

Daniele ARMAND UGON (student at the "Executive Master in European Union Studies" (MEUS) - Institut d'Etudes Européennes ULB Bruxelles)

Consultation: "Towards a new European Neighbourhood Policy"

Should the ENP be maintained?

The ENP should logically be maintained, especially in a period like this one, where Europe seems inundated with severe crisis situations (Arab spring, Ukraine Russia crisis, military conflict in Libya etc.). We should remember that ENP was launched in 2004 and revised in 2011 in order to take account of the "Arab Spring" uprising. The treaty itself imposes on the UE the task of having a solid ENP : "*the Union shall develop a special relationship with neighbouring countries aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterized by close and peaceful relations based on cooperation*". Several political reasons impose the continuation of a solid ENP and its will be explained later in the answers.

Should a single framework continue to cover both East and South?

As we know the ENP includes sixteen countries in the Middle East, North Africa, and Eastern Europe that share little except a certain geographic proximity to the EU. The ENP's methodology is derived from the EU's enlargement experience. But accession to the EU is not promised. The countries object of the ENP differ so much in terms of political and economic situation, GNP, religion and desire to be part of the EU. Putting all this different countries in the same box is not a good idea. Better would be starting to differentiate that countries in small groups with same similar situations. As affirmed by the Council in the press release of 20.4.2015 "The Council affirms the four priority areas that the current ENP review seeks to address: 'Differentiation'; 'Focus' (including inter alia security, economic development and trade, good governance, migration, energy and human rights); 'Flexibility'; and 'Ownership and Visibility'. These areas reflect the key principles that should help define a more

streamlined ENP, in line with the EU's political priorities and interests”¹ The single framework should be split in 2 or 3 groups of similar countries (for example East countries and African countries).

Should the current geographical scope be maintained?

The ENP is the framework through which the EU approaches – and hopes to influence – the countries of its periphery. Organized around two regional groupings (Southern and Eastern neighbourhoods), it encompasses 16 countries as diverse in their political and economic situations as Moldova, Egypt, Belarus, Israel, Azerbaijan and Algeria.

One of the principal characteristic of the ENP is and should keep the **capacity to responding flexibly to the changing situations in the region, challenges and crises** while preserving its continuity and predictability. In order to maintain this feature and to improve it, the **current geographical scope should be maintained**. Even with the globalization process in force, an enlargement of the geographical scope would reduce the impact of the EU action and would make it less efficient. It is too early to broaden the geographical scope. The issue is quite important and it is related to the EU’s ‘absorption capacity’ and the need to ‘deepen’ rather than ‘widen’ the scope of the European project².

Should the ENP allow for more flexible ways of working with the neighbours of the neighbours?

In order to address this question we need to know how ENP works. In fact the ENP is directly modelled on the EU’s enlargement policy. Through its European Neighbourhood Policy (ENP), the EU works with its southern and eastern neighbours to achieve the closest possible political association and the greatest possible degree of economic integration. This goal builds on common interests and on values — democracy, the rule of law, respect for human rights, and social cohesion. The ENP is a key part of the European Union's foreign policy.³ The ENP is chiefly a bilateral policy between the EU and each partner country.

¹ See, in particular the Council press release of 20.4.2015: <http://www.consilium.europa.eu/en/press/press-releases/2015/04/20-council-conclusions-review-european-neighbourhood-policy/> (9.6.2015)

² D. CADIER, *Is the European Neighborhood Policy a substitute for enlargement?*, "LSE Ideas" 2015 p. 53 http://www.lse.ac.uk/IDEAS/publications/reports/pdf/SR018/Cadier_D.pdf (8.6.2015)

³Cfr the website of the EEAS : http://eeas.europa.eu/enp/index_en.htm (6.6.2015)

Main instrument of working with partner countries are the bilateral Action Plans or Association Agendas between the EU and each ENP partner (12 of them were agreed). These set out an agenda of political and economic reforms with short and medium-term priorities of 3 to 5 years. ENP Action Plans/Association Agendas reflect each partner's needs and capacities, as well as their and the EU's interests.⁴ The ENP builds upon the legal agreements in place between the EU and the partner in question: Partnership and Cooperation Agreements (PCA) or Association Agreements (AA). Implementation of the ENP is jointly promoted and monitored through the Committees and sub-Committees established in the frame of these agreements. The European External Action Service and the European Commission publish each year the ENP Progress Reports. The assessments and recommendations contained in the Progress Reports form the basis for EU policy towards each ENP partner under the "more for more" principle.

