

THE EUROPEAN NEIGHBOURHOOD POLICY:  
MORE THAN A PARTNERSHIP  
LESS THAN A MEMBERSHIP

DUYGU KESKİNBIÇAK

DECEMBER 2005

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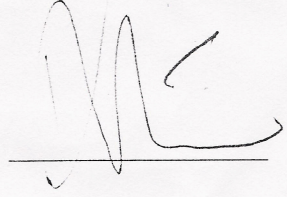
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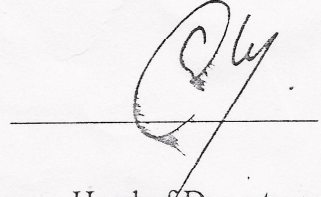
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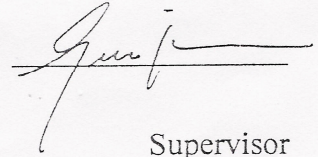
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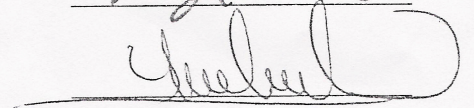
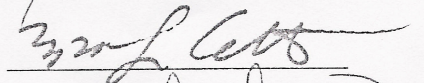
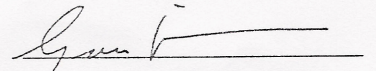
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## ABSTRACT

### THE EUROPEAN NEIGHBOURHOOD POLICY: MORE THAN A PARTNERSHIP LESS THAN A MEMBERSHIP

KESKİNBİÇAK, Duygu

European Studies, Department of International Relations and European Union

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This thesis analyzes the European Neighbourhood Policy (ENP), which is launched by the European Commission in March 2003 and started to be implemented following the approval of the ENP Strategy Paper proposed in May 2004. The ENP, for the first time ever, presents the entire vision of the Union's policy as concerns its eastern and southern neighbours, for which the European Union (EU) fails today to see any real perspectives of membership. It builds on the existing contractual relations, but offers the prospect to gradually move from traditional trade and cooperation towards closer political, social and economic integration between the EU and its neighbours by enhancing partnership and bringing together the principal instruments at the disposal of the Union and its Member States.

The emerging question is whether the ENP is sufficiently attractive so as to induce the neighbouring countries to adopt or accelerate the adoption of the types of economic and political reforms that were implemented in the new member states during their accession processes or whether the planned structures will work in the absence of membership as a target. Although the specifics of the ENP are still being developed, the lack of incentives as regards to unclear accession to the EU is identified as the main weakness of the ENP.

**Keywords:** European Neighbourhood Policy (ENP), Euro-Mediterranean Partnership (EMP), European Security Strategy (ESS), Wider Europe, Action Plans, European Neighbourhood and Partnership Instrument, Security.

## ÖZET

### AVRUPA KOMŞULUK POLİTİKASI: İŞBİRLİĞİNDEN ÇOK TAM ÜYELİKTEN AZ

KESKİNBİÇAK, Duygu

Avrupa Çalışmaları Yüksek Lisans, Uluslararası İlişkiler ve Avrupa Birliği Bölümü

Tez Yöneticisi: Doç. Dr. Çınar Özen

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Bu çalışma, Mart 2003'te Avrupa Komisyonu tarafından başlatılıp, Mayıs 2004'te sunulan Avrupa Komşuluk Politikası Strateji Belgesi'nin onaylanmasının ardından uygulanmaya başlanan, Avrupa Komşuluk Politikası'nı incelemektedir. Avrupa Komşuluk Politikası, tarihinde ilk defa, Avrupa Birliği'nin, bugün, üzerlerinde herhangi bir tam üyelik perspektifinin olmadığı doğu ve güney komşularına ilişkin Birlik politikasının genel vizyonunu temsil etmektedir. Bu politika, var olan anlaşma ilişkileri üzerine kurulu olmasıyla birlikte geleneksel ticaret ve işbirliğinden giderek ayrılarak Avrupa Birliği ve komşuları arasındaki işbirliğini arttırıp Birliğin ve Üye Devletlerin idaresinde olan başlıca araçları bir araya getirerek, daha yakın politik, ekonomik ve sosyal bütünleşmeye doğru ilerleme ihtimalini sunmaktadır.

Ortaya çıkan soru, Avrupa Komşuluk Politikası'nın, Birlik'e giriş süreçleri sırasında yeni üye ülkelerde uygulanmış olan ekonomik ve politik reform türlerini komşu ülkelerin uyarlamalarını veya uyarlamayı hızlandırmalarını teşvik etmeye yetecek kadar çekici olup olmadığı ya da planlanan yapıların tam üyelik hedefinin yokluğunda çalışıp çalışmayacağıdır. Her ne kadar, Avrupa Komşuluk Politikası'nın özgülleri hala geliştiriliyor olsa da AB'ye üyeliğe ilişkin teşviklerin eksikliği, politikanın ana zayıflığı olarak tanımlanmaktadır.

**Anahtar Kelimeler:** Avrupa Komşuluk Politikası, Avrupa- Akdeniz İşbirliği, Avrupa Güvenlik Stratejisi, Daha Geniş Avrupa, Eylem Planları, Avrupa Komşuluk ve İşbirliği Aracı, Güvenlik.

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## **LIST OF ABBREVIATIONS**

ACP	African Caribbean and Pacific
ASEM	Asia –Europe Meeting
CEEC	Central and Eastern European Countries
CEFTA	Central European Free Trade Agreement
CFSP	Common Foreign and Security Policy
CIS	Commonwealth of Independent States
CSCCE	Conference on Security and Cooperation in Europe
CSCM	Conference on Security and Cooperation in the Mediterranean
EC	European Community
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EU	European Union
FDI	Foreign Direct Investment
FSU	Former Soviet Union
FTA	Free Trade Area
FYROM	Former Yugoslav Republic of Macedonia
GMP	Global Mediterranean Policy
MEDA	Mediterranean Development Aid

MPC	Mediterranean Partner Country
NC	Neighbouring Countries
ND	Northern Dimension
NIS	Newly Independent States
NNI	New Neighbourhood Instrument
NSS	National Security Strategy
PCA	Partnership and Cooperation Agreement
PHARE	Poland and Hungary Assistance for Economic Reconstruction
RP	Royaumont Process
SAA	Stabilisation and Association Agreement
SAP	Stabilisation and Association Process
SEE	South-Eastern Europe
TACIS	Technical Assistance to Commonwealth of Independent States
TEU	Treaty on European Union

## **INTRODUCTION**

On May 1st 2004, a large part of the Union's external border shifted eastwards. This new border brought with it new neighbours for the European Union (EU), many of whom have close long-standing links with the new Member States. As the enlargement have reshaped external borders on an unprecedented scale, and brought security challenges closer to the EU's doorstep, it became necessary for the EU to revise the framework of relations with its old and new neighbours.

The EU started developing a new neighbourhood policy as soon as the big enlargement from 15 to 25 member states was becoming virtually certain. In March 2003, in order to ensure that the entry of the 10 new countries does not create new dividing lines at the EU's frontiers, a new initiative prepared by the European Commission: "Wider Europe- Neighbourhood: A New Framework for relations with our Eastern and Southern Neighbours" which formed the core of the European Neighbourhood Policy (ENP). Later in July 2003, the Commission tabled a Communication "Paving the Way for a New Neighbourhood Instrument" and established a Wider Europe Task Force and a Wider Europe Inter-Service Group. And finally on May 12, 2004, the Commission presented a Strategy Paper, on "European Neighbourhood Policy" which formulates the ENP's principles and methods of implementation, as well as its geographical framework. It names 16 states in the EU's neighbourhood: Belarus, Ukraine and Moldova in the east, Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Syria and Tunisia in the south and Georgia, Azerbaijan and Armenia in the South Caucasus.

Although the EU's new neighbourhood comprise a highly heterogeneous group of countries and sub-regions, each posing challenges of a different kind to the enlarged Union, the EU now united its common policies towards many regions under the ENP which represents a new approach in the EU's relations with its neighbours that goes beyond the traditional cooperation-based approach. It builds on the existing contractual relations, but brings added value both to partner countries and to the EU, by enhancing partnership and bringing together the principal instruments at the disposal of the Union and its Member States.

In fact, the EU has always reserved a special attention for its relation with neighbouring countries. During its evolution, some of them have become effective members. Others, instead, have been associated in a close and inclusive relation with the Union through the signature and implementation of several agreements whose content aims at inducing institutional, economic and social reforms as necessary pre-requisites of the entire region's peace, prosperity and security.

In order to forge closer ties with third countries in its 'near abroad' the Union employs a variety of political and economic instruments. Political conditionality, a regional approach mixed with national differentiation, and flexible implementation reflecting changing political bargains are the basic characteristics of the EU's relations with its proximity.

Following the breakdown of the bipolar world in 1989/91, the last decade of the 20th century witnessed a number of important events and major developments in the relations between the EU and its neighbouring countries. Leaving aside the

enlargement process and new member states, there are two distinct areas in the EU's neighbourhood: The Eastern Europe and the South Mediterranean. Since the nineties, both have been engaged in intensive communication and negotiations.

The European Community (EC) was poorly prepared for the fall of Communism. It had only limited relationship with the Central and Eastern European Countries (CEECs) before 1989. Although the development of bilateral relations had been a priority in the 1980s, these links were still in their infancy when the Cold War ended. The EU's initial reaction to the collapse of communism was one of the general satisfaction and an immediate offer of financial assistance. At the G7 summit in Paris in 1989, Western leaders agreed on a technical assistance programme which would be coordinated by the European Commission. This programme originally created PHARE (Poland and Hungary Assistance for Economic Reconstruction) which originally applied to Hungary and Poland alone -was soon extended to other countries in the region-. The rapidly changing situation of the Eastern Europe forced the EU to adopt policies towards individual countries based on the level of their political and economic reforms. Initially trade and cooperation agreements were signed with the more advanced countries but these were soon superseded by association or Europe agreements and later preaccession strategy was developed to prepare the CEECs for full membership of the EU. The first group were the Visegrad countries (Czechoslovakia, Hungary and Poland), followed by Bulgaria, Romania, the Baltic states and Slovenia.

The EU has strongly promoted regional cooperation in Central and Eastern Europe, which resulted in the creation of Central European Free Trade Agreements (CEFTA).

It has also developed its own regional approach towards, South- Eastern Europe, (Albania, Bosnia-Herzegovina, Croatia, Former Yugoslav Republic of Macedonia (FYROM) and Serbia & Montenegro) through its Regional Approach, the Royaumont Process, and today through the Stability Pact for South Eastern Europe, and the Stabilisation and Association Process (SAP).

In the case of Russia and Newly Independent States (NIS) -including Caucasus- the association is based on Partnership and Cooperation Agreements (PCAs) that seek to build closer economic ties over a period of ten years. These agreements are less ambitious than the Europe Agreements and envisage the gradual phasing in of free trade in industrial goods. The financial arm of the PCA's is TACIS, an economic aid programme with significantly less resources than PHARE.

Towards Southern Mediterranean, although had some initiatives such as Global Mediterranean Policy (GMP) before, the EU with the Euro-Mediterranean Partnership (EMP) in 1995 designed a broad and comprehensive regional framework for dealing with security, political, economic, social and cultural issues which is based on mutual agreement of goals and accompanied by substantial financial assistance funds: MEDA.

As the EMP is a complex of mechanisms, agreements and institutions drawn to address the objective of building security throughout European southern neighbourhood, it is possible to consider it as a special neighbourhood policy. For this reason, this study gives more detailed information about the EMP in order to analyse this special neighbourhood policy as a past model for the EU's new

initiative. Thus, by paying special attention to the EMP, the first chapter seeks to provide a general overview of Europe's engagement with its immediate neighbourhood and examines these already existing co-operation frameworks in order to understand the experiences of the EU and the background of the ENP.

After examining the relationship between the EU and its neighbours in the post- Cold War era, the second chapter aims to investigate the origins, motivations, and underlying reasons of the ENP by giving great emphasis on security aspects arguing that the ENP and the European Security Strategy (ESS) constitutes a policy shift with regard to the EU's eastern and southern periphery.

From 1945 to the late 1980s the purpose of a security policy was to defend the territorial integrity and political sovereignty of the state. The main area of interest of both academics and political leaders tended to be still is for some, the military capabilities that their own states should develop to deal with the threats that face them. Similarly, the variety of potential threats tended in practice to be reduced simply to external military threats. To this end, the protection of the people within states was the prime responsibility of the state, and not an issue of international concern. However, this idea of security has been criticized for being unidirectional and state-centric and not taking in consideration the evolution of international society and the changes in world politics. Already in the 1970s, but more evidently in the 1980s, with the rise of the economic and environmental agendas, the primacy of the military element and the state in the conceptualization of security has been questioned.

In recent years, the dynamics of European security have also become considerably more difficult to comprehend. Since the adoption of the Treaty on European Union (TEU), an EU approach to security has emerged. This approach is characterized by its focus on the treatment of root causes of instability and insecurity and its clear preference for international co-operation and partnership and the rule of law. It shows a distinctive European way in international relations, which is a reflection of EU's identity as expressed in the TEU and its aim to project peace and security in Europe and in the world.

The security dimension of the ENP is brought out by Javier Solana in his paper, "A Secure Europe in a Better World", on ESS for the Thessaloniki European Council in June 2003. The paper is a broad document that highlights European strengths and values in pursuing security priorities. The strategy acknowledges that the EU has an obligation to contribute to stability and good governance in its neighbourhood. It also states the view that international peace and stability is best upheld by effective multilateral measures. Moreover, it goes some way towards building a shared transatlantic platform from which to address specific security concerns where terrorism, weapons of mass destruction proliferation and regional conflict are singled out alongside state failure and organised crime.

Therefore, it is possible to consider the ESS as the twin document for the political and security area of the ENP as the July document on the New Neighbourhood Instrument is in the economic and technical area. Thus, the second chapter especially focuses on the security dimension of the ENP.



Now, one of the most pressing tasks for the European Union is to make sure that the opportunity of enlargement is used to create deeper links with its new neighbours. For this reason, the vision for the policy is to work together with the neighbouring countries on the basis of the EU's fundamental values- the rule of law, good governance, respect for human rights including minority rights, the principles of market economy and sustainable development. The ENP, instead of the prospect of membership offers neighbouring states privileged partnership based on these European values. The strengthening and deepening of political, economic and cultural cooperation is to lead stability, security and prosperity for all concerned countries.

Within the framework of the ENP, previous forms of the European regional and sub regional cooperation are to be integrated into individual neighbourhood programs by 2006 and develop further. The implementation method proposed consists of defining a set of priorities, together with partner countries, in jointly agreed Action Plans. These Plans are based on a commitment to shared values as well as to certain key foreign policy goals. The pace at which the EU develops links with each partner will reflect the extent to which these common values are effectively shared.

While the Neighbourhood programmes will be financed from the existing funds until 2006, under the next Financial Perspective, European Neighbourhood and Partnership Instrument (ENPI) will be in force. Moreover, in the long term, new contracts -European Neighbourhood Agreements- may be negotiated with the well progressing countries and the Partnership and Cooperation Agreements and

Association Agreements that already exist with certain states can be replaced by the Neighbourhood Agreements.

Finally, the third chapter of this study highlights the ENP's incentives and key instruments, analyzes the priorities and main goals of the new policy and attempts to search its potential and possible future challenges.

## **CHAPTER 1: HISTORICAL BACKGROUND OF THE EUROPEAN NEIGHBOURHOOD POLICY**

### **1.1. European Union's Approach towards its Neighbours in the post-Cold War Era**

EU's interest in developing cooperative relationship with near countries is not new within EU's external relations and has also been a priority in the past. Especially, after the end of the Cold War, the EU has improved regional cooperation that is necessary to assure Neighbours' stabilisation and Union Security<sup>1</sup>. In this respect, it has been using different instruments such as trade and custom unions' agreements, financial aid, technical assistance, and cooperation in different fields, which directly regards its neighbours that Europe has interests in realizing the economic, institutional or social reforms.

In June 1992, the Lisbon European Council<sup>2</sup> adopted a report on the possible evolution of the Common Foreign and Security Policy (CFSP). That report indicated some factors that must be taken into consideration when defining the issues and areas of future cooperation. The determining criteria were; geographical proximity, interests in the political and economic stability of the region and the existence of

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<sup>1</sup> SMITH, K., *European Union Foreign Policy in a Changing World*, Cambridge, 2004, p.84.

<sup>2</sup> Lisbon European Council, *Conclusions of the Presidency, 26-27 June 1992*. Available at: <http://europa.eu.int/rapid/do?reference=DOC/92/3&format=HTML&aged=1&language=EN&guiLanguage=en>

possible threats that could directly affect the EU<sup>3</sup>. The report indicated several geographic areas in which the EU must be engaged:

1) The Central and Eastern European Countries (Czech Republic, Slovakia, Hungary, Bulgaria, Romania, Slovenia, Estonia, Latvia and Lithuania),

2) The Balkans (Croatia, Bosnia, Former Yugoslavian Republic of Macedonia (FYROM), Serbia and Montenegro and Albania) at the exception of Slovenia, which is included in the first group;

3) The Mediterranean (Cyprus, Malta, Turkey, Morocco, Algeria, Tunisia, Egypt, Jordan, Israel, Palestine Authority, Lebanon and Syria)

Besides, Russia and the former Soviet countries were also mentioned among the areas of possible joint actions and later some forms of cooperation were established with them too.

In the post-Cold War era, the EU adopted different strategies towards these areas with various levels of cooperation which also produced different outcomes. However, it is possible to say that over the past decade the EU has pursued at least two distinct approaches and policies towards its immediate neighbourhood: An approach aiming at, first and foremost, **stabilisation**, mainly based on pursuing regional cooperation and broad partnerships and an approach -in addition to, or instead of the stabilisation approach- aiming at **integration**; bringing neighbouring

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<sup>3</sup> BARBÉ E., "Balancing Europe's Eastern and Southern Dimensions", in ZIELONKA, J., (ed), Paradoxes of European Foreign Policy, Kluwer Law International, 1998, p.123.

countries directly into the EU through a bilateral process based on strict conditionality.<sup>4</sup>

The EU employs the first approach in the Mediterranean, which takes the form of the EMP, or in the South-Eastern Europe, through the SAP, and it is the same approach used with Russia, Ukraine, Moldova and Belarus in the framework of the PCAs. The second approach has meant that the EU has subjected the applicants to the conditionality that is built into the accession process<sup>5</sup>. This approach has required that the countries in question have themselves been willing to participate in the process of transition to and convergence with the EU standards. CEECs are a prime example of how this approach has worked.

In the wake of the Cold War, policy towards the CEECs became core to the foreign policy activities of the Union. The underlying motive of the EU's rapid involvement in CEECs has been the objective to prevent instability which could spill over into the EU borders. The methods chosen to respond to this objective have been the development and consolidation of market democracies by supporting economic reform and democratization. Therefore Union security purposes have been underpinned by trade with development cooperation policies.<sup>6</sup>

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<sup>4</sup> MISSORILLI, A., "The EU and its Changing Neighbourhood: Stabilization, Integration and Partnership", in DANNREUTHER, R., (ed) *European Union Foreign and Security Policy towards a Neighbourhood Strategy*, Routledge, 2004, p.12.

<sup>5</sup> For a comprehensive overview of the accession process, see AVERY, G., CAMERON, F. *The Enlargement of the European Union*, Sheffield Academic Press Reprinted, 1999. f

<sup>6</sup> SMITH, H., "European Union Foreign Policy: What It Is and What It Does" London, Pluto Press, 2002, p.240-241.

For CEECs the EU created association agreements which on the one hand presented some similarities<sup>7</sup> in terms of conditionality, political dialogue and aid programmes and on the other hand agreed on a bilateral basis.

Their name; Europe Agreements was meant to emphasize the end of the continent's division and the beginning of the new era of co-operation and interdependence.<sup>8</sup>

Poland Hungary and Czechoslovakia were the first group of countries to begin association negotiations with the EC in 1991<sup>9</sup> followed by Bulgaria and Romania in 1992, the Baltic States in 1994 and Slovenia in 1995.

The elaboration of the EC's association strategy in Eastern Europe was a long and turbulent process<sup>10</sup>. Initially, these agreements recognized accession as the wish of the associated country not as an objective of the EU<sup>11</sup>. Although the CEECs were pushing for full membership, the Europe Agreements were not seen by the EU as preaccession agreements but they were an essential component of the deepening relations between the CEECs and the Union.<sup>12</sup> In the immediate period after November 1989, the EC hoped that the Europe Agreements would constitute a long-term policy towards the region. However, the situation changed in June 1993 at the European Council in Copenhagen. At the Copenhagen summit, the EC made a major policy change by making the direct link between association and future membership

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<sup>7</sup> All Europe Agreements follow a similar pattern in terms of structure and content providing for cooperation in political, economic, trade, cultural and other areas such as competition, state aid and approximation of laws.

