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A New ENP for a New Europe

Revising the European
Neighborhood Policy in Light
of the 2008 Russo-Georgian
War and the 2014 Ukraine
Crisis

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The views presented here are strictly those of the author and do not represent those of ECEAP or any of its partners.



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EXECUTIVE SUMMARY

Russian aggression has created new realities on the European continent to which the current European neighborhood framework is no longer ideally suited. A renewed ENP and EaP should be at the heart of the EU's foreign policy towards the Union's immediate neighbors. A genuine commitment to the ENP by its EU members is needed in the face of Russian efforts to undermine the policy's effectiveness. Preventing a further decline in the EU's attractiveness and the ENP's legitimacy by means of increasing differentiation among partners and providing an honest reassessment of priorities from its member states is paramount.

A RENEWED COMMITMENT TO THE EUROPEAN NEIGHBORHOOD POLICY?

Created in 2004, the European Neighborhood Policy (ENP) forms part of the European Union's (EU) increased efforts to conduct an effective European foreign policy within the overall framework of the European External Action Service (EEAS). It includes sixteen neighborhood countries, each of which has a specific action plan for cooperation with the EU—though without the prospect of membership. The ENP is aimed at building a “ring of friends”¹ surrounding EU territory, tying them closer to the Union by means of economic cooperation; a distinction is made between the Southern and Eastern neighborhood countries.²

Doubts concerning the ENP's effectiveness have been voiced on numerous occasions, for instance with regard to its declared aim of promoting democracy while simultaneously achieving greater stability in the neighborhood—a goal that the EU is considered to have failed to achieve,³ if indeed it were ever achievable in the first place.⁴

Both general critiques⁵ as well as those focused on the example of specific partner countries such as Armenia⁶ have argued that the EU's policies towards its eastern neighbors serve to deepen rather than erase lines of division among the partner countries.⁷

1 EC (2003). Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours. Retrieved June 3, 2016, from http://eeas.europa.eu/enp/pdf/pdf/com03_104_en.pdf

2 EEAS (n.d.). European Neighbourhood Policy (ENP). Retrieved 23 April, 2016, from http://eeas.europa.eu/enp/about-us/index_en.htm

3 Nilsson, M. & Silander, D. (2016) Democracy and Security in the EU's Eastern Neighborhood? Assessing the ENP in Georgia, Moldova, and Ukraine. *Democracy and Security*, 12:1, 44-61.

4 Tanja A. Börzel & Vera van Hüllen (2014) One voice, one message, but conflicting goals: cohesiveness and consistency in the European Neighbourhood Policy. *Journal of European Public Policy*, 21:7, 1033-1049.

5 Gromadzki, G.(2015). The Eastern Partnership after Five Years: Time for deep rethinking. EP/EXPO/B/AFET/FWC/2013-08/Lot1/01.

6 Babayan, N. (2011). Armenia: Why the European Neighbourhood Policy has failed. FRIDE. Policy Brief No. 68, SSN: 1989 – 2667.

7 Langbein, J. (2013). European Union Governance towards the Eastern Neighbourhood: Transcending or Redrawing Europe's East-West Divide?. *J Common Mark Stud*, 52(1), 157-174.

Moreover, critics have also highlighted the lack of a genuine partnership based on equality between EU states and ENP members.⁸

Additionally, the latest developments in the EU's immediate neighborhood have indeed revealed the ENP's shortcomings, notably its inability to prevent conflict.⁹ In the aftermath of the Arab Spring, the resulting volatility of the whole region has forced both the EU and its member states to profoundly rethink their relations to their southern neighbors. Additionally, the 2008 Russo-Georgian war and the current crisis in Ukraine have called into question the security paradigm on the European continent itself. Nonetheless, despite clear shortcomings of the ENP such as its inflexible and overly technocratic nature, its uniform approach towards sixteen vastly different neighborhood countries as well as its proneness towards being too easily taken advantage of by autocrats only pretending to conduct substantial reforms,¹⁰ the EU is not responsible for all that is going wrong in its neighborhood. In fact, it does have the means and motivation to become a more coordinated—and thus more influential—actor with regard to stability in its own neighborhood.

