

# COMPLIANCE OF THE POST-SOVIET BALTIC STATES WITH THE INSTITUTIONAL AND VALUE REQUIREMENTS OF EU MEMBERSHIP

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**Abstract.** The compliance of the Baltic States with the EU requirements for member states is studied. Compliance is determined by the indicators of gender equality, tolerance and effectiveness of anti-corruption policy. A set of problems that hinder the consolidation of democracy in the Baltic States is identified. The gradual increase of various ethnic stereotypes and new social phobias in the communities of the Baltic States was noted. The authors attribute the problems of democracy quality and discrepancies with EU standards to the peculiarities of political culture and value orientations of the population (dominance of survival values over self-expression values). It is concluded that the Baltic States do not fully meet the EU standards at the institutional and value levels. It is argued that institutional reforms have satisfactory results in many areas, but the values of the population are modernizing very slowly towards those specifically defined by the EU.

**Key words:** Baltic States, quality of democracy, gender equality, tolerance, prevention and counteraction of corruption.

**JEL Classification:** J16, D73

## 1. Introduction

The EU was established as a union of states based on unconditional respect for human dignity, freedom, democracy, equality, the rule of law and other key principles. The Treaty on European Union (1992) states that democratic values are the unifying principle for the Member States. As conceived by the architects of this union, the community of nations of the EU should be characterized by pluralism, non-discrimination, tolerance, justice, gender parity and many other issues. However, the destructive political processes of the last two decades suggest that the fundamental values of the EU are losing their sustainability in many member states (especially from the Central and Eastern European region). From year to year, the communities of the EU member states record the upward dynamics of intolerance, hate speech, numerous social phobias, various discriminations, etc.

These destructive processes actualize the study of the following issues: 1) to what extent do the young democracies of Central and Eastern Europe today meet the standards that the EU expects from each member state? 2) what inconsistencies of the EU's course are reflected in the young democracies of

the EU and to what extent do these inconsistencies threaten the stability of the EU as a democratic union of states? 3) do EU countries with a post-totalitarian past continue consistent institutional and value-based reforms after accession to achieve full alignment with the EU? 4) are the EU's efforts sufficient to prevent the member states from departing from democratic principles and values in the context of global deterioration of democracy? These and some other issues are particularly relevant for political science. Therefore, the purpose of this paper is to examine the compliance of the three Baltic States (Estonia, Latvia and Lithuania) with the EU requirements to the member states.

The Central and Eastern European states that joined the EU in the 2004 enlargement made significant efforts in the late 1990s and early 2000s to meet the Copenhagen criteria. But EU membership did not mean the end of democratisation processes. Accordingly, reforms aligned with EU policies were expected to continue steadily. However, after May 1, 2004, the motivation for intensive reforms significantly decreased. Democratization processes began to be characterized by stagnation or regression. The Baltic States are no exception to this trend,

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as they do not meet the standards of consolidated democracy. The COVID-19 pandemic has further exacerbated the rollback of democracy. This is evidenced by the data of various democracy indices. For example, according to the Democracy Index 2020, all Baltic countries are in the group of imperfect democracies.

It is obvious that the historical past, as well as the lack of a stable liberal democratic tradition, led to the formation of the current defective model of democracy. Undoubtedly, the course towards European and Euro-Atlantic integration contributed to the democratization processes, but failed to finally consolidate their achievements. The beginning of the global financial crisis in 2008 became a powerful trigger for stagnation of democratization processes in the EU, including in post-totalitarian member states. Many countries witnessed the rise of populism and the coming to power of conservative, nationalist parties. This, in turn, exacerbated democratic regression. The European debt crisis of 2010, the migration crisis of 2015, the COVID-19 pandemic and other factors have slowed down further democratic reforms, provoked the growth of intolerance and hate speech.

These trends are clearly visible in Estonia, Latvia and Lithuania, although the decline in the quality of democracy here is not as obvious as in Hungary or Poland. Therefore, the processes of stagnation / regression of democratic reforms in these countries in 2004-2020, the extent of their compliance with the EU course is of interest to researchers.

## 2. Methodology

On the one hand, the analysis of the Baltic States as an integral object of study is justified. They have a common historical background, all three countries almost simultaneously carried out institutional reforms and met the Copenhagen criteria, and were admitted to the EU at the same time. Today Estonia, Latvia and Lithuania face similar institutional and value barriers on the way to adopting EU standards. Conversely, each of the three Baltic states emphasizes national approaches to the degree of deepening or resistance to liberal democratic reforms. There are marked differences in the pace of their rapprochement with the EU or increasing confrontation with its institutions. This is due to a number of factors, such as the place and role of nationalist, conservative, populist political forces in each of these states, as well as their interest in a particular issue that needs to be addressed to achieve a higher level of compliance with EU standards.

Important factors of support or opposition to the post-integration liberal democratic transformation of Estonia, Latvia and Lithuania are the peculiarities of

the political and legal culture of the population, the current level of public support for certain aspects of democratic transformation, the political will of the leaders of the Baltic States to consistently implement the EU policy at the national level. Thus, the research methodology includes not only neo-institutionalism and comparativism, but also an axiological approach. It is important to find out whether there are vestiges of the totalitarian past in the political culture, consciousness of the population of the Baltic States, as well as how this destructive historical heritage affects the modern cooperation of Estonia, Latvia and Lithuania with the EU institutions.

