

THE EUROPEAN NEIGHBORHOOD POLICY AS A KEY FRAMEWORK FOR STABILITY AND ECONOMIC COOPERATION

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Abstract. *The European Neighbourhood Policy (ENP) has been launched in 2003 and implemented in 2004 by the European Union (EU) to create an area of prosperity, stability, security and economic cooperation with neighboring countries, with the objective of avoiding the emergence of new dividing lines between the enlarged EU and its neighbors. This objective go hand in hand with Article 8 (1) of the Treaty on the European Union (EU): "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". The assessment of this policy reveals some ambiguities concerning its objectives, mechanisms, and its perception by member countries and neighboring countries as well as its position in the foreign policy of the Union. Indeed, this policy has been implemented immediately after 2004 enlargement to avoid the emergence of "new dividing lines" with neighboring countries. It supposes the application of the same approach applied to countries applying for membership become then a member of the EU. However, this policy excludes membership option for neighboring countries following the former president of the European Commission M. Romano Prodi's formula "everything but institutions". The conditional offer proposed by EU to neighboring countries makes this policy unilateral based on the principle "more for more". The EU offer is limited to a financial and technical assistance as well as an association agreement, which presents more challenges than advantages. This approach has been criticized by the EU itself in the consultation document entitled "towards a new neighborhood policy". The case of Ukraine is revealing. The implications of the signature of the Association Agreement with the EU on its territorial integrity have further strengthened the EU accession aspirations among pro-European Ukrainian. The complexity of the means, objectives and the design of the ENP exacerbates ambiguity of this policy. Actually, this policy concerns several neighboring countries and managed by bilateral agreements. The way in which this policy has developed and the current challenges and threats faced by the EU and neighbouring countries after more than ten years of its launch lead us to seek if this policy had the means and the necessary implementation measures to achieve its strategic objectives and if this policy still able to achieve this objective particularly since the policy review was launched. The case study methodology focusing on Ukraine with comparisons made with other countries of the neighbor is used to argue findings related to the failure of the EU to anticipate and manage the Ukraine crisis, complexity, and ambiguity that characterizes the ENP.*

Keywords: *European Neighbourhood Policy (ENP); European Union (EU); Ukraine; Eastern Partnership (EaP); Union for the Mediterranean (UfM).*

Introduction

The European Neighbourhood Policy (ENP) has been implemented to avoid new dividing lines between the widened Union and the countries in the vicinity. The European Union (EU) wishes to achieve this objective by exporting its values and its rules of the single market while excluding membership option in this space using its soft power through its democratic, economic and social development (Joannin, 2009).

However, the current situation in the countries of neighbourhood, after more than 10 years since the launch of this policy, proves that not only it did not achieve the main objective of stability and creation of an area of prosperity, but also did not prevent the destabilization of the neighbourhood and the explosion of violent conflicts. Even the use of restrictive measures, which considered as the powerful tool of the EU to implement its foreign policy (Duhamel, 2012) did not achieve results as expected.

Paradoxically, this policy which failed by its passivity to ensure the stability of the neighborhood and its prosperity, in particular, the Southern Mediterranean, its implementation in the countries of the Eastern Europe provoked the outbreak of a conflict in Ukraine.

The challenges that this policy faces go beyond its current capabilities and the means provided for its implementation. The ENP, which actually represents the framework in which the EU concretizes its foreign policy in the neighborhood, become only an instrument of this policy. Confusion glides over the role of this policy in the EU foreign policy. This policy, which has been omnipresent in the implementation of the Oriental Partnership and the management of the Ukrainian crisis, it was almost overlooked in the management of the migration crisis and conflicts that erupted in the Southern Mediterranean. The management of the "Arab Spring" was a victim of the unilateral conflict management by the Member States without recourse to the EU institutions (Demesmay & Sold, 2010).

The implementation of this policy and its evolution confirms this confusion. The ENP has come to substitute the policy of enlargement, for the benefit of the Eastern Europe countries and at the same time and has brought profound changes to the rules of cooperation with the countries of the Southern Mediterranean established by the Barcelona Process (European Commission, 1995).