To this end, the EU seeks to address the policy's deficiencies by means of a broad review of the ENP, undertaken as part of the drafting process of the EU Global Strategy on Foreign and Security Policy. The 2015 review report singles out neighborhood stability as a key priority of the next policy, promising that “the new ENP will seek to deploy the available instruments and resources in a more coherent and flexible manner. Additionally, it will be important to seek a deeper involvement of EU Member States in re-energizing work with our neighbors.”¹¹ Indeed, the commitments of member states with regard to the EaP are laid out in greater detail in the 2015 Riga Summit Declaration, which states that “the EU remains committed in its support to the territorial integrity, independence and sovereignty of all its partners.”¹² Despite this renewed commitment, however, problems persist in implementing this revised policy in the EU's eastern neighborhood.

8 Kunz, R. & Maisenbacher, J. (2015). Women in the neighbourhood: Reinstating the European civilising mission on the back of gender equality promotion? *European Journal of International Relations*, pp.1–23.

9 “Europe's Ring of Fire”, *The Economist*, 20.09.2014, <http://www.economist.com/news/europe/21618846-european-unions-neighbourhood-more-troubled-ever-europes-ring-fire>; Blockmans, S. (2015). The 2015 ENP Review: A policy in suspended animation. CEPS. Retrieved June 17, 2016, from <https://www.ceps.eu/system/files/SB%20ENP%20Review%20CEPS%20Commentary.pdf>

10 Whitney, N. & Denson, S. (2015). Europe's Neighbourhood: Crisis as the new normal. ECFR/135.

11 EC (2015). Review of the European Neighbourhood Policy. Retrieved April 22, 2016, from <http://europa.eu/globalstrategy/en/review-european-neighbourhood-policy>

12 Joint Declaration of the Eastern Partnership Summit (Riga, 21-22 May 2015) Retrieved April 22, 2016, from http://eeas.europa.eu/eastern/docs/riga-declaration-220515-final_en.pdf

ENP AND EAP UNDER PRESSURE

Given the ongoing military clashes in Ukraine, which currently pose one of the most proximate and substantial problems within the Union's neighborhood, the focus of the remaining part of this paper is on the Eastern neighborhood specifically. Generally speaking, the ENP's failure to deliver positive results in the region can be attributed to a variety of internal and external factors. ENP policy makers have too often framed policies for a neighborhood they would like to see exist but that does not match realities on the ground. Consequently, ENP policy has often suffered from being too idealistic, as it is based on perceived shared values between the EU and its partners, such as democracy. The goal of increasing security and stability by means of democratization, however, has largely failed to materialize. With the exceptions of Georgia and Ukraine democratic trends in the eastern neighborhood are deteriorating and weak states led by strong regimes are decreasing the EU's leverage.¹³ An additional factor complicating the ENP's impact is the diminished US interest in the region as well as the rise of (new) players such as China, Turkey, and Russia. This multipolar environment facilitates successful balancing efforts by the region's increasingly autocratic regimes to "cherry pick" the best deals from the various actors trying to gain a foothold in the region.¹⁴

All in all, reasons for the ENP's lack of effectiveness can be found both inside and outside the EU. One is the indifference of many member states toward the ENP regarding it mainly "as a handy way of ticking the 'values' box of policy to the neighborhood, leaving national policy free to concentrate on national interest".¹⁵ In addition, the EU overestimates its current potential of attraction, for example with regard to Moldova, where support for the EU is dwindling.¹⁶

Clearly, Russian aggression against Georgia and Ukraine is the main driver of instability in the eastern neighborhood. However, Russia was seen as a troublemaker in the region even before military hostilities took place.¹⁷ Moscow deployed a variety of means to pressure former Ukrainian president Viktor Yanukovich not to sign the Association Agreement (AA) with the EU in 2013, from "soft power (talk of a shared Orthodox heritage), carrots (cheap gas and access to markets) and sticks (trade sanctions)",¹⁸ thereby leading to the Maidan events, Russia's annexation of Crimea and, finally, instability in the EU's neighborhood par excellence.