<sup>8</sup> PAPANIMITRIOU, D., "Negotiating When Others are Watching" in KNODT, M., PRINCEN, S., (eds.) Understanding the European Union's External Relations, Routledge, London, 2003, p.107.

<sup>9</sup> The Europe Agreement negotiations in 1991 proved the first major test of relations between the EU and CEECs. The Agreements are based on Article 238 of the EC Treaty, which meant that they are mixed agreements, necessitating ratification by the Community and Member states.

<sup>10</sup> PAPANIMITRIOU, D., p.109.

<sup>11</sup> The EU had other priorities at that time such as the internal transformation resulting in the Treaty of Maastricht (1992), external situation, including the break-up of the Soviet Union, the unification of Germany, conflict in former Yugoslavia, and the Gulf War.

<sup>12</sup> SOETENDORP, B., Foreign Policy in the European Union, New York, 1999, pp.121-127

and conditionality, as spelt out in the Copenhagen criteria<sup>13</sup> which set a series of benchmarks from the opening to the successful completion of entry negotiations, had been included.<sup>14</sup> Thus, the promise of EU membership and various forms of assistance have been linked to democratic and market reforms and to conflict-prevention measures.<sup>15</sup> And a year later Hungary and Poland were presented to the Council of Ministers as the two first applicants for membership.

The EU has been paying significant attention to the CEECs more than other regions on the periphery of the Union such as South Mediterranean or the Newly Independent States. The basic reason was that, as the Treaty on European Union states that ‘any European state may apply to become a Member of the Union’, these countries had the right to apply for the EU membership with the realistic chance to join the Union soon. Secondly, the EU was aware that the less successful the transformation in CEECs, the more problems these countries will bring into the EU when they join, leaving a more demanding task for a later stage. After accession, this task would be to some extent a common responsibility of the enlarged EU. For these reasons, the EU set its priority to the region more than other parts of its immediate neighbourhood after the end of the Cold War.<sup>16</sup>

It is not intended to discuss the accession process of the CEECs in this study but it is possible to say that the eastern enlargement shows that the integration approach is the

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<sup>13</sup> “Stable democracy, respect of human rights, the rule of law, and the protection of minorities; functioning market economy; and adoption of the common rules, standards and policies that make up the body of EU law.” (Copenhagen

European Council, 1993)

<sup>14</sup> FRIIS L., MURPHY A., “The European Union and Central and Eastern Europe: Governance and Boundaries” *Journal of Common Market Studies*, Vol. 37, No. 2, June 1999, p.220.

<sup>15</sup> ZIELONKA, J., “Policies without Strategy: The EU’s Record in Eastern Europe”, in ZIELONKA, J., (ed) *Paradoxes of European Foreign Policy*, Kluwer Law International, 1998, p.134.

<sup>16</sup> DUNAY, P., “Strategy with Fast-Moving Targets: East- Central Europe” in DANNREUTHER, R., (ed.) *European Union Foreign and Security Policy towards a Neighbourhood Strategy*, Routledge, 2004, p.37.

most efficient tool the EU has at its periphery to spread stability and prosperity beyond its borders. By extending its norms to the applicants through the accession process, the EU has been the driver in the systemic transformation of its neighbours. As a consequence, the EU has made conflict less probable in its immediate neighbourhood.

The other approach has sought to ensure **stability** on the European continent without making commitments on the eventual accession of the countries concerned. Instead of granting the countries a full European perspective, the EU has sought to pursue bilateral partnerships as well as to engage them in regional cooperation, such as through the Finnish Northern Dimension initiative (ND).<sup>17</sup> Stabilisation goal first adapted to Yugoslav Federation in the 1990s, it was then applied to the Central European countries and the Baltic States - Balladur Pact<sup>18</sup> with a significant degree of success. Finally, in South-Eastern Europe, this approach could only have success when it is blended with the integration approach.<sup>19</sup>

Towards the South Eastern Europe, from late 1990s onwards, *led by security priorities in terms of how to prevent war, to recover from war and to rebuild after*

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<sup>17</sup> Finland's Prime Minister, Paavo Lipponen, first put the Northern Dimension on the EU's agenda by presenting an initiative calling for a northern dimension policy in his speech 15 September 1997 (The European Union Needs a Policy for the Northern Dimension", speech at Conference on the Barents Region Today, Rovaniemi )claimed that the "ultimate goal of an EU policy for the Northern Dimension is peace and stability, with prosperity and security shared by all nations in the region. Such ambitious objectives were also supported in a number of academic studies that called for a radical re-organisation of the EU's relations with neighbouring countries. The relative success of the Northern Dimension initiative may be attributed to the three Nordic EU member states – Finland, Sweden and Denmark EU presidencies held in autumn 1999, spring 2001 and autumn 2002, respectively, rather than reflecting a principled change in the EU's approach towards its 'near abroad'. Their active support for the initiative ensured that the Northern Dimension became a fixture on the EU agenda.

<sup>18</sup> The first Stability Pact was launched by French Prime Minister Edouard Balladur in 1993 as an instrument of preventive diplomacy in post – communist Europe. Its main objective was to set out and implement some basic principles with regard to borders and minorities in the area and to organise and coordinate the action of the institutions involved, especially the EU, the Conference/organisation for Security and Cooperation in Europe (CSCE/OSCE) and the Council of Europe. It also built upon the existing multilateral subregional relations established through the Central European Free Trade Agreements (CEFTA) launched in 1992 by the Visegrad group. In December 1993, the EU Council approved a CFSP 'Joint Action' to support this initiative.

<sup>19</sup> MISSORILI, A., p.12.



*the war*,<sup>20</sup> the EU has committed itself to a long-term strategy of **stabilisation and integration** in terms of political and economic resources invested.

The growing involvement of the EU is a result of wide range of common interests of the member states. There is a shared perception that instability and conflict in the region can spill over into the EU territory.<sup>21</sup> Therefore, there is a general European interest in helping the countries of this region to build an institutional system capable of combating criminal groups and confronting their national frontiers and territories more effectively. South-Eastern Europe also offers the EU member states opportunities for economic expansion; there is a belief that trade and investment could grow in the future if the stabilization and integration process were to be consolidated.<sup>22</sup>

In practice EU involvement in the region began as the former Yugoslavia disintegrated in the early 1990s. The EU had little success in preventing and stopping the war in Bosnia and by 1995 had to accept a leading role for the United States. However since the end of the Bosnian War, South-Eastern Europe has become a significant – perhaps the most significant area for EU foreign policy<sup>23</sup>.

In December 1995, following the Dayton peace agreement, the EU launched the Royaumont Process which was based on a French initiative to encourage the normalization between the countries concerned. The EU also devised a ‘regional

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<sup>20</sup> SMITH, H., p.254.

<sup>21</sup> Insecurity in South-Eastern Europe includes different forms of illegal trafficking involving drugs, arms and migrants. Especially the links between criminal organizations based in the region and those in the EU countries remain a major source of concern.

<sup>22</sup> GRECO, E., “South-Eastern Europe: The Expanding EU role” in DANNREUTHER, R., (ed.), European Union Foreign and Security Policy towards a Neighbourhood Strategy, Routledge, 2004, p.62-63.

<sup>23</sup> SMITH, K., p.151.

approach' by setting political and economic conditions for trade relations provision of assistance and contractual relations. Later, the Royaumount process was replaced by the Stability Pact for South Eastern Europe<sup>24</sup> in the wake of the Kosovo War<sup>25</sup> and in 1999 the SAP commenced intending to foster peace, prosperity and democracy in the region.

SAP is a step-by-step approach between the EU and six relevant states<sup>26</sup> based on aid, trade preferences, dialogue, technical advice and contractual obligations. In the long term, it offers these countries the prospect of full integration into the EU structure. Although there is a stated intention to integrate the countries of the region into the EU structures, there is also a lack of a clear perspective for accession which leaves those countries between **'simple' stabilisation and 'full' integration.**<sup>27</sup>

While the SAP does not differ much in terms of content with the Europe Agreements, they differ in the commitment of membership. The conditions imposed by the SAP and the individual Stabilisation and Association Agreements (SAAs) are not internal to the accession process but are linked to the implementation of the SAA itself.<sup>28</sup> SAAs successful implementation is a prerequisite for any further assessment of their perspective.

The EU has made a policy change towards South-Eastern Europe which can be seen in the Commission's reports: At first the Commission argued that the SAAs would

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<sup>24</sup> An EU initiative designed to provide a mechanism for cooperation between the EU, the United States, Russia, Japan, the South-East European States themselves, and Turkey along with the international financial institutions and any other country operating in the region.

<sup>25</sup> EU member states retained an involvement in military action but directed their efforts through NATO, in the second Balkan war in Kosovo in 1999.

<sup>26</sup> Albania, Croatia, Bosnia-Herzegovina, Macedonia/FYROM, Serbia Montenegro and Kosovo

<sup>27</sup> MISORILLI, A., p.15.

<sup>28</sup> TRIANTAPHYLLOU, D., "The Balkans Between Stabilisation and Membership", in BATT, J., et al., Partners and Neighbours: A CFSP for a Wider Europe, Paris, EU Institute for Security Studies, Chaillot Paper No. 64, September 2003, p.69.

provide an appropriate alternative to the Europe Agreements which are seen as leading to EU membership and the PCAs which have been concluded with almost all the successor states to the Soviet Union and have less ambitious goals<sup>29</sup> as a mean to differentiate between these and the Europe Agreements.<sup>30</sup>

However, in its second progress report<sup>31</sup> on the SAP for South-Eastern Europe the Commission stated that ‘the European Union confirms its commitment to the region and supports its continuing rapprochement with the Union’. The Commission also recalled that the SAP was a strategy for accession which will be achieved by each country on its own merits and in line with the speed of its progress. Accession was depended on the candidate being in a position to abide fully by the obligations of the membership<sup>32</sup>.

It can be said that by linking pressure for reform and financial assistance with the prospect of accession, the EU is currently applying the ‘enlargement method’ to the South-Eastern Europe.<sup>33</sup> However at this stage it is difficult to predict with any

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<sup>29</sup> Commission of the European Communities, Communication from the Commission to the Council and the European Parliament, “The Stabilisation and Association Process for Countries of South-Eastern Europe”, COM(1999) 235 final, Brussels, 26 May 1999. Available at: <[http://europa.eu.int/eurlex/lex/LexUriServ/LexUriServ.do?uri= COM:1999:0235:FIN:EN:PDF](http://europa.eu.int/eurlex/lex/LexUriServ/LexUriServ.do?uri=COM:1999:0235:FIN:EN:PDF)>

<sup>30</sup> At that time, the reasons were essentially two fold. First, in the aftermath of the Kosovo conflict in 1999, a new type of relationship responding to the needs of the South- Eastern Europe was necessary. International efforts and regional cooperation was needed to promote economic and political stability in order to avoid further conflict in the region. This was recognized also in the title of the SAAs: their purpose was not just association but, more importantly, stabilisation. Second, the EU by spring 1999 was making progress towards realizing an extensive enlargement to date. Not only were negotiations with six countries – Cyprus, the Czech Republic, Estonia, Hungary, Poland and Slovenia – underway, but a consensus was emerging on opening negotiations with six other applicant countries: Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia. See, PHINNEMORE D., “Stabilisation and Association Agreements: Europe Agreements for the Western Balkans”, *European Foreign Affairs Review*, Vol.8, No.2, March 2003, p.79.

<sup>31</sup> Commission of the European Communities, Report from the Commission, “The Stabilization and Association Process for South East Europe: Second Annual Reports”, COM (2003) 139, Brussels 26,03,2003 [http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2003/com2003\\_0139en01.pdf](http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2003/com2003_0139en01.pdf)

<sup>32</sup> VAN BRABANT, J. M., “South-Eastern Europe, Transitions and the EU: Is Ever Widening Desirable” *Moct-Most* 11, 2001, p.323.

<sup>33</sup> HARRIS, W., “The Wider Europe” in CAMERAN, F., (ed.), *The Future of Europe Integration and Enlargement*, Routledge, London, 2004, p.105.

certainty or pervasive, successful or influential the process will be. Drawing from the experiences of the CEECs certain developments can though be anticipated<sup>34</sup>.

Moreover, in the last decade, cooperative attempts have evolved on the basis of the the PCAs and in some cases on the basis of CFSP Common Strategies<sup>35</sup> towards individual countries, or decision by the Council of Ministers in the mid 1990s with the NIS.

However the EU has been relatively cautious in developing relations with the former Soviet Union (FSU) compared to its relations with the CEECs<sup>36</sup>, due to two main reasons; the scale of the problems facing FSU states and the fear of a possible policy failure to achieve economic and political improvement.<sup>37</sup> Therefore the EU's direct involvement in security issues has been minimal but trade relations in sectors like gas and oil that have strategic and economic importance for the Union has been improving.<sup>38</sup>

The EU signed PCAs with Russia, Ukraine (signed in June 1994 and came into force since March 1998), Moldova, (signed in November 1994 and entered into force in July 1998) followed by Kazakhstan, Kyrgyzstan and Belarus (signed in 1995, but put

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<sup>34</sup> PAPANIMITRIU, D., and PHINNEMORE, D., "Exporting Europeanization to the Wider Europe: The Twinning Exercise and Administrative Reform in the Candidate States and Beyond" *Southeast European and Black Sea Studies*, Vol.3, No.2, May 2003, p.19

<sup>35</sup> The EU differentiated its policies with regard to the individual NIS, by adopting Common strategies and identifying particular areas of cooperation and mutual interest and focus the instruments available to the Union on those goals and areas.

<sup>36</sup> Until the end of the 1980s, the EU had little contact both with the Soviet Union and with Soviet-led multilateral organizations. However since the end of the Cold War, the EU has been increasingly concerned about instability in the former Soviet Union (FSU) and began to provide economic and financial assistance to encourage moves towards market economies and at the end of the 1990s the Union began supporting liberal democratic models and the rule of law.

<sup>37</sup> SMITH, H., p.232.

<sup>38</sup> *Ibid.*, p.233.

on hold by the EU in September 1997).<sup>39</sup> Also the EU signed PCAs with Armenia, Azerbaijan, Georgia and Uzbekistan in 1996 and Turkmenistan in 1998. Similar to Association or Europe Agreements, the PCAs constitute the basic framework that regulates relations between these states and the EU, defining the objectives and the institutions, as well as shaping expectations for the future development of ties.<sup>40</sup>

These agreements financially managed through TACIS programme.<sup>41</sup> The PCAs with Ukraine and Russia were supplemented by a Common strategy approved in June and December 1999 respectively. Both documents sought to develop a strategic approach to both states, with an emphasis on greater political dialogue and cooperation to respond jointly to security challenges arising across the continent.<sup>42</sup>

As the EU does not intend to include any of the NIS in enlargement plans for the near future, unlike Europe Agreements or SAAs, the PCAs do not contain any references to the prospect of full EU accession as the final aim of the relationship.

The PCAs enable a comprehensive cooperation, ranging from economy and cultural

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<sup>39</sup> EU-Belarus relations stalled in 1996-7 as a consequence of serious setbacks in the development of democracy and human rights in Belarus, in particular the replacement of the democratically elected parliament with a national assembly nominated by the President in violation of the 1994 constitution. The GAC reacted in 1997 by freezing conclusion of the PCA, signed in 1995, and restricting ministerial level contacts and the scope of EU assistance to Belarus. Since 1997 Belarus has applied a constant policy of deviation from its commitments to the Council of Europe and OSCE. Confrontation with the OSCE over its representation in Minsk led to a decision of 14 member states to impose a visa ban on government representatives in November 2002. In the Communication of March 2003, the Commission notes that the EU should engage Belarus in a process focused on creating the conditions for free and fair elections, and once achieved, the integration of Belarus into the neighbourhood policy. In the Strategy Paper, the Commission notes that Belarus is already eligible to participate in three of the Neighbourhood Programmes (Baltic Sea Programme, Latvia- Lithuania-Belarus, Poland-Ukraine-Belarus) and will also be eligible under the New Neighbourhood Instrument..

<sup>40</sup> The difference between association agreements and trade and cooperation agreements is mainly one of internal EU procedures, and not the scope of commitments made. Association agreements are based on Article 310 of the Treaty of Nice and require unanimity in the Council. Trade and cooperation agreements are based on Article 133 and require only a qualified majority in the Council. In spite of the connotations of closer relations in the term 'association', there is not necessarily a difference in substance between agreements concluded in accordance with Article 310 and those concluded on the basis of Article 133.

<sup>41</sup> Technical Assistance for the Common-Wealth of Independent States, 'provides grant-financed technical assistance to 13 countries of Eastern Europe and Central Asia (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan)' Available at. <[http://europa.eu.int/comm/external\\_relations/ceeca/tacis/index.htm](http://europa.eu.int/comm/external_relations/ceeca/tacis/index.htm)>

<sup>42</sup> LYNCH, D., "The New Eastern Dimension of the EU", in BATT, J., et. al., Partners and Neighbours: A CFSP for a Wider Europe, Paris, EU Institute for Security Studies, Chaillot Paper No. 64, September 2003, p.46.

issues to a political dialogue concerning human rights and security in Europe, which would result in the creation of a free trade area (FTA) instead.

The EU has been facing challenges while managing and supporting the economic and political transition of the NIS by promoting the market, democracy and the rule of law. The internal institutional reforms and developments of the EU as well as management of the eastward enlargement process have been the immediate preoccupations of the EU. From the mid 1990s, stabilization and peace building in the South- Eastern Europe shifted the focus of EU policy away from NIS. For these reasons, EU policy towards NIS was and remains a work in progress. On the other hand, the evolving EU policies towards the Western NIS (Ukraine, Belarus and Moldova) have been updated in the European Commission's Communication of 11 March 2003<sup>43</sup> which offers a new approach to developing relations with the new eastern neighbours and southern Mediterranean countries.<sup>44</sup>

Besides these regions, over the years the EU has set up multilateral and bi-regional arrangements with areas such as: Central and Latin America, Asia (with the Asia – Europe Meeting (ASEM)), Africa and ACP (African Caribbean and Pacific; the former European colonies that are tied to the EU through preferential trade arrangements)<sup>45</sup>

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<sup>43</sup> Commission of the European Communities, Communication from the Commission to the Council and the European Parliament, "Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours", COM (2003) 104 final, Brussels, 11 March 2003. Available at: <[http://www.eu.int/comm/world/enp/pdf/com03\\_104\\_en.pdf](http://www.eu.int/comm/world/enp/pdf/com03_104_en.pdf)>

<sup>44</sup> ZAGORSKI, A., "Policies towards Russia, Ukraine, Moldova and Belarus", in DANNREUTHER, R., (ed.) European Union Foreign and Security Policy towards a Neighbourhood Strategy, Routledge, 2004, p.79-80.

<sup>45</sup> None of the the ACP fits in the Neighbourhood policy of the Union .They rather shape relations based on historical and economic ties. Part four of the Treaty of Rome deals with the association of overseas countries and territories: Member states agree to associate with the Community the non European countries and territories which have special relations with a particular member state.(Frontiers of the EU m. Anderson)

## 1.2. Mediterranean Policy

During 1960s and 70s, the European Community's relation with the Mediterranean countries developed through bilateral agreements. In 1972, the Community set a more determined policy called the **Global Mediterranean Policy** (GMP). It was the first <sup>46</sup> noteworthy attempt to formulate a strategy for the region<sup>47</sup>. Under the GMP the EC concluded from 1973 to 1980 numerous 'first generation association agreements' with Arab states and Israel.

The Northern Mediterranean states of Greece (1981), Spain, and Portugal (1986) accession significantly reinforced EC policy towards the region. Later, Italy and Spain called for a Conference on Security and Cooperation in the Mediterranean (CSCM) during the Palma de Mallorca meeting of the Conference on Security and Cooperation in Europe (CSCE- later OSCE) in 1990.<sup>48</sup> Similarly, the EC's Revised Mediterranean Policy in 1990, the creation of Euro-Maghreb Partnership and later the 5+5 Dialogue <sup>49</sup> also showed the desire of cooperation in the Mediterranean. Finally, Mediterranean Forum launched by Italy and Egypt in 1994 has survived the

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<sup>46</sup> The EU's first coherent Mediterranean policy evolved after 1972 because of a series of events. Among them was the oil crisis of the 1970s, the accession of the United Kingdom, Denmark, and Ireland to the EEC, the accession of Israel and Spain to the GATT (General Agreement on Tariffs and Trade), and the establishment of UNCTAD (United Nations Conference on Trade and Development), which since 1964 has aimed at the creation of more fair and extensive cooperation between the EEC and the European Mediterranean. See, SIOUSIOURAS, P., "The Euro-Mediterranean Free Trade Zone: Prospects and Possibilities" *Mediterranean Quarterly*, Vol.14, No.3, Summer 2003, p.113.