The study 1) reveals the defects of democracy in the Baltic States by a number of indicators, as well as a set of reasons that cause them; 2) considers the scientific hypothesis of stagnation/regression in the processes of compliance of Estonia, Lithuania and Latvia with the EU democratic standards; 3) reveals the differences between the Baltic States in terms of continuing democratic reforms and maximum rapprochement with the EU. The indicators of gender equality, tolerance and effectiveness of anti-corruption policy were chosen for the analysis. It should be noted that the system of indicators that can be used to assess the compliance of the three Baltic States with the EU standards, as well as to identify differences between the Baltic States, is much wider. The analysis covers only some of them due to the limited space of this paper.

## 3. The Baltic States as part of the process of pan-European decline in the quality of democracy

When the democratization processes in Central and Eastern Europe were just beginning, the political discourse actively hypothesized that the European and Euro-Atlantic integration of the countries of this region could become an effective mechanism for expanding the range of liberal democracy. Conceptually, this is reflected in the approach "democratization through integration" (Dimitrova and Pridham, 2004). The European perspective was seen as a potentially effective tool to curb extremist, populist tendencies (Bayer, 2002), an incentive to increase the quality of democracy (Pridham, 2005). The fact that candidate countries have joined the EU has been interpreted in political science discourse as an argument in favor of consolidating democracy (Schimmelfennig, 2007; Merkel, 2008). The process of European integration was positioned as an important factor in the successful democratic transit of Estonia, Latvia and Lithuania. Thus, in the late 1990s – 2000s, a strongly optimistic approach to the role of European integration for the countries of Central and Eastern Europe prevailed.

The onset of the global financial crisis in autumn 2008 was a turning point in assessing the role of European integration for democratization. Almost immediately, researchers noted the growth of populism (Cristova, 2010; Palonen, 2009). According to P. Guasti and Z. Mansfeldová (2018, p. 74), in Central and Eastern Europe's democracies, indicators of democratic development such as media freedom, the quality of the checks and balances, stability and representativeness of the party system, citizens' approval of democratic norms and procedures, etc. began to deteriorate. However, it should be noted that even before this crisis, scholars paid attention to the decline in the quality of democracy. In particular, I. Krastev (2007) stated the "strange death of liberal consensus" in post-totalitarian Europe, the displacement of liberal consensus by illiberal populism. Obviously, the decline in the quality of democracy is due to a complex set of problems that have been exacerbated by the global financial crisis.

The further prospect of democratic transformation after the EU enlargement in 2004 for the new member states was considered in the political discourse under two different scenarios:

1) The first scenario predicted the probability that after exhausting, intensive implementation of the Copenhagen criteria for EU accession, post-totalitarian states would return to the usual political and legal models. This meant manifestations of neo-authoritarianism, populism, departure from the rule of law, intolerance, etc. Against the backdrop of euphoria from the great EU enlargement, doubts have been expressed about the prospects of sustainability of democratic reforms, which were carried out at the request of the European Union (Dimitrova and Pridham, 2004). It was predicted that the most "sensitive" reforms could be reversed after the candidate countries achieve the desired EU membership (Dimitrova, 2010). Such a forecast should have prompted the EU institutions to introduce new mechanisms to prevent the rollback of liberal democratic reforms, but no serious work was done in this direction. Although the EU institutions have repeatedly declared their readiness to invest in deepening the sustainability of neoliberal democracies, the practical dimension of this intention has been insufficient. Against the backdrop of increasing challenges to the EU's sustainability, attention to the quality of democracy in the new member states is insufficient. The problems of 2020 – early 2021 have made it very clear that the priority is to save the economy, not democracy. The negotiation process for the adoption of the EU long-term budget for 2021–2027 and NextGeneration EU by the European Parliament confirms our statement. It seems that the EU macro-level strategy for democratic progress still needs to be considered;

2) The second scenario (the theory of the "Euro straitjacket") assumed that the accession of Central and Eastern European countries to the EU should have a long-term positive perspective for the consolidation of national democracies. It is clear that this scenario has not been realized. However, the problems of the quality of democracy in the countries of Central and Eastern Europe are expressed in different ways. In some of them (especially The Visegrád Group) they have reached a dangerous to the EU stability scale, and in others (as in the case of the Baltic States) these problems are not threatening but slow down further democratic progress of these states, achieving full compliance with EU institutional and value standards.

Gradually, the Baltic States have become a platform for a "new political opponent of liberal democracy" – a kind of democratic regime, neo-authoritarian in form, with a capitalist economy and a commitment to conservative and nationalist ideology (Ignatieff, 2014, pp. 30–33). Thus, for the second decade in a row, the post-totalitarian states of Central and Eastern Europe have been experiencing growing defects in democratic progress, in contrast to the democratic improvements they expected from EU membership. The Baltic States are part of this threatening process, as they demonstrate the vulnerability of democracy, the high risk of losing its liberal core (Dăianu, 2018).

Researchers explain the strengthening of internal resistance in the Baltic States to liberal democracy (and hence to the EU's political course), in particular, by the course imposed on these countries to become "common", for example, like Western countries (Krastev and Holmes, 2018, p. 118). Despite the obvious advantages of such a course for states with a totalitarian past, the active import of Western standards had negative consequences, primarily of a moral and psychological nature. Traditionally, peoples who have been enslaved for a long time react sharply to any demands from outside to recognize their culture as superior to national foreign (multicultural) values. In fact, this is typical for Estonia, Latvia and Lithuania. It is about the post-totalitarian peoples' feeling of inferiority, dependence, lost identity. These processes can explain the growing influence of nationalist, conservative political parties, their support by the electorate, as well as the gradual upward dynamics of various social phobias, hate speech, intolerance, etc.

