

**THE EUROPEAN NEIGHBOURHOOD POLICY:
AN ASSERTIVE INITIATIVE WITH INSUFFICIENT MEANS BY THE
EUROPEAN UNION**

**A THESIS SUBMITTED TO
THE GRADUATE SCHOOL OF SOCIAL SCIENCES
OF
MIDDLE EAST TECHNICAL UNIVERSITY**

BY

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**IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR
THE DEGREE OF MASTER OF SCIENCE
IN
THE DEPARTMENT OF INTERNATIONAL RELATIONS**

DECEMBER 2006

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ABSTRACT

THE EUROPEAN NEIGHBOURHOOD POLICY: AN ASSERTIVE INITIATIVE WITH INSUFFICIENT MEANS BY THE EUROPEAN UNION

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November 2006, 105 pages

Since the collapse of the Soviet Union in 1991, the European Union has focused its attention on moving the Central and Eastern European Countries towards democracy and the market economy, which culminated in the accession of these countries to the European Union on May 2004. With the accession of the ten new members to the Union, the European Union has acquired new neighbors and come closer to the old ones, with whom it had only indirectly interested in. There is a conviction in EU circles that future widening towards these countries is not possible without risking the integration process which the European countries have developed in the last fifty years. In addition to this internal consideration, the new neighbors of the EU, some of which have already declared their membership ambitions, are the countries which the EU perceives it cannot integrate in the foreseeable future because of their social, economic and political underdevelopment. In response to these realities, the Union developed the European Neighborhood Policy. In this thesis, potential of the new neighborhood policy to fulfill its objectives of being second best alternative to membership and its promise in providing a meaningful framework that is satisfactory both for the EU and its neighbors will be analyzed. Additionally, its impact on the European Union's foreign policy in general will be

elaborated. It will be argued in this thesis that the ENP has such serious limitations in terms of its formulation, institutions, and its incentives that it will fail to realize its original aspirations.

Keywords: Neighborhood, Internal Market, EU Enlargement, Pre-accession Strategy, Conditionality.

ÖZ

AVRUPA KOMŞULUK POLİTİKASI: AVRUPA BİRLİĞİ NİN YETERSİZ ARAÇLARLA İDDİALİ DIŞ POLİTİKA GİRİŞİMİ

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Tez Yöneticisi: Doç.Dr. Sevilay Kahraman

Kasım 2006, 105 sayfa

1991 yılında Sovyetler Birliğinin çökmesinden bu yana, Avrupa Birliği ilgisini Orta ve Doğu Avrupa Ülkelerini Demokrasi ve piyasa ekonomisine dönüştürmeye yoğunlaşmıştı. Bu süreç bu ülkelerin AB 'ye üye olmasıyla sonuçlandı. 1 Mayıs 2004' te on yeni ülkenin birliğe üye olmasıyla, Avrupa Birliği o zamana kadar dolaylı olarak ilgilendiği ülkelerle komşu oldu ve eskilerine de daha yakın bir hale geldi. Bugün Avrupa'da birliğin yeni komşularını da içine alacak biçimde genişlemesinin, Avrupa ülkelerinin son elli yılda geliştirdikleri bütünleşme sürecini tehlikeye atmadan gerçekleştirilemeyeceği yönünde bir kanı oluşmuştur. Bu iç mülahazalara ek olarak, bazıları şimdiden AB'ye üye olmak yönündeki iradelerinin açıklayan bu komşu ülkeler, ekonomik, siyasi ve sosyal az gelişmişlikleri dolayısıyla AB'nin öngörülebilir bir gelecekte üye olamayacaklarını düşündüğü ülkelerdir. Bu gerçekler karşısında AB komşuluk politikasını geliştirmiştir. Bu tezde, hem yeni komşuluk politikasının üyeliğe en iyi ikinci alternatif olma amacını gerçekleştirmeye ilişkin olarak potansiyeli ve hem AB, hem de komşuları için tatmin edici bir çerçeve sunup sunamayacağı analiz edilecek ve politikanın genel olarak Avrupa Birliği'nin dış politikasına etkisi irdelenecektir. Bu tezde komşuluk politikasının oluşturulması, kurumları ve teşvikleri konusundaki yetersizliklerinden dolayı başlangıçtaki amaçlarını gerçekleştirmeyi başaramayacağı savunulacaktır.

Anahtar Kelimeler: Komşuluk, İç Pazar, AB Genişlemesi, Katılım Öncesi Stratejisi, Koşulluluk.

*To my dear father Süleyman and mother Ruhigül
and,
To my sister Hacer and niece Beyza.*

ACKNOWLEDGMENTS

I would like to express my gratitude to my supervisor Assoc. Prof. Dr. Sevilay Kahraman for her patience, guidance, advice, criticism, encouragements and support throughout my study.

I also would like to thank to Assist.Prof.Dr.Oktay F. Tanrısever and Assoc.Prof.Dr.Çınar Özen for their suggestions and comments.

Finally, I would also like to thank Argun Başkan, Pınar Arıkan, Derya Kap, Bayram Sinkaya and Burcu Özdemir for their friendship and selflessness.

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LIST OF ABBREVIATIONS

AP	Accession Partnership
BEAC	Barents-Euro Arctic Council
BSEC	Black Sea Economic Cooperation
CARDS	Community Assistance for Reconstruction, Development and Stabilization
CBSS	Council of Baltic Sea States
CEEC	Central and Eastern European Countries
CEI	Central European Initiative
CFSP	Common Foreign and Security Policy
DG	Directorate General
EC	European Community
EEA	European Economic Area
EFTA	European Free Trade Area
EIB	European Investment Bank
EMP	Euro-Mediterranean Policy
ENP	European Neighborhood Policy
ENPI	European Neighborhood Policy Instrument
ESDP	European Security Defense Policy

EU	European Union
GAC	General Affairs Council
INTERREG	Interregional Cooperation
JHA	Justice and Home Affairs
MEDA	Mediterranean Assistance Programme of the EU
ND	Northern Dimension
OSCE	Organization for Security and Cooperation in Europe
PCA	Partnership and Cooperation Agreement
PHARE	Coordinated Support for the Restructuring of Economies of Poland and Hungary
TACIS	Technical Assistance to the Commonwealth of Independent States
TEU	Treaty on European Union
UN	United Nations
WEU	Western European Union
WNIS	Western Newly Independent States

CHAPTER 1

INTRODUCTION

Since the collapse of the Soviet Union in 1991, the European Union (EU) has focused its attention on moving the Central and Eastern European Countries (CEEC)¹ towards democracy and the market economy, which culminated in the accession of these countries to the European Union on May 1, 2004. Each enlargement has an external dimension and the Fifth Enlargement of 2004 is no exception to this rule. However, the Fifth Enlargement revealed one particular characteristic with respect to the previous ones in that the importance of the EU's relations increased with proximity, which led to debates about relations with countries and regions beyond the new borders of the EU. Hitherto the EU used mainly two approaches towards these countries: regionalization and integration.² The regional cooperation schemes have proved to be of limited value in producing substantial reform on the periphery of the Union. Partnership and Cooperation Agreements (PCAs) with the post-Soviet states³ on the one hand and Euro-Med agreements with the countries of the Barcelona Process⁴ on the other, have failed to realize the Union's objectives in terms of the economic and political transformation of these countries.

The enlargement, on the other hand, has been the most important foreign policy tool in the hands of the Union, particularly in the transformation of the CEECs in the last fifteen years. However, there is a conviction in EU circles that future widening is not possible without risking the integration process which the European countries have

¹ Poland, Hungary, Czech Republic, Slovakia, Slovenia, Latvia, Lithuania, and Estonia.

² Antonio Missiroli, 'The EU and Its Changing Neighborhood: Stabilization, Integration, Partnership' in Roland Dannreuther (ed.), *European Union Foreign and Security Policy: Towards a Neighborhood Strategy*, (New York: Routledge, 2004), p.12.

³ The Russian Federation, Ukraine, Moldova, Belarus, Georgia, Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan.

⁴ Cyprus, Malta, Turkey, Algeria, Egypt, Israel, Morocco, Syria, Tunisia, Jordan and the Palestinian Authority.

developed in the last fifty years. In addition to this internal consideration, the new neighbors of the EU, which have already declared their membership ambitions, are the countries which the EU perceives it cannot integrate in the foreseeable future because of their social, economic and political underdevelopment. In response to these realities, the Union developed the European Neighborhood Policy (ENP).

The ENP can be regarded as an initiative to give new impetus to the Union's Common Foreign and Security Policy (CFSP).⁵ It can also be examined in terms of its effect on the relations between the EU on the one side and each neighbor on the other side.⁶ Or it can be taken as a means to extend the governance of the EU to the regions beyond its borders.⁷ It can also be examined in terms of its effect on the nature and extent of the borders of the EU, which have connotations for the identity of the EU.⁸

Geopolitical perceptions of the EU expressed within the context of the ENP reveal some discrepancies between the official rhetoric and the actual planning. The ENP can be conceived as means of creating a 'ring of states' in the EU's close geographical proximity for both protecting the EU and enhance its influence over those countries. The world system approach can provide important insides to develop a theoretical look to the ENP. Theorists of the world system theory argue that world politics takes place in the context of a world set shaped by global capitalism. One key

⁵ Judy Batt, Dov Lynch, Antonio Missiroli, Martin Ortega and Dimitrios Triantaphyllou (eds.), *Partners and Neighbors: A CFSP for a Wider Europe*, *Chaillot Paper*, No. 64, September 2003.

⁶ Roberto Aliboni, 'The Geopolitical Implications of the European Neighborhood Policy', *European Foreign Affairs Review*, No. 10, 2006; Michael Leigh, 'The EU's Neighborhood Policy' in E. Brimmer and Stefan Fröhlich (eds.), *The Strategic Implications of European Union Enlargement*, (Washington: Center for Transatlantic Relations, 2005); Esra Uyar, 'Yeni Komşuluk Politikası'nın Avrupa Birliği-Rusya İlişkilerine Etkisi', *Akademik Araştırmalar Dergisi*, No.3, 2004–2005.

⁷ Sandra Lavenex, 'EU External Governance in 'Wider Europe'', *Journal of European Public Policy*, Vol.11, No.4, August 2004.

⁸ Stephan Stetter, 'Theorizing the European Neighborhood Policy: Debordering and Rebordering the Mediterranean', *EUI Working Papers*, No. 2005/34; Holm Ula, 'EU's Neighborhood Policy: A Question of Space and Security', *DIIS Working Paper*, No. 22, 2005; Eiki Berg and Piret Ehin, 'What kind of border Regime is in the Making?', *Cooperation and Conflict*, Vol.41, 2006. Michael Emerson, 'The European Neighborhood Policy: Strategy or Placebo?', *CEPS Working Documents*, No. 215, November 2004.

aspect of the world system is the exploitative division between the rich and the poor, the former prospering at the expense of the later.⁹

According to the world system approach as developed by the major contributions of Immanuel Wallerstein under the Neo-Marxist tradition of thought outlines three categories to explain the domination and production relations in the modern world systems which are core, periphery and semi-periphery.¹⁰ The core is characterized by democratic governments, high labor wages, raw material imports, manufactured goods exports, high investment facilities and welfare services. The semi-periphery has authoritarian governments, an economy exporting mature manufactures and raw materials and importing manufactures and raw materials, low wages and welfare services. Finally the main features of the periphery are non-democratic governments, raw material exports, manufacture imports, and no welfare services.¹¹ These asymmetrical categories are differentiated from each other with regard to three structural aspects: distribution of wealth reflected by an uneven development; a relationship characterized by economic dependency relations; and inequality in the political sphere. The core-periphery structure is principally reproduced as a result of unequal economic exchange relations.¹²

It has to be noted that the members of these three categories may change over time. Upward and downward mobility is possible to some extent. Upward mobility means development and brings reorganization between the rising state and the world economy. The opposite is true in the case of downward mobility. However, cases of mobility among these three categories are exceptional.¹³ From a world system perspective the EU is a regional centre (core) dominating the periphery in the east and

⁹ Steve Hobden and Richard Wyn Jones, 'World System Theory' in John Baylis and Steve Smith (eds.), *The Globalization of World Politics*, (New York: Oxford University Press, 1997), pp. 126, 134.

¹⁰ Andreas Marchetti, 'The European Neighborhood Policy: Foreign policy at the EU's Periphery', *Discussion Paper Centre for European Integration Studies*, C158, 2006, p.17.

¹¹ Hobden and Johns, *op. cit.* p. 134.

¹² Frank F. Klink, 'Rationalizing Core-Periphery Relations: The Analytical Foundations of Structural Inequality in World Politics', *International Studies Quarterly*, Vol.34, No.2, 1990, p.184.

¹³ M. Fatih Tayfur, *Semiperipheral Development and Foreign Policy: the Cases of Greece and Spain*, (Burlington: Ashgate Publishing Company, 2003), p.9.

south and the ENP area appears as a buffer zone (semi periphery) between the core and the periphery. However, the basic assumptions of the world system theory receive some criticisms. Firstly, despite the universality claims of the world system theory for universality, it is primarily built on economic explanations. The world economy is said to be shaping all variables; however, its impact on realities are limited. Secondly, as assumed by the world system theory the periphery is dominated by the centre for the maintenance of its supremacy.¹⁴

However, this supremacy is increasingly challenged by the rise of globalization in the post-bipolar world and expansion of interdependencies among and within the core and periphery. The relationship between the core and the periphery is not unidirectional but a kind of mutual interaction. The periphery exerts its own influence over the core just as the core is influential over the periphery. This interaction is particularly observable in the security field. Therefore, the relationship between center and periphery is not only interdependent but also asymmetric. This asymmetrical interdependence is produced by the unequal levels of development in the political and economic lives of the core and periphery countries. From a conventional world-system theory the EU-led transformation of the ENP area to semi-periphery zone between the core and periphery would not end the exploitative relations outside the core but transform it to a new level. But as suggested by Marchetti it is possible to adopt a positive look. Hence, transforming the ENP area into semi-periphery is not a win-loose situation, but a win-win case especially in the medium term. The ENP countries have the chance to benefit from being semi-periphery and enjoy a certain space for autonomous action. Even the periphery may gain from this process and consolidate more stable political and economic structures within them.¹⁵ This thesis also agrees that the transition of the ENP area into semiperiphery would be basically a positive process for all participants. However, realization of this vision is doubtful as the ENP suffers from serious

¹⁴ Marchetti, *op. cit.*, pp. 16-17.

¹⁵ Marchetti, *op. cit.*, p.18.

limitations in its substance and instruments. The details of this argument will be provided in the subsequent chapters of this work.

This thesis focuses on whether the ENP as a new instrument will be adequate and effective in realizing its original aspirations. The ENP has been developed to be an alternative to membership. In this vein, the EU offers the countries of the Southern Mediterranean, the Southern Caucasus and Eastern Europe integration to the single market, increased financial and technical aid, and cross-border cooperation in exchange for reforms bringing them closer to the Union's political and economic models. However, these adjustments have been presented as a substitute for membership. It will be argued in this thesis that the ENP has such serious limitations in terms of its formulation, institutions, and its incentives that it will fail to realize its original aspiration. In addition to this, it seems that, while proposing an alternative to membership in the form of ENP, the EU has made use of its experiences in the previous policies directed towards the neighbors such as the European Economic Area (EEA), the Northern Dimension (ND) and the Barcelona Process. Moreover, the ENP has, to a large extent, been inspired by the methodology of the Eastern Enlargement. The ENP, then, has been based upon the rationales and innovative dimensions of these policies. However, these dimensions were either imperfectly incorporated into the ENP or they were already problematic in the implementation of these policies themselves.

These arguments will be substantiated through answering the following questions:

- Will the ENP as an instrument be adequate and effective in realizing its original aspirations?
- What are the motives of the EU in proposing the ENP?
- In what ways does the ENP draw on previous EU policies?
- What is the methodology of the ENP?
- Are the incentives within the ENP attractive enough to induce reforms in the neighboring countries?
- Will the ENP as an instrument be adequate and effective in realizing its original aspirations?

- Finally, what will be the impact of the ENP on the actorness and the international identity of the EU?

1.1. Structure of the Thesis:

In order to clarify these arguments the thesis has been divided into four chapters. The first chapter aims to introduce the evolution of the neighborhood policy. While examining the developments of the EU's new policy over the recent years, the motives of the EU to propose the ENP will be introduced. Moreover, the EU made use of its experiences in its earlier policies when proposing an alternative to membership in the form of the ENP. These policies had some innovative aspects to meet the challenges of their respective geographical regions, including the egalitarian aspirations and the blurring of borderlines in the ND, and the level of market integration in the EEA. The EU made use of its experiences in those policies when proposing an alternative to membership in the form of the ENP. However, the peculiar elements of these policies have been imperfectly incorporated into the ENP to the extent that the latter falls short of living up to the policies it was modeled on. Then the objectives of the EU to propose the policy and the geographical coverage and the motives of the EU to bring these countries under the same heading will be introduced. The chapter will conclude with introducing the main points of the Commission documents, the Wider Europe document and the Strategy Paper.

The second chapter presents the main components of the ENP. It will be shown that within the framework of the ENP there are limitations which will cause the policy to fall short of its intended goals.¹⁶ These deficiencies include insufficient incentives, the inability of the EU to give its partners equal status in the process, and its institutional weaknesses. In this chapter it will be stated that, contrary to the EU's claims, the ENP does not offer real integration into the EU. In addition, the methodology of the EU will

¹⁶ Gabriela Carmen Pascariu, 'The European Neighborhood Policy Between Global Approach and Eastern Perspective', 2006, p.1, Available at <http://www.cse.vaic.ro/Fisiere>, Accessed on 28 October 2006.

also be presented. The chapter will conclude with the added value of the ENP and its future prospect of success.

The third chapter deals principally with the relationship with the enlargement and the ENP. In this chapter the relationship between the enlargement and the ENP will be explained in detail. Enlargement is, in addition to being the most important motivation for the development of the ENP, also important in providing the main source of methodology to the ENP. The methodology of the ENP has similarities with the pre-accession strategy of the recent enlargement. This policy shows significant borrowings from the enlargement institutions, from action plans, regular reports and conditionality, to differentiation and progressivity. In addition, the newcomers also affected the EU to propose a new policy towards these countries.

The fourth chapter connects the argument made in the first and second chapters to the European foreign policy system. In this chapter, the ENP's place in the Union's pillared structure will be discussed and it will be argued that it is an inter-pillar policy. The main focus of the chapter will be on the effects of the ENP on the actorness of the EU and its impact on the EU's international identity. It will finally be argued that the EU could be an actor in the formulation of the ENP, and that it possesses the characteristics of a 'regional hegemon' in its neighborhood.

CHAPTER 2

EVOLUTION OF THE EUROPEAN NEIGHBORHOOD POLICY

This chapter aims to introduce the evolution of the neighborhood policy. While examining the developments of the EU's new policy over the recent years, the motives of the EU to propose the ENP will be introduced. Moreover, the ENP is not the first attempt of the EU to find an alternative to membership. Previously, the EU had established cooperation models and policies to bring the neighbors closer to the EU without enabling them to take part in its institutional structures, such as the Northern Dimension (ND) and the European Economic Area (EEA). These policies will be elaborated as models for the ENP. It will be argued that these policies had innovative aspects to meet the challenges of their respective geographical regions, including the egalitarian aspirations and the blurring of borderlines in the ND, and the level of market integration in the EEA. The EU has made use of its experiences in those policies when proposing an alternative to membership in the form of the ENP. However, the peculiar elements of these policies have been imperfectly incorporated into the ENP to the extent that the ENP falls short of living up to the policies it was modeled on. Then the objectives of the EU to propose the policy and the geographical coverage of the policy will be given, as well as the reason why the EU has categorized the countries so different from each other under a single framework will be introduced. In addition, the motives of the EU to propose the policy will be clarified. The chapter will conclude with introducing the main points of the Wider Europe and Strategy Paper documents of the Commission.

2.1 Motives of the EU:

The ENP has been developed as a 'gradual and cooperative' policy towards its own neighboring area.¹ The first and foremost reason for the EU to come up with such a policy at this stage of its integration process is the Eastern Enlargement. The second reason is the security considerations of the EU. There is the recognition on the part of the EU that its security is indispensable in the developments in its close geographical proximity. Through exporting the governance beyond its borders, the EU attempts to prevent developments in its neighborhood that will negatively affect its security and prosperity.² The third reason is the relative failure of the previous policies.

2.1.1. Enlargement:

Since the very beginning of the discussions about the Wider Europe in 2000, it can be seen that the forthcoming enlargement has become the driving motive behind the establishment of the policy. The enlargement and the carrot of membership were the most important foreign policy tools in the hands of the EU to exert influence on the countries beyond its borders. After the 2004 enlargement, the EU has reached the point where the promise of membership was no longer sustainable, both for internal and external reasons. As Wallace has stated, the EU is now in a position such that continuing to enlarge would threaten the cohesion to the extent that the solidarity, shared decision making, common prosperity and security would cease to exist.³ Romano Prodi has also said that, 'we cannot go on enlarging forever. We cannot water down the European political project and turn the EU into just a free trade area on a continental scale.'⁴ It is clear that after the 2004 enlargement, there is a conviction in the EU that further

¹ Rosa Balfour and Rotta Alessandro, 'Beyond Enlargement: the European Neighborhood Policy and Its Tools', *The International Spectator*, Vol.40, No.1, 2005, p.8.

² Marchetti, *op.cit.*, p.4.

³ William Wallace, 'Looking after the Neighbors: Responsibilities for the EU-25', *Notre Europe Policy Paper*, No.4, July 2003, p.1.