EU action is intended to promote and develop, socially equitable and inclusive societies, and offers its neighbours economic integration, improved circulation of people across borders, financial assistance and technical cooperation toward approximation with EU standards. To obtain more results especially in the field of challenges that need to be tackled by the EU and its neighbours together, perhaps is not necessary a direct involvement of EU to the third country, but a particular surveillance of the actions and of the co-operation with both third countries will be enough. Otherwise there is a risk of multiplication of the EU action abroad, and the risk of overlap of the EU action.

How can the EU, through the ENP framework, support its neighbours in their interactions with their own neighbours?

In order to support its neighbours in their interaction with their own neighbours, the EU can offer all the experience of its DGs in negotiations and in tackling serious problems. With its vast experience in regional cooperation, the EU has a lot to offer in this area. It is a fact the EU needs even more urgently to develop its capacity to contribute to a stable environment in which all its efforts have a real chance of success. What is essential at this aim is a better internal coordination among EU Institutions (EEAS, Commission and Council). Every step of the Commission should be supported by the Council before its application. We still pay the price of the absence of a coherent political strategy for the EU.

⁴http://eeas.europa.eu/enp/how-it-works/index_en.htm

A regional approach in neighbours countries should also be taken in consideration. Single Action Plans in special cases should also consider the opportunity to have regional approaches in the areas where problems of neighbours countries are most relevant, especially with their neighbours. Flexibility' should remain one of the most important features of EU neighbourhood action. The only one characteristic the sixteen ENP partners have in common is a certain geographic proximity to the EU, it means that the EU action should be modulated in function of the particular situation of each country.

And connected to this there is the question:

Are the ENP Action Plans the right tool to deepen our partnerships? Are they too broad for some partners? Would the EU, would partners, benefit from a narrower focus and greater prioritisation?

The ENP action plans (or Association Agendas for Eastern partner countries) set out the partner country's agenda for political and economic reforms, with short and medium-term priorities of 3 to 5 years and reflect the country's needs and capacities, as well as its and the EU's interests.

Promoting democracy, respect for human rights, and the rule of law remain fundamental objectives of the EU's foreign policy, but the experience of the ENP has shown that a mechanistic approach will not work (considered that ENP exist since 2004, the Arab Spring tells us that “*something went bad*” and maybe we should reconsider that Action plans).

I agree with the thesis that EU and partners would benefit from a narrower focus and greater prioritisation of objectives and results. A better and deepen approach would be to accept that there are situations, such as the risk of state failure, when both the interests of the partner country and the EU's interests demand more engagement regardless of the big result. Concrete actions and short deadlines could help. Instead of 3 or 5 years programs, it would be better an intern state of the art after 6 months, to better target the action and to verify its feasibility. We should take in mind that nowadays time goes very fast, globalization produces fast changes, and the Internet helps in that direction.

For some partners, regional and shorter action plans would help. Many of the persistent problems in the neighbourhood are regional in character and the solutions to these problems must also be developed on that level. **Sometimes a very good local or regional action, once it is activated and well supported, can produce results in the other regions of the country.** It's a logic of synergies and market related. Same discourse is for founding. **General funding can be usefulness and very difficult to control.**

Much better is to provide funds target oriented. Setting short deadlines is also a way to perform a better control and to verify the feasibility of the results. It stimulates at the same time the relevant country that maybe is more interested in receiving the money than in enforcing the new policies.

The EU's engagement in particular countries should be fine-tuned and tailored to their specific situations (for example Mediterranean countries). In this field a big role should be played by the EU delegations, particularly in preparing the most important elements, which should be reviewed and adjusted on a regular basis during the duration of the program.

ENP Progress Reports have helped the EU monitor closely progress with each of the ENP partners that have Action Plans, against the jointly agreed objectives set out in those Plans. Is this approach appropriate for all partners? Has it added value to the EU's relations with each of its partners? Can EU and/or partner interests be served by a lighter reporting mechanism? Should the reporting be modulated according to the level of engagement of the ENP partner concerned? How can we better communicate key elements?

In this kind of external relationship, communication has a very important role. A good communication generates trusts and a better understand of the aims of the ENP. Generally speaking, in this kind of approach with the political situations of 16 different countries EU should prove the capacity to play in a **very flexible way** and to adapt its reaction in function of the particularities of the country.