<sup>47</sup> GOMEZ, R., "Negotiating the Euro-Mediterranean Partnership: Strategic Action in EU Foreign Policy", Asghate, 2003, p.30.

<sup>48</sup> The CSCM failed due to the difficulty to reach an agreement on which Mediterranean countries were to be included in the initiative and due to the reluctance of Northern Europeans and the US.

<sup>49</sup> 5+5 Dialogue was initiated by France at the beginning of the 1980s and then relaunched by Italy and Spain in the late 1980s. The first meeting took place in 1990. First it was called five plus four encompassing the five Mediterranean countries of Algeria, Libya, Mauritania, Morocco and Tunisia and the European countries of France, Italy, Portugal and Spain. With the accession of Malta, the project became five plus five.

launching of the Euro-Mediterranean Partnership in November 1995<sup>50</sup>. The EMP was the culmination of a gradual convergence and all these previous attempts and it finally institutionalized the interaction between the EU and the Mediterranean countries.<sup>51</sup>

The Mediterranean Basin consists of two main regions: the EU in the north-west and the Middle East in the south-eastern part of the Mediterranean. There are four sub-regions in the Basin: Southern Europe, the Balkans, the Maghreb (Algeria, Tunisia, and Morocco) and Mashreq (Syria, Jordan, Lebanon, Iraq, Egypt, and Arabian Peninsula). Each of these regions has different patterns of evolution and features. The two regions are linked by those sub-regions, The Barcelona Process brings those sub-regions along with the two main regions together, institutionalizes the relations and aims to achieve cooperation in the region. The Mediterranean region in this study implies the region encompassing all countries that are partners of the Barcelona Process.

### **1.2.1. Basic Features of the Euro- Mediterranean Partnership (EMP)**

The Euro Mediterranean Conference held in Barcelona in 27-28 November 1995 marked the start of a new chapter in the relations between the EU and its southern neighbours.<sup>52</sup> 15 EU member states<sup>53</sup> and 12 Mediterranean countries (MPCs)<sup>54</sup>

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<sup>50</sup> The Forum for Dialogue and Co-operation in the Mediterranean created in July 1994, although it emphasizes economic, scientific and technological co-operation is also concerned with political dialogue. The Mediterranean Forum is formed by Algeria, Egypt, France, Greece, Italy, Malta, Morocco, Portugal, Spain, Tunisia and Turkey.

<sup>51</sup> COLAS, A., "The Limits of Mediterranean Partnership: Civil Society and the Barcelona Conference of 1995" *Mediterranean Quarterly*, Vol.8, No.4, Fall 1997, p.63.

<sup>52</sup> GILLESPIE, R., "The Euro-Mediterranean Partnership Initiative", in GILLESPIE, R., (ed.) *The Euro-Mediterranean Partnership: Political and Economic Perspectives*, Frank Cass, 1997, p.55.



gathered and created a Declaration and annexed the Work Program named the Euro-Mediterranean Partnership (EMP) which shows the desire of participants to create stability, peace and prosperity in the Mediterranean region. They agreed to further bilateral and multilateral relations or regional cooperation named the Barcelona Process.

The Barcelona Process is based on three main guiding principles: equality in the partnership; complementing rather than displacing bilateral activities; comprehensiveness, decentralisation and gradualism in the approach.<sup>53</sup> Underlying goals in the Partnership are improving democratic structure in the region, enhancing liberalized trade and free market, achieving peaceful settlement of disputes, regional cooperation and cultural dialogue. The EMP is an ambitious regional co-operation programme covering all aspects of the social, economic and political relations between the EU and the states on the southern shores of the Mediterranean. In practice, this partnership is organized into three 'pillars' or 'baskets' The three baskets of the EMP reflect those goals and they are declared to be complimentary. These baskets are:

- **Political and Security Partnership** proposing establishing a common Euro-Mediterranean area of peace and stability based on fundamental principles including respect for human rights and democracy.

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<sup>53</sup> France, Germany, Italy, Belgium, Netherlands, Luxembourg, United Kingdom, Spain, Portugal, Greece, Austria, Sweden, Finland, Denmark, Ireland.

<sup>54</sup> The 12 Mediterranean Partners, situated in the Southern and Eastern Mediterranean are Morocco, Algeria, Tunisia

(Maghreb); Egypt, Israel, Jordan, the Palestinian Authority, Lebanon, Syria (Mashreq); Turkey, Cyprus and Malta; Libya currently has observer status at certain meetings

<sup>55</sup> PHILIPPART, E., "The Euro-Mediterranean Partnership: A Critical Evaluation of an Ambitious Scheme.", European Foreign Affairs Review, Vol. 8, 2003, p.202.

- **Economic and Financial Partnership** sought to create an area of shared prosperity through liberalization of economies in the region and formation of free trade area by 2010 supported by substantial EU financial support for economic transition and for reform process.

- **Social, Cultural and Human Partnership** aiming at creation of cross-cultural interactions and exchanges as well as support for development of civil societies which will generate political pluralism and democracy.<sup>56</sup>

The conjunction in which the EMP emerged was the end of the Cold War, collapse of Soviet Union and rise of Western notion of democracy and liberalism. The first basket comprises a concept of peace and stability, which is reflection of this post-Cold War world vision expressing safer, more prosperous and less conflictual arena.

The Political and Security Partnership looked ambitious, aiming at ‘establishing a common area of peace and stability’ and to upholding principles of human rights and fundamental freedoms, self-determination, and territorial integrity. Drawing on principles from OSCE, UN and other international agreements, the first chapter referred to internationally accepted norms and rules. The signatories undertook to promote confidence and security building measures to prevent the proliferation of

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<sup>56</sup> Barcelona Euro-Mediterranean Conference, Barcelona Declaration, 27-28 November 1995. Available at: <[http://europa.eu.int/comm/external\\_relations/euromed/bd.htm](http://europa.eu.int/comm/external_relations/euromed/bd.htm)>

nuclear weapons and to cooperate in the fight against terrorism.<sup>57</sup> Moreover in the first basket security concerns dominated over the political ones.<sup>58</sup>

The Economic and Financial Partnership was the centrepiece of the Barcelona Process and the engine of the EMP committing the signatories to establishing one of the world's largest free trade zones by 2010 with a potential market place of 800 million people.<sup>59</sup>

The association agreements between the EU and MPCs was expected to act as a catalyst for opening up the economies, introducing free market systems and adopting necessary legislative reforms. And the MEDA budget was intended to provide a combination of bilateral financial support for structural adjustment and private sector development in individual partner countries and funding for regional projects.

EMP's key objective of establishing a Euro-Mediterranean regional grouping that will be based on the construction of free trade area, sought to reach beyond this economic horizon by intensifying cross-Mediterranean cooperation in political and social spheres.<sup>60</sup> The EMP is expressed largely in economic terms but the partner states recognized the underlying social, political and security objectives of the EMP.

*"In designing the Barcelona Process, the EU's philosophy was that economic and political objectives were symbiotic: economic reform would bring in its wake*

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<sup>57</sup> GOMEZ, R., p.77-78.

<sup>58</sup> The importance of the security issues stem from the significant role that the Middle East and Southern Mediterranean play in European trade access to the wider world and that they reflect the internal tensions within the southern Mediterranean region and form part of a long-term European concern over regional security. See, JOFFÉ, G., "Southern Attitudes towards an Integrated Mediterranean Region", in GILLESPIE, R., (ed.), *The Euro-Mediterranean Partnership: Political and Economic Perspectives*, Frank Cass, 1997, p.17.

<sup>59</sup> GOMEZ, R., p.81.

<sup>60</sup> VASCONCELOS, A., JOFFÉ, G., "Towards Euro- Mediterranean Regional Integration" *Mediterranean Politics*, Vol.5, No.1, Spring 2000, p. 3.

*political reform, which would boost economic performance further, the latter helping to stem any potential for unsustainable levels of migration and thereby enhancing security objectives.*”<sup>61</sup>

The economic basket has such importance because on the one hand it is a topic in which the EU member states find it easiest to agree and on the other hand there is a generalized perception in Europe that the economic failure in the region has become major European security concern because of its implications for Mediterranean security.<sup>62</sup>

Finally, the last basket's, the Social, Cultural and Human Affairs Partnership's main objectives are; the development of human resources through training and education, the promotion of understanding between cultures and civilizations through initiatives such as periodic meetings between representatives of religious institutions, academics, etc. and encouragement of exchanges between civil societies: youth exchanges, links between media, exchange of experiences between municipalities and regional authorities.

### **1.2.2. Implementation of the EMP**

The implementation of these baskets is realized through bilateral association agreements, multilateral relations; and unilateral (intra-EU) structure to channel funds. Bilateral association agreements between individual partner countries and the

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<sup>61</sup> YOUNGS, R., “European Approaches to Security in the Mediterranean”, *The Middle East Journal*, Vol.57, No.3, 2003, p. 17-18.

<sup>62</sup> JOFFÉ, G., p.17

EU have been negotiated under this framework ever since, Morocco, Tunisia, Israel and the Palestinian Authority became the first signatories of these agreements. Egypt concluded its bilateral negotiations in 1999, Algeria in 2001 and Lebanon in 2002. Relations with Turkey, Cyprus, and Malta are managed through EU's enlargement (accession) process and based on first generation association agreements. Libya, for political reasons, was left out the process; however, this country has been given observer status in some meetings.<sup>63</sup>

The EMP sets four instruments for monitoring the evolution of the policy<sup>64</sup>:

- Periodic meetings between the foreign affairs ministers of the partner states are held to monitor the Barcelona Declaration and decide on common objectives and actions.

- The Euro-Mediterranean Committee for Barcelona Process, encompassing Senior Officials from participant states together with EU troika, prepares the meetings, monitors and evaluates the outcomes.

- The European Commission with its appropriate directorate generals deals with preparatory and follow-up work from decisions of meetings and manages financial issues.

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<sup>63</sup>Concerning the status of Libya as future Mediterranean Partner, it is stated that: On the basis of a consensus among the 27 partners on its admission reached on the occasion of the "Barcelona III" Stuttgart conference of Foreign Ministers on 15-16 April 1999, Libya could in time become a further partner in the Barcelona Process following the lifting of UN Security Council sanctions against it and once it accepts the full terms of the Barcelona Declaration and the related actions. Since its participation in the Stuttgart conference as a special guest of the EU Presidency, Libya takes part as an observer in some of the meetings of the Barcelona Process. Available at: <[http://europa.eu.int/comm/external\\_relations/euomed/index.htm](http://europa.eu.int/comm/external_relations/euomed/index.htm)>

<sup>64</sup> EuroMeSCo, [[http://www.euromesco.net/euromesco/publi\\_artigo.asp?cod\\_artigo=67969](http://www.euromesco.net/euromesco/publi_artigo.asp?cod_artigo=67969)]

-Ad hoc meetings of ministers, Senior Officials and others are responsible for realization of actions defined in foreign ministerial meetings.

The actors in the Barcelona Process also vary from one basket to another. In the first basket, especially in security, a group of senior officials carries out the issues, which allows the governments to have primary and direct impact on issues. In the second basket, the EU and individual governments undertake goals together. Finally, the third basket is more interactive with contribution of civil societies and funding of the EU. However, the European Commission is influential in all baskets since the Barcelona Process is prepared by the Barcelona Committee where the EU is represented by the Commission<sup>65</sup>. Besides, as the EMP stresses the need for continuous political dialogue, the committees and meetings are held frequently.

### **1.2.3. General Assessment of the EMP**

An overall evaluation of the Partnership must take into consideration the fact that it has survived a number of very difficult political issues, and since its inception, many developments and challenges occurred. In the first part of this discussion, the positive developments will be highlighted. In the second section, the shortcomings of the EMP will be discussed.

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<sup>65</sup> GILLESPIE, R., p.2.

### 1.2.3.1. The Achievements of the EMP

In general the most important success of the EMP is that in terms of identifying problems, defining objectives, selecting intervention logics, programming, delivering projects and anchoring the policy reforms, the EMP fares much better than any previous and actual schemes in the region, including South-South ones.<sup>66</sup>

Unlike previous attempts, all EU member states are supportive of the EMP. In other collective attempts in the region, some of the regional countries were excluded from regional institutions. To date, no other trans Mediterranean cooperation arrangements has been able to move beyond the theoretical stage of development.<sup>67</sup> Also the invitation of Libya to attend the Stuttgart Conference and the presence of it in the Valencia Conference along with the Arab League, UMA and Mauritania as guests verifies the results. The integration of those parties into the EMP framework would further the inter and intraregional cooperation. This interaction of the MPCs with each other can speed better understanding of each other. Political development and dialogue would promote the cooperation and reduce conflict in the region.

Moreover, *“The participation of Israel, Syria, and the Palestinian Authority gave the Barcelona Process a unique status in the region as the only forum in which their politicians and officials would routinely sit together at the same table”*<sup>68</sup> This demonstrates the significance attached to the Process by the signatories. Besides, the EMP provides an arena where Israel accepts the EU’s role in the Middle East

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<sup>66</sup> PHILIPPART, E., p .213.

<sup>67</sup> CALLEYA C. S., “Regional Dynamics in the Mediterranean” , in CALLEYA C. S., (ed.), Regionalism in the Post-Cold War World, Asghate, 2000, p.143

<sup>68</sup> GOMEZ, R., p.69.

security and political issues. The Barcelona Process provided a diplomatic safety net in Middle East Peace Process.<sup>69</sup> Therefore one of the achievements of the the Barcelona Process is that, it aims at strengthening not only North-South cooperation but also South-South cooperation.

Similarly, the principle of co-chairmanship indicated in the Valencia Conference as a way to strengthen the sense of ownership of the Process is important to balance the distribution of powers in the decision-making. This aims for an intensified integration structure. The regular meetings of ministers and related actors promote coordination of activities, exchange of information, *“provide for deeper socialisation, a steeper learning curve and regular adjustment of the framework for action.”*<sup>70</sup>

Lastly the objectives of the third basket, are maybe the most time-consuming and difficult goals to achieve. Social and cultural perceptions shaped by history and interaction are deeply rooted in the nations and societies. It needs a long time to achieve a better understanding of each other and create a peaceful interaction among cultures.<sup>71</sup>

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<sup>69</sup> For example, The Valencia Ministerial Conference (2002) made during Israeli occupation of Territories. Despite this, the conference reached a consensus on the Action Plan aims at relaunching the Barcelona Process through new measures, enhancing visibility and institutionalizing the Process with the creation of a Parliamentary Assembly. The flexibility allows the participating actors to seek cooperative security frameworks or interactions in different policy areas without violating the regional project as a whole. See, XENAKIS, D. K., “Order and Change in the Euro-Mediterranean System.”, *Mediterranean Quarterly*, Vol.11 No. 1 Winter 2000, p.89.

<sup>70</sup> PHILIPPART, E., p.214.

<sup>71</sup> If the third chapter did have a positive impact, it was at the margins of the Barcelona Process. On the same day the Declaration was signed, a Euro-Med civil Forum was established. Around 1200 representatives from 700 social bodies participated in the first forum which discussed issues ranging from cooperation between SMEs to religious dialogue and intra-cultural exchanges. See, GOMEZ, P., p.84.



### 1.2.3.2. Shortcomings of the EMP

Despite the positive developments, there are crucial difficulties that prevent progress in the process.

Firstly, the main obstacle of the EMP seems to lie in the EU's own internal incoherence and structural problems. As the EU is not a cohesive unit, it has difficulty in creating a common external position and achieving supra-nationalism in the CFSP. The unanimity requirement in decision-making relating to the CFSP impedes the formulation of a European policy<sup>72</sup>. This prevented the EU from acting cohesively and decisively in bringing its weight within the EMP. CFSP weakness has played an important role in shaping reductive Southern Mediterranean perceptions of the EU. Apart from other factors the difficulties of the EMP in achieving an understanding especially on security policies and security co-operation have been generated to a significant degree by the CFSP of the EU.<sup>73</sup> On the other hand, incoherence is not only about the EU's internal problem but there are institutional and structural problems within the framework of the EMP. Lack of necessary institutions is one. The EMP is carried by intergovernmental interaction which shows that the political dialogues are noninstitutionalized and more in the hand of governments. These various national, sub-national and supranational institutions involved in the EMP programme are often unable to challenge the multi-layered transnational governance in a coherent way.<sup>74</sup>

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<sup>72</sup> TANNER, F., p.138

<sup>73</sup> ALIBONI, R., and ALY, A. M., "Challenges and Prospects" *Mediterranean Politics*, Vol.5. No.1, Spring 2000, p.210-211

<sup>74</sup> VOLPI, F., "Regional Community Building and the Transformation of International Relations: The Case of the Euro-Mediterranean Partnership", *Mediterranean Politics*, Vol.9, No.2, Summer 2004, p.160.

Besides, while the development, trade and aid issues are handled under the Community pillar, illegal immigration and asylum are the third pillar's issues and the political and security issues are mainly considered at intergovernmental level. Such a division among the EU institutions makes it difficult for the EU to have a common policy towards the region.

Secondly, there is consensus problem inside the EU. EU policy instruments such as the Association Agreements or the MEDA programme have been only partially implemented and are not fully supported by the CFSP because member states do not prioritize their national agendas to EU foreign policy approach.<sup>75</sup> Due to the different foreign policy priorities of 25 member states the EU has difficulty to act in international events, crisis in that the EU lacks a common external position. The EU Council meeting in Santa Maria De Feira in June 2000 adopted a Common Strategy on the Mediterranean region to arrange EU relations with the MPCs. But in practice the member states are divided in major issues pursuing their interests. The EU members have varying concerns about the Mediterranean. Different priorities of the countries and the bilateral relations, linked to historical ties, underline that states still preserve national view in their policy which hinders the creation of a common position<sup>76</sup>.

Thirdly, it is also important to point out that one of the major weaknesses of the EMP is the lack of balance between its participants. All of the partnership agreements in existence involve two signatories: On the one hand, the EU acting as a single entity on behalf of its member states and on the other hand an individual MPC acting on its

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<sup>75</sup> TANNER, F., p.138

<sup>76</sup> GILLEPSIE, R., "Spanish Protagonismo and the Euro-Med Partnership Initiative" in GILLEPSIE, R., (ed.), *The Euro-Mediterranean Partnership: Political and Economic Perspectives*, Frank Cass, 1997, p.38-42.

own behalf.<sup>77</sup> Moreover, the role of the Commission in the operations creates an asymmetrical relation between the EU and the MPCs. The process is certainly dominated by the Union at both the agenda setting and implementation phases<sup>78</sup>. As the EU is the supplier of the funds, aids and resources, this economic power appreciates its role within the EMP. This unbalanced, asymmetrical relationship weakens the logic of partnership and the equality principle of the EMP. Moreover, it feeds the suspicions of the MPCs towards Europe. The structural/institutional problems in the EMP confirm why the EMP has not produced tangible results. Structural inconsistency is linked to the problem in distribution of power. These asymmetrical relations need to be set on a more balanced and symmetric basis.

The economic sector is also an important part of the EMP. The envisagement of the FTA is part of this. Currently, it seems that the Mediterranean partners are suffering by economic reforms necessitated by the free trade area project, but without gaining much benefit in return, or even the short-term prospect of benefits.<sup>79</sup> The elimination of the tariffs with the FTA will influence the MPCs negatively at least in the short run since they highly rely on the trade taxes as budget revenue<sup>80</sup> and since the EU remains an economic hegemon in the Mediterranean area that all the countries in the basin are highly dependent on conducting trade with Europe<sup>81</sup>. It will reduce the competitiveness of the local producers in the short term. Besides, the exclusion of the agriculture and continuation of the protectionism in certain sectors like textile against the MPCs by the European states also underline the asymmetric relations.

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<sup>77</sup> CHOUROU, B., "Arab Regional Integration as a Prerequisite for a Successful Euro-Mediterranean Partnership", *Mediterranean Politics*; Vol.8, No. 2/3, Summer/Autumn2003, p.195.

<sup>78</sup> GOMEZ; R., p.86.