⁴ Romano Prodi, 'Wider Europe - A Proximity Policy as the Key to Stability', *Speech delivered at: Peace, Security and Stability-International Dialogue and the Role of the EU*, Sixth ECSA-World Conference, Jean Monnet Project, 5-6 December, Brussels, 2002.

enlargement would threaten the dynamics of integration. Therefore, the EU proposed a policy that would constitute an alternative to enlargement towards the countries which have strategic interest for the Union. However, the eventual EU membership made it easier for the accession countries to bear the constant EU intervention to their domestic and foreign policies. It is questionable whether the offer of inclusion through a stake in internal market and cross-border cooperation in the ENP will create a similar dynamic with respect to its neighbors.

The external reason is related to the neighbors themselves. The EU is very unlikely to offer future membership to the ENP countries which are located around the enlarged Union. These countries, east of the EU, are too economically and politically underdeveloped to qualify for membership to the EU.⁵ For southern neighbors membership is out of the question because these countries are not European. These internal and external considerations led the Union to try to develop a policy which meets the needs and expectations of the neighbors so that they would not be driven to apply for membership.

Moreover, after the 'Big Bang' enlargement in 2004, the Union has become increasingly concerned with the exclusionary effects of enlargement and creating new dividing lines in Europe. The ENP has been proposed to avoid such divisions in the post-enlargement period. In the official documents, the EU has paid special attention to this point since the beginning. In the Strategy Paper it is stated that:

To share the benefits of the EU's enlargement with neighboring countries in strengthening stability, security and well-being for all concerned, and hence prevent the emergence of new dividing lines between the enlarged EU and its neighbors.⁶

⁵ Hishi Haukkala , 'A Hole in the Wall? Dimensionalism and the EU's "New Neighborhood Policy"', *UPI Working Papers*, No.41, 2003, p.2.

⁶ European Commission, '*European Neighborhood: Policy Strategy Paper*', COM 373 Final, Brussels, May 2004, p.2

2.1.2 The Security Concerns:

The recognition that it is not possible to wall off instability behind ever tighter borders has compelled the Union to make a choice: whether to export stability and security to its near neighbors, or risk importing instability from them.⁷ The EU is surrounded by neighbors with whom there is a considerable gap in terms of economic development, political structures and societal stability. These regions face epidemics, ethnic tensions, environmental degradation, widespread international crime and terrorism all connected with each other.⁸ The spillover of instability from the Balkans in 1999, during the Kosovo crises, for example, brought home the consequences of being close to turbulent regions for the EU. Thus the proximity of these countries has produced a siege mentality in the Union. To provide its own security the EU is trying to extend the security zone beyond its borders by way of ENP. The security implications of the neighbors of the EU and extension the zone of security around Europe have been also underlined in the European Security Strategy:

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 EU and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations.⁹

This understanding also highly affected the ENP. There is an understanding in the EU that its security is closely interdependent with the security and stability in its close geographical proximity. The EU can not provide its security through just hardening its borders as the new security threats in the post-cold war era are trans-boundary threats such as environmental degradation, the spread of communicable diseases, population flows and organized crime. The EU concludes that traditional line of defense in the borders of the EU is not any more realistic and tries to create buffer

⁷ Wallace, *op. cit.* p.4.

⁸ Holger Moroff, "Wider Europe- the EU's Neighborhood Concept", *Speech*, Chisinau, 21 June 2003, p.1, Available at www.ipp.md/files/Calendar/2003/Atelier6/Moroff_Chisinau.doc, Accessed on 18 June 2004.

⁹ European Union, *European Security Strategy: A Secure Europe in a Better World*, European Security Strategy Security, EU Brussels, 12 December 2003, p.9.

zones between the EU and the outside world in the territories of the neighboring states.¹⁰ Therefore, the EU now tries to protect itself through the extension of better governance and cooperation with its neighbors.

Within the framework of the ENP the aim is to address the root causes of the conflict. In doing so, the EU is trying to repeat its own success to provide security and stability in the neighboring regions. In this respect, the EU views the spread of democracy, market economy and free trade as a solution to instability in the neighboring regions as in the enlargement. The ENP will provide the framework for the spread of these values to the neighbors. However, the promise of success of this attitude in providing the stability without the membership perspective is highly questionable.¹¹

2.1.3.1. The Relative Failure of Previous Policies:

The failure of earlier attempts to promote economical and political reforms in the neighboring regions inclined the EU to develop a new policy towards the ENP area. Before the launch of the ENP, the EU had introduced several initiatives for both Western Newly Independent States (WNIS) and the non-member Southern Mediterranean countries to encourage regional stability and cooperation in the region.¹² The Commission acknowledged this point in the Wider Europe Communication when it stipulated that ‘the extension of the benefits, including increased financial assistance, should be conducted so as to encourage and reward reform - reforms which existing EU policies and incentives have so far not managed to elicit.’¹³

Partnership and Cooperation Agreements (PCAs), agreed on by each of the WNIS countries in the 1990s, have provided the major framework for relations with the EU. These are bilateral treaties concluded for a period of ten years and provide the basis

¹⁰ Marchetti, *op. cit.*, p.25.

¹¹ Marise Cremona, ‘The European Neighborhood Policy: Legal and Institutional Issues’, CDRRL Working Paper No.25, 2 November 2004, Available at http://iis-db.stanford.edu/pubs/20738/Cremona-ENP_and_the_Rule_of_Law.pdf, Accessed on 17 December 2006, p.3.

¹² Roland Dannreuther, ‘Developing the Alternative to Enlargement: The European Neighborhood Policy’, *European Foreign Affairs Review*, Vol.11 2006, p.189.

¹³ European Commission, ‘*Wider Europe-Neighborhood: a new Framework for Relations with Our Eastern and Southern Neighbors*’, COM104 Final, Brussels, March 2003, p.16.

for the political, economic and trade relationship with the EU. Financially, the Technical Assistance to the Commonwealth of Independent States (TACIS) program has been the main instrument designed to support EU relations with these states and to promote these objectives. It mainly aims at enhancing the transition process in these countries.¹⁴ Under the framework of the PCAs, the EU has envisaged a free trade area after the implementation of concrete economic and political reforms by the WNIS.¹⁵ They did not grant trade preferences. In addition, they did not provide a timetable or framework for facilitating trade through approximation of partner countries' legislation to that of the EU's single market.¹⁶

The inadequacy of the TACIS in providing adequate financial aids, the lack of added incentives for the progressive development for those countries and the limited market access offered resulted in the failure of the PCAs in promoting economic and democratic transformation of these countries.

2.1.3.1. The Barcelona Process and the ENP:

The Mediterranean countries of the Barcelona Process have had a long history of relations with the EU starting from the early days of the European Community. In fact, the Maghreb countries signed trade agreements with the EU as early as the late 1960s. Moreover, with the entry of Great Britain, Denmark and Ireland in 1973, the Community for the first time developed a 'Global Mediterranean Policy'. This approach resulted in several bilateral trade agreements. In the 1980s, with the accession of Greece, Spain and Portugal, the importance of Mediterranean region in general, and the Maghreb in particular increased. As a result of these developments, a set of financial protocols containing a larger amounts of grants than the previous ones had, were signed between the Community and the non-member states in the Mediterranean.

¹⁴ Dov Lynch, 'The New Eastern Dimension of the Enlarged EU, in Judy Batt, Dov Lynch, Antonio Missiroli, Martin Ortega and Dimitrios Triantaphyllou (eds.), *Partners and Neighbors: A CFSP for a wider Europe*, Chaillot Paper, No. 64, September 2003, p.43.

¹⁵ Dannreuther, *op. cit.*, p.189

¹⁶ Fraser Cameron, *The Future of Europe*, (New York: Routledge, 2004), p.108.

In the early 1990s, policy concerns over several issues like the energy, security, migration and trade were increasingly felt in several EU countries, especially the southern Member States, underlined the necessity of improving mutual relations with the Mediterranean region. The West Mediterranean Forum and the Spanish-Italian initiative of the Conference on Security and Cooperation in the Mediterranean were two of the examples reflecting these concerns.¹⁷ However, the most important initiative with respect to the southern Mediterranean states was the Barcelona Process launched by the EU in 1995.¹⁸

In the second half of the 1990s France and Spain, among others, increasingly concerned with the risk that the eastern enlargement could lead to disregard on the part of the EU of the Mediterranean. To appease the southern EU countries about the eastern enlargement, northern member states also supported a new framework for the non-member southern Mediterranean states. The Barcelona Process came out in these circumstances. It was designed to strengthen ties between the EU and the countries of the Mediterranean, was launched in 1995 and included twelve countries (Cyprus, Malta, Turkey, Algeria, Egypt, Israel, Morocco, Syria Tunisia and the Palestinian Authority).¹⁹ At that time the Middle East peace process had just started, and it seemed possible to address the Mediterranean within a single and multi-layered framework. The relationship between these countries and the EU is based on three levels of partnership, inspired by the Helsinki Final Act: political and security; economic and financial; social and cultural.²⁰

The objectives of the partnership were ambitious. With regard to the security pillar, the Barcelona Declaration called for the establishment of a ‘mutually and

¹⁷ Jan Hallenberg, ‘The Extension of the European Security Community to the Periphery: France in the Mediterranean and Finland and Sweden in the Baltic Countries’, *NATO Fellowship Final Report*, Stockholm, June 2000, pp.23-24.

¹⁸ Martin Ortega, ‘A New Policy on the Mediterranean?’, in Judy Batt, Dov Lynch, Antonio Missiroli, Martin Ortega and Dimitrios Triantaphyllou (eds.), *Partners and Neighbors: A CFSP for a Wider Europe*, *Chaillot Paper*, No. 64, September 2003, p.87.

¹⁹ Cameron, *op. cit.* p.101.

²⁰ Sharon Pardo, and Lior Ziemer, ‘Towards a New Euro-Mediterranean Neighborhood Space’, *European Foreign Affairs Review*, No.10, 2005, p.43.

effectively verifiable Middle East zone free of weapons of mass destruction, nuclear chemical and biological weapons, and their delivery systems' and of a Euro-Mediterranean pact.²¹ As for the economic pillar, the most important aim was the creation of a free-trade area by 2010. For social and cultural matters the aim was to commence a wide-ranging action designed to build closer contacts between the peoples of the region through a social, cultural and human partnership aimed at encouraging greater understanding between cultures and exchanges between civil societies.

The Barcelona Process established a complex institutional structure.²² Following the launch of the Barcelona Process the EU and the Mediterranean partners negotiated a new set of bilateral agreements, replacing the prior generation of cooperation agreements with the Euro-Med Association agreements. Turkey, Israel, the Palestinian Authority, Tunisia, Morocco and Jordan have already had these agreements in force. Algeria and Lebanon have signed such agreements with the EU; the negotiations with Syria have been completed but are not yet signed. The institutions of these association agreements (Association Council, Association Committees and Joint Parliamentary Committees) have still importance with respect to the ENP in that the ENP does not have additional institutions to carry out the implementation of the policy; therefore, the institutions already established with the association agreements will be used in the conduct of the ENP, most notably in the adoption of the Action Plans. Moreover, the regional fora established under the Barcelona Process will constitute the regional dimension of the ENP with respect to this region.

There are also highly developed multilateral institutions within the EMP such as the Euro-Mediterranean Conferences of Ministers of Foreign Affairs, in which all partners take part; also the Euro-Med Committee constituted by the European Troika

²¹ Michele Comelli, 'The Approach of the European Neighborhood Policy(ENP): Distinctive Features and Differences with the Euro-Mediterranean Partnership', *Paper Presented at the Conference 'The European Union as an International Actor: Challenges and Options for the Future'*, IGC Net Conference in Cooperation with the IEP Paris and TEPSA, Brussels, 17 November 2005, p.8, Available at http://www.igc-net.org/Conference_17Nov05/Comelli_ENP_Barcelona_Dec05.pdf, Accessed on 17 February 2006.

²² Michael Emerson and Gergana Noutcheva, 'From Barcelona Process to Neighborhood Policy: Assessment and Open Questions', *CEPS Working Paper*, No.220/March 2005, p.1.

and a representative from each partner country. The institutional scheme also comprises a series of ministerial meetings with the ministers in charge of specific cooperation matters, and periodical meetings of senior officials on political and security issues. To these institutions the Euro-Mediterranean Parliamentary Assembly was added in 2003.

The implementation of the work program is conducted by the Euro-Mediterranean Conference of foreign ministers and a 'Euro-Med Committee' of senior officials which meets six times per year. The preparation and follow-up work for the meetings is largely conducted by the European Commission, which is also in charge of the general programming and project management.²³

One of the most significant results of the Barcelona Process has been the creation of a funding mechanism, which is the Mediterranean Assistance Programme of the EU (MEDA) initiative. From 1995 to 1999 over €3,4 billion was spent under MEDA I. The MEDA II financial aid program was adopted in 2000. In the period 2000-2006 there was an increase in the amounts of aid provided. Partner countries received €5,35 billion from MEDA. These MEDA programs will be replaced with the European Neighborhood Policy Instrument (ENPI) in the next financial term between 2007 and 2013.

The underlying logic of the Barcelona Process was to launch a regional integration process based on the premise of developing a co-ownership to the initiative among the 'equal' constituent part. Within the framework of the Euro-Mediterranean Policy (EMP), economic development and positive interdependence are seen as a means of promoting democratization.

Taking into account its first ten years of implementation, it can be argued that although the Barcelona Process has provided a useful multilateral framework, it cannot be said that it has achieved its desired aims. First of all, the Arab-Israeli conflict was not very much covered in this initiative which was not compatible with the conditions of the region. Secondly, the aim of promoting democratization of the countries of the region was not achieved and the EU's determination over the issue remains questionable. For instance, both the association agreements and multilateral texts underline the need to

²³ Emerson and Noutcheva, *op. cit.*, p.3.

achieve progress regarding democracy and human rights. Nevertheless, the EU has not shown sufficient determination to oversee such policy attempts. For example, the EU has refrained from putting the conditionality clauses into practice.²⁴ Another problem was the failure of the association agreements to produce positive results in the participant countries. Regarding the economic dimension, foreign direct investments remained low.²⁵ Moreover, the EU has been very reluctant to open up to trade in areas where the Mediterranean partners have a competitive advantage, such as textile and agriculture. Economic assistance has been delivered under the MEDA programs. Yet, economic aid was not enough to cover trade losses of the partner countries.²⁶ Additionally, changes in the membership profile of the Barcelona Process, the failure of the Middle East peace process and the attacks of 9/11 are among the reasons explaining the failure of the EU in meeting its stated aims in the Euro-Med region.

As far as the EMP is concerned, the Commission has repeatedly claimed that the ENP is compatible with, and complementary to the Barcelona Process. In the Strategy Paper the Commission declared that regarding the Mediterranean the ENP ‘will be implemented through the Barcelona Process and the association agreements concluded with each partner country’²⁷. The Commission also declared that ‘the regional dimension of the EMP shall be maintained to promote sub-regional cooperation’²⁸. The Commission proposes the ENP as a further development of the EMP.²⁹ In fact, the goals set out by the Barcelona process are identical to those proposed in the ENP. Some features of the Barcelona Process continue to exist within the framework of the ENP.

²⁴ Ortega, *op. cit.*, p.92.

²⁵ Brian Portelli, ‘Foreign Direct Investment in the European Union’s Mediterranean Neighbors: Past Trends and Future Potential in the MEDA Region’, in Fulvio Attina and Rossa Rossi (eds.), *European Neighborhood Policy: Political, Economic and Social Issues*, The Jean Monnet Centre “Euro-Med”, Department of Political Studies: 2004, p.76. Available at <http://www.fscpo.unict.it/EuroMed/ENPCataniabook.pdf> , Accessed on 17 January 2005.

²⁶ Ortega, *op. cit.*, p.93.

²⁷ Commission, Strategy Paper..., *op. cit.*, p.6.

²⁸ Commission, Wider Europe..., *op.cit.*, p.8.

²⁹ Commission of the European Communities, ‘*Frequently Asked Questions*’, Brussels, Directorate General for External Relations and Neighborhood Policy, 2005, Available at http://ec.europa.eu/world/enp/faq_en.htm#1.6 , Accessed on 20 December 2006.

For example, positive interdependence and economic development are seen as the mechanisms of the democratization and security in the whole region. Co-ownership and equality are also the terms taking place in the agenda of both policies. Market openings in textile and agricultural goods and labor mobility are also the missing components in both policies.³⁰ However, some changes were brought about by the ENP. These are the prioritization of the bilateral relations over the regional and multilateral ones, the adoption of a new approach to the Arab-Israeli conflict, and finally the issue of conditionality.

The added value of the ENP is very limited in terms of its substance and even in some respects it falls behind the most important aspect of the Barcelona Process: the regionalism and the emphasis on the multilateral framework. The implementation can be open to discussion but it cannot be ignored that the EMP has an explicit regional focus. As Del Sarto has put forward in the framework of the EMP, the Euro-Med region would be established through increased north-south and south-south cooperation in a variety of policy areas.³¹ This regional element has been considered as one of the most important innovative aspects of the EMP by the Commission itself. Conversely, the ENP explicitly has a 'differentiated' and 'bilateral' approach. The regional dimension in the ENP is perceived as complementary to the bilateral relations. Moreover the ENP does not foresee the establishment of joint bodies which will bring together the neighbors and members. Therefore the ENP's added value in comparison to the EMP in terms of regionalism seems to be diminishing.

The second point of difference between the EMP and the ENP is the principle of conditionality. The approach of the ENP is based on an increased emphasis on this principle. Conditionality clauses also existed within the framework of the EMP. Article 2 of the association agreements contained the clause that 'the agreements can be

³⁰ Stephan Stetter, 'Theorizing the European Neighborhood Policy: Debordering and Rebordering the Mediterranean', *EUI Working Papers*, No. 2005/34, p.9.

³¹ Raffaello Del Sarto, 'Wider Europe', the Mediterranean, Israel, and the Middle East', *Paper Presented at: Workshop on Europe's External Borders*, Liverpool 2-3 July 2003, p.11, Available at www.liv.ac.uk/ewc/docs/Borders%20workshop/Papers%20for%20workshop/Del%20Sarto%20290604.pdf, Accessed on 24 June 2004.

suspended if the respective partner violated stipulated principles, such as the respect for human rights'. However, the EU has never activated the conditionality clauses. In general the EU's lack of will to effectively implement conditionality has been criticized on the basis that the Union prefers stability over democratization and reform.³² The undemocratic practices of the many Mediterranean governments have been ignored. At the same time, the progress of some Mediterranean partners in the stipulated reform processes has not been supported with any additional EU funding. For instance, the EU has failed to give Morocco and Tunisia significant incentives to proceed further with political reforms. Del Sarto and Schumacher have argued that the ENP changes the nature of the conditionality in the EMP, from negative to positive.³³ They attribute this change to the aim of the EU to actively engage in the region.

The third point of departure of the ENP is the change of its position with respect to the Arab-Israeli conflict. The bilateral nature of the ENP implies that development of relations with the neighbors will be realized through principally by the evaluation of the relations between the EU and the respected partner. Del Sarto argued that

The EU's Mediterranean policy has so far made the upgrading of bilateral EU-Israel relations dependent on progress in the peace process. Dealing with each country on a one-by-one basis, the Wider Europe scheme will result in the softening of the EU's stance regarding the interconnectedness between the upgrading of bilateral relations to Israel and the peace process. With the ENP the EU shows signs of returning to the logic of the EU's 1994 Essen declaration, which conceded Israel's special status. Therefore the EU's neutrality will be questioned within the ENP in the Middle East peace process.³⁴

³² Sven Biscop 'the European Security Strategy and the Neighborhood Policy: a New Starting Point for a Euro-Mediterranean Security Partnership', in Fulvio Attina and Rossa Rossi (eds.), *European Neighborhood Policy: Political, Economic and Social Issues*, The Jean Monnet Centre "Euro-Med", Department of Political Studies: 2004, .p.28, Available at <http://www.fscpo.unict.it/EuroMed/ENPCataniabook.pdf> , Accessed on 17 January 2005.

³³ Raffaello Del Sarto and Tobias Schumacher, 'From EMP to ENP: What is a Stake with the European Neighborhood Policy towards the Southern Mediterranean', *European Foreign Affairs Review*, Vol.10/17 2005, p.22.

³⁴ Del Sarto, *op. cit.*, p.6.

Moreover, the ENP envisages a more ambitious role with its emphasis on the resolution of conflicts in the neighboring areas including the Arab-Israeli conflict. Within the framework of the Barcelona Process the EU has tried to decouple the process from the conflict, which proved to be a wrong policy action in the coming years. Therefore, it seems that the ENP aims at correcting the failed approach of the EMP.

2.2. The European Economic Area as a Model for the ENP:

The EEA agreement provides the most ambitious case of integration into the EU policies and structures short of membership. Arguably when Prodi was talking about ‘everything but institutions’, he had the EEA agreement in mind as a model for the ENP.

The EEA was established through the EEA Agreement in 1992. It consists today of the 25 Member states of the EU and the three European Free Trade Area (EFTA) states - Norway, Iceland and Liechtenstein. The need to maintain trade relationships after the creation of single market was of particular significance for the EFTA states and this eventually led to steps towards closer cooperation culminating in the creation of the EEA in May 1992.³⁵

In terms of trade patterns, the EC and EFTA had been strongly interdependent since the early 1960s.³⁶ After the completion of the EC customs union in 1969, EC and EFTA states negotiated trade agreements. Signed in 1972, these agreements provided the main framework regulating trade relations between the EFTA states and the EU. In the 1980s the increase in the outward investment flows towards the EC, led the EFTA states seek closer relations with the EC.³⁷ As a response to the EFTA countries’ demand for a closer engagement with the EC, the Commission President Delors proposed in his speech to the European Parliament in January, 1989 an alternative formula for the EFTA countries, which he referred to as ‘a more structured partnership with common decision-

³⁵ Sevilay Kahraman, ‘The European Union and the Challenge of Enlargement’, *Marmara Journal of European Studies*, Vol.5, No.1-2 1997, p.158.

³⁶ Christopher Preston, *Enlargement and the Integration in the European Union*, (New York: Routledge, 1997), p.88.