The problems of the quality of democracy in the Baltic States (as well as in Central and Eastern Europe as a whole) are due to the relatively short democratic experience. There has never been a strong liberal political culture capable of supporting stable democratic regimes even in the face of growing economic, social and other problems (Dawson and Hanley, 2016; Vachudova and Hooghe, 2009). This

makes the region particularly vulnerable to such challenges. In the context of this vulnerability and the growing deterioration of the quality of democracy, it is worthwhile to examine the compliance of the Baltic States with the EU requirements for member states.

Since the declaration of independence, the Baltic States have been characterized by a clear pro-Western orientation and focus on the Western European model of socio-economic development. The authors believe that the decisive factor that inevitably determined the vector of evolution of Estonia, Latvia and Lithuania is the consensus among national political elites on foreign policy priorities. The rotation of ruling political parties does not affect the commitment to the European and Euro-Atlantic course. At the same time, the Baltic States are currently facing the task of overcoming the stagnation of democratic transformations and preventing further deterioration of the quality of democracy.

#### **4. Compliance of the Baltic States with the principle of gender equality**

The EU has been consistently developing the idea of gender equality since the adoption of the founding treaties of the EU (Treaties of Rome, 1957). Most key EU documents emphasize the importance of gender parity. Therefore, the elimination of gender discrimination is a priority for the EU institutions, as (according to EU estimates) no EU member state has yet achieved full equality between women and men, and progress in this direction is slow. This is stated in A Union of Equality: Gender Equality Strategy 2020–2025 (European Commission, 2020).

COVID-19 has exacerbated gender issues. The EU now expects Member States to take active steps to strengthen gender equality: increasing employment opportunities for women and, accordingly, reducing female unemployment; reducing segregation in the labour market; ensuring equal pay for equal work; reconciliation of work and family life for women and men; reintegration of women returning to work after maternity leave; gender balance in decision-making; elimination of financial and non-financial barriers that would increase women's participation in the labor market, etc. The EU declares that it aims to maximize the involvement of both men and women in public life.

At the same time, the achievement of the EU goals is hampered by the slow progress of most member states, including the Baltic States, in strengthening gender equality at the national level. The authors believe that Estonia, Latvia and Lithuania are characterized by a rather hesitant approach to the

implementation of the principle of gender equality, which has a conservative basis. In the opinion of the authors, certain stereotypes in the communities of the post-Soviet Baltic States lead to the emergence of a glass ceiling and glass walls.

Although Estonia has the strongest position in the Gender Inequality Index among the Baltic States and has ratified the Istanbul Convention, the gap with the leading Scandinavian countries is significant. Culturally, Estonia belongs to the group of Scandinavian countries, but gender egalitarianism in the society is much lower (Alas and Kaarelson, 2008, p. 13) than, for example, in Norway or Sweden. Estonian women are faced with the dilemma of reconciling the expectations of a patriarchal, conservative society regarding the role of women with Western (liberal-democratic) trends and initiatives aimed at promoting equal opportunities for the genders.

Estonia has the largest gender pay gap in the EU, new discriminatory employment practices are emerging, feminization of poverty is growing (Narusk and Kandolin, 1997; Hansson and Aavik, 2012; Roosalu, 2013; Saar and Helemäe, 2016, p. 325). Estonia is a country where it is difficult to achieve a balance between work and family life. There is also a high level of domestic violence, although the state institutions prevent and counteract such illegal actions, and the fight against domestic violence is consistently supported by the Head of State K. Kaljulaid. The institution of the Commissioner for Gender Equality and Non-Discrimination has been operating since 2005, and reports indicate a large number of citizens' appeals that are considered annually, but a separate study is needed to assess the effectiveness of this institution.

When the nationalist-conservative party EKRE (2019) significantly increased its representation in the Riigikogu and joined the coalition government, it sharply intensified anti-gender rhetoric about preserving and protecting traditional values. However, the resignation of the Jüri Ratas' government in early 2021 helped to stop the representation of the EKRE party in the coalition government. Instead, the executive power of Estonia was first headed by a woman (K. Kallas). There is a situation when in a rather conservative Estonia with a pronounced "male face" of politics, the two highest state positions (President and Prime Minister) are simultaneously held by women. This is the only such case in the world. In addition, for the first time, the Estonian government headed by K. Kallas has a record number of women (7 out of 15 officials), which is an exemplary example of gender parity. Also, according to the results of the last elections in 2019, the representation of women in the Estonian parliament has increased.

One way or another, despite the mentioned positive aspects in terms of increasing women's representation

in power, specific issues remain relevant for Estonia: solving the problem of increasing women's participation in the labor market and ensuring their economic independence; reducing the income gap in wages and pensions; combating gender-based violence and promoting women's rights; introducing gender-oriented budgeting and gender quotas, etc.