The current challenges in the neighborhood, to which faces the EU, demonstrates that the ENP has not been prepared for these developments and that the legal and financial means of this policy are not living up to its ambitions and goals. This is due to the lack of an overall strategy in the field of foreign policy and security (Irving, 2012) and to the failure of the political union (Dehousse, 2006). The launch by the European Commission of a reflection regarding the ENP reform, after the Ukrainian crisis, is the proof of its failure more than 10 years after its launch. However, Each EU failure on the international scene is a factor for deepening its foreign policy facing resistance from the Member States to preserve their national sovereignty (Biava, 2005).

The ENP ... a thoughtful policy or an alternative to enlargement policy

The development of the neighborhood policy raises certain questions about the policy and the timing of its launch. At first glance, it seems that this policy intervened to complete the circle of cooperation with eastern neighbors after having formalized the cooperation with Southern Mediterranean countries under the Barcelona process. However, it came just after the EU noticed the impossibility continue its enlargement policy.

Indeed, the formalization of the EU's relations with its neighbors does not date from 2004; it goes back to 1995, with the launch of the Barcelona process. According to the Barcelona Declaration, the objective of this partnership is to create a space for dialogue, exchange, and cooperation to ensure peace into "a multilateral and sustainable framework of the relations established in a spirit of partnership, by taking into consideration the characteristics, values and peculiar features to each of the participants". This partnership with the Mediterranean countries was based on four pillars concerning the political and security, economic and financial, social and cultural fields, and finally immigration.

The launch of the ENP just after the 2004 enlargement was not a coincidence of date, but rather a response to the concerns about the EU's accession of 10 new members. It was also an alternative to the proposed enlargement policy for the countries of Eastern Europe which have not acceded to the EU.

This policy has brought almost the same conditionality as was the enlargement policy, which suggests that a future accession of the Eastern Europe countries is always predictable, and that, despite the exclusion of the membership option in the neighborhood policy. This is confirmed by the speech of the former President of the European Commission, Romano Prodi (2002) "to share everything with the Union, except its institutions", " We have to be prepared to offer more than a partnership and less than a membership, without precluding the latter".

This speech which constitutes the basic reflection for the launch of the ENP answered essentially to the questions asked by Mr. Prodi (2002): "What have we to offer our new neighbors in a near future? What prospects can we hold out to them? Where does Europe end? These are the questions we have to answer. The European public is calling for such a debate. I know: this debate will heat up after the accession of new members. Therefore it is our duty to start finding some answers". These responses have taken shape in 2004 in the ENP, confirming that this policy is intended primarily to the countries of Eastern Europe to prepare them for an eventual membership without an express commitment taken by the EU.

Southern Mediterranean countries, whose relations were framed by a neighborhood policy peculiar to this region even before the 2004 enlargement, were included in this policy to provide a comprehensive and consistent dimension to the EU policy towards its neighborhood from the east and the south. Even the Union for the Mediterranean (UfM), which was only a proposal encompassing the Mediterranean countries, has been appropriated by the EU. However, the new ENP has brought major changes to the cooperation framework provided by the Barcelona Process. It dedicates the de facto unilateral aspect of this policy, which is designed only by the EU and proposed to

neighboring countries, while the Barcelona process was a partnership negotiated multilaterally with the consent of the Mediterranean countries.

The five-year work program (European Commission, 2005) adopted at the Barcelona Summit on the occasion of the celebration of 10 years of Euro-Mediterranean partnership within the framework of the 1995 Declaration, states that the cooperation respect "the national priorities, and based on the commitment of the countries in the region to reform, included in the Tunis Declaration".

