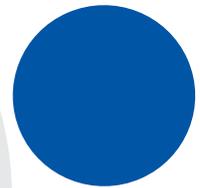




Eastern Partnership Review
From Prague to Warsaw:
a Study of Eastern
Partnership's Rhetorics
in the Context of EU
Membership Perspective
from 2009-2011



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Abstract

There is no doubt that the question about the possibility and the perspective of the future EU membership continues to be the key issue for the partner countries of the Eastern Partnership in their relations with the EU. The discussions about wording of the membership perspective in the 2011 Eastern Partnership Warsaw Joint Declaration were intensive. Consequently, the membership perspective was touched upon by many of the heads of states speaking at the EaP Warsaw Summit plenary session – representing both the EU member states as well as the EaP partner countries.

This paper argues, firstly, that despite of the often low-profile or even rejective rhetorics the membership perspective is actually rather strongly present in the EU's thinking and implementation of the Eastern Partnership. In this context giving the EaP partner countries the perspective for the EU membership in the long run is attached to the EU's wish to pursue normative conditionality in its relations with the EaP 'six'. Subsequently, conditionality is closely linked to the EU's security concerns. For the EU it is very vital to keep its eastern partners stable and predictable, not to let them slide into socio-political turmoils.

Secondly, within the normative conditionality, the paper argues, three EaP rhetorical corner stones – 'membership perspective', 'market access' and 'mobility' – are closely interlinked forming a rather well-balanced rhetorical package which serves the interests of both the EU member states, EU institutions, as well as the political elites of the Eastern Partnership partner countries.

The paper concludes by arguing that in case of the Eastern Partnership partner countries the EU has prepared the 'membership perspective' for a longer time-frame. At least for a decade. This in mind it is very understandable why the EU has treated the membership issue with the EaP partner countries very cautiously. Simultaneously the EU has been surprisingly successful in penetrating its political, economic and normative influence in the EaP partner countries by avoiding direct positioning vis-à-vis some highly sensitive political issues, including the future political positioning of Moldova, Ukraine, Belarus, and the South Caucasus states, as well as the reflection of these processes into the EU-Russian relations.

Introduction

Being launched at the 2009 Prague Summit the Eastern Partnership has truly been an 'empire of words'. Various expressions like 'European neighbours', 'European aspirations', 'all but institutions', 'deep and comprehensive', 'more-for-more' etc. have attempted to address the relationships between the EU, its member states, and the partner countries of the Eastern Partnership. Eastern Partnership definitely has been a battle ground of words and expressions. Much more so than the actual political agendas, goals and implementation plans.

The rhetorics, perhaps more than anything else, has provoked the mainstream criticism towards the Eastern Partnership during its two-years' existence. Partner countries and member states, as well as journalists and the members of research community have mainly addressed the rhetorical elements when pointing at the argued shortcomings of the EaP.¹ On the other hand not very often the critical pointers recognise the fact that in all terms three years (2009-2011) is a rather short period of time to reach beyond rhetorics in the highly complex structure of multilateral relationships the Eastern Partnership actually is. Within the context of the Eastern Partnership coming to concrete agreement-based relationships, as well as establishing a traditions-based and well-functioning institutional networks takes definitely more time. In the meantime, with the absence of anything else more concrete, the political waiting-room has to be filled with rhetorics.

Despite of the short time-span there are certain main topics along which the Eastern Partnership related rhetorics has been developing. This policy paper takes a closer look on the debate on the EU membership perspective of the EaP partner countries. Its aim is to ask why the current type of rhetorics is being used when the EU tackles the membership perspective issue, what are the political rationales, and how they can reshape in a longer time span.

EU membership perspective: the key issue

No doubt the question about the EU membership perspective of the Eastern Partnership partner countries is *the* key issue of the whole Partnership. The central position of this issue is not altered no matter a proponent or an opponent of the membership perspective articulates.

The membership perspective issue is approached very differently by various EU member states as well as EaP partner countries. The number of countries arguing that the Eastern Partnership has to keep within itself an endgoal – the EU membership – is considerably smaller than the opposite side who maintains that the essence of Eastern Partnership only contains a number of fields of cooperation but has no linkage to the EU's future enlargement.