Focusing on Lithuania, despite the revival of the women's movement, constant improvement of legislation in accordance with EU norms, the country still has a gap between the theoretical declaration of gender equality and actual gender inequality. Lithuania's position in the Gender Equality Index is one of the lowest in the EU. Support for traditional gender roles is firmly rooted here. According to a study conducted by the Pew Research Center, for 88% of respondents from Lithuania the issue of gender equality is important, while in Sweden, France and the Netherlands – for 99%, in Germany, Spain – for 98%, etc. (PRC, 2019, p. 90) Anti-gender sentiments are supported by conservative forces (Catholic Church, right-wing radical parties), which rely on centuries-old patriarchal traditions and stereotypes about gender roles. Facts and statistics show that Lithuania has not yet reached gender equality standards, and sexism and discrimination against women persist in various forms, mostly latent. There are differences in pay and a noticeable division of employment into "female" and "male" functions. Experts and the Lithuanian public cannot find a compromise on the implementation of the Directive on Work-Life Balance for Parents and Carers (2019), which provides for additional leave for employees to promote a better work-life balance.

According to the estimates, the pace of Lithuania's movement towards gender equality is slower than in other Baltic States. Since 2005, this country has not made significant progress in strengthening gender parity. It has one of the smallest numbers of women in the EU parliaments, although the 2020 elections saw a certain increase (women now make up 27% of the Seimas of the Republic of Lithuania). Lithuania has not ratified the Istanbul Convention. The problems are obvious: gender pay gap; domestic violence; inadequate representation of women in politics; stereotypes about gender roles, etc. There is a lack of understanding of gender quotas as an important tool for reducing the gender gap in politics.

It is estimated by M. A. Pavilionienė, the Lithuanian researcher, that "too many Lithuanian women still lack feminist thinking, courage and active involvement in implementing equal opportunities, changing dogmatic and stereotype-based thinking concerning genders, and expanding the concept of women's rights as human rights." (2015, p. 277) This indicates the still significant role of patriarchal approaches to the "inferior" status of

women in Lithuanian society. In view of the above, it is considered that the value paradigm of Lithuanians in terms of gender equality needs to be reformatted.

Unlike Lithuania, Latvia is making slow but steady progress in strengthening the principle of gender equality. This conclusion can be drawn from the growing representation of women in government, especially in parliament. At the same time, gender segregation in the labour market and education remains. In addition, the wage gap between men and women persists. Gender-based violence remains a serious problem. There are no legal norms in Latvia that would enshrine the principle of gender equality. There is also no institution of a specialized ombudsman for gender policy. This distinguishes Latvia from other Baltic countries.

Latvia, as well as other Baltic countries, is characterized by a focus on creating sustainable institutional mechanisms that would promote the implementation of the principle of gender equality, rather than on changing the value paradigm. Latvia's inclusion of the issue of gender equality in the political agenda is motivated not by the internal demand of society for such changes, but by the need to meet external requirements – first as an EU candidate country and since 2004 as an EU member state. This explains why Latvia has not yet managed to achieve a strong and consistent gender equality policy.

Gender equality as a liberal democratic value is slowly taking root in Latvia, but it is not accepted by the general public. Family values of patriarchal type remain significant, freedom from conservative stereotypes is not stable. Latvia's gender progress is hindered by strong conservative attitudes of not only the society, but also the political elite. Therefore, it is in the value dimension that it is advisable to look for explanations for Latvia's refusal to ratify the Istanbul Convention, as well as the low efficiency of gender policy in general.

Obviously, the factor of European integration has prompted the Baltic States to launch reforms in terms of implementing the principle of gender equality. However, Estonia, Latvia and Lithuania are still characterized by horizontal and vertical gender segregation, especially in the labour market. The rise of radicalism and conservatism in politics has contributed to the growth of gender-biased rhetoric in recent years. It is noteworthy that such processes rarely lead to public condemnation and public demands to bring hate speech speakers to justice. Reforms aimed at implementing gender equality in the Baltic States rest on the issue of values, which take a little longer to change than institutional reforms. Traditional gender roles, gender stereotypes remain very resistant to change, which is one of the most important reasons for the preservation of

political and legal stereotypes and conservative approaches to gender roles.

It seems that in the light of the global coronavirus pandemic, the Baltic States have pushed the issue of gender equality to the background. This has made possible the emergence of new discriminatory practices in employment, increased segregation in the labor market, and the feminization of poverty. The authors did not find an active position of the Estonian, Latvian or Lithuanian authorities to support women under quarantine restrictions. Thus, the overall progress of the Baltic States in promoting gender equality is currently assessed as slow, and some of the EU recommendations are not being implemented.

### **5. Compliance of the Baltic States with the principle of tolerance**

The EU positions tolerance as one of the important preconditions for the functioning of a united Europe. EU member states signed the Declaration of Principles on Tolerance (1995). Thus, the EU seeks to affirm the value of diversity, "otherness", the right to pluralism of views. At the same time, most young EU democracies, including the Baltic States, have problems with ethnic, racial, religious, political, sexual, age, educational and other tolerance. This leads to segregation, neo-racism, xenophobia, migrantophobia, hate speech, pressure on LGBTI+ people, etc.

According to the Eurobarometer survey on discrimination, respondents indicated the following cases of discrimination in their countries: discrimination against Roma (61%), harassment on the grounds of ethnicity and skin colour (59%), sexual orientation (53%), religion and belief (47%), disability (44%), age (40%) and gender (35%) (European Commission, 2019b). Therefore, preventing and countering the growth of anti-Semitism, Islamophobia, xenophobia, violent extremism, hate speech on the Internet, etc. remains on the EU agenda. Manifestations of intolerance are typical, in particular, for the Baltic States.