The general approach based on ENP Progress Reports permits a prompt control of the actions taken by the state concerned and offers the UE the possibility to adjust or change the aim of the action in the long period. Of course this general receipt is not always available. What is important to underline is that Europe has to be flexible, using a multilevel approach based on "variable geometry" involving various subsets of partners according to the functional requirements of the subject area at hand.

For each country a stronger contact with the EU representation on spot is essentially, together with local contact with the existing regional forums such as the Arab League, the Arab Maghreb Union, and the Organization of Islamic States, for example. For some partners, in a particular difficult political and economic situation, other instruments will be more useful in order to establish the real facts and the possibility to achieving the targets.

A lighter reporting mechanism could be more useful in a fast changing situation, I refer here for example to “flash reports” from the local EU representation in that country, or to very short briefing from the national authorities. At the same time, in Bruxelles a special team should monitoring the real situation of the country using the Internet and the press release of the other European countries or the other neighbouring countries. In the Internet era some information can be obtained in so different ways that a formal report is not always necessary.(Intelligence services of the Member State or of the CFSP of the Council).

Should the reporting be modulated according to the level of engagement of the ENP partner concerned? How can we better communicate key elements?

Reports should be drawn in a very objective way, impartially and if it's true that Europe has to take into consideration the real situation of the country. **I don't think that the reporting should depend on the level of engagement of the ENP partner concerned**. Doing that would mean reducing the importance of the action and let the ENP partner fix the speed of the changes. The neighbouring country is supposed to do its best to achieve the results. In order to that it receives subventions from Europe. Even with a low profile engagement of the ENP partner the report, formulated in a similar way for every country, permits to make comparison on the efficacy of the measure financed. And then a standard report permit also to tackle the weak points and to draw a general representation of the situation for each country. In order to better communicate key elements it is important to adopt clear and standard forms. If information (data) are clear and expresses in a homogeneous way it can be compared and analysed. In the other sense the communication form EU to neighbouring countries must be unique, without contradictions among the EU institutions and Member States. And this is the first problem, **Europe need a unique voice in the foreigner action which is part of the ENP**. If we consider that the ENP had to be designed leaving sufficient room for interpretation so that each member state could articulate the policy's rationale with its own preferences⁵, we already know the root of the problem. And the recent behaviour of Europe in terms of migration policy demonstrate the stress between EU institution and single member State. But this polyphonic sound generates confusion in the ENP countries, most of them are still linked with Member States because of colonialism reasons.

⁵ D. CADIER, op. Cit. p. 53. See also for interesting related information: S. LEHNE, *Time to reset the European Neighbourhood Policy* in Carnegie Europe: <http://carnegieeurope.eu/publications/?fa=54420> (8.6.2015)

Visa liberalisation and visa facilitation processes have eased travel and cemented reforms; mobility partnerships have furthered contacts, with programmes supporting these processes. What further work is necessary in this area, which is regarded as key by all ENP partners? How can the ENP further support the management of migration and help to draw the benefits of mobility?

The problem of Visa liberalization is a big issue considered the heterogeneity of the countries concerned. People in neighboring countries live different level of democracy, of freedom and of welfare.

Visa facilitations to these countries could be the price in exchange for the conduct of domestic reforms in the political, economic, and administrative spheres. We should remember that The EU conducts already ‘Visa Liberalisation Dialogues’ with three Eastern Partnership countries, namely Ukraine, Moldova and Georgia. Through these dialogues, the EU is taking gradual steps towards the long-term goal of visa-free travel on a case-by-case basis, provided that conditions for well-managed and secure mobility are in place.⁶ These dialogues are built upon ‘Visa Liberalisation Action Plans’ (VLAP), which include four blocks of benchmarks related to document security, including biometrics; border management, migration and asylum; public order and security; and external relations and fundamental rights. The implementation of the Action Plans is closely monitored by the Commission through regular progress reports, which are transmitted to the European Parliament and the Council, and are publicly accessible. In addition, progress is monitored through regular meetings of senior ranking officials from DG HOME and the partner country.