<sup>79</sup> Undoubtedly, the most sensitive area in this regard is the EU's agricultural policy; the protectionist character makes main negative effects for the Southern Mediterranean countries. But in the textile sector as well, limits have been imposed; real free trade applies only to oil, gas and industrial products.

<sup>80</sup> *Ibid.*, p.200-203.

<sup>81</sup> CALLEYA, S., p.130 .

Furthermore, the European financial assistance to the MPCs is still too limited to achieve the transition costs. When the aid is distributed to per person, it turns out to be insufficient<sup>82</sup>. The EU is seriously criticized :

*“Whatever EU officials may declare about the positive relationship between economic reforms, growth and political liberalization, their policies can be perceived not only as failing to have a significant impact on the socio-cultural, economic and political situation of the southern Mediterranean region, but also as entrenching existing inequalities”<sup>83</sup>.*

Moreover, the rise of the foreign direct investment (FDI) with the economic transition may not be in the expected rate especially if the insecurity in these countries cannot be resolved. The investors consider the risks and hesitate to invest in an insecure region. It is well known that one of the basic prerequisites for the attraction of European capital investment is security, which is practically nonexistent in some Mediterranean countries or is threatened to such an extent that prospective investors in those countries are hesitant to venture in.<sup>84</sup>

Another main problem lies on the basis of lacking confidence<sup>85</sup> among the countries of the EMP which relies on definitional and perceptual differences underlying

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<sup>82</sup> ZAAFRANE, H., and MAHJOUR, A., “The Euro-Mediterranean Free Trade Zone: Economic Challenges and Social Impacts on the Countries of the South and East Mediterranean” *Mediterranean Politics*, Vol.5, No.1, Spring 2000, p.18.

<sup>83</sup> VOLPI, F., p.158.

<sup>84</sup> SIOUSIOURAS, P., “The Euro-Mediterranean Free Trade Zone: Prospects and Possibilities” *Mediterranean Quarterly*, Vol.14, No.3, Summer 2003, p. 116.

<sup>85</sup> The legacy of European colonialism and imperialism, the Arab’s perception that the West aims to control the weaker states and the lack of experience of relation based on confidence prevent the development of Barcelona process. There are partners which interpret European involvement in the Mediterranean as an action aiming at the satisfaction of its own security needs more than at the solution of economic and social issues which matter them most due to the fact that regional relationships are based on the agreements signed by the Union on one side and each country on the other, with all the unbalances deriving from that. While one party sees the other as a threat, it is not possible to create a dialogue which assumes creating a minimum confidence between the participants.

security policies and perspectives.<sup>86</sup> There is not a consensus even in the definition of the Mediterranean, since the Mediterranean in geographical terms does not match the political definitions of the region. The EMP brings together partners with different levels of socio-economic development and socio-political systems differently ranged in democratic development scale. Differences among the countries of the region require particular policy for the region.

Moreover the Barcelona Process does not make clear dialogue or definition on key issues like fight against terrorism, arms control and disarmament due to the perceptual gap. Also declaring migration as security threat that generate mutually negative perceptions of the 'other', on both shores of the Mediterranean<sup>87</sup> may also deepen the gap between communities since it means perceiving immigrants<sup>88</sup> as direct threat with this rhetoric. The EU needs to promote dialogue between the civilisations and encourage the development of civil society and non-governmental organizations and show the societies of the MPCs the benefits of so that the reforms can come from below within the MPCs. This will enhance the collective response and reduce the asymmetrical relations.<sup>89</sup>

The last obstacle is that the EMP is not the only actor in the region for security cooperation. NATO and OSCE are also working to promote security and stability in the region. The transatlantic relations, the influence of the US in the formulation of the European security structure and the US emphasis on Israel's strategic interests

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<sup>86</sup> XENAKIS, D. K., p.82.

<sup>87</sup> VOLPI, F., p.156

<sup>88</sup> Migration control has been at the heart of the EMP from the very start of the process. For domestic reasons, the EU member states, and especially southern members like Spain, France or Italy, have had to politicize the issue of the migrant workers from the countries of North Africa and the Middle East.

<sup>89</sup> CALLEYA, p.145.

jeopardize Europe's efforts towards a fair and balanced solution of the Arab-Israeli conflict<sup>90</sup>. Hence, the EU role is limited in this region.<sup>91</sup>

#### **1.2.4. How Does the EMP Relate to the European Neighbourhood Policy (ENP)?**

Mediterranean policy is challenged at present by the ENP, as envisaged in the Commission Communication of March 2003. Implementation of the new Neighbourhood Policy is going to impact on Mediterranean countries too, that they are identified as recipient countries.

We can find out the relationship between the Euro-Mediterranean Partnership and Neighbourhood Policy by underlining differences and similarities of these processes and by discussing in which respects the EMP appears to be more effective than the Neighbourhood project, and in which respects, the latter appears to be more ambitious than the Mediterranean initiative.

First of all it is so important to notice that Neighbourhood Policy is not going to override the existing framework for EU relations with Russia and the countries of the Western NIS, and the Southern Mediterranean. Instead, it would supplement and build on existing policies and arrangements.<sup>92</sup> It means that neither the EMP nor the Neighbourhood Policy exclude the other. The new initiative will not put an end to the

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<sup>90</sup> For example; the EU has faced significant difficulties in assuming a substantive security role as a result of the American factor and the reluctance of former US administrations to share their regional initiatives such as the Middle East Peace Process. See, XENAKIS, D. K., p.82.

<sup>91</sup> FENECH, D., "The Relevance of European Security Structures to the Mediterranean" in GILLESPIE, R., (ed.) *The Euro-Mediterranean Partnership: Political and Economic Perspectives*, Frank Cass, 1997, pp.159-166.

<sup>92</sup> COM (2003) 104 final, p.15.

Barcelona Process. It does not aim to replace existing frameworks for relations, such as the EMP; rather it wants to supplement and build on them.<sup>93</sup>

Martin Ortega argues that the measures to establish a new neighbourhood policy seem more restricted than the EU's Mediterranean Policy. He summarized the reasons as; the Commission's Communication of March 2003 stems from a General Affairs Council decision of November 2002 whose main aim was to set up a framework for relations with Ukraine, Moldova and Belarus. This gives the impression that the new approach is aimed in a direction other than the Mediterranean. Secondly, he argues that many of the instruments provided for in the Communication, already figure in the Barcelona process. For example, the idea of setting up individual action programmes with neighbouring countries has echoes of the EU's dialogue with each partner state as part of the Association Agreements. And thirdly, Commission Communication of 1 July 2003<sup>94</sup> puts emphasis on relations across land borders, and only passing reference to Mediterranean programmes, gives the impression that the EU's existing Mediterranean policy is richer and more complex than its new approach.<sup>95</sup>

Although most of the measures that are now being proposed in the framework of the ENP are already among the established objectives of the EMP such as; partners agreements to create 'an area of shared prosperity', to be based on 'the progressive establishment of a free trade area', economic cooperation and 'a substantial increase

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<sup>93</sup> JOHANSSON-NOGUES, E., " 'Ring of Friends'? The Implications of the European Neighbourhood Policy for the Mediterranean" *Mediterranean Politics*, Vol.9, No.2, Summer 2004, p.243.

<sup>94</sup> Commission of the European Communities, Communication from the Commission, "Paving the way for a New Neighbourhood Instrument", COM(2003) 393 final. Available at: <[http://www.eu.int/comm/world/enp/pdf/com03\\_393\\_en.pdf](http://www.eu.int/comm/world/enp/pdf/com03_393_en.pdf)>

<sup>95</sup> ORTEGA, M., p.89

in the EU's financial assistance to its partners', the ENP cannot be considered a simple mechanism of coordination of existing initiatives involving neighbours. Besides neighbourhood policy might bring about positive modifications in its Mediterranean policy.<sup>96</sup>

It can be argued that the ENP differs from the EMP in some significant points with regard to the Mediterranean:

First, the ENP generally leaves the principle of regionality that was inherent in the Barcelona Process, and replaces it with differentiated bilateralism. European Neighbourhood Policy Strategy Paper<sup>97</sup> only refers the EMP in order to strengthen the initiative's regional dimension. The Commission declares that the regional dimension of the EMP shall be maintained only to promote sub-regional cooperation in the south.<sup>98</sup> Although the EMP already incorporated a bilateral dimension, it was based on similar association agreements with the individual Mediterranean partner countries. Conversely, the ENP has a differentiated and bilateral approach.<sup>99</sup> The flexibility stems from a more direct EU-to-partner relationship, and handles the difficulties of the regional context. Moreover, the ENP principle of 'differentiation' stipulates that the more developed Mediterranean partners could be able to benefit

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<sup>96</sup> BISCOP, S., "The European Security Strategy and the Neighbourhood Policy: A New Starting Point for a Euro-Mediterranean Security Partnership", in ATTINA, F. and ROSSI, R., (eds.), *European Neighbourhood Policy: Political, Economic and Social Issues*, Catania, University of Catania, 2004, p: 27

<sup>97</sup> Commission of the European Communities, Communication from the Commission, "European Neighbourhood Policy Strategy Paper", COM (2004), 373 final, Brussels, 12 May 2004, Available at: <[http://www.eu.int/comm/world/enp/pdf/strategy/Strategy\\_Paper\\_EN.pdf](http://www.eu.int/comm/world/enp/pdf/strategy/Strategy_Paper_EN.pdf)>

<sup>98</sup> COM (2004), 373 final, p.8.

<sup>99</sup> DEL SARTO, R.A., SCHUMACHER, T., "From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?", *European Foreign Affairs Review*, Vol.10, Spring 2005, p.20.



faster and easier from the offers of the new neighbourhood policy, without having to wait for progress among their neighbours.<sup>100</sup>

Therefore, 'Wider Europe' contradicts the regional design of the EMP and its region-building logic. While it downgrades the regional dimension to a complementary and optional element, the ENP incorporates a much stronger conditionality that goes hand in hand with the country-to-country approach that the policy implies<sup>101</sup>

However, beside this positive improvement in the Wider Europe Communication there is no adequate attention towards agents; political actors, institutions and civil society. Regionalism of the March Communication is characterised by a minimum, level of institutionalisation. There are no provisions for institutions responsible of Neighbourhood Policy's implementation. Regional integration process in the Mediterranean, on the contrary, provides specific organisms, assuring the initiative's regional dimension and guaranteeing the effective participation of the southern Mediterranean partners. The institutional scheme of the EMP comprises a series of ministerial meetings with the Ministers in charge of specific cooperation matters, and periodical meetings of the Senior Officials on Political and Security questions.<sup>102</sup>

It is clear then that the regional integration process in the Mediterranean has an institutional dimension that the Wider Europe integration project does not pursue. But on the other hand the new neighbourhood policy will clearly boost bilateral EU-partner relations and consequently allow for greater flexibility in the different

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<sup>100</sup> JOHANSSON- NOGUES, E., p.243.

<sup>101</sup> DEL SARTO, R.A., SCHUMACHER, T., p.20.

<sup>102</sup> For example; Euro-Mediterranean Conferences of Ministers of Foreign Affairs, in which all partners take part, and the Euro-Med Committee constituted by the European troika and a representative from each partner country. To these organisms we have to also add the new Euro-Mediterranean Parliamentary Assembly, launched at the Ministerial Conference held in Naples, 2-3 December 2003.

southern Mediterranean countries' relations with the Union compared to the status quo.

Second, while the Barcelona Process introduced the principle of 'negative conditionality'<sup>103</sup>, the Neighbourhood Policy is based on the principle of positive conditionality<sup>104</sup>. In the framework of the Barcelona Process, although the EU never made any use of this principle in practice, Euro-Mediterranean Association Agreements contained the clause that the agreements may be suspended if the respective partner state violated the respect for human rights. Conversely, irrespective of the Commission's argument is that the 'EU does not seek to impose conditions or priorities on its partners'.<sup>105</sup> The ENP relies on a benchmarking approach: Only those states that share the EU's political and economic values or commit themselves to engage in reforms will have anything to gain from the EU's Neighbourhood Policy. Currently, it seems that the Mediterranean partners are suffering by economic reforms necessitated by the free trade area project, but without gaining much benefit in return, or even the short term prospect of benefits.<sup>106</sup>

It has been argued that the result of EMP policies has actually been a worsening of socio-economic conditions in the partner countries.<sup>107</sup> For this situation to be changed, a noteworthy effort would be needed on the part of the EU. Concerning the Mediterranean, the added value of the Neighbourhood Policy is not in the working

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<sup>103</sup> Negative conditionality involves reducing, suspending, or terminating the benefits if the state in question violates the conditions.

<sup>104</sup> Positive conditionality entails promising benefits to a state if it fulfils the conditions.

<sup>105</sup> COM(2004) 373 final, p.8.

<sup>106</sup> Undoubtedly, the most sensitive area in this regard is the EU's agricultural policy; the protectionist character makes main negative effects for the Southern Mediterranean countries. But in the textile sector as well, limits have been imposed; real free trade applies only to oil, gas and industrial products.

<sup>107</sup> TANNER, F., pp. 140-150.

methods proposed.<sup>108</sup> Attention should rather be paid to preserve the acquis of the EMP, so as not to lose its differentiated approach to the many dimensions of Euro-Mediterranean relations.<sup>109</sup>

The Member States will have to muster the necessary political will to invest sufficient means and offer the Neighbouring States real benefits. Even if membership is not on offer for the remaining Mediterranean partners, other 'silver' carrots can be devised.<sup>110</sup> For positive conditionality to be effective, a real 'carrot' should be offered by the EU. These real benefits such as opening up to agricultural exports for one, or subsidizing major infrastructure projects, should be related to clear benchmarks, to ensure real progress towards reform. Without a substantial effort the Neighbourhood Policy will face the same problems as the EMP had faced: well-intentioned principles, but very limited implementation.

The introduction of the principle of 'joint ownership' in ENP is certainly a positive development. In the framework of the EMP, Mediterranean partners had repeatedly complained about the lack of sufficient consultation and involvement in the formulation of the country-specific priorities of MEDA funding. The Neighbourhood Policy apparently aims at correcting this. It stipulates the intensive involvement of the partner states in the path to take and in the country-specific definition of priorities, termed 'Action Plan' by the Commission.

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<sup>108</sup> The Commission proposes *inter alia* the following incentives: extension of the internal market and regulatory structures; preferential trade relations and market opening; perspectives for lawful migration and movement of persons; integration into transport, energy and telecommunications networks and the European research area; new instruments for investment promotion and protection; and support for integration into the global trading system

<sup>109</sup> ORTEGA, M., "A New EU Policy on the Mediterranean?", in BATT, J., et. al., *Partners and Neighbours: A CFSP for a Wider Europe*, Paris, EU Institute for Security Studies, Chaillot Paper No. 64, September 2003, p. 90-100.

<sup>110</sup> MISSIROLI, A., pp. 12-26

Another difference is about the conflict resolutions. The EU seems committed to play a greater role in world politics, including in the resolution of conflicts, which shall be part of the policy approach. Although we cannot deny the existence of a mutual connection between the two, Barcelona Declaration separates the Partnership from the Israeli-Palestinian conflict, affirming the principle of “separateness” between the two and supporting the realization of a lasting peace in the Middle East based on the United Nations Security Council Resolutions and on other multilateral initiatives already in place. In the Wider Europe, on the contrary, Europe assumes a concrete responsibility as concerns conflict solution in its neighbouring countries:

*“A shared neighbourhood implies burden-sharing and joint responsibility for addressing the threats to stability created by conflict and insecurity. The EU should take a more active role to facilitate settlement of the disputes over Palestine, the Western Sahara and Transdniestria [...] Greater EU involvement in crisis management in response to specific regional threats would be a tangible demonstration of the EU’s willingness to assume a greater share of the burden of conflict resolution in the neighbouring countries. Once settlement has been reached, EU civil and crisis management capabilities could also be engaged in post-conflict internal security arrangements. Additional sources of funding for post-conflict reconstruction and development would be required”<sup>111</sup>*

The Commission claims a Union’s more active role in regional conflicts prevention and management, when regional stability is at risk. The High Representative for the CFSP, Javier Solana, expresses the same request:

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<sup>111</sup> COM(2003) 104 final, p.12.

*“As a Union of 25 members, spending a total of 160 billion Euros on defence, we should, if required, be able to sustain several operations simultaneously. We need to develop a strategic culture that fosters early, rapid, and when necessary, robust intervention. We should think particularly of operations involving both military and civilian capabilities”.*<sup>112</sup>

It is possible to conclude a new result: The Union wants to provide itself with the instruments that allow it to be recognised as an effective regional power. The new Neighbourhood Policy appears more innovative and ambitious than the EMP. Probably, with reference to the *“active role”* Union claims for itself in the Wider Europe,

The ENP is an attempt by the EU to create a single and coherent framework for guiding its relations with its new and old neighbours. As for Euro-Mediterranean relations, the ENP’s existence indicates how little the Barcelona Process bilateral and regional co-operation initiatives have produced in the past decade, and there is an hope that the ENP will contribute the Euro-Mediterranean Partnership a new dynamism.<sup>113</sup>

However, we can neither argue that the EU's new policy approach towards its neighbourhood, including the Mediterranean, is a result of a thorough assessment and

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<sup>112</sup> The first version of the ESS was presented by High Representative for the CFSP Javier Solana in June and provisionally endorsed at the Thessaloniki European Council on 20 June 2003. Solana, J., ‘A Secure Europe in a Better World’, available at <[http://ue.eu.int/ueDocs/cms\\_data/docs/pressdata/EN/reports/76255.pdf](http://ue.eu.int/ueDocs/cms_data/docs/pressdata/EN/reports/76255.pdf)>. After a review process the text was finally adopted by the Brussels European Council on 12 Dec. 2003. Council of the European Union, ‘A Secure Europe in a Better World: European Security Strategy’, (ESS), Brussels, 12 Dec. 2003, Available at: <[http://ue.eu.int/uedocs/cms\\_data/docs/2004/4/29/European%20Security%20Strategy.pdf](http://ue.eu.int/uedocs/cms_data/docs/2004/4/29/European%20Security%20Strategy.pdf)>.

<sup>113</sup> JOHANSSON-NOGUES, E., p.247.

evaluation procedure with regard to previous policies nor it is a more or less linear development of the EU's Mediterranean policy. Besides resulting from internal dynamics that are linked to EU enlargement, the ENP and 'wider Europe' also follow a different logic and address a distinct set of priorities<sup>114</sup>, as will be discussed in the following section.

*“The ENP initiative is a novelty in EU-neighbourhood relations, in that it is a first attempt by the EU to create a single overarching framework for engaging in dialogue and co-operation with a set of widely different neighbouring third countries. The new initiative goes further in terms of the depth of the integration foreseen in comparison to existing EU policies towards the countries in the east and the south, such as the Barcelona Process, the Northern Dimension or the Common Strategies on Russia and Ukraine.”<sup>115</sup>*

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<sup>114</sup> DEL SARTO, R. A., SCHUMACHER, T., p.23

<sup>115</sup> JOHANSSON-NOGUES, E., p.241.

## **CHAPTER 2: DYNAMICS FOR THE FORMULATION OF THE EUROPEAN NEIGHBOURHOOD POLICY**

### **2.1. Insufficiency of the Regionalism**

#### **2.1.1. Regionalism in European History**

The key objectives of Regionalism<sup>116</sup> seem to have occurred in two waves during the post-World War II era. The first took place from the late 1950s through the 1970s and was marked by the establishment of the EEC, EFTA, and also many regional trade blocs formed by developing countries. These arrangements were initiated against the Cold War, the decolonization following World War II, and a multilateral commercial framework. The new wave has occurred in the face of the Cold War's conclusion and various changes in the international political system. So far, regional arrangements have been used seldom as instruments of power politics; instead, they have often been used to promote and consolidate domestic reforms that liberalize markets.<sup>117</sup>

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<sup>116</sup> The general picture is that Regionalism can be broadly defined as a tendency towards some form of preferential trading arrangement between a group of countries belonging possibly to a particular region. However, regionalism obviously also has a much broader meaning, since economic cooperation and trade agreements are usually backed by important political motives and objectives. Regionalism is the means by which new countries try to enter the multilateral system, competing among themselves for the direct investment necessary for their successful participation in that system. Regionalism, by internalizing an important externality, plays a key role in expanding and preserving the liberal trade order.

<sup>117</sup> MANS, E. D. MILNER, H.V., "The New Wave of Regionalism", *International Organization*, Vol.53, No.3, Summer 1999, p.599-620.

The new regionalism of the end of the Cold War has been encouraged by the Union too. As part of its regional approach the EU promoted regional cooperation<sup>118</sup>, with a aid for cross-border and regional projects and multilateral dialogue.