In Estonia, it is clearly defined at the institutional level that the fight against all forms of intolerance is the key to Estonia's further democratic progress within the EU. There is no rapid upward trend of intolerance (as in the case of some EU countries), but there are problems in certain areas of life. This is evidenced by intolerance in ethnic issues, Islamophobia, the spread of hate speech, etc. Negative stereotypes about Roma persist and there are problems with their full integration into Estonian society (Viies, 2011).

The problem of intolerance towards LGBTI+ people is acute. And this is despite the fact that

Estonia is the most liberal towards sexual minorities in the Baltic States and Central and Eastern Europe in general. Estonia's progress is evident at the institutional level: the institution of civil partnership for same-sex couples has been legalized; transgender people are allowed to change their legal gender and name; criminal law provides for punishment for public incitement to hatred on the basis of sexual orientation, etc. However, Estonians' tolerance towards sexual minorities is more pronounced among certain socio-demographic groups, especially Estonian-speaking youth. Homophobia in Estonia is more evident than the EU average, but significantly lower than in neighbouring Latvia and Lithuania. This is evidenced by the results of the Eurobarometer survey on discrimination (European Commission, 2019b): 41% of Estonians do not object to same-sex marriage; for comparison, in Lithuania – 30%, Latvia – 24%; the EU average is 69%.

The destructive intolerant dynamics is not least due to the electoral support of Estonian radical, populist parties, primarily the Conservative People's Party of Estonia (EKRE). This party entered the parliament under the slogan "Estonia for Estonians". The authors believe that the support of a significant number of Estonians for parties that express misogynistic, anti-Semitic, xenophobic, homophobic and racist sentiments indicates that liberal democratic values are not yet sufficiently rooted in the political and legal culture.

It should be noted that one of the key issues for EKRE is the holding of a referendum on the consolidation of the definition of marriage in the Estonian Constitution as a union of a man and a woman. However, the Estonian authorities are aware that holding such a referendum contradicts the EU agenda on the rights of sexual minorities. It is possible that the resignation of Prime Minister Jüri Ratas in early 2021, and subsequently the withdrawal of the EKRE party from the coalition, was a way to prevent this referendum.

In Latvia, the following remain problematic in terms of implementation of the principle of tolerance and prevention of manifestations of intolerance: preservation of a high percentage of non-citizens in the structure of the country's population; marginalization of the Roma community; manifestations of anti-Semitism, especially in the Internet discourse; high level of intolerance towards refugees (migrantophobia, Islamophobia); insufficient attention of the state to preventing and counteracting hate speech and weak promotion of counter-propaganda by the state and civil society in response to racist, homophobic, transphobic and other hate speech. Intolerance towards sexual minorities remains high. The results of the Eurobarometer survey (European Commission, 2015) show an extremely

slow but still growing support for same-sex marriage: 19% of respondents, while the EU average is 61%. Only 25% of Latvians agreed that same-sex relationships are normal (European Commission, 2019b). For comparison: in Sweden – 95%, in the Netherlands – 92%, in Denmark – 90% of respondents, but in Bulgaria – 20% (the worst indicator in the EU). Latvia has the highest level of intolerance towards LGBTI+ people in the Baltic Group.

The reasons for these and other problems lie not least in the political and legal culture of the Latvian population, which is characterized by a rather pronounced intolerance to "otherness" and instability of liberal democratic values, which are the focus of the EU strengthening. Latvians' movement from survival values to self-expression values is slow (Rungule and Seņkāne, 2018, p. 95). There are not enough information campaigns aimed at building tolerance. Even for professionals who have to meet the standards of tolerance in their work, training activities on hate speech, prevention of intolerance, etc. are extremely poorly organized in Latvia (Kamenska, 2017). At the same time, some progress has been made at the judicial level. In particular, the Constitutional Court of the Republic of Latvia has recently started to take the progressive position that the family is a social institution based on close personal ties that can be identified in social reality, as well as on understanding and respect. This is important for same-sex couples, especially those raising children together (Constitutional Court of the Republic of Latvia, 2020).

Sensitive issues of tolerance in Latvia remain issues related to the historical heritage of the country, especially the period of the Second World War. First of all, it is about the annual commemoration (at the non-governmental level) of members of the local Waffen-SS legion. This issue was highlighted by the European Commission against Racism and Intolerance (ECRI, 2012, p. 7, 24–25). The Latvian authorities were recommended to oppose the commemoration of those who fought in the Waffen-SS and in some way interacted with the Nazis. At the same time, the public opinion is dominated by the perception of the Legion's activities not as solidarity with Nazism (and thus involvement in the Holocaust, war crimes), but as a fight against the Soviet regime for the restoration of Latvia's sovereignty.

After the beginning of 2015, in connection with the European migration crisis and the distribution of migrant quotas among the EU member states, cases of xenophobia and social exclusion have become more frequent in Latvia, as well as social phobias (migrantophobia, Islamophobia) have intensified. The assessment of the attitude to refugees in Latvia is not least evidenced by the fact that a significant part

of those who fell under the EU quotas soon left the country, moving to Western and Northern Europe. Finally, it was Latvia that actively supported in 2017 the initiative of the Prime Minister of Poland D. Tusk to abolish the EU practice of setting quotas for refugees for the EU member states.

