

# Rise and Decline of the European Neighbourhood Policy

**Andrea Amato**

President

The Mediterranean Institute (IMED), Rome

When a new European policy is born it is not easy to understand immediately the real motivations. Official documents exist of course, but often they do not tell the whole truth. Moreover, these are the point of convergence between political aspirations which may be different, but which in any case will have to undergo the steamroller of the European Commission's bureaucracy.

Thus, in the months that follow the launch, the cruder motivations, which cannot be made explicit until the end, are covered over with arguments inspired by noble sentiments. Besides this, other voices raised asserting that, while it is true that the proposal presents limitations and risks, if the right modifications are made it may in the end generate a policy of great scope, of great strategic vision... but this dance of interpretations does not last long. There are two litmus tests that reveal the true nature of the policy in question: its actual implementation and the perception that the parties to whom it is directed have of it. The European Neighbourhood Policy (ENP) is no exception to that rule. The first move for a European policy of this kind came from the British government<sup>1</sup> in 2002. The main concern expressed without evasions regarded the fact that the enlargement to the East would put the European Union in direct contact with three ex-Soviet republics, Ukraine, Belarus and Moldova, whose precarious economic situation and unimpressive democratic record would certainly pose serious risks for the Union – especially in the matter of clandestine immi-

gration and illegal cross-border traffic. The suggestion was therefore made to pay incentives to those countries in exchange for advances in terms of political and economic reforms, granting the countries a special neighbourhood status based on commitment to democratic principles and the free market. The idea was not a new one: in 1999 the European Commission's planning cell had outlined some possible post-enlargement scenarios up to 2010, in which it proposed the so-called "*cordon sanitaire*" to guard against turbulent neighbours which the EU would have on its doorstep (Gilles, 1999). Specifically, among the different scenarios, the British government proposed the externalisation of governance with the geopolitical corollary of the construction of a "grey area" between the EU and Russia. After this proposal, characterised by motives exquisitely and explicitly utilitarian, i.e. determined by primarily European interests, there began a process of proposals, discussions, formal decisions and subsequent adjustments, which went on for a couple of years and in which the different actors sought to modify the nascent neighbourhood policy in accordance with their own interests and visions. There were those who thought to take the opportunity to promote a wider geopolitical vision. That was the case of the Swedish government, which three months after the British proposal relaunched it but widening its area of intervention to Russia, the South of the Mediterranean and the Middle East<sup>2</sup>. It was, however, mainly the European Parliament that, commenting on the first communication from the Commission, supported the idea of undertaking a neighbourhood policy but proposing a very different version from the one proposed by the Commission, completely re-centring the strategic axis (EP Resolution, 2003). The Euro-

<sup>1</sup> Letter of the British Foreign Secretary Jack Straw to the Spanish Presidency of the EU, 28th January 2002.

<sup>2</sup> Letter of the Swedish Foreign Minister Anna Lindh, and the Minister of Trade, Leif Pagrotsky, to the Spanish Presidency of the EU, 8th March 2002.

pean Parliament in effect relaunched an old geopolitical suggestion, present in the debate that had preceded the birth of the Barcelona Process: the construction of a strategic area embracing the whole of Europe (including Russia and the republics of the Caucasus), the Mediterranean and the Middle East<sup>3</sup>. The Resolution refers to “a great pan-European and Mediterranean region” where real common policies, regional and sub-regional as well as bilateral, would have the objective of building a space of free circulation of persons, goods, services and capital. In line with this ambitious geopolitical vision there were proposals for unpublished geographical enlargements (the Draft Report of 2003 also evokes Iraq, Iran and the Gulf states) and the inclusion of the Balkans and Turkey in spite of their status as candidate countries (actual or potential).

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Of all these proposals, the Council only accepted the extension to the republics of the Caucasus in the two Decisions (GAERC 2003 and 2004) which formalised the birth of the ENP. In fact the opposite tendency prevailed: the one concerned essentially with settling definitively or at least for a long (or very long) period of time the limits of the EU. The ENP was to serve to distinguish and separate “neighbours” from candidates (actual or potential). For that reason the Western Balkans and Turkey were excluded from the “neighbourhood” area. These very same countries, on understanding the situation, took care to keep their distance from the ENP.

To all this should be added the hand of the Commission, which, by assigning the ENP to the services in charge of enlargement, transferred all its methodological and operative instruments to this new policy. Just think about the use of TAIEX<sup>4</sup> and Twinnings<sup>5</sup>,

which were conceived as tools to support the adoption of the *acquis communautaire* by the candidate countries.

