

The ENP in a Comparative Perspective: Key Challenges and Major Lessons

Conference Summary, College of Europe, Bruges, 20-21 March 2014

On 20-21 March 2014, the Department of **EU International Relations and Diplomacy Studies** of the College of Europe in Bruges organised an international conference devoted to the EU's wider neighbourhood relations. The event is part of a series of conferences and lectures in the academic year 2013-14 which, with the financial support of the European Commission, is devoted to the '[ENP in a Comparative Perspective](#)'. The initiative aims at a comparison of different co-operation schemes that the European Union has in place with partner countries in order to put the European Neighbourhood Policy (ENP) into context and to draw lessons for this policy from the experience of other third countries.

Professor Sieglinde Gstöhl, Director of the Department of EU International Relations and Diplomacy Studies, opened the conference and welcomed the participants, also on behalf of the Rector of the College of Europe. The subsequent sessions of the conference focused on the key challenges facing the ENP, firstly from an institutional and legal perspective; secondly, from an economic and financial cooperation perspective, and finally, from a political and security point of view. This three-fold approach had the objective to draw some lessons to improve the ENP.



The **first session** was dedicated to the **Institutional and Legal challenges** of the ENP. Comparing the ENP and other institutional arrangements offers a number of key observations. All European external policies in the neighbourhood are essentially EU centric and are conditioned by respect for EU values and conditionality mechanisms. While some relationships have been evolved into solid institutional schemes, revisiting other frameworks, such as the ENP, is necessary for further evolution.

Institutional arrangements between the EU and its Neighbours cover a wide range of different tools and mechanisms. The EEA, for example, comprises of EFTA countries, with the exception of Switzerland, and offers the most advanced illustration of European integration without membership. EEA mechanisms ensure homogeneity between EFTA member's jurisdiction and EU acquis. They enjoy, however, a very limited role in European policy-making. Furthermore, the EU has built an "enhanced bilateralism" model with Switzerland, based on sectorial bilateral agreements.

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Stabilisation and Association Process are designed to incorporate, in the long run, Western Balkan countries in the enlargement policy, while, in the short run, tackling specific regional political and economic stability issues, such as democracy, rule of law and human rights. Although under tight conditionality, these countries enjoy accession perspectives, which makes painful reforms easier to swallow.

Out of all these schemes, the ENP is the least stringent integration framework, with a Euro-Mediterranean Partnership to address the South and the Eastern Partnership looking at the East. It essentially is motivated by the 'more for more' principle, where more funds are allocated in exchange for greater reforms.

In all cases, while regulatory alignment is expected from third parties, the incentives to do so greatly vary between those enjoying accession perspective and those offered 'a stake in the internal market'. Similarly, the EU does not treat as "equals" its partners countries, as the EU drives the process and the others acquiesce or refute EU propositions, which further hinders smooth convergence. These challenges are illustrated by the analysis of immigration policy in the ENP: AAs and Actions Plans set out valuable instruments to tackle this issue, yet, its success largely depends on the level of political dialogue the EU enjoys with third parties, on the legitimacy the EU enjoys in combating illegal immigration, and extent to which the partner country adheres to the perception that change and reforms are relevant.



The **second session focused on the Economic and Financial Cooperation challenges** facing the ENP, and originate both from internal incoherence and external competing projects. Internally, the EU faces a discrepancy between what it laid out in its trade regulations and Member States' trade practices, an illustration found in the EU's arms trade with Belarus, Azerbaijan, and Central Asian states. A strict regulatory framework, consisting of arms trade restrictions, exports controls, and legislation such as the "Torture directive", and the "Dual-use regulation" do not prevent Member states to export policing instruments to such countries, items being used for torture or military repression.

Internal incoherence is also found in the mechanisms implementing the ENP. Desecuritization of the Black



Sea Basin illustrates how conditionality rationale aimed at the increase of cross border cooperation. However, analysis of Black Sea countries demonstrate otherwise and hint at the failure of the ENP's Black Sea Basin Programme technical instruments. Network governance, on the other hand, seems to give a workable alternative to purport cross-border economic and social links, without the involvement of high politics,

states and political conflicts. Such networks are exemplified with initiatives such as OLKAS, dealing with

tourism of the Black Sea; BlasNET which tackles sustainable eco growth in cooperation with universities, civil society, and ministries; or Inter Trails, an NGO network supporting management of natural protected areas.

