

The European neighborhood policy at the time of its implementation : which action plan ?

Since 2003, the European Neighborhood Policy (ENP) has proposed close cooperation with new neighbors of the European Union in numerous domains in exchange for a commitment to respect "common values".

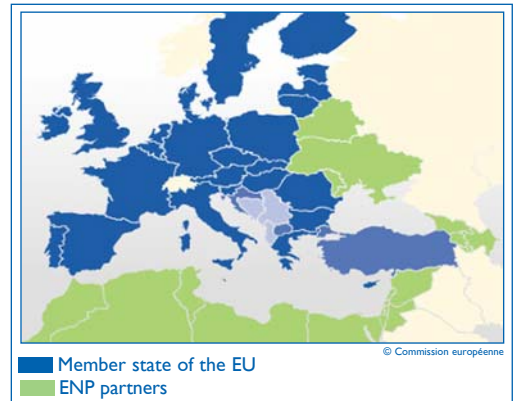
One year after its first review, the European Commission- responding to the call made by German presidency in June 2007- published a series of measures aimed at ameliorating the policy, judged "vigoureuse". If the communication confirms the fundamental character of the ENP for the EU, it settles on skimming themes of reflection that are yet crucial to the future of relations between the EU and its neighbors. If the European Union wants to prove its capacity to influence its environment, it cannot economize on in-depth reflection on the inclusion of partner countries in its policies and on the finality of the ENP.

Origins and objectives of the European Neighborhood Policy

The neighborhood policy was born from the awareness, in the beginning of the new millennium, of the external consequences of the fifth wave of enlargement. Several EU Member States (Sweden, Finland, United Kingdom) and candidate countries (Poland) are at the origin of this reflection, and international events (the September 11 2001 attacks) also played a role in placing security questions at the head of the agenda. With the new borders issued from the fifth wave of enlargement, the EU is from now on in contact with countries much more poor and less democratic- even dictators, for example in Belarus. It is also confronted with new threat: conflicts, called "frozen", organized crime and diverse trafficking, clandestine immigration, environmental threats.

The neighborhood policy, which brings together the countries currently bordering the Union (1), was created to respond to these challenges. Its objectives, summarized in a European Commission document titled "Wider Europe"(2), are held in three words: stability, security, and prosperity. The fundamental idea is to offer new neighbors the possibility of participating in the internal market and in certain Union policies, in exchange for progress in the respect of "common" values (democracy, rule of law, respect for human rights). What the Union hopes for, is the creation of positive interdependence with its neighbors, relying on the development of economic exchanges and the attachment of these countries to the circle of the rule of law, so as to avoid the appearance of new fractures on the continent.

The methods and instruments used in the framework of the neighborhood policy are largely inspired by those developed at the time of the accession process of the 12 new members added during the 1990's. One finds, for example, in the neighborhood policy, the use of conditionality, and also TAIEX and Twinning, assistance instruments created during the 90's to facilitate the adoption and putting in place of the "acquis communautaire". At the same time, the ENP claims to be distinct from enlargement. The policy does not propose, in the short or long term, accession prospects for new neighbors. Moreover, if the ENP is inspired by enlargement methods, its tools are much larger; in facing natural and diverse challenges (notably those of security), the policy gathers instruments of the Union's three pillars.



CHRONOLOGY

2002

August : Letter to the Council of Chris Patten, Commissioner of External Relations, and Javier Solana, High Representative of the PESC, evoking the contours of a "new neighborhood policy".

2003

March : communication of the European Commission "Enlarged Europe- Neighborhood: a new framework for relations with neighbors in the East and the South".

December : adoption by the European Council of the document, "A Safe Europe in a Better World". European Security Strategy.

2004

May : enlargement of the EU by 10 new members; publication by the European Commission of the "strategy of the neighborhood policy document", approved in June by the Council.

2005

February : adoption by the Council of 7 Action Plans (Israel, Jordan, Moldavia, Morocco, Palestinian Authority, Tunisia, and the Ukraine).

2006

November : adoption of Actions Plans for Armenia, Azerbaijan, and Georgia.

December : Communication of the European Commission "Reinforcing the Neighborhood Policy".

2007

January : accession of Bulgaria and Romania to the EU, the vigorous entry into force of the European Instrument of Partnership and Neighborhood.

March : beginnings of negotiations between the Ukraine and the European Union for a new agreement; adoption of the Action Plan for Egypt.

