
Deliverable submitted June 2010 (M27) in fulfilment of requirements of the FP7 Project, Converging and Conflicting Ethical Values in the Internal/External Security Continuum in Europe (INEX)
State-of-the-art on EU-ENP Security Initiatives, Premises and Consequences in Ukraine, Moldova and Belarus.

Work Package 5: D.5.1.

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Introduction

Since its inception the European Neighbourhood Policy (ENP) has become the European Union’s (EU) principal framework for its relations with its neighbours in the East from the former Soviet bloc, together with the states that ring the southern and eastern shores of the Mediterranean. In a nutshell, ENP encompasses a wide and growing number of neighbouring states, which seek, in varying intensities to develop closer political and economic ties with the EU. From the European Union’s side, ENP in the eastern domain is an explicit attempt to stabilise and secure its neighbouring milieu by extending and exporting its own brand of regional integration, whilst at the same time keeping mute on the enlargement question.

ENP brings into a single policy framework a diverse range of states stretching from Morocco and Israel in the South to Ukraine and Georgia in the East. The EU’s official rationale for bringing these two geographical domains together into a ‘balanced approach’ is that of common challenges, which from a Brussels point of view, are best met by similar solutions and common methods.  

In brief, both sets of neighbours are indeed unlike EU member states in many ways. Apart from Israel, they are considerably poorer than even the EU newcomers of 2004/7; the majority have political regimes which are either overtly authoritarian or democratically fragile. Consequently, tendencies in the two regions for extremism and unpredictability, political or religious, are considerable. At the same time, the ties that bind the EU to its neighbours are considerable and have compelled both sides to seek cooperation to greater or lesser extents. The EU is a major, if not the most important trading partner for ENP states and in turn the neighbouring states represent important markets for EU exports. Both sets of neighbours bring to the EU’s door strong migratory pressures, both regular and irregular, and are themselves transit states for migratory movements from further afield. In this way the neighbours are important partners for the EU for control and management of the EU’s external borders – both land and maritime. Both neighbourhoods are also plagued by a number of conflicts, which in the East bring to the EU’s agenda the delicate state of relations with Russia. Meanwhile in the South, the EU’s endeavours to nurture political relations and regional integration are delimited by the Arab-Israeli conflict and to a lesser extent the stalemate in the Western Sahara. Finally, both the Eastern and Southern neighbourhoods are crucial in terms of the EU’s future energy needs, in terms of supply and transit infrastructures and thus form core elements in the EU’s energy security agenda.

Of course, the evolution of ENP was also fundamentally driven by the Member States and their preferences and interests in the two neighbourhood domains; like any area of EU policy, the

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1 For the EU’s explanation of this approach see ‘Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours’ http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf 2003
formulation of ENP was a net-result of the pushes and pulls of national preferences, especially of the larger states that border on or lay close to the EU’s external boundaries.

**Underlying Drivers behind ENP-East**

Despite the many factors that have determined the EU’s approach of bringing the East and South together, this survey will argue that there are distinct premises guiding ENP in the two neighbouring domains. Crucially, with regards to the East we argue that the following underpin EU policy:

- **First,** the *enlargement dynamic* inevitably shapes the EU’s relations with the Eastern neighbours. Primarily in the sense that Ukraine and Moldova both seek EU membership and regard ENP as a stepping stone and not an end in itself. Equally, despite enlargement fatigue, there is a caucus of EU member states (especially in East Central Europe) that want to keep the door open to Ukraine and Moldova’s full accession. In contrast, since Morocco’s bid for EC membership in 1987 was knocked back on the grounds that it was not a European country, the notion of a North African state becoming an EU member has died a death.

- **Second,** and related to the first point, there is a positive notion of *solidarity with the ‘European neighbours’* in the East, as opposed to the ‘neighbours of Europe’ in the South. This demarcation has become increasingly pertinent over the last few years, infusing the discourse of EU policy towards the neighbours. It is also a notion used with vigour by the pro-enlargement lobby and was one of the key ideas driving the set-up of the Eastern Partnership in 2009.

- The state of *EU-Russia relations* is a further factor conditioning the development of ENP in the East. Russia remains a dominant player in the region and although somewhat weaker than before, strong links within the CIS persist and energy-dependencies remain. There are also historical and ethnic ties that join the post-Soviet states with Moscow, with large Russian minorities scattered across the neighbourhood. Russia maintains a robust foreign policy towards its traditional ‘near abroad’, replete with a significant military presence beyond its borders. In contrast, there is no equivalent ‘Russia factor’ affecting the EU’s relations in the South.

- **Fourth,** the EU’s agenda in the East is directly shaped by concerns over the negative *spillover effects of insecurity* from the neighbourhood’s regional conflicts which have already and may continue to pit Russian and EU positions against each other. The Russia-Georgia
war of August 2008 brought into focus the potential for an outbreak of conflict elsewhere in the Southern Caucasus region; Transdnistria or Nagorno Karabakh.

- Fifth, a recent INEX workshop (See report from D.5.2) illustrated the differences in the EU’s overall agenda when dealing with and justifying efforts at border management in the East and the South. When it comes to the latter, emphasis is placed upon terrorism; borders in the South are being hardened via technology and integrated management to prevent and combat negative spill-over from the region, thus keeping this region fully at arm’s length. Meanwhile, in the East though a hardening of borders occurs and efforts at stemming irregular migration/crime proceed, the EU appears to be committed to bringing the region closer to the West, to induce democratic change and to promote the idea of ‘vibrant’ people to people contacts across ‘porous’ borders. Thus in the Eastern context the question of Visa Facilitation lies at the heart of the political debate with utterances about visa-free regimes in the long term.

- Sixth, when it comes to addressing domestic politics in the neighbourhood, the EU arguably expects more and has a stronger stake in terms of democratic reform and good governance when it comes to the East, when compared to the South, and calls a tougher line on conditionality. Though efforts via the ENP at installing democracy and rooting out authoritarianism have had patchy results, such domestic reform efforts remain close to the top of the EU’s agenda with expectations still high in Brussels for sustained democratisation in the Eastern neighbourhood. This is linked to point seven.

- Though the installation of democracy in the region remains fragile, processes of democratisation are visible and it is official EU policy to encourage democratic reform. Whilst Belarus,\(^2\) of course, stands outside of this dynamic, democracy appears to have a foothold in Moldova and Ukraine. Moreover, political forces for democracy in these countries, whether currently in power or not, tend also to have strong pro-EU leanings. We believe that this is the case, despite some apparent setbacks during 2008/9.\(^3\)

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\(^2\) Belarus remains in a state of non-change as Europe’s ‘last dictatorship. Since coming to power in 1994 Aleksander Lukashenka has enlarged the power of the presidential office. In 2001 he secured a further term in office in an election which attracted much criticism after the disappearance of key opposition figures and in 2004 he removed constitutional barriers to his perpetual re-election. The Government’s palpable lack of commitment to human rights prompted the EU to continue with its policy of freezing the government’s assets in the European Union and maintaining visa restrictions for the four officials linked to the disappearance of political activists and the head of the country's election commission. In the most recent EU Council conclusions on Belarus it was confirmed that a freeze on restrictions would be continued (to be reviewed in October 2010) for other officials, a move aimed at encouraging further progress towards better and ultimately establishing contractual relations between Belarus and the EU.

\(^3\) The success of Viktor Yanokovich in the 2010 Presidential elections in Ukraine could reverse Kiev’s rapprochement with the EU, which was set in motion after the Orange revolution in 2004 and see a sharp pro-Russia tilt in Ukrainian foreign policy. However, the results actually indicated that democracy appears to have taken hold in Ukraine, (the elections were deemed fair and carried out according to international democratic standards). The quest for NATO membership will be ditched by the new government, and a more Russia-friendly
Eight, prior to the creation of the Eastern Partnership (EaP), the EU took an almost exclusively bilateral approach to the Eastern neighbours, shying away from the types of ‘region-building’ efforts that were at the heart of the EU’s Barcelona Process for the Mediterranean states.

These eight points delineate the security-related initiatives, premises and thus the consequences of EU policies in the East.

Ukraine, Moldova and Belarus – the three countries in focus here - are the EU’s closest neighbours, and since the recent enlargement of the European Union share extensive land borders with the EU. To be sure, EU enlargement was a stimulant for new waves of westwards migration – both regular and irregular; the new member states became not just transit states, but states of destination for both regular and irregular migrants, thus becoming countries of immigration. One of the main consequences of this physical proximity is that border management, migration, mobility and cognate issues are of immense importance and have become inextricably linked to the EU’s burgeoning security agenda and have gained central importance in the EU’s relations with Ukraine, Belarus and Moldova, as noted in a Council document from 2005:

‘Countries should be aware that the nature of their relationship with the EU will be positively affected by their level of cooperation on JHA issues’

Key ENP documents refer to border management as an area where the EU expects cooperation and a commitment to ever stricter standards, which are often driven by expensive state of the art technologies. It was not long after the implosion of the Soviet Block that policy makers began to express fears about a mass influx of migrants from the East (a fear which was also stoked up after the recent 2004/7 enlargements of the EU). As one commentator pointed out in the mid 1990’s:

‘Migration – previously a matter of ‘low politics’ – to be dealt with by labour ministries and the like – was suddenly elevated to the level of ‘high’ politics and security. This reflected broader changes on the European Security Agenda’.