13 Meyer-Resende, M. (2016). Ukraine fatigue is spreading in Europe. Euractiv. Retrieved June 17, 2016, from <http://www.euractiv.com/section/europe-s-east/opinion/ukraine-fatigue-is-spreading-in-europe/>; Freedom House (2016). Nations in Transit 2016. Retrieved April 22, 2016, from <https://freedomhouse.org/report/nations-transit/nations-transit-2016>

14 Popescu, N. & Wilson, A. (2011). Turning Presence Into Power: Lessons from the Eastern Neighbourhood. ECFR/31.

15 Whitney, N. & Denson, S. (2015). Europe's Neighbourhood: Crisis as the new normal. ECFR/135, p.6.

16 National Democratic Institute (2015). Moldovan's Public Perceptions of Politics and Government: Results of NDI's November 2015 Public Opinion Research. Retrieved June 19, 2016, from <https://www.ndi.org/files/NDIMoldovaSurveyNov2015.pdf>

17 Nilsson, M. & Silander, D. (2016) Democracy and Security in the EU's Eastern Neighborhood? Assessing the ENP in Georgia, Moldova, and Ukraine. *Democracy and Security*. 12:1, pp.44-61.

18 "Trading insults: a trade war sputters as the tussle over Ukraine's future intensifies", *The Economist*, 24.08.2013, <http://www.economist.com/news/europe/21583998-trade-war-sputters-tussle-over-ukraines-future-intensifies-tradinginsults>

Russia has long been suspicious of Europe's "messianic" project of exporting democracy¹⁹ and the EaP has certainly contributed to mutual tension between the EU and Russia concerning their activities in the post-Soviet space,²⁰ activities that more often than not have failed sufficiently to take into account the needs of the countries in between.²¹ Russia certainly is a key player in the core conflicts plaguing the post-Soviet space—and thus cannot be expected to contribute to resolving them in the foreseeable future.

While recognizing the reality of Russia's actions in the region, to bluntly conclude that the current problems in the Eastern Neighborhood are "all Russia's fault" would be to fail to recognize the complexity of the situation. While the EU's interest in the region is understandable and its presence indeed desired by many, increasing its activity in an area of utmost importance to a Russia in decline, without sufficiently taking into account possible Russian counter-actions, was naive at best and irresponsible at worst. Given the changed realities in the new neighborhood, the EU is now starting to face the "strategic challenge" posed by Russia.²²

This latest development goes hand in hand with the desire of some EaP countries for the EU to act as a more prominent security actor.²³

19 Gotev, G. (2015). Russia tells EU to abandon 'messianic' project of exporting democracy. Euractiv. Retrieved April 25, 2016, from <http://www.euractiv.com/section/global-europe/news/russia-tells-eu-to-abandon-messianic-project-of-exporting-democracy/>

20 Delcour, L. & Kostanyan, H. (2014). Towards a Fragmented Neighbourhood: Policies of the EU and Russia and their consequences for the area that lies in between. CEPS Essay.

21 Korosteleva, E. (2015). EU-Russia relations in the context of the eastern neighbourhood. Policy Brief. Bertelsmann Stiftung.

22 Gotev, G. (2016). EU to label Russia a 'strategic challenge'. Euractiv. Retrieved June 17, 2016, from <http://www.euractiv.com/section/global-europe/news/eu-to-label-russia-a-strategic-challenge/>

23 EU Neighbourhood Info Center (February 2015). Neighbourhood barometer East: poll shows desire for greater EU security role Retrieved June 4, 2016, from <http://www.enpi-info.eu/eastportal/news/latest/39821/Neighbourhood-barometer-East:-poll-shows-desire-for-greater-EU-security-role>

BRINGING PARTNERSHIP INTO THE EAP

How then should the EU reframe the Eastern Partnership to keep up with current developments? One option—simply abandoning the ENP as a redundant remnant of European idealism to be replaced by more issue- and interest-focused bilateral agreements between individual member states and specific partner countries is far from realistic, if the EU and its members are to remain influential actors in an ever-changing globalized world. After all, Russia utilizes a comprehensive range of policies in the region, from actively blocking further integration between ENP partner countries and the EU by engaging in military confrontation (Ukraine) as well as preventing conflict resolution (for example Transnistria or South Ossetia) to offering alternative integration projects such as the Eurasian Economic Union.²⁴

