

A Review of the New European Neighbourhood Policy

Written by Fabian Stroetges

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FABIAN STROETGES, APR 22 2013

'More for More' but 'More of the Same', too: A Review of the New European Neighbourhood Policy

1) Introduction

As mass demonstrations in Tunisia and Egypt managed to topple long standing authoritarian presidents, and the unrest spilled over to other countries in the Middle East and North Africa (MENA), many were taken by surprise. The European Union (EU), too, was caught off-guard and its approach towards these countries in the framework of the European Neighbourhood Policy (ENP) was under question. A result of the 2004 enlargement round that added ten new member states to the Union in the East and the Mediterranean, the ENP was adopted by the EU in that year as a response to the changed environment created by enlargement – that is, the new proximity to unstable regions. In order to ensure stability at the EU's borders, the Commission suggested creating a ring of politically reliable countries around the Union^[1] through a new framework that would draw from the successful experience of providing incentives for reform in the enlargement process, just falling short of the membership incentive itself (Kelley 2006; European Commission 2003, 2004).

The main mechanism of this policy is 'conditionality': offering closer political and economic co-operation with the EU on the condition of the acknowledgement of and reforms towards values like democracy, respect for human rights, good governance, the rule of law, market economy principles and sustainable development, that are assumed to be shared by both the EU and its neighbours (European Commission 2003, 2004; Schimmelfennig and Schultz 2008; Kelley 2006). Soon, the ENP was criticised because it emulates instruments used previously in enlargement. However, the EU has learned from previous experience and introduced novelties like regional and country-specific differentiation (Kelley 2006), offering the eastern and southern neighbourhoods their own policy framework in the Eastern Partnership (EaP) and the Union for the Mediterranean (UfM, following from the Euro-Mediterranean Partnership EMP or 'Barcelona Process'). Furthermore, based on a country report produced by the Commission spelling out areas of necessary reform for each country, participating governments agreed on an Action Plan with the EU that entails 'an agenda of political and economic reforms by means of short and medium-term (3-5 years) priorities' (European Commission 2012).

Clearly, given the aims (democracy, human rights and economic prosperity) and means (political and economic integration) suggested by the Commission, the EU must assume that the best way to ensure political stability in its neighbourhood is by establishing regimes that respect European values and, in many ways, become more like Europe. However, the EU has not only been accused of hypocrisy in its application of the ENP, prioritising economic integration over political progress and being largely unsuccessful in delivering progress in the political field (Teti 2012; Pace and Cavatorta 2012; Pace 2010, 2009; Youngs 2006). Some scholars have even gone so far as to identify the very economic reforms that are part of the ENP as one of the causes for the uprisings that rocked the Arab world in 2011 (Teti and Gervasio 2011; Kandil 2012).

In March 2011 the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (High Representative) reacted to those events by proposing a reviewed ENP in light of these 'historic changes' (COM(2011)200), followed by further policy documents in 2011 and 2012 (COM(2011)303; EU Commission 2012). But are the suggested changes substantive or merely rhetorical? How did the Arab uprisings reveal the ENP's

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weaknesses and does the revision address the shortcomings of previous policy?

This paper will attempt to provide answers. The next part shall briefly outline and contrast competing theoretical conceptions of the ENP. A subsequent section assesses how the 'Arab Spring'^[2] has challenged the policy, creating the basis upon which the revisions can be judged. A following discussion will analyse whether the revisions by the EU meet that challenge. By way of conclusion, the paper finds that instead of offering a substantially new approach, the EU is doing 'more of the same', thereby missing an opportunity to engage with its neighbours.