EU institutions (Council, Commission, External Action Service, Parliament) have tuned their rhetorics more or less according to the mainstream views among the EU member states. At the same time the position of the EU institutions can be characterised as of being somehow more flexible and slightly more pro-membership than those of the member states expressing (currently) a fully no-membership position.

This phenomenon can be explained by two factors. Firstly, the EU institutions have to take into consideration the variety of member states' interests. Therefore the interests of both the membership perspective proponents and opponents must receive a degree of accommodation in the wordings produced by the institutions. Still, even the wording of the 2009 Prague Joint Declaration of the summit that launched the Eastern Partnership was slightly more moderate from the total rejection of the membership perspective. The declaration stated that the Eastern Partnership 'will be developed without prejudice to individual partner countries' aspirations for their future relationship with the European Union.² The 2011 Warsaw Joint Declaration of the second Eastern Partnership summit already contained much more promising wording for the pro-membership camp stating that 'the participants of the Warsaw Summit acknowledge the European aspirations and the European choice of some partners'.³

In other words, the EU institutions are willing to keep up some pro-membership rhetorics in the multilateral documents of the Eastern Partnership.

1 For instance the 2010-2011 writings of Jos Boonstra, Natalia Shapovalova, Inga Solonenko and Andrew Wilson stress that the EU's Eastern Partnership initiative has not helped to promote actual democratisation of the EaP partner countries. Quite the opposite, the authors argue, the Freedom House's 'Freedom in the World' reports since 2009 indicate the freedom index backslide of several EaP partner countries (Boonstra/Shapovalova 2010, Solonenko/Shapovalova 2011:5, Wilson 2011).

2 Council 2009: 5.

3 Council 2011:1.

On bilateral level the picture may look different. For example the Commission (COM) and the External Action Service (EEAS) have been reluctant to include to the preamble of the EU-Ukraine Association Agreement — currently in the negotiation process — the notification of Ukraine's aspiration to become the EU member state.⁴

Another factor that keeps the EU institutions supporting the wording more supportive to the pro-membership camp is the fact that in practical management of the Eastern Partnership the Commission and the EEAS favour as uniform approach towards the six EaP partner countries as possible. Putting it bluntly, the 'diversity management' capacity of COM/EEAS' is rather limited. Looking from the perspective of the COM/EEAS the 'uniformity' has to be 'conditionality-friendly'. Here the logic rests not so much in the EU institutions' love of hierarchical domination. More justified seems to be the EU institutions' dislike of partner countries' demands for 'equal partnerships' which tend to emerge if conditionality is questioned.

'Equal partnerships', frequently demanded for instance by Belarusia, but also by Aserbaijan and Ukraine, tend to reject the idea of EU's conditionality-based normativism. However, from COM/EEAS' perspective nothing equally valuable is being offered in exchange by those aiming to become the 'equal partners'. When conditionality is being rejected unclear attachment to obligations and commitments, particular the political ones, low transparency, and even higher degree of criticism towards the COM/EEAS emerges. This is definitely the sort of 'diversity management' the EU institutions do not like to deal with.

Consequently, keeping up some pro-membership rhetorics within the multilateral context has in fact a very clear and strong rationale for the EU institutions. This explains why alongside with the 'more-for-more' the 'less-for-less' has not emerged into the official EU rhetorics, even if widely speculated around within the journalistic and academic writing before the Warsaw summit during spring-summer 2011. For the EU institutions the 'less-for-less' clearly undermines the full concept of conditionality and paves ways towards the 'equal partnerships'.

'Market access' and 'mobility': substitutes to the 'membership perspective' or indicators of the power of conditionality?

'Market access' and 'mobility' are two sides of the same rhetorical coin within the Eastern Partnership closely related to the conditionality. However, for the eastern partners they are holding very different rhetorical signals.