These developments have not left the ENP itself unaffected; accordingly, the EU needs to step up its coordination efforts in order to restore stability to its neighborhood. Consequently, the EU could take a stand against Russian attempts to curb the influence of the Eastern Partnership program by decisively pushing forward on visa liberation and by deepening economic integration—for instance, with Georgia and Ukraine within the context of the Deep and Comprehensive Free Trade Areas (DCFTAs) or even the European Economic Area (EEA).²⁵ The EU's granting of visa-free travel to the citizens of Moldova (since 2014) as well as engaging in efforts to extend the same to Georgian and Ukrainian citizens certainly can be regarded a positive sign.²⁶ With regard to Moldova, the erosion of the EU's popularity is tangible and EaP policy makers would be well advised to follow their own principle of conditionality more stringently, thereby rewarding genuine reform efforts while discouraging counterproductive behavior like corruption. The EU enjoys a strong presence in Moldova already²⁷; however, in order not to let Russian-leaning forces in the country to take the upper hand, a more critical stance towards the current Moldovan government is needed.²⁸

24 Delcour, L. & Kostanyan, H. (2014). Towards a Fragmented Neighbourhood: Policies of the EU and Russia and their consequences for the area that lies in between. CEPS Essay.

25 Expert Roundtable ECFR (2014). Russia, Ukraine & the future of the ENP? Retrieved April 23, 2016, from http://www.ecfr.eu/events/event/expert_round_table_russia_ukraine_the_future_of_the_enp

26 EC Press Release (2015). Commission assesses the implementation of Visa Liberalisation Action Plans by Ukraine and Georgia. Retrieved April 24, 2016, from http://europa.eu/rapid/press-release_IP-15-4949_en.htm & EC Proposal (2016). Amending Regulation (EC) No 539/2001. Retrieved April 24, 2016, from http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/international-affairs/general/docs/proposal_539-2001_georgia_en.pdf

27 EEAS (nd.) EU Moldova Relations. Retrieved June 19, 2016, from http://eeas.europa.eu/factsheets/news/eu-moldova_factsheet_en.htm.

28 Kostanyan, H. (2016). Why Moldova's EU integration is failing. CEPS Commentary. Retrieved June 29, 2016, from https://www.ceps.eu/publications/why-moldova%E2%80%99s-european-integration-failing#_ftn6.

Economic prosperity constitutes the main pillar of European soft power. Therefore, improving economic conditions and standards of living within those countries as immediately as possible (as a true carrot for conducting further reforms) might halt the decline of the EU's attractiveness. Moreover, by shifting responsibility to the EEA, closer economic and personal ties among Georgia, Ukraine and the EU can be achieved without touching upon the sensitive issue of EU membership.²⁹ This would restore credibility to the ENP as a whole while potentially encouraging the other eastern neighbors to initiate genuine reforms and focus their attention on the EU instead of Russia. This so called two-tier EaP, however, (divided between those countries that seek closer integration with the EU, namely Moldova, Georgia, and Ukraine, and those that do not—Armenia, Azerbaijan, and Belarus) could lead to increased fragmentation within the EaP.³⁰ In any case, given overall enlargement fatigue and internal problems within the Union such as Euroskepticism, this option is rather unlikely to materialize.

Nevertheless, the current ENP lacks vision; accordingly, without any change to the current vague policies of half-hearted commitment, it will ultimately play into the hands of Russia.³¹ Moreover, given the lasting internal disputes within Georgia (South Ossetia and Abkhazia), Moldova (Transnistria) and Ukraine (the so-called “people’s republics” of Donetsk and Luhansk), the EaP would profit from updating (and, with regard to the situation in Ukraine, expanding) its policy of non-recognition and engagement (NREP) in order to remain an influential actor in the region.³²

This idea goes hand in hand with the notion that the current ENP is not country-specific enough, and that too often, the AAs follow a one-size-fits-all approach.³³ The detrimental effects of this undifferentiated approach became obvious in February 2016 when Azerbaijan, increasingly suspicious of “Western double standards,” rejected an AA.³⁴ Taking this approach of increased differentiation further, the ENP should shift its focus to an issue-centered approach (i.e., one involving several countries and a given issue such as energy policy or migration).