2) Theoretical Approaches to the ENP

Rationalist Theories

The ENP has variously been interpreted as a 'realist' strategy, driven by national states to increase their geopolitical influence (cf. Rynning and Jensen 2012; Biscop 2012); a neo-functionalist project of the supranational actors of the EU, especially the Commission (Kelley 2006); or inspired by efforts of transnational actors like corporations, and social movements/groups (Manners 2012). Besides research into the origins of the ENP, a rationalist, positivist research agenda also scrutinises its effectiveness, assessing how well the EU uses the incentives it can offer to its partner countries to further its own policy goals. Thus, Schimmelfennig and Scholtz (2008) analyse conditionality as a democracy-promotion instrument and find that the two most important factors for its success are the size of the incentives offered and the credibility of the offers and threats that are part of the policy.

Critical Theories

Investigating the origins of social structures and how social interaction constitutes and reconstitutes social reality, social constructivist approaches to the ENP focus on the role of norms, identity and socialisation as well as ideational processes. Post-structural thought aims at revealing EU structures of knowledge by applying methods of discursive deconstruction and genealogical excavation (Pace 2010a). Critical social theory, rarely applied to the EU, seeks to both critique and change society at the same time (Manners 2012). Situated in this field of critical inquiry, the normative power approach seeks to study ideational aspects of the EU to 'both critique and change the EU in world politics' (Manners 2012:36; 2008). The main point drawn from this approach is the need for consistency and coherence in the implementation of the ENP. If the EU wants to convince other countries to reform on its own lines, then it must adhere to its norms domestically and apply them in its relations with all countries (Manners 2012).

This paper will scrutinise the ENP from two angles: the rationalist set of checks will be applied to the EU's performance in applying conditionality effectively, while, from a critical theory perspective, the effects of the EU's behaviour on its normative power in relation to the ENP will be assessed.

3) The Old ENP and the Arab Uprisings

Conditionality: Lacking Incentives and Coherence

Besides offering money to its partner countries, the EU also gave them the opportunity to partially participate in the European single market, based on approximating their own legislation to that of the EU (its *acquis*), as well as 'the participation in a number of EU programmes and improved interconnection and physical links with the EU' (European Commission 2004:14). In the words of then-EU Commission President Romano Prodi (2002) the EU wanted to offer 'everything but institutions'.

Despite such boldness, the EU's neighbours hardly reformed at all. This can partly be explained with the size and nature of the incentives offered to those regimes. For the targeted regimes, the (financial and political) benefits accrued from reform must outweigh the costs (e.g. risk of power loss), and both incentives and threats must be realistic in order to have any effect (Schimmelfennig and Scholtz 2008). The incentive of direct monetary transfers is obvious. However, the amounts offered to the partner countries were well below anything that could motivate authoritarian governments to meaningfully liberalise. Furthermore, the numbers are dwarfed by the expenditure that

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other actors, including even the EU members' national programmes and the United States, offer (Witney and Dworkin [WD] 2012).

As for access to and integration into the EU market, this should be a strong incentive, given the large efficiency gains free trade deals can accrue. However, designing this via legislative approximation to the *acquis* is problematic. While this may be desirable for those (Eastern) countries that still have a long-term prospect of joining the EU, it does not apply to the Mediterranean. The bilateral deals the EU offers (and partially implemented) to its partners do not support regional trade, but on the contrary lead to a Brussels-oriented 'hub-and-spoke' approach that could inhibit regional economic integration (WD 2012:64). Also, the economies of the neighbourhood are often far from able to compete with European economies, making large-scale trade liberalisation only a long-term perspective. The EU also proposed intensified political dialogue through the ENP, encompassing foreign and security issues, including involvement in, for example, the Common Foreign and Security Policy, but this has hardly been implemented (European Commission 2004; WD 2012),

The EU's most severe mistake was its incoherent application of conditionality. Despite a total lack of political reforms, the EU went ahead and intensified economic cooperation with several countries, as well as lifted their status within the programme (Grant 2011, Youngs 2006). This incoherence signals to the partner countries that the EU will not only keep relations with them despite their behaviour, but even intensify them.