³⁷ Preston, *op. cit.*, p.89.

making and administrative institutions’.³⁸ Delors’s offer for an EEA was to be an integral part of his broader notion of a Europe of concentric circles: by strengthening institutional arrangements with EFTA partners, Delors wanted to make EFTA a genuine pillar within the Europe’s future economic architecture.³⁹ This would enable the EFTA states’ participation in the single market without becoming full members of the EU. The proposal would be instrumental for both parties, as it would not raise the problematic issue of membership, which was sensitive for both sides.

In these circumstances the EEA negotiations were initiated on 20 June, 1990 and the EEA agreements were signed in Oporto, Portugal, on 2 May, 1992. The EEA agreements are association agreements. Although the EEA agreements are multilateral, the EEA states are required to speak with one voice; therefore, from the EU’s point of view, the EEA agreements have practically two parties.⁴⁰ The EEA model rests upon a highly institutionalized structure. There is the EEA Council, the EEA Joint Committee, the Joint Parliamentary Committee, an EFTA Surveillance Authority and an EFTA court. The EFTA surveillance authority and the EFTA court are the main monitoring mechanisms within the framework of the EEA.

The EEA agreement is concerned principally with the four fundamental freedoms of the internal market, the free movements of goods, persons, services and capital. In these areas the EEA countries have adopted the Community’s legislation. In addition, the agreements contain provisions to allow cooperation between the Community and the EEA states in a range of community activities such as research and technological development, information services, the environment, education, social policy, consumer protection, small and medium sized-enterprises, tourism, the audio visual sector and civil protection.⁴¹ The EEA also envisages providing opportunities for broader political

³⁸ Kahraman, *op .cit*, p.159.

³⁹ *Ibid.*

⁴⁰ Marius Vahl, ‘Models for the European Neighborhood Policy: the European Economic Area and the Northern Dimension’, *CEPS Working Paper*, No.220/February 2005, p.6.

⁴¹ ---‘10 Basic Facts About EEA’, Available at www.eu-norway.org/news/newsarchives/EEA+agreement+facts.htm, Accessed on 10 January 2005.

discussions of foreign policy issues. The EEA states also participate in the community programs. They contribute to the budgets of the programs in which they are participating and take part in the committees that manage them without having veto rights.⁴²

Moreover, although not envisaged in the EEA, Norway, Liechtenstein and Iceland are integrated into the EU in the fields of Justice and Home Affairs. As Vahl has stated

This takes place principally through agreements of association with the Schengen regime and the Dublin convention on asylum. Through the so-called mixed committee established by the Schengen association agreement, the associated states participate in different working groups relating to Schengen agreements. In these working groups, although they do not have a veto power they do have the right to make proposals. Therefore, although the EEA states do not take part in the decision-making processes, mechanisms have been established to enable them to take part in the decision-shaping.⁴³

Some EEA countries have also been integrated with the EU and other European institutions in the areas not covered by the EEA. Norway and Iceland are two non-EU NATO members. Therefore, they are integrated into the western European security institutions including the WEU and ESDP to a much greater degree than any of the ENP countries. In general the EEA machinery has operated quite well since its establishment.⁴⁴ However, the experience of the EEA demonstrates that a closely integrated but 'external' relationship with the EU will inevitably be one-sided, making demands on the associated country without the direct involvement in decision-making that full membership would entail.⁴⁵ In the EEA, the EFTA states found themselves obliged to adopt a great proportion of the *acquis communautaire* without any participation in the decision-making process. Much of the sovereignty that would formally be lost through accession was thus already gone in practice, but without the benefits of full

⁴²---'Norway, the European Economic Area (EEA) and the EU's Internal Market', p.1, Available at www.eic.no/templates/eic2/Page_Meta___60557.aspx - 22k, Accessed on 10 January 2005.

⁴³ Vahl, *op. cit.*, p.8

⁴⁴ ---'Norway, the European Economic Area(EEA) and the EU's Internal Market', *op. cit.*, p.2.

⁴⁵ Marise Cremona, 'The Impact of Enlargement: External Policy and External Relations', in Marise Cremona (ed.), *The Enlargement of the European Union*, (New York: Oxford University Press, 2003), p.185.

membership.⁴⁶ As a result, the EEA model did not prevent the three EFTA countries - Sweden, Finland and Austria - to apply for membership and accede in 1995.

The ENP is inspired by the EEA model and the innovations it has brought in terms of integrating outsiders into the EU. The EEA was mentioned in the Wider Europe Communication. According to the Commission 'the long term goal is an arrangement whereby the Union's relations with the neighboring countries ultimately resemble the close political and economic links currently enjoyed with the EEA',⁴⁷. The ENP Action Plans more or less regulate the same areas as those overseen by the EEA agreement, such as state aid, public procurement, customs duties and regulations, anti-dumping measures, company law, small- and medium-sized enterprises, tourism, the audio visual sector and civil protection. The most important differences between EEA and the ENP regulations can be seen in the movement of people, participation in the EU programs, and the degree of integration into the internal market.

Inspired by the EEA, the ENP Strategy Paper also calls for an increased participation in the EU programs of the neighboring states. However, the EU is not as generous to the neighboring countries as it was to the EEA countries. The EU is reluctant to adopt the idea of neighbors' participation in community agencies; instead it talks about 'gradual opening of certain community programs' to the ENP countries. The second and the more important point is that the ENP falls short of the EEA in that there is relatively limited economic integration envisaged within the ENP. It has become clear that within the framework of the ENP the partners will not be provided with all the freedoms of the internal market because of the member states concern. In the ENP Strategy Paper the Commission has only made reference to 'a stake in the internal market,' the meaning of which, as was shown in the previous chapter, was vague.⁴⁸

Moreover, unlike the EEA, the movement of persons is limited to facilitating travel for selected groups such as participants in the EU programs and diplomats. This

⁴⁶ Anna Milada Vachudova, *Europe Undivided: Democracy, Leverage, and Integration After Communism*, (New York Oxford: University Press, 2005), p.67.

⁴⁷ Commission, Wider Europe..., *op.cit.*, p.15.

⁴⁸ Commission, Strategy Paper..., *op. cit.*, p.20.

could be followed by an examination of the ‘wider application of visa-free regimes’ if the ‘necessary conditions are in place’.⁴⁹ In the Action Plans concerning the movement of persons reference is made to the related PCA or Euro-Med commitments, and rather than talking about the free movement of workers the EU contented itself with statements about abolishing all discriminatory measures against the legal migrants already resident in the EU. It is unlikely that the EU will be able to give sixteen neighbors with a rapidly increasing rate population the benefit of free movement of persons. In the EEA, however, according to the principle of free movement of persons, the nationals of the EEA countries may travel, apply for jobs and establish themselves as self-employed in all the EEA countries. ENP nationals will not have similar opportunities. Taking into account the previously stated points, it can be concluded that the ENP is designed on the model and the innovations of the EEA model. However, these have been imperfectly transferred to the ENP, which makes the policy fall short of the EEA’s goals.

The EEA may have creative aspects as a framework between membership and non-membership. It makes sense for the EU to draw on the experiences of the EEA in formulating a policy alternative to accession. However, it should be kept in mind that the EEA itself did not prevent Austria, Sweden and Finland to apply for membership, despite their experience of having a much more developed framework of relationship with the EU, compared to the one envisaged in the ENP. The ENP, in its present form, falls short of living up to the degree of integration which the EEA provides to its signatories. Rather than adding the missing parts, the EU failed to reach the aspirations of the EEA in the ENP.

2.3. The Northern Dimension as a Model for the ENP:

The ND is a strategy that draws much of its impetus from a post-cold war rapprochement between the EU and the countries of the Baltic Sea Region. Its beginnings are to be found in Nordic and Baltic Sea regional attempts to manage post-cold war economic, political and social transformation as well as deal with the

⁴⁹ Commission, *Wider Europe...*, *op.cit.*, pp.9-11.

environmental problems of the Baltic Sea and the Barents Sea in the first half of the 1990s.⁵⁰ After the enlargement involving Sweden, Finland and Austria in 1995, Finland tried actively to include a ND in the EU's foreign relations. The Prime Minister, Paavo Lipponen made the first move in April 1997 by stressing the need for a 'strategy for the northern dimension, based on an analysis of the risks and opportunities that the region offers'.⁵¹ The principal message here was to sensitize the EU as a whole to a regional security perspective, one emphasizing serious environmental, nuclear safety, crime prevention and minority right issues rather than the national defense.⁵² Lipponen's thesis was that the EU acquired a northern dimension with the accession of Sweden and Finland, and that the EU needed a policy for this region.⁵³ The European Council in Luxemburg took note of the Finnish proposal in December 1997. An interim report was produced by the Commission in 1998. The Vienna Council in December 1998 endorsed the report and requested the Council to develop guidelines for the implementation of the ND. Since then the ND has been an official part of the EU's external and cross-border policies.

Lipponen emphasized that no new institutional or financial mechanisms were required. The operational aim was to enhance coordination and coherence among the existing institutions and sources of finance, such as different EU programs (INTERREG, PHARE and TACIS), international institutions, and regional organizations.⁵⁴ Although not addressing security directly, security considerations are of primary importance in the ND.⁵⁵ This policy was meant to contribute to stability and security in the north by promoting positive economic interdependence. The ND would also give a boost to

⁵⁰ James W. Scott, 'The EU and the 'Wider Europe': Towards an Alternative Geopolitics of Regional Cooperation?', *Geopolitics*, Vol.10 2005, p.442.

⁵¹ Carl-Einar Stalvant, 'The Northern Dimension a Policy in Need of an Institution', BaltSea Net Working Paper 1, Berlin, 2001, p.3.

⁵² James W Scott, 'Wider Europe', EU Enlargement and Borders of Inclusion and Exclusion', *VRCME Lavier Conference: 'New Frontiers for Europe'*, May 30- June 1, Lisbon 2004, p.9.

⁵³ Marius Vahl, 'Just Good Friends: The EU-The Russian Federation Strategic Partnership and the Northern Dimension', *CEPS Working Documents*, No. 166, March 2001, p.21.

⁵⁴ *Ibid.*

⁵⁵ Stalvant, *op. cit.*, p.6.

regional cooperation.⁵⁶ The policy builds upon the existing framework of contractual relationships.

The ND is a policy the objectives of which will be realized by implementation of the reform priorities agreed in the action plans.⁵⁷ Within the framework of the Northern dimension, two Action Plans have been prepared for the periods 2000-2003 and 2004-2006. In these Action Plans, sectors where cooperation is necessary have been identified as environmental protection, nuclear safety and nuclear waste management, business development and investment, cooperation in the energy sector, transportation issues, the improvement of border crossing facilities, crime prevention, public health, social programs, telecommunications, human resource development, and the Kaliningrad enclave. As well as its content, the added value of the ND can be found in the form of the policy. The regulated areas in the ND cover the issues from all three pillars of the EU structure, making it a cross-pillar policy.⁵⁸ One point worth referring to concerning the Action Plans is that the role of the regional bodies such as Council of Baltic Sea States (CBSS), Barents-Euro Arctic Council (BEAC) and the Arctic Council have been downgraded, which were originally had a central place in the inception of the policy.⁵⁹

The ND has some peculiarities which inspired the EU to draw on its experiences within the scope of this dimension while formulating the ENP. The main objectives of the ND were to eradicate the previous dividing lines between insiders and outsiders. It is a tool for creating a 'grey zone' between membership and non-membership.⁶⁰ The ND

⁵⁶ Ojanen, Hanna, *The Northern Dimension: Fuel for the EU*, The Finnish Institute of International Affairs, Helsinki 2001, p.48, Available at www.upi-fiia.fi/eng/staff/researchers/hanna_ojanen/ - 32k, Accessed on 10 January 2005.

⁵⁷ Hishi Haukkala, 'The Northern Dimension: A Presence and Four liabilities' in Roland Dannreuther (ed.), *European Union Foreign and Security: Towards a Neighborhood Strategy*, (London: Routledge, 2004), p.101.

⁵⁸ Jeoren Dubois, 'The Northern Dimension as Prototype of the Wider Europe Framework Policy', The University of Liverpool, 3 July 2004, p.8.

⁵⁹ Nicola Catellani, 'The Multilevel implementation of the Northern Dimension', in H. Ojanen (ed.), *The Northern Dimension: Fuel for the EU*, The Finnish Institute of International Affairs, Helsinki 2001, p.58, Available at www.upi-fiia.fi/eng/staff/researchers/hanna_ojanen/ - 32k, Accessed on 10 January 2005.

⁶⁰ Teemu Palosaari, 'Northern Dimension as a Tool for Building Grey Zones between Membership and Non-Membership', in H. Ojanen (ed.), *The Northern Dimension: Fuel for the EU*, the Finnish Institute of International Affairs, Helsinki 2001, p.210.

aimed to encourage intensified cooperation and increased interaction between all actors of the region in a framework of egalitarian relationship built on dialogue to find solutions to common problems.⁶¹ Attempts to realize these were made through providing meeting grounds such as the Northern Dimension Foreign Ministers' Meeting, making use of the regional bodies such as CBSS where all the parties have equal rights, and through allowing the partners to make recommendations for the drafting of Action Plans. Correspondingly, the ND tried to improve the interoperability of EU programs as well as national programs with a view to creating synergies between them.⁶² As such the policy can be seen to contribute to the fuzziness of the borders of the EU by blurring formally established divisions.⁶³

The ND as a way to blur the dividing lines and as a forum for the partner countries on an equal basis seems to provide solutions to the same kinds of challenges that the enlarged EU has faced with its neighbors. To some extent, the ENP has been inspired by the ND, with its focus on the elimination of dividing lines through cross-border cooperation, and meeting the post-cold war trans-boundary security threats, as well as issues of mutual concern across the EU's external borders, building on the existing framework of contractual relations without creating new institutions and being a policy of a cross-pillar nature. It seems that the ND has also exerted influence on the ENP in the development of an inclusive approach.⁶⁴ In fact, in terms of funding mechanisms, the ENP has already taken advantage of the ND.⁶⁵ Within the ENP the EU has also provided a similar funding mechanism for the cross-border cooperation projects. The new neighborhood instrument, partially inspired by the northern initiative, may be applied both inside and outside the external borders of the Union, in order to

⁶¹ Christopher Browning, and Pertti Joenniemi, , 'The European Union's Two Dimensions: The Eastern and the Northern', *Security Dialogue*, Vol.34, No.4 2003, p.467.

⁶² Peter Stenlund and Marja Nissinen, 'A Northern Dimension for the Policies of the European Union', p.2., Available at <http://www.eu-norway.org/news/newsarchives>, Accessed on 6 December 2006.

⁶³ *Ibid.*

⁶⁴ Nicola Catellani, 'The EU neighborhood policy towards The Russian Federation: from the Northern Dimension to the 'New Neighbors'', p.14., Available at <http://les1.man.ac.uk/jeanmonnet/posters/tallinn/Catellani.doc>, Accessed on 10 January 2005.

⁶⁵ Scot, Inclusion/exclusion..., *op. cit.*, p.12.

avoid new dividing lines in Europe.⁶⁶ The ND is a short-medium term initiative for 3-6 years dictated by the action plans.⁶⁷ The ENP action plans are also adapted for the time frame of 3 to 5 years. In addition, there is no clear-cut vision for the future of these policies.

2.4. The Evolution of the ENP:

With the Helsinki summit in December, 1999 accession negotiations were started with eight CEECs, as well as Cyprus and Malta. It became a necessity for the EU to share the same border with the instable east European countries with which it had only indirectly interested in.⁶⁸ Moreover, the EU had witnessed the spillover of instability from the Balkans in 1999, which had made it aware of the consequences of being close to turbulent regions. Since then, when faced with the choice of exporting security or importing insecurity from the neighboring regions⁶⁹, the EU had chosen the first option. Since then the issue has been prominent on the EU agenda.

In 2002, with the enlargement looming, the Union and its members started to formulate a new policy towards their eastern neighbors. The British Foreign Minister Jack Straw's letter in March 2002 started the process which has culminated in the development of the policy in 2004. He suggested offering Ukraine, Belarus and Moldova 'clear and practical incentives' for proceeding with political and economic reform. Moreover, his proposal included granting those countries the status of 'special neighborhood' based on their commitment to democratic governance and free market principles.⁷⁰ In April, 2002 the General Affairs Council (GAC) requested the Commissioner for External Relations, Chris Patten and the High Representative for

⁶⁶ Vahl, Model..., *op. cit.*, p.7.

⁶⁷ Nicola Catellani, 'Short and long-term Dynamics in the EU's Northern Dimension', Copenhagen Peace Research Institute, December 2001, p.5.

⁶⁸ Lynch, *op. cit.*, p.44.

⁶⁹ Wallace, *op. cit.*, pp.18-19.

⁷⁰ Stefan Ganzle, 'Externalizing EU Governance: The European Neighborhood Policy', *Institute for European Studies*, Vancouver 2004, p.14.

CFSP, Javier Solana ‘to work up ideas on the EU’s relations with its neighbors’. The presentation of their initial five-page outline was made in an informal meeting of foreign ministers in September. They called for a new regional and national framework for relations with Ukraine, Moldova and Belarus, in order to stimulate PCA implementation. For them this was required because after the enlargement, the opportunities and challenges raised by eastern neighbors would affect the EU more directly, and in no other neighboring region has enlargement had such immediate consequences.⁷¹ This plan was also to include a new financial instrument and new institutions. However their presentation met with a general lack of interest and was discussed only briefly.⁷² A month later, on 18 November, the GAC agreed on the ‘need for the EU to formulate an ambitious long-term and integrated approach towards each of these countries’.⁷³

The President of the Commission Prodi made an important speech in December, 2002 which stated the major rationale behind the policy and the inherent ambiguity of the policy with regard to the ongoing and further enlargement. The main thrust of the speech was simply that enlargement would enable the Union to project ‘sustainable stability and security’ beyond its new external borders from which a ‘ring of friends’ should evolve which would be ‘sharing everything with the Union but institutions’.⁷⁴ Prodi noted that the EU ‘cannot go on enlarging forever’, because this would ‘water down the European Union project itself’. However, Prodi also added that, although the new policy was intended to stop ‘enlarging forever’ by offering ‘more than partnership’ and ‘less than membership’, it should not preclude the latter either. In his words ‘a proximity policy would not start with the promise of membership and it would not exclude the eventual membership’.⁷⁵ This problem of defining the relationship between

⁷¹ Christopher Paten, and Javier Solana, *Wider Europe*, 8.7.2002, p.3., available at <http://ec.europa.eu/world/enp/>, Accessed on 12 June 2005.

⁷² Wallace, *op. cit.*, p.5.

⁷³ *General Affairs Council, 18 November 2002, doc. 14078/02.*

⁷⁴ Prodi.

⁷⁵ *Ibid.*

‘neighborhood’ and ‘accession’, continued to be debated even three years after his speech.

The Copenhagen Council in December, 2002 broadened the scope of the policy to cover the Russian Federation and the Southern Mediterranean States. In response to the call of the Copenhagen European Council, in March 2003 the European Commission published its first official proposal for the neighborhood policy namely ‘Wider Europe - Neighborhood: A new Framework for Relations with our Eastern and Southern Neighbors’. The Wider Europe Communication provided the general objectives based on an assessment of the EU’s interests.⁷⁶ In May 2004 the commission adopted the Strategy Paper which provided the objectives and principles, the geographical scope, and the methods to be used in implementing the ENP. Together with the Strategy Paper, the first Country Reports were also issued.

The evolution of the neighborhood policy is also paralleled with changes in the conceptualization of the new initiative. The ‘Wider Europe’ concept was introduced by the Council and the Commission to describe the relations between the enlarged EU and its eastern neighbors. In the above referred speech, however, Prodi was talking about a ‘Proximity Policy’ and even calling for a ‘workable concept of proximity’. And, finally in the subsequent works and official papers the name of the policy was changed as the “European Neighborhood Policy”.

However, the change from the concept of Wider Europe to that of the European Neighborhood Policy is meaningful in respect to the changing portfolio of the targeted countries. The term Wider Europe can be understood as indicating an inclusion of new countries into Europe, thus referring to prospective membership. However, after inclusion of the southern Mediterranean and Southern Caucasian countries, the council became increasingly concerned about the term Wider Europe.⁷⁷ Consequently, the subsequent documents by the Commission and the EU bodies referred to the policy by the more neutral term of the ‘European Neighborhood Policy’.

⁷⁶ Nathalie Tocci, ‘Does the ENP Respond to the EU’s Post-Enlargement Challenges’, *The International Spectator*, Vol.40, Issue. 1, 2005, p.22.

⁷⁷ Stetter, *op. cit.*, p.1.

The concept of ‘neighborhood’ appeared in international law in the 19th century as a special object exempt from the rules of cooperation between two states.⁷⁸ Spatial proximity is an indispensable part of the definition. Taking care of common goods, respect of boundaries, exchange of information, social control and degree of cohesion are important elements of the term.⁷⁹ The use of the term in relation to the EU and its neighbors is somewhat metaphorical but quite appropriate for the relations that the Commission proposed to the countries beyond the borders of the EU.

2.4.1. The Objectives of the European Union:

The overall objective of the ENP is to counterbalance the fears that the future borders of the Union will become a new dividing line in Europe, and instead aims to surround the enlarged EU with a ‘ring of friends’ who share the EU’s values and pursue security and other foreign policies that are broadly consistent with the EU’s.⁸⁰ The emphasis is thus on promoting stability both within and between the neighboring states, and economic and social development leading to increased prosperity and increased security on the borders of the EU which are surrounded by turbulent regions and failed states at present. The policy is intended to foster long-term structural changes in the economic, political, legal and institutional frameworks of the neighboring countries without a membership perspective. It is frequently emphasized that the ENP is distinct from the issue of potential membership. It offers a privileged relationship with neighbors, which will build on mutual 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 neighborly relations, and the principles of market

⁷⁸ Ivan Sampson, , ‘The New Concept of Neighborhood of the EU: Towards a Pan-European Economic Space’, *Espace Europe Institute*, Madrid, May 2004, p.4, Available at <http://web.upmf-grenoble.fr/pepse/IMG/pdf/PEES.pdf>, Accessed on 5 February 2005.