The former socialist countries' transitions to market economies and multiparty democratic systems opened up a new era of political and economic cooperation among European countries that fundamentally differs from that prior to 1989. The first groups of initiatives on regional cooperation were launched between 1989 and 1992. These initiatives were addressed to a wide group of countries located in various parts of Northern, Central, and South-Eastern Europe, and the former Soviet Union.<sup>119</sup> The second group of initiatives was, on the contrary, directed primarily towards South- Eastern Europe (SEE), and was launched in 1995–96 after the end of the war in Bosnia-Herzegovina.<sup>120</sup>

The main objective behind most of them is to promote various forms of cooperation among neighbouring countries; they tend to include peace, stability, development, and integration. Regional integration is attractive that neighbourhood effects encourage intensive trade and investment relations<sup>121</sup>. While some envisage the creation of a free trade area (such as the Central European and the Baltic Free Trade

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<sup>118</sup> Regional cooperation is defined by the Commission as 'a general concept that refers to all efforts on the part of (usually) neighbouring countries to address issues of common interest'. See, Communication from the Commission - European Community Support for Regional Economic Integration Efforts among Developing Countries" COM (95) 219 final, Brussels 16 June 1995, p.3. Available at: < [http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri= COM:1995:0219:FIN:EN:PDF](http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=COM:1995:0219:FIN:EN:PDF)>

<sup>119</sup> Among the most important were the Central European Initiative (CEI, 1989), the Commonwealth of Independent States (CIS, 1991), the Council of the Baltic Sea States (CBSS, 1992), the Baltic Free Trade Area (BFTA, 1994), the Black Sea Economic Cooperation (BSEC, 1992), and the Central European Free Trade Agreement (CEFTA, 1992).

<sup>120</sup> Among the most important of these were the Conference on Good Neighbourliness, Stability, Security and Cooperation in SEE (CSEE, 1996), the Royaumont Process (RP, 1995), the Regional Approach of the EU (RA-EU, 1996), and the Southeast European Cooperation Initiative (SECI, 1996). Finally, the most recent of these initiatives, the Stability Pact for SEE.

<sup>121</sup> KATZENSTEIN, P., "Regionalism in Comparative Perspective", Cooperation and Conflict, Vol.31, No.2, 1996, p. 127.



Agreements), others are limited to cooperation in specific fields (such as the Central European Initiative, Southeast European Cooperation Initiative, or Royaumont Process), or may be of a much more general and political nature (such as the Conference on Good Neighbourliness, Stability, Security and Cooperation in SEE). They usually involve countries that are geographically located in the same region. They have contributed to cooperation in a number of areas, helping countries develop trust with other participating members. Regional cooperation agreements have also provided a framework for launching cross-border regional projects in important sectors.

The EU's promotion of regional cooperation has two practices: classifying neighbouring countries together under regional strategies and supporting regional groupings. The EU prefers to deal with third countries collectively: it lays out regional strategies, sets up aid programme on a regional basis, and concludes specific kinds of agreements with countries in a particular region. It then strongly encourages the countries grouped regionally to cooperate with each other and to induce regional groupings to proceed with further cooperative or integrative steps<sup>122</sup>. The EU prefers to negotiate region to region agreements and to encourage regional associations with its partners where this is possible<sup>123</sup>.

The Union's encouragement of regional cooperation and integration in the world is a result of a philosophy, which argues that the post-war creation of the EC helped not just to create a more prosperous Europe, but also through integration to create the

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<sup>122</sup> SMITH, K., p.69.

<sup>123</sup> The EU has developed political and economic relations with over 20 groups of state. These group- to- group dialogues bring the union into institutionalized relationships with regional associations of states from both the industrialised world ( includes the links with Association of South- East Asian nations ( ASEAN ), the Gulf Cooperation Council ( GCC) and the Common Market of the Southern Cone of Latin America ( MERCOSUR) and the south( i.e. ACP ). See, SMITH, H., p.14.

conditions where war could not take place again.<sup>124</sup> There is a belief that regional cooperation provides the basis for peace, economic development and prosperity. However, the EU also has other interests in fostering regional cooperation, including facilitating trade and investment by EU economic actors. On the other side fostering regional cooperation and partnership has also been widely used as a practice to cope with the Union security concerns: security issues linked to migration – drug trafficking or organised crime - energy security matters.<sup>125</sup>

However despite their success, regional cooperation initiatives are frequently criticized either because they have had little impact in key areas such as regional stability and intra-regional trade growth, or because ambitious plans and declarations concrete forms of cooperation fail to be implemented (such as Euro-Mediterranean Partnership). The most obvious example of limited achievement is South-Eastern Europe, which, despite numerous cooperation initiatives suffered five military conflicts. Many initiatives on regional cooperation did not really get off the ground, while others were accepted only with <sup>126</sup> scepticism.

### **2.1.2. Regional Cooperation and the ENP**

As mentioned before external regional cooperation is not new for the EU. It has slowly evolved from EU-managed programmes to the projects that were coordinated from the external side of the border. During the past 40 years the EU has consistently

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<sup>124</sup> Ibid., p. 26.

<sup>125</sup> SMITH, K., p.84.

<sup>126</sup> UVALIC, M., “Regional Cooperation and the Enlargement of the European Union: Lessons Learned?”, *International Political Science Review*, Vol.23, No.3, 2000, p.323.

had privileged relations with its immediate neighbours, the EFTA countries, until their accession to the EU, the Mediterranean countries and especially since 1989, the countries of Central and Eastern Europe, including the Balkans. This emphasis on geographical neighbourhood stem from the simple desire to establish an area of peace, stability and prosperity.<sup>127</sup>

The ENP is an attempt to gather together policy towards a number of regions which had been treated separately. The promotion of good neighbourly relations is one of the common values supporting the proposed relationship and the peaceful settlement of disputes is said to be one of the “essential aspects of the EU’s external action” on which commitments will be sought.

In the Commission’s Communication of March 2003 regional dimension of cooperation has been particularly emphasised and the goal to promote regional and sub-regional cooperation and integration as preconditions for political stability, economic development reduction of poverty and social division has been clearly stated in the same document.<sup>128</sup>

However, there is a dilemma for the EU which can be noticed in the Commission’s Communication itself. The Commission recognized the differences in starting positions for different countries and stated that the new EU approach cannot be a one size- fit-all policy.<sup>129</sup> At the same time, it confirmed the necessity to build up a

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<sup>127</sup> RHEIN, E., “European Regionalism – Where is the European Union Heading?”, in CALLEYA, S. C., (ed), *Regionalism in the Post-Cold War World*, Asghate, 2000, p.38.

<sup>128</sup> COM(2003) 104 final, p.3.

<sup>129</sup> *Ibid.*, p.6

cohesive system of relations along Eastern and Southern borders.<sup>130</sup> The common challenges for all of them were defined as: Proximity, Prosperity and Poverty,<sup>131</sup> what reflects the attempt to find common grounds for the strategy regardless the differences between the countries- neighbours. Later the ENP Strategy Paper finalized this contradiction and generally left the principle of regionality and its emphasis on differentiation and bilateral approach turned out to be the fundamental characteristics of the ENP.

This bilateral and differentiated approach could be advantageous for both the EU and the NCs. On the one hand, for the EU, dealing with each country on a one-by-one basis certainly allows a far greater opportunity of exerting its political and economic influence in the neighbourhood. On the other hand, especially for the southern partners, the ENP's bilateral and differentiated focus increases the opportunity of voicing their particular concerns considering the fact that most of these states never really appreciated being put into the group of 'southern Mediterranean states', together with real or potential rivals, and in disregard of the country's special features or type of relations with the EU.

Although neighbouring countries are usually highly interdependent; by sharing transnational problems, such as environmental pollution or drug- trafficking they are far to be homogeneous. The difficulty in elaboration of a common or balanced strategy along the whole new border is obvious. Therefore there is a need to establish

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<sup>130</sup> DOMORENOK, E., "Regional Cooperation under the EU Neighbourhood Policy", in ATTINA, F. and ROSSI, R., (eds.), *European Neighbourhood Policy: Political, Economic and Social Issues*, Catania, University of Catania, 2004, p.90.

<sup>131</sup> The first P - proximity is about geographical location, it contains the challenge of assuring secure and efficient borders of the Union. The following two: prosperity and poverty regard not only borders but wider areas. Among the priorities in this dimension are democracy, pluralism, respect for human rights, civil liberties, the rule of law and core labour standards as essential prerequisites for political stability, as well as for peaceful and sustained social and economic development.

a balance between bilateral relations, and multilateral partnerships, so that benefits and benchmarks for progress can be tailored to specific needs and circumstances.

## **2.2. Security Dynamics of the ENP**

The European Union through the accession process has been able to create stability in its proximity. By its force of attraction, not through coercion it has succeeded in neutralizing the forces of minority disputes and border conflicts that looked particularly destabilizing less than a decade ago. Applicant states have either been the subject of or been co-opted into a series of initiatives designed to fulfil the security interests of the EU Member States. Now the task for the European Union is to repeat this success in a wider proximity since a stable neighbourhood is a necessity for EU's own security and promoting stability in its neighbourhood is a must.<sup>132</sup> The Union now aspires to extend its policies beyond its own membership in security terms.

Security considerations, both internal and external constitute the real background of expanding the area of trade and economic welfare around the EU. The engagement to the centre of the relatively poorer southern and eastern peripheries of the continent would be the best prevention of dangerous external influences coming from the regions contiguous to the centre of Europe.<sup>133</sup> In this respect European security, and its connection with its neighbourhood, is an issue of primary importance in the EU political agenda. Awareness of the matter can be found in several documents: for instance the Draft Treaty for establishing a European Constitution stated that:

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<sup>132</sup> EGMONT PAPER 1 "A European Security Concept for the 21st Century", Royal Institute For International Relations, Brussels, April 2004, p.11. Available at: <<http://www.irri-kiib.be/paperegm/ep1.U560.pdf>>

<sup>133</sup> BALAZS, P., "Towards a Pan-Euro- Mediterranean Regional Integration- Motivation and Objectives", in MARESCEAU, M., LANNON, E., (eds) *The EU's Enlargement and Mediterranean Strategies*, Palgrave, 2001, p.371.

*“The Union shall develop a special relationship with neighbouring States, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation”* (art. I-56).

Also the European Security Strategy presented by Solana, at the Thessaloniki European Union Council, sets as a strategic objective that of promoting *“a ring of well governed countries to the East of the EU and on the borders of the Mediterranean, with whom we can enjoy close and cooperative relations”*<sup>134</sup>.

The Union acknowledges that security in Europe at the present is indivisible: the EU cannot feel secure and continue to prosper if the rest of the continent is insecure. This fact is the starting point also in the blueprint for the EU’s neighbourhood policy. The Commission communication of March 2003 clearly states that *“the Union’s capacity to provide security, stability and sustainable development for its citizens will no longer be distinguishable from its interest in close cooperation with the neighbours”* and that the EU has *“a duty... also towards its present and future neighbours to ensure continuing social cohesion and economic dynamism.”*<sup>135</sup>

The recognition that it is not possible to seal off instability behind borders has forced the Union to make a choice: whether to export stability and security to its near neighbours, or risk importing instability from them.<sup>136</sup> The EU tries to seek to

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<sup>134</sup> ESS., p.3.

<sup>135</sup> COM(2003) 104 final, p. 3.

<sup>136</sup> WALLACE, W., “Looking after the Neighbourhood: Responsibilities for the EU-25”, Paris, Notre Europe, Policy

enlarge its zone of stability throughout the states on its borders. Based on past experiences, European Neighbourhood holds that the EU and neighbouring countries are already mutually dependent when it comes to achieving security, stability and sustainable development within the EU respective borders.<sup>137</sup> Due to this interdependence of the Union and its neighbourhood, the EU must become deeply engaged as a strategic actor in political and security terms.<sup>138</sup>

The main EU instrument for promoting stability and security in its neighbourhood is the further development of its Neighbourhood Policy, which offer concrete benefits and preferential relations to neighbouring states in a wide range of fields, particularly with regard to market access and investment promotion. These benefits will be linked to progress made in defined areas, notably economic reform, democratization and respect for human rights, as well as substantial politico-military cooperation, in order to establish joint conflict prevention and crisis management mechanisms, including joint measures to combat terrorism.

### **2.2.1. Reconceptualizing Security in the post-Cold War World**

From 1945 to the late 1980s security was interpreted in a rather strict and narrow sense to mean simply the military security of the state. The variety of potential threats was reduced simply to external military threats. Therefore, the protection of the people within states was the prime responsibility of the state, and not an issue of international concern.

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Paper No. 4, July 2003, p.18-19. Available at: <<http://www.notre-europe.asso.fr/IMG/pdf/Policypaper4.pdf>>

<sup>137</sup> PARDO, S., "Europe of Many Circles: European Neighbourhood Policy", *Geopolitics*, Vol.9 No.3, Autumn 2004, p.732-733

<sup>138</sup> BATT, J., et al., "Partners and Neighbours: A CFSP for a Wider Europe", Paris, EU Institute for Security Studies, Chaillot Paper No. 64, September 2003, p.126.

As a consequence of the changes in the global balance of power after the end of the Cold war two predominant views of security had an influence on policy-makers. As mentioned above one still argued for a “narrow” definition of security while the other favoured a “wider” agenda. Narrowers focus on the military aspects of security and have argued that the key element of strategic analysis is the possible use of force. Security was still to be fundamentally understood as based upon the state. Moreover, for them it was concerned the study of the threat, and use and control of military force<sup>139</sup>. With the end of the Cold War the extension of the market economy into nearly all the ex-socialist world and the intensification of global finance, investment and production, the case of the wider security agenda has become stronger<sup>140</sup>.

The wide or “extended” definition of security was generally accepted as providing the most useful framework to understand insecurity in the new international system<sup>141</sup>. The “wideners” questioned the primacy of the military element of the security debate. They argued that the focus on territorial integrity of the state and traditional conceptions of sovereignty ought to be widened to include societal (and human), economic, and environmental security. Therefore, security was perceived to mean more than simple military might and publics and elites alike understood and measured it increasingly in terms of the impact and scope of non-military threats on the daily lives of peoples and the integrity of states<sup>142</sup>. Also “Economic security,”

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<sup>139</sup> ALDIS, A., HERD, G., “Managing Soft Security Threats: Current Progress And Future Prospects”, *European Security*, Vol.13, 2004, p. 170.

<sup>140</sup> BUZAN, B., “Rethinking Security After the Cold War”, *Cooperation and Conflict*, Vol: 32, No.1, 1997, p.24.

<sup>141</sup> LARSEN, H., “Concepts of Security in the European Union After the Cold War” *Australian Journal of International Affairs*, Vol.54, No.3, 2000, p. 337.

<sup>142</sup> These threats included corruption; criminal groups; private militias; insecure borders; smuggling and trafficking in weapons, drugs, contraband and people; illegal migration; proliferation of nuclear, chemical, and biological weapons of mass destruction (WMD); environmental scarcity (for example, access to fresh water or cropland), and, terrorism.



became a particular focus of interest following the collapse of the Russian, South American, and South East Asian economies in 1998, as the social, political, and economic fabric and even government stability of these states was threatened by currency speculation and the structural inflexibility of their economies.<sup>143</sup> The new security agenda is basically about stability and predictability in the transnational and evolutionary process affecting every nation<sup>144</sup>

### **2.2.2. New Security Context and the European Union**

During the Cold War, like in the rest of the world, the concept of security was generally understood in Europe as more or less concerned with military related issues. And was dominated by the East- West confrontation. Security policies addressed themselves to matters such as defence and deterrence. In this classical sense of a security policy, the EU has only a weak interest in this issue-area and few direct capabilities environmental, economic and social issues were either had a low priority as security concerns or were regarded as altogether insensible items for the continent's security agenda.

However with the demise of the Cold War, security has come to be seen as a much more contested concept. The circumstances of the 'wider' Europe are rather different from the Cold War era.<sup>145</sup> Security in the post- Cold War world means much more to the Union than military defence. It includes political stability that involves among other things, reduction of crime, control of the narcotic trade, migration control,

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<sup>143</sup> ALDIS, A., HERD, G., p. 171.

<sup>144</sup> LENZI, G., "Defining the European Security Policy" in. ZIELONKA, J., (ed ), Paradoxes of European Foreign Policy, Kluwer Law International, 1998,p. 113.

<sup>145</sup> PARK, W., REES, G. W., Rethinking Security in Post Cold War, Longman, 1998, p.11.

environmental protection and the maintenance of liberal democratic systems. In order to respond to changing threats to stability worldwide these ‘new’ areas of security are of direct concern to the union.<sup>146</sup>

In recent years, the dynamics of European security have become more difficult to understand. A post-Cold War security setting has replaced the distinct Alliance-wide threat from the Soviet Union. Also new risks and threats -soft security threats-<sup>147</sup> have increasingly affected European security from regions immediately adjoining Western Europe, such as the Balkans. In general, the post-Cold War era has been characterized by a blurring of boundaries between hard and soft, civil and military. Hard security is increasingly perceived to be superseded by soft security<sup>148</sup>.

In the post Cold War era there are certain security realities that Europeans must confront. First, no single European state can afford or affect the security environment. Intense cooperation between Europeans is a must for the adequate protection of the European citizens and that means a strong European Union. The EU can be threatened by things that might undo its integration process.<sup>149</sup> Second, there is a European interest in security effectiveness that can only be afforded by closer security cooperation. And third, the nature of soft security concepts places a premium upon legitimate action that can only be afforded through the legitimacy that

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<sup>146</sup> SMITH, H., p.18.

<sup>147</sup> Hard security has traditionally referred to the military defence of the state, seeing security issues in terms of the military balance as well as military strategy and tactics. Soft security refers to the non-military combat aspects of security. In other words it focuses on political, social, and economic concerns, such as poverty and unemployment, population explosion and environmental pollution, rising nationalism and social tensions, uncontrolled migration and coerced displacement, and the proliferation of narcotics, crime, and small arms. See, MOUSTAKIS, F., “Soft Security Threats in the New Europe: The Case of the Balkan Region “, *European Security*, Vol.13, 2004, p. 141.

<sup>148</sup> ALDIS, A., HERD, G., p. 182.

<sup>149</sup> BUZAN, B., p.16.

transnational political and military institutions such as NATO and the EU generate

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Illegal migration, the trafficking of people and drugs, and the power of organized crime and weapons transfers all touch on EU security in the broadest sense. Soft threats are the stuff of much of Europe's security today, not the traditional conflict between uncertain states in an uncertain international environment, but rather between uncertain states dealing with determined and purposeful non-state actors.

According to the dominant EU discourse the EU must assume increased responsibilities in the new context, and face the new challenges confronting it. There is a clear stress on the need for the Union to become a political actor that could use its economic means to further its political goals and act on challenges<sup>151</sup>. In other words, if Europe is to develop an alternative, effective, and credible way of doing security then decisions will have to be made now about the shape, structure, and cost of such architecture.

Consequently, the nature of threats, risks, and challenges and those forces that generate them require a far broader concept of security and the tools necessary to achieve desired end-states.

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<sup>150</sup> LINDLEY-FRENCH, J., "The Revolution in Security Affairs: Hard and Soft Security Dynamics in the 21st Century", *European Security*, Vol.13, 2004, p.6.

<sup>151</sup> LARSEN, H., p.340 .

### 2.2.3. European Security Strategy and the ENP

In this new security context, the security dimension of the ENP is brought out by Javier Solana in his paper on European Security Strategy for the Thessaloniki European Council in June 2003. The importance of a neighbourhood policy is also highlighted in the ESS.

*“It is in the European interest that countries on our borders are well-governed. Neighbours who are engaged in violent conflict, weak states where organised crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe. The reunification of Europe and the integration of acceding states will increase our security but they also bring Europe closer to troubled areas. Our task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations.”<sup>152</sup>*

It is clear that the ENP supports efforts to achieve the objectives of the ESS and *ENP is fully in accordance with the goals of the ESS<sup>153</sup>*. Thus, a Secure Europe in a Better World is the twin document for the political and security area of the neighbourhood policy as the July document on the Neighbourhood Instrument is in the economic and technical area. It is a wide-range document that pays special attention to relations with the neighbouring countries.<sup>154</sup>

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<sup>152</sup> ESS., p.3.

<sup>153</sup> Commission of the European Communities, Communication from the Commission to the Council, “Commission Proposals for Action Plans under the European Neighbourhood Policy (ENP)”, Com( 2004) 795 Final Brussels, 9 December 2004, p.2

<sup>154</sup> ATTINA F., “European Neighbourhood Policy and the Building of Security Around Europe” in ATTINA, F. and ROSSI, R., (eds.), European Neighbourhood Policy: Political, Economic and Social Issues, Catania, University of Catania, 2004, p.23.