Socialisation/Normative Power

Beyond conditionality, the EU also follows a strategy of socialisation, i.e. attempting to change countries' behaviour by exerting 'reputational pressures through shaming, persuasion and other efforts to socialise state actors', and via domestic opposition groups (Kelley 2006: 39 quoting Johnston 2001:488; Schimmelfennig and Scholtz 2008). Based on the assumption that the EU and its values are desirable models to emulate, this links in with the EU's self-perception as a 'soft' or 'normative power' (Manners 2012, 2008, 2002; Pace 2007). The EU does not have the historical baggage of colonialism that some of its member states carry when acting in the Middle East and is thus in a much stronger position to criticise certain political practices. Also, its image of providing peace and prosperity in its member states is a strong normative claim that bears fruit when dealing with Third World countries (WD 2012).

However, the EU designed its democracy-promotion strategies on the lines of its own idea of democracy rather than that present in the target societies. In an extensive study of democracy conception in the Middle East, Pace (2009:11) quotes from an interview with Dr Rafik Habib, an Egyptian Coptic intellectual, who finds that

'politics for the ordinary Egyptian is about three specific issues: one, the essentials of life like food, housing, medical services, and so on; two, the state's role in protecting their country; and three, the protection of religious rules and principles.'

The liberal model of state and society promoted by the EU as part of the ENP does not address these issues at all. Contrarily, it emphasises limiting the state's capacity and adopting secularism as preconditions for democracy. Together with the market liberalisations, this model is not in tune with the political goals of the target-societies (Pace 2009,2010).

As in the application of conditionality, the EU's credibility was undermined when it emerged that these norms were applied selectively. The non-recognition of the democratically elected Hamas in the Palestinian territories in 2006 severely undermined EU's credibility regarding democracy-promotion in the Arab world, as does its lack of engagement in the Middle East Peace Process altogether (Pace 2010,2009; Youngs 2006; Biscop 2010). The impression created is 'that the EU favours stability and its economic – and energy – interests over reform (Biscop 2010:76).

The Uprisings: An Opportunity Missed

Both in Tunisia and in Egypt – the countries that kicked off the uprisings – actors who had previously received little

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attention by the EU, as well as by scholars, were crucial to the success of the overturning of the old regimes. These included trade unions and other workers' organisations, which organised general strikes in the days of the protest that were pivotal to ending the dictatorships (Pace and Cavatorta 2012; Teti and Gervasio 2011). The main motivation for protesters to participate in the first place seems to have been the unbearable socioeconomic situation, spawning the prominent slogan '*aish, hurriya, kamara insaaniyya*' (bread, freedom, social dignity) (Teti and Gervasio 2011).

In a roundabout way, the EU did play a role in bringing about change. It had supported market liberalisations that effectively impoverished large swathes of populations in the Arab world while making the personal enrichment of the elite possible. This, thus, motivated the protesters' demands for their rights (ibid; Kandil 2012; Hinnebusch 2006). These neoliberal reforms 'if anything entrenched' authoritarian regimes (WD 2012:22) and Pace and Cavatorta (2012:131) expect that after the uprisings

'it is unlikely (...) that more neo-liberal structural reforms will be accepted and acceptable, particularly if dictated by *morally and financially bankrupt entities such as the European Union*, which had consistently lauded authoritarian regimes in the region for their economic reformism' (emphasis added).

The uprisings thus brought into focus a long criticised policy: while the EU was rhetorically advocating democracy and human rights in the region, it cooperated with authoritarian regimes at the same time and thereby may even have prolonged their life span to the political and economic detriment of the general populations in these countries.

4) A New, Better ENP?

The EU prides its 'tradition of supporting countries in transition from autocratic regimes to democracy', (COM(2011)200:2). However, as has been shown above, so far it has mostly not lived up to its own standard. The uprisings in the Arab world gave it a chance to reposition itself and in its own judgement, it reacted boldly and with a qualitatively new approach (ibid). The changes of the ENP also come at the end of a policy review that had begun in early 2010 as well as a reorganisation and expansion of institutional responsibilities for external affairs of the EU due to the Lisbon Treaty.