'Market access', in the form of DCFTAs (Deep and Comprehensive Free Trade Agreements) is currently the maximum of the cooperation EU offers to the eastern partners. For the EU the offer for the access to the single market of the Union is the main conditionality-driven tool that can be used to increase EU's normative influence. Already the pre-DCFTA process can be effectively used by the EU in order to increase its normative presence in the EaP partner countries. Launching and conducting the negotiation process, and finally concluding the DCFTA agreements already involves a large number of conditions the partner countries have to full-fill before the real market access is being opened.

For the eastern partners the value of the 'market access' is controversial as long as their goods are not competitive enough and they have not made a decisive turn in orienting their trade fully to the EU market. Furthermore, the eastern partners are faced with painful questions of the social costs of closing down non-competitive industries (like is the case with the Ukrainian military industry), or with the downgrading influence of the domestic business elites when confronted by the dramatically increasing presence of the EU companies at the eastern partners' domestic markets.

One can argue that rhetorics of the 'market access' is more beneficial for the partner country's political than business elites. The politicians and officials of the partner countries can, after all, be assured that their position within the EU approximation process is going to strengthen through the accumulation of EU-related information, knowledge, skills, contacts, aid flows and political decision-making power. At the same time the business elites can only face their gradual marginalisation.

Therefore, the main rationale of the 'market access', in the context of Eastern Partnership, is political, not economic. For the EU the full implementation of the DCFTAs would mean a highest level of influence over the eastern partners – normative power without partner countries themselves participating in the norm-setting and norm-super-

4 EaP Community 2011.

vision processes within the EU decision-making. In this light it is not surprising why the EU institutions' rhetorics — particularly when articulated on a bilateral level — tends to present the full DCFTAs as substitutes to the membership perspective. However, the crucial dilemma for the EU is how to make the eastern partners uncompromisingly willing to adhere to the conditionality after the DCFTAs have been concluded but no membership perspective has been offered. For this reason the EU has to guarantee Ukraine's, Moldova's and other eastern partners loyalty to the conditionality already during the negotiation processes on DCFTAs (and Association Agreements).

For the eastern partners' political elites the 'market access' is only a halfway as their logical goal can only be the full participation in the EU decision-making. Therefore they may challenge EU's dream for their full adherence to the conditionality in order to build up more pressure towards gaining the membership perspective.

For the partner countries' business elites gaining full EU 'market access' (through the DCFTA process) offers little self-evident benefits. However, since the DCFTAs is the project of officials the business elites are not quite able to stop the process either. Additional motivators are needed for the business elite in order to lessen their possible opposition to the DCFTAs.

'Mobility', culminating with the full visa-freedom, is undoubtedly much more popular idea compared to the 'market access'. For millions of grassroots citizens of the eastern partner countries visa-free shopping-trips would be the maximum EU 'market accesses' they can ever get. For those dreaming of increased business/professional opportunities, studying or labour in the EU, the 'mobility' sounds as an even more promising motivator.

In fact, 'mobility' is already much more there than the 'market access'. There is already one-sided visa-freedom for the EU citizens introduced by Ukraine, Moldova and Georgia. Furthermore, in case of most of the eastern partners their political elites already enjoy relative visa-freedom (with diplomatic passports) or, largely in terms of business elites, at least visa-facilitation (multi-entry visas). This means that from the elite perspectives the visa regime is not really a serious obstacle for EU-eastern partners' communication. It is rather a prestige issue — or can be presented as one — in order to use it as an additional pressure argument in other sectors of the EU-eastern partners' relations. Visas are definitely an important obstacle for non-elitar-

ian migration from the eastern partners to the EU but it is questionable on what extent visa regime is a problem of urgent nature on the EU-eastern partners' relationship agenda.

Rather the contrary. For the EU limiting non-elitarian migration has been one the key reasons for launching the European Neighbourhood Policy (ENP) in 2003-4. In the east the ENP, and the Eastern Partnership as its sub-initiative, has been particularly effective tool of migration control. Therefore it is more than obvious that for the EU there is absolutely in no hurry to relax the visa regimes (Schengen and national) vis-a-vis the non-elitarian parts of the eastern partners' populations. Similar logic applies also to the elites of the Eastern Partnership partner countries. By no means it is in their interest to open gateways for increased labour emigration.