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The EU acutely recognised the potential negative effects and prospects of regional instabilities that could result from an eastwards shift of its outer borders:

‘The enlargement . . . enhances the safety of the Eastern neighbours of the Union by strengthening stability . . . However, the enlargement may have adverse effects if it is interpreted as building new barriers . . . The justified safety-related views of the Eastern neighbours as well as the views concerning the position of Russian minorities in an enlarged Union must be taken into consideration . . . The disputes between the joining states and their Eastern neighbours may form a potential threat to the safety of the Union’

For citizens of the Eastern European states that remain outside of the EU, visa liberalisation and better options for westwards mobility, especially for work (the region remains profoundly poorer than the EU), remain important priorities and remain a litmus test for the EU’s commitment to the region. The ultimate goal aspired to, is, of course visa-free travel.

The purpose of this paper is to present an empirically focused ‘state of the art’ survey on the EU’s relations with Ukraine, Moldova and Belarus. For the most part the report will provide a narrative of the ENP’s development over time and to take note of the state of the art in the secondary literature. This report will complement a similar paper prepared by INEX Work Package six on the Southern neighbourhood.

Work Package five’s report begins with an overview of the evolution of the ENP - the policy’s origins, key objectives and manifestations in the East. The paper will show how from the early post-Soviet period and TACIS programmes, EU policy gained a more differentiated and political character, focused on the security implications soon to emerge from the eastern enlargement of 2004. At this

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7 Even before the global economic crisis hit, the potential for sustained economic growth remained stymied by local business environments often un-conducive to foreign investors. A lack of transparency and incompetence in public administration, the uneven application of the rule of law, coupled with corruption and the possibility of political instability are factors that have often repelled outside investors, as has been the case in Georgia in the aftermath of the August 2008 war. This is a strong difference to the case of East Central Europe in the 1990’s when foreign investment flowed into the region, playing a significant role in building up national economies and enhancing political stability on route to EU membership. The financial crisis of 2008/9 hit the region hard, bringing about the prospect of ‘failed economies’ and in turn the spectre of ‘failed states’ with potential social unrest and geopolitical consequences. In Ukraine the collapse of steel exports and a weak banking system hugely reliant on international financing meant that the economy had to be shored up with a huge $16.4 billion dollar loan from the International Monetary Fund (IMF). Further financial support from the IMF in the form of stand-by arrangements and funds from the poverty reduction and growth facility, were subsequently rolled out across the region to all of the EaP states in the course of 2008/9 as they battled against the crisis. Falling remittances from workers living abroad have had a particularly marked effect upon the Moldovan economy. The downturn in prices for Belarus’ refining services and energy-dependent export goods have also hit this country hard and delayed a number of privatisation programmes.

8 Visa free travel into the EU is now possible for Serbians, Montenegrins and Macedonians.
point a brief discussion on the ways in which ENP works, from Country Reports, through to Action Plans and the review process will be undertaken. Specific emphasis will be placed on issues relevant to INEX: in this context we argue that the issue of mobility and visa policy stand at the core of the EU’s relations with the Eastern neighbours and has, since the conception of ENP, become an increasingly pronounced if not awkward theme in the interplay between internal / external security policies. In essence, EU visa facilitation and readmission agreements have moved to the centre of the EU’s efforts to balance internal security concerns and external stabilisation needs in the neighbourhood. Such issues also lie at the heart of the EU’s mixed policy discourse, which on the one hand stresses a hard security agenda for border management, but at the same time, promotes mobility, cross-border cooperation and people-to-people contacts. To put it more pithily; the visa policies of the EU play an important role in defining where the borders of Europe lie. Next, the paper will turn to briefly highlight some specifics in Ukraine, Moldova and Belarus’ current relations with the EU as part of our analysis of the state of play. Following this, the report will attempt to distil some ‘explicit and implicit values and ethical dimensions’ from EU policies towards the Eastern neighbours. The final part of this report will focus on secondary literature on ENP (in the Eastern neighbourhood) and cognate issues. The objective here is to appraise the state of the art of the secondary literature and to present a comprehensive up to date bibliography.

Prior to moving on it is important to think a bit about and briefly define some of the key concepts and ideas used in this Work Package.

1. We consider EU security policies and initiatives in a wide sense which combines aspects of the EU’s internal security agenda with traditional external security policies of the EU (ESDP / CFSP).

2. This necessitates an approach which takes ENP (East) as a main focus, but also considers the distinct policies of the Freedom, Security and Justice DG (previously Justice and Home Affairs) towards the neighbourhood, the work of DG RELEX (and emerging EU external action service), AIDCO, the functions of FRONTEX, as well as the agenda of DG Enlargement/European Neighbourhood Policy. This is a challenge since the way in which the EU carries out external relations is very much in a state of change in light of the new Commission, the Lisbon Treaty and the still yet to be fully tested working relations between all bodies and services involved in EU foreign and security policy.

3. We also need to take account of the EU agencies and bodies on the ground that feed, in different ways, into ENP. Here, we include the Common Strategy for Ukraine, the EU
Special Representative for Moldova, the EU border assistance mission ‘EUBAM’, the Black Sea Synergy, the Northern Dimension and the 5+2 talks on the Transdniastria conflict.9

4. Ethics, ethical premises and values are nebulous concepts. To get leverage, we accept the notion that ENP represents the EU’s institutional response to the internal/external security continuum (as brought about by enlargement) at the EU’s outermost Eastern borders. To mobilise this proposition, we see that ENP embodies the link or practice between the promotion of ‘European (EU) values and ethical principles’ and the drive for security at and beyond the EU’s external borders. As stressed in the INEX proposal understanding this link ‘will be the most general challenge of the INEX project’.

5. In terms of actors, the Eastern neighbours that we focus on are Ukraine, Belarus and Moldova. Whilst these three states constitute a group, we note that there are considerable differences in their individual relations with the EU and that Belarus is very much a stand-alone case.

The Background to the European Neighbourhood Policy

After the end of the Cold War EC/EU foreign policy prioritised relations with the Eastern neighbours, first and foremost through enlargement. Based on the logic of proximity, the immediate neighbours in East Central Europe were the first to enter the EU’s orbit by securing their bilateral relations through the ‘Europe Agreements’ in the early 1990’s. This led to candidate status and ultimately membership in 2004/7. Though the enlargement process may have currently stalled, three candidates (Croatia, Macedonia and Turkey) wait in the wings and the remaining states in the Balkans, currently housed under the mantle of the Stabilisation and Association Process (SAP), are officially ‘potential candidates’ – indeed the European Council of December 2007 reaffirmed that the future of the Western Balkans lies within the European Union.

Crucially, the prospect of EU membership has been used since the 1990’s by Brussels as an effective inducement for the Eastern neighbours to enact the necessary reforms to move closer to the EU. In doing so, the EU succeeded in securing and stabilising its immediate eastern neighbourhood, by

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9 The 5+2 talks involve Moldova, Transdniastria, Ukraine, Russia, the OSCE plus the EU and the US
integrating its neighbours and making them ‘more like’ the EU. It is no surprise therefore, that enlargement has been regarded as one of the EU’s most effective foreign policy tools.  

Whilst the enlargement dynamic continues to determine relations between the EU and the three candidate states and potential candidates, it is not an available foreign policy tool with which the EU can shape and structure its relations with the remaining neighbours in the East. In this context, the EU was compelled to develop a policy, distinct from enlargement, to bring about desired political and economic changes in the new neighbours.

**Looking Back – Early Relations with the Newly Independent States**

The EC’s immediate response to the break-up of the Soviet Union was TACIS (Technical Assistance to the Commonwealth of Independent States), which from 1991 until 2006 provided the financial framework for relations with Ukraine, Moldova and Belarus.  

11 The goal of TACIS was ‘to support the process of transition to market economies and democratic societies in the countries of Eastern Europe, the South Caucasus and Central Asia’. In its first outing TACIS focused primarily on supporting efforts at privatisation and the creation of market economies; subsequent reforms saw the EU put a greater emphasis upon the rule of law, good governance and democratisation, though in retrospect TACIS was very much a tool for economic reform, rather than political change. Moreover, implicit within TACIS objectives was an assumption, if not a hope, that CIS would maintain its integrity, including strong economic links amongst the states of the region.

Simultaneously the EU embarked upon designing a first generation of legal ‘Partnership and Cooperation Agreements’ (PCAs) (to replace the previous agreement of 1989 which had regulated trade between the EC and Soviet Union). Ukraine and Moldova’s PCAs came into force in 1998, whilst that of Belarus, which was signed in 1995, has never actually been implemented. PCAs were negotiated on bilateral bases, so details vary, but the principal objectives were (a) to establish new trade regimes (b) to institutionalise political relations and cooperation (c) to ensure that EU assistance (ie. TACIS) is conditional upon partner countries progress in political and economic reforms.

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10 Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours'  

11 TACIS also covered Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Turkmenistan and Uzbekistan. Mongolia was also covered by the TACIS from 1991 to 2003.

12 The signing of PCAs was then followed by the inaugural meetings of the cooperation councils between the EU and Moldova and Ukraine in 1998.
The road to enlargement in East Central Europe was underway, when in 2002/3 the Commission and Council began serious discussions about its geopolitical consequences and how to manage relations with the soon to be new neighbours on the other side of the new border. To be certain, there was already a growing consensus that the existing models of relations between the EU and NIS (as well as the Mediterranean partners) were products of a previous era and had become outdated. The prospect of enlargement brought this into clearer focus. To begin, the problems and issues which characterised the eastern neighbourhood were no longer going to be at a distance, but directly on the EU’s doorstep. But also, in the eastern context it is vital to note that whereas the TACIS formula had sought to sustain the integrity of CIS region, over time disunity had crept in with increasing differentiation amongst the group of former Soviet States.