Conditionality

One of the most emphasised innovations of the new ENP is the 'more for more' approach. While its novelty as such is doubtful (Teti 2012), it does contain an implicit admission that in previous years the 'conditionality' of European assistance had actually covered complicity with authoritarian regimes (WD 2012). As the above discussion showed, stricter application of conditionality should be helpful, both in the purely utilitarian sense as well as enhancing EU normative power. The ENP can only be an advantage should the Commission keep its promise to consistently adapt levels of support to partners 'according to progress on political reforms and building deep democracy' (COM(2011)303:3).

The incentives the EU now offers are focussed on the '3Ms': Money, Markets, and Mobility. An extra €1.2 billion on top of the already budgeted €5.7 billion for the 2011–13 period have been promised by the Commission for the new ENP, increases in lending by the European Investment Bank of €1 billion (plus 20%) for the Mediterranean countries, as well as the European Bank for Reconstruction and Development (EBRD), which would change its mandate in order to lend in the neighbourhood a planned €2.5 billion. It is unclear though how much of this money – both old and new – is actually being dispersed, due to both slow allocation of funds as well as some not being retrieved. Despite billions of Euros being made available, it seems that 'the actual extra money going south in 2011 amounted to less than €200 million' (WD 2012:29; COM(2011)303). And despite the increase in spending, the problem of competing donors with bigger pockets and fewer demands remains (WD 2012).

Under the headline of 'migration and mobility', the EU promises visa facilitations aimed in particular at students, researchers and business people. But these measures depend on partner countries' commitments to tackle illegal cross-Mediterranean migration and it seems that its reduction is their main target. In the face of the high demands set

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by the EU, the North African states show little eagerness to engage in a framework that as yet provides little incentives (ibid).

As for markets, the EU proposed Deep and Comprehensive Free Trade Area agreements (DCFTAs) to Egypt, Tunisia, Morocco and Jordan at the end of 2011. However, while there has been a tariff-cutting deal with Morocco and negotiations are underway with Tunisia, other negotiations have not even started. Given that it took five years to negotiate a deal with Ukraine, it is highly questionable how useful this approach is to the democratic transition of the Mediterranean countries that are struggling economically and urgently need quick results to gain legitimacy. There is some funding to support the economic environment for the development of small and medium enterprises, help improve the investment climate (for European businesses), and offer macroeconomic advice and (minor) assistance (COM(2011)200; COM(2011)303), but this is too long-term-oriented or too little to have immediate impact. Unfortunately, Europe, mired in its own economic crisis, seems to be unwilling to make such offers.

Socialisation

In terms of being more attuned with the region, the above discussion on the old ENP argued that the EU would have to discard the promotion of its own narrow view of democracy in favour of supporting local democratic actors and their versions of democracy. To improve its credibility and thus normative power the EU should support social democratic, rather than (neo) liberal, reforms. A thorough analysis of the language employed in the EU's policy documents on Middle East democracy-promotion before and after the uprisings by Teti (2012) shows though that while 'talking the talk', the EU has not changed its substantive democracy-promotion policies towards the region, still favouring neoliberal reform over substantive democratic reform: While the Commission says it is committed to supporting 'deep democracy', its substantive policy suggestions are still at odds with this. For instance, the unchanged focus on legislative approximation, rather than considering alternative concepts like moving towards a customs union modelled on the experience with Turkey, shows that the EU has not moved away from the belief that its neighbours' main objective is becoming more like Europe.