Although the issue of an EU security strategy has been on the agenda for many years, the timing of the Solana paper was partly a European response to the post 9/11 security priorities of the US and partly an exercise in healing the division within the Europe over Iraq War.<sup>155</sup> The strategy paper sets the new general parameters for future common external action of the Union. This new step gives the Union a much broader assessment than previously of the potential threats to European security, including the proliferation of weapons of mass destruction and international terrorism and of the Union's responsibilities in the world.

The story of the European Security Strategy began with the informal meeting of EU foreign ministers at Kastellorizo on the island of Rhodes, on 2–3 May 2003, where Javier Solana was asked to produce a 'European strategy concept' and present it to the next European Council. On 20 June 2003, three months after one the serious crises of the European Union generated by the United States-led invasion of Iraq, Europe's leaders meeting in the Council of the European Union united a first draft of a new Security Strategy for the EU. The document, finally adopted by the European Council of 12–13 December 2003 under the title 'A Secure Europe in a Better World' was a bid to explain the EU's common strategic vision and to strengthen its common will for action in the realm of security. The paper outlined potential threats to the union and how the EU might best respond. This was a first step for the EU in moving towards a common security doctrine<sup>156</sup>.

Both the June and December versions of the ESS have a three-part structure: threats, strategic objectives and policy implications for Europe. In both versions, the

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<sup>155</sup> MISSIROLI, A., QUILLE, G., "European Security in Flux" in CAMERAN, F., (ed.) *The Future of Europe Integration and Enlargement*, Routledge, London, 2004, p. 118

<sup>156</sup> MISSIROLI, A., QUILLE, G., p.114.

evolution of threats is first described in global terms; the ending of direct military challenges to Europe's mainland, the increase of conflict in the world generally and its linkage with poverty and bad governance, and the diminishing of supply of energy and other natural resources. Then a number of 'key threats' are addressed in more detail in Solana's June draft but limited to terrorism, WMD proliferation, failed states and crime, in the December version. The 'strategic objectives' section of the Solana draft has three subsections on 'extending the zone of security around Europe', 'strengthening the international order' and 'countering the threats'. The December version puts the section on 'addressing the threats' first and alters the other section headings to strengthen the focus on 'effective multilateralism' in the context of world order. The third part of the ESS, on 'Policy implications for Europe', has four subsections mentioning the EU 'more active', 'more coherent' and 'more capable' and to 'working with partners', plus a short conclusion.

It is also important to state ESS declares that partnership with the EU can be cut back or enhanced according to performance: "*We want international organizations, regimes and treaties to be effective in confronting threats to international peace and security, and must therefore be ready to act when their rules are broken*"<sup>157</sup>. In certain cases this can include the use of force, but certainly the ESS considers the use of force as an instrument of last resort, in principle to be applied only with a Security Council mandate. The EU aims for 'early, rapid, and when necessary, robust intervention', but this applies to 'the full spectrum of instruments for crisis management and conflict prevention at the disposal, including political, diplomatic, military and civilian, trade and development activities The ESS stresses the Union's

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<sup>157</sup> ESS, p.4

unique capacity to mobilise a wide array of policy tools beyond the military. It argues that the Union, in cooperation with its international partners and within the framework of the UN charter, should play an active role in order to strengthen the international order and promote the rule of law and good governance.

European Security Strategy set out for the first time a vision of EU strategic policy<sup>158</sup> and is the first common strategic vision of the Member States, filling the void that had existed ever since the beginning of the European Security and Defence Policy (ESDP) in the late 1990s.<sup>159</sup> Although since Amsterdam, the Treaty on European Union<sup>160</sup> mentions the types of operations the EU can undertake – the Petersberg Tasks or humanitarian, peacekeeping and peace enforcement operations – the role of ESDP in the whole of EU external action and the conditions for the use of the military instrument had been left undecided for lack of consensus between the Member States. The ESS now offers an agenda with a global scope that has the potential to serve as a reference framework and a driving force for policies in all fields of external action, from trade and development to the CFSP and ESDP.

The ESS affirms the wider approach to security and makes it into a general strategy for EU external action. The starting point of this is the recognition of the interdependence between all dimensions of security – political, socio-economic, cultural, ecologic, and military – and the need to formulate integrated policies on all of dimensions. In the ESS, the ‘wideners’ approach is translated into the overall objective of ‘effective multilateralism’, such as ‘a stronger international society, well functioning international institutions and a rule-based international order’. At the

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<sup>158</sup> LEBL L. S., “Security Beyond Borders”, Policy Review, April/ May 2005, p.26.

<sup>159</sup> BISCOP, S., “The European Security Strategy and the Neighbourhood Policy: A New Starting Point for a Euro-Mediterranean Security Partnership?”, in ATTINA, F. and ROSSI, R., (eds.), op.cit., p.26.

<sup>160</sup> The Maastricht Treaty stated that the EU could deal with all aspects of security, and the EU’s formal access to military means was a subject that was on the agenda at both intergovernmental conferences.

global level, the EU seeks to pursue this objective mainly through the UN, which the ESS sees as the core of the international system, and through the other global and regional partnerships and organizations.

The ESS stresses the strategic importance of the near abroad of the EU that “building security in our neighbourhood” is among its clear objectives. It is important to note that the emphasis on the EU’s neighbourhood does not contradict the global scope of the ESS that this is not a question of a hierarchy of priorities: because stability of the world order as such is as important as stability in the Union’s neighbourhood. A stable neighbourhood is a necessity for its own security and promoting stability in that area is its duty. Thus without any doubt, emphasis in the ESS is on a long-term policy of stabilisation and conflict prevention.

On the whole, the ESS is a positive project which emphasizes positive objectives. ‘What for’ rather than ‘against whom’ is the question that determines policy. However ‘Securitization’ of policy fields other than ESDP, such as treating issues as politico-military or hard security problems and applying politico-military instruments to solve them is avoided. Under the global heading of promoting ‘effective multilateralism’, the politico-military is just one dimension of external action, at the same level as the other fields.<sup>161</sup> Although the ESS is a useful first step, it does not lay down a clearly agreed and understood set of principles and guidelines for the use of both co-optive and coercive power.<sup>162</sup> Therefore the Solana paper can be seen as

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<sup>161</sup> BISCOP, S., *op.cit.*, p.26.

<sup>162</sup> LINDLEY-FRENCH, J., p.4.



a “pre-concept” that states what is important for Europe but does not say what Europe is prepared to do about it.<sup>163</sup>

In spite of the high political ambitions concerning the deepening of integration in the fields of foreign policy and defence, until the ESS the EU had no security strategy. The adoption by the European Union of its first official and comprehensive security strategy may be seen as a conceptual and procedural turning point in the development of the EU’s CFSP. Besides the existence of a EU security strategy is in itself an important first step towards a European strategic culture. It was also an important stage in the developing self-awareness and ambition of the EU as a player in the global arena<sup>164</sup>. Most agree that if the foreign policy tools of the Union and its member States were more effectively coordinated, the EU could become a major force on the world stage. This is where the need for a common security strategy comes into play.<sup>165</sup> As the integration process appears to be entering a period of stagnation, the Union is in search of a new vision to cope with security threats in its proximity. Therefore in spite of its criticized oversimplification, in particular as regards its analysis of global challenges and threats, the value of the ESS should not be underestimated. The importance of the Strategy lies in that its aim is to provide overall strategic direction to the Union’s foreign policy.

Furthermore, it became a popular academic pursuit after June 2003 to compare the paper with that of the USA’s National Security Strategy (NSS) published in September 2002, and sometimes with the NATO Strategic Concept document of

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<sup>163</sup> Ibid., p.5.

<sup>164</sup> BAILES A. J., “The European Security Strategy An Evolutionary History” SIPRI Policy Paper No. 10, International Peace Research Institute, Stockholm, February 2005, p.1. Available at:<[http://www.sipri.org/contents/editors/publications/ESS\\_PPrapport.pdf](http://www.sipri.org/contents/editors/publications/ESS_PPrapport.pdf)>

<sup>165</sup> TOJE, A., “Introduction by the Editor”, Oxford Journal on Good Governance, Vol.1, No.1, July 2004, p.7.

1999 as well.<sup>166</sup> However although the EU's priorities meet some US security concerns, they do not amount to a European endorsement of US methods. The strategy provides a framework within which traditional EU priorities are balanced with the new priorities of the member states in responding to WMD, non-proliferation and international terrorism<sup>167</sup>.

### **2.3. Developments towards the Formulation of the ENP**

Although not a state or a federation, the EU has operated within a relatively stable territory, delimited by its member states and geopolitical, institutional, legal, cultural and transactional boundaries in post-war Europe. Notwithstanding earlier expansions, the necessity to define its future borders is a new challenge for the Union, and has only emerged with the 2004 eastern enlargement<sup>168</sup>.

The ENP is considered a response to the new challenges and opportunities that the EU has to address after the enlargement on May 1st 2004. This enlargement is not like the previous ones. It is fundamentally different in size, scope, and character: going from an EU of 15 member states to 25 means an increase of population of 20 per cent but an increase in GDP of only a few points, coupled with an increase of 'small' members from the current 10 to 19. The EU with 25 member states and with its extended borders is facing both internal and external relevant developments and needs accordingly to reframe its external relations.

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<sup>166</sup> DUKE, S., "The European Security Strategy in a Comparative Framework: Does it Make for Secure Alliances in a Better World?", *European Foreign Affairs Review*, Vol. 9, 2004, p.459.

<sup>167</sup> MISSIROLI, A., QUILLE, G., p.119.

<sup>168</sup> LAVENEX, S., "EU External Governance in Wider Europe", *Journal of European Public Policy*, Vol. 11, No.4, August 2004, p. 682.

The new geopolitical environment increases the importance for the EU to establish new forms of cooperation within its new geographic proximities, considering the fact that EU's most successful instrument to build cooperation is not sustainable anymore.<sup>169</sup> Enlargement has been called the most successful act of foreign policy that the EU has ever made, or it has been argued that the promise of membership has been the Union's most successful foreign policy instrument.<sup>170</sup> This is also acknowledged by the EU itself too: For example, the Commission communication on neighbourhood policy states that the enlargement has unarguably been the Union's most successful foreign policy instrument.<sup>171</sup> The enlargement of the European Union has also been for decades, a security policy. Because extending the Union's norms, rules, opportunities and coercions to the applicants has made instability and conflict in the wider region much less likely.<sup>172</sup> Enlarging the EU has been the best way for ensuring the legitimacy and stability in the EU's near environment.

Therefore, one of the main rationales of the ENP can be found in the May 2004 enlargement of the Union. Since its creation, the EU has followed the path of enlargement. The six founding nations (Germany, France, Italy, the Netherlands, Belgium and Luxembourg--1951/1957) were joined by Britain, Ireland and Denmark (1973), Greece (1981), Spain and Portugal (1986), Austria, Finland and Sweden (1995) and Cyprus, Malta, Poland, Hungary, the Czech Republic, Slovakia, Slovenia, Estonia, Latvia, and Lithuania (2004). Romania, Bulgaria will probably join the EU . Turkey and the Western Balkan countries are also likely to join the Union. Then the

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<sup>169</sup> ROSSI, R., "The European Neighbourhood Policy in Perspective", in ATTINA, F. and ROSSI, R., (eds.), *European Neighbourhood Policy: Political, Economic and Social Issues*, Catania, University of Catania, 2004 p.8 .

<sup>170</sup> SOETENDORP, B., p.123.

<sup>171</sup> COM(2003) 104 final, p. 5.

<sup>172</sup> MISSIROLI, A., "EU Enlargement and CFSP/ESDP", *European Integration*, Vol. 25, 2003, p.1.

final borders of the European Union will be drawn. However, only May 2004 enlargement has brought a greater clarity to the geo-strategic map of Europe.

In the initial years of the enlargement process, the attention was paid on the candidate states, on the establishment of the accession criteria (the Copenhagen criteria), developing a pre-accession strategy and decisions as to when and with whom to open negotiations. However in the second half of the 1990's, the EU has begun to focus on the effects of enlargement, on the EU's external and internal policies, as well as regional and global policies.

Firstly in its 1997 paper, Agenda 2000, which includes opinions on the applications for membership from the Central and Eastern European states, the Commission stressed the importance for the enlarged Union of its new neighbours and the need to ensure stability through cooperation in the wider Europe region.<sup>173</sup> Progress Reports and Strategy Papers in the following years also stress the benefits of enlargement for the new neighbours while remaining unclear about any new relationship form.<sup>174</sup> Also in three common strategies adopted under the CFSP: Russia (12 May 1999), Ukraine (11 December 1999) and the Mediterranean (19 June 2000) there is a focus on the periphery of the union.<sup>175</sup>

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<sup>173</sup> Commission of the European Communities, *Agenda 2000, For a Stronger and Wider Union, Part I, The Policies of the Union*, sect. IV *The Union in the World*, 1997, p.43. Available at: < <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=COM:1997:2000:IN:EN:PDF>>

<sup>174</sup> Commission Composite Paper on Progress towards Accession by the Candidate Countries, 1999; Commission Composite Paper on Progress towards accession by the candidate countries, 8 November 2000, sect 1.5; Commission Strategy Paper, 13 November 2001, "Making a Success of Enlargement"; Commission Strategy Paper, 9 October 2002, "Towards the Enlarged Union".

<sup>175</sup> BISCOP, S., "Opening up the ESDP to the South: A Comprehensive and Cooperative Approach to Euro-Mediterranean Security", *Security Dialogue*, Vol.34, No.2, June 2003, p.183.

Later in 2002, following a joint initiative by the Commission and High Representative Javier Solana, the development of a proximity or neighbourhood policy moved onto the agenda of the Council. The Council stated the need to take an initiative with respect to its new neighbours:

*“EU enlargement will provide a good opportunity to enhance relations between the European Union and the countries concerned with the objective of creating stability and narrowing the prosperity gap at the new borders of the Union.”*<sup>176</sup>

*“Enlargement presents an important opportunity to take forward relations with the new neighbours of the EU which should be based on shared political and economic values”*<sup>177</sup>

On the other hand, enlargement has been perceived from those outside the process in the European periphery as a form of exclusion. For them it is about extending a normative and institutionalized wall, which will isolate them from the rest of Europe.<sup>178</sup> Therefore shutting the door of the Union once and for all may foster feelings of exclusion on its immediate periphery and instability across the border<sup>179</sup>. On the other hand, keeping the door permanently open to possible new entrants makes a definition of a common security and especially foreign policy a bit difficult.<sup>180</sup> The EU’s enlargement could continue, at least a few more neighbours

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<sup>176</sup> General Affairs and External Relations Council, Presidency Conclusions on the New Neighbours Initiative, 30 September 2002, par.4. Available at: <<http://register.consilium.eu.int/pdf/en/02/st12/st12516en02.pdf>>

<sup>177</sup> General Affairs and External Relations Council, Presidency Conclusions on the New Neighbours Initiative, 18 November 2002, par.1. Available at: <<http://register.consilium.eu.int/pdf/en/02/st14/14078en2.pdf>. >

<sup>178</sup> WHITE, S., McALLISTER, I., LIGHT, M., “Enlargement and the New Outsiders”, Journal of Common Market Studies, Vol. 40,

<sup>179</sup> LÖWENHARDT, J., HILL, R., LIGHT, M., “A Wider Europe the View from Minsk and Chisinau, International Affairs”, Vol.77, 2001, p. 605.

<sup>180</sup> MISSIROLI A., p.3.

could join the EU. However enlargement is not a policy that can be applied without limits, it is not so easy for the EU to absorb the continued expansion.

Thus, it is important to consider the relationship between the EU and neighbouring states and regions not only in terms of a inside/outside division. Eventually the EU may, or may not, evolve into an entity with clear borders and a transparent distinction between ‘inside’ and ‘outside’. But such a EU is not foreseeable in the future. In current circumstances, there is considerable value in moving away from the inside/outside division and instead studying the politics of EU relations with neighbouring regions in terms of an intermediate category — the EU’s ‘near abroad’.<sup>181</sup> Since both ‘widening’ and ‘deepening’ are being organized in a complementary manner.<sup>182</sup> For these reasons the EU needed a third way; something except of having to choose between the “ins” and “outs.”

The Commission realised that enlargement may create tensions between members and non-members and the rise of new borderlines may prevent the previous cooperation which existed between new insiders and outsiders.<sup>183</sup> Therefore, the EU needed to take new steps towards the world and towards its neighbours. The enlarged Europe put on the Union new responsibilities and offers chances to play a new role in the new political space. Consequently, the European Security Strategy and the Europe Neighbourhood policy were created to frame the new European policy.

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<sup>181</sup> CHRISTIANSEN, T., PETITO, F., and TONRA, B., “Fuzzy Politics Around Fuzzy Borders: The European Union’s ‘Near Abroad’”, *Cooperation and Conflict*, Vol. 35(4), 2000 p: 390.

<sup>182</sup> *Ibid.*, p. 391

<sup>183</sup> HAUKKALA, H., “A Hole in the Wall? Dimensionalism and EU’s New Neighbourhood Policy, The Finnish Institute Of International Affairs”, UPI Working Papers n. 41, 2003, p.5. Available at: <[http://www.upi-fiia.fi/julkaisut/UPI\\_WP/wp/WP41.pdf](http://www.upi-fiia.fi/julkaisut/UPI_WP/wp/WP41.pdf)>

The completion of May 2004 enlargement of the EU obliges it to define its relations with those neighbours who will not join it, at least in the short and medium run, as Member States. The ENP is designed to address this need by declaring the intention on the part of the EU to create with its close neighbours a common area 'of shared prosperity and stability, a 'pan-European and Mediterranean Region', founded on 'partnership and joint ownership'

European integration has been an open-ended project which keeps its membership open to "any European state" that respects the founding principles of the Union.<sup>184</sup> In discussing the ENP, the Council and Commission both exclude the question of membership by referring to Article 49 of the Treaty on European Union. The implication is that the accession process will take its course according to Treaty-based procedural stages. Javier Solana also states that although further enlargement is not ruled out, the ENP is not designed to prepare the neighbouring countries for membership: "*But let me make it clear once more that our Neighbourhood policy is distinct from enlargement. It neither prepares for enlargement, nor rules it out at some future point. For the time being the accession of these countries is not on our agenda*"<sup>185</sup> ENP does not presume to redefine EU boundaries nor does it try to either find out candidates for accession or shut certain countries out. The new policy does not in the medium term include an invitation to EU membership or even a role in the EU's institutions<sup>186</sup>.

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<sup>184</sup> Treaty on European Union, Article 49. Also in the Convention's Draft Constitution the wording has been kept unchanged. See Draft Constitution..., Article I-57.1. The principles are enumerated in the Article 6(1): liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law

<sup>185</sup> Commissioner VERHEUGEN, 'The European Neighbourhood Policy', Prime Ministerial Conference of the Vilnius and Visegrad Democracies: "Towards a Wider Europe: The New Agenda", Bratislava, 19 March 2004. Available at: < <http://europa.eu.int/rapid/pressReleasesAction.do?reference=SPEECH/04/141&format=HTML&aged=0&language=EN&guiLanguage=en>>

<sup>186</sup> PARDO, S., p.734.

On the other hand, the success about the new Member States, and especially the ten from Central and Eastern Europe, has been in the areas prioritised in the ENP: increased political stability and prosperity, and economic development built upon a transparent and stable legislative and regulatory framework. The EU wants to repeat the success of the accession process by setting some of same targets and by using similar instruments and methodologies, including conditionality and differentiation, but without the goal of accession to provide the incentive. The ENP is based on the premise that the promise of a high degree of economic and political integration will prove to be a powerful incentive as accession.

The new member states bring into the EU's borders new neighbour and neighbouring regions, which increase the Union's strategic reach and set of geopolitical interests beyond its borders. These interests include not only ensuring security of the new external borders but also in dealing with the deeper causes of instability beyond those borders.<sup>187</sup> Enlargement would also increase the weight and influence of the EU in international affairs, by bringing the Union into more direct contact with neighbours with whom the EU will have new or extended borders and reshape the geopolitical map of Europe<sup>188</sup>.

## **2.4. Interaction between the Common Foreign and Security Policy and the ENP**

The EU is surrounded by regions that can be regarded as intermediate spaces between the inside and outside of the Union. Over time, the EU has developed

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<sup>187</sup> DANNREUTHER, R., "Towards a Neighbourhood Strategy" in DANNREUTHER, R., (ed) European Union Foreign and Security Policy towards a Neighbourhood Strategy, Routledge, 2004, p. 206 .