However, the ENP, as a response to the Eastern Europe countries, it was part of the process of enlargement policy, which had the engine the membership perspective. Nevertheless, the ENP poses conditionality reforms without this prospect according to the European Commission (2003, p.16) communication text on enlarged Europe - Neighbourhood: A New Framework for the Relations with our East and South neighbours, it is stated that "This implies the partners taking on considerably deeper and broader obligations, specifically when it comes to aligning with Community legislation". Therefore, EU proposes in the ENP to export its model and its values to neighbouring countries. In the absence of a prospect of membership, EU aims to be itself as an attractive target for neighbourhood countries using its *soft power* (Joannin, 2009) following the formula "sharing everything but institutions" including the sharing of principles, values, and standards of EU.

Boniface (2007) considers that the ENP, which addresses in the same manner to countries whose aim is to join the EU, as the case of some countries of Eastern Europe or countries that are not sharing the same goal or simply are not eligible for membership as was the case of the countries of the Southern Mediterranean, risks displeasing the first ones and arouse the distrust of the second.

The idea to realize with the ENP the same objective as that of the enlargement policy has created confusion among the neighboring countries and has brought major changes in the perception of the nature of cooperation between EU and its neighbors. The most effective instruments at the disposal of this policy are the financial instrument and the bilateral association agreements. For Southern Mediterranean countries, such instruments already exist, however, the framework of cooperation with EU has become increasingly unilateral and constraining, against a significant decline in multilateral dialogue framework provided by the Barcelona Process. However, for the Eastern Europe countries, which hoped to join the EU, the new proposal hardly changed their perception as for their relationship with the EU which remains conditioned by a future accession to this space which failed to lift the ambiguity surrounding the ENP on the subject of the accession of new countries to the EU. This sense of belonging to the EU was the mainspring of pro-European protests in Ukraine.

The conflicts in the Mediterranean and the ENP's passivity

The EU, in its relations with its neighbors, faced many challenges and disparities in the level of development which separate it from neighboring countries (Lepessant, 2004). The subsequent developments in the Southern Mediterranean region have surprised EU and the Member States.

Tisseron (2011) distinguishes three stages in the EU's response to the revolts and revolution in the Arab world. Between late 2010 and early 2011, the EU feels overtaken by events and regrets not having included the political reforms conditionality of the partner countries to activate the European support. Secondly, the EU wanted to catch and mark its presence by humanitarian aid granted to Tunisia (€ 17 million) and Libya (€ 30 million) and statements condemning the Libyan, Tunisian, Egyptian and Syrian regimes and the adoption of a series of sanctions against the Libyan regime. Thirdly, the EU announced the reorientation of the ENP from a financial point of view by announcing an additional € 1.2 billion to more than € 5.7 billion available for period 2011-2013 and launched, in parallel, a new EU strategy towards neighboring countries in the South as in the East.

Indeed, after the Arab revolts, the European Commission (2011a) launched the "Partnership for Democracy and Shared Prosperity with the Southern Mediterranean" hinged on democratic transformation and a strengthening of institutions, a stronger partnership with the people as well as on a growth, sustainable and inclusive economic development. Through this partnership, EU wishes to adopt a differentiated strategy by conditioning the strengthening of partnerships with the neighboring countries by achieving concrete progress in the political reforms in the areas of democracy, human rights, good governance and rule of law.

This partnership came to strengthen the principle "more for more" and to devote the unilateral aspect of the ENP giving to the EU the diffuser's role of values and prosperity by using of its *soft power*. Indeed, the text of this partnership clearly states that "It is an incentive-based approach based on more differentiation ("more for more"): those (neighboring countries) go further and faster with reforms will be able to count on greater support from the EU. Support will be reallocated or refocused for those who stall or retrench on agreed reform plans".

This proposed partnership offers as "reward" for countries that achieve the desired reforms by the EU, the resumption of the negotiations on the association agreements for an "advanced status" which enables a more meaningful dialogue between the partner countries and EU's institutions.

The Triangle Funding - mobility - markets, proposed within the framework of this partnership has been specified in the EU's Joint Communication (European Commission, 2011b) marking the launch of "a new strategy with regard to a Neighbourhood in transformation".