April : beginning of the Black Sea Synergy, new regional initiative
December : Communication of the European Commission, "A vigorous neighborhood policy".

USEFUL LINKS

ENP Internet Site :
<http://ec.europa.eu/comm/world/enp>

Special number EPER on the neighborhood policy :
http://ec.europa.eu/external_relations/index.htm

Euro barometer "The European Union and its neighbors":
http://ec.europa.eu/public_opinion/archives/ebs/ebs_259_sum_fr.pdf

A Euro-centered Policy

The conception and the instruments of the neighborhood policy pose two large questions, both fundamental to the impact of the ENP and also to the international influence of the European Union: the taking into account the expectations and positions of partner countries and the coherence of European policy.

The participation of neighbors in the elaboration of the ENP : a joint political process?

The ENP presents the principle of joint ownership, that is to say that the political priorities of a neighbor country are defined in common by the Union and the country in question, then noted in the Plans of Action, keystones of the neighborhood policy; moreover, the evolution and the modulation of the policy lay equally in the reforms undertaken in neighbor countries.

Nonetheless, in what measure is this process joint? Even the conception of the neighborhood policy is the act of the Union and results from the vision of a European periphery that would present "similar problems" for the EU. Thus, the neighborhood policy was created for the European Union and for this "periphery". It unites within the same framework countries whose only point in common is a border with the Union, to the South and to the East. It is thus a "Euro-centered" policy. The existence of a predefined strategic framework (summarized by phrases such as that of Romano Prodi/ "everything but the institutions") singularly complicates the inclusion of the preferences of neighbor countries, if it does not make it impossible. The Ukraine is a good example of this, as a country that would like to join the EU it is for the moment constrained from progress by the path of reform within the framework of ENP, that is to say without a clear prospect for adhesion. The leeway for partner countries is so much reduced that the relation between the EU and its neighbors is asymmetric. The Union represents a pole of attraction and an important commercial partner for most partner countries. It thus has the upper-hand in negotiations, even if it does not possess the same scope of action as with the candidate countries, in the absence of the promise of adhesion.

For the European Commission, the principle of differentiation- that it places at the heart of the neighborhood policy- correctly takes into account the positions of partner countries. This principle led to the distinction between two countries, the Ukraine and Morocco, at the heart of the neighborhood policy. Both are the principle beneficiaries of European assistance supplied under the ENP, whether the "European Instrument of Partnership and of Neighborhood" for the 2007-2010 period, or the Facility of Governance, created at the end of 2006. The opening of negotiations for a strengthened agreement with the Ukraine in March 2007 and discussions on the granting of an "advanced statute" in Morocco reflect the desire to adjust European policy according to the situation and the progress of each country. From this perspective, the growing differences between partner countries are a sign of the smooth running of the policy, as the European Commission notes in its last communication (3).

All things considered, differentiation is not a synonym for appropriation. The Union has not, for the instant, lead fundamental dialogue with partner countries concerning their long-term expectations. Faced with the reluctance of the Ukraine, however, the Union has renounced its call for the neighborhood agreement for the new treaty in the process of negotiation. Nonetheless, the definition of an "absorption capacity" for the EU and the clearer distinction between the neighborhood policy and the enlargement policy (4), enable the Union to evade questions concerning the European aspirations of the Ukraine and Georgia. This art of the dodge, justified by the necessity to "digest" the fifth wave of enlargement, seems tenable with difficulty in the long-term. The European Parliament is fully conscious of this, and has called several times for giving a European prospect to certain partner countries such as the Ukraine and Moldavia (5).

Differentiation and coherence: which is the unifying thread of the neighborhood policy?

The inclusion of the aspirations of partner countries seems difficult in light of the second question, that of the coherence instilled in the neighborhood policy. An indubitable sign of success since it allows for the adaptation of the situations of different countries, differentiation does, however, carry dangerous risks for the ENP. With the continued use of differentiation, the policy could start to resemble a mosaic of agreements and instruments, reflecting a neighborhood at many different speeds. The unification of European assistance programs (TACIS, MEDA) in the European Neighbor and Partner Instrument, in place since January of 2007, is undoubtedly an important factor in the operational cohesion of the ENP.