The ENP also failed to address the issue of comprehensive and balanced economic development across the region. Free-trade, implemented with DCFTAs, thought to export cohesion, and in fact had the opposite effect, with ENP members facing huge disparities and internal tensions. In fact, given the challenges at stake, such as regional inequalities, urban and rural disparities, stagnating local economic development and poor governance, the neighbourhood needs to channel adequate financial means and establish more ambitious territorial policies. Institution and capacity building is central to this approach, with a special focus on entrenching relations between actors rather than just infrastructures.



Similarly, the recent European Neighbourhood Programme for Agriculture and Rural Development (ENPARD), launched in 2012, aimed at boosting growth and job creation. Comparison between four ENP countries, namely Turkey, Croatia, Egypt and Tunisia, reveal that much remains to be done in order to achieve stated economic goals. The agricultural sectors of these countries comprise of state elites and agricultural products exporters, and outmanoeuvre small-scale producers. Trade liberalization between the ENP partners was pushed by the former rather than the later, and consequently marginalised small producers. This negatively impacted job creation, and puts into question European goals of stabilization through growth.

In addition to internal challenges, the ENP also faces external competition on the economic front. Analysis the Russian-led Eurasian Union project, and adhesion by its different members reveals a decrease in perceived value of the ENP's Association Agreements (AA). Kazakhstan's membership was not motivated by economic reasons but by and large by the personal ties Kazakh President Nazarbayev enjoys with President Putin of Russia. Although reluctant due to acute financial difficulties, Belarus joined in 2011. Russia, been the initiator of the project, instilled in the Eurasian Union a number of mechanisms, such as the one country – one vote principle to attract and reassure future members of sincere Russian cooperation rather than domination.

The **third session** tackled the **Political and Security Challenges** of the ENP. Objectives in these two realms are often met with relative success, with shortcomings often stemming from inadequacy between ENP tools and reality on the ground.



In fact conditionality suffers both from inadequate tailoring and the absence of adhesion perspective.

The lack of democratization progress in a majority of ENP countries weakens the

'more for more' approach and eviscerates the conditionality principle.

The most relevant and efficient conditionality tools, namely financial incentives through the ENPI, and mobility facilitation, such as visa liberalisation, stumble upon lack of differentiation measures in ENP policies. ENP countries vary immensely in terms of political and administrative structures, democratisation levels, either in transition or undergoing consolidation, and ENP conditionality tools fails to appreciate such diversity.

Furthermore, although the ENP is not a conflict resolution mechanism, one of its prime objective is to install peace and security in the region, rule of law, and shared values. Yet, European approach to conflict resolution is best illustrated in SAPs, falling outside of the ENP framework such as the Ohrid Framework Agreement that ended the conflict in the Republic of Macedonia in 2001, or the Belgrade Agreement in 2002 dealing with former Yugoslavia and internal community balance in Kosovo. Doubt remains as to whether similar successes can be repeated in South Caucasus as the enlargement carrot is not an option.

Similarly, a comparison between European involvement in the Western Balkans and the enlargement in Central and Eastern Europe reveals that the absence of enlargement prospects, the EU yet has to come up with strong and creative alternatives. More importantly, European policies should aim at defining the end state of its relations with its neighbours. Successful CSDP missions in the region have shown high degrees of integration with ENP and SAP frameworks, inducing that the EU crafted a wider strategy for conflict resolution in the region.

In **conclusion**, the comparative analysis of the ENP led to the identification of several key challenges and highlighted several major lessons. Political conditionality does not match the attractiveness of accession prospects, and the costs endured by partner countries to converge with European *acquis* are not outweighed by incentives offered, especially if partner countries have a limited or dysfunctional absorption capacity. Incoherence hinders the ENP when values are purported by the EU, when Member States pursue interests, such as arms trade. Finally, the overlap of several neighbourhood frameworks complicates the understanding of the EU's policies.