This plurality of diverse motivations and centrifugal forces, which characterised the birth of the ENP and also its subsequent development, is the origin of the ambiguities and contradictions that are targets of many reproaches.

The main ambiguity is due to the fact that, while the action of the ENP is directed towards integration with the Union and convergence with the European model, accession does not figure as a final goal. The Commission defines it as membership-neutral, in the sense that it neither offers nor excludes the prospect of accession to the EU. This epistemological effort does not seem sufficient for our associates to live their participation in the ENP with enthusiasm. The interchange proposed (EC 2003) – participation in the interior market and in some policies of the Union, in exchange for reforms oriented towards the “shared values” (democracy and human rights, the rule of law, the market economy) – is experienced in a problematic manner both by the Eastern and the Mediterranean partners. The former, who aspire to joining the EU and consider themselves “Europeans” and not “neighbours”, do not accept with good grace making the same journey as the candidate countries without having the ultimate goal of accession to the EU. To them it is a climb towards the unknown. The latter – who know perfectly well that for them the question of accession does not arise whether within or outside the ENP – consider that prospect unfruitful because of the insufficient material aid and absence or even regression of the political aid. Most of the Mediterranean associates regard the status of “neighbour,” or even worse “good neighbour,” as a demotion compared with that of “member,” and the ENP as a step backward in comparison with the Euro-Mediterranean Partnership (EMP). So much so that one of them, Algeria, has so far refused the invitation to take part. Besides this, reforms carry a high price especially at the political level, and without an adequate reward the process is not worth while.

One of the main contradictions of the ENP is precisely this lack of economic and political rewards of sufficient importance to be a stimulus for making reforms, as the prospect of accession had been for the candidate

<sup>3</sup> Opinion of the Economic and Social Committee G.U. No. C221 of 28/8/1989 par. 2.3.

<sup>4</sup> Council of the European Union, Decision of 23/01/06, Official Journal 4/02/06 L32 (2006/62/EC).

<sup>5</sup> [http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/institution\\_building/twinning\\_en.htm](http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/institution_building/twinning_en.htm)

countries. With the ENP, the EU is abandoning the traditional principle of conditionality. There are two reasons for this: in the first place the Mediterranean members, considering the high level demanded by the reforms, have made clear that they would not accept it, considering it an unacceptable infringement of their national sovereignty<sup>6</sup>. In the second place, the EU had already assessed the full impotence of the conditionality established in the Association Agreement (according to Art. 2 of the EMP Association Agreement), and even before in those of Cooperation, owing to the impossibility of implementing effective economic and political sanctions without damaging the system of political alliances constituting the type of stability sought in the Mediterranean area. For that reason the way of joint ownership (EC 2004) has been chosen, characterised by some tools of positive conditionality: the financing of activities directed to reform and, for the most “deserving” associates, the possibility of further finance and more advanced contractual statutes.

In all the Action Plans that each country has signed with the EU there are particular commitments – and in some cases more generic ones – which the interested countries have assumed “freely” and which concern democracy and human rights. It must be emphasised that the Action Plans are political documents, not legal ones like the Association Agreement and the verification of the effectiveness of the assumed commitments by means of the monitoring tools remains an open question for the majority of the member states (Balfour, 2007). By this manoeuvre all the parties have managed to come out well. The Union can boast of having obtained important commitments in the area of economic and political reforms. Partner countries, in the name of attachment to the EU, can show their readiness to answer the call to take part in a policy for which they are not enthusiastic, without, for the moment, paying excessive political costs. This especially concerns those who have more problems in facing up to democracy and human rights. And it is not a question of put intentions on trial. The divergence between the good intentions of the Action Plans and the effectiveness of the commitments can be discerned by an examination of the allocations of funds in the National Indicative Programmes (NIPs) for interventions of positive conditionality. While the activities in support of democracy in the Eastern neighbours absorb 20% of the financial payments, the

neighbours of the South have only devoted 5% of the subsidies to those activities (EP 2008). There is an obvious connection between the greater commitment of the Eastern neighbours and the prospect, even if not explicitly manifested, of joining the EU. Not having for the moment any other road towards that goal, they also have shown a willingness to participate in an under-appreciated ENP. Besides this, the additional tools of positive conditionality provided in the ENP, to wit the Governance Facility (support for reforms) and the Neighbourhood Investment Fund (EC 2006) – to which only the “prize pupils,” Morocco and Ukraine according to the respective Progress reports, have had access – because of their low financial endowment (EC 2006), represent an effective incentive only for the member states which are already decisively on the path to reform.