**Getting Political - the road to the European Neighbourhood Policy**

A quick mention of the key steps in the emergence of what ultimately became ENP is important to give since its ‘genesis’ gives vital indications of some of the values, ideologies and the language that shaped the policy.\(^{13}\)

Most commentators track early conceptual thinking about what became ENP from letters sent by the UK and Swedish Foreign Ministers to the Spanish EU Presidency, during the first half of 2002. Similar overtures were developed in a letter drafted by Javier Solana and Chris Patten (then Commissioner for External Relations) later the same year to the Council about the ‘Wider Europe’. Solana and Patten spoke of the dual challenge of avoiding new dividing lines in Europe, whilst at the same time responding to the needs and opportunities arising from the newly created borders of the Union. Particular emphasis was placed upon the soon to be eastern neighbours, since, as they argued, the Eastern region was where the impacts of enlargement would be of most consequence. The geographical proximity of these three states, coupled with their emerging ‘European aspirations’ ensured that Ukraine, Moldova and to a lesser extent Belarus figured highly on the Commission’s agenda. Indeed, this early thinking and original blueprint for what eventually became the European Neighbourhood Policy, was for a regionally discrete EU ‘proximity’ instrument geared initially for nurturing relations with these three states.\(^{14}\)

The gist of the Solana / Patten letter was that of managing expectations, to balance between offering

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\(^{14}\) It was in June 2004 that the Council voted in favour of extending ENP to Azerbaijan, Armenia and Georgia.
closer proximity and engagement with the EU, whilst at the same time not raising 'unrealistic expectations about the prospect of a further eastern enlargement'. Commission President Romano Prodi also joined the chorus with a string of official speeches made throughout the year calling for a new policy towards the neighbours to emerge in parallel with the enlargement process.

The notion of avoiding new dividing lines and sharing the opportunities of enlargement continued to provide a central ethos as the EU drove this agenda forward. Further elaboration spoke in terms of 'sharing everything but institutions', a new policy that would not start with the promise of membership, but it would not exclude membership. The strategy for this gained structure and form in the course of 2003/4.

In response to a call from the Council, the Commission launched its 'Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours' initiative in March 2003. Here, the objective of creating a zone of prosperity and a friendly neighbourhood - 'a ring of friends - with whom the EU enjoys close, peaceful co-operative relations' was given greater form and substance.\(^{15}\)

\(^{15}\) http://ec.europa.eu/world/eng/pdf/com03_104_en.pdf
Table One: Overview of Legal / Financial State of Play in the ENP 2000 – 2010 (East and South)

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>Contract with EU PCA or AA.(^\text{16})</th>
<th>ENP Action Plan Adopted by EU</th>
<th>ENP Action Plan Adopted by Partner</th>
<th>EU Financing 2007-2010, million €(^\text{17}) / per capita calculation(^\text{18})</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENP PARTNERS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Israel</td>
<td>AA June 2000</td>
<td>November 2005</td>
<td>November 2005</td>
<td>8 / 1</td>
</tr>
<tr>
<td>Morocco</td>
<td>AA March 2000</td>
<td>February 2005</td>
<td>July 2005</td>
<td>654 / 19</td>
</tr>
<tr>
<td>Palestinian A.</td>
<td>Interim AA July 1997</td>
<td>February 2005</td>
<td>May 2005</td>
<td>632 / 152</td>
</tr>
<tr>
<td>Tunisia</td>
<td>AA March 1998</td>
<td>February 2005</td>
<td>July 2005</td>
<td>300 / 29</td>
</tr>
<tr>
<td>Jordan</td>
<td>AA May 2002</td>
<td>February 2005</td>
<td>January 2005</td>
<td>265 / 43</td>
</tr>
<tr>
<td>Lebanon</td>
<td>AA April 2006</td>
<td>October 2006</td>
<td>January 2007</td>
<td>187 / 47</td>
</tr>
<tr>
<td>Egypt</td>
<td>AA June 2004</td>
<td>March 2007</td>
<td>March 2007</td>
<td>558 / 7</td>
</tr>
<tr>
<td>Ukraine</td>
<td>PCA March 1998</td>
<td>February 2005</td>
<td>February 2005</td>
<td>494 / 11</td>
</tr>
<tr>
<td>Armenia</td>
<td>PCA 1999</td>
<td>November 2006</td>
<td>November 2006</td>
<td>98 / 33</td>
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<tr>
<td>Azerbaijan</td>
<td>PCA 2006</td>
<td>November 2006</td>
<td>November 2006</td>
<td>92 / 11</td>
</tr>
<tr>
<td>Georgia</td>
<td>PCA 1999</td>
<td>November 2006</td>
<td>November 2006</td>
<td>120 / 26</td>
</tr>
<tr>
<td>THE OUTLIERS</td>
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</tr>
<tr>
<td>Algeria</td>
<td>AA September 2005 (not yet ratified)</td>
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<td></td>
<td></td>
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<tr>
<td>Belarus</td>
<td>None</td>
<td></td>
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</table>

16 AA = Association Agreement; PCA = Partnership and Cooperation Agreement. For a discussion of the difference between AAs and PCAs see Catherine Flaesch-Mougin ‘Differentiation and Association within the PEMA’ in The EU’s Enlargement and Mediterranean Strategies 2001 ed. Marc Maresecau and Erwan Lannon. Palgrave pp.63-96

17 In 2007 the European Neighbourhood and Partnership Instrument (ENPI) replaced the previous TACIS and MEDA funding instruments, which had been for the East and South respectively.

18 The per capita calculations are the author’s own with population figures taken from the CIA World Fact Book www.cia.gov/library/publications/the-world-factbook/

Libya

<table>
<thead>
<tr>
<th>Country</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Libya</td>
<td>None</td>
<td>Libya has been an observer in the Barcelona Process, and will need to join the Barcelona Process before moving any further with relations with the EU. Discussions between the EU and Libya on a framework agreement are underway. Eight million euros have been proposed in the 2007-10 perspective, equalling one euro per capita.</td>
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Syria

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<tr>
<th>Country</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Syria</td>
<td>None</td>
<td>Syria is a full member in the Barcelona Process/UfM. EU-Syria negotiations were concluded in 2004 for an Association Agreement, the agreement has not been ratified. Talks resumed in 2008, and ratification of an updated AA is pending. Syria has been designated 130 million Euros through the ENPI, equating to 6.5 euros per capita.</td>
</tr>
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The Commission’s ‘Wider Europe’ framework paper of 2003 represents an important document for INEX’s understanding of the EU’s approach to the neighbourhood. The ideas presented in the paper were broad and ambitious; to bring together the wide range of foreign policies that the EU had: trade, aid, CFSP, programmes for regional cooperation, crisis management and so on. The document spoke of enhancing regional cooperation, extending the four freedoms and giving the neighbours a stake in the internal market, to resemble something close to the political and economic links within the EEA. The Wider Europe document also laid out what became the organising principles of the ENP - differentiated or ‘tailor made’ action plans (APs), based on bilateral relations between the partner and the EU and judged by a benchmarking approach.

In the ‘Wider Europe’ paper the Commission recognised the challenges that lay ahead for the EU, and proposed that the EU ‘accepted’ this challenge. The document pointed out in very clear terms that policy makers saw as indivisible the security of the Union and the security and stability of the neighbours. The document also spoke in confident terms about the EU’s duty not just to the citizens of the EU, but also to those in the neighbourhood, to ‘ensure continuing social cohesion and economic dynamism’. In line with this, it asserted that the ‘EU must act to promote the regional and sub-regional cooperation and integration that are preconditions for political stability, economic development and the reduction of poverty and social divisions in our shared environment.’ The paper repeated one of the ‘logos’ of the nascent neighbourhood policy, namely ‘avoiding new dividing lines’ based on the convergence of ‘shared values’. At the crux of it all lay the central idea of the neighbourhood policy; in return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including the alignment of legislation with the Acquis, the EU’s neighbours should benefit from the prospect of closer integration with the EU.²⁰

²⁰ ‘Wider Europe’ p.4
A number of ‘incentives’ were rolled out in the document as leading the EU’s approach. From an INEX viewpoint ‘perspectives for lawful migration and movement of people’, and ‘greater EU political involvement in conflict prevention and crisis management’ are perhaps the most pertinent. In terms of the former, the EU struck a positive note, signally the importance of ‘ensuring that the new external border is not a barrier to trade, social and cultural interchange or regional cooperation’. Furthermore, ‘the EU should be open to examine wider applications of visa free regimes’.\textsuperscript{21} With regards to the latter, the Commission asserted that ‘shared values, strong democratic institutions and a common understanding of the need to institutionalise respect for human rights will open the way for closer and more open dialogue on the Union’s Common Foreign and Security Policy (CFSP) and the development of the European Security and Defence Policy (ESDP).’ Furthermore, the document envisaged a sizable role for the EU in crisis management, mentioning Transdnistria, alongside the Western Sahara and Palestine. It envisaged that:

\begin{quote}
Greater EU involvement in crisis management in response to specific regional threats would be a tangible demonstration of the EU’s willingness to assume a greater share of the burden of conflict resolution in the neighbouring countries. Once settlement has been reached, EU civil and crisis management capabilities could also be engaged in post-conflict internal security arrangements.\textsuperscript{22}
\end{quote}

**Delivery and Assessment**

After the delivery of the ‘Wider Europe’ paper, which provided the ideational contours of ENP, the process of turning it into actual policy commenced at a swift pace with the Presidency conclusions of the Thessaloniki European Council (19 and 20 June 2003) endorsing the ideas and tasking the Commission and Council to proceed with planning.\textsuperscript{23} The ENP process kicked-off with the production of ‘Country Reports’ by the Commission.\textsuperscript{24} These were extensive documents presenting in 20 or so pages reflections on key data on current political, economic and social issues in the prospective ENP member. Seven country reports were produced in May 2004, including those for Ukraine and Moldova, which were submitted to the Council. Once approved, individual Actions Plans (APs) were drawn up, based on negotiations between the Commission and potential ENP state.