Analysis of Latvia's state policy in the field of combating intolerance leads to the conclusion that it focuses only on certain problematic areas, while many acute, uncomfortable issues are silenced or outright ignored. Latvia's legislative framework is not fully in line with EU legislation. Some of the EU recommendations to minimize situations that contribute to the spread of intolerant destructive practices have not been implemented. Latvian legislation is not yet fully compliant with the ECRI General Policy Recommendation No. 7 on national legislation against racism and racial discrimination on combating racism and racial discrimination in terms of combating racism and racial discrimination (ECRI, 2017).

As for tolerance in Lithuania, it should be noted that this country has been a place of coexistence of many peoples, cultures and religions for hundreds of years. After the declaration of independence, Lithuania chose a different mechanism of granting citizenship than Estonia and Latvia, so there is no group of non-citizens in the structure of the population. At the same time, new ethnic stereotypes and social phobias are being formed. Currently, legal mechanisms for the protection of human and civil rights and freedoms are not effectively applied in relation to national minorities, refugees and other vulnerable groups. The competence of law enforcement and judicial bodies is low in terms of responding to hate crimes, hate speech, etc. Refugees, national minorities and foreign citizens are victims of hate speech. However, Lithuanian society is rather passive in counteracting intolerant practices due to the dominant conservative nature of culture among the population, as well as the instability of liberal democratic values.

The segment of right-wing radicals, populists and other organizations that incite hatred on the grounds of anti-Semitism, homophobia, etc. is quite active in the structure of Lithuanian civil society. Lithuanians have not yet managed to overcome the problem of a rather high level of hidden intolerance towards people with different ethnic, racial, sexual and other identities. Strong religious conservatism of Lithuanians is manifested in a certain intolerance to non-Christian religions, which can potentially provoke the growth of Islamophobia in Lithuania. The manifestations of intolerance in Lithuania are homophobia (its level is higher than in Estonia and Latvia), xenophobia, migrantophobia, etc. Manifestations of anti-Semitism (Beresniova, 2017)

and Romaphobia have been repeatedly recorded (Kiurè, 2017; Poviliunas, 2011). In such circumstances, Lithuanian state institutions are currently inconsistent in overcoming intolerance and integrating stigmatized groups.

Common to all the Baltic States in terms of implementation of the principle of tolerance are challenges not only at the institutional level (failure to implement certain EU recommendations in terms of promoting the principle of tolerance), but also at the value level (incomplete perception of liberal democratic values by the population, which the EU is focused on implementing).

### **6. Compliance of the Baltic States with the EU anti-corruption objectives**

Anti-corruption values are among the most important for the EU, so preventing and fighting corruption is one of the EU's priorities. The EU interprets corruption as a wide range of illegal actions: it is not only obtaining illegal benefits, but also trading in influence, justice, uncivilized lobbying, conflict of interest, nepotism, favoritism, nepotism and others. Although the EU is built on compromises, it takes an uncompromising position on corruption. Corruption is positioned as an absolute obstacle to the progress of the United Europe. In its Anti-Corruption Report, the European Commission estimated the cost of corruption in the EU at around EUR 120 billion (European Commission, 2014, p. 3). In the political discourse, it is increasingly emphasized that the level of corruption has reached such a level that it poses an existential threat to the democratic integrity and national security of the EU Member States, as well as to the unity of the European Union itself. Therefore, the EU institutions are constantly setting new challenges for the Member States and candidate countries in the fight against corruption. In this process, the Baltic States demonstrate both successes and failures.

The EU expects member states not only to organize effective anti-corruption campaigns, but also to create an atmosphere of total intolerance to corruption in the society, to promote the functioning of the anti-corruption segment of civil society, etc. The next tasks are the fight against money laundering and non-transparent public procurement, protection of corruption whistleblowers, asset recovery, etc. However, the implementation of the EU's tasks in the field of preventing and combating corruption is not always effective in the Member States.

The Baltic states intensively implemented anti-corruption reforms at the request of the EU institutions during the membership phase. After accession to the EU, some of them managed to

consolidate the results of reforms, but others maintained the functioning of destructive institutions and did not eradicate corruption pragmatism among the general population. While Estonia is a leader in the fight against corruption along with the leading EU countries, Lithuania has been stagnating in recent years, and Latvia has even regressed in anti-corruption processes. This is evidenced by the Corruption Perceptions Index. Estonia strengthens its anti-corruption positions every year: 2015 – 23rd place in the world ranking, 2020 – 17th place. Lithuania was ranked 36th in the world ranking in 2015 and remained almost at the same level in 2020 (35th place), which is considered as anti-corruption stagnation. Latvia's regression is evidenced by the fact that if in 2015 this country was ranked 38th in the Corruption Perceptions Index, by 2020 it worsened its performance to 42nd place (Transparency International, 2021). Consider in more detail the cases of the Baltic States in terms of their compliance with the EU anti-corruption policy.

Latvia was the first EU candidate country from Central and Eastern Europe to adopt an anti-corruption strategy (1998), and since then anti-corruption policy has been institutionalized. However, until 2002 anti-corruption reforms were more like imitation reforms. It was only during the implementation of the Copenhagen Criteria that Latvian anti-corruption reforms took shape, in particular, by analogy with the Hong Kong Anti-Corruption Agency, the Latvian Anti-Corruption Bureau (KNAB) was established. However, currently the set of anti-corruption measures is insufficient, as a result of which Latvia remains relatively low in the EU in terms of welfare, quality of life, competitiveness. Corruption has caused a powerful brain drain, high level of favoritism in the formation of governments and other authorities (Mungiu-Pippidi, 2013). Latvia loses at least EUR 3.4 billion annually due to corruption (European Parliament, 2018).