However, the initiative undertaken by the EU after the revolts and conflicts triggered in the Southern Mediterranean joins rather in the logic of what should be the partnership with the neighborhood of the Southern Mediterranean and not in a vision on what to do to stabilize the region and find peaceful solutions to conflicts. This approach conceals a sense of regret and a desire to catch up with the rapid developments in this area.

In efforts to conflict resolution in the region, EU diplomacy was overshadowed by the diplomacy of member countries. The discrepancy between the Member States' foreign policies and the EU's has become visible more than ever during the "Arab Spring". Certain politics have been adopted at national level by the Member States and then

submitted at the EU institutions level, to snatch a consensus and a European support as it was the case of the French proposal to intervene in Libya, adopted by the United Nations Security Council, but which has not reached consensus at European level, especially after the opposition of Germany (Matalan, 2011). The couple Franco-German has shown disagreement and a lack of cooperation in conflict management in the Southern Mediterranean area (Demesmay & Sold, 2010).

The new EU proposal for a partnership with the countries of the Southern Mediterranean is therefore only a future vision of the basis for cooperation between the Union and Mediterranean neighboring countries. Conditioning EU support for political reforms in the partner country has, in fact, only a limited impact, because these countries are more concerned about the internal situation than by the EU's financial assistance proposals. Moreover, the EU's new vision for the ENP has not had a positive impact in the Eastern Europe region as the study shows the case of Ukraine.

Ukraine ... the straw that broke the camel's back

Contrary to the passivity of the EU's foreign policy dealing with conflicts in the Southern Mediterranean region, this one was rather aggressive in the Eastern European region, within the framework of the Oriental Partnership. The strengthening of the Eastern Partnership proposed in the document "a new strategy towards a neighborhood in transformation" was immediately implemented by the EU's institutions which have accelerated their diplomatic pressure to result in the signing of agreements association with the Eastern Europe countries. This is considered as an important stage in achieving the ENP's objectives with the new neighbors following the EU's 2004 enlargement, especially to create a space of stability and prosperity. However, this policy has paradoxically caused the opposite. The signing of the Association Agreement with Ukraine has plunged the country into instability and caused the deterioration of relations between EU and Russia, creating a new line of division between this union and a great neighbor.

The scenario according to which the situation in Ukraine developed after the summit of Vilnius was simply unpredictable for Ukrainian, European as well as for the Russian.

A chronological reading about the beginnings of the current crisis in Ukraine highlighted a conflict of interest between the European and the Russian as well as between the pro-European and pro-Russian Ukrainian components with direct consequences on the stability of Ukraine.

Right after the decision taken by the Ukrainian authorities, on 21 November 2013, to suspend the preparations for the signing of the association agreement in Vilnius Summit (28 and 29 November 2013), pro-European protesters gathered on Maidan, in Kiev, to claim their belonging to Europe and to urge the Ukrainian government to change its attitude. These events were described by the EU, that noted in the joint declaration of the Vilnius Summit on the oriental Partnership, as "the unprecedented public support for the political association and economic integration of Ukraine into the EU" (European Council, 2013).

The Russians who were surprised by the events of "Maidan" hurriedly supported their diplomatic success to keep Ukraine in the Eurasian project by granting, on 24 December 2013, three (03) billion dollars (2,2 billion Euros) representing the first tranche of the financial rescue plan of 15 billion dollars (11 billion Euros) under the agreement signed on 17 December 2013 in Moscow between the Ukrainian and Russian presidents (Le Monde, 2013).

On the European side, by using of restrictive measures tool (Duhamel, 2012), sanctions have been taken against those responsible for violence (European Council, 2014). In addition, European and American officials also increased pressure on the government and the Ukrainian President and they have multiplied their travels widely publicized, while openly providing support to pro-European protesters in Ukraine.

However, the events have accelerated until the dismissal, on February 22nd 2014 of the Ukrainian President Yanukovych (Le Huffington Post, 2014), followed by the annexation of the Crimea by Russia, by signing on March 21st 2015 by the Russian President of the law planning the creation of two Russian administrative entities, namely Crimea and Port of Sevastopol (Le Monde, 2014).

