

Introduction

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Among the numerous EU proximity strategies, the European Neighbourhood Policy (ENP) has a central place and is now to be considered as a kind of umbrella framework for a growing number of sub-regional initiatives such as the Black Sea Synergy (BSS), the Eastern Partnership (EaP) and the Union for the Mediterranean (UfM). Other EU proximity strategies such as the pre-accession strategy, the Strategic Partnership with the Mediterranean and the Middle East (SPMME) and the Northern Dimension complement the ENP.

These EU proximity strategies form a complex web of intertwined relationships and co-operation. Sometimes complementarities and synergies can be expected, but numerous unforeseen overlappings are also witnessed. Following a number of initial proposals, the current ENP concept emerged at EU level with the co-signed Javier Solana and Chris Patten letter on “Wider Europe” published in August 2002.¹ This letter clearly stressed that the “new proximity initiative” had an “initial focus on Eastern neighbours”.² However, on 26 November and 6 December 2002, Romano Prodi, the then President of the European Commission made two important speeches respectively at the University of Louvain-La-Neuve and during the ECSA World Annual Conference in Brussels.³ He advocated, just before the December 2002 European Council, that the “geographical scope of this approach is our neighbourhood in the literal sense of the word, our backyard. It includes our future Eastern neighbours and the whole Mediterranean area, as I recently explained in

¹ Solana, J. and Patten, C., Letter on “Wider Europe”, 7 August 2002, http://ec.europa.eu/world/enp/pdf/_0130163334_001_en.pdf.

² *Ibid.*, p. 4.

³ Prodi, R., Président de la Commission européenne, “*L’Europe et la Méditerranée: venons en aux faits*”, UCL – Université Catholique de Louvain-la-Neuve, Louvain-la-Neuve, 26 novembre 2002, IP/02/589, 26 novembre 2002, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/02/589&format=HTML&aged=0&language=EN&guiLanguage=en>, Prodi, R., *A Wider Europe – A Proximity Policy as the key to stability*, “*Peace, Security And Stability International Dialogue and the Role of the EU*”, Brussels, Sixth ECSA-World Conference. 5-6 December 2002, IP/02/619, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/02/619&format=HTML&aged=1&language=EN&guiLanguage=en>.

Louvain when I spoke on 'Europe and the Mediterranean – time for action'. I want to see a 'ring of friends' surrounding the Union and its closest European neighbours, from Morocco to Russia and the Black Sea".⁴

The Presidency conclusions of the December 2002 Copenhagen European Council included a section devoted to "The enlarged Union and its neighbours". Taking stock of the upcoming enlargement, the fifteen Member States decided, at that time, to "take forward relations with neighbouring countries based on shared political and economic values", the Union remaining "determined to avoid new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union".⁵ The focus of the ENP is again the eastern periphery, as the Member states conclude that: "the enlargement will strengthen relations with Russia. The European Union also wishes to enhance its relations with Ukraine, Moldova, Belarus and the Southern Mediterranean countries based on a long-term approach promoting democratic and economic reforms, sustainable development and trade". The order of the neighbours mentioned is of importance as it is not alphabetical. The Member States decided initially to support this eastern orientated approach – thus the use of the controversial "Wider Europe" theme – and to concentrate on Russia instead of the more comprehensive approach proposed by President Prodi. The European Commission and the Secretary-General/High Representative were thus logically mandated to "bring forward proposals" on the basis of the European Council mandate.

Between 2003 and 2007 four Strategy Papers were issued on the ENP by the European Commission:

- "Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours", 11 March 2003;⁶
- "The European Neighbourhood Policy Strategy Paper", 12 May 2004;⁷

⁴ Prodi, R., "*A Wider Europe – A Proximity Policy as the key to stability. Peace, Security and Stability International Dialogue and the Role of the EU*", *op. cit.*

⁵ European Council, *Presidency conclusions, The enlarged Union and its neighbours*, Copenhagen, 12 and 13 December 2002, point 22. <http://ec.europa.eu/research/era/docs/en/council-eu-27.pdf>.

⁶ European Commission, *Communication of the Commission, Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*, COM(2003) 104 final, Brussels, 11 March 2003.

⁷ European Commission, *Communication of the Commission, European Neighbourhood Policy Strategy Paper*, COM(2004) 373 final, Brussels, 12 May 2004.

- “On Strengthening of the European Neighbourhood Policy”, 4 December 2006;⁸
- “A Strong European Neighbourhood Policy”, 5 December 2007.⁹

These Communications that shaped the ENP as we know it today, have been complemented by a Communication “on the general approach to enable ENP partner countries to participate in Community agencies and Community programmes”,¹⁰ published in December 2006, and another one on the “Black Sea Synergy – A new regional co-operation initiative”, issued in April 2007.¹¹

In the meantime the first Country Reports and Action Plans were drafted by the European Commission (and the former High Representative for CFSP issues) and the European Neighbourhood and Partnership Instrument (ENPI) entered into force on 1st January 2007 within the framework of the 2007-2013 financial perspectives.¹² What is crucial is that finally Russia was not included as such in the ENP framework (although benefiting from the ENPI funds) whereas the three Southern Caucasus Countries (Armenia, Azerbaijan and Georgia) were proposed to join this framework in 2004.¹³

In 2011 two major Communications of the European Commission and the High Representative have partially reoriented the general approach towards the EU’s neighbours. The first one of 8th March 2011 is a joint Communication from the European Commission and the High Representative entitled: “A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean”.¹⁴ It is the first substantial reaction of the EU regarding the events of Tunisia, Egypt but also

⁸ European Commission, *Communication of the Commission, On strengthening of the European Neighbourhood Policy*, COM(2006) 726 final, Brussels, 4 December 2006.