To answer the question "What is needed in such area?" we have to take into consideration that the promise of greater mobility for the people of Eastern Europe, the Middle East, and North Africa runs against a public climate in many European countries that is dominated by concerns over illegal migration. What is important is to combine this policy with the legal instrument of the CFSP in order

⁶Cfr. the website of DG Migration and Home affairs which contains several information about the issue: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia/index_en.htm. Other related information can be obtained from: E. LANDABURU, *Neighbourhood Policy: more or no more?*, Notre Europe Tribune - Jacques Delors Institute, 27.5.2015.

that mobility of people from neighbouring countries will not be conceived as a danger. At the same time it is necessary to expand the student mobility, a new kind of Erasmus for student from neighbouring countries. Doing that will contribute to erase that insecurity linked to foreign immigration. Foreign mobility should not be a synonym of uncontrolled movement of people, but a mean to demonstrate that democracy and wellness and legality can go together.

Another step in this area of visa liberalization is to engage the SME (Small and medium enterprises) and their association in both countries concerned, it means at European level and at third country level. As we know Europe is missing specialized manpower and the aging of European population will be a problem in the future. Establishing a direct link with SME representative organizations in the Member States (coordinated in Europe) and in the third country will give the possibility to guarantee a perfect match between supply and job offer.

The same is for university students. Acting on young student and showing them democratic functioning of the member States system can result in good precondition for establishing legal system and democracy in that countries. In fact today's student will be the management class of the future.

The EU seeks to promote prosperity on its borders. Prosperity in the partner countries is negatively affected by structural weaknesses such as inequalities, poverty, the informal economy and deficiencies in democracy, pluralism and respect for the rule of law. In addition, much of the ENP partners' economic and social development has been disrupted by turbulence due to conflict or rapid internal change.

How can the EU do more to support sustainable economic and social development in the ENP partner countries? How can we empower economically, politically and socially the younger generation? How to better promote sustainable employment? And how can these objectives be better linked to indispensable reforms in the fields of anti-corruption judicial reform, governance and security, which are prerequisites for foreign direct investment?

Promoting sustainable economic and social development in the ENP partner countries is a priority for EU because economic stability means political stability and thus possibility to long term actions. Turbulence is on the rise, and the potential implications for the EU's prosperity and security are becoming more serious.

For this aim Europe should play a big role, not relying only on the conditionality principle ("*if you do this, then I'll give you that*"). To foster change at its borders, the accession perspective is not available, but there are still a lot of funds than can attributed in order to promote the achievement of goals (conditionality incentives). Better than conditional incentives are measures intended to slowly promote the natural economic change, sustainable and accepted and understood by the local community.

A big job has to be done on young generation, fostering the students exchange (opening of Erasmus and similar EU programs to students from neighbouring countries).

As already written above, the EU should focus on putting together a well-equipped toolbox that supports the development of multiple neighbouring policies tailored to the specific aspirations, needs, and circumstances of the young partners (specially local cooperatives or enterprises), as well as a more active regional and multilateral approach.

Particularly in the Agriculture field, EU should avoid transitional payments or subsidies for farmers during the transition phase towards a new agricultural approach more sustainable and less intensive, as they have proven to be rather ineffective because they lead to farmers' dependency on local authorities and thus impede self-initiative and sustainable long-term subsistence.

The EU approach to alternative development, especially related to drug crops reduction, should promote long-term alternative agricultural transition as part of a broader integrated rural development. For example in tackling the drug production in east countries fundamental EU principles of alternative development have been non-conditionality of aid, proper sequencing and voluntary rather than forced drug crop eradication. In particular the alternative development should be **non-conditional**⁷ to prior eradication of drug crops and it should always integrate fundamental notions to improve the life of the primary stakeholders, such as protection of human rights, empowerment, accountability, participation and non-discrimination of vulnerable groups, conflict prevention and resolution, peace building and human security.

The farmer and his day-life problems should be taken in consideration during the analysis of different approaches. It is of fundamental importance to focus the EU action on the people, on their needs, to better understand the key factors that could play a big role in promoting licit crops and consequently reduction in drug supply. Any program aimed at persuading farmers to change from cultivating drug crops to alternatives will require very close and patient involvement with the communities concerned.

⁷For the bad effects of reverse conditionality see: David Mansfield Alternative development : the modern thrust of supply side policy. p. 12 in http://www.unodc.org/pdf/Alternative%20Development/AD_BulletinNarcotics.pdf "The explicit link between reductions in drug crop cultivation and the provision of development assistance has led to incidences of reverse conditionality where local communities threaten, or begin to cultivate drug crops as a means by which to gain access to development interventions".

Where motivations and resources differ, different interventions will be required. Greater understanding of decision making at the household level would assist in determining more effective and sustainable initiatives aimed at reducing both existing, and potential drug crop cultivation, and improving the life choices of beneficiaries.