

# What are the Main Challenges to the European Neighbourhood Policy (ENP)?

Written by Paul McGee

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PAUL MCGEE, DEC 22 2007

The European Neighbourhood Policy (ENP) came into being in 2004 after the last round of accessions were decided. As the EU's borders went eastward and southward, the EU came more and more into contact with areas of instability. The ENP thus is the policy aimed at stabilising the EU's new neighbours through a normative agenda. This essay will look at the historical and institutional context in which the ENP appeared, what the ENP is and then assess the challenges that it faces.

Before this essay will examine what the ENP is and the challenges it faces, it is important to analyse the historical context in which it appears. Up to the formulation of the policy, the EU experienced a 'crisis' of foreign policy with the division leading up to the Iraq war indicating a lack of strategic cohesion and capacity for unified action (Dannreuther, 2006: 186). Also, the failure to ratify the EU constitution has been put down in some circles to 'expansion fatigue' and anxiety over the more radical external policy, giving a sense of paralysis over EU foreign policy (Dannreuther, 2006: 184) and within the EU a sense of confusion over the future nature of EU foreign policy. The most successful policy that the EU has used with its old neighbours, that of accession, is not applicable to many of the EU's new neighbours. Indeed, in the words of the former commissioner for external relations, Chris Patten, "the Union's most successful foreign policy instrument has undeniably been the promise of EU membership. This is not sustainable" (Dannreuther, 2006: 184). The present commissioner also states that the enlargement process "has made an extraordinary contribution to peace and prosperity, thanks to our strategic use of the incentives on offer... [but] the EU cannot enlarge ad infinitum" (Ferrero-Waldner, 2006: 139).

While the EU on one hand has finished accession, the main foreign policy tool, that very process has put the EU closer to more unstable areas (Dannreuther, 2006: 186). While none of the states bordering the EU can be classed as a strategic threat in the conventional sense, the potential of spillover from conflicts and issues over 'soft-security' such as drugs and people trafficking and other forms of organised crime means that a neighbourhood policy is highly

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relevant (Aliboni, 2005: 1). The European Security Strategy (ESS) highlights all of these issues and most notably sees the lack of development as being key.

Interlinked with this 'soft security' is the more open-ended task of reducing the welfare gap between those on the outside and those on the inside. In the neighbouring countries, few have fully democratic systems, with many in fact authoritarian and many have GDPs at a fraction of the average EU rates (Dannreuther, 2006: 194). The ESS highlights in detail the problem of poor governance and development in promoting the goals of the European norms and international stability (Europa, 2003: 11).

Of course, the EU has had a set of policies in this area before the ENP, however these policies were largely credited with being failures. In contrast to the 'golden carrot' of enlargement, the EU has been much less successful in creating a 'silver' or 'bronze carrot' (Dannreuther, 2006: 189). These policies were aimed at the Mediterranean countries and Southern and Eastern Europe, and despite promise for integration into a free-trade area in response to reform at home, many of the countries stagnated and became more authoritarian and the Palestinian intifada put pay to pan-Mediterranean integration (Dannreuther, 2006: 190).

Thus the need for a policy engagement in this space is more vital than ever, but the previous foreign policy tool for this, that of accession, is no longer appropriate. Thus accession while being unpalatable to most within the EU still is the best policy tool that the EU has had. What then is most interesting is that the Commission, the same body that ran accession, runs the new ENP. Judith Kelley sees this new policy as being fundamentally "New Wine in Old Wineskins." (2006) With the historical institutionalist approach using 'path dependent' logic, Kelley makes the assertion that ENP is a rearticulation of the space left by the end of enlargement. As historical institutionalism states, "the ongoing nature of institutional interests means that institutions become robust... this also means that institutions may have an impact that their creators could not have foreseen... but these challenges are met through the prism provided by pre-existing institutions" (Rosamond, 2007: 124-125). In essence, the external relations institution has thus become path dependent upon the successes of enlargement. Thus the "*raison d'être*" of the ENP is enlargement with it using many of its techniques such as conditionality and socialization. Kelley also points out that the ENP has been largely conceptualised within the Directorate-General (DG) Enlargement, only recently being moved to the External Relations DG (Kelley, 2006: 31). Fundamentally, Kelley sees that the Enlargement DG and the rest of the External Relations commission taking the transformative power of the enlargement process as being the only way to achieve policy goals in the new neighbourhood. Now enlargement has brought the EU into this area of instability and the process itself is now suspended for the time being, the ENP provides the serious policy engagement needed for the region with the stakes being raised greatly.