Linking 'mobility' to the enlargement perspective one can adopt various rhetorical paths. Further, similarly to the 'market access', the 'mobility' can be treated as a substitute to the enlargement rhetorics. For instance, going very rapidly forward with the visa facilitation and opening new segments of society to the visa-freedom may definitely contribute to the reasoning stating that 'since you already are well off with the visas and travelling, you do not really need the membership'. Here the EU is consciously cautious since the juice of the carrot of the visa-freedom can be too sweet and strike against the EU's normative rule/conditionality. 'Why should we still accept this costly and painful, sometimes harmful EU-conditionality,' — people may ask — 'since we already have the visa-freedom, and can go to Europe whenever we want'. A question the EU, in fact, does not want to be confronted with.

In other words, the elitarian visa-freedom, or the visa-liberalisation (visa-free or facilitated visa regimes only for limited population segments such like politicians, officials, businessmen, academics and students), is most clearly the way the 'mobility' issue will be treated for a long period ahead. This accommodates both the interests of the EU, as well as the elites of the eastern partners. At the same visa liberalisation supports conditionality by offering EU presence with its normativism in shaping and screening the migration-related issues in the Eastern Partnership partner countries.

In other words: the rhetorical triangle the EU uses — 'enlargement perspective', 'market access', 'mobility' — creates a rather well balanced policy-environment where none of these key concepts are fully dominating or discriminated. The further

question, however, is why such a balance has been constructed and is needed.

External factors influencing the 'membership perspective'

What is the state-of-affairs with the 'enlargement fatigue'? Compared to a situation a few years ago the answer could not be a simple and straightforward one. On the one hand there seems to be around quite an amount of argumentation stressing the fears that the populations of some member states in the Western Europe have. Definitely, the financial crisis with producing the bad news from a number of 'old' member states, does not strongly support the positive image of further EU enlargement.⁵

On the other hand, however, enlargement has not disappeared from EU's external agenda. The Union has, in fact, promised a very clear membership perspective for the countries of Western Balkans. Croatia becomes EU's 28th member state in 2013. Macedonia has a candidate country status. The Icelandic EU accession process is also continuing.

In this light it is not correct to argue that the EU does not want to keep up the enlargement agenda at all. It is far more right to argue that the EU is pushing the enlargement process quite energetically in some regions (Western Balkans, Iceland), while in terms of the Eastern Partnership partner countries it keeps up a largely undefined enlargement agenda.

The question is on what extent this undefined status of the enlargement agenda vis-a-vis the Eastern partnership countries is resulted by Russia: Russia's bilateral relations with the EU, its positioning towards the Eastern Partnership⁶ as the EU's initiative, and its bilateral relations with the individual partner countries of the Eastern Partnership.

There is an amount of literature that stresses both Russia's controversial attitudes towards the Eastern Partnership, as well as see Russia's interests and influence as the paramount factor framing the Europeanization tendencies in the partner coun-

tries of the Eastern Partnership. Based on this general argument the fate and destiny, success and failure of the Eastern Partnership is fully in the hands of Russian political leadership.

Reality, though, seems to be much more complex. Firstly, there seems to exist a constant struggle of at least three main geopolitical factors within the Eastern Partnership. The interest of the EU, and a number of its member states, to be present and to increase its influence in the region. After all, the Eastern Partnership is the most explicit success story of EU's foreign policy. Countries of the Eastern Partnership is the only region in the world where EU's presence has been considerably strengthened during the past decade. Furthermore, the interests of the political and economic elites of the eastern partners, referred above, can not be underestimated. And the geopolitical and economic interests of Russia definitely do influence all six countries significantly.