The EU, which immediately condemned the annexation of Crimea by Russia, signed on 21st March 2014, the first part of the Association Agreement with Ukraine (European Council, 2014) followed by the final signing of the Association agreement 27th June 2014 (European Commission , 2014). On May 11, 2014, the referendum of self-determination have been organized by the separatists and that gave victory to the "Yes" by 89% in the "People's Republic of Donetsk" and 96% in the "People's Republic of Luhansk " (Baczyńska, Polityuk & André, 2015) which led to the outbreak of armed conflict in Eastern Ukraine.

It is clear that the EU policy with its neighbors of Eastern Europe was lacking visibility. Certainly, it was more active with regard to that intended for the neighborhood of the Southern Mediterranean and made a big step forward by signing the association agreements with the countries of the Eastern Partnership (Ukraine, Georgia, and Moldova), however, it obtained counterproductive and irreversible results. The same ENP which is supposed to ensure stability and security in the neighborhood caused the disorder, instability, and insecurity in Ukraine and a deterioration of the relations with the Great Russian neighbor, an economic and military giant and a major supplier of energy to Europe.

Indeed, according to the report of the House of Lords of Great Britain (2015) on the relations between EU and Russia, a "significant error" of analysis was committed by the EU concerning Ukraine which neglected the warning signals. The report of the House of Lords revealed that the EU member countries have demonstrated a lack of good information gathering and a lack of coordination in their foreign policy. They overestimated at the same time the intentions of the Ukrainian leaders to sign the Association Agreement, showed ignorance to the Ukrainian public and underestimated Russia's hostility to the Association Agreement.

The failure of the EU's approach to its neighborhood was confirmed by the launch of a consultation on the reform of the ENP following the consultation document of the European Commission (2015a) entitled "Towards a new neighborhood policy ". This

document leaves no room for doubt; ENP needs to be revised. This consultation paper deserves to be studied because it carries within it also the questions addressed to different actors, requested to share their vision of the new neighborhood policy, a report on the recorded shortcomings and limitations of different cooperative frameworks of the ENP.

Conclusion

The main objective of the ENP, to create an area of stability and prosperity, since its launch in 2004, was a failure by its passivity, as in the case of the Southern region of the Mediterranean, or by its dynamism, in the case of Eastern Europe. This policy was not able to prevent armed conflicts in the Southern Mediterranean countries and, ironically, caused the outbreak of an armed conflict in Ukraine, and the deterioration of the relations with the Russian neighbor.

Indeed, the Ukrainian crisis has revealed the limits of the ENP and was the triggering event of its revision. The document "Towards a new neighborhood policy" criticizes almost all unilateral aspects based on a European offer which did not completely involve the partner countries. The aspirations of the partner countries are often not taken into account under the framework proposed by the ENP. This it can be explained by its anarchic development to seek an alternative to enlargement policy, to be proposed to the new Eastern Europe neighbors. It included the countries of the Mediterranean framed earlier by the Barcelona Process, which worked rather well, with the objective to have a single policy for the entire neighborhood.

Since its launch, ENP had a lack of clarity, visibility, resources as well as a long-term strategy. It brought new conditions to the cooperation with the Mediterranean countries in order to prepare, within its overall neighborhood policy, the countries of Eastern Europe for an eventual membership. In addition, this policy remains ambiguous, what fuelled most of the aspirations of the Eastern Europe countries to adhere to EU, and provoked some confusion in the Mediterranean neighborhood.

The ENP has shown that it is an instrument of the EU's foreign policy rather than a framework for cooperation. Conceived to develop privileged relations with the countries of the neighborhood and to establish an area of prosperity, the ENP has turned to an instrument of response to emergency situations or an instrument of influence.

The ENP's revision project proposed by the European Commission (2015b) gives as the main role of the ENP, the stabilization of the neighborhood. This new policy aims to be more cooperative, basing itself on the principle of differentiation and ownership of this policy by member countries and partners. It comes also to ensure economic stabilization of the partner country and a place for the neighborhood of the neighborhood, but that necessarily involves strengthening the EU's foreign policy.

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