prepared to approximate to EU *acquis*. More importantly, in 2007 government approved a Resolution about a law enforcement programme ‘Organisation and Reconstruction of the State Border until 2015’, which aimed to upgrade a legislation, infrastructure and personnel training. The state budget also allocated up to about 133 million for these issues. (Commission of the European Communities, Progress Report Ukraine, 2006, p. 13; Commission of the European Communities, Progress Report Ukraine, 2008, p. 13). As a result, the Law on Border Control was adopted in 2009 and amended in 2010 accompanied by adoption of a number of implementing regulations. In 2011 the Concept for the Maritime Border Guard and the aviation branch of the State Border Guard Service were adopted (VLAP Progress Report Ukraine, 2011, p. 4). In order to enhance inter-agency cooperation, the Joint Order of 4 January 2011 of the State Customs Service and the Administration of the State Border Guard Service of Ukraine identified the procedure for the exchange of information and established coordination mechanisms (*ibid*). Additionally, Ukraine addressed one of the EU’s determined requirement in convergence with EU norms under Visa Liberalisation Action Plan and approved the Concept on the Integrated Border Management Strategy in 2010 for the period 2011-2015. (European Commission, Progress Report Ukraine, 2011, p. 15). Its implementation was generously supported by the EU with EUR 66 million sector budget support programme (European Commission, Progress Report Ukraine, 2013, p. 14). As European Commission monitoring mission noted the IBM Concept and its corresponding AP demonstrated a strong commitment by Ukraine to transform the Border Guard Service into a modern law-enforcement agency (VLAP Progress Report Ukraine, 2012, p. 6). The consequent Integrated Border Management Concept for the period of 2016-2020 was also approved by the Cabinet of Ministers (Official Website of EUAM Ukraine, 2016).

This reform process resulted in increased capacity of administrative resources and positive change. The service was improved with better professionalism of the personnel and as Sagrera claims in his research, “the Ukraine State Border Guard service is considered to be the most developed body in the context of the European Integration of Ukraine, setting up controls according to EU standards. It is a leading agency in the context of the VLAP” (Sagrera, 2014, p. 179). In regard to further enhancing the staff expertise, the ‘Code of Ethics for SBGS’ was adopted in 2008 and ‘Code of Conduct’ was approved in 2011. The process of training and improvement for personnel qualification has become active since 2010 (VLAP Progress Report 2012, pp. 6-7). Process in regard to border demarcation began with Belarus in 2014 and with Russia in 2012 with slow progress, while the demarcation of Ukraine-Moldova border was almost complete at the end of 2013 (European Commission, Progress Report Ukraine, 2014, p. 17). The situation was implicated by Ukraine’s loss of the control over its borders with Russian Federation of Crimea and Sevastopol in 2014. Because of the changing context, “resources were redirected to the security of eastern borders” (VLAP Progress Report, Ukraine, 2015a, p. 3). It is noteworthy that although the EU appeals Ukraine to take measures in terms of border demarcation and delimitation under Revised AP on FSJ of 2007, specific requirements in the area are not set in VLAP. The overall progress was positively evaluated by the European Commission under visa dialogue and in 2015 Ukraine had achieved the integrated border management benchmark under VLAP (VLAP Report Ukraine, 2015b, p. 4). Ms. Sushko, executive director of EWB asserts that Border Management area was a success story. “Modern European concept of IBM was introduced in accordance with European standards, which embraces and follows very important path towards border control and supervision including risk assessment and exploration, investigation of transnational crime in cooperation with competent law-enforcement agencies and measures with third countries” (Interview 5). She observes that in the context of national security and situation on Eastern borders, IBM strategy has a particular importance. Established system of risk analysis enable law enforcement agencies to make informed decisions aimed at detecting crime, reducing security risks and facilitating legal movement of persons and goods (*ibid*).

One can argue that positive developments in the area of border management in Ukraine was reasoned by EU incentives. Empirical evidence also confirms this explanation - measures taken in reform process were largely in compliance with European standards and EU demands and the continuous progress was observed during Visa Liberalisation Action Plan implementation as well. Experts affirm that “bilateral cooperation with the EU has driven Ukraine’s progressive reforms in its policies of migration and border management” (Kulchytska, Sushko, Solodko, 2016, p. 4). Notwithstanding this argument, careful analysis of domestic political context suggests that change was determined as a result of the cost-benefit calculations of the political elites, which conforms with the rationalist

approach of the Europeanisation processes. While reforms could be costly, border issues represented a cornerstone for national security of the county and benefits were clear. This is proved by the fact that policy was prioritised in domestic agenda during Yushchenko, Yanykovich and Poroshenko presidencies. In fact, it hardly mattered “whether individual politicians adopted a pro-European or a pro-Russian stance. Ukraine’s border and borderlands played a significant role in the definition of nation, whether conceived as part of a wider European or a Slavic identity” (Filippova, 2016, p. 68). EU requirements were well aligned with domestic political priorities and EU’s presence was exploited in this regard. “The EU-Ukraine cooperation in this area [border management] has been driven by the common interest of the parties to effectively manage the large migration flows via the territory of Ukraine”, reiterated Viktor Chumak, the Director of the Ukrainian Institute of Public Affairs (Shamray, 2012, p. 12).