The second factor, adding effectively to the Eastern Partnership's fragmented picture, is the rather different standing of the individual partner countries vis-a-vis the Eastern Partnership in general and the EU membership perspective in particular. The six partner countries roughly divide into two groups according to their EU membership aspirations. Moldova, Ukraine and Georgia have explicitly stated the future EU-membership being their ultimate foreign policy goal. Armenia — the potential future Eastern Partnership success story — fits into the first group as well.⁷ Azerbaijan and Belarus have not stated the EU-membership being their foreign policy goal.⁸

Finally, the state of relations between the individual partner countries of the Eastern Partnership and Russia contains a large variety of differences

5 Recently David Král has pointed the negative impact of the ongoing financial crisis on the process of EU enlargement to the EaP partner countries. Král presents the 'backhome' argument of the enlargement scepticism arguing that for the leaders of the EU member states it is going to be increasingly difficult to 'sell' the enlargement to their crisis-torn electorates (Král 2011).

6 For an comprehensive analysis of the Russia's attitudes towards the Eastern Partnership, as well as an account of the literature of the subject see Khudoley/Izotov 2011.

7 Amy Verdun and Gabriela Chira note that Armenia has been much more systematic than Ukraine or Moldova in utilizing the reform implementation expertise offered by the EU. They also point out the policy effect in using the High-Level EU Advisory Group in Armenia (Verdun/Chira 2011: 456) — EU has now launched similar institutional setting also in Moldova. Nelli Babayan and Natalia Shapovalova add that there exist widespread support to the EU among the various segments of Armenian society. They see the 2012 presidential and parliamentary elections becoming crucial for Armenia's future EU-approximation (Babayan/Shapovalova 2011).

8 The 'Freedom in the World 2011' report of the Freedom House classifies Azerbaijan and Belarus as 'not free', while the rest of the EaP partner countries are classified 'partly free' (Freedom House 2011). Writing about the EU-Azerbaijani Association Agreement, which is expected to be signed in the foreseeable future, Rashad Shirinov argues that the agreement is largely 'non-political /.../ mostly about free-trade zone and visa liberalisation' (Shirinov 2011: 80). Finally, the 2011 'European Integration Index for Eastern Partnership Countries' places Azerbaijan and Belarus on the tail ratings in all measured indicators (IRF/OSF 2011).

ranging from the 2008 war between Georgia and Russia to the various military and economic contractual arrangements between Armenia, Belarus and Russia.

Against this backdrop it is obvious that the EU is not in a position to offer an uniform approach to the membership perspective in case of the Eastern Partnership partner countries. The possibility of such a perspective is, however, constantly there. It seems increasingly obvious that even Russia's strong presence in the region has not managed to push the membership perspective from Eastern Partnership's agenda. Ariella Huff, for instance argues, that in the recent years the EU has been quite able to penetrate its own agendas in the Eastern Partnership partner countries benefitting of the improved Polish-Russian relations, but also of the fact that also Russia has been searching for cooperation modes with the EU.⁹

Conclusion

Despite the fact that the EU avoids explicit mentioning of the membership perspective in its Eastern Partnership rhetorics, the issue is definitely there. True, currently its position is still vague and undefined. However, quite ready to be upgraded and activated in case a proper opportunity emerges. For instance, if at some stage it would be possible to associate Moldova with the Western Balkans enlargement process.

For the EU a number of factors count which prevent the Union from shifting the membership perspective from its Eastern Partnership agenda. Firstly, Union's security agenda demands the EU be active in the countries of the Eastern Partnership. In order to prevent these countries to slide into political and social turmoils, and from becoming migration springboards, the EU has to invest a lot of influence into these countries, including into shaping of their policies. In other words, the EU's pressure of conditionality is directly related to the EU's security concerns. Here the membership perspective plays an unescapable role of legitimacy-provider.¹⁰

On the other hand a rather lengthy period of time should be taken into consideration in terms of realisation of the EU membership perspective of any of the current Eastern Partnership partner countries. At the current moment the EU simply does not have any other option except to keep the eastern partners' membership perspective on a very theoretical level.

The process towards the EU enlargement in the Eastern Partnership partner countries is not to last a few years but at least a decade. It is very unlikely, for instance, that the EU-accession of the Western Balkans will be finalised before 2020, more likely even further. And if Moldova gets a chance to join this enlargement cohort (with or without Transnistria), it is going to be an absolutely remarkable success.