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Now it is important to see what exactly the ENP is and how much it owes to the inheritance from enlargement. As stated earlier, the main element of enlargement is reward through 'conditionality', but how does this look within the new context of the ENP. Conditionality in terms of enlargement, and by proxy the ENP, describes the process of laying down and monitoring the conditions for new states to become members of the EU (Barnes and Barnes, 2007: 431). Without the prospect of full institutional integration, this integration process is an open-ended process, with the neighbours choosing how far to take the process, to quote "[t]he level of ambition of the EU's relationships with its neighbours will take into account the extent to which these values are effectively shared" (commission, 2004: 3). Thus while a country like Syria will not be considered for eventual accession, through closer economic integration and support in international institutions like the IMF and World Bank, the relationships indicate a greater level of acuity in relations to the needs of the neighbour. The former Commission President, Romano Prodi indicates that, "[the ENP offers] everything but institutions" (Kelley, 2006: 30). Thus arguably, the neighbour takes the lead, continuing the relationship as far as it wishes. With enlargement, the goals were clear as were the requirements; modify yourself to fit into the EU hole and then you will receive these definite benefits. With the ENP this is more ambiguous, the neighbour takes the benefits of a closer and better relationship to the EU and in return, invokes internal reform. Looking at the technical aspects of the policy, the lynchpins of the ENP are the 'action plans'. According to the ENP policy document;

*The method proposed is, together with partner countries, to define a set of priorities, whose fulfillment will bring them closer to the European Union. These priorities will be incorporated in jointly agreed Action Plans, covering a number of key areas for specific action: political dialogue and reform; trade and measures preparing partners for gradually obtaining a stake in the EU's Internal Market; justice and home affairs; energy, transport, information society, environment and research and innovation; and social policy and people-to-people contacts. (Commission, 2004: 3)*

The action plans are thus tailored to each individual country and their situation. For instance, an action plan for Morocco emphasises the need for the protection of human rights, migration issues and combating terrorism (commission, 2005: 3). With the 'action plans', the EU monitors these through subcommittees who periodically report back to the commission on how these are being implemented. Most importantly, this is a dynamic process; if a country performs well on the agreed objectives then the action plans can be reviewed and greater incentives put on offer. These reforms are supported via various forms of EU funding programmes (Europa.eu, 2007), notably the ENP instrument (ENPi) which will provide effective and coordinated support for ENP programmes and sub-regional integration (Dannreuther, 2006: 143).

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What all this indicates is that neighbourhood is definitely in the commission's attention. The policies are nuanced to their clients, monitored and funded, and most importantly seems to be adequately coordinated, as opposed to the 'chaos' of previous policy engagements with the neighbours. However, despite the clarity of purpose and ends, there are still many challenges that face the ENP, both technically and conceptually, which this essay shall examine.

Returning to the point made earlier in the essay, Judith Kelley indicates the role of 'path dependency', the theory of the influence of historical choices on present institutional options (Kelley, 2006: 30). With this, she shows that this process takes two forms, learning and adaptation. A learning process is "the application of previous insights... from past behaviours to solve new problems whereas adaptation is the application of prior causal beliefs to new situations" (Kelley, 2006: 30-31). Put simply, adaptation is simply tacking on previous actions onto the new situation, while learning is looking at the underlying theories behind their actions. Thus if there is path dependency from enlargement to the ENP, whether the commission has shown adaptation or learning will effect the policy's functioning.

What is clear though, is that there is a definite link between enlargement and the ENP. Kelley sees this link as fundamentally one of adaptation; quoting former commission president Prodi as saying "the goal of accession is certainly the most powerful stimulus for reform we can think of. Why should a less ambitious goal not have the same effect?" (2006: 38). Kelley sees conditionality as being linked fundamentally to the enlargement process, and if the 'carrot' has changed, then there may be challenges to how far the ENP can function.