\textsuperscript{21} Wider Europe P.11

\textsuperscript{22} Wider Europe Ibid. P.12


\textsuperscript{24} Access to Country Reports can be found at http://ec.europa.eu/world/eng/documents_en.htm#2
APs set out short to medium term objectives, in theory jointly agreed upon, which, put simply, if the partner met should be rewarded by options for greater integration with the EU.

It is valuable to reflect a little on the Action Planning process, since these documents detail the range of reforms required by the EU of the specific neighbours. What is notable about the first round of APs is that they are fairly broad, with a common structure, often with little specificity beyond pledges to work together in obvious areas of reform. The AP for Ukraine, for example, stressed the following priorities amongst others: ‘further strengthening the stability and effectiveness of institutions guaranteeing democracy and the rule of law’; ‘Ensuring respect for the freedom of the media and freedom of expression; Establishing a constructive dialogue on visa facilitation between the EU and Ukraine, with a view to preparing for future negotiations on a visa facilitation agreement’. On reflection, there was little in the way of clear ‘sequencing’ – what exactly needs to be done, by whom and by when. Equally, there was little said about what rewards will be delivered when the requisite reforms have been put in place. As a consequence, APs have been criticised by the partners in the way in which they lack clear-cut goals and methods for measurement. Criticism can also be made of the ways in which there is an incongruity between the need for coherency in the EU’s ENP approach (one size fits all), and the real diversities amongst ENP countries both between the East and the South and within the two neighbourhoods. There is also a big gap between the EU’s densely institutionalised and formalised ways of working and the abilities and capacities of the neighbours to administer and implement ENP policies.

In its appraisal of the first year of ENP, the EU issued country-specific analyses of progress, together with an overall assessment. Results were presented for broader consumption in the Commission’s communication to the Council and Parliament ‘Strengthening the European Neighbourhood Policy’ in December 2006. The communication respected the logic laid out in earlier ENP policy papers, and claimed that ‘ENP could and should be strengthened, particularly when one considers the prohibitive costs of ‘failing to support our neighbours in their reform efforts.’ Amongst other ideas, the notion of

25 Enhanced political co-operation in addressing common security threats and conflict prevention; Economic reform and development, and a functioning market economy; Issues relating to the internal market, including trade liberalisation, co-operation in areas such as energy, and transport; Co-operation in the field of Justice and Home Affairs; Development of infrastructure networks and markets for energy, transport and telecommunications, and co-operation on the environment; Policies to promote people-to-people contacts, for instance in education, research and development, and culture, and through the gradual opening-up of certain Community programmes…

26 APs are supplemented by the more technical ‘National Indicative Programmes’ (NIP) which include indicative budgeting. The European Commission monitors the compliance of the ENP countries with the agreed objectives, tasks and procedures established in the adopted bilateral Action Plans. The implementation of the mutual commitments and objectives contained in the Action Plans is regularly assessed through sub-committees with each country, dealing with those sectors or issues; Bilateral summits with the EU, bilateral Cooperation Councils, bilateral Cooperation Committees and seven subcommittees, has enabled both sides to progress with the implementation of the Action Plan.

27 Ukraine and Moldova’s first progress reports can be found via http://ec.europa.eu/world/enp/documents_en.htm#2

strengthening the mobility / migration aspects of ENP was flagged up, as was the EU’s capacity to contribute to the regions frozen conflicts.

In the context of ‘facilitating mobility and managing migration’ the document laid emphasis on improving the accessibility and reasonable cost of short-stay visas, which it argued, ‘will be an indicator of the strength of our European Neighbourhood Policy’. Following this assertion, in 2007 ideas were laid out for improving the mobility/migration management aspects of ENP, with particular attention being paid to the improvement of the issuance of short-stay ‘Schengen Visas’. The German EU Presidency had as one of its leitmotifs the notion of ENP-plus. Ideas for a further strengthening of ENP based on the Commission’s December 2006 communication were pursued and found expression in a Commission Strategy Paper of December 2007 entitled ‘A Stronger European Neighbourhood Policy’. Again, amongst other ideas, improving mobility and strengthening the EU’s role in the resolution of the region’s frozen conflicts were prioritised. Arguably, the ENP linkage between security questions and those relating to mobility and freedom of movement crystallised more explicitly around this point:

> Obviously, mobility can only develop in a secure environment, and security improvements will help to create the conditions for greater mobility. The promotion of mobility will go hand in hand with the commitment of our partners to increase security and justice and fight illegal migration, with efforts to strengthen our neighbours’ capacity to deal with migratory flows to their countries, and with the security of documents.

Though the Commission’s voice continued to be positive and to articulate the need for more far reaching ambitions for ENP, the real capacity and will of the EU to ‘strengthen’ its policy in the mobility/security area has been limited; the signing of visa facilitation and readmission agreements – the first steps towards visa-free regimes between the EU states and partners takes time - it is still the member states that rule the roost. Consequently, despite a number of innovations (most recently the EU Visa Code) to improve application procedures and ensure consistency in EU policy and processes

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in the mobility area, visa policy remains a contentious issue with a miss-match between what the neighbours want and what the EU is prepared to give.

Panning out from this picture, one can conclude that EU policy and the quest for consistency is caught between a number of stools – (a) a security-driven approach (b) a libertarian vision of ‘openness’ and (c) the particular standpoints of each and every member state. Added to this is the apparent drive towards the greater use of technology and surveillance techniques at the borders. Furthermore, the EU has typically regarded visa facilitation issues as part of its ‘reward scheme’ for efforts by ENP states to improve the control of their own borders, and since little can be said of substantial progress here, as the Commission itself pointed out; ‘ENP been rather disappointing concerning the movement of ENP countries’ citizens to the EU’. Again, this brings up the point of enlargement and EU membership as the ultimate reward for conformity to EU standards, including better border management. Whereas this quid pro quo worked in the case of East Central Europe’s accession to the EU, when countries such as Poland fortified its once very vibrant Eastern borders and enforced tough new visa policies towards its Eastern neighbours – thereby undermining important cross-border economic activities, the incentives for ENP states to make such border management efforts are not attractive enough.

In recent years efforts have concentrated on improving the impact and visibility of ENP in line with the overall dictum ‘Strengthening the ENP’. Part of this was to configure ENP incentives to enable those partners that wanted to move forwards faster to do so. In September 2007 the Commission organised a large scale ENP conference which brought together leaders from the Southern and Eastern neighbouring states. The agenda here focused on three main points – economic integration, mobility and energy. Though the Commission used this as an opportunity to stress its ‘common vision’ for the neighbourhoods and the importance of bringing into one EU policy the ‘wider Europe’ and the Mediterranean space, it is accurate to argue that by the end of 2007 the need for greater differentiation amongst the neighbours was apparent and that the one-size-fits-all approach was sub-optimal.

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35 For an earlier discussion of such issues see Sandra Lavenex ‘Migration and the EU’s new eastern border: between realism and liberalism ‘ Journal of European Public Policy, Volume 8, Issue 1 March 2001, pages 24 - 42

By the end of the year the idea of an exclusive ‘Union for the Mediterranean’ had been articulated by French President Nicolas Sarkozy and later the following year a policy which eventually became the ‘Eastern Partnership’ was coming into being. Both regional initiatives challenged the integrity of the European Neighbourhood Policy and brought into focus often diverse perspectives and interests of member states towards the neighbourhoods.

**The European Security Strategy – Securing the Neighbourhood**

ENP was a response to changes in the European and global security environments. Whereas the 1990’s had been characterised by local / regional conflicts, for example in the Balkans; at the turn of the century the EU was forced to confront a far bigger set of threats and challenges. With memories of the EU’s flaccidity of collective action in the Balkans and in the face of the rise of global terrorism, the EU sought to define and equip itself as a distinct and more effective security actor. The European Security Strategy (ESS) of December 2003 was an articulation of the EU’s collective security interests. By laying out a set of priorities for the EU, ESS forms an ideological underpinning for ENP. The influence of the ESS on ENP and the cross-fertilisation of the two is noticeable in the depiction of the neighbourhood, description of the insecurities brought to the EU’s borders and much of the core language and phrasing. The ESS set the discourse and tone of subsequent ENP strategy papers.

The ESS begins by recalling the ways in which integration in Europe and the subsequent rounds of enlargement ‘transformed inter-state relations, giving rise to unprecedented peace and prosperity’. Europe’s wealth makes it inevitable that the EU is a global power, the document argues. Moreover, converging interests, abundant policy instruments and the strengthening of ‘mutual solidarity’ within Europe all mean that the EU is a credible and effective actor.