⁷⁹ Josef Langer , ‘Wider Europe and the Neighborhood Strategy of the European Union- A Quest of Identity’, p.5., Available at <http://www.uni-klu.ac.at/.../fodok/print/aktivitaet>, Accessed on 18 February 2004.

⁸⁰ M. Susanne and B. Slay, ‘The Economics of the ‘European Neighborhood Policy’ An Initial Assessment’, *Paper Presented in the Conference ‘Europe After the Enlargement*, Warsaw, April 8-9, 2005, p.5.

economy and sustainable development as well as certain aspects of EU's external action. It seems that the EU is aiming at Europeanization of these countries through extending the governance beyond its borders without including them in the decision-making processes of the EU.

The objectives of the ENP greatly overlap the objectives of the European Security Strategy. Surrounding the EU with a 'ring of well governed countries' and avoiding new dividing lines are also enumerated among the objectives in the European Security Strategy, which states that 'it is in the EU's interest that the countries on the borders of the union are well-governed'.⁸¹

EU officials do not want to connect the ENP with enlargement. They simply stay indifferent to the issue of enlargement. However, grouping the WNIS (the category that the Commission created in the Wider Europe Communication concerning Ukraine, Moldova and Belarus) which are eligible for EU membership under Article 49 of the TEU with the countries of the southern Mediterranean will necessarily have consequences for the eastern European countries. Since the time of Prodi's above mentioned speech, EU officials have not been able to give definite answers to these problems and some commentators even argue that this is a policy of 'deliberate uncertainty'⁸² concerning those regions on the part of the EU.

2.4.2. Targeted Countries:

The ENP was initially directed at the Ukraine, Moldova and Belarus⁸³. At this stage the countries of the southern Mediterranean area were not addressed as potential candidates for such an initiative. Swedish Foreign Minister Anna Lindh and Trade Minister Leif Pagrotsky suggested extending the geographical scope of the policy to include the Russian Federation and the countries of the Barcelona process. This was due

⁸¹Commission, Security Strategy..., *op. cit.*, p.7.

⁸² Volodymyr Poselsky, 'The Frontiers of Europe in the light of the Wider Europe Strategy', *European Political Economic Review*, Vol.2, No.1, Summer 2004, p.1.

⁸³ Although Belarus was one of the countries towards which the policy directed, it is not involved in the policy because of the undemocratic practices of the Lukashenko government. Currently, Belarus is a neighbor but not a part of the policy.

to the worries that the southern EU members would not be contend with the policy package addressing the relevant non-EU countries.⁸⁴ The aim was to signal to the 'South' that they would not be forgotten during the Eastern enlargement.⁸⁵ This process is similar to the initial phases of the ND in which Finland and Sweden supported the Barcelona Process in 1995 in order to clear the way for the former initiative which was to be proposed two years later.

As a result, in the Copenhagen European Council of June 2002 the scope was expanded to the countries of the so-called Barcelona Process (Morocco, Egypt, Israel, the Palestinian Authority, Syria, Tunisia, Jordan, Lebanon, and Algeria). Libya is not yet involved in this policy, but has been mentioned as a possible member.⁸⁶ Finally, after the 'Rose Revolution' in Georgia, in May 2004 the Commission proposed to extend the ENP to the southern Caucasus (Georgia, Armenia and Azerbaijan) in line with the recommendation of the European Parliament. This large area from the Russian Federation to Morocco - except for Iran and Iraq - was the targeted region under the ENP. The countries covered by the ENP are presented in Map 1.

The Russian Federation was not included in the initial phase of the policy. However, in the Copenhagen European Council the Russian Federation was covered together with the southern Mediterranean countries. The European Commission initially envisaged the ENP as a new pillar of bilateral strategic partnership in relation to the Russian Federation.⁸⁷ However, the Russian Federation declared that it did not wish to be included in this policy; instead, it opted for a 'strategic partnership' approach in its own right.⁸⁸ The Russian Federation refused to be the part of the policy on the basis that

⁸⁴ Ganzle, *op.cit.*, p.14.

⁸⁵ Ula Holm, 'EU's Neighborhood Policy: A Question of Space and Security', *DIIS Working Paper*, No. 22, Danish Institute for International Studies, Copenhagen, 2005, p.17, Available at http://www.diis.dk/graphics/Publications/WP2005/22_uho_EUs_Neighbourhood.pdf, Accessed on 17 December 2006.

⁸⁶ Karen Smith, 'The Outsiders: the European Neighborhood Policy', *International Affairs*, Vol.81, No.4, 2005, p.759.

⁸⁷ Fabrizio Tassinari, 'Security and Integration in the EU Neighborhood: The Case for Regionalism', *CEPS Working Document*, No. 226/July 2005, p.18.

⁸⁸ Ganzle, *op.cit.*, p.16

However, including all these countries within a single framework and handling all of them are a difficult task. Even the Commission itself is aware of this fact. The Wider Europe Communication states that:

The situations of the Russian Federation, the countries of the WNIS and the southern Mediterranean are very different judged by most standards. The course of the 20th century saw dramatic changes in geography, politics and cultures both on the European Continent and in the Mediterranean. These forces have not necessarily led to greater convergence.⁹¹

Taking into consideration the differences among the countries, even the Commission itself admits that a ‘one-size-fits-all’ approach cannot be implemented. However, no matter what the differences among them, the Commission has brought these countries under the same policy, and has applied same standards and expecting same kind of behaviors in return. In order to justify this attitude, the Commission has tried to find similarities among the countries themselves and in their relations with the Union.⁹² For example, virtually all these countries have relatively low levels of income in comparison to the EU. In terms of trade patterns the countries are very much dependent on the EU’s internal market. In addition, nearly all countries of the ENP have undemocratic practices. Although it was not explicitly acknowledged the main rationale behind this attitude was to avoid competition among the member states, which can make lobbies for the use of common resources in favor of the countries of their respective geographical proximity.⁹³

The ENP covers too wide an area to be included in a single framework. Within the ENP there are sixteen countries from Eastern Europe, Southern Caucuses and Southern Mediterranean, with different geographical, cultural and historical features. As was stated above, the policy was initially proposed to be a framework for the relations

⁹¹ Commission, *Wider Europe...*, *op. cit.*, p.4.

⁹² Commission, *Wider Europe...*, pp.7-8.

⁹³ Fulvio Attina, , ‘European Neighborhood Policy and the Building of Security Around Europe’, in Fulvio Attina and Rossa Rossi (eds.), *European Neighborhood Policy: Political, Economic and Social Issues*, The Jean Monnet Centre “Euro-Med”, Department of Political Studies: 2004, Available at <http://www.fscpo.unict.it/EuroMed/ENPCataniabook.pdf> , Accessed on 17 January 2005, p.1.

with the countries on the eastern borders of the EU. The inclusion of the Southern Caucasian and Southern Mediterranean states resulted in the overstretching of the policy. The expansion of the geographical scope of the policy is important in that there are too many countries to be dealt with already limited resources devoted the EU for this policy.

2.4.3. Communications of the Commission:

In response to the call from the Copenhagen European Council in March 2003, the European Commission published its first proposal for the neighborhood policy, namely 'Wider Europe - Neighborhood: A new Framework for Relations with our Eastern and southern Neighbors'. The Wider Europe Communication provided the general objectives based on an assessment of the EU's interests.⁹⁴ In May 2004 the Commission adopted the Strategy Paper which provided the objectives and principles, the geographical scope, and the methods to be used in implementing the ENP. Together with the Strategy Paper the first country reports - on which the Action Plans were to be founded - were also issued.

2.4.3.1 The Wider Europe Communication:

Wider Europe communication defined the reasons, the overall goals and principles and identified possible incentives of the policy. It was an evaluation of the new circumstances and an attempt to investigate possible new ways of cooperation. The objective of the communication was to find ways to integrate these states into Europe without offering membership.⁹⁵

This need to integrate was based on the recognition that there is interdependence between the Union and the neighboring countries as a result of geographical proximity. For the Commission this interdependence made it imperative for the EU to take action to promote economic development and democracy, the lack of which are seen as the root causes of the conflict and insecurity in the neighboring regions, as they have direct

⁹⁴ Tocci, *op. cit.*, p.22.

⁹⁵ Lynch, *op. cit.*, pp. 49-50.

repercussions for security, prosperity and stability of the citizens of the EU. The Commission also points out that in order to meet the challenges the whole range of the Union's policies (foreign security, trade, development, environment and others) is needed.⁹⁶ For the Commission the new features of the policy will be the joint ownership and the differentiated and benchmarking approach. Also the Communication made it clear that the relations with the neighbors within the framework of the ENP will be realized on the basis of 'shared values'. However, after introducing the term shared values, the EU juxtaposed its own values, which are stated in the Article 6 of the Treaty of European Union (TEU): 'the Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law which are common to member states'.⁹⁷ The Commission's argument is that the Union's neighbors should have pledged adherence to fundamental human rights and freedoms through signing a number of multilateral treaties as well as through their bilateral relations with the EU. The provision of EU incentives will be conditional on the success of their adherence. In other words, the neighbors are required to 'effectively share' these values to get the incentives. In return for the progress in the aligning with the *acquis*, the EU promises a stake in the internal market and further integration and liberalization including the Four Freedoms - free movement of persons, goods, services and capital.⁹⁸ The other important issue with this Communication is the expression that the new neighborhood approach will not override the existing framework for relations but that 'instead it would supplement and build on existing policies and arrangements.' The implementation of the policy will be realized through the jointly agreed Action Plans.

⁹⁶ Commission, *Wider Europe...*, *op.cit.*, p.3.

⁹⁷ Commission, *Wider Europe...*, *op. cit.*, p.4.

⁹⁸ Commission, *Wider Europe...*, *op.cit.*, p.10.

2.4.3.2. The Strategy Paper:

In July 2003 the Commission established the Wider Europe Task Force and a Wider Europe Inter-Service Group.⁹⁹ In the initial phases the Wider Europe scheme was conducted by the Commission's Directorate-General (DG) for Enlargement under the aegis of the Commissioner for Enlargement himself. The DG for External Relations was initially not involved in the formation of the new policy.¹⁰⁰ In fact, the DG for Enlargement dominated the process of further elaborating and concretizing the Wider Europe concept. In addition, the Commission's Wider Europe Task Force is strongly dominated by DG Enlargement officials. This is partly the reason for the high degree of policy continuity with the Enlargement and the ENP.¹⁰¹ This Wider Europe Task Force first reported to the Commissioner for Enlargement rather than to External Relations and the Neighborhood Policy, and it had the responsibility to further develop the political concept of a European Neighborhood Policy, to draw up Action Plans for countries concerned and to prepare proposals for the ENPI which will finance projects involving the enlarged EU and neighboring countries'.¹⁰²

The parts of the Action Plans related to enhanced political cooperation and Common Foreign and Security Policy have been worked out and agreed on jointly by the Commission and the High Representative.¹⁰³

In May 2004 the Commission presented its Communication entitled 'European Neighborhood Policy: Strategy Paper'. It established the objectives, key elements, methods, principles, financial instruments, and geographical coverage of the policy. The Strategy Paper included most of the features of the Wider Europe Communication.

⁹⁹ Commission, Strategy Paper..., op. cit., p.2.

¹⁰⁰ Del Sarto, op. cit., p.10.

¹⁰¹ Judith Kelly, 'New Wine in Old Wineskins: Promoting Political Reforms through the New European Neighborhood Policy', JCMS, Vol.44, No.1, 2006, p.31.

¹⁰² Rossa Rossi, 'European Neighborhood Policy in Perspective', in Fulvio Attina and Rossa Rossi (eds.), *European Neighborhood Policy: Political, Economic and Social Issues*, The Jean Monnet Centre "Euro-Med", Department of Political Studies: 2004, p.11, Available at <http://www.fscpo.unict.it/EuroMed/ENPCataniabook.pdf>, Accessed on 17 January 2005.

¹⁰³ Commission, Strategy Paper ..., op. cit., p.2.

However, there are important departures from the first Communications. First of all the conditionality clause of the Strategy Paper was modified and in fact the word ‘conditionality’ was not used. Second, the Russian Federation’s place as neighbor was reaffirmed; however, it was made clear that relations with the Russian Federation would be shaped in other contexts rather than as part of the neighborhood policy. The issues of regional, sub-regional and cross-border cooperation were referred to much more in this Communication. In this regard the emphasis was placed on the ND and the necessity to draw on the experiences in this process.¹⁰⁴ However, the most important departure from the Wider Europe Communication is that there was no direct reference to the Four Freedoms.

2.5. Conclusion:

The aim of the chapter was to introduce the evolution of the policy. Firstly, motives of the EU were introduced. It was stated that, there were three main motives for the EU in proposing the ENP. Primary reason for the EU to launch the ENP was the need to avoid new dividing lines in Europe after the enlargement. Secondly, security considerations of the EU also played their roles in the formulation process of the policy. Finally, the failures of the previous policies introduced through the PCAs and the Barcelona Process were examined. The EU made use of its experiences of the EEA and the ND in the making of the ENP. Moreover, it was argued that the ENP did not live up to the policies it was modeled on. Finally, main points of the ‘Wider Europe’ communication and the ‘Strategy Paper’ were introduced.

Based on the policy background explained here, next chapter will introduce the substance of the policy and substantiate the argument made in the introduction that the ENP will not be able to provide a sufficient alternative to accession because of its limitations in its methodology and incentives.

¹⁰⁴ Commission, Strategy Paper*op. cit.*, p.20.

CHAPTER 3

METHODOLOGY OF THE EUROPEAN NEIGHBOURHOOD POLICY

This chapter aims to present the substance of the ENP. It attempts to provide answers to whether the policy will constitute a genuine alternative to enlargement to the extent that it will satisfy the needs of the neighboring countries aspiring to membership and whether the policy has been equipped with adequate instruments to realize its original aspirations. In particular the chapter focuses on the EU's goals for the neighboring regions and countries around the new borders of the Union, the policy instruments and incentives for identifying and pursuing these goals, and the factors that will determine its ability to deliver these objectives.

The ENP is proposed as an alternative to enlargement. By way of the ENP, the EU is attempting to extend its rules, regulations, values and principles to the regions beyond its borders with the aim of transforming these countries in line with its own experiences which it sees as best meeting the needs of the peoples of these regions. However, it will be argued in this chapter that it will not reach its original aspirations due to its formulation, institutional weaknesses, underlying logic and its insufficient incentives. It is clear that the EU is closely interested in its close geographical proximity and there is a rhetorical commitment to sustainable economic and political developments in the neighboring countries; however, the EU did not commit corresponding amounts of resources to the fulfillment of the agenda of the ENP, which will be a main obstacle for the future prospects of the policy. Moreover, the ENP, contrary to the statements in the official documents, does not provide an adequate framework for real integration to its neighbors. Taking these points into consideration, it is argued that the ENP does not reach its objective of being an adequate alternative to accession.

In this chapter, first of all the substance of the policy will be elaborated. While doing this, the Action Plans will be elaborated and the regulations with regard to the monitoring will be given. Then, the innovative aspects of the policy namely the 'joint

ownership' and 'differentiation' will be elaborated. The incentives of the policy with specific emphasis to 'a stake in internal market' and financial assistance will be introduced. The innovations and the weak aspects of the ENP will be discussed.

3.1. Action Plans:

It seems that the ENP is an attempt to repeat the success of enlargement in terms of transforming the acceding states in neighboring regions. This is reflected in the design, methodology and the implementation of the policy. The ENP is a policy the objectives of which will be realized through the implementation of the actions agreed in the Action Plans.

The Action Plans are to be agreed on jointly with the neighboring countries concerned. They will define the way ahead over the next three to five years and be subject to renewal by mutual consent. These Action Plans will be based on common principles but be differentiated, taking into account the specificities of each neighbor, its national reform process and its relations with the EU. Action plans are comprehensive but at the same time identify clearly a limited number of key priorities and offer incentives such as a stake in the internal market and technical help to overcome the non-tariff barriers and financial aids for reform.¹

The first Action plans proposed in December 2004 for the countries with which the EU had Association or Partnership and Cooperation Agreements in force: Jordan, Moldova Morocco, Tunisia, Ukraine, Israel and the Palestinian Authority. Before starting work on Action Plans, the Commission prepared Country Reports which were used to identify priorities for each country. The Action Plans are comprehensive. They include a wider variety of issues from political cooperation to implementing internal market legislation. The most important priorities are listed at the start of each action

¹ Commission of the European Communities, '*On the Commission Proposals for Action Plans under the European Neighborhood Policy*', COM (2004) 795 Final, Brussels, 9 December 2004, p.4.

plan. The benefits offered by the ENP are only vaguely summarized at the start of the Action Plans, and they are not directly connected to fulfillment of priorities.²

Political, cultural, social, and economic and security aspects covered by the Action Plans resemble the package of the Barcelona Process. In line with these policy areas, priority actions are specified as consolidation of democracy, rule of law, fundamental freedoms, human rights, minority and children rights, gender equality, civil society building. In the economic field actions cover trade and internal markets; energy transport and telecommunication networks; economic and social reform and development. The EU is content with the provisions already existing in the association and cooperation agreements relating to trade and internal market. Under these action plans it is clear that the substantial parts of the *acquis* relating to the internal market will be adopted by the neighbors. However, the Actions Plans are not clarifying the path to be pursued to realize it.³ Transport, energy and the information society are economic cooperation areas under the second dimension. They are needed for the establishment of the infrastructure of the market integration. Energy has been given specific importance within the framework of the ENP, even some have argued that ‘the main motive of the EU to propose the ENP is to provide a stable supply of oil and gas for the EU market’⁴.

JHA and CFSP areas are key considerations of the EU with respect to the security issues. In the JHA area, the compromise is sought between the objective of open borders and national policy considerations over border security, border traffic and illegal migration, visa and asylum conditions, organized crime, and terrorism. The statements concerning the readmission agreement are common features of the Action Plans with those neighbors having common borders with the EU. The parts of the Action Plans relating to the foreign and security policy were prepared in consultation with the High

² *Ibid.*

³ Pascariu, *op. cit.*, p.9.

⁴ John Gault, ‘EU Energy Security and the Periphery’, in Roland Dannreuther (ed.), *European Union Foreign and Security Policy: Towards a Neighborhood Strategy*, (New York: Routledge, 2004), quoted in, Charlotte Brettherton and John Vogler, ‘Constructing the EU as An Actor: Implications for Foreign Policy Analysis’, *Paper for Fifth Pan European SGIR Conference Den Haag*, Netherlands, 9-11 September, 2004, p.8.

Representative. The Action Plans bring bilateral and multilateral regulations about the EU's external initiatives addressing, in particular, the fight against terrorism, proliferation of weapons of mass destruction and conflict resolution.⁵ The EU intends to be assertive in the resolution of the regional conflicts in an innovative manner introduced by the ENP.

One notable feature of the Action Plans is that they reflect the EU's self-interest and its asymmetric relations with partners.⁶ The exception is the EU's Action Plan for Israel in which the features of egalitarian relations are much more visible. All EU Action Plans state in the introduction that 'the pace of progress of the relationship will acknowledge fully the (respective country's) efforts and concrete achievements in meeting commitments to common values'. In the EU/Israel Action Plan the reference is softened as indicated below:

The level of ambition of the EU/Israel relationship will depend on the degree of commitment to common values as well as mutual interests and capacity of each party to implement jointly agreed priorities. The pace of the progress of the relationship will acknowledge fully efforts and concrete achievements in meeting those commitments.⁷

In the political dialogue and co-operation section, there is a reference to adaptation and implementation of the humanitarian law. Generally the Action Plans 'promote adherence to and ensure implementation of Core UN and Council of Europe Conventions and related protocols'. In the case of Israel the EU seeks to 'explore the possibility to join the optional protocols related to international conventions on human rights'. Clauses related to the approximation of laws also reflect the same point. The Action Plans generally include the provision that 'implementation of the Action Plans will significantly advance approximation of (the name of the respective partner)'s

⁵ Pascariu, *op. cit.*, p.11.

⁶ Smith, *op. cit.*, p.765.

⁷ *Proposed EU/Israel Action Plan*,
http://europa.eu.int/comm/world/enp/pdf/action_plans/Proposed_Action_Plan_EU-Israel.pdf, p. 1,
Accessed on 9 September 2005.

legislation, norms and standards to those of the EU'. In the case of Israel it says that 'this action plan will also provide the opportunity and basis for increased legislative co-operation and exchange of views, with an aim to explore the possibility of approximation of laws in appropriate areas'. Therefore from the beginning there is doubt whether the EU will implement the ENP consistently.

The legal basis for the work with each partner country is the Association Agreement or PCA in force. The Action Plans are being put forward by the Commission with the assistance of the High Representative on issues related to political cooperation and the CFSP. Once approved by the member states, the Action Plans are endorsed by the respective Association and Partnership and Cooperation Council. New institutions specific to this ENP were not created except the ENPI. The External Relations DG will be primarily responsible for the conduct of the policy.

3.2. Monitoring:

After legally coming into force, the joint bodies set up under these agreements, will be used to advance work on and monitor implementation of Action Plans. Progress in meeting objectives will be monitored by the committees established by the respective Association and Partnership and Cooperation Councils which bring together representatives of partner countries, member states, the European Commission and the Council Secretariat. In these meetings partner countries will be asked to provide information as a basis for this joint monitoring exercise. In this way the notion of joint ownership will be promoted.

The Commission will prepare periodic reports on progress in areas which need further development. The Commission intends, for countries covered by the Action Plans, to submit to the Council a set of progress reports in 2006, and a second one in 2007. When the Action Plan priorities are met, the present bilateral agreements will be replaced by the European Neighborhood Agreements.⁸ The current state of relations with the ENP countries is presented in the table below.