The Latvian judiciary and KNAB have been subjected to political pressure in top corruption cases. Many high-profile corruption investigations have not been brought to prosecution. Latvia also has obvious problems with media independence, which hampers anti-corruption investigations; weak state audit, etc. The country continues to be influenced by the Russian factor, which contributes to the spread of corruption practices (money laundering schemes from Russia through Latvian banks such as ABLV Bank). The shadow economy remains significant. Corruption risks exist in public procurement, healthcare, construction sector, EU development projects, transport, financing of political parties, etc. Even after Latvia's accession to the EU, there were cases of political parties



being financed by oligarchic groups and businesses, which made them vulnerable to political corruption.

Public opinion in Latvia is evolving very slowly towards intolerance of corruption practices. This is evidenced by the results of the Eurobarometer survey: only one third of Latvian respondents (34%) indicated that corruption practices are unacceptable, while in the old European democracies the vast majority of respondents have a negative attitude towards corruption, for example, 84% of Finns, 81% of Irish, etc. (European Commission, 2017) The willingness of Latvians to expose corruption is low, and the authors see the reasons for this in the value dimension, the parameters of their political and legal culture. Latvians do not demonstrate zero tolerance to corruption, there are cases of electoral support of politicians involved in various corruption cases (for example, the case of Nils Ušakovs). The anti-corruption segment of the national civil society is also weak. Thus, Latvia is in the group of countries with a high risk of deepening corruption, in the group of anti-corruption outsiders within the EU (Mungiu-Pippidi, 2013). However, some reforms are evident, especially in the area of preventing and combating money laundering.

Corruption remains the main reason that hinders Lithuania's democratic development. Lithuania is characterized by stagnation in the fight against corruption, although the country has a special anti-corruption body – the Special Investigation Service of the Republic of Lithuania. In general, 93% of respondents indicated that corruption is widespread in the country, but only 52% of respondents condemned unacceptable behaviour; 87% indicated the importance of various informal connections to obtain desired public services (European Commission, 2017). Lithuanian businesses face extortion much more often than in most EU countries (European Commission, 2019a).

Destructive corruption practices in Lithuania are particularly pronounced in the form of high-level corruption. While in most EU countries the main subjects of corruption are politicians and political parties, in Lithuania it is state bodies, such as public healthcare institutions, licensing authorities, customs, etc. The shadow economy remains significant (although smaller than in Latvia). In Lithuania, corruption in public procurement is the highest among the Baltic States. The banking sector remains vulnerable to corruption in Lithuania, although recently the state control over financial companies has been strengthened and the prevention of money laundering has improved; the country has intensified financial intelligence, in particular in the field of virtual currencies and FinTech, the financial technology sector. The Lithuanian judicial system ("trade in justice") carries a high risk of corruption.

At the same time, political corruption has been minimized in Lithuania: financing of parties, politicians and the electoral process by legal entities is prohibited; the law on lobbying has been adopted; the code of conduct for politicians has been adopted (with the imposition of sanctions); various immunities have been minimized, etc. Among the Baltic States, there is a register of lobbyists only in Lithuania (Dunčikaitė et al., 2020). However, despite the fact that lobbying in Lithuania seems to be regulated, there is no lobbying culture, the practice of actions in the field of lawmaking is carried out exclusively through a registered lobbyist.

Lithuania has a fairly developed segment of anti-corruption organisations in the civil society structure compared to other Baltic States. It seems that Lithuania is gradually moving away from its perception in the international arena as a country that benefits from corruption, but prevention and counteraction to various destructive practices is still insufficient.

Instead, Estonia has consolidated its position as an anti-corruption leader in the Baltic group. This country controls corruption better than many countries with long-term membership in the EU. This is evidenced by Estonia's position in the Corruption Perceptions Index. As a result, Estonia is ahead of the countries that were integrated into the EU much earlier (France, Portugal, Italy, Greece, etc.) in terms of fighting corruption. It is worth noting that most of the countries that joined the EU during the last enlargements slowed down anti-corruption reforms after gaining membership, but Estonia is an exception (Kartal, 2014).

Estonia quickly overcame particularism and moved towards transparent governance practices (Mungiu-Pippidi, 2017) thanks to the dismantling of corrupt Soviet networks in the 1990s, nationwide lustration, large-scale staff turnover and the cleansing of the judiciary (the reforms of Prime Minister M. Laar). It is significant that Estonia's anti-corruption progress was achieved without the establishment of a special anti-corruption body. Bureaucratic corruption is minimized due to e-government (the X-Road system provides 99% of public services online).

Estonia can well be positioned as an innovator in the development of new mechanisms to prevent and combat corruption. Its main success is considered to be the creation of a state and society with a high level of transparency, trust and efficiency. The state makes considerable efforts to raise the level of awareness of Estonians about corruption, to build a strong intolerance to any corrupt practices and to promote citizens' awareness of the threats posed by corrupt practices. This fundamentally distinguishes Estonia from other Baltic States and Central and Eastern European countries in general.