In case of Ukraine and Belarus not only their close linkage to Russia but also the size and conflicting interests of domestic elites make prognosing the realisation of their EU membership perspective increasingly difficult. The South Caucasus region is deeply affected by geopolitics. Success or failure of Turkey's EU-accession, together with the complex settlement of the conflicts over Abkhazia, South Ossetiya and Nagorno Karabakh, determine the future EU-approximation of Georgia, Armenia and Azerbaijan even more than it is going to be the case with Moldova, Ukraine and Belarus.

But finally, focusing on a longer time period would always be handicapped if it fails to take the sudden, even dramatic changes of events into the consideration. Events, if anything will determine how and if the idea of the EU 'membership perspective' moves from rhetorics into practical policy implementation. Rosa Balfour has indicated that the EU has been successful in gradually increasing its presence in the EaP partner countries by deliberately avoiding too close involvement with region's most sensitive political issues and controversies.¹¹ Such a strategy may provide an effective ground for a more ambitious action in the future.

9 Huff 2011: 15-16.

10 Direct link between the EU's normative conditionality and Union's membership/enlargement is for instance stressed by Amy Verdun and Gabriela Chira. They argue that: 'Despite formal refusal from the EU, each [EaP - VM] country may increase its chances by complying with EU enlargement-type conditionality. These countries' aspirations may also be favourably viewed if there were external factors that would render their accession more advantageous to the EU' (Verdun/Chira 2011: 448).

11 Balfour 2011: 29-40.

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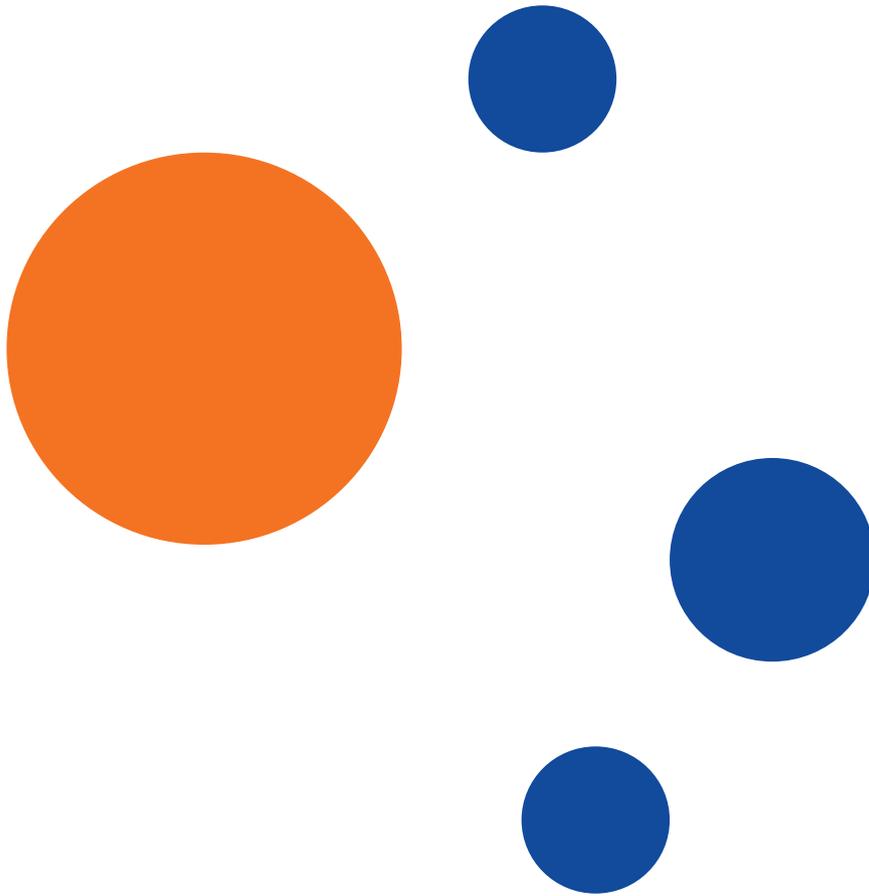


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