The ESS identifies a number of key threats to Europe’s security; terrorism, proliferation of weapons of mass destruction; regional conflicts; state failure and organised crime. Crucially, such threats and challenges are exactly the types that are seen to prevail in many of the EU’s neighbouring states. In light of these threats, the ESS details three specific strategic objectives, one of which talks about ‘building security in the EU’s neighbourhood’. In this context the strategy paper talks about how enlargement both enhances the EU’s security and also brings the Union closer to troubled regions. In

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light of this:

‘Our task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations.’

With the eastern neighbours specifically in mind, the ESS talks about ‘sharing the benefits of enlargement’:

‘It is not in our interest that enlargement should create new dividing lines in Europe. We need to extend the benefits of economic and political cooperation to our neighbours in the East while tackling political problems there.’

The European Commission’s 2004 strategy paper echoed the ESS:

‘The European Neighbourhood Policy’s vision involves a ring of countries, sharing the EU’s fundamental values and objectives, drawn into an increasingly close relationship, going beyond co-operation to involve a significant measure of economic and political integration. This will bring enormous gains to all involved in terms of increased stability, security and well being.’

‘The Union’s aim is to promote peace, its values and the well-being of its peoples. In its relations with the wider world, it aims at upholding and promoting these values.’

**The Eastern Partnership**

The state of the art in the EU’s relations with its Eastern neighbours is the Eastern Partnership (EaP). Inaugurated in 2009 the EaP represents a new layer of cooperation in the European Union’s relations with Ukraine, Moldova, Belarus, Georgia, Azerbaijan and Armenia. The initiative aims to put links with the neighbours on a more dynamic and strategic footing via a strengthening of existing bilateral relations, new multilateral and regional initiatives, together with a stronger accent upon energy security, migration and Free Trade. EaP took issue with a number of perceived weaknesses in the ENP and has proposed new areas and forms of cooperation.

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The initial Polish-Swedish proposal for an Eastern Partnership was presented to EU Foreign Ministers on May 26th 2008. It was, in the main, well received and didn’t cause the type of uproar that Sarkozy’s vision for a Mediterranean Union (UM) had prompted the year before. Unlike the UM proposal, the Polish-Swedish paper envisaged the Eastern Partnership as being a ‘specific eastern dimension within ENP’, involving the EU27 as a whole and requiring no significant extra finances beyond what was already allocated through existing budget lines. Finally, the proposal foresaw a combination of a revamped set of bilateral actions, new multilateral endeavours and regional activities. Subsequent to the Polish-Swedish paper the European Commission fleshed out the proposed plan in a far reaching and enthusiastic document, which also found a favourable response from the European Council in December. The Czech EU Presidency launched EaP at the Summit of the EU27+6 in Prague in May 2009 with the principle goal described as being ‘to create the necessary conditions to accelerate political association and further economic integration between the European Union and interested partner countries’.

EaP sees the rolling out of a new generation of contractual relations with the eastern neighbours towards the type of Association Agreement (AA) in negotiation with Ukraine. PCAs with a number of eastern neighbours are up for renewal anyhow, but whether they are replaced by an enhanced AA will depend heavily on real and sustained progress in terms of democracy, the rule of law and human rights provisions. Such AA’s would usher in the possibility of partners moving closer and closer to EU legislation and standards to include free trade provisions and greater linkages to the EU’s Common Foreign and Security Policy agenda. Crucially, however, given the tough demands made by the EU from EaP partners the reality may well be that new AAs could be years away.

Mobility is an EaP priority. The Commission envisages the creation of ‘mobility and security pacts’ geared to foster mobility and at the same time to create and sustain a ‘secure environment’ (based on the pilot project in Moldova). The fight against illegal migration, upgrade of asylum systems to EU standards, integrated border management systems aligned to EU Acquis, together with the enhancement of the Police and judiciary’s abilities in this arena will feature in these pacts. Visa policy will be significant here as ever neighbours have high expectations for greater and speedier liberalisation to free-up the often complex and costly visa processes currently in place. The Commission’s concept is for a phased approach beginning with talks on visa facilitation, to include

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agreements on readmission, which could then be followed by the waiving of visa fees, ultimately towards totally visa-free travel some way down the line. Of course some EaP states have already travelled down this road already, with Ukraine and Moldova already having visa facilitation/readmission agreements with the EU in place. Meanwhile, the Commission would initiate studies on the costs and benefits of labour mobility, the results of which will determine options for the opening up of certain parts of the EU labour market for workers from EaP states.

**Fusing External / Internal Security Realms at the EU’s Borders**

One of the core assumptions of the INEX project is that the interplay of internal and external security concerns play-out on the EU’s outer most borders and that the European Neighbourhood Policy represents the EU’s endeavours to confront this situation. Thus ENP is a blend of internal and foreign policy concerns intended to extend the EU’s domestic norms and policies beyond its borders without a commitment to further enlargements.

In its portrayal of the neighbourhood the ESS underlines the necessity of the fusing of internal and external security issues – the traditional JHA agenda comes together with foreign policy. The need to settle regional conflicts, secure borders and support these states entry into international institutions such as the WTO, lays side by side a programme of migration management, judicial reform and installation of the rule of law. Seen in this way, there has been a meshing of internal and external security policies and a securitisation of movement and mobility issues, in parallel with the enlargement of the EU.\(^43\) To put it another way, in the process of diminishing internal border controls within the EU, through the expansion of the Schengen zone the necessity of strengthening external border controls becomes imperative.\(^44\)

Though the overall objective of ENP might look clear-cut – bringing stability and prosperity to the neighbourhood, as described above, inconsistencies lay at its core. Normative and values laden policy objectives, emphasising ‘good governance’ or ‘people to people contact’ that advocate ‘openness’ ostensibly clash with security-driven priorities which tend to harden and control EU borders. As

\(^{43}\) Elspeth Guild, “What is a Neighbour? Examining the EU Neighbourhood Policy from the Perspective of Movement of Persons” (20.01. 2007), http://www.libertyssecurity.org/article270.html#nb2
already noted, this particular discord is evident in the context of mobility and the freedom of movement between the Eastern neighbours and the EU. To force this point home:

‘(...,) the ENP can be viewed as an attempt to reconcile two potentially contradictory processes. The first – ‘border confirming’ – is about confirming border areas of demarcation and division, in which borders are conceived as boundary lines, frontier zones or barriers that protect the Union and its citizens. The second – ‘border transcending’ – consists of a challenge to open EU borders and involves the transformation of the EU’s external boundaries into zones of interactions, opportunities and exchanges, with the emphasis on the transcendence of boundaries. Accordingly, one of the goals of the ENP is to soften the borders of the EU and to prevent the emergence of new dividing lines.’

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<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>Legal Basis of Relations and other Instruments</th>
<th>Visa Facilitation⁴⁶ / Readmission Developments / Border Issues</th>
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<tbody>
<tr>
<td>Ukraine</td>
<td>PCA 1998 on route to being replaced by an ‘Association Agreement’. Within this, the ‘Action plan’ is replaced by ‘Association Agenda’ (though in reality the content remains very similar) The EU has had a ‘Common Strategy’ for Ukraine since 1999 Ukraine is in the Eastern Partnership</td>
<td>Visa Facilitation and Readmission agreements signed in June 2007; came into force January 2008 for Ukrainian citizens and then extended to include nationals from third countries entering the EU via Ukrainian territory. Many Ukrainian citizens get a fee-waiver for Schengen Visas. If not, the fee is 35 Euros. Ukraine has a ‘working arrangement’ with FRONTEX (since 2007) Possible visa-free travel by 2012? EUBAM</td>
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⁴⁶ The main purpose of the visa facilitation agreements is to facilitate, on the basis of reciprocity, the issuance of short-stay visas (90 days per period of 180 days). Long-stay visas remain within the authority of the member states. A visa-free travel regime is recognised in all agreements as the long-term objective.

⁴⁷ On 21 May 2008 the first two pilot mobility partnerships were concluded between the EU and Moldova and Cape Verde, additional partnerships with Georgia have since been established. Though the overall goal of these partnerships is the responsible joint management of migratory flows, the agreements distinguish three more specific aims: general capacity building for migration management in the third country; stimulate positive development effects of migration, including sustainable reintegration, reducing negative effects of brain drain and brain waste, targeted remittance schemes; combating illegal migration, including border control, return and readmission. The partnerships are concluded between the EU and the respective third countries, but each partnership specifies which EU member states participate, in the case of Moldova - Bulgaria, Cyprus, Czech republic, France, Greece, Germany, Hungary, Italy, Lithuania, Poland, Portugal, Romania, Slovenia, Slovakia and Sweden). The European Commission does not formally conclude the partnerships but is responsible for exploratory talks with third countries, and for the implementation, as well as the evaluation of pilot-projects. The mobility partnership is being used as a model for the Mobility Pact component of the Eastern Partnership.
Belarus  |  PCA Not ratified. Prospects for EU-Belarus relations are best viewed via the Commissions Non-Paper of 2006 ‘What the EU Can do for Belarus’.  
|  Belarus will cooperate on ‘technical’ themes in the Eastern Partnership.  
|  Schengen visa costs 60 Euros  
|  A working arrangement between the EU and Belarus on border issues is on line to be signed.

In the process of compiling this report it became increasingly clear that mobility questions lie at the heart of the EU’s relations with the Eastern neighbours and thus need to be a primary focus for WP5’s field-work investigations. As a 2007 Communication from the Commission put it:

‘Mobility is in itself a key foreign policy priority as this is the prism through which the citizens of partner countries perceive the EU.’