Yet, the cohesion policy seems more difficult to ensure, because even the design of the ENP makes the EU its exclusive and inescapable center. Consequently, as the European Parliament records (6), the regional cooperation and the multilateral dimension are today, cruelly flawed in the neighborhood policy. In fact, the ENP adds to the political and legal framework (Euro-Mediterranean partnership, association agreements, partnership and cooperation agreements) existing with each partner country but does not replace it. Thus, if regional cooperation is an important component of the Euro-Mediterranean relationship in the framework of the Barcelona Process, it represents an important portion of European politics developed in the ex-USSR. Moreover, since it relies on bilateral relations between the Union and each partner country, the neighborhood policy has not created institutions uniting the Union and the ensemble of partner countries. If the absence of new institutions easily justifies itself (notably for reasons of political efficiency), the lack of dialogue between partner countries is likely to put a strain on the cohesion of the ENP. Above all, this gap echoes a fundamental problem inherent in the neighborhood policy: it brings together very diverse zones, countries with very different situations and geopolitical interests. Under these conditions, the sharing of a border with the Union seems a thin common denominator.

The improvements proposed by the European Commission between 2006-2007, mentioned in its communications between December 2006(7) and December 2007 (8), seem insufficient with regards to the questions they provoke.

Begun in April 2007, the Black Sea Synergy is presented by the Commission as a response to the calls demanding a regional framework for the East. In bringing together countries whose relations with the Union are governed by different policies (ENP, strategic partnership with Russia, policy enlargement with Turkey), the initiative risks acting as a mosaic of activities without creating any real regional bond. Concerning the multilateral dimension of the ENP, the first neighborhood conference, organized in September in Brussels, and extremely hyped by the European Commission, actually reinforces the impression of artificial construction. The Georgian proposition in 2008 to welcome a second conference could, in institutionalizing a forum between partner countries and the ENP, provide an impetus for dialogue emanating from neighbor countries.

The facilities created in 2006- good governance and investment funds- to reinforce the benefits offered by the neighborhood policy, have well served already motivated neighbors, namely the Ukraine and Morocco. If they represent a step ahead for the countries of the Caucuses in relation to the partnership agreements, the in-depth free-exchange agreements proposed by the European Commission that are modeled after the current agreement in the process of being negotiated with the Ukraine, do not offer anything new to Mediterranean countries, the Ukraine, or Moldavia. The eventuality of a free-exchange zone (expected around 2010K) has in effect, been called for since the beginning of the Barcelona Process, like the partnership agreements signed with Russia, the Ukraine, and Moldavia. The strengthening of mobility- within a secure framework- between the Union and partner countries is promising for the citizens of these countries. However, in this domain, as with economic integration, the prospects seem limited by the interests of Member States. Each member has its proper priorities in the neighborhood, certain being more reticent towards facilitating the visa process and access to the common market for those partner countries that are considered potential competitors and possible sources of immigration. The Union is thus confronted with the question of cohesion.

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(1) Namely the 12 countries of the Euro-Mediterranean partnership, the Occidental states of the former Soviet Union (Ukraine, Moldavia), and the three countries of the Caucuses. Russia did not want to participate in the neighborhood policy, preferring to develop its relationship with the EU on a bilateral level

(2) Communication of the Commission to the European Council and Parliament, "An Enlarged Europe-Neighborhood: a new framework for relations with neighbors to the east and to the south" COM 2003 (104) final, 11/03/2003, http://ec.europa.eu/world/enp/pdf/com03_104_fr.pdf

(3) European Commission, "A Vigorous Neighborhood Policy," COM 2007 (744) final, 5/12/2007. http://ec.europa.eu/world/enp/pdf/com07_774_fr.pdf

(4) For more information on this subject, see Eneko Landaburu's "From Neighborhood to Integration Policy: are there concrete alternatives to enlargement?" conference CEPS "Revitalizing Europe", Brussels, 23/01/2006; European Union Council of General Affairs 18/19 June 2007, Report to the President, "Strengthening the European Neighborhood Policy. Presidency Progress Report" and European Commission, "A Vigorous Neighborhood Policy", op.cit.

(5) See in particular the last resolution of Parliament, "Strengthening the European Neighborhood Policy" (2007/12088 (INI)), Strasbourg, 15 November 2007.

(6) Ibidem and resolution of the European Parliament on the European Neighborhood Policy (2004/2166 (INI) Strasbourg, 19 January 2006.

(7) Communication of the Commission and Council and of European Parliament, relative to the reinforcement of the European Neighborhood Policy, COM 2006 (726 final), 4/12/2006, http://ec.europa.eu/world/enp/pdf/com06_726_fr.pdf

(8) European Commission, op.cit.