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Another point is that the ENP, once again offering the Eastern neighbours the functionalist approach that characterised European integration and the policy of enlargement, is repeating and magnifying the same mistakes. In fact the objective of convergence between the Union and its Neighbours is pursued through integration in the EU's internal market: this means adaptation to the standards of the Union and a substantial asymmetry in the power relations between the EU and its neighbours. It means proposing/imposing policies of co-operation and integration which are dictated more by the interests of the Union, for example in security, than of the partners, as would be the case with the free circulation of persons. The Mediterranean partner countries had already blamed the Eurocentric approach in terms of nature and functioning mechanisms of the EMP, but it becomes in-

<sup>6</sup> According to the Algerian Minister, “the Mediterranean countries found it humiliating that the European demand reforms from us in exchange for a few euros”, Euractiv 30th November 2005.

tolerable in the case of the Eastern countries in the absence of accession to a common entity, such as that of the Partnership, and to what in this case is identified as the “European club.” All this makes the principle of joint ownership remain pure window-dressing. The Eurocentric approach is reflected in the exaltation of bilateralism and of the principle of “differentiation” (EC, 2004). With respect to the overall Mediterranean policy and the EMP, a big step backwards is being taken. There is a return to the policy of the artichoke (eaten leaf by leaf) which typified the first enlargement and which had given up speaking of pre-accession with the Visegrád group (Poland, Hungary, Czechoslovakia).

### **It is necessary to take up again and make effective the European Parliament’s idea of constructing a great “world region”. The first steps in that direction might be: the extension of the EMP to the Gulf States and the transformation of the ENP into an Alliance of essentially political and strategic character**

The lack of a strategic vision and the inability to face up to the regional dimension in a global context has gradually brought the Union to abandoning the multilateral approach in favour of the bilateral. The very insertion of the notion of “special relationship” in Art. 7 of the EU Treaty<sup>7</sup> is in a way a sign of the same retreat. The same tendency is reflected in the ENP. The proof of it is in the present negotiations with Ukraine (EC 2007a) for a new “strengthened agreement” (Ukraine, like Russia, opposed the idea of a Neighbourhood Treaty) (Delcour), with Morocco for an “advanced statute” (EC, 2007a p.10 and EC, 2008 p.10), while a working group is examining the possibility of a special statute for Israel (EC, 2008). The risks of this exasperated differentiation are, on the one side, nullifying the level of cohesion that has been laboriously achieved, though it may be a modest one, between the Mediterranean associates after twelve years of the EMP; and on the other side the risk of turn-

ing the ENP into a kaleidoscope consisting of the sum of multiple and differentiated Treaties.

This atomisation of the ENP shows the whole fallacy of the model of concentric circles which underlies its conception (Amato, 1995). The idea of a “circle of friends” (EC, 2004), coming together because they are contiguous with the EU, never liked to neither of the two groups of partner countries. To the Eastern ones, because of their status of Europeans they feel themselves demoted by fellowship with the Mediterranean partners, who for their part see that re-grouping as the nth expedient for putting their needs and expectations on a secondary level. The truth is that only a pan-European and at the same time pan-Mediterranean geopolitical and geostrategic vision, such as was put forward by the European Parliament in its first Resolution on the ENP, could have kept the two areas together in a coherent way.

Faced with this situation of objective crisis in the general dimension of the ENP, some have advanced the idea of “decentred integration” (Bechev and Nicolaidis, 2007); together with other possible scenarios. The Commission itself had been heading in that direction in the face of the repeated requests of the European Parliament not to lose the regional approach. In this regard the Commission had always stated that, on the one hand, the EMP represented the Southern dimension of the ENP (Wallström, 2005), and on the other hand it has recently taken up the “Black Sea Synergy” (EC, 2007b), which includes, besides the south-east member states, Russia and all the Eastern countries which took part in the ENP: Ukraine, Moldova, Georgia, Armenia and Azerbaijan. While the situation was tending towards “decentred integration,” the French proposal of a Union for the Mediterranean has broken in (EC, 2008). Although it will be limited to the execution of a few large projects of economic and territorial integration in the Mediterranean area, the governance proposals of this Union characterised by principles of joint decision and parity with common institutions and instruments cannot fail to have an influence on the present-day methods and tools of the ENP and the EMP. It will not be able to be a “happy isle” of parity management relegated to the Mediterranean meso-region, set within a Partnership context that remains Eurocentric. Perhaps the Eastern countries will be content with belonging to a wholly European society, with greater certainty to result in accession. Or perhaps they will seek to change the rules of the game as well.