<sup>188</sup> AVERY, G., CAMERON, F., p.144 .



significant interests and influence in its neighbourhood which have become the targets of important ‘policy-export’ of the EU

Before May 2004 enlargement, EU relations with Eastern and Southern regions appeared to serve rather opposing functions — simultaneously facilitating enlargement and non-enlargement. The regional impact of EU policies has varied as a consequence of the different geopolitical and institutional context in the two regions.<sup>189</sup> The EU has become a major player in both areas in the 1990s as the issue of enlargement has engaged states in both regions in a structured dialogue with EU institutions. Preparations for EU membership — as well as the absence of preparations for membership — constitute key elements in the relationship between the various actors involve in the two regions.<sup>190</sup>

The EU’s engagement with its immediate neighbourhood over the past decade can be considered a highly dynamic feature of Europe’s foreign and security policy, the engagement also mostly differentiates EU foreign policy from the Cold war period. The end of the Cold War and the collapse of the Soviet Union created the demand from the newly independent countries for Europe to take the responsibilities of engaging in the economic and political stabilization of the region. Therefore, this dimension of Europe’s foreign and security policy has gained a new centrality and significance since the end of the Cold War.

European periphery is viewed by EU member states as the primary source of many of the non-traditional security treats such as terrorism, migration, and transnational

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<sup>189</sup> CHRISTIANSEN, T., PETITO, F., and TONRA, B., p.389

<sup>190</sup> Ibid., p.393.

organized crime which compels a European engagement with the countries of these regions. The geostrategic consequences of the end of the Cold War have required the EU to prioritize and sharpen the focus of its foreign and security policy towards the countries and regions in its geographic proximity<sup>191</sup>.

Even though the future of European integration is linked to the success and failure of the strategic engagement of the EU with the countries and regions in its immediate neighbourhood, until the ENP, the EU had not possessed a coherent policy of dealing with its proximity. The engagement with its immediate periphery represents a highly important post- Cold War geopolitical challenge for its foreign and security policy. The challenge has three dimensions first, the enlargement of the EU, to take new members and define the new borders: The enlargement process also involves the definition of new borders and the creation of new neighbours with their particular demands and interests. There is a fact that the EU now has to consider further memberships and to redefine its relationships with its neighbours and this fact provides another challenge, a problem generated by the success and attractiveness of a Union which has become the principal source of and framework for prosperity and security in the region<sup>192</sup>. The second dimension is the impact of the EU's ambition to provide a political union. The CFSP and ESDP represent the most visible aspects of the political ambition. And the third dimension is driven by the security challenges of Europe's periphery and the demands for an effective crisis management capability.

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<sup>191</sup> DANNREUTHER, R., p. 2-3

<sup>192</sup> ARRIS, G., "The Wider Europe" in CAMERON, F., (ed.) *The Future of Europe Integration and Enlargement*, Routledge, London, 2004, p. 98.

## CHAPTER 3: INSTRUMENTS AND THE IMPLEMENTATION OF THE EUROPEAN NEIGHBOURHOOD POLICY

### 3.1. Geographic Coverage

The Commission initiative on ‘Wider Europe’ goes back to the General Affairs and External Relations Council of November 2002<sup>193</sup> where the EU accepted to increase the ties with the old and new neighbouring countries and launched the EU’s future tasks in this area. This intention was confirmed at Copenhagen European Council in December 2002. On this occasion, “*the Union’s determination to avoid drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union*”<sup>194</sup> was emphasized.

In fact, the ENP began when some northern member states asked the Commission to make proposals to reduce the exclusion effects of the next enlargement for Ukraine, Moldova and Belarus. However, after some southern member states had argued that the Mediterranean neighbours should not be relatively disadvantaged by the new initiative, Morocco, Tunisia, Jordan, Israel and the Palestinian territories were also included as target states.

Finally in the Communication of Commission dated 11 March 2003 the partner countries included in the policy were 14: Russia, plus ten Southern Mediterranean

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<sup>193</sup> General Affairs and External Relations Council, Presidency Conclusions, 18 November 2002. Available at: <<http://register.consilium.eu.int/pdf/en/02/st14/14078en2.pdf>>

<sup>194</sup> Copenhagen European Council, Presidency Conclusions, 12-13 December 2002, p.6. Available at: <[http://ue.eu.int/ueDocs/cms\\_Data/docs/pressdata/en/ec/73842.pdf](http://ue.eu.int/ueDocs/cms_Data/docs/pressdata/en/ec/73842.pdf)>

countries (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestinian Authority, Syria, and Tunisia) and three Western Newly Independent States (Ukraine, Moldova, Belarus). Later in the Commission's White Paper in May 2004, the territorial coverage was extended to include the South Caucasus and by the decision of the Brussels European Council of 17-18 June 2004 Armenia, Azerbaijan and Georgia were officially included in the ENP.

As concerns Russia, the EU and Russia have decided to develop their strategic partnership further through the creation of four common spaces, as defined at the 2003 St. Petersburg summit, and in consistency with the ENP. The cooperation with Russia will also be supported financially through the European Neighbourhood and Partnership Instrument.

As mentioned before, the ENP does not cover countries that are candidates for EU membership (such as Bulgaria, Romania, Turkey or Croatia), nor the other South-Eastern Countries which are potential candidates. As the ENP offers a framework for relations with the EU's neighbours which currently do not have the perspective of membership of the EU, it does not apply to South-Eastern Europe either.

### **3.2. Key Instruments of the ENP**

The ENP is based on the following instruments: The Strategy Paper outlines the vision of the ENP and its main components. Country Reports assess the relevant bilateral relations, analyze the political, economic, social and institutional situation of

the relevant neighbouring country, and describe the current affairs in areas of particular interest to the ENP. The Action Plan, based on the relevant Country Report, provides an outline of mutual social, political and economic commitments between the EU and the relevant neighbouring state.<sup>195</sup> Following action plans approval by the Council, the respective Cooperation or Association Councils<sup>196</sup> is invited to approve the action plans and to ensure their implementation and monitoring.

A first review of implementation of the action plans will be undertaken within two years of their adoption. The next step could consist in the negotiation of European Neighbourhood Agreements, to replace the present generation of bilateral agreements, when Action Plan priorities are met.

### **3.2.1. Action Plans**

The main instruments for the implementation of the ENP are the Action Plans negotiated and agreed jointly by the European Commission (on behalf of the EU) and the authorities of the participating countries. Action Plans are the basic political documents of the ENP which define the way ahead over the next three to five years. These plans spell out benchmarks and timetable and are functioning as key policy instruments in the medium term. These reports also serve as a basis for deciding

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<sup>195</sup> The Action Plans are to be jointly agreed documents which are of about 25 pages, listing hundreds of actions that the neighbour is expected to undertake – for example 300 bulleted points in the case of Ukraine. See: [http://www.eu.int/comm/world/enp/pdf/action\\_plans/Proposed\\_Action\\_Plan\\_EU-Ukraine.pdf](http://www.eu.int/comm/world/enp/pdf/action_plans/Proposed_Action_Plan_EU-Ukraine.pdf)

<sup>196</sup> The joint bodies (Association or Cooperation Councils and Committees and sub-committees) set up under these agreements will be used to advance work on and monitor implementation of Action Plans. Progress in meeting agreed objectives will be monitored in the bodies established by the respective Association or Partnership and Cooperation Councils – which bring together representatives of partner countries, member states, the European Commission and the Council Secretariat.

whether to move towards further contractual links, for example the conclusion of a European Neighbourhood Agreement.<sup>197</sup>

*“The Commission will report periodically on progress accomplished. On the basis of this evaluation, the EU, together with partner countries, will review the content of the Action Plans and decide on their adaptation and renewal. Decisions may also be taken, on this basis, on the next step in the development of bilateral relations, including the possibility of new contractual links. These could take the form of European Neighbourhood Agreements whose scope would be defined in the light of progress in meeting the priorities set out in the Action Plans”*<sup>198</sup>

Action Plans cover two broad areas: first, commitments to specific actions, which confirm or reinforce adherence to shared values and to certain objectives in the area of foreign and security policy; secondly, commitments to actions which bring partner countries closer to the EU in a number of priority fields. Based on the assessments carried out in the Country Reports, the specific measures laid out in the Action Plans relate to all key areas of EU-neighbourhood relations: political dialogue and reform; economic and social reforms and development; trade, regulatory and institutional measures preparing neighbours to progressively participate in the EU Internal Market; justice and home affairs; energy, transport, information society, environment, research and innovation; social policy and people-to-people contacts.<sup>199</sup>

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<sup>197</sup> The new agreements are likely to be association agreements concluded under what is Article 310 EC Treaty, or based on Article I-56 of the Constitutional Treaty. This Article provides that “The Union shall develop a special relationship with neighbouring States, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.”

<sup>198</sup> COM(2004) 373 final, p.10

<sup>199</sup> Sec (2005) 1521, p.11

In the May Strategy Paper, the Commission has given many details as concern the realization of Action Plans: **Joint ownership** and **differentiation** are the main principles which will guide the drafting and realization of Action Plans. The first one means that priorities will be defined together with partner countries, and will vary from country to country; while differentiation means that priorities will reflect the existing state of relations with each country and its needs and capacities.<sup>200</sup> In spite of bringing together this widely different group of states under one policy, the Commission states that the process of agreeing the Action Plan and priorities for each country will depend on the circumstances of that country; the individual country reports that have been prepared. This is justified by reference to the principle of joint ownership:

*“Joint ownership of the process, based on the awareness of shared values and common interests, is essential. The EU does not seek to impose priorities or conditions on its partners. The Action Plans depend, for their success, on the clear recognition of mutual interests in addressing a set of priority issues. There can be no question of asking partners to accept a pre-determined set of priorities. These will be defined by common consent and will thus vary from country to country.”*<sup>201</sup>

The second principle; differentiation between partner countries is also at the basis of the neighbourhood policy. While stating the importance of a standard and coherent approach, the Commission recognises the big difference, in terms of regional economic cooperation, administrative and institutional capacities of the neighbouring partners. A step-by-step or progressive approach towards EU neighbouring countries

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<sup>200</sup> COM (2004) 373 final, p.3

<sup>201</sup> Ibid., p.8.

is required in order to introduce a gradual engagement for each state depending on its willingness to progress with economic and political reform. The Strategy Paper verifies this too:

*“The Action Plans will draw on a common set of principles but will be differentiated, reflecting the existing state of relations with each country, its needs and capacities, as well as common interests. 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.”*

It is possible to say that, in a way the Union will adopt the same instruments and techniques based on the pre-accession process for the candidate states, including plans, targets, conditionality and regular monitoring in order to achieve a high level of integration, strengthened cooperation on border management and common management of cross-border and regional issues. It seems that the neighbourhood policy follows the enlargement logic in the sense that it relies on the same instruments, incentives, and normative underpinnings as towards potential EU members.<sup>202</sup> The Commission’s Communication supports this with a comment by Prodi, *“If a country has reached this level, it has come as close to the EU as it is possible to be without being a member.”*<sup>203</sup>

For example, in the framework of the ENP, in a first phase political priorities are contained in Action Plans which have the same huge list of requirements to meet the

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<sup>202</sup> DEL SARTO R. A., SCHUMACHER, T, p.34

<sup>203</sup> PRODI, R., “A Wider Europe – A Proximity Policy as the Key to Stability”, speech to the Sixth ECSA-World Conference, Brussels, 5-6 December 2002, Available at: <[http://europa.eu.int/rapid/pressReleases\\_Action.do?reference=SPEECH/02/619&format=HTML&aged=0&language=EN&guiLanguage=en](http://europa.eu.int/rapid/pressReleases_Action.do?reference=SPEECH/02/619&format=HTML&aged=0&language=EN&guiLanguage=en)>



Copenhagen political and economic criteria and much of the *acquis* of EU law. For candidate countries, these priorities are contained in Accession Partnerships, and both Action Plans and Accession Partnerships respect the principles of joint ownership and differentiation. In a second phase, the Commission will report on progress made by the neighbour; similarly every year the Commission reports on progress accomplished by candidates. Then on the basis of this evaluation, the EU will review the content of the Action Plan and decide on its adaptation and renewal; for candidate countries the Union updates the priorities contained in the Accession Partnerships almost every year. All these similarities confirm the statement of the Commission, that in enriching relations with partner countries, it will draw on the experience gained in supporting the process of political transition in the new member states and in candidate countries.<sup>204</sup>

However, the way to pursue this policy is not political conditionality anymore but rather benchmarks: clear and public definitions of the actions that the EU expects the partners to implement. Political or economic benchmarks may be carried out, depending on which targets and reforms are agreed. Two founding ENP documents address the problem of difference among the neighbouring partners, and adopt the method of bilateralism rather than genuine regional cooperation. The ENP's added value lies in differentiation: there is no 'one size fits all' concept.. Policies are designed to fit the needs of the country concerned.<sup>205</sup> by conducting individual discussions with the neighbouring countries in Eastern Europe, in the Mediterranean or in the Caucasus

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<sup>204</sup> BARACANI, E., "The EU and Democracy Promotion: a Strategy of Democratization in the Framework of Neighbourhood Policy" in ATTINA, F. and ROSSI, R., (eds.), *European Neighbourhood Policy: Political, Economic and Social Issues*, Catania, University of Catania, 2004, p.55- 56 .

<sup>205</sup> 129th Bergedorf Round Table, *Frontiers and Horizon's of the EU: The New Neighbours Ukraine, Belarus and Moldova*, Lviv, 15-17 October, 2004, p.58-59.

On the other hand, ENP wants to be a centralized policy without the “common strategy” instrument that was adopted for conducting relations with Russia, Ukraine and the Mediterranean states.<sup>206</sup> However, the different starting points of the neighbouring states will cause different speeds and timetables, and although the Commission wishes to enhance the coherence of its policy, both Commission and Council are committed to the differentiation that both the differing starting points and conditionality imply.

It is important to note that concerning the presence of a number of existing arrangements with the same countries, the Council Conclusions emphasize that neighbourhood policies should not override those agreements.<sup>207</sup> The ENP is designed to improve and support existing policies and instruments, including the PCAs, TACIS, Common Strategies, the Barcelona Process, and MEDA and existing Association Agreements. In its May 2004 Strategy Paper the Commission argues that Union policy would be enhanced and more focused and stresses its added value, offering a greater degree of integration than is envisaged in current instruments, an upgrade in the “scope and intensity” of political cooperation, the definition of priorities and increased funding. Thus, The Neighbourhood Policy brings together all the different EU instruments to focus on the same policy objectives.

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<sup>206</sup> FULVIA A., p.16.

<sup>207</sup> General Affairs and External Relations Council, Conclusions on a Wider Europe - New Neighbourhood , 16 June 2003, par. 4.

### 3.2.2. European Neighbourhood and Partnership Instrument

On July 1st 2003, the Commission through a new Communication “*Paving the Way for a New Neighbourhood Instrument*”,<sup>208</sup> clarified the concept of the New Neighbourhood Instrument (NNI) and presented the analysis of measures to improve interoperability between different instruments. The Commission proposed a two-step approach: from year 2004 up to year 2006 it is planned to seek a better coordination between the existing financial instruments<sup>209</sup> ; while after 2006 the NNI will be established providing cross-border and regional cooperation around the external border.

While the Wider Europe Communication placed the Neighbourhood Instrument in the context of the ENP, the following Communication broadened the geographical scope of it, saying that “*in order to ensure a comprehensive approach, the Instrument should also cover those neighbouring countries which benefit from CARDS and Euro-Med partnership, even though the South-Eastern Europe fall outside the political scope of the Wider Europe communication*”.<sup>210</sup>

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<sup>208</sup> Commission of the European Communities, Communication from the Commission, “Paving the way for a New Neighbourhood Instrument”, COM(2003) 393 final. Available at: <[http://www.eu.int/comm/world/enp/pdf/com\\_03\\_93\\_en.pdf](http://www.eu.int/comm/world/enp/pdf/com_03_93_en.pdf)>

<sup>209</sup> These instruments are: INTERREG Community Initiative – a financial instrument within the framework of the EU Structural Funds, supports cross-border and interregional cooperation among member states and neighbouring countries; PHARE CBC support cross-border cooperation between member states and candidate countries; TACIS CBC- supports cross-border cooperation in Western NIS; CARDS – aimed at fostering regional, transnational, cross-border and interregional cooperation among the countries of Western Balkans, between them and EU, and them and other countries of the region (no programme exists); MEDA provides support for regional cooperation in the broader sense between countries on the southern and eastern shore of the Mediterranean.

<sup>210</sup> COM(2003) 393 final, p.3.

Later, in September 2004 the Commission submitted to the Parliament and Council a draft regulation <sup>211</sup> establishing the European Neighbourhood and Partnership Instrument (ENPI) with an allocation of nearly EUR 15 billion for the budget period 2007-2013 which nearly double the amount that was available to NCs for 2000-2006 under the MEDA and TACIS budget lines. In order to assist neighbouring partner countries in achieving their objectives, and to promote cooperation between them and Member States, it is aimed to establish a single policy-driven instrument which will replace a number of existing instruments, ensuring coherence and simplifying assistance programming and management.<sup>212</sup>

The ENPI will cover all the borders between EU Member States on one side, and countries covered by the ENP on the other side. The instrument will build on the principles of existing cross-border programmes such as partnership, multiannual programming and co-financing and it will support trans-national cooperation involving beneficiaries in at least one Member State and one partner country, and replace existing internal and external cross-border programmes in member states and partner country regions in EU external borders. The Commission states that:

*“External aspects of internal policies, currently covered by a specific instrument, will be either mainstreamed in country and multicountry programmes, or, where appropriate, dealt with through a specific thematic programme. A specific and innovative feature of the ENPI is its crossborder cooperation component. Under this component, the ENPI will finance “joint programmes” bringing together regions of*

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<sup>211</sup> Commission of the European Communities, Proposal for a Regulation of the European Parliament and of The Council, “Laying Down General Provisions Establishing a European Neighbourhood and Partnership Instrument” COM(2004) 628 final, Brussels, 29.9.2004. Available at: <[http://www.eu.int/comm/world/enp/pdf/getdoc\\_en.pdf](http://www.eu.int/comm/world/enp/pdf/getdoc_en.pdf)>

<sup>212</sup> Ibid., p.13

*Members States and partner countries sharing a common border. This will bring a radical simplification in procedures and substantial gains in efficiency. It will use an approach largely modelled on “Structural Funds” principles such as multiannual programming, partnership and cofinancing, adapted to take into account the specificities of external relations. The crossborder cooperation component of the ENPI will be cofinanced by the European Regional Development Fund (ERDF).”<sup>213</sup>*

For both the transitional phase and the ENPI operation four main objectives are clearly identified:<sup>214</sup>

- Promoting sustainable development in regions on both sides of common borders;
- Working together through joint actions to address common challenges, in fields such as environment, public health, and the prevention of and fight against organised crime;
- Ensuring efficient and secure common borders through joint actions;
- Promoting local cross-border "people-to-people" type actions

### **3.3. Implementation of the ENP**

On 12th May 2004 along with the Strategy Paper the Commission has also presented Country Reports for a first group of seven neighbours<sup>215</sup> (Moldova, Ukraine,

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<sup>213</sup> Ibid., p.2

<sup>214</sup> COM(2004) 373 final, p.27

<sup>215</sup> COM(2004) 373 final: SEC(2004) 564, 565, 566, 567, 568, 569, 570.

Morocco, Tunisia, Jordan, Israel and the Palestinian Authority).<sup>216</sup> On the basis of the Strategy Paper, the Commission on 9 December 2004 presented a first set of draft Action Plans with partner countries. The Action Plans of these countries are adopted by the European Council in February 2005 and formally entered into force upon approval by the competent authorities in the neighbouring countries .

For each country, the Action Plan identifies a set of measures to be implemented by each party over the next three to five years. The implementation and monitoring of these first seven ENP Action Plans is under way, and is kept under review through the institutions of the Partnership and Cooperation and Association Agreement.<sup>217</sup>

In March 2005, Country Reports were prepared for a second group of neighbour countries (Egypt, Lebanon, Armenia, Azerbaijan and Georgia). Subject to agreement by the European Council, these Country Reports have been following by the negotiation of Action Plans during 2005.