Another motive behind the changes in border management was also related to some EU member states’ perception of Ukraine as a ‘migration threat to the EU’ (EurActiv, 2015, commentary by EWB). As Mr. Solodko mentions, “during visa liberalisation processes, there was a discussion in the EU that Ukraine was a high risk migration since it represented a transit country to the EU. In addressing issues of preventing illegal migration of foreigners to Europe, Ukraine implemented changes at the borders of Ukraine, some IT technologies were integrated, equipment was modernised” (Interview 6). However, situation was further complicated after situation with Crimea and conflict in Eastern Ukraine. In assessing “migration risk” from Ukraine to the EU, a civic initiative, Europe Without Borders based on research findings concluded that “the main route for Ukrainians from conflict areas seeking well-paid work and asylum is into Ukraine itself or the neighbouring countries of Russia and Belarus, not the EU” (EurActiv, 2015, commentary by EWB).

Modernisation of the border agencies and transforming them into law-enforcement organ was the great achievement by Ukraine in border reform. The IBM strategy was “the main strategic document that prepares Ukraine to leave behind the post-Soviet system of border control and join the four-tier model of border management operational in the EU” (EurActiv, 2011; commentary by CES). Apparently, a number of latent border disputes and ‘frozen conflicts’ was a key factor in shaping domestic interests. In Ukraine, where “borders are closely associated with potential threats and national security” (Filippova, 2016, p. 68), changes introduced in Border Management and Europeanisation processes in the area were also largely domestically driven.

Main Findings

Comparative analysis: constellation of factors inducing domestic change

The comparison of the Europeanisation processes at sectoral level across countries yields insightful findings on the mechanisms and factors that revitalise the convergence with EU norms and standards beyond the EU’s borders. The meticulous investigation of the ‘units of analysis’ of the current research sheds light to the explanation whether and through which means the EU intervenes with domestic political arena and motivates local actors to translate their actions in rapprochement with European and internationally established practices.

Detailed scrutiny of border management Europeanisation processes in Georgia and in Ukraine from the introduction of the ENP until the visa free regime with the EU enables us to observe inter-temporal variation in compliance patterns with EU norms and identify driving factors for domestic change in a comparative perspective. Despite different pace and speed of developments, both countries display a high degree of Europeanisation of border issues by 2016. The policy area under investigation of current study along with migration management and asylum issues fall under the second block of Visa Liberalisation Action Plans. Indeed, an independent evaluation of Eastern Partnership countries’ visa facilitation and liberalisation processes with the EU assigns high indexes to Georgia (9.3 out of 10) and to Ukraine (9.2 out of 10) to this block, which are significantly high compared to the third and fourth blocks of VLAP (EaP Visa Liberalisation Index Online). In order to explain which factors account for these changes and identify necessary conditions for domestic reforms towards more Europeanised sectoral policies, empirical research proposes interesting findings.

The study reveals that the EU has been clear and determinate in its requirements related to border management in Georgia and Ukraine. While the EU introduced a separate Action Plan on JHA with Ukraine as early as 2001, border issues were mentioned under ENP AP with Georgia later in 2006. However, this was reasoned by EU’s security considerations related to EU’s Eastern enlargement and despite these differences the EU has been consistent with its demands with both countries. Furthermore, higher degree of clearness is noted once Visa Liberalisation Action Plans were handed to the governments of Georgia and Ukraine. These documents set determinate rules and clearly formulated the measures to be undertaken by countries in a number of areas including border management.

Clear demands that enable “more bargaining power to the EU and a more active involvement in observing the implementation of its requirements” (Timuş, 2007, p. 16), were present in this process. More determined requirements contributed to effective monitoring and benchmarking as well, that is essential for the EU’s conditionality.

While the credibility of incentives constitutes an axis of the EU’s application of conditionality (Schimmelfennig and Sedelmeier, 2004), promised rewards tied to progress at sectoral level fails explain the approximation with European standards in border management issues in third countries. Although the EaP brought more incentives for the forerunner participants such as Georgia and Ukraine, the discussion of the promise for visa liberalisation as a strong impetus for modernisation of border issues shows, that it did not act as a main driver for reforms in the field. The timing for change does not coincide with the introduction of the VLAP. The changes in Georgia started from 2006 in parallel to the ENP. When the country moved to more intensified dialogue on visa issues with the EU, many EU standards had already been implemented (Interview 2). The similar pattern for domestic change is observed in case of Ukraine. While the modernisation of border issues was accelerated under visa liberalisation dialogue with the EU, the research shows that the country had addressed these issues much earlier. Europeanisation process can be explained by other facilitating factors such as EU’s capacity building measures, the presence of other international actors and ‘fit’ with domestic agenda.