<sup>7</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:0010:0041:EN:PDF>

## NEW PROGRAMMES WITHIN THE ENP

With the new budget cycle (2007-2013), financial support for the European Neighbourhood Policy and ENP countries is provided by a single and more flexible instrument, the European Neighbourhood and Partnership Instrument (ENPI). Until 31st December 2006, EC assistance to countries of the ENP was provided under various programmes including TACIS (for the eastern neighbours and Russia) and MEDA (for the southern Mediterranean neighbours). The ENPI targets sustainable development and approximation to EU policies and standards, it operates in the framework of the existing bilateral agreements between the Community and the neighbouring countries, supporting in particular the ENP Action Plans but going further to support measures leading to progressive participation in the EU's internal market.

In the framework of the ENPI, a Regional Strategy Paper and a Regional Indicative Programme for the Euro-Mediterranean Partnership has been established for the period 2007/2010 in relation to the southern countries of the ENP.

The Regional Indicative Programme identifies three main priorities for the Euro-Mediterranean region and a number of concrete projects and programmes to meet these challenges.

### - 1st Priority: Political, Justice, Security and Migration Cooperation:

- to further strengthen cooperation in the field of civil protection and natural disaster prevention, a long-term project will be carried out in order to develop an effective and sustainable Euro-Mediterranean System to ensure the mitigation, prevention and management of natural and man-made disasters;
- in order to support the conditions for relaunching the peace process, it is necessary to enhance civil society activities and direct contact between the parties. For this reason the EU Partnership for Peace Programme (PfP) is promoted;
- from 2010 the future programme ENPI-JSM (Justice, Security and Migration) will target especially: judicial reforms, counterterrorism, and the phenomenon of migration;
- reinforcing the network of political science institutes belonging to the EuroMedSCo;

### - 2nd Priority: Sustainable Economic Development

- a regional programme will promote investments in the region and dynamize economic reforms;

- concrete actions will be undertaken in order to progressively integrate the Maghreb gas market with the EU gas market, to create a Mashreq gas and electricity market and its interconnection with the EU, the Balkans and the candidate countries; progressive integration of the Libyan energy markets with neighbouring countries; in the transport field concrete actions will concern the development of trans-national multimodal routes, development of the network of Motorways and Sea ports;
- the EC will support the development of policies promoting the South-South regional integration and trade by supporting the implementation of the Agadir Agreement and Free Trade Areas;
- according to the environment the Horizon 2020 road map will follow its implementation as well as the regional strategies developed under the Mediterranean Action programme (MAP);
- FEMIP will earmark a volume of around €50 million per year in risk capital operations and €20 million per year for technical assistance;
- in the field of the information society the progressive approximation of the Mediterranean electronic regulation with the EU framework will be promoted;

### - 3rd Priority: Social Development and Cultural Exchanges

- the Euromed programme will encourage "Gender Equality and Civil Society" by supporting concrete actions for equality between men and women and by establishing a monitoring mechanism on the subject and by promoting active citizenship;
- a second regional and information programme is launched to consolidate the work already done in these fields and to develop professionalism in the media sector and cooperation between the EU and key media actors in the region;
- other important and trained programmes such as Euromed Youth, Euromed Cultural Heritage and the activities of the Anna Lindh Foundation will receive allocations according to the regional Indicative Programme (2007-2010).

For further information:

[http://ec.europa.eu/world/enp/pdf/country/enpi\\_euromed\\_rsp\\_en.pdf](http://ec.europa.eu/world/enp/pdf/country/enpi_euromed_rsp_en.pdf)

It is necessary to bear in mind that this "decentred integration" and the decentralisation introduced by the Union for the Mediterranean will only be able to address some of the problems: those related to sustainable joint development; but they will not solve the problems related to geopolitical and geostrategic options nor those brought by globalisation. For the last, the dimensions of the EMP and the Black Sea Synergy, i.e. of a possible "Oriental Union" of Europe (proposed by Sweden and Poland as a counterbalance to the Union for the Mediterranean) (GAERC, 2008), are not enough.

It is necessary to take up again and make effective the European Parliament's idea of constructing a great "world region," which nevertheless requires new actors: in the first place Russia and the Arab countries. The first steps in that direction might be: the extension of the EMP to the Gulf States and the transformation of the ENP into an Alliance of essentially political and strategic character. A pan-Euro-Mediterranean alliance: pan-European because it should include all the European countries, Russia included, and pan-Mediterranean in the sense of Great Mediterranean (Amato, 2008).

At all events, even if these are not the scenarios that will finally be established, the ENP no longer has a *raison d'être*.

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