The EU’s pledge towards the Eastern neighbours to ease impediments to mobility is offset by a firming-up of border management and a still complicated and thus prohibitative visa application process. And at the same time, the eastwards shift of the Schengen borders and signing of readmission agreements with the neighbours reinforces the notion of ‘Fortress Europe’ with the EU effectively batting problems back to the neighbouring states who most likely do not have strong enough institutional structures, coupled with a lack of experience to deal with migration management.

The state of the art in EU policy towards the Eastern neighbours exhibits a strong juxtaposition between mobility, security questions and the wider objectives of ENP. More specifically, prospects for visa facilitation and liberalisation are used by the EU as a means to induce change in the neighbouring states. Crucially, the EU’s philosophy is that cooperation on readmission, irregular migration and border management ‘earns’ the neighbouring states entry into negotiation on Visa Facilitation, thus demonstrating the EU’s commitment to the region. This thinking is manifest in the cases of Moldova and Ukraine where readmission agreements were explicitly linked to visa facilitation as a package deal. This philosophy is continued with the new ‘Mobility Packages’, which

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the nature of the EU’s current expectations vis a vis Belarus can be found in Commissioner Ferrero-Waldner’s speech on 22 June 2009:  

as described above, bring together the whole gamut of mobility issues, including the management of circular (seasonal employment).

**Reviewing the Literature**

In this section of the report we consider the question of what values appear to underpin the European Neighbourhood Policy in the Eastern domain. To do this we reflect on the processes of ENP formulation in an official sense, as discussed above, together with a critical analysis of scholarly literature on the subject. Throughout this report much has already been said about values, especially in the sense of the discrepancy between the EU’s pledge of liberalising its relations with the neighbours based on shared values – as articulated in ENP - but at the same exacting restrictive policies on visas and border management.

**ENP - A Values-Laden Policy**

As has been observed at earlier points in this paper, ENP is heavily laced with values-laden language and terminology. Key documents, strategy papers, actions plans and the like consistently use an official discourse which suggests that there is a values-driven logic behind ENP’s goal of exporting ‘European’ democratic norms and governance standards to the wider neighbourhood. This might suggest a policy geared towards softer, more porous borders to facilitate cross-border-cooperation, mobility and people to people contact etc.

The official pronouncements are clear in the assertion of a strong normative element in the EU’s initiatives in the neighbourhood. For example, the European Council on 14-15 December 2006 reaffirmed its resolve:

> ‘to strengthen the ENP in order to consolidate a ring of prosperity, stability and security based on human rights, democracy and the rule of law in the Union’s neighbourhood.’

The amicable nature of this values-led normative agenda is though, as many authors note, underpinned by a harder more inflexible set of EU security interests, which, amongst other implications, involves the maintenance of rigid visa regimes (ENP states, apart from Israel are on the Schengen Visa Black List) and strong border controls. The ESS articulates this:
’[i]t is in the European interest that countries on our borders are well-governed. Neighbours who are engaged in violent conflict, weak states where organised crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe.

It is this intersection between the values of inclusiveness espoused in ENP and the blocks to more liberal mobility options for the Eastern neighbours on the other side of the border which will help inform the review presented below. After all, ideas of avoiding new dividing lines in the wake of enlargement, has been a cause at the heart of the EU’s pronouncements since the birth of ENP.

‘the post-Cold War environment is one of increasingly open borders in which the internal and external aspects of security are indissolubly linked.’

What follows is a tour d’horizon of some of the salient themes apparent in the literature on ENP and the Eastern neighbourhood. We delineate this literature into what we see as the principal areas of the state of the art:

(a) The notion that the EU is a unique power in international relations.
(b) That there is a discord between values and security within ENP – the friends and fences idea.
(c) The implications of the extension of the Schengen zone, rendering the EU a ‘fortress Europe’.
(d) That ENP is ‘not’ enlargement – and the problems this has created.

**The EU is a ’Distinctive type of Power’ in International Relations**

Commentators have referred to the EU as a distinctive power in international relations. The basic idea is that the EU has become an international actor with a set of foreign policy principles shaped by normative concerns and values. The argument goes that the EU professes to uphold the values of democracy, respect for human right and the rule of law, and attempts to promote them beyond its borders. In this area, the work of Joseph Nye, Helene Duchene and more recently Ian Manners stand out as key contributions with relevance to the ENP. These authors characterised the EU and its emerging foreign policy profile as that of a ‘Soft Power’, ‘Civilian Power’ and ‘Normative


52 Dûchene, F. (1973), ”The European Community and the Uncertainties of Interdependence”, in M. Kohnstamm and W. Hager (eds), A Nation Writ Large? Foreign Policy Problems before the European Community, London: Macmillan
Though writing at different points in the EU’s development, there are common themes running throughout such literature. All point to the central role of the rule of law for the framework of the EU’s international dealings, cooperative multilateralism, institution-building and shaping the rules of international politics via a diffusion of ideas and promotion of norms via non-coercive means or ‘soft power’.

Perhaps the most interesting dimension of this body of writing is the central notion that the EU is something *sui generis*, and it is this which gives rise to its unique foreign policy, as noted by both Manners and Tocci:

> "The most important factor shaping the international role of the EU is not what it does or what it says, but what it is." \(^5^4\)

> "What the EU is has been considered as the principal explanation for what it does beyond its borders." \(^5^5\)

The idea here is that the power of the EU is as a model or example for others to emulate. Manner’s argument that the EU has a mission to ‘advance a ‘normative’ foreign policy agenda, appears to sit neatly with the expressive goals and methods of the European Neighbourhood Policy, in the sense that the EU uses conditionality in the shape of expecting adherence to norms of democratic governance, the rule of law, fundamental freedoms and functioning market economies. In short, the European Union desires and expects its neighbours to become ‘more like’ the EU.\(^5^6\)

Different reasons for this have been brought to the fore. Some authors stress the EU’s particular institutional setup; namely the complex and layered nature of the EU policy making machinery create

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a situation where tangible checks rein in the EU’s pursuit of Realpolitik. Similarly there is the idea that the EU’s internal governance, its rules and laws, are ‘transposed’ externally moulding the nature of its foreign policies.

Meanwhile other commentators see that the EU’s normative foreign policy derives from the intrinsically different way the EU ‘views’ the world and the nature of power in the international system. Here, key authors include Robert Cooper (himself an EU official) and Mark Leonard. Both premise their argument on the idea that European states have collectively learnt that the best way of achieving security and prosperity is via increased integration and cooperation. The success of the pooling of sovereignty in Western Europe after 1945, and its extension to the East after 1989 demonstrate that this recipe for international relations works. Subsequently, the strength of the EU’s foreign policy lies in its execution of a normative-led agenda, emphasis upon soft power and extension of the EU’s own brand of political and economic integration. Cooper’s ‘Post-Modern’ Europe is an antithesis of US power, in the sense that since 1945 it has ‘chosen to abandon power politics’:

‘The European Union started as a project to make the politics of force and threat impossible in Western Europe’ (.....) The European Project therefore amounted to nothing less than the abandonment of Foreign Policy within the European Continent.’

Mark Leonard’s conceptualisation of the EU as a ‘transformative power’ builds on Cooper’s discussion by placing EU foreign policy at the heart of his position. The key claim in ‘Why Europe will run the 21st Century’ is that the EU’s unique power, which derives from its evolution and negation of the military tool in policy, has laid the basis for its role in successfully democratising its neighbours via enlargement. This is because Europe’s power, he argues, derives not from military means, but by the force of ideas and as a ‘pole of attraction’. The same process is occurring with regards to the new neighbours via the ENP, Leonard argues.

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The idea of the EU being a unique power appears frequently in official statements. For example, in the 2008 review of the implementation of the European Security Strategy it was claimed that the EU’s foreign policy achievements:

‘...are the results of a distinctive European approach to foreign and security policy.’

Former ENP Commissioner Benita Ferrero Waldner argued the same point, often in comparison with US power:

*The EU prides itself on its “soft power”, its ability to win friends and influence people.*

‘Scholars from Joseph Nye to Jeremy Rifkin have pointed out that the United States is suffering from the fading of its soft power. The EU, on the other hand, has reaped tremendous rewards from its soft power, the result of which is an enlarged union of 27 and unprecedented peace and prosperity on the European continent. And soft power is the key to strengthening alliances with China, India and new emerging markets, so vital for shaping the international system of the future.’

At the same time there is a realisation that the EU cannot rely solely on soft power and that in recent times a greater level of hard power has come into play:

‘(.....) soft power alone is insufficient to deal with the threats we face. Europe's central historical experience may be that military victories produce only temporary peace. But as Spain and the United Kingdom so sadly testify, international terrorists do not respect the EU's self-declared space of freedom, liberty and security. Rich though we may be in so-called "attractive power", there are those who do not succumb to our charm. The answer is clearly that we need some combination of the two. Or perhaps a new form of power altogether, what some scholars have called "smart power". Those who believe the EU is still principally a soft power are behind the times. For over a

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62 Benita Ferrero-Waldner European Commissioner for External Relations and European Neighbourhood Policy The EU in a world of rising powers Chancellor’s Seminar St Antony’s College University of Oxford Oxford, 2 June 2009
Perhaps the chief conclusion to be made here is that certainly the EU is a distinctive power, and that this is because it is a *sui generis* entity. Soft power built on normative premises and values are the characteristics of EU foreign policy, and lead the overall ambitions of ENP. But this is being increasingly coupled with doses of hard power as the EU confronts today’s global security challenges, which are sometimes residing on its borders.