However, some problems remain: not all corruption cases can be prosecuted; there are difficulties with the seizure of property acquired through corruption (it "disappears" at the stage of investigation). A striking example of corruption that has not yet been eradicated from Estonian society and the state was the resignation of Jüri Ratas's government in early 2021 due to suspicions of corruption on the part of members of the Estonian Centre Party, of which he is the leader.

Therefore, it is necessary to point out the differences in combating corruption in the Baltic States, because Estonia focuses on progress, Lithuania – on stagnation, Latvia – on regression. There are both institutional and value-based reasons for this. The Baltic States make different efforts in institutional reforms and in the field of anti-corruption socialization of citizens, despite the obvious reason of rootedness of corruption at the value level. The Baltic States occupy intermediate positions in the EU in terms of fighting corruption between the leaders of this process (Denmark, Finland, Sweden, etc.) and outsiders (Bulgaria, Greece, Italy, Malta, Romania, Slovakia, Hungary, etc.). On the one hand, the Baltic States are paying attention to a wide range of problems related to corruption and the EU's recommendations on how to overcome them.

On the other hand, there are still problematic issues, some recommendations on combating and preventing corruption, which are regularly voiced by the anti-corruption monitoring body of the Council of Europe – the Group of States against Corruption (GRECO), are not implemented. For example, GRECO has repeatedly criticized Latvia for delaying the regulation of lobbying, unregulated parliamentary ethics, prevention of conflicts of interest, and so on (GRECO, 2019). The next report on Latvia (GRECO, 2020) states that, apart from the abolition of administrative immunity for parliamentarians, no tangible progress has been made in implementing the recommendations on MPs. As for Estonia, GRECO notes that there is currently no code of conduct covering all relevant civil servants (ministers, senior civil servants and political advisers). It also stressed the need to establish clear guidelines for civil servants on the risks of conflict of interest (GRECO, 2018).

## 7. Conclusions

Over the past three decades, the elites of Latvia and Lithuania have demonstrated a strong political will for democratization, and such reforms have been supported by the majority of the population. Thanks to pro-democratic external initiatives (primarily from the EU), the Baltic states managed

to reform the institutional design of the political system, improve legal procedures for political decision-making and achieve other constructive results. At the same time, consolidation of democracy for the Baltic States remains a difficult task: in some areas of democratic transformation successes are evident, but in many there is stagnation and even some regression. These processes are significantly influenced by the historical past (long control over other states, the Soviet past) and a number of other factors. However, the problem of declining quality of democracy today is a global problem, not unique to the Baltic States or Central and Eastern Europe as a whole.

According to the authors, the processes of democratic deconsolidation in the Baltic States are less pronounced than in other post-totalitarian EU member states, such as the Visegrad Group. This is primarily reflected in the balanced approach of the Baltic states in relations with the EU on such controversial issues as migration quotas, sexual minority rights, etc. The political elites of the Baltic states are more inclined to partnership within the EU than to focus on national interests, as in the case of Hungary and Poland.

At the same time, the risk of deterioration of democracy and slowdown of reforms remains. In each of the Baltic States, a complex of reasons contributes to this:

- in Estonia, the deconsolidation of democracy is carried out primarily by the EKRE party. This party is getting closer to the Hungarian party "Fidesz" and its leader V. Orban. In recent years, the activity of ethno-populists and other radical political forces has increased. They shape narratives about vulnerable groups (ethnic and sexual minorities, refugees, etc.), promote religious conservatism, attack multicultural values, etc. These are dangerous factors that reduce the quality of democracy. On a positive note, the EKRE party is no longer represented in the new government (as of January 2021), but only has a faction in the parliament (19 out of 101 members of the Riigikogu);

- the sustainability of liberal democracy in Latvia has deteriorated after the last parliamentary elections (October 6, 2018), as newly emerged anti-system populist political forces and conservative parties gained support. Latvians are characterized by a high level of distrust in traditional parties and state institutions, not least due to large-scale corruption revelations in recent years and ineffective state response to corruption cases. Latvian politics continues to be under the destructive influence of oligarchs, although in recent years most oligarchs have been pushed out of big politics;

- the moods of Euroscepticism, populism, radicalism, etc. do not have significant expression and support in

Lithuania. At the same time, at the post-integration stage, democracy is being tested for sustainability. The parliamentary elections in the fall of 2020, against the backdrop of the socio-economic destructive consequences of the pandemic, showed changes in the socio-political mood of Lithuanians towards conservatism and populism. The manifestation of various ethnic stereotypes and social phobias (homophobia, migrant phobia, etc.) is growing.

In all the Baltic States, the problems of the quality of democracy are directly related to the peculiarities of the political culture of the population, which does not yet fully correspond to the values of Western European or Scandinavian countries. The survival values of Estonians, Latvians and

Lithuanians currently dominate over the values of self-expression. The remnants of the previous undemocratic political culture, which contradict the EU value paradigm, are still deeply rooted. Another problem for the quality of democracy in the Baltic States is the fragile middle class, one of the tasks of which is to ensure the sustainability of democratic transformation.

Thus, it can be concluded that the Baltic States, despite almost two decades of EU membership, still do not meet EU standards at the institutional and value levels. If institutional reforms have satisfactory results in many areas, the values of the population of the post-Soviet states are very slowly modernizing in the direction clearly defined and required by the EU.

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