Two innovations in democracy-promotion deserve attention despite being unfinished projects: the European Endowment for Democracy (EED) and the Civil Society Facility (CSF). The latter is focussed on identifying and satisfying the financial needs of civil society organisations in the neighbourhood, as well as supporting 'people-to-people' contacts under the old ENP (European Commission and High Representative 2012b). While this is good, it is not a revolutionary move. The EED however offers new opportunities to support pro-democracy movements in the neighbourhood through its relative institutional independence (it is organised as a private foundation under Belgian law), which could keep it at an arm's length from the EU bureaucracy and grant some leeway in its behaviour towards authoritarian governments (Richter and Leininger 2012; European Union 2013). To enhance the EU's normative power and to be more successful in the field of democratisation, these new institutions should be accompanied by more criticism and condemnation by the EU of authoritarian practices and human rights violations in neighbour countries. Additionally, there should be an end to the exceptions made in conditionality (Pace 2009b; Youngs 2006). The EU's inability to sort out these internal difficulties cannot bode well for its ability to project normative power.

Implementation of the New ENP

As part of the implementation of the new ENP, there have already been several high-level diplomatic visits to the neighbouring regions by representatives of the EU and its member states and by EU observation missions, offering financial and organisational support and training for electoral observation, as well as increased spending on existing programmes like the ERASMUS academic exchange. The EU has also appointed a Special Representative for the region, who seems to be quite effective in serving as a catalyst for the organisation of Task Forces that can coordinate interventions made by several international organisations and local partners (WD 2012). Nonetheless, as observer Kurt Debeuf (2012) reports from Cairo, in focussing on governments while continuing to sideline civil society in Egypt, the EU still conveys that it seems to care more about its hard interests than its normative promises.

5) Conclusion and Outlook

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The EU deserves some credit for reacting quickly and managing to get itself on the 'right side of history' in the uprisings by supporting the movements for change relatively early on, if only rhetorically so far. Regarding the conditionality aspect of the ENP, the EU rightly wants to support 'inclusive growth' in order to aid the transition to democracy, having recognised that the social situation is a major cause for the social unrest. However, as in the past, the EU's substantive policies cannot deliver this goal sufficiently. Instead of offering long-term DCFTAs, the EU should offer more immediate incentives. Offering a less complicated and broader access to the EU single market is one powerful option, which currently seems to be hampered by economically challenged member states.

One of the new ENP's main promises is 'more for more'. It seems to be 'more of the same': its cornerstone is still the conditionality mechanism, albeit hopefully more coherently applied, and the incentives are still focussed on long-term economic liberalisation, which has failed in the past. In times of economic difficulty, the Commission will be unable to provide much larger monetary incentives to its neighbours. However, if the EU can act more coherently regarding human rights and democracy, the newly founded EED may provide an opportunity to restore some of the lost credibility, which will be beneficial from a purely rationalist perspective as well as help enhance the EU's normative power. If the EU furthermore manages to coordinate its ENP well enough with the better equipped national programmes of its member states, it has an historic opportunity to shape its neighbourhood. As the US shifts its focus away from the Middle East to the Asia/Pacific region, the EU has a great chance to (re-)enter this region, which is crucially important to its own future in many policy areas.

Witney and Dworkin's (2012) worry that the EU, while promoting its values and supporting neighbouring countries, may not think in terms of furthering its interests, suggesting that overly normative foreign policy could hurt the EU. Yet the above analysis suggests the opposite: standing for Europe's values like democracy, freedom and social justice is not merely altruistic but will pay off in the long run by creating a stable neighbourhood that also moves normatively closer to the EU and thereby facilitates further political and economic cooperation. Ironically, while the ENP is presented as a policy that is precisely meant to pursue such a future, its substantive strategies have so far been undermining this aim.

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^[1] The ENP applies to all North African and Middle Eastern states that share an EU sea border plus Jordan, the Eastern neighbours of Belarus, Ukraine and Moldova as well as the Caucasus states Georgia, Armenia and Azerbaijan, but excludes Russia. Initially designed for those Eastern countries the EU shares a land border with, it was expanded towards the south and the Caucasus

^[2] The term 'Arab Spring' was criticised for its Orientalist connotations (cf. El Mahdi 2011). This paper will use 'Arab uprisings' instead.

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Written by: Fabian Stroetges
Written at: Durham University
Written for: Dr Christian Schweiger
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