The Commission states that partners have begun implementing the agreed priorities, in line with clear timetables. For example, the Government of Moldova has made the ENP Action Plan the centrepiece of its reform strategy and some Mediterranean countries see ENP as a means of accelerating their own reform programmes (e.g. Jordan's linkage with its own National Agenda) and achieving the enhanced status in relations with the EU they have long sought.<sup>218</sup>

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<sup>216</sup> These countries were selected from the neighbours with which the EU already maintained an advanced level of relations, since these provide the necessary legal and institutional framework for intensified cooperation

<sup>217</sup> Commission of the European Communities, Communication to the Commission "Implementing and Promoting the European Neighbourhood Policy Brussels, Sec(2005) 1521, 22 November 2005. Available at: <[http://www.eu.int/comm/world/enp/documents/sec\\_2005\\_1521\\_en.pdf](http://www.eu.int/comm/world/enp/documents/sec_2005_1521_en.pdf)

<sup>218</sup> Ibid., p.3.

### 3.4. Priorities and Objectives

The Neighbourhood Policy has a wide stabilizing and preventive scope. It has two main objectives: strengthening stability, security and well-being for EU member states and neighbouring countries, and preventing the emergence of new dividing lines between the enlarged EU and its neighbours<sup>219</sup> by creating a ‘ring of friends’ from Morocco to Russia and the Black Sea<sup>220</sup>. In the short term, neighbour countries will be offered reinforced relations through the chance to participate in various EU activities through greater co-operation; while in the long term, the Union will offer partner countries an increasingly close relationship, going beyond cooperation to involve a significant measure of economic and political integration<sup>221</sup>.

The EU is to offer benefits, basically a stake in the EU’s internal market, to be accompanied by further integration and liberalisation to promote the free movement of persons, goods, services and capital. Through a process of positive conditionality, these benefits will be linked to political and economic reform. In change of the above mentioned offer, the Union asks neighbours their commitment to:

*“... common values principally within the fields of the rule of law, good governance, the respect for human rights, including minority rights, the promotion of good neighbourly relations, and the principles of market economy and sustainable development. Commitments will also be sought to certain essential aspects of the EU’s external action, including, in particular, the fight against terrorism and the*

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<sup>219</sup> COM(2004) 373 p. 3.

<sup>220</sup> COM(2003)104, p.4

<sup>221</sup> COM(2003)104, p.3 and 5.

*proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.”*<sup>222</sup>

Therefore the Neighbourhood Policy’s overall objectives could be summarized as:

- i. Preventing conflicts in the neighbourhood and acts of aggression against the European Union;
- ii. Settling ongoing disputes and conflicts and ensuring long-term post-conflict peace-building;
- iii. Establishing close economic and political partnerships based on shared values, prosperity and security;
- iv. Controlling migration and all forms of illegal trafficking towards the European Union;
- v. Protecting the security of EU citizens living abroad.<sup>223</sup>

The mechanism for cooperation is simple: in return for effective implementation of reforms (including aligning national legislation with the EU *acquis*), EU will grant closer economic integration with the prospect of realizing the so-called Four Freedoms within the “Wider Europe”.

Indeed, the EU intends to use the ENP as a social engineering instrument, one that promotes democracy, good governance, rule of law, as well as civil, political, economic, social and cultural human rights. In its policies, the EU acts in a manner similar to any regional power that has a stake in preserving stability on its doorstep.<sup>224</sup> Economic integration is presented as an incentive rather than a shared objective. The implication is that the Neighbourhood countries will be the potential

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<sup>222</sup> COM(2004) 373 final, p.

<sup>223</sup> EGMONT PAPER 1, p.

<sup>224</sup> MISSIROLI, A., and QUILLE, G., “European Security in Flux” in CAMERAN, F., (ed.) *The Future of Europe Integration and Enlargement*, Routledge, London, 2004, p.23



beneficiaries of this economic integration, as long as they demonstrate the economic and legal ability to take that step, and the readiness to share wider Union policy objectives.

The policy objective is to soften the meeting of the European Union with the significant problems of the countries in the areas surrounding the Union, and build strong, continuous and productive cooperative relations with the neighbouring countries. This outcome will make the European Union a credible foreign policy actor.<sup>225</sup> Further more the EU also hopes that the ENP will reinforce its involvement in the Middle East peace process. In that respect the ENP should be seen not only as an economic instrument but rather as an explanation by the EU of its intention to promote the values and objectives as part of its overall strategic approach in external relations, in general, and in the Middle East, in particular.

### **3.5. First Results and Future Challenges**

EU policy towards its new neighbours has been working its way slowly up the policy agenda. However, ENP puts it at a high level of priority for the Union, an issue of security policy as well as more general external policy. It is a policy which will affect the functioning of the EU itself; for example in its immigration and border policies. Therefore, it is also an issue of importance to many of the new Member States. However it is too early to assess whether the ENP will be a real common and joint effort. Further studies will analyse to what extent ENP has introduced a real

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<sup>225</sup> ATTINA, F., “European Neighbourhood Policy and the Building of Security around Europe” in ATTINA, F. and ROSSI, R., (eds.), *European Neighbourhood Policy: Political, Economic and Social Issues*, Catania, University of Catania, 2004, p. 16.

change in EU cooperation approaches and in EU foreign policy, or whether the shift remains only within the languages and terms introduced.

Although ENP is relatively a new policy, there are some points which needs to be addressed considering the future challenges:

Firstly, the ENP ignores the fact that some of the neighbours are eligible for membership in terms of Article 49 TEU and some are not. It simply tries to disassociate itself from the question of membership: the ENP does not promise membership, and “*should be seen as separate from the question of possible EU accession*”.<sup>226</sup> On the other hand, it must be said that although not designed to prepare the Neighbourhood countries for membership, fulfilment of the targets of the Action Plans is likely to enhance the readiness of those countries to apply for membership.

The prospect of membership of the Union is the ‘golden carrot’ which can most effectively support the necessary internal political and economic transformations among the peripheral states. As a practical -policy keeping open or leaving ambiguous the future borders of the Union- preserves the most powerful instrument of the Union for promoting the desired processes of economic liberalization and democratization.<sup>227</sup> As a consequence, while the question of how to prevent the negative impact of leaving most effective foreign policy tool at EU’s disposal is emerging, there is a possibility that the exclusionary effects of European integration

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<sup>226</sup> General Affairs and External Relations Council, Conclusions on a Wider Europe - New Neighbourhood , 16 June 2003 par.2.

<sup>227</sup> DANNREUTHER, R., p. 204.

can come to the fore. This can be especially the case if the ENP becomes a framework for excluding genuinely European countries like Ukraine from EU membership. In fact, the Ukrainian example goes to the heart of the ENP's inherent weaknesses. The most severe criticism of the European Commission's approach came from Ukraine: The prospect offered to them was disappointing and unclear, as any form of reference to possible EU membership is avoided.<sup>228</sup> Perhaps the ENP's most serious problem is its confusion with the accession agenda. At least for some countries (such as Ukraine but also Moldova to some extent), the argument that the ENP must necessarily be an alternative to accession is not completely credible.

The final aim of cooperation is that after a gradual convergence to the EU standards, the neighbours would be allowed to share with the EU "everything but institutions."<sup>229</sup> However, the dilemma is that the EU stops expanding, which would mean denying one of its founding principles: to be open to all European democracies. This could also have the effect of undermining reform processes in the periphery, also provoking or increasing political and societal instability in these regions and connecting with security hazards that already exists such as, terrorism, trafficking, weapons of mass destruction, trans-border crime, illegal migration, etc.

Political engagement, the acceptance of security responsibility in the new and old neighbours, concrete a commitment to extending stability.<sup>230</sup> But it has to be said that, even enlargement, as a security policy, has been effective only in as much as it

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<sup>228</sup> European Economic And Social Committee, Opinion on "Wider Europe – Neighbourhood: A New Framework For Relations With Our Eastern And Southern Neighbours (COM(2003) 104 Final)" Brussels, 11 December 2003, p.3. Available at: < [http://eescopinions.esc.eu.int/viewdoc.aspx?doc=\esppub1\esp\\_public\ces\rex\rex133\en\ces1622-2003\\_ac\\_en.doc](http://eescopinions.esc.eu.int/viewdoc.aspx?doc=\esppub1\esp_public\ces\rex\rex133\en\ces1622-2003_ac_en.doc)

<sup>229</sup> PRODI, A Wider Europe – A Proximity Policy...

<sup>230</sup> BATT, J., et al., p.127.

could exercise some strict ‘conditionality’: if EU eventual membership is not in play, managing relations with neighbouring countries may become much more complicated<sup>231</sup>. This is perhaps the ENP’s greatest challenge: it may be interpreted that neighbour status is a substitute for EU membership. This is an important issue because, the prospects of full EU membership served as a critical engine for policy reforms and institutional development in the new member states. Even for the Balkan states, the promise of eventual EU membership is already a powerful external incentive for reform. Under the ENP, the Union might achieve beneficial leverage on developments in the periphery without further accession negotiations. On the other hand, a weak neighbourhood policy, or one offering weak incentives in relation to heavy obligations, could worsen the situation. It could create scepticism over the real intentions of the EU. The EU must move beyond a concentration on conditionality and accession / non-accession as the only tools at its proximity to advance its interests inside and beyond its borders. With the development of the CFSP and ESDP, with all their problems and weaknesses, the EU must develop a strategic vision of its new neighbourhood. Such a vision requires looking beyond the whole question of accession to the definition of EU interests in particular regions, EU priorities in terms of threat on its borders and EU capabilities to respond to these.

Secondly, it is obvious that economic development through reform and trade goes hand in hand with stability and thus the EU’s strategy towards its neighbours will contain a significant economic dimension.<sup>232</sup> However EU policies towards the new and old neighbours are heavily economic and technical. For example in the case of Association Agreements; the economic content of association to the Community is

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<sup>231</sup> MISSIROLI, A., (2003), p.3

<sup>232</sup> BATT, J., et al., p.124.

rich that it usually involves industrial free trade, financial assistance and measures promoting the gradual adaptation of the partner country to EU legislation. However, the political value of association seems unsatisfactory: it offers a form of external relations, even it is the closest when compared to the whole set of ties between the EU and the outside world, but it is located outside the scope of European identity and solidarity<sup>233</sup>. The ENP should not make the same mistake and should not be politically devalued.

The EU should not only focus on economic and legislative integration with its neighbours – as a way to stabilise them-, but also on mutual trust and collective identity to make ENP a solid and durable initiative over time. European neighbourhood project is strictly linked to the Union's capacity in involving neighbours in the construction of a common region. EU should induce its neighbours to accept not only the material benefits deriving from an enhanced relation with it, but also to embrace a far-reaching project of an inevitable shared future.

However, even relating to the financial dimension of the possible offers to be offered under the ENP, there seems a problem. The achievement of ENP vision of increasing stability, security and well-being relies on cost-effective measures and practices, and above all on sharing them with other states. The procedures may play a strategic impact in the EU's stability promotion. The Commission's offer of 'everything but institutions' and the 'prospect of a stake in the EU's Internal Market and further integration and liberalisation to promote the free movement of persons, goods,

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<sup>233</sup> BALAZS, P., "Towards a Pan-Euro- Mediterranean Regional Integration- Motivation and Objectives", in *The EU's Enlargement and Mediterranean Strategies*", Palgrave, 2001, p. 374

services and capital<sup>234</sup> is in fact have two aspects. As the Commission has pointed out itself, if a country reaches this level, it has come as close to the EU as is possible without being a member.<sup>235</sup> However, there is a fact that to reach this level is not so easy as the socio-economic, demographic, and institutional gaps between the new enlarged EU and its new neighbours are significant. In the economy, per-capita GDP for the new neighbours in the NIS is slightly above \$3,000. This is a quarter of the average level of the new member states, and one tenth that of the richest European countries. In demographic terms, infant mortality rates for children born in the neighbourhood countries are four times higher than rates for the new member states. In terms of institutional development, there can be little doubt that the neighbours remain many years away from the rule of law needed to conform with the Copenhagen criteria or the *acquis communautaire*. Both of these factors are likely to weaken to the stabilising effect of the ENP.

The other aspect is that the economic benefits of the ENP can also be seen to be positive and significant that the neighbouring country can benefit from economic integration in the world's most successful single market. For countries such as Morocco and Tunisia, this prospect is definitely highly attractive as their trade structures are directed almost entirely to the EU. Eventually, it would entail that their agricultural and textile exports would no longer be exposed to the EU's system of export contingents, export calendars and reference prices.<sup>236</sup> However, to make it work it will require higher levels of resourcing and a real financial commitment from Member States. The pressure on internal cohesion may well make it difficult to spend much more on cohesion policies towards the New Neighbours. Besides, any

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<sup>234</sup> COM(2003) 104 final, p. 10

<sup>235</sup> Ibid

<sup>236</sup> DEL SARTO, R. A.; SCHUMACHER, T., p.30.

partner wishing to participate in the single market must bring its entire regulatory system in line with the Commission's requirements. This means the full harmonization of standards for goods and services, the implementation of Community policies in the fields of agriculture, industry, transportation, telecommunication, energy and the environment, the adoption of the EC's common competition policy, and the establishment of surveillance and enforcement mechanisms. The list of tasks and obligations is endless and its fulfilment requires the full support of all major political and economic actors but also of the societies concerned. Therefore, massive financial and technical assistance to the partner states in the transformation process could contribute to overcome the various handicaps.

The last point is that, the Commission's Communication of March 2003 argues that in spite of the differences between the different partners, mutual interests exist between all Neighbourhood partners, characterised by the Commission in terms of proximity to the EU, prosperity and poverty. Although these mutual interests may exist, they are more obvious to the EU than to the neighbours. The differences lie not only in their geo-political situation and economic and political development, but also in the history of their relations with the EU. Besides, as the policy will be structured around "a differentiated framework, which responds to progress made by the partner countries in defined areas"<sup>237</sup> it carries the risk that existing differences between the neighbours in their relations with the EU will grow wider rather than narrower. But more importantly, differentiation in this sense cuts across the Union's stated aim of joint ownership. The relationship will remain one in which the actions of one are

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<sup>237</sup> General Affairs and External Relations Council, Conclusions on a Wider Europe - New Neighbourhood , 16 June 2003 par.5. Available at: <[http://www.eu.int/comm/world/enp/pdf/cc06\\_03.pdf](http://www.eu.int/comm/world/enp/pdf/cc06_03.pdf)>

judged by the other. There is no doubt that the agenda is being set by the Union and focuses on Union priorities, including border security, regional stability and the rule of law. But the objectives and means would be negotiable and the EU should consult the partners and include the new neighbours in setting the agenda.

Moreover, the ENP is not supported by regional forums or new institutions, in charge of safeguarding mutual interests<sup>238</sup> which can guarantee the partners effective participation in the new policy's elaboration and implementation. The Commission verifies the lack of institutional dimension: "*The European Union is not seeking to establish new bodies or organisations, but rather to support existing entities and encourage their further development.*"<sup>239</sup>

It is worth stressing that 'wider Europe' and the ENP are still evolving and should be considered as a process in terms of both time and space. Certainly, these considerations also apply to the questions of what Europe is and where it ends. As the history of European integration has shown, there have never been definite answers to these questions<sup>240</sup>. And as the temporary borders of Europe and its neighbours that is emerging after the last round of enlargement is far from being final, it is not possible to think about final settlement of borders, but about transitions, developments and about progress.<sup>241</sup>

In addition, the ENP is the first attempt by the EU to create and structure a united environment in which neighbours adhere to European values and organizational principles, in exchange for a friendly and highly supportive EU without the promise

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<sup>238</sup> MOSCHELLA, M., p. 61.

<sup>239</sup> COM(2004) 373 final, p.21

<sup>240</sup> ANDERSON, M., BORT, E., *The Frontiers of the EU*, Palgrave, 2001, p.178

<sup>241</sup> 129th Bergedorf Round Table, p.70



of full membership. As Michael Smith has suggested that “*after spending most of its life practising the ‘politics of exclusion’, the European Union has moved towards a ‘politics of inclusion’ to reflect the changing demands of the European order.*”<sup>242</sup>

The ENP verifies Smith’s thesis of a shift towards ‘politics of inclusion’ addressing the challenge to define the EU’s relations with its European neighbours to the east and the south.

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<sup>242</sup> SMITH M., “The European Union and a Changing Europe: Establishing the Boundaries of Order” *Journal of Common Market Studies*, Vol.34, No.1, 1996, p. 5.

## CONCLUSION

EU's neighbourhood policy combines a foreign policy strategy geared at stabilization and integration with the attempt to bind third countries to the pursuit of internal policy goals. In the past, the EU's approaches towards the neighbouring countries have varied from treating the new neighbours as potential EU candidates and engaging with them through the accession process, to offering different "partnerships" which have often been spiced with the element of a prospective free trade area with the European Union. But now the EU's new neighbours are increasingly falling into the category of countries that the EU cannot, or does not want to, integrate.

Since March 2003, the ENP has launched a debate in the enlarged EU and with its neighbours on the requirements of new circumstances and possible avenues for increased cooperation between them. Therefore, it is possible to consider that the ENP is first and foremost a response to the changing composition, shifting borders, and altered geopolitical outlook of the EU.

The ENP represents an important breakthrough, in a number of respects. First, this policy is an attempt to surround the EU with a "ring of friends" by redefining and upgrading the EU's relations with its NIS and Southern Mediterranean neighbours. By tying the EU's old and new neighbours closer to itself and interconnecting the neighbourhood in terms of trade and political relations, energy, infrastructure, and telecommunication, networks the EU aims to counterbalance possible fears that the

future borders of the Union will become a new dividing line in Europe. The emphasis is on promoting stability both within and between the Neighbouring States, and economic and social development leading to increased prosperity and security on the EU's borders.

Second, the ENP brings a certain air of finality to the demarcation of the EU's present borders. This suggests that at least some European countries may never accede to the EU. As such, the ENP is not fully in line with the EU's 1999 Amsterdam Treaty, which declared that EU membership is open to all European countries that fulfil the Copenhagen criteria of the Union's market democracy.

Third, the ENP is an attempt to create a "second best" alternative to EU membership, whose attractiveness would go beyond other forms of non-membership. The challenge is to create an alternative and attractive enough to induce the sort of "reform for market access, financial and technical assistance" bargains that were instrumental in supporting the successful transitions in the new member states. The mechanisms for achieving this objective may be summarised as the offer of an enhanced relationship with the EU, that would be 'as close to the Union as can be without being a member' and the use of instruments derived from the pre-accession process, including Action Plans with agreed reform targets. In the short term, the main instrument to realize the policy will be Action Plans, while in the long term the main instrument should be European Neighbourhood Agreements.

The regional approach in this policy has been almost put aside, possibly due to the fact that regionalism has not long life when is not really wanted by the concerning

countries. The reason is that there is a high degree of heterogeneity among the regional units included in the ENP. Therefore, the dynamic of interactions among countries involved will be ruled by bilateral agreements signed by the Union, on one side, and each neighbour, on the other. The progress will be measured on the basis of specific benchmarks, i.e. precise and verifiable parameters that can be assessed both quantitatively and qualitatively.

Furthermore, the evolving nature of the ENP also impacts on the coherence of the EU's Mediterranean policy. Ten years after its launch, it has become clear that the Euro-Mediterranean Partnership has not reached all its objectives and in particular has not led to the hope for catching up of Mediterranean living standards with those of the EU.

The ENP opens the possibility for a far-reaching association of the EU's eastern and southern European neighbours, which proposes an alternative to membership. The EU expects to export welfare, security and its experience of harmonizing national interests to its peripheries. As the wider European community can only be based on common values and objectives as well as on common rules and institutions, the achievement of the EU for the future of the continent would be extension of its welfare, prosperity, its identity and solidarity.

However, the novelty of the ENP is that it is not a one-time programme; it is a political framework concept that will further have a substantial impact on all single policies. It remains questionable, whether the EU will be able to develop a coherent, coordinated, and realistic policy towards the NCs in the years to come. The emerging

question is whether ENP incentives will make neighbours accept the political conditionality or whether the planned structures will work in the absence of membership as a target or not. And how to motivate less developed EU neighbours to accept European values without becoming full members of the EU in order to enhance security in the EU neighbouring areas including support to implementation of policies leading to economic growth, transformation to democracy and functioning market economy in these countries. It is clear that the lack of membership prospects or other attractive incentives poses serious limits to this policy. The ENP addresses this challenge by offering full participation in the single market, including freedom of movement

It is no surprise that the Neighbourhood policy is marked by many uncertainties and open questions. At the same time, the current process of redefining, and re-balancing the ENP can be expected to continue for the time being. Although it is too early to predict the outcome of the EU's new neighbourhood relations, the processes and activities confirm the EU's strengthening commitment to intensify the relationship with its neighbours.

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