⁸ Cremona argued that the new agreement are likely to be either Association Agreements concluded under what is now Article 310 EC Treaty, or based on Article 1-50 of the Constitutional Treaty. This article

Table 1: State of the EU's Relations with ENP Countries:

Country	Contractual basis			Country Report	Action Plan	
	type	agreed	in force		agreed	in force
Algeria	AA	12/2001	-	-	-	-
Armenia	PCA	04/1996	07/1999	03/2005	-	-
Azerbaijan	PCA	04/1996	07/1999	03/2005	-	-
Belarus	PCA	03/1995	-	-	-	-
Egypt	AA	06/2001	06/2004	03/2005	-	-
Georgia	PCA	04/1996	07/1999	03/2005	-	-
Israel	AA	11/1995	06/2000	05/2004	12/2004	03/2005
Jordan	AA	11/1997	05/2002	05/2004	12/2004	06/2005
Lebanon	AA	06/2002	03/2003*	03/2005	-	-
Libya	-	-	-	-	-	-
Moldova	PCA	11/1994	07/1998	05/2004	12/2004	02/2005
Morocco	AA	02/1996	03/2000	05/2004	12/2004	07/2005
Palestinian Authority	AA*	02/1997*	07/1997*	05/2004	12/2004	05/2005
Syria	AA	10/2004	-	-	-	-
Tunisia	AA	07/1995	03/1998	05/2004	12/2004	07/2005
Ukraine	PCA	06/1994	03/1998	05/2004	12/2004	02/2005

Source: Marchetti, *op. cit.*, p.9.

Legend: AA-Association Agreement; PCA- Partnership and Cooperation Agreement.

* Interim Agreement.

provides that ‘the Union shall develop a special relationship with neighboring states, aiming to establish an area of prosperity and good neighborliness, founded on the values of the Union and characterized by close and peaceful relations based on cooperation.’

3.3. Joint Ownership:

Commission claims that the ENP is based on joint ownerships, in that the priority issues in the Action Plans will be defined by the EU and the respective partners commonly.⁹ The joint ownership and the rhetoric of partnership in the ENP seem to have resulted from the fact that the conditionality applied to third countries, except for the accession process, has its limitations.¹⁰ The Commission claims that the EU does not seek to impose priorities or conditions on its partners and there can be no question of asking partners to accept a pre-determined set of priorities. However, it can also be argued that the formulation of policy would be realized by mainly taking into account the internal considerations and priorities of the EU. Partners' perceptions are only considered before the preparations of the Action Plans, and under the condition 'where appropriate'. The priorities in the Action Plans also reflect the interest and priorities of the Union. In the areas where partners need more cooperation, the EU seemed to be content with the existing provisions in the association and partnership agreements covering, for instance, visa facilitation, freedom of movement of persons, and market openings in sensitive agricultural and textile products. In regard to the four freedoms of the Strategy Paper, the main texts providing the methodology and the procedure of implementation of the policy take one step back and do not directly mention these four freedoms. Contrary to the Commission's view, the main principles, values, objectives and methodology of the policy are ready-made, and the approach is to export those policies to the partners rather than formulate a common policy by working together with them.

The values and objectives about the relations between the EU and the ENP countries are defined by the EU and cannot be negotiated. However, specific implementation measures are allowed to be negotiated under the framework of the

⁹ Commission, Strategy Paper..., *op. cit.*, p.8.

¹⁰ Tocci, *op. cit.*, p.25.

Action Plans.¹¹ Similarly, ENP countries are required to remove several technical obstacles before the free circulation of goods to meet the EU standards.¹² Yet, EU regulations are simply closed to negotiation with outsiders.¹³

Within the framework of the ENP another forum for partners is the monitoring stage. However, in the meetings that will bring together partner countries, member states, the European Commission and the Council Secretariat, it is the partners who will be asked to provide information as a basis for the joint monitoring exercise. Although the monitoring stage has not been implemented yet, the reference gives the impression that it is the partners who will be required to give an account of the state of affairs in an asymmetric relationship, rather than equal partners making mutual overall evaluation of the relations.

In fact, in these asymmetrical relations the EU is in a position of almost exclusive control: It is the EU who decides whether or not or to what extent partners have taken 'practical steps' and it decides if and when it is appropriate to strengthen links with them. Moreover, the ENP is proposed and financed by the EU, and the terms of the conduct and amount of the finance have been determined by the EU.¹⁴ Therefore, contrary to the Commission's claim, the ENP hardly fulfils the promise of joint ownership, reciprocity and equal partnership. In spite of the rhetorical reference to partnership, the policy is characterized by an asymmetric relationship. The EU largely defines the agenda and assesses progress. The incentives under the ENP are being provided by the EU according to the assessments of the Commission. These features signal an unequal relationship rather than one of a partnership, one in which the EU is dictating the rules of the behavior and forms of action to be taken by the countries

¹¹ Tobias Van Treeck, 'Ordering the Periphery: Exploring the EU 'Empire' and the European Neighborhood Policy', *International Summer School on European Peripheries*, Finland 1-10 August, p.10.

¹² Commission, Strategy Paper..., *op.cit.*, p.9.

¹³ Treeck, *op. cit.*, p.11.

¹⁴ Tassinari, *op.cit.*, p.9.

concerned in accordance with its own security, political and economical interests. Therefore the rhetoric of joint ownership disappears from the framework of the ENP.

3.4. Differentiation:

The Commission argues that the situations in the targeted countries are very different from each other because of the dramatic changes in geography, politics and culture in Europe and in the Mediterranean in the 20th century. Moreover, these differences are also reflected in the variety and intensity of the Union's existing relations with and among the countries of the neighborhood policy. The PCAs are the main framework of relations with the Eastern European countries whereas the Euro-Med agreements function similarly for the EU's relations with the countries of southern Mediterranean. On the contrary of highly developed EU-Israel relations, there is even no legal agreement in force with Belarus. Therefore, the one-size-fits all approach is not applicable and the rationale of the neighborhood policy and particularly the Action Plans reflect these differences. For this reason, although the EU aims to ensure a more coherent approach by offering the same opportunities and asking in return the same standards of behavior from each of the neighbors, a differentiated approach has been adopted. Coherence within this differentiated approach is thought to be provided by the clear commitment to shared values on the part of the neighbors. This differentiated approach aims to respond to the progress made by the partner countries in political and economic reforms.¹⁵ Both the development of the relations and the providing of aid to the neighboring countries are linked to the progress made by the country concerned. With this differentiation and progressivity within the framework of the ENP it can be argued that the EU prioritized bilateral relations over regional cooperation and multilateralism.

¹⁵ Commission, *Wider Europe...*, *op.cit.*, p.9.

3.5. Regionalism and Bilateralism:

'Regionalism denotes institutionalized cooperation among countries within geographical proximity of each other'.¹⁶ In its external relations the EU deals with third countries primarily on a regional basis.¹⁷ There are mainly two reasons for this approach. First, the EU is trying to repeat its own success story by advocating regionalism in other parts of the world. Second, there are economies of scale in dealing with regional groupings, thereby facilitating trade and investment opportunities for the EU economic actors.¹⁸

In the ENP, principally, region-building as a multidimensional process and economic regionalization have been considered as first steps in order to achieve political and security objectives.¹⁹ The EU is not seeking to establish new bodies and organizations, but rather aims to support existing entities. In this regard, the Eastern European and Southern neighbors are differentiated. For the southern neighbors the ENP's added value in terms of regional cooperation is contented with encouraging already existing regional cooperation schemes within the framework of the Barcelona Process. Likewise, the framework for regional cooperation with the Eastern neighbors will consist of the already existing fora such as the Baltic Sea Council, the Central European Initiative (CEI), and the Black Sea Economic Cooperation (BSEC). The ND is explicitly referred to as an initiative from which lessons can be drawn. The sub-regional co-operation is not supported adequately within the framework of the ENP. The emphasis is not on encouraging neighbors to cooperate with each other, but encouraging each to undertake economic and political reforms. Moreover, there is no framework which provides for regular meetings or contacts among the neighbors.

¹⁶ Karen Smith, 'The EU and Central and Eastern Europe: The Absence of Inter-regionalism', *European Integration*, Vol.27, No.3, September 2005, p.349.

¹⁷ Mary Farrel, 'The EU and Inter-Regional Cooperation: In Search of Global Presence', *UNU-CRIS e-Working Paper*, W- 2004/9, p.2.

¹⁸ Smith, *The EU and Inter-regional...*, *op. cit.*, p.350.

¹⁹ Commission, *Wider Europe...*, *op. cit.*, p.8.

The regional component within the ENP is based on the agreements signed by the Union on the one side and each country on the other side.²⁰ There is also little place devoted for regional cooperation in the Action Plans compared to the domestic reforms and building links with the EU.²¹ Therefore, it can be argued that the EU prioritized a differentiated and bilateral approach over a holistic approach in the ENP which might result in a fragmented regional scheme which makes it difficult to support the idea of belonging to the same region.²² Taking these into consideration, it can be concluded that there is a conflict between the EU's claims to supporting the region-building and the use of bilateral negotiation towards integration into the EU's internal market.

Bilateralism is defined as 'the relationship between the EU (as a unit) and an individual third country'.²³ The bilateral relations also have their pros and cons. The bilateral approach will enable the Union and its neighbors to shape the new relationship according to the different needs and requirements of individual partner countries. Considering the diverging levels of economic, political and social development and the needs of neighbors, the principle of differentiation and bilateralism may be a suitable approach to address the challenges. However, it will increase the EU's power and influence vis-à-vis each neighbor and the asymmetry in relations will become more visible. It has the potential to result in a policy that is little more than EU unilateralism, and proclamations of equality and joint ownership will disappear in this framework.²⁴ Some neighbors – ones that have a special strategic importance for the EU - can make use of this bilateralism. However, the other countries would bear the brunt of the EU's paternalism, and have less say in future relations. In one way or another, the EU adopted

²⁰Manuela Moschella, 'European Union's Regional Approach towards Its Neighbors: The European Union Neighborhood Policy vis-à-vis Euro-Mediterranean Partnership', The Jean Monnet Centre "Euro-Med", Department of Political Studies: 2004, , p 60, Available at <http://www.fscpo.unict.it/EuroMed/ENPCataniabook.pdf> , Accessed on 17 January 2005.

²¹ Smith, The EU and Inter-regional..., *op. cit.*, p.360.

²² Moschella. *op. cit.*, p.60.

²³ Smith, The EU and Inter-regional..., *op. cit.*, p.348.

²⁴ Marius Vahl, 'Models for the European Neighborhood Policy: The European Economic Area and the Northern Dimension', *CEPS Working Document*, No.218/February 2005, p.5.

bilateralism as the basis of its new policy. One reason for this choice may be that this approach allows the EU to use political and economic conditionality which is a central element in the ENP.

3.6. Conditionality and Benchmarking:

Karen Smith argues that,

Political conditionality entails the linking, by a state or international organization, of perceived benefits to another state (such as aid) to the fulfillment of conditions relating to the protection of human rights and the advancement of democratic principles. Positive conditionality involves promising the benefit to a state if it fulfills the conditions; and the negative conditionality involves reducing, suspending, or terminating those benefits if the state in question violates conditions.²⁵

The approach of the ENP is explicitly based on positive conditionality. The Wider Europe Communication states that

In return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including aligning legislation with the *acquis*, the EU's neighborhood should benefit from the prospect of closer economic integration with the EU.²⁶

Even the Commission puts forward that the engagement with the partners 'should be introduced progressively and be conditional on meeting agreed targets for reform'.²⁷ These provisions were softened in the Strategy Paper where there is no explicit reference to the word 'conditionality'. However, in the Strategy Paper, although the Commission argues that 'the EU does not seek to impose conditions or priorities on its partners'²⁸, the conditionality clause was included in the Strategy Paper through the proviso that 'the level of ambition of the EU's relationship with its neighbors will take into account the

²⁵ Karen Smith, 'The Use of Political Conditionality in the EU's Relations with Third Countries: How Effective', *European Foreign Affairs Review*, Vol.27., No.3, 1998, p.256.

²⁶ Commission, *Wider Europe...*, *op. cit.*, p.10.

²⁷ Commission, *Wider Europe...*, *op. cit.*, p.16.

²⁸ Commission, *Strategy Paper...*, *op. cit.*, p.8.

extent to which these values are effectively shared.’²⁹ It is clear that the privileged relations with the neighbors are conditioned by the commitment towards promoting and respecting ‘the shared values’, especially in the field of rule of law, good governance, human rights (including minority rights), promotion of good neighborly relations, adoption of market economy and sustainable development principles, and undertaking certain objectives of the EU CFSP, especially prevention of proliferation of weapons of mass destruction, terrorism, responsibility in preventing conflicts and solving crises, and the observance of international law.

Benchmarking is also an important feature of the ENP. When used in relation to the target-related policies such as ENP, benchmarking can measure the success of policies towards the attainment of the initial objectives. Given the lack of clear quantitative targets defined by policy-makers, the role of the benchmarking becomes fuzzy.³⁰ In the ENP, political and economic benchmarks will be used to evaluate progress in key areas of reform against agreed-upon targets. The priorities of action in the Action Plans constitute the benchmarks which can be monitored and assessed. For the Commission the key benchmarks include the ratification and implementation of international commitments which demonstrate respect for the values of the EU, in particular the values codified in UN Human Rights Declaration, the OSCE and Council of Europe standards.³¹

It is clear that the EU aims at greater engagement and leverage over the partners through this conditional and benchmarking approach. However, the prospect of success of this approach is highly questionable. First of all, to make the conditionality effective, the conditions should be made clear, consistent and credible.³² So far the EU has not been specific concerning many of the incentives such as a stake in the internal market,

²⁹ Commission, Strategy Paper..., *op. cit.*, p.3.

³⁰ David Osimo and Karen Garies, ‘The Role of Inter-regional Benchmarking in the Policy-making Process: Experiences in the Field of Information Society’, *Paper Presented at the Conference ‘Regional Growth Agenda’*, Bonn 28th-31st May 2005, p.2.

³¹ Commission, Wider Europe..., *op. cit.*, p.16.

³² Michael Emerson and Gergana Noutcheva, ‘From Barcelona Process to Neighborhood Policy: Assessment and Open Questions’, *CEPS Working Paper*, No.220/March 2005, p.14.

and the free movement of persons (points that will be elaborated subsequently in this chapter). There are no clear linkages between conditions and incentives. There is a problem of vagueness in how the multiple targets are to be prioritized, and the time scale for their completion.³³ Moreover, there is no clear reference or clearly determined procedures on which particular incentives will be provided for which actions.³⁴

Moreover, Frank Schimmelfening has argued that political conditionality in the ENP will not be successful because of the weak incentives and high domestic adaptation costs. He argues that since the ENP countries are without a membership perspective and generally governed by authoritarian regimes for whom the political costs of complying with democratic and human rights rules are high, conditionality in the ENP will not have a significant impact on democracy and human rights in those countries.³⁵ Moreover, the neighbors do not given the access to the areas vital for the EU. Until present, the EU has not showed any willingness to open up the agriculture, textile or steel market to its neighbors. In terms of labor mobility the ENP does not go beyond the existing frameworks. These are the areas where the partner countries can enjoy benefits of the ENP. In the Action Plans the offer to participate in the Union programs are vague except for the education and research field. For example, the reference to participation of the partners to European Environmental Agency is stated as ‘possible participation in selected European Environmental Agency activities’. In exchange, however, the neighbors are conditioned by the achievement of a large set of criteria, comparable with those implemented in the Eastern Enlargement.³⁶ Therefore there is a lack of balance between commitments and conditionality on the part of the EU, which will have important implications for the prospect for success of the policy.

³³ Dannreuther, *op. cit.*, p.191.

³⁴ Smith, *Outsiders...*, *op.cit.*, p.765.

³⁵ Frank Schimmelfening, ‘European Neighborhood Policy: Political Conditionality and Its Impact on Democracy in Non-Candidate Neighboring Countries’, *Paper Presented fort he EUSA Ninth Biennial International Conference*, Austin March 31-April 2, 2005, pp.1-3.

³⁶ Stetter, *op. cit.*, p.11.

3.7. Incentives offered to Partners:

In terms of incentives the ENP is not a rich framework. As has already been explained, the offer of membership has been ruled out for the southern Mediterranean countries and whether this offer is still on the table for the eastern neighbors is not clear. However, the Union offered some incentives for the neighboring countries, which have been enumerated in the Wider Europe Communication. These incentives include integration into the internal market and extension of the regulatory structures, preferential trade relations and opening of markets, integration into the transport, telecommunications, and energy networks as well as the European Research Area, new instruments for promoting and protecting foreign investments, support for integration into the global trading system, enhanced financial and technical assistance, and perspectives for lawful immigration and movement of people.

The most important incentives within the framework of the ENP are ‘a stake in the internal market’, and financial aid which can constitute a real carrot for the neighbors.

3.7.1. A Stake in Internal Market:

In the Wider Europe Communication, although the above incentives are enumerated, the ‘prospect of a stake in the EU’s internal market’ and Four Freedoms were specifically presented as the major incentives in return for desired reforms. Although initially the Commission included the free movement of people as an incentive, it was gradually eliminated. There was no direct reference to Four Freedoms in the Strategy Paper.

‘A stake in the internal market’ is an ambiguous term the meaning of which has not been clearly elaborated. It will, anyway, include the adoption of the internal market acquis by the neighbor countries.³⁷ The size of the internal market acquis is enormous

³⁷Del Sarto, and Schumacher, *op. cit.*, p.34.

and its adoption is an extremely time-consuming and costly task. They will result in costly changes in the economies of the neighboring countries. And this cost of compliance with internal market provision is an issue which has not yet been addressed in detail in the ENP.³⁸ These costs were proved to be high and required administrative and financial resources in the case of Eastern Enlargement.³⁹ Heather Grabbe has raised same arguments both for the CEECs and ENP countries over the difficulties of taking over the *acquis communautaire*. She argues,

The EU on the one hand asks to support transition in post-communist countries; on the other hand, it wants to prepare them for membership. But the requirements of the membership might not be equivalent to the needs of a country. EU policies and regulatory models were created to fit economies and societies at a very different level of development and they contain anomalies that are the outcomes of a bargaining process between different interests and traditions. They were not designed for countries in transition, and often require complex institutional structures for implementation that is little developed in CEECs. EU models, in at least some policy areas, are sub-optimal for the applicants: already the appropriateness of the competition policy model implied by the EU's conditions for CEE has been questioned, given the form of corporate governance in the region.⁴⁰

Grabbe made the same point with regard to the approach adopted in the ENP,

The Commission proposes that neighboring countries should unilaterally adopt the EU's *acquis communautaire*. But this body of laws and policies were designed for advanced, industrialized economies... After all, single market *acquis* are essentially about market-making - not reforming economies.⁴¹

Taking these into considerations, it can be argued that the ENP will hardly fulfill its original aspiration of providing real integration into the EU structures and will hardly

³⁸ Tocci, *op. cit.*, p.30.

³⁹ Frank Schimmelfening and Ulrich Sedelmeier, 'Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe', *Journal of European Public Policy*, Vol.11/4, August 2004, p.665.

⁴⁰ Heather Grabbe and Kirsty Hughes, *Enlarging the EU Eastwards*, (New York: Chatham House Papers, 1998), p.4.

⁴¹ Heather Grabbe, 'How the EU should help its Neighbors', *Centre for European Reform Policy Brief*, London, June 2004, p.5-6.

be able to induce the neighbors to undertake a transformation comparable to those realized by the new member states in the 1990s. Therefore, the prospect of success of the ENP replacing the policy of enlargement is highly questionable.

Moreover, political elites who also have close ties with the economic structure will have very little motivation to undertake such legal and administrative endeavors in the absence of the offer of membership. Moreover, even if the neighboring countries adopt the *acquis* they will not be in a position to affect the exclusive decision-making structures of the EU, as for the EEA states are.⁴² Their participation in the single market will be up to the good will of the EU and its member states, especially the southern members who are infamous for their reluctance to open their markets. At present, the EU member states have not offered generous market openings to the third parties especially in agricultural, textile, steel and iron products in which the neighboring countries have a comparative advantage.⁴³ Therefore, 'a stake in internal market' - the most important incentive within the ENP - does not have a significant reform inducement for the neighboring countries.

3.7.2. Financial Assistance:

In 2003, the Commission proposed to adopt a two-step approach to create a new instrument which will work at enhancing coordination between existing instruments in the 2004-6 periods, while proposing new regulations for the post-2007 period, once the new EU financial framework is in place.

As a first step, the Commission proposed introducing neighborhood programs covering the external borders of the enlarged Union. These are based on the INTERREG network of programs. Funding has been provided by allocations for existing sources such as MEDA, TACIS and CARDS programs and cost €955 million.

⁴² Ibid.

⁴³ Michael Dauderstadt, 'Exporting Stability to a Wider Europe: From A Flawed Union to Failing States', *Internationale Polikanalyse Europäische Politik*, October 2004, p.7, Available at http://fesportal.fes.de/pls/portal30/docs/FOLDER/POLITIKANALYSE/PUBLIKATIONEN/EXPORTING_STABILITY_ENGL.PDF, Accessed on 14 March 2005.