The empirical evidence suggests that there is a correlation between EU’s capacity building and domestic policy adjustment with European rules. The EU provided substantial assistance to Georgia as well as Ukraine and these measures positively impacted on reform process. EU’s support put evident blueprint on the modernisation of border agencies in line with European practices. Apart from that, the process was largely facilitated by the presence of other international actors, which have “complemented EU activities or acted as agents in the implementation of EU policies” (Lavenex, 2016, p. 560). However, these factors represented necessary, but not sufficient conditions for domestic change.

The institutional capacity of the countries to implement reforms was increased, when the EU’s demands coincided with domestic priorities and political agenda largely allowed for positive actions. Checking the local contextual setting against external incentives exposit that ‘fit’ with local agenda can be a primary driver for convergence with EU standards. The analysis shows that countries exploited EU’s resources and successfully aligned with European regulations and standards, when demands from Brussels ‘fitted’ well with domestic agenda. The empirical evidence from our case studies supports this argument. The reformation of Border agencies in Georgia started in parallel to the European Neighbourhood Policy, but the change was not determined as a result of EU’s pressures. New government under Mikhail Saakashvili, who came to power after revolution, started to address border issues and aimed at the transformation of the military based agency into a law-enforcement organ (Interview 1). The reform process continued in 2008, when Georgian government made Patrol Police responsible for carrying out the operations of the border entry points and intensified later years. In fact, Georgia had many EU standards implemented by the time VLAP was introduced. The EU’s demands for border management in Georgia under ENP positively correlated with Governmental priorities for several reasons. Firstly, it touched upon the security issues of the country, that became dominant especially after the war with Russia. On the other hand, EU requirements in the field coincided with Georgia’s commitments under NATO Individual Partnership Action Plan and the timing for change conforms this argument. NATO integration could have been another important and strong stimulus for Georgian government to modernise border management, while country’s commitment for NATO integration has been paramount in Georgia’s political agenda. Accession to the organisation is one of the top foreign and security policy priorities (Ministry of Foreign Affairs of Georgia, Official Website, 2014).

Ukraine also confirms this line of logic. The detailed scrutiny of process in border management issues suggests that change was induced primarily due to the EU’s demands’ ‘fit’ with domestic agenda. The policy was prioritised in political arena during Yanukovich as well as Poroshenko presidencies, while each of them had different foreign policy agendas. Despite this fact, border issues represented a cornerstone for national security of the country and benefits were clear. Incumbents in the country managed to exploit EU assistance when EU requirements in sectoral policy coincided with the policy priority at domestic level. As Ms. Sushko, executive director of EWB claimed “Modern European concept of IBM was introduced in accordance with European standards. [...] In the context of national security and situation on Eastern borders, IBM strategy has a particular importance. (Interview 5). Accordingly, we can argue that Georgian and Ukrainian governments successfully complied with European standards in border issues in pursuant of their own political priorities, which were derived from the national security considerations for respective countries.

The analysis traced the progress in sectoral cooperation starting from the ENP until the introduction of visa free

regime with the EU and revealed the determinants that assist policy convergence with European standards while took the domestic context into account. As a result of identification of milestones for changes and looking at the policy development through process tracing, it can be argued that Europeanisation of border management issues was in line with rationalist argument of the cost-benefit analysis and emphasised the prominence of political context in the country. While convergence with European standards were facilitated by the clarity of EU rules, EU's capacity building measures as well as presence of other international actors, the positive change was primarily induced as a result of domestic agenda. Security considerations and political priorities of the governments for border issues played an imperative role in Europeanisation of border issues in Georgia and in Ukraine.

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Interviews Conducted within the Framework of the Research

1. Interview 1. Ivane Chkhikvadze, EU Integration Programme Manager at Open Society Georgia Foundation (OSGF); Interview date: 19 September, 2017
2. Interview 2. Nikoloz Samkharadze, Manager of Integrated Border Management Programmes at UNDP Georgia during 2010-2017; Interview date: 21 September, 2017
3. Interview 3. Marc Hulst, International Organisation for Migration (IOM) Georgia Programme Officer; Interview date: 24 September, 2017
4. Interview 4. Yuliya Ryzhykh, Independent Expert, International Organisation for Migration (IOM) Ukraine, Senior Project Specialist at Capacity Building in Migration Management Unit. Interview Date: 23 October, 2017.
5. Interview 5. Iryna Sushko, Executive Director of Europe Without Barriers, Ukraine. Interview Date: 27 October, 2017
6. Interview 6. Andriy Solodko, Analyst in Migration, CEDOS Think Tank, Ukraine. Interview Date: 30 October, 2017.