29 Novak, A. (2015). Europe without borders 2025: overcoming the European Neighbourhood Policy Deadlock. Retrieved April 24, 2016, from http://www.ecfr.eu/article/commentary_europe_without_borders_2025_overcoming_the_eu_neighbourhood_3094

30 Robert, A. (2015). Two tier Eastern Partnership on the table at Riga summit. Euractiv. Retrieved April 25, 2016, from <http://www.euractiv.com/section/europe-s-east/news/two-tier-eastern-partnership-on-the-table-at-riga-summit/>

31 Novak, T. (2015). The future of the Eastern Partnership: Strategic change, or continued drifting? Euractiv. Retrieved April 25, 2016, from <http://www.euractiv.com/section/europe-s-east/opinion/the-future-of-the-eastern-partnership-strategic-change-or-continued-drifting/>

32 Fischer, S. (2010). The EU's non-recognition and engagement policy towards Abkhazia and South Ossetia. European Union Institute for Security Studies Seminar Report.

33 Dennison, S. (2015). Assessing the ENP. ECFR Commentary. Retrieved April 24, 2016, from http://www.ecfr.eu/article/commentary_Assessing_the_ENP5023

34 Gotev, G. (2016). Azerbaijan's rejection of EU association was an eye-opener for Brussels. Euractiv. Retrieved April 25, 2016, from <http://www.euractiv.com/section/europe-s-east/news/azerbaijan-s-rejection-of-eu-association-was-an-eye-opener-for-brussels/>

While challenging in the current context, it would most certainly increase flexibility with regard to the Eastern Partnership, as it would allow both member states and partner countries to prioritize and act more strategically. In addition, decision makers would be well advised to devote more attention to what the partner countries themselves have to say about cooperation, and abstain from imposing any “shared values.” In this context, a realistic and idealism-free reassessment of European interests and aims—and the strategies that flow from them—needs to take place, taking into account the desires and demands of both sides.

To remain relevant, the EaP should be viewed not as a provider of rigid policy instruments, but instead as a more flexible toolkit swiftly adaptable to a constantly changing neighborhood. The 2015 ENP review was intended to offer exactly such a rethinking. While some improvements can be observed—primarily with regard to reducing the one-size-fits-all approach and promoting greater mutual ownership—doubts persist whether the EU and its partners will manage to mobilize sufficient resources and political will in order to bring the proposed measures to life, or whether the ENP indeed deserves to be called “a policy in suspended animation.”³⁵

The most paramount issue, however, is the need for member states jointly to rally behind the Union’s neighborhood policies in order for them to regain legitimacy and momentum. Accordingly, providing decisive support for the reforms pursued by the government in Kyiv and restoring Ukraine’s territorial integrity has to be non-negotiable. There needs to be a genuine realization that stabilization in the European neighborhood cannot be achieved while merely engaging half-heartedly in the Ukraine crisis. “In short, all focus in the ‘eastern neighborhood’ should be on the one question: ‘How do we help the new Ukrainian government succeed?’”³⁶

A Ukrainian state failing to make sufficient progress on reforms or relapsing into disorder would mean a severe blow to the EaP from which it might not recover.

34 Gotev, G. (2016). Azerbaijan’s rejection of EU association was an eye-opener for Brussels. Euractiv. Retrieved April 25, 2016, from <http://www.euractiv.com/section/europe-s-east/news/azerbaijan-s-rejection-of-eu-association-was-an-eye-opener-for-brussels/>

35 Blockmans, S. (2015). The 2015 ENP Review: A policy in suspended animation. CEPS. Retrieved June 17, 2016, from <https://www.ceps.eu/system/files/SB%20ENP%20Review%20CEPS%20Commentary.pdf>

36 Whitney, N. & Denson, S. (2015). Crisis as the new normal. ECFR/135, p.3.

RECOMMENDATIONS

ON THE ENP IN GENERAL:

- * Realistically reassess the EU's interests, aims and strategies with regard to which outcomes are desirable as well as feasible in a currently volatile neighborhood. While the ENP Review and Riga Summit declaration were good starting points, they need to be developed further.
- * Renew member state commitment to the ENP as the main tool for conducting European foreign policy in the region; they should refrain from pursuing bilateral agreements in areas best handled within the ENP framework in order to halt or reverse the declining credibility and attractiveness of the European project.
- * Reinvent the ENP as a flexible toolkit, rather than a rigid policy, so that it can adapt to the constant changes in the EU's neighborhoods.
- * Abandon one-size-fits-all solutions and reorganize the ENP around issue-specific cooperation in areas such as migration and energy, thereby allowing for greater strategic prioritization among member states as well as partner countries and preventing further fragmentation.