For the post-2006 step the ENPI will be the main instrument for the funding of the ENP. The new instrument will replace existing geographical and thematic programs covering the countries concerned. A specific and innovative feature of the ENPI is its cross-border cooperation component. Under this component, the ENPI will finance joint programs bringing together regions of member states and partner countries sharing a common border. It will use an approach largely modeled on Structural Funds principles such as multi-annual programming, partnership and co-financing, adapted to take into account the specificities of external relations.⁴⁴ For the ENPI the Commission is proposing a total commitment of budgetary grant funds of €14,029 billions for the period 2007-2013 for the 17 countries targeted by the EU. The starting point will be the amount of aid equal to that which is provided under MEDA and TACIS programs in 2006.⁴⁵

Although the Commission again argued that ‘the ambitions of the European Neighborhood Policy must be matched by adequate financial and technical support’,⁴⁶ the adequacy of the amount of aid provided for such a large area is highly questionable. The limited amount provided is partly attributable to the budgetary constraints that the EU has encountered in the post-enlargement process. In particular some of the new member states fear that the provisions of generous financial resources will be to their disadvantage.⁴⁷ On this issue Wallace has stated as follows:

Taking into consideration the geographical scope of the ENP, the amount of financial assistance should be increased. It is to be seen whether the member states would agree on this increase, in a period when the slow economic growth constrains national budgets and when the financing of the recently acceded ten states continues to put pressure on the EU budget. An effective neighborhood policy, which includes substantial investment on cross-border regional development, transport and energy links, might

⁴⁴ Commission of the European Communities, ‘*Laying Down the General Provisions Establishing a European Neighborhood and Partnership Instrument*’, COM(2004) 628 Final, Brussels, p.2.

⁴⁵ Michael Emerson, ‘European Neighborhood Policy: Strategy or Placebo?’, *CEPS Working Document*, No.215/ November 2004, p.7.

⁴⁶ Commission, Strategy Paper..., *op.cit.*, p.24.

⁴⁷ Del Sarto and Schumacher, *op. cit.*, p.31.

reasonably absorb 15% of a larger EU budget within the next budgetary 'envelope' from 2007-2013.⁴⁸

Similar to the southern members' attitudes to market openings the northern members are reluctant about providing extra commitments to development aid and, this time, they emphasize the limits of development aid and favor market opening mechanism as incentives to be provided to the neighbors. Therefore, on the one hand, the EU will be unable to provide trade concessions, and on the other hand it will be unable to provide financial aid because of the Northern members' opposition. As a consequence of both considerations within the framework of the ENP, there will not be sufficient incentives to induce these countries to work towards economic and political reform. The main weakness of the ENP lies in the fact that the instruments available to the EU may be inadequate to carry out the reforms the EU desires the limitations in terms of market openings and the integration with the internal market have been stated. It was also further argued that financial aid has not been correspondingly increased to meet the needs of seventeen countries. Therefore, it is highly probable that the ENP's offer may fall below the neighbor countries' expectations.

3.7. Conclusion:

The aim of this chapter is to discuss the main features of the ENP, as set forth in the official documents. In doing so, the Action Plans have been elaborated on. It is noted that the rationale and the methodology of the ENP is largely borrowed from the EU's experiences in enlargement. Finally the financial resources, the added value and the promise of success of the ENP have been explained. Throughout the chapter, it is argued that the ENP has major defects which will limit its ability to bring the countries at the EU's periphery in line with EU standards. The ENP has so far created no new institutions except for the ENPI. However, the EU original aim was to offer as part of the ENP a real integration scheme in which the partners would be provided with a kind of relationship that is not limited to mere cooperation but also entails some degree of

⁴⁸ Wallace, *op. cit.*, p.23.

integration. However, throughout this chapter it is argued that the ENP hardly provides the appropriate framework to realize this aim.

As shown in this chapter, the ENP is not a revolutionary policy but an evolutionary one building on the previous experiences of the EU. The ENP's relation with the enlargement process has merely been introduced here. However, it will be further elaborated in the next chapter.

CHAPTER 4

THE EUROPEAN NEIGHBOURHOOD POLICY AND ENLARGEMENT

In this chapter the relationship between the EU enlargement and the ENP will be explained in detail. Enlargement is, in addition to being the most important motivation for the development of the ENP, also important in providing the main source of methodology to the ENP. The methodology of the ENP has similarities with the pre-accession strategy of the recent enlargement. This policy shows significant borrowings from the enlargement institutions, from action plans, regular reports and conditionality, to differentiation and progressivity. In addition, the newcomers also affected the EU to propose a new policy towards these countries.

The chapter starts by examining the relationship between the ENP and the enlargement process. Then, the positions of the newcomers with respect to ENP will be introduced. Then, the methodological borrowings from the enlargement process will be examined.

4.1. The Relationship between Accession and ENP:

The most effective instrument of the EU's common foreign policy over the past 25 years has been the promise of enlargement. Since the collapse of the Soviet Union in 1991, the EU has focused its attention on moving the CEECs towards democracy and the market economy, which culminated in the accession of these countries into the Union on the 1st of May, 2004. After the last enlargement, the EU reached a point clearly indicating the impossibility of offering membership to the ENP countries as their membership would threaten the cumulative achievements of the European integration process. However, there are countries on the other side of the borders of the Union which have membership aspirations, and a blunt refusal of them may have direct negative repercussions for the EU. The ENP was formulated as an alternative to membership, when the EU is unable to offer the prospect of membership. However, it is

not clear whether the neighborhood policy is a permanent or a temporary state. The EU's posture reflects ambiguity and confusion with respect to relationship between neighborhood and accession. Commission President Prodi's statements concerning this ambiguity have been explained in the previous chapter. Other EU officials have added to the confusion. Former Commissioner for Enlargement Günter Verheugen, for example, said, 'let me make it clear that our neighborhood policy is distinct from enlargement. It neither prepares, nor rules it out at some point. For the time being the accession of these countries is not on our agenda'¹. However, the adoption of a significant part of the EU acquis and the political and economical reforms expected from the neighbors are comparable to those demanded from the new member states in the accession period. Therefore, it is not clear why these reforms do not prepare -- at least the eastern -- European countries for membership.

The Wider Europe Communication, on the other hand, is more encouraging towards eastern neighbors, stating that

The issue of accession has been ruled out for the non-European Mediterranean partners. But other cases remain open... Any decision on further EU expansion awaits a debate on the ultimate geographic limits of Europe. This is a debate in which current candidate states must be in a position to play a full role.²

The emphasis on the role of the new members in this decision suggests that the Commission has adopted a more positive posture with regard to the membership of the eastern neighbors.

However, the Strategy Paper declares that the ENP is a policy distinct from the possibilities available to European countries under Article 49 of the TEU. On this point William Wallace has argued that 'confusions and contradictions in a strategy of deliberate ambivalence may at best postpone awkward decisions, at worst breed

¹ Günter Verheugen, 'The European Neighborhood Policy', *Speech at the Prime Ministerial Conference of the Vilnius and Visegrad Democracies: 'Towards a Wider Europe: the new agenda'*, Bratislava, 19 March 2004.

² Commission, *Wider Europe...*, *op. cit.*, p.8.

accusation of betrayal'.³ Therefore, the EU must sort out the relationship between the 'neighborhood and accession'. This will be a question of whether the choice is 'neighborhood versus accession', as opposed to 'neighborhood and accession'.⁴ While the EU is trying to avoid creating new dividing lines through the ENP, the policy itself may turn out to be the means of exclusion itself, if the neighbors perceive the ENP as a policy designed to keep them out.

4.2. The Positions of the EU's Newcomers:

Every enlargement has an external dimension affecting the countries and regions which did not directly take part in the process.⁵ Traditionally, the character and interests of the newcomers have influenced the external agenda of the enlarged EU.⁶ The enlargement involving the UK, Denmark and Ireland in 1973, for example, resulted in the conclusion of the free-trade agreements with the remaining EFTA states. Moreover, the UK brought to the EU a global network of diplomatic, political, economic interests that factored directly into the establishment of new EU foreign policy actions.⁷ These range from the establishment of the Lome Convention to the Mediterranean Policy. Danes, on the other hand, served as a bridge to the Nordic Council after their membership.⁸ The Mediterranean enlargement in the 1980s for Greece, Spain and Portugal brought the EU closer to Mediterranean and Middle Eastern affairs. The 1994 enlargement resulted in the development of the ND in the external relations of the EU.

In terms of reformulation of the EU's foreign relations with the outside world, the 2004 enlargement also had a significant external dimension. The Fifth Enlargement

³ Wallace, *op. cit.*, p.12.

⁴ Kalman Mizsei, 'Europe's New Frontiers- the EU and its Neighbors', *Paper Presented at Conference 'Europe After Enlargement'*, Warsaw 8-9 April 2005., p.2.

⁵ Marise Cremona , 'Introduction ', in M. Cremona (ed.), *The Enlargement of the European Union*, (New York: Oxford University Press, 2003) , p.7.

⁶ Cremona, *The Impact of Enlargement...*, *op. cit.*, p.185.

⁷ Roy H Gingsberg, 'The Impact of Enlargement on the Role of the European Union in the World', in John Redmond, and Glenda G. Rosenthal, *The Expanding European Union*, (London: Lynner Rienner Publishers, 1998), p.198.

⁸ *Ibid.*

revealed one particular characteristic with respect to the previous ones in that the importance of the EU's relations increased with proximity.⁹

In this respect the positions of the newcomers were an influential factor. The 2004 enlargement brought the EU closer to the countries with which the new members have close historical and trade ties which they want to continue after membership¹⁰ Poland, for example, has been particularly interested in the development of a policy for the countries on its eastern border, especially for Ukraine and Moldova, since 1998. Besides Poland, the Baltic States and Slovakia have been also in favor of a policy towards these countries, which would be parallel to the ND.¹¹

Poland proposed a policy for Ukraine and Moldova, which it called the Eastern Dimension. The Poland's proposal for the Eastern Dimension is clearly modeled on the Northern one.¹² The aim of the proposal was to overcome the already existing divisions between the EU and non-EU states through close cooperation and aid. The Eastern Dimension is also aimed at avoiding tensions due to increasing socio-economic disparities between the EU and the former Soviet states. Włodzimerz Cimoszewicz, then Foreign Minister of Poland, argued that 'it seems reasonable for the EU to have a coherent and comprehensive framework of its Eastern policy'¹³ and he suggested that this framework should constitute the Eastern Dimension of the EU. Accordingly, the approach in this dimension should be flexible enough to enable individual development of relations with each of these countries, as well as being a comprehensive framework. The Polish initiative speaks of an eventual membership for Ukraine, Moldova and Belarus. As regards the Russian Federation, however, the situation is different since it

⁹ Cremona, *The Impact of Enlargement...*, *op. cit.*, p.200.

¹⁰ Haukkala, *op.cit.*, p.5.

¹¹ Geoffrey Edwards, 'The New Member States and the Making of EU Foreign Policy', *European Foreign Affairs Review*, Vol. 11 2006, p.150.

¹² Sevilya Kahraman, 'Avrupa Birliği'nin Komşuluk Politikası', *ATAUM*, Vol.5/1 2005, p.3.

¹³ Włodzimerz Cimoszewicz, , 'the Eastern Dimension of the European Union: The Polish View', *Speech at the conference: 'The EU Enlargement and Neighborhood Policy'*, Warsaw, 20 February 2003, p.2.,

Available at <http://www.msz.gov.pl> , Accessed on 4 March 2004.

has been labeled as a definite outsider.¹⁴ Poland regards Ukraine as a key partner and wishes to prevent its political and economic alienation from the EU. Therefore, a central aspect of this dimension is the ‘strategic partnership’ between Poland and Ukraine.¹⁵

The new members’ perceptions of the need for a policy towards their neighbors played a role in the EU’s decision to offer the ENP. Originally, the ENP was proposed as a framework of relations with the Eastern neighbors, in accordance with the new members’ priorities. Then the scope of the ENP was enlarged to include the Southern Caucasian and Southern Mediterranean states. Concerning the neighborhood policy, there is a conviction among the new members that ‘it is confusing and misleading to bring together the countries in the Middle East and North Africa with the countries of Eastern Europe’¹⁶. There has been ambivalence over the neighborhood policy as the eastern European countries were conceived to be potential or possible members by the newcomers.¹⁷

4.3. The European Neighborhood Policy and the Methodology of Enlargement:

Enlargement is, in addition to being the most important motivation for the development of the ENP, also important in providing the main source of methodology to the ENP. It is openly stated that relations with the neighbors will be enriched by drawing on the experience gained from the enlargement process.¹⁸ This policy shows significant borrowings from the enlargement institutions, from action plans, regular reports and conditionality, to differentiation and progressivity.¹⁹ This results particularly from the fact that in its early stages, the ENP has been largely conceptualized within the Directorate-General for Enlargement.²⁰ Moreover, the similarities between the

¹⁴ Moroff, *op.cit.*, p.5.

¹⁵ Scott, The EU and the ‘Wider Europe’..., *op. cit.*, p.442.

¹⁶ Edwards , *op.cit.*, p.159.

¹⁷ *Ibid.*

¹⁸ Commission, Strategy Paper..., *op.cit.*, p.6.

¹⁹ Kelly, *op.cit.*, p.30.

²⁰ Del Sarto, *op. cit.*, p.10.

enlargement policy and the ENP are partly due to the fact that many of the Commission officials who worked on enlargement transferred to the ENP.²¹ The Commission has so far elaborated the neighborhood policy and the Action Plans have been negotiated by the Commission. Monitoring of the process will also be the duty of the Commission. Therefore, although as a foreign policy issue taking decisions with respect to the ENP is within the competence of the Council, the Commission is the main body for the implementation of the policy. And the Commission has transferred its enlargement experiences to the ENP which is clearly reflected in the methodology of the ENP.

4.3.1 Accession Partnerships and Action Plans:

The Action Plans within the ENP which very much resemble the Accession Partnerships (AP), an important tool of the enhanced pre-accession strategy.

The main idea behind the concept of the Accession Partnership was that the priorities for each candidate country must be clearly defined and all forms of EU assistance should be brought within a single framework.²² The Accession Partnerships are one of the key policy instruments in the pre-accession strategy, which builds on the bilateral structures under the Europe Agreements.²³ The implementation of the Accession Partnership (AP) is monitored through the established joint institutions. From a legal point of view the accession partnerships are not agreement but unilateral acts. Although the AP's are supposed to be a partnership instrument in which decisions are made in collaboration with each applicant, in practice the process of consultation involved only cursory attention to CEECs' objections to either the contents or sequencing of demands.²⁴ In each AP the principles of the Union have been set out. These AP's are updated, taking into account the respective developments in the

²¹ Kelly, *op. cit.*, p.30.

²² Marc Morescau, 'Pre-Accession', in Marise Cremona (ed.), *The Enlargement of the European Union*, (New York :Oxford University Press), 2003, p.31.

²³ *Ibid.*

²⁴ Heather Grabbe, 'A Partnership for Accession? The Implications of EU Conditionality for the Central and East European Applicants, Robert Schuman Centre Working Paper 12/99, European University Institute, 1999, p.19.

candidate countries. The language used in the AP is often general and vague, and the assessments jump from description to prescription without detailed analyses of the problems and how to overcome them.²⁵ The financial assistance to the applicants were related to the objectives set out in the APs and the EU has applied strict conditionality: financial aid would depend on each country's success in meeting the objectives set out in its partnership agreements, as will be evaluated annually by the Commission.²⁶

Similar to the APs, the Action Plans will be the main framework of relations between the EU and the neighbors, and the association and partnership agreements are the legal framework on which the Action Plans are built. Legally the Action Plans are activated by the decisions of the association councils; therefore, they are not agreements on their own. In each Action Plan common values are stated together with priorities for cooperation since the incentives will be provided according to the progress made in these areas of cooperation. The language of the Action Plans is also general and vague, the priorities of actions and the incentives offered are in turn also vaguely defined. Moreover, providing additional benefits is also tied to the fulfillment of the priorities in the Action Plans.

Monitoring is also another adaptation from the pre-accession strategy. The Commission will prepare Regular Country Reports resembling 'progress reports' for accession countries to evaluate the progress of the ENP. In the enlargement process, these progress reports concentrate mainly on what has been achieved in assimilating the *acquis* in the candidate country. They were means of exerting pressure on the accession countries to adopt the EU *acquis*. The ENP regular reports would function similarly.²⁷ Taking into account these features it can be argued that the Action Plans are modeled on the APs.

²⁵ Heather Grabbe, 'How Does Europeanization affects CEE Governance? Conditionality, Diffusion, and Diversity', *Journal of European Public Policy*, Vol.8, No.6 2001, p.1022.

²⁶ Grabbe and Kirsty, *op. cit.*, p.64.

²⁷ Kelly, *op.cit.*, p.33.

4.3.2. Differentiation:

One other important dimension of the ENP, ‘progressivity’, is also taken from the enlargement methodology. Initially, enlargement proceeded in waves after the 1997 Luxemburg Summit; however, the EU was aware that grouping countries could dampen their individual progress. Thus in 1999 the EU tried to abandon the language of waves for the ‘regatta principle’ of a more flexible, multi-speed accession process. Then, both the development of the relations and provision of aid were linked to the progress made by the applicant countries in adopting the *acquis* of the EU. Similar to the pre-accession strategy, the development of relations and the incentives to be provided were linked to the efforts made by the neighbors to progress in effectively sharing the ‘common values’. One other example of adaptation is the principle of ‘differentiation’ embedded in the ENP.²⁸ The EU has adopted a roughly merit-based approach to enlargement: an applicant’s place in the membership queue corresponds to the progress it has made toward fulfilling the EU’s requirements.²⁹ All of the candidates are subject to the same requirements and are evaluated in a manner that has proved to be more or less based on merit.³⁰ The extensive emphasis in the ENP documents on the principle of differentiation seems to have resulted from these enlargement experiences.

3.1.3.4. Conditionality:

The term conditionality has been largely used in the context of international financial organizations. Conditionality is also used by the EU as a foreign policy instrument in various cooperation and association agreements that the EU signed with third countries. However, the most intensive use of conditionality took place in the context of Eastern Enlargement. EU membership conditionality, dependent on the adoption of the *acquis communautaire*, was the instrument by which the Commission has

²⁸ Kelly, *op. cit.*, p.34.

²⁹ Anna Milada Vachudova, *Europe Undivided: Democracy, Leverage, and Integration After Communism*, (New York Oxford: University Press, 2005), p.112.

³⁰ *Ibid.*

aimed to ensure the systematic compatibility of the CEECs with the EU.³¹ The use of conditionality in the ENP is also adapted from the methodology of the Enlargement.

Political and economic conditionality have become a general feature of the EU's external relations in the course of the 1990s. As Smith stated,

The community tried to encourage its eastern neighbors to carry out political and economic reforms by making trade and cooperation agreements, along with aid and association agreements conditional on satisfying certain criteria which include promoting democracy, the rule of law, human rights and respect for and protection of minorities.³²

In 1993 in the Copenhagen European Council, the EU established the Copenhagen Criteria which include: Stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minority rights; a functioning market economy as well as the capacity to cope with competitive pressures and forces within the EU; and ability to take on the obligations of EU membership including adherence to the aims of economic and political union. In December 1994, the Essen European Council the EU adopted the pre-accession strategy. After this strategy the EU started engaging more with the domestic and external policies of the candidate countries.³³

After the adoption of the enhanced pre-accession strategy in 1997, the degree of conditionality was increased. Firstly, financial assistance was granted only if certain conditions were satisfied. These conditions were determined by the priorities of the APs. Second, the essential element clauses in the Europe agreements were reinstated. That is, 'when an essential element in the Europe agreements was not respected, the Council

³¹ James Hughes, Gwendolyn Sasse, and Claire Gordon, 'The Ambivalence of Conditionality: Europeanization and Regionalization in Central and Eastern Europe', Workshop 4: *Enlargement and European governance, ECPR Joint Sessions*, Turin 22-27 March 2002, p.1.

³² Karen E. Smith, 'The Evolution and Application of EU Membership Conditionality', in Marise Cremona ed., *The Enlargement of the European Union*, (New York :Oxford University Press), 2003, p.121.

³³ Karen Smith, *op. cit.*, p.122.

could take appropriate steps with regard to any pre-accession assistance granted to an applicant state³⁴.

The ENP's approach is clearly based on positive conditionality. However, the application of conditionality seems to be problematic, as is argued in the first chapter. Even in the case of enlargement the effectiveness of conditionality increased only after 1998 when the first wave of the CEECs countries were given a clear prospect of membership and the credibility of the rewards subsequently increased.³⁵ In the absence of the carrot of membership, it is highly questionable whether conditionality will be instrumental within the framework of the ENP.

4.4. Conclusion:

Throughout this chapter it is argued that the ENP is not as innovative as the EU says it is. The relationship between the enlargement and ENP has been introduced and argued that the officials of the EU are ambiguous with respect to the relations between ENP and enlargement. The Positions of the new comers also affected the EU to propose anew policy towards the new neighbors. Finally the methodology of the ENP reflects clear borrowings from the enlargement. On this respect, conditionality and the benchmarking approach, which was adapted from the pre-accession strategy, were not balanced with adequate incentives. After mentioning the evaluation in chapter one, the limitations of the methodology and incentives of the ENP in Chapter two, and clarified the relationship between enlargement and ENP in chapter three, in the next chapter the influence of the ENP on the foreign policy system of the EU will be analyzed. In doing so, the impact of the ENP on the actorness of the EU will be discussed, after which the kind of role the EU plays in the ENP will be explained.

³⁴ Morescau, *op.cit*, p.37.

³⁵ Schimelfening and Sedelmeier, *op.cit.*, p.666.

CHAPTER 5

THE EUROPEAN NEIGHBORHOOD POLICY AND THE EU'S FOREIGN POLICY

As an influential foreign policy actor the EU has formulated the ENP with respect to its neighborhood. Although there are difficulties in formulating foreign policies, on some occasions member states agree on common foreign policies: they agree on common interests and objectives and mobilize national and collective resources to fulfill them.¹ The ENP as the Union's latest foreign policy initiative reflects a point that the members could agree on. In this chapter, the innovations the ENP contributed to the EU's foreign policy system, its place within this system and its impact on the international actorness and identity of the EU will be introduced. In doing so, it will be argued that the EU is following its interests in a more assertive manner. With respect to the place of the ENP in the EU's structure, it will be contended that the new policy can be conceived as a cross-pillar initiative and the factors that gave the upper hand to the Commission will be discussed. In terms of external influence, it will be argued that with the ENP, at least up to the present, the EU could act like a coherent actor. However, there are potential factors which can lead to the reaffirmation of the capability-expectation gap mainly resulting from the insufficient resources provided for the ENP. Finally, in regard to its international identity it will be argued that the EU is increasingly asserting its power in its geographical proximity. Therefore, in addition to its civilian and normative power there is an EU that can also be characterized as a 'Hegemonic Power' in its neighborhood.