Dannreuther indicates the 'logic of generosity', the altruistic offer of membership was enough for candidate countries to radically reform. The sovereignty eroding and, at times, humiliating process of enlargement was acceptable because of the end goal of enlargement (2006: 188). What was clear at this point was that the ends of the process were not only attractive to the accession states, but they were clear and unambiguous. What the ENP suffers from is a lack of symmetry between the conditions it sets and the benefits that countries can receive. For a policy that fundamentally works within an incentive based context of benefiting the 'client' state, the lack of clarity seems to stack the work to the neighbour side (Smith, 2005: 764). There is also a general sense of confusion within the policies, with the EU giving out broad policy goals like "[how neighbours must] enhance institutional or administrative capacity" in particular areas. What that entails is not specified leading to a lack of clarity of what the benchmarks are (Smith, 2005: 764). If the benchmarks are then not clear and thus the rewards aren't either, then a state that would not normally invoke internal reform will probably go against their interests of the status-quo. To return to Kelley's point, the ENP's main challenge is that it is fundamentally an adaptation of enlargement, but unfortunately does not seemed to have learnt that reform without accession is unfavourable to most countries.

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Fundamentally, the biggest problem the EU has comes from the over reliance on the 'golden carrot' of enlargement (Dannreuther, 2006: 189). Neighbourhood relations are still coloured by the inherent ambiguity between who is *in* and who is *out*. There is still the problem of the 'outsiders and insiders' that the ENP was tasked to resolve. The ENP seems to lag behind the aspirations of some of its neighbours, with the case in point being the Ukraine. The Ukraine has been stating its intentions to join the EU since the mid-1990s. For the Ukraine, Andrei Zagorski claims that "conditionality will not be the most efficient tool for dealing with the Ukraine unless the EU decides to grant Kiev a prospective membership option" (2004: 94). Apart from Morocco, the EU has never said 'Non' to a neighbour. This ambiguity thus forces the EU into more and more defensive positions, pushing away neighbours with ambiguous incentives and no clear 'carrot' (Smith, 2005: 769).

So on one hand, the neighbours who want to integrate are pushed away by ambiguities in the 'carrot', what about the neighbours who do not wish to integrate? Does the ENP act as a sufficient tool for the EU's transformative power? In the Mediterranean countries that are undemocratic, the EU's ability to influence politics seems at best minimal. Indeed, much of the policy in this area is based more on a strategic agenda rather than a normative one, focusing mostly on keeping out WMD proliferation, terrorism and securing borders from immigration, even though fundamentally, the ESS claims that weak and failed states facilitate these problems. The EU seems to have been brought out by the authoritarian regimes that claim the only alternative to them is anti-western radical Islam. Therefore, there is a prioritisation of threats are judged to be immediate, and the transformative agenda is put behind the security one, thus fundamentally hampering the EU's transformative power (Dannreuther, 2006: 198). This on many fronts seems to be a missed opportunity for the EU, as greater pressure from the US on many of the countries in the region; the EU has a greater space for action (Smith, 2005: 770). Congruence in policy with the US could create real incentives for peace and reform within even stubbornly non-democratic systems (Dannreuther, 2006: 200; Aliboni, 2005: 11).

To conclude, the ENP comes from a real policy gap and a real desire to engage to welfare difference between the 'insiders and the outsiders'. Using the tools of the transformative democracy, the ENP is a concerted and engaged attempt at reform in areas that have poor and inefficient economies and bad systems of governance. However, a lack of clear benchmarks and an emphasis of a security over a normative agenda stacks the deck in favour of the EU. Many neighbours see this policy as a long list of politically dangerous items with no obvious benefit at the end. Fundamentally this problem comes from the 'ghost of enlargement' and the present system of ambiguity is alienating both those who wish for closer engagement and those who do not. If the EU says 'no' to further enlargement then the ENP could be a successful framework for future relations, and if it says 'yes' to certain members it should move them out of the ENP (Smith, 2005: 773). Fundamentally, the EU needs to make a definitive statement about its future,

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something that has been difficult for the community for a long time.

This essay has examined the historical and institutional context that the ENP appeared into, what exactly it is and the challenges that it faces. The essay has concluded that the ambiguity created by path dependency, strategic goals being put over normative ones and an apparent ambiguity of the future of the EU present serious challenges to any future successes in stabilising an unstable neighbourhood.

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