**The Discord between Values and Security**

This is one of the most salient themes in the literature that deals with ENP in connection with border issues. The essence of the discussion is about the discord between liberal values and ideals and hard-nosed security interests and the EU’s borders. Most authors argue that it is the latter (security interests) that ultimately dominate and that there is an inbuilt tension in EU policy towards the neighbours between ‘friendship’ and ‘fences’ and that the EU has a ‘gated community’ syndrome.\(^{64}\) Since the section presented earlier - Fusing the External / Internal Security Realms at the EU’s Borders – considered this issue already, what follows is a concise overview.

The question of mobility within ENP represents a good case study for considering the interplay of values and security, or as scholars put the ‘duty versus security narrative’,\(^{65}\) or the ‘realism versus idealism’ friction.\(^{66}\) The central dilemma derives from the emergent securitisation of the internal security agenda occurring over the past ten years or so. Generally viewed by scholars as an unfortunate trend, authoritative voices in the field argue for a swift decoupling of mobility issues from its security agenda:

*The European Commission needs to separate border and immigration policy issues from security imperatives. Border-crossing and migration only rarely*
engage security issues. Cross-border crime questions belong to the field of policing, particularly in the EU where much cross-border crime is committed across the control-free EU internal borders. They do not belong to the field of border controls and immigration. FRONTEX is not a substitute for or competitor to EUROPOL. Border controls are primarily about allowing visitors to enter the EU (the overwhelming majority of persons crossing the common external borders), and immigration is about attracting third country workers to the EU6 and ensuring family reunification for those who are already here.67

Similarly, as Sira and Grans argue in a recent INEX policy brief:

If the EU’s security approach continues to develop in the direction of a closed and Securitized Union, it could fuel the perception of insecurity among Europeans and jeopardise the position of the EU as a normative power in international affairs.68

Ruben Zaiotti takes the argument further by declaring that the values that the EU clings to are asymmetrical in nature – designed purely by the EU. On this point Zaiotti’s argument is a bit vague and rather weak, since this is surely an obvious point; the ENP is clearly about nurturing the acceptance of European values and forms of governance beyond its borders. More interestingly, is his argument about decision-making in ENP. Benchmarking and annual reviews of neighbours progress in implementing ENP Action Plans is a very one-sided endeavour with goals and tasks set by the EU side. Partner countries are asked to provide detailed information as a basis for this monitoring exercise. The Commission will draw up periodic reports on progress. These reports can serve as a basis for the Council to decide the next step in contractual links with each partner country.

On the question of borders, Zaiotti comes to a similar conclusion as most authors – the EU’s lack of commitment to softening the edges of the Schengen zone reinforces the idea that the neighbours are a potential threat. Consequently, instead of bolstering solidarity and security across shared borders, the result is to cause more instability and conflict. This is because:

(...) what the ENP calls shared interests boil down to the EU’s interests, and particularly the strengthening of its own security.69

67 Sergio Carrera and Elspeth Guild and Didier Bigo (2009) WHAT FUTURE FOR THE AREA OF FREEDOM, SECURITY AND JUSTICE? RECOMMENDATIONS ON EU MIGRATION AND BORDERS POLICIES IN A GLOBALISING Justice and Home Affairs CEPS Policy Briefs


Despite claims of avoiding new barriers between the EU and its neighbours, the ENP is sending a series of contradicting signals. On one hand, the initiative promises more access to the EU and an equal partnership. On the other, it contains an unprecedented (and perhaps growing) emphasis on security, which in practice not only limits the capacity of the EU to meet the expectations generated by ENP, but also opens the door for imposing on the neighbours further restrictions and barriers to mobility. To quote Zaiotti again, the message to neighbours seems to be:

‘we appreciate your support, but we do not trust you; we want your cooperation and friendship, but we build protective fences; we share interests, but we define what these interests are; and we believe in promoting collective security, but our own security comes first.’

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**The Idea of ’Fortress Europe’**

Prospects of the EU becoming an impregnable fortress surfaced in the literature in the years prior to enlargement in 2004, just as the EU’s borders were set to shift eastwards. Commentators warned that EU border policies would have the effect of creating a new Iron Curtain between the ‘ins’ and the ‘outs’ in a region formerly characterised by ‘fuzzy statehood’ and porous borders. A hardening of EU borders as part of the enlargement process, the argument went, would actually worsen relations with the new neighbours; increasing the potential for regional instability and reducing prospects for economic growth and democratic change on the EU’s outer flank. In essence, the process of enlargement revealed a serious tension existing between the EU’s internal and external security policies in East Central Europe. Within this body of literature authors honed in on Cross Border Cooperation, the extension of the Schengen area and imposition of new visa regimes between the new EU member states and their neighbours.

The borders between the old and soon to be member states (and between the enlarging EU and the new Eastern neighbours), were fundamentally changing, as one commentator put it in 2000 they were becoming ‘multi-functional’:

*No longer used primarily to deter military attack and to keep unwilling populations under the sway of communist regimes, borders have become multi-functional. They are seen as a discriminatory division between peoples*

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70 Zaiotti, Ruben (2007 Ibid.)
(in visa policy), but also as something to be overcome (through cross-border cooperation, for example).  

It was in this context that scholars warned about the innate dangers that could arise from the imposition of new practices at the borders, especially the imposition of new visa regimes. As Judy Batt noted in 2003:

> The last decade has seen many positive developments in the regions that will soon be the EU’s new borderlands. Cross-border trade and business have flourished. Many countries and regions have overcome long-established animosities, particularly the legacies of the Second World War. However, EU enlargement could threaten these achievements. New barriers to travel and trade would leave the people on the other side of the border with a feeling of exclusion and anger. They would be cut off from the prosperous European market. Robbed of the prospect of improved living standards, they may well try to slip into the EU illegally or resort to crime and smuggling. 

At the crux of the matter was that for the first time, the new entrants were obliged to take on and implement the EU’s common rules on external border controls i.e. the Schengen Acquis. This obviously entailed the adoption of the EU’s visa regime in full, which required of the Central European states to impose new visa requirements on citizens of their neighbours. For the accession states the EU struck a deal: if the candidates wanted to enter the EU and to enjoy the benefits of freedom of movement and mobility within a borderless EU, they had to ‘harden’ their borders with their own Eastern neighbours. Again, to refer to Judy Batt’s conclusions:

> (...) deepening internal integration is accompanied by a hardening of the EU’s external border, further raising the costs of exclusion for the outsiders. The EU is becoming much harder round its edges in response to the anxieties of its member-states about perceived threats of illegal immigration and cross-border criminal activity. Member-states justify their surrender of traditional prerogatives of sovereign nation-statehood to joint EU regulation (particularly in the area of border control) in the interests of deeper integration and the

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73 Grabbe (2000) ibid. 14
creation of an ‘Area of Freedom, Security and Justice’ for their citizens. The condition of this, however, is that the EU’s external borders will be as tightly-policed as nation-state borders ever were. From the point of view of those on the ‘wrong’ side, the result is that the EU looks more and like a ‘hard’ state. This has a potentially damaging impact on border regions and centre-periphery relations in ‘outsider’ states.\textsuperscript{74}

This accession conditionality was, of course, problematic for international relations and economics in the region. As Apap et al. noted in 2001; many candidate states had minorities living beyond or across national borders, thus close socioeconomic and political relationships existed in the neighbourhood. After 1989 governments in East Central Europe endeavoured to keep open borders which nurtured vibrant cross-border relations and allowed citizens of countries such as Russia, Ukraine or Belarus to travel quite unencumbered into ECE states.\textsuperscript{75}

With the prospect of strict implementation of Schengen rules one of prime losers were going to be border regions across East Central Europe and Eastern Europe.

The development of cross-border trade has helped these disadvantaged regions to survive, even in the absence of significant support from national governments. Eastward enlargement – and the extension of strict Schengen border rules – threatens to disrupt these cross-border flows of goods and people. It also threatens to stunt or even reverse the political rapprochement that has taken place between the Central and East European countries now lining up for EU membership and the post-Soviet countries that are excluded from the process.\textsuperscript{76}

Recognising the negative consequences of the imposition of hard Schengen boundaries and in light of the very demanding requirements put on the candidates to bring their border security up to standard the new member states were granted transition periods. Consequently, it was not until December 2007, that the new member states of Central and Eastern Europe joined the Schengen area. During the 2004-2006 transitional period, the new member states could issue visas for neighbouring states free of charge or at a very low fee. And as Boratynski et al. point out, the application process was


\textsuperscript{76} Batt (2003) ibid. P. 15
generous and uncomplicated, with far lower rejection rates.\textsuperscript{77} In accordance with the Schengen Acquis, the new member states are in charge of controlling the external Schengen border. Instead of being able to issue visas free of charge, they charge the standard €35 for issuing a short-stay visa.\textsuperscript{78}

Commentators concerned with the ‘Fortress Europe’ idea also point to the role played by visa facilitation/readmission agreements\textsuperscript{79} as an EU attempt to ameliorate the insider/outside dynamic associated with enlargement. The task for the EU of setting up robust readmission agreements was never easy, as evidenced in the case of Russia. In essence a readmission agreement puts the ball (back) into the court of which ever third country a person originated from/transited through. This arrangement dubbed ‘policing at a distance’,\textsuperscript{80} was problematic and unwieldy to agree upon since the stakes were so high, and importantly the incentives for third countries, in this case in Eastern Europe, were hard to fathom. Reasons to agree to readmission of irregular migrants were not at all clear to the neighbours. As noted by scholars, the linkage between visa facilitation and readmission, was made for the first time with the Russian Federation and thereafter became a model for negotiations with third counties. When it came to Moldova, visa facilitation and readmission were negotiated in parallel as part and parcel of the same deal.