¹ Katja Keisala, *The European Union as an International Actor: Strengths of the European Civilian Power*, University of Tampere, Finland 2004, p.105.

5.1. A More Assertive Foreign Policy in Pursuit of EU Interests:

The enlarged EU did not only find itself bordering new states, but it has also become larger in terms of population and territory. As an international actor which has managed the successful transformation of the CEECs, the EU shows greater self confidence in its relations with its new neighbors. Del Sarto argues that

In the realm of foreign policy, enlargement has resulted in the EU's acknowledgements of its increased weight in world politics, along with a re-evaluation of relations with the old and new bordering states. With regard to the latter, the EU's reassessment of its position and capabilities is translated into the EU's explicit intention to exert its power through a differentiated benchmarking approach, positive conditionality, a greater engagement and increased assertiveness in its close geographical proximity.²

In its neighboring regions, the EU is beginning to emerge as a strategic international player, in the sense that it is defining its strategic interests, and pursuing them through an assertive and comprehensive policy initiative within the ENP. As usual the EU seems to pursue milieu goals but this time in a manner reflecting more the aspects of possession goals.

In pursuit of foreign policy goals by actors, Arnold Wolfers made a distinction between 'possession goals' and 'milieu goals'. The possession goals are concerned with defending or advancing particular foreign policy interests, and they involve an actor aiming at the enhancement or the preservation of one or more of the things to which it attaches value. On the other hand, 'milieu goals' are related with the change in the wider international system, and include such things as strengthening international law and multilateral organizations, addressing the social and economic causes of conflicts, combating the trade in narcotics and tackling the spread of epidemics.³ Actors pursuing milieu goals seek to create a favorable, environment for their interests.

The primary foreign policy objectives of the EU are milieu-shaping and this approach continues to exist in the ENP. Within the ENP there is a broader definition of

² Del Sarto, op.cit., p.12.

³ Arnold Wolfers, *Discord and Collaboration: Essays on International Politics*, (Baltimore: John Hopkins University Press, 1962), quoted in Adrian Hyde-Price, 'The EU, Power and Coercion: From 'Civilian' to 'Civilizing' Power', *CIDEL Workshop*, Oslo 22-23 October 2004, pp.11-12.

security and the main aim is to address the root causes of the conflicts. The respect for international law and cooperation in international organizations are frequently stated in the Action Plans. Through the ENP the EU seeks to shape the regional context in a way conducive to its economic, political and security interests. In doing so, the EU acts as a hegemon providing security, stability and prosperity through a mixture of consent and coercion, in the sense that it dictates its own model of political and economic governance over that of its neighbors.⁴

It seems that the EU has developed interest with respect to its close geographical proximity with the ENP. The documents on Wider Europe and Strategy Papers are straightforward in stating what the EU's interests are. The Wider Europe document states that close co-operation with its neighbors is in the EU's interest in order to be able to provide security and welfare to its citizens in the future.⁵ The issue of cooperation and effective control of borders is mentioned as a 'common interest'.⁶ Regarding the challenges deriving from poverty, autocratic rule, and conflicts on its periphery, the document states that 'the EU has a clear interest in ensuring that these common challenges are addressed'⁷. Not only do the official documents state more assertively the European interests in the neighboring countries, but the Commissioner for External Relations and Neighborhood Policy, Benita Ferrero-Waldner, also conceives of the ENP as a policy to further the interest of the Europeans as well as a policy to induce reform in neighboring countries.⁸ As was stated before, Johan Gault argues that the ENP, which makes strong claims concerning the promotion of the Union's values, was launched primarily in order to ensure security of energy supplies from peripheral countries.

With regard to the movement of persons the EU is taking a protectionist approach rather than a cooperative one. The Wider Europe Communication only

⁴ Adrian Hyde-Price, 'The EU, Power and Coercion: From 'Civilian' to 'Civilizing' Power', *CIDEL Workshop*, Oslo 22-23 October 2004, p.11.

⁵ Commission, *Wider Europe...*, *op.cit.*, p.3.

⁶ Commission, *Wider Europe...*, *op.cit.*, p.6.

⁷ Commission, *Wider Europe...*, *op.cit.*, p.11.

⁸ Bennita Ferrero-Waldner, , 'The European Neighborhood Policy: the EU's Newest Foreign Policy Instrument', *European Foreign Affairs Review*, Vol.11, 2006, p.140.

discusses visa facilitation for diplomats and those migrants needed for the economic and social well-being of the Union. The Action Plans only stipulate that ‘a constructive dialogue on visa facilitation between the EU and (the name of the neighbor) will be established’. Moreover, the protectionist approach is also observable in the EU’s insistence on the neighboring countries to sign readmission agreements. Virtually in all the Action Plans the signing of readmission agreements and improvement of the border facilities are priority issues of action.

Although it is clear that the EU has developed interests in its periphery and has greater assertiveness in stating and pursuing those interests, its objectives and instruments have not been changed much.

In the Article J.1 of the TEU the objectives of the Union were enumerated as: safeguarding the common values and the fundamental interests and independence of the Union; strengthening the security of the Union in all ways; preserving peace and international security; promoting international cooperation; and developing and consolidating democracy and the rule of law and respect for human rights and fundamental freedoms. This liberal democratic agenda also constitutes the main objectives of the Union in the ENP. It seems that in order to provide coherence within the framework of the ENP, its objectives are broadly defined as those ‘which can be accommodated to national policies without much difficulty’⁹.

White stated that there are frameworks, regulatory and coercive instruments in the hands of the Commission.¹⁰ Framework instruments refer to cooperation, association and partnership agreements, coercion instruments include the removal of economic favors and the regulatory instruments are the actions taken by the Commission to stop unfair trading with the third parties. PCA and Euro-Med agreements constitute the framework instruments of the ENP. For the moment the ENP does not include coercion instrument, as tangible benefits have not yet been provided to partners. As noted before, the use of rewards or incentives, or conditionality as a means of putting pressure on

⁹ Simon Nuttall, ‘Coherence and Consistency’, in Christopher Hill and Michael Smith, *International Relations and the European Union*, (New York: Oxford Press, 2005), p.107.

¹⁰ Brian White, *Understanding European Foreign Policy*, (New York: Palgrave, 2001), p.56.

partner countries, constitute the logic of conditionality within the ENP. Additional assistance and rapprochement within the framework of the new policy are tied to progress made by those states in the areas determined in Action Plans. On these issues, however, the EU previously displayed significant limitations in practice. For example, the EU aid allocations were not distributed with a strong correlation to democratic progress because of strategic considerations of some member states.¹¹ Whether the EU will be able to apply this conditionality consistently is to be seen.

5.2. The ENP's Place in the Union's Pillar Structure:

One other important point is how to fit the ENP into the EU's complex institutional structure. Within this framework, the ENP can be conceived of as a cross-pillar policy, and this characteristic provided an opportunity for the Commission to continue its foreign policy role that it had acquired under the enlargement process.

Given that the EU aims at developing a coherent and active foreign policy directed at the countries on the other side of the Union's borders, the ENP can naturally be conceived as part of the CFSP, which is Pillar II of the Union's structure. Although the neighborhood policy is principally a foreign policy initiative, the Commission has taken that responsibility since its inception. The role of the High Representative in terms of preparation of the parts of the Action Plans stated before. Therefore the initiative requires the cooperation of the institutions from both first and second pillars.

The third pillar, JHA, enters the equation in that within the framework of the ENP the issues of border management, especially along the land borders with the eastern European countries and sea borders with the Mediterranean ones, are of primary importance. In each of the Action Plans there is one chapter devoted to JHA issues including the training of police and the development of the judicial bodies and most importantly, to both legal and illegal migration.

One other reason for conceiving of the ENP as an inter-pillar initiative is that the ENP requires measures as part of the crisis management, mainly Pillar II; long term

¹¹ Richard Youngs, 'Democracy Promotion: The Case of European Union Strategy', *CEPS Working Paper*, No. 167, October 2001, p.26.

financial assistance, political and economic cooperation, mainly Pillar I; border management and migration issues, Pillar III. The overlapping issue areas give the ENP the feature of a cross-pillar character. Therefore, although situated under the Commission's competence, the ENP can be conceived of as a cross-pillar initiative that has elements of each of the three pillars, both in terms of institutions and issue areas. This approach reflects the understanding on the part of the Union that those foreign policy initiatives connecting the intergovernmental – the second and third pillars - and community – the first pillar - issue areas, like the enlargement policy, are the most successful foreign policy initiatives of the Union.

5.3. The impact of the ENP on the International Actorness of the EU:

The EU as less than a state and more than an international organization posed difficulties for scholars in conceiving in what ways it could be regarded as an independent actor in international relations since the 1970s. In assessing the actorness of the EU, two types of approaches exist: the broader ones dealing with the external policies in which the European Union is highly active, especially trade, agriculture, environment and development aid; and those limited to the CFSP.¹²

Those adopting a wider view also have a positive conceptualization on the Unions' capabilities. Bretherton and Vogler argue that the role of the EU depends on its presence, opportunities and capabilities.¹³ They distinguish five requisites for actorness: shared commitment to a set of overarching values and principles; ability to identify policy priorities and to formulate coherent policies; ability to effectively negotiate with other actors in the international system; availability of and capacity to utilize, policy instruments; domestic legitimation of decision processes and priorities relating to external policy.¹⁴

¹² Virginie Mamadough, 'Framing the European Union as A Geopolitical Actor', *Paper Presented at SGIR Conference 'Constructing World Orders'*, The Hague, 9-11 September 2004, p.7.

¹³ Charlotte Bretherton and John Vogler, *The European Union as a Global Actor*, (NewYork: Routledge 1999), pp.5-8.

¹⁴ Bretherton and Vogler, op. cit., pp. 37-38

Concerning the actorness of the EU, within the framework of the ENP it can be argued that the EU has not faced major challenges in establishing overarching values and principles and even common interests, as the objectives of the ENP are defined very generally, seemingly to avoid any disputes among the member states, and as they are consistent with the general EU objectives. In fact, common values and principles as they are defined within the ENP are those similar to the ones in the TEU. Therefore, there is not much discussion over them.

Consistency/coherence, however, is both a problem within the ENP and the ENP itself is a response to overcome this problem in the European foreign policy system. The discussion over whether the EU is itself a coherent actor and whether it is possible for it to formulate coherent policies and implement them consistently, is a prominent feature concerning the EU's actorness.

Nuttall argues that coherence/consistency can be categorized under three headings: 'horizontal', 'institutional' and 'vertical' consistency. For him,

Horizontal consistency denotes that policies pursued to reach different objectives by different institutions of the EU should be coherent to each other. Institutional consistency results from the fact that there are two institutions to handle the external policy of the EU, represented in the Pillar I and Pillar II of the Union's structure. The vertical consistency refers to the consistency of the policies pursued by the member states with that agreed upon at the EU level.¹⁵

It is possible to find in the ENP, as a new foreign policy initiative of the EU, challenges resulting from the coherence and consistency problem and the attempt to overcome these difficulties through a new approach. The need to formulate a policy concerning the new and old neighbors, in fact, has not emanated from a consensus among the member states. When the proposal was brought before the GAC in June 2002, it met with a lack of interest. The case of institutional inconsistency can be seen in the difference of tones in the Council of Ministers' conclusion and the assertive propositions made by the Commission, especially with regard to visa facilitation and the Four Freedoms. The vertical consistency problem is reflected in the positions of the

¹⁵ Nuttall, *op. cit.*, p.97.

newcomers demanding a policy specific for Ukraine, Moldova and Belarus, and the Commission's attitude towards the inclusion of the Russian Federation- in the initial phases of the policy. Moreover, these countries also declared their objections to the expansion of the ENP to include Southern Mediterranean states.

There is also the difference between the relative importance attached to the eastern and southern neighbors respectively by the eastern and southern members of the Union. To avoid the pressures coming from the different members for their respective neighborhood for an increased amount of favor, the geographical coverage of the policy was expanded, which originally targeted the eastern neighbors.

One other point related to consistency/coherency is that it has an external dimension reflected in the policies implemented with regard to third parties. As a new foreign policy initiative, there is not much evidence on this point. However, the ENP can be conceived as a response to these external coherence problems, through the creation of the ENPI and Action Plans. The neighbor countries will receive additional aid on the basis of the benchmarks created in the Action Plans. This will be helpful in underlining the procedures of providing aid and requirements from the neighbor states. Thus it will contribute to the coherency of the EU. However, there is one other dimension with respect to the external coherence problem in the ENP. Taking into account the privileged position of Israel, it can also be argued that there is already a deficiency in terms of consistent implementation of the policy. Therefore, taking these opposing points into consideration, the ENP's added value with respect to external coherence of the Union is to be seen in the implementation period.

Concerning the criteria for the ability to enter into negotiations with the third countries and the group of countries the European Union has been a coherent actor in the ENP. The Council of Ministers and European Council gave the main direction and the Commission, in the name of the community, is preparing the Country Reports, and on those bases making the negotiations of the Action Plans with neighbors. The Commission worked in consultation with the Permanent Representatives Committee and relevant Council working groups, concerning the possible elements to be included in the ENP. In addition, the parts of the Action Plans related to political cooperation and the

CFSP have been worked on and agreed jointly with Commission and High Representative.¹⁶ Within the framework of the ENP it can be argued that towards the neighbor the EU has been able to enter into negotiations as a coherent actor.

The instruments of the EU may have both a negative and positive impact on its actorness. As argued in Chapter One, the extent of the market opening is ambiguous within the ENP and it seems that the member states have not been clear on this issue. The Action Plans do not go beyond the already existing frameworks, the PCA's and Association Agreements. The most important instrument for the actorness of the EU within the framework of the ENP is the creation of the ENPI which will replace MEDA and TACIS. Creation of a single financial instrument in the form of ENPI in itself can be considered as an attempt to increase the coherency and actorness of the EU with respect to the region.

5.4. The Capability-Expectation Gap and the ENP:

However, Christopher Hill's concept of 'capability–expectation gap' is applicable to the ENP's attempt at transforming neighboring countries without sufficiently increasing the necessary capabilities. Hill introduced the term capability-expectation gap in 1993, arguing that

The tasks the Community was expected to undergo in world affairs constitute a challenge to the actual capabilities of the EC in terms of its ability to agree, its resources and the instruments at its disposal. He argued that the Community was talked up to a point where it was no longer capable of fulfilling the new expectations, as it had not created capabilities to match the expectation that it would act coherently and effectively on the world stage.¹⁷

He continued to argue that

The capability-expectation gap can be closed either by increasing capabilities or decreasing expectations. For him, the capabilities mean

¹⁶ Commission, Strategy Paper..., *op. cit.*, p.2.

¹⁷ Christopher Hill, 'Capability-Expectations Gap, or Conceptualizing the Europe's International Role'. *Journal of Common Market Studies*, Vol.31, No.3, 1993, p.315.

cohesiveness, resources and operational capacity. To increase them political and constitutional reform is needed in the EU structure. Lowering expectations, on the other hand, means both lowering one's own ambitions in foreign policy and communicating the fact, in terms of its institutional and capacity related limitations, to outsiders so that the limits of actorness are made visible.¹⁸

It is arguable that the ENP, although the policy has not been in operation long enough to draw conclusions about it, may one day reify this capability-expectation gap.

Concerning the first item of capability 'cohesiveness' within the ENP, as was argued before, the Union has more or less found a common position among the member states and Union institutions. The Council of Ministers and the European Council determined the overall direction, but the Commission has been the leading player in structuring the EU's new policy since the beginning of the process in 2002. Moreover, the Directorate General for External Relations was renamed as the 'Directorate General for External Relations and Neighborhood Policy' and is to be the main body responsible for the policy so as to decrease the complexity of the relations. These items can be perceived as part of the attempt by the EU to become a more coherent foreign policy actor in the ENP.

However, in terms of resources and operational capacity there are doubts whether the ENP can provide an adequate framework. The policy included a wide range of issues and the degree and the number of expectations placed on the EU is abundant. They extend from stability and democratization throughout the EU, to solutions for the long-lasting crises in Transnistria, Palestine, Nagorno-Karabakh and Western Sahara, from the JHA issues to the facilitation of the integration of neighboring countries to international institutions, development aids, transportation and the energy issues. There are over 300 actions mentioned in the Action Plans, but there are no institutional mechanisms to coordinate them.

Moreover, if it is accepted that the enlargement was successful in transforming new members, it may encourage the greater expectation that the EU can repeat its

¹⁸ Hill, *op. cit.*, pp. 321-322.

success in its close geographical proximity. The ENP is an ambitious policy in terms of its aspirations. The adoption of the ENP gave rise to the hope among neighbors that the EU will pay more attention to their needs.¹⁹ The formulation of a policy that will shape the internal and external policies of the concerned countries will naturally increase their expectations of the Union to increase the resources dedicated to the policy to balance the substantial requirements. However, the Union has not increased the amount of resources committed to the ENPI nor provided greater market-opening opportunities. This lack of generosity can partly be attributed to the internal limitations of the EU budget. However, in terms of market openings, the EU has the potential to provide preferential access for the neighboring countries which has not yet been done.

These are also related with the internal developments in the EU. Since 2002, there have been discussions within the EU over the 2007-2013 budgets. These discussions show that the EU has difficulties in even funding the internal programs and therefore it is in no position to be generous to the neighbors. However, successful foreign policy implementation is related with financial and political resources. Within the framework of the ENP, the Union does not possess sufficient resources and instruments to match the expectations with capabilities. As Hill argues, before the CFSP the EU was able to act more or less as an international actor in its own right, but the increase of expectations with the CFSP resulted in disappointment as the necessary institutional and capacity-related innovations did not materialize. The ENP reflects the same point: if the EU is to be a fully-fledged international actor it is imperative for the EU to formulate policies such as the ENP on the condition that necessary institutional adaptations are made and a sufficient amount of resources is committed, otherwise it will achieve nothing more than adding a new foreign policy failure to its inventory. Therefore, the policy intended to increase the EU's actorness may very well reduce it.

¹⁹ Del Sarto and Schumacher, *op. cit.*, p.36

5.5. International Identity of the Union:

Having explained the actorness of the EU and determined its place in the European foreign policy system, and having stated the reasons for it, it is time to clarify the impact of the ENP on the international identity of the Union.

There is a tendency in the literature to name the EU as a specific kind of international actor.²⁰ These include characterizing the EU as a civilian power, a military power or a normative power. In this part of the study, based on the work of Adrian Hyde-Price, it will be argued that the EU is increasingly becoming a regional hegemon with respect to its neighborhood, although its role as civilian or normative power continues to exist.

5.5.1. The EU as a Civilian Power:

The term Civilian Power, was first used for Japan and Germany after the Second World War to describe the contrast between their economic power and their limited political independence as well as their dependence on American military for their security.²¹

The civilian power model for the EC's international identity was popularized by François Duchene in the early 1970s.²² The changing international context at that time was characterized by growing economic competition between Western Europe and the United States, as well as by the normalization of relations with the Soviet Union. Therefore, there arose an understanding that the importance of low politics increased with respect to the high politics. These developments led Duchene to mark this time as a turning point, where the EU had to decide which road it should take. He conceived that

²⁰ Smith, Karen, 'Still 'civilian power EU?''', p.1., 2004, Available at

<http://www.arena.uio.no/cidel/WorkshopOsloSecurity/Smith.pdf>, Accessed on 12 July 2006.

²¹ Stelios Stavridis, 'Militarizing the EU: The Concept of Civilian Power Europe Revisited', *International Spectator*, Vol.36, No.4, October-December 2001, p.44.

²² Hans-George Erhart, 'What Model for CFSP', *Chaillot Papers*, No.55, October 2002, p.10.

three paths were available to follow based on the superpower, neutral and civilian power models.²³

Duchene himself preferred to push for Europe as a civilian power. According to Duchene, a civilian power has two main characteristics, the first being that it is 'long on economic power and relatively short on armed forces', adding that 'in the case of the EEC, however, this shortage is not the result of material incapacities, but is a deliberate policy choice'. The second characteristic is that it must be 'a force for the international diffusion of civilian and democratic standards, or else the civilian power itself will be the victim of power politics'²⁴. In order to become a respected player, the EU would have to become more cohesive. The aim, however, would not be to replace the US security guarantee but to reinforce it in order to reduce any Soviet temptations and resist security-economic bargaining pressures from the Americans.

After the criticism of Duchene's concept in the 1980s by Hedley Bull, who criticized the concept of the EU as a civilian power by arguing that it was a 'contradiction in terms'²⁵, the 1990s witnessed the revival of interest in the conceptualization of the international role of the EU in general and the civilian power debate in particular. This growing interest in the role of civilian power was accompanied by attempts to find a better explanation than the conceptual vagueness to that point. This was partly due to the fact that Duchene's explanation seemed inadequate.²⁶ The revival of the concept occurred with Juliet Lodge's 1993 article on civilian power. Her contribution is important for two reasons: first she added the element of democratic

²³ Francois Duchene, 'the European Community and the Uncertainties of Interdependence' in M. Kohnstamm, W. Hager (eds), *A Nation Writ Large? Foreign Policy Problems before the European Community*, (London: Macmillan, 1972), pp.8-20.

²⁴ Duchene, *op. cit.*, pp.19-20.

²⁵ Hedley Bull, 'Civilian Power Europe: A Contradiction in Terms?', *Journal of Common Market Studies*, Vol.21, 1982.