⁹ European Commission, *Communication of the Commission, A Strong European Neighbourhood Policy*, COM(2007) 774 final, Brussels, 5 December 2007.

¹⁰ European Commission, *Communication of the Commission, On the general approach to enable ENP partner countries to participate in Community agencies and Community programmes*, COM(2006) 724 final, Brussels, 4 December 2006.

¹¹ European Commission, *Communication of the Commission, On the Black Sea Synergy – A new regional co-operation initiative*, Brussels, COM(2007) 160 final, 11 April 2007.

¹² See the contributions of Van Elsuwege P. in this volume.

¹³ European Commission, *Communication of the Commission, European Neighbourhood Policy Strategy Paper*, COM(2004) 373 final, Brussels, 12 May 2004, pp. 7, 10 and 11.

¹⁴ European Commission and High Representative, *Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean*, COM(2011) 200 final Brussels, 8 March 2011.

Libya. The second one, of 25th May, 2011 is entitled: “A New Response to a Changing Neighbourhood”¹⁵ and has been prepared in order to take stock of the results achieved so far within the ENP framework.

2011 is therefore a crucial year for a number of reasons. First of all, after the first phase of implementation of the ENP, it is now possible to assess properly the progress achieved so far, notably in terms of reforms, and thus to identify the main challenges ahead. Second, new National Indicative Programmes (NIPs) have been agreed and will be implemented between 2011 and 2013. At the same time, the great manoeuvres for the next financial perspectives have started in the midst of a major financial and economic crisis. Third, the revolts in the Arab world challenged the EU approach in the Mediterranean precisely when the Commissioner in charge of the ENP, Mr Füle, and the High Representative, Mrs Ashton, were conducting the review of the European Neighbourhood Policy.

The aim of this book is to highlight a number of crucial challenges the EU and its partners are currently facing within the framework of the European Neighbourhood Policy. It is neither a collection of articles, nor a classic conference proceedings book, but a comprehensive analysis of a number of issues at stake in the ENP. Cross references are made throughout the volume in order to reinforce its consistency. In conformity with the academic programme of the Natolin Campus of the College of Europe, the approach followed is of an interdisciplinary nature. Lawyers, economists, political scientists, geographers, and experts of geopolitical and geostrategic issues have contributed to the present book.

This book is sub-divided into three parts, namely: “Transversal challenges”, “Challenges in the Mediterranean and the Middle East”, and “Challenges in Europe and Eurasia”. In Part I, devoted to transversal challenges, the first contribution (by Erwan Lannon) deals with the frameworks and instruments of the co-operation implemented under the ENP, thus analysing the development of increasingly complex bi-multilateral relationships. The analysis of Peter Van Elsuwege entitled: “Variable Geometry in the European Neighbourhood Policy: The Principle of Differentiation and its Consequences” examines one of the fundamental principles of the ENP, whilst Sieglinde Gstöhl asks “What is at Stake in the Internal Market?” by focussing on the long term project of the creation of a “Neighbourhood Economic Community” (NEC). Dominik Hanf then introduces the reader to the new “Neighbourhood

¹⁵ European Commission and High Representative, *Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A New Response to the Changing Neighbourhood*, COM(2011) 303, Brussels, 25 May 2011.

Clause” (Article 8 TUE), that is supposed to become the new legal basis for concluding the so called “Neighbourhood Agreements”.

Part II, on the “Challenges in the Mediterranean and the Middle East”, starts with an analysis by Bichara Khader on the genesis and challenges of the Union for the Mediterranean. Peter Xuereb deals with the complex issue of the necessity to infuse the Euro-Mediterranean Partnership with a supranational dynamic. The contribution of Jean-François Coustilli   focuses on the state of play of Security in the Mediterranean in the light of the EU Common Security and Defence Policy and the ENP. Iv  n Mart  n analyses the crucial socio-economic challenges in the Mediterranean Neighbouring Countries and finally Larbi Jaidi addresses the issue of the EU-Moroccan “Advanced Status”.

Part III is devoted to the “challenges in Europe and Eurasia” and starts with an analysis by Erwan Lannon and Peter Van Elsuwege of the Eastern Partnership and the prospects of a new regional dimension within the ENP. Hubert Duhot then analyses the Black Sea Synergy Initiative as a reflection of EU’s ambitions and limitations in the region. Iryna Solonenko’s contribution focuses on the ENP implementation in Ukraine. Finally, Hannes Adomeit’s contribution is centred on Russia, another “strategic neighbour” of the EU not included in the ENP as such.

The conclusion focuses on the main challenges emanating from the debate that emerged during the process of evaluation and revision of the ENP that took place in 2010 and 2011. The debate has evolved with the uprisings in a number of Mediterranean and Middle Eastern Countries. The main challenges for the EU will be to support democratic transitions, to contribute to the resolution of protracted conflicts in the area and to progressively define the model of economic co-development and integration of the Pan-Euro-Mediterranean Area.