ON THE EAP

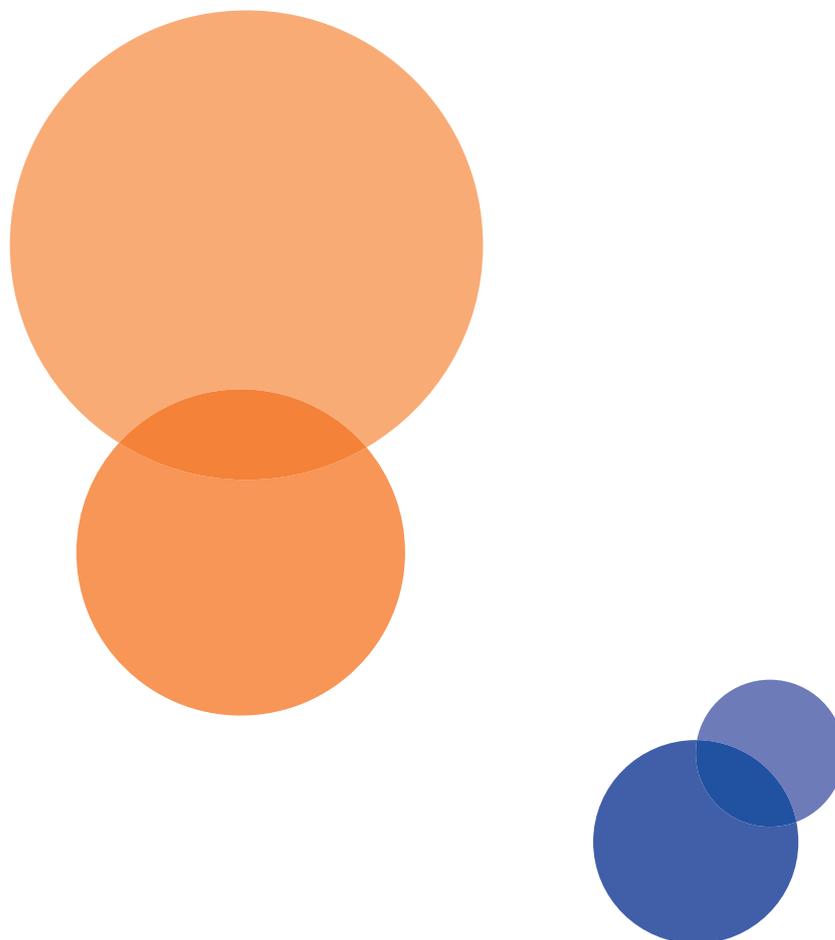
- * Realize the importance of continued support for the government in Kyiv in the face of Russia's aggression and attempts to undermine the effectiveness of the EaP.
- * Create "facts on the ground" by genuinely committing to deep economic and personal integration between the EU and the ENP's most ambitious reformers by means of facilitating trade relations and pushing for visa liberalization.
- * Engage in fruitful dialogue with the partner countries to develop policies that meet the conditions, desires, and capabilities of both sides.
- * Increase the attractiveness of conducting substantial and sustainable reforms.
- * Make use of its mediator position in conflicts in South Ossetia, Abkhazia, Transnistria, Nagorno-Karabakh and the eastern parts of Ukraine in order to actively contribute to conflict settlement and to remain an indispensable actor in the region.

ON RUSSIA

- * Make clear that the EaP is here to stay and will not be scaled back in the light of Russian efforts to undermine it.
- * Signal a willingness to cooperate if certain conditions are met (most urgently in the current context: the withdrawal of troops from Crimea and eastern Ukraine).

RENEWING COMMITMENT TO THE ENP BY REALISTICALLY REDEFINING PRIORITIES

There is great potential for the EU to exercise greater influence through the ENP due to its already strong presence in numbers and initiatives on the ground. However, a unified and profound reassessment of the ENP and the EaP—including by EU member states—needs to take place in order to tailor European policy in the region to the changing security environment. A sober redefinition of the priorities of the EU, its member states, and partner countries is necessary in order to enable honest cooperation free from illusions and false hopes. This renewed commitment is needed not only to keep Russia at bay but also to prevent a further erosion of European soft power. Finally, all these various policy options touch upon the fundamental question of where the EU currently stands in the international arena and where it is heading in the future.



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