²⁶ Jan Orbie, 'Everything but Arms: A Civilian power Europe at Work', *European Consortium for Political Research Joint Possessions of Workshop*, Uppsala 13th-18th April 2004, p.8.

control to the concept, and second she emphasized a broader understanding of security by putting a human face on security besides the traditional military aspects.²⁷

Hanns Maull's definition of civilian power, although he was referring specifically to the cases of Germany and Japan, has been regularly used also with reference to the EU. For Maull, being a civilian power means

The acceptance of the necessity of cooperation with others in the pursuit of international objectives; the concentration on non-military, primarily economic, means to secure national goals, with military power left as a residual instrument serving essentially to safeguard other means of international interaction; and a willingness to develop supranational structures to address critical issues of international management.²⁸

Karen Smith argues that Maull's definition primarily emphasized civilian means and how they are used. She adds 'ends' and the 'process' by which foreign policy is made by arguing that

Being a civilian power has been most frequently defined to entail not just the means that an actor uses, but also the ends that it pursues the way those means are used, and the process by which foreign policy is made. There are in other words, four elements for being a civilian power: means; ends; use of persuasion; and civilian control over foreign policy making.²⁹

In regard to the civilian power debate, to what extent the notion of civilian power and the defense capability is compatible is a point widely discussed among scholars. Duchene argued in the 1970s that the acquisition of weapons for the purpose of self-defense is compatible with the idea of Europe as a civilian power.³⁰ In the 1970s there was also the definition of civilian power by Twitchett who defined it as an actor that has

²⁷ Lodge, J., 'From civilian power to speaking with a common voice: the transition in to a CFSP', in Lodge, J.,(ed.), *The European Community and the challenges of the Future*, Pinter, 2nd. Ed., 1993, 227-251, quoted in Stelio Stavridis, 'Why the 'Militarizing 'of the European Union is Strengthening the Concept of a 'Civilian Power Europe'', *EUI Working Papers*, NO.17 2001, Italy, pp.8-9.

²⁸ Hanns Maull, 'Germany and Japan: the New Civilian Powers', *Foreign Affairs*, Vol 69, No.5, 1990, pp.92-93.

²⁹ Karen Smith, *Still a Civilian Power...*, *op. cit.*, p.2.

³⁰ Francois Duchene, 'Europe's Role in World Peace' in R. Mayne,ed., *Europe Tomorrow, Sixteen Europeans Look Ahead*, (London: Colins Publishers, 1972), quoted in Christian W. Burckhardt, 'Why is There a Public Debate about the Idea of a 'Civilian Power Europe'', *EI Working Paper*, London, October 2004, p.10.

no military dimension but is able to influence other international actors through diplomatic, economic and legal means.³¹

Lodge argued in the early 1990s that a civilian power concentrates on an effort to limit, but not eliminate the use of force.³² ‘Maull, although in his earlier writings he saw civilian power as essentially non-military and put the emphasis on peaceful foreign policy’,³³ after 1999 he became an advocate of civilian power states which also used force to safeguard other means of international interaction. For him, what is important in being a civilian power is whether it is pursuing civilian ends. Primarily concerned with Germany and its contribution to the bombing of Serbia, he concludes that Germany is still a civilian power as it used force to safeguard solidarity and to promote human rights.³⁴

In this context, Henrik Larsen argues that the St. Malo Process, which is an important point for the acquisition of the defense dimension by the EU, did not lead to a complete break with the previously dominant civilian power discourse.³⁵

Stelio Stavridis goes one step further and argues that Europe as a military power is not only compatible with Europe as a civilian power but also by way of military power the EU will eventually be able to act as a world power and more importantly as a ‘real’ civilian power. Based on the second part of the Duchene’s definition and putting the emphasis on the ends rather than the means, he argued that the use of force by the European civilian power can be necessary to promote human rights and democratic principles.³⁶

³¹ K. Twichet, *Europe and the World*, (London: Europa, 1976), quoted in Roy Ginsberg, ‘Conceptualizing the European Union as an International Actor: Narrowing the Theoretical Capability-Expectation Gap’, *Journal of Common Market Studies*, Vol.37/3, September 1999, p.445.

³² Stavridis, *Why the Militarising the European Union* (2001)..., *op. cit.*, p.10.

³³ Christian W. Burckhardt, ‘Why is There a Public Debate about the Idea of a ‘Civilian Power Europe’’, *EI Working Paper*, London October 2004, p.12.

³⁴ *Ibid.*

³⁵ Henrik Larsen, ‘The EU: A Global Military Actor?’, *Cooperation and Conflict*, Vol.37/3, 2002, p.297.

³⁶ Stavridis, *Why Militarizing the European Union*... , *op. cit.*, p.49.

On the other side of the spectrum there are those who interpret the civilian power in fundamentally different ways. For them civilian power is by definition non-military, and includes economic, diplomatic and cultural policy instruments and uses persuasion and negotiation - soft power instruments - in the conduct of its foreign policy rather than the hard power methods.³⁷ In this discourse Smith's argument has proved influential. According to her, the acquisition of the military means by the Union will put an end to its image as a civilian power. 'Outsiders would see such a development as a step towards the creation of a superpower that uses its military means to pursue its own interests.'³⁸ She argues that developing a military dimension in the European integration process will bring about little benefit in exchange for a great loss:

The stated intention enhancing the EU's military resources carries a price: it sends a signal that military force is still useful and necessary, and that it should be used to further the EU's interest. It will close off the path for fully embracing civilian power. And this means giving up far too much for far too little.³⁹

A truly effective civilian power Europe would have a broader understanding of security policy that underlines the political, social economic, demographic, cultural and ecological aspects of security, tackling the root causes of conflict. Jünemann and Schörning, on the other hand, argue that exactly those non-military means of conflict resolution in which the EU has a comparative advantage may be neglected because of the building up and maintenance of military capabilities.⁴⁰ Jan Zielonka also criticized the adherence to the military dimension, arguing that it weakens the EU's distinct profile of having a civilian international identity. His main argument is that the civilian power,

³⁷ Karen Smith, *Still Civilian Power...*, *op. cit.*, p.1.

³⁸ Karen Smith, 'The Instruments of European Foreign Policy' in Zielonka, j. (ed.), *Paradoxes of European Foreign Policy*, The Hague Kluwer Law international, p. 67-87, quoted in Christian W. Burckhardt, 'Why is There a Public Debate about the Idea of a 'Civilian Power Europe'', *EI Working Paper*, London October 2004, p.12.

³⁹ Karen Smith, 'The End of Civilian Power EU: A Welcome Demise or Cause for Concern?', *The International Spectator*, Vol.35, No.2 April-June 2000, p.28.

⁴⁰ A. Jünemann and N. Schörning, 'Die Sicherheits- und Verteidigungspolitik der 'Zivilmacht Europa', Ein Widerspruch in sich?', *HFSK Report bo.13*, Frankfurt 2002, quoted in Christian W. Burckhardt, 'Why is There a Public Debate about the Idea of a 'Civilian Power Europe'', *EI Working Paper*, London October 2004t, p.13.

non-military-dimension of European integration is at the heart of the process, and thus opposes any militarization of the EU.⁴¹

A civilian power in its relations with the other actors prefers to use persuasion, positive engagement, negotiation and cooperation in the pursuit of its objectives. One important dimension of the civilian power is that the type of power exerted by the actor in question is also important to be characterized as a civilian power. That is, although conceptualization of a civilian power is made according to military and non-military aspects of power, a distinction in terms of ‘hard and soft forms of power’⁴² wielded by the actor in question can also be made. According to Nye, hard power can be summarized as ‘the use of sticks and carrots’ which implies both coercion and inducement. This means that a civilian power may not have military instruments, but it can still have hard power components as economic and diplomatic means can be used as both sticks and carrots.⁴³ Soft power on the other hand implies the ability of getting others to want what you want. This form of power means that an actor can define the framework of the debate and is capable of influencing perceptions and expectations of other actors⁴⁴. From this perspective, a civilian power relies on soft power, on persuasion, meaning cooperating with third countries to try to induce desired internal and external changes, and attraction, not on coercion, which involves threatening and inflicting punishment or carrot or sticks.⁴⁵

⁴¹ Jan Zielonka, explaining Euro-Paralysis: Why Europe is Unable to Act in International Relations, MacMillan, London 1998, quoted in Stelias Stavridis, ‘Why the Militarizing of the European Union is Strengthening the Concept of a ‘Civilian Power Europe’, *EUI Working Papers*, 2001, p.10.

⁴² Joseph Nye, *Soft Power: the Means to Success in world Politics*, (New York: Public Affairs 2004), quoted in Smith, Karen, ‘Still ‘civilian power EU?’’, p.1., 2004, Available at <http://www.arena.uio.no/cidel/WorkshopOsloSecurity/Smith.pdf>, Accessed on 12 July 2006, p.4.

⁴³ Orbie, *op. cit.*, p.11.

⁴⁴ Joseph S. Nye, *The paradox of American Power: Why the World’s Only Superpower Can’t Go It Alone*, (New York: Oxford University Press, 2002) , p.222, quoted in Jan Orbie, ‘Everything but Arms: A Civilian power Europe at Work’, *European Consortium for Political Research Joint Possessions of Workshop*, Uppsala 13th-18th April 2004, p.11.

⁴⁵ Karen Smith, *European Union Foreign policy in a Changing World*, (Cambridge: Blackwell Publishing, 2003), p.22.

5.5.2. The EU as a Normative Power:

Ian Manners, on the other hand, tries to conceptualize the international identity of the EU by focusing on its ideational impact as representing a normative power.⁴⁶ This does not mean to disregard the EU's civilian or military power ideas, but the focus is on its ability to shape the conception of what is normal in international relations.⁴⁷ For him, the central component of Europe is that the EU exists as being different from pre-existing political forms, and that this particular difference predisposes it to act in a normative way.⁴⁸

For him, the EU's unique historical development, its hybrid character of supranational and intergovernmental forms of governance, and its particular constitutional norms emphasizing ethical behavior in world politics means that it should be understood as a 'normative power'. There are five core and four minor norms that provide normative foundations for the union. The core norms are peace, liberty, democracy, human rights and fundamental freedoms. The minor norms are social solidarity, anti-discrimination, sustainable developments and good governance. The EU is ontologically distinct from other international actors because it is based on normative values and this is reflected in its international role. However, the mere existence of these norms does not make it a normative power. The EU's normative power stems from the six factors that provide the diffusion of these norms in international politics which are contagion, informational, procedural, transference overt diffusion and cultural filter processes.⁴⁹ Thus the different existences, different norms, and different policies that the EU pursues are really part of redefining what can be normal in international relations.⁵⁰

In regard to the militarization of the EU, Manners concludes that it will not necessarily lead to the diminution of the conceptualization of the EU as normative

⁴⁶ Ian Manners, 'Normative Power Europe: A Contradiction in Terms', *Journal of Common Market Studies*, Vol.40, No.2, 2002, p.238.

⁴⁷ Manners, *op. cit.*, p.239.

⁴⁸ Manners, *op. cit.*, p.242.

⁴⁹ Manners, *op. cit.*, pp.244–245.

⁵⁰ Ian Manners and Robert Whitman, 'The Difference Engine': Constructing and Representing the International Identity of the EU', *Journal of European Public Policy*, Vol.10/3, June2003, p.389-390.

power.⁵¹ However, the militarizing process provided by the European Security Strategy is already weakening the normative claims of the EU. He bases his arguments on the way the operations in the Balkans were conducted. For him, the EU took a position prioritizing the instruments for robust intervention in the crisis management operations over the normative path of sustainable peace using the full spectrum of instruments.⁵² Moreover, other than the changing nature of the EU, he also conceives of the nature of the peacekeeping operations, in which it is not always possible to separate the civilian and military dimensions, as a side effect of militarization on the EU's normative power.⁵³

5.5.3. The ENP and EU's International Identity:

Having explained the international identity of the Union, it is time to evaluate what kind of role the EU has taken on in its neighborhood with the ENP. Concerning the impact of the ENP on the international identity of the EU, it can be argued that EU as a civilian and normative power can also be observed within the ENP. However, in addition to these, the EU is acquiring the features of a regional hegemon with the ENP.

With respect to Europe as a normative power, in the documents of the neighborhood policy the shared values are frequently referred to. However, the idea is not to create common values with the neighboring states. Rather, the underlying rationale is to export the EU's own political and economic values into its periphery through material incentives. In this respect Del Sarto argues that

The EU stresses the importance of the commitment to shared values of the partner countries, while subsequently listing the shared values of the EU member states, such as democracy, liberty, the rule of law, and respect for human rights. With it, the EU acknowledges its ambitions as a 'normative power' in a surprisingly assertive way. Normative power, in this sense, relies on the principle of exerting influence in world politics

⁵¹ Ian Manners, 'Normative Power Europe Reconsidered: Beyond the Crossroads', *Journal of European Public Policy*, 2006, p.183.

⁵² Manners, Normative Power Europe Reconsidered ..., op.cit., p.191.

⁵³ Ian Manner, 'Normative Power Europe Reconsidered', *CIDEL Workshop*, Oslo, October 2004, p.15-16.

and achieving peaceful change through the export of norms and values. Therefore, within the ENP it can be argued that the EU continues its normative power role both through its very existence as a Union relying on principles and values, and as the changer of norms and promoter of what is normal in international relations.⁵⁴

The EU, to some extent also continues its role of being a civilian power. Within the framework of the ENP the primary instruments used to reach the goals are civilian in nature. These include the market openings, financial aid, and political dialogue. Moreover, peaceful settlements of disputes and negotiations among the disputed parties were suggested in the respective Action Plans. In terms of ends the ENP also reflects the characteristics of a civilian power. International cooperation, solidarity, domestication of international relations, strengthening the rule of law, and responsibility towards the environment are also the issues that took place in the Action Plans and in the documents of the Commission concerning the ENP.

The main inconsistency with the civilian power and the ENP lies in the type of power to be wielded. Within the ENP, rhetorically at least, the EU seems to follow the principles of a civilian power in that the Action Plans are negotiated with partners and accepted in the association or partnership countries jointly, which is important in getting the consent of the neighbors. However, the principles and the main structure of the policy are non-negotiable. The issues to be negotiated with the partners are ready-made policies usually reflecting the priorities of the Union brought to the table without prior consultation with the partners. The EU, therefore, adopts a more or less 'take it or leave it' approach.

In fact, contrary to official rhetoric, the EU's partnership strategy in the ENP reflects the economic and geo-strategic self-interest of the Union. Although the norms and issues such as human rights, democracy, rule of law and good governance are stated in the official documents and among issues as the priority areas of reform in the Action Plans, in the ENP the asymmetric relationship with the neighbors is explicitly reflected in controlling and monitoring phases. The important point is that these are more or less

⁵⁴ Del Sarto, *op. cit.*, p.11.

imposed on the neighboring countries and there are strong conditionalities attached, and violations of these norms can be used for the hegemonic control by the EU. Therefore, in many respects the EU seems increasingly willing to use power in the pursuit of its objectives.

The EU is dictating a socio-economic system based on its neo-liberal agenda, as in the process of the Eastern Enlargement. As Grabbe argues, in that context ‘no justification is presented for these demands beyond the fact that they come in the name of joining the EU’⁵⁵. This approach continues to exist within the framework of the ENP. Both the agenda and the methodology of the enlargement have been incorporated into the ENP. The examples are benchmarking and conditionality in the ENP documents and Action Plans, the EU’s insistence that the partners approximate their legislation to the *acquis* of the Community and making arrangements on the Justice and Home Affairs issues. One can also observe the aim of greater engagement with the neighbors in the Action Plans, which include references even to tax reform, company laws and the judicial systems of those neighbors. Therefore, within the ENP it can be concluded that the EU is playing the role of a hegemon, the role that it has developed with respect to the acceding countries in the accession process.⁵⁶

As an actor showing a tendency to play a role of regional hegemon, the EU pursued milieu goals in a particularly assertive fashion with the aim of reshaping the order around its borders in ways advantageous to the security and prosperity of its members.⁵⁷ The EU is much more powerful than countries within a hub and spoke system. The leverage of the EU increases even further as it is providing the terms of the conduct in a proposed relationship. In addition, like a hegemon the EU is trying to establish an environment from which the EU will benefit most in the long run. It also uses both economical and political instruments to get the neighbors to do what it wants and has the capacity to change the rules of the game, in the future, as the revision of the

⁵⁵ Grabbe, *A Partnership for Accession?...*, *op. cit.*, p.18.

⁵⁶ Hyde-price, *op. cit.*, p.14.

⁵⁷ *Ibid.*

policy will be under its control. Clearly, the negotiation of Action Plans involves some bargaining and consensus, but it is evident that the EU will have the ability to act as a hegemonic power constructing the rules, norms and terms of conduct in its neighborhood.

5.6. Conclusion:

It has been argued throughout this chapter that with the ENP the EU is trying to become a more assertive foreign policy actor but the lack of sufficient incentives and resources is a major obstacle to it becoming a successful foreign policy initiative for the Union. In addition, there is the danger of reaffirmation of the capability-expectation gap which has negative connotations for the actorness of the EU. It is also argued that, parallel to its attempt to pursue its interests more aggressively, the EU is also increasingly showing characteristics of a regional hegemon in its neighborhood. Also discussed is the fact that the ENP is tied in with issues from all three pillars of the EU, and can be conceived of as an inter-pillar policy although it is located in the first pillar under the competence of the Commission. It was explained that this is mainly a result of the understanding that the policies connecting the economic and political aspects of the EU have more chance of success.

CHAPTER 6

CONCLUSION

This thesis is primarily concerned with the new neighborhood policy of the EU. The rationales and the substance of the ENP have been analyzed within the scope of this thesis. The main argument put forward in the introduction has been substantiated through answering the questions raised in the introduction. The following results have been reached within the scope of this study.

The ENP is the strategy which the EU has proposed to act as the main framework of relations with its neighbors for the next five years. The need for such a policy resulted from the conviction that the EU cannot offer the prospect of membership to strategically important countries, some of which are seeking accession to the Union. The ENP has been proposed as an alternative to membership which would satisfy the neighbors while keeping them outside the Union. The EU has made use of its experiences in the previous policies directed towards the neighbors, namely the EEA, the ND and the Barcelona Process. In addition, the ENP has been greatly inspired by the methodology of the Eastern Enlargement.

However, the ENP has limitations in terms of its formulation, institutions and incentives in realizing its original aspiration of being an alternative to membership. The basic aims of the formulation of the policy, which are to provide the joint ownership in the process and overcome the inclusion/exclusion dilemma through providing neighbors with the opportunities of greater integration into the EU structures, have not yet been realized. In terms of institutional adaptations, the innovation of the ENP lies in the establishment of the ENPI. The promise of this instrument in terms of providing an adequate base for cross-border cooperation will be perceived in its implementation stage from 2007 onwards; however, it is clear at the moment that the ENPI is not generous enough in meeting the funding needs of the 17 countries in its purview. The incentives of the policy are also not sufficient to induce substantial political and economic changes

in these countries. Market openings could be instrumental for these countries, as the access to the internal market can be a means for revenue to modernize their internal economies. However, the added value of the ENP is limited in this respect as the EU is not granting additional market access for those products in which these countries have a comparative advantage.

While formulating the ENP as an alternative to membership, the EU has made use of its experiences in the previous models and policies to bring the neighbors closer to the EU without enabling them to take part in its institutional structures, as happened in the EEA, the ND and the Barcelona Process. These policies had innovative aspects to meet the challenges in their respective geographical spaces. These include the co-ownership and regional dimensions in the Barcelona Process, egalitarian aspirations and the aim of blurring the borderlines of the ND and the level of market integration in the EEA, irrespective of their implementation. The peculiar elements of these policies have been imperfectly incorporated into the ENP to the extent that the ENP falls short of living up to the policies it was modeled on. The rhetoric of egalitarian relationship and joint ownership disappears in a framework in which the EU is playing the role of a regional hegemon in an asymmetric relationship. The ENP shares the border-breaking aspirations of the ND. The ENPI foresees the cross-border cooperation on both sides of the EU's new borders. However, to what extent these border-breaking aspirations will be realized is to be seen in the implementation of this instrument from 2007 onwards. The EEA framework provides a highly developed integration scheme short of membership for Norway, Iceland and Lichtenstein. The ENP aims to create a similar pattern of relations with its new neighbors. However, the framework proposed clearly lags behind the one established for the EEA countries. The EU has given the EEA countries benefit of the Four Freedoms. The ENP countries, on the other hand, have not been given the same opportunity.

The methodology of the ENP is based on that of the Eastern Enlargement, from which it adopted conditionality, differentiation and the progressive approach. However, conditionality and the benchmarking approach, adapted from the pre-accession strategy, were not balanced with adequate incentives within the ENP. The differentiated approach

can be useful in meeting the needs of the individual neighbors. However, this approach will necessarily lead to the increasing leverage of the EU over the neighbors and in turn diminish the value of the joint ownership principle.

Although the ENP, as a foreign policy initiative, can be conceived of as part of the CFSP, the ENP is a cross-pillar policy both in terms of institutions and issue areas. The overlapping issue areas give the ENP the feature of a cross-pillar character. The second reason for this character is that within the framework of the ENP the institutions both from first and second pillar have responsibilities. The competence to take decisions lies with the Council and the implementation is in the hands of the Commission. The policy can be conceived as a cross-pillar initiative that has elements of each of the three pillars, both in terms of institutions and issue areas. This approach reflects the understanding on the part of the Union that those foreign policy initiatives connecting the first, second and third pillar, like the enlargement policy, are the most successful foreign policy initiatives of the Union.

Within the ENP the EU is defining and pursuing its interest quite assertively. The EU acts as a hegemon providing security, stability and prosperity through a mixture of coercion and consent. However, the ENP risks reification of the capability-expectation gap in that there is an imbalance between the expectations raised and the resources committed by the EU.

Throughout this thesis, the question has been asked whether the ENP, as a new instrument, will be adequate and effective in realizing its original aspirations. It is concluded that the ENP has been formulated to be an alternative to membership and while doing it the EU has drawn heavily on its experiences with the previous policies. However, it has serious limitations in terms of its formulation, incentives, institutions and its added value to the previous policies. Therefore, it will fail to realize its original aspirations.

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