Despite a commitment to visa facilitation deals (most recently with Georgia in April 2010), on questions of mobility, authors continue to argue that Brussels is being less than generous and as such undermines the broader goals of ENP. This is because, as noted throughout this report, the EU’s commitment to easing visa restrictions and barriers to mobility remain the litmus test in the neighbours relations with Brussels and the principle prism through which the EU is viewed. As noted by Boratynski et al.

\begin{quote}
\textit{The privileged few who can get a multiple-entry visa, benefit from the simplified procedure [...] or profit from the waiving of the application fee for the visa, and as to the remainder: the vast majority of ordinary citizens who}
\end{quote}


\textsuperscript{78} There are, though, a growing number of categories of people who are exempt from visa fees – people travelling for family reunions, students, journalists, for example. Equally there were particular allowances for local traffic and people living in border regions. After 2004 the issuing of ‘local border traffic permits’ for border residents became an important tool to fostering neighbourly relations between border regions at the EU’s external borders. The local border traffic concerns residents living within a border zone of 50 km and authorises them to move freely in the border zones of both countries.

\textsuperscript{79} Readmission became part of the acquis in the first pillar after the Treaty of Amsterdam. This meant the Commission received the mandate to negotiate readmission agreements with non-member countries on their behalf. (the UK and Ireland are outside Schengen)

cannot enjoy such advantages. This can create a feeling of discrimination and lead to the conclusion that the European Union is interested only in the [...] elite.'

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**ENP is not about Enlargement, but.........**

A fourth strand of literature debates the linkages/non-linkages between ENP-East and the enlargement process. In this context debate takes issue with ENP both conceptually (its assumptions) and technically (its methods and implementation).

Two interrelated concerns are apparent in the scholarly literature as well as the policy discourse. First, although it is official EU policy that enlargement and ENP are completely separate a relationship between the two is apparent. Second, problems arise because the ENP ‘method’, which just like the accession process relies on conditionality, but without the promise of actual membership, has more limited returns and a vague end-game, which discourages neighbours from committing wholesale to the Acquis.

Scholars point to the exemplary job played by enlargement at transforming and stabilising the EU’s eastern milieu after 1989, which continues with the current candidates and those in the Stabilisation and Association Process. As Roland Dannreuther notes

> ‘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’

Similarly, EU officials reflect on the lessons learnt from enlargement for a new proximity instrument (neighbourhood policy), and champion the effects of enlargement: ‘the goal of accession is certainly the most powerful stimulus for reform we can think of’. Clearly, as Kelly notes, the raison d’être of

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81 Boratynski et al. (2006) ibid. P.2

82 Dannreuther, Roland (2006) Developing the Alternative to Enlargement: The European Neighbourhood Policy, European Foreign Affairs Review vol. 11: p. 188

ENP is enlargement; ENP, however, offers only a ‘silver carrot’ of association as opposed to the ‘golden carrot’ of EU membership. Tough enlargement-style conditionality is not accompanied by membership prospects, which reinforces the notion of hard borders and manifestations of the EU as Fortress Europe. Furthermore, as Karen Smith noted in 2005, aside from Morocco the EU has never rejected a neighbour’s call to become a member, thus the ambiguity of ENP and its fuzzy endgame reinforces the perception of insider/outsiders, as the EU seems to be pushing the neighbours away with no clear ‘carrot’ for engagement. Consequently, ENP, it is argued, does not provide much leverage for the EU to drive the reform processes in the neighbouring states – especially in those states that seek actual membership.

Andrei Zagorski takes this proposition and applies it to the case of Ukraine – the Eastern neighbour with the most advanced set of relations with the EU. ENP is a policy, he argues, that lags behind the aspirations of the government in Kiev, which had its sights on membership since the 1990s, thus:

‘(...) conditionality will not be the most efficient tool for dealing with the Ukraine unless the EU decides to grant Kiev a prospective membership option.’

Michael Emerson draws the same conclusion:

‘The potential rewards are seen as neither sizable, nor credible, nor achievable within the foreseeable future, and the conditions on which they would be delivered are neither precise nor clearly set. Furthermore, the domestic costs for adopting the EU rules are potentially higher in the neighbourhood countries given the authoritarian political regimes in many of them and the level of economic development in quite a number of them. As a result, the EU is faced with more opponents within partner governments and societies, who are simply unwilling to pay the price for alignment with the proposed EU model of governance.’

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Tom Casier pursues this same point using Schimmelfennig and Sedelmeier’s seminal work on EU rule transfer to East Central Europe in the enlargement process. One of Schimmelfennig and Sedelmeier’s basic arguments is built on the proposition that a state ‘will adopt EU rules if the benefits of EU rewards exceed the domestic adoption costs’. Casier takes this logic to the case of ENP-East, arguing that the credibility of the conditionality that the EU expects outweighs the benefits. He argues, quite convincingly, that visa-free travel would provide an effective incentive for Ukraine to meet other EU conditions. Next, he argues that the ‘size of the reward matters’, namely that without membership on offer, the domestic costs of adoption of EU Acquis are seen as not worth it. The example of Ukraine shows that an offer of ‘privileged’ or ‘advanced’ relations with the EU is not enough incentive. He also argues that the long term nature of ENP means that with no fixed endpoint in sight:

‘Governments currently in power in the ENP target country are expected to deliver reforms now, while rewards may be reaped by only future governments. This reduces the incentives to respond to the EU’s conditionality requirements.’

Casier also notes that the EU conditionality can only be effective if no other similar rewards are offered from elsewhere at lower costs. This claim has particular resonance in the Eastern neighbourhood, since Moldova, Ukraine and Belarus all have dependencies on Russia to varying degrees in terms of regime support, energy, trade. When it comes to the latter, this dependence on Moscow is particularly profound, as noted above and with the change of guard in Kiev with the victory of Viktor Yanokovich in the 2010 Presidential election a swing back towards Russia may well transpire in Ukrainian foreign policy.

The linkage/non-linkage between ENP and enlargement is a feature of literature on ENP-East and will continue to be prominent as long as there is a miss-match between what the EU has on offer for the neighbours and what they actually desire, namely a clear perspective on membership. As noted in the literature the Eastern Partnership raised hopes for a recasting of relations and an elevation of the EU’s commitment to the region, but from a current vantage point the EaP might fall short of this task. 

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Although the Eastern neighbours are now referred to as ‘European Partners’ as opposed to the Partners of Europe on the EU’s southern flank, enlargement fatigue and perceptions of the Eastern neighbours as outsiders – until proved otherwise – determines EU policy on the (non) relationship between ENP and membership.

Conclusions

This report covered a lot of ground. Beginning with an overview of the development of ENP, the paper moved on to analyse the values and norms accompanying EU policy towards the neighbours and identified the ways in which a convergence of internal and external security concerns play out at the EU’s eastern borders, particularly in the context of mobility questions and visa policy. Building upon this, the report identified and discussed some key themes and debates within the body of literature on ENP-East. Four broad bodies of work were identified – those pertaining to the idea that the EU is a unique entity in international politics; those interested in the values versus security dilemma; the literature focused the idea of ‘Fortress Europe’ and finally commentary on the problematic and confusing relationship between ENP and the enlargement dynamic.

The following conclusions can be made:

1. ENP remains the EU’s framework policy for both sets of neighbours. However, since its inception greater differentiation has set in. The Eastern Partnership sets the neighbours in the East apart by recognising their European credentials, though stops a long way short of giving a membership perspective. By side-stepping the membership question and without a convincing alternative on offer, the EU’s leverage to induce reforms in the East is weakened.

2. There is discord between the EU’s conception of ENP as a values-led policy with a normative agenda and the reality of a security driven set of border management policies. This apparent contradiction is viewed with particular disdain and disappointment by the neighbours. But this values-versus-security dynamic needs further investigation to gain a more nuanced picture based on more recent policy developments.

3. More needs to be found out about practical levels of cooperation between the EU in the JHA area with third countries and in particular at the border guard level. For example, though Belarus has a tenuous political relationship with the EU, there are multiple examples of
concrete and well functioning cooperative activities between Brussels and Minsk on the management of borders and migration.

4. The ENP’s goals for the Eastern neighbourhood are broad and ambitious. They are also riddled with inconsistencies which block the EU’s strategic policies. Brussels’ emphasis on mobility and freedom of movement, which is also desired by citizens of the neighbouring states, hits hard against the construction of non-porous borders. Certainly the EU cooperates in political and practical terms with the neighbours on border management issues, but the much cherished visa-free regime option lies in the distant future. The challenge for EU policy will be to create a balance between secure borders with the neighbours and establishing readmission agreements alongside credible and generous offers of visa liberalisation. As noted throughout this report the place of visa policy within border management in EU-Eastern neighbour relations is central to Work Package 5’s agenda.

5. Scholarly literature based on solid empirical research in the neighbourhood is in short supply. The existing bodies of work provide a useful starting point, but few draw from actual fieldwork carried out in the region. It is also the case that most literature looks at macro’ political developments rather than issues ‘on the ground’ and ‘across the borders’ on the remit and work of border guard agencies and the like.
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