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The Black Sea Reflection of the ENP

Brief Introduction

This paper does not intend to address the normative aspects of the European Neighbourhood Policy. Instead, it critically examines the obstacles and challenges that lie ahead for a successful implementation of the ENP for the Black Sea region, with an emphasis on the Ukraine- EU relation from the social point of view. The study consists of three sections and the conclusions. The first section is devoted to ENP (a theoretical approach), the second section explores the Black Sea’s capabilities to become a major attraction for the ENP and the last section deals with the movement of people in the same region, especially in Ukraine

1. The European Neighbourhood Policy- theoretical approach

The ‘big bang’ enlargement in May 2004 brought new Eastern neighbours into the periphery of the EU. In order to cope with this new situation, the EU launched in March 2003 *The New Neighbourhood Policy* to “define EU’s new outer edges”. Following endorsement of its proposals by the Council and European Council in June 2003, the Commission produced a Strategy Paper in May 2004 and a number of Country Reports. Later on, the name of the initiative was changed finally into *European Neighbourhood Policy* (ENP), in May 2004.¹

¹ http://www.diis.dk/graphics/Publications/WP2005/22_uho_EUs_Neighbourhood.pdf

As the EU is fast approaching its final borders, not only the member states, but also those left out are looking apprehensively to see what the implications of enlargement will be and how the EU will proceed with its external relations.

The European Neighbourhood Policy applies to the EU's immediate neighbours by land or sea – Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Syria, Tunisia and Ukraine. Being targets does not mean that those countries are fully-integrated in ENP, which necessitates the acceptance of the target country since it's a bilateral process in implementation and the very existence of contractual relations with the countries concerned.

In the past, the EU has found innovative ways to deal with the problems of expansion for its immediate environs and has created institutional linkages with neighbouring countries in a way that ensures their cooperation on crucial issues and continual transformation towards EU norms.² Euro-Mediterranean cooperation in the form of the Barcelona process, the Northern Dimension, Central and Eastern Europe and the Stability Pact for South-East Europe, are results of this policy.

Some authors consider that the EU has mainly initiated the project on “European Neighborhood Policy” towards the eastern European and the Mediterranean countries because its failure to export security to these regions. The ENP is tasked with developing a policy that “stabilizes the neighborhood and draws it into a virtual circle of development and democracy without offering the prospect of accession”.³ For instance, the EU has been trying to manage security by offering its neighbors the so-called “golden-carrot” of membership, where appropriate.

The *overall objective* of the ENP is to counterbalance possible fears that the future borders of the Union will become a new dividing line in Europe, and to create a “ring of friends” from Morocco to Russia and the Black Sea (COM(2003)104, p.4). The emphasis is thus on promoting stability both within and between the neighbouring states,

² Hiski Haukkala, *A Hole in the Wall? Dimensionalism and the EU's “New Neighbourhood Policy”*, UPI Working Papers, 41, 2003, pp. 7-8

³ Rosa Balfour and Alessandro Rotta, *Beyond Enlargement: The European Neighborhood Policy and its Tools*, *The International Spectator*, Vol. 40, No. 1 (January-March 2005), p. 8.

and economic and social development leading to increased prosperity and increased security on the EU's borders.⁴

The Commission hopes that its new policy will stop neighbouring countries from demanding promises of membership for a while. The policy is also intended to reassure current member-states that the Union will not go on enlarging indefinitely. It offers countries a process of integration that does not prejudge which of them might someday join the EU.

Without this prospect, countries are less likely to take up the EU's offers of help, for example in reforming their economies. The EU thus needs to give its neighbours additional incentives to cooperate, or it will have very little influence over them. In their current form, the Commission's proposals look like a token policy, not a serious attempt to transform the EU's neighbourhood. From this point of view, the ENP is not an enlargement policy but a post-enlargement strategy. So far, the EU has offered very little that its neighbours want. The ultimate prize – membership – is available only to Turkey and the five countries of the Western Balkans.

By comparison with this enlargement game, the EU's performance as a foreign policy actor aiming at the promotion of democracy is very mixed. The distinction between enlargement and foreign policy or between the internal and the external is thus crucial. The case studies illustrate how the objective of democracy promotion can be trumped by several other priorities, such as strategic security, energy supply security, strategic diplomacy, conflicting visions for the future of Europe and world views. Here democracy is not so often, or so clearly number one.⁵

The EU attempts to translate its ever-growing economic leverage into a diplomatic tool. It positions itself as a civil and civilizing power (it relies on soft power instruments in comparison with the US which relies more on coercive instruments) that uses instruments of persuasion, strategic dialogue, free trade agreements, regional projects and financial incentives and rewards to "export" peace and democratization

⁴ Commission of the Bishops' Conferences of the European Community, *A RING OF FRIENDS*, special issue of Europe Infos, Brussels, 12/2003

⁵ Mathew Spence, *Policy Coherence and Incoherence: The Domestic Politics of Democracy Promotion*, working paper, CDDRL, Stanford, 4-5 October 2004.

The EU is keen to translate its economic power into political influence and hegemony and to use that influence to promote its values. Europe wants to become not merely a payer, but also a player, to change its status of “political dwarf and military worm”, as the Belgian Foreign Minister called it. A central theme of this is the promotion of social reforms, democratization, respect for human rights and peaceful resolution of regional conflicts.

The EU intends to utilize the ENP as a *social engineering instrument*, one that would promote economic construction, democracy, good governance, the rule of law, as well as civil, political, economic, social and cultural human rights in the neighbouring countries.⁶

The ENP is based on the *à la carte* principle. Under it, the relevant neighbouring countries may, in principle, select the components of the Internal Market consistent with their own interests, while rejecting other components which might harm those interests.

Another feature of the ENP is the differentiated, tailor-made principle, whereby the EU's treatment of each of its neighbours would vary in accordance with each neighbour's particular needs, objectives, economic development and rate of progress

The social and economic engineering project designed under the aegis of the ENP cannot be successfully implemented without an efficient and coherent institutional and financial apparatus. Thus, the Strategy Paper outlines the vision of the ENP and its main components. Country Reports assess the relevant bilateral relations, analyze the political, economic, social and institutional landscape of the neighbour concerned. Action Plan will provide a specific outline of reciprocal social, political and economic commitments between the EU and the relevant neighbouring state. This framework will be supported by a financial European Neighbourhood Instrument, and by a Wider Europe Task Force.

Fundamentally the neighbourhood policy has yet to reveal clearly what it is meant to be. “The optimist can say that this is a case of a glass half full, rather than half empty. At least the glass has been constructed, it is reasonably transparent, and more could be poured into the container in due course”.⁷

⁶ Dr. Guy Harpaz, *The Obstacles and Challenges that Lie ahead for a successful Implementation of the European Neighbourhood Policy as a Social Engineering and Peace-Promotion Instrument*, p.4

⁷ http://www.ceps.be/Article.php?article_id=416

2. The Black Sea Region-“ the trump card” for Europe

The EU has just undergone its sixth round of enlargement (Bulgaria, Romania). Every enlargement so far not only brought new members and territories to the Union, affecting its inner structure, but also created new borders, neighbours and problems. The latest and the seventh (to be achieved in a longer timeframe with Turkey) rounds of enlargements will extend the EU even further to the East, to the shores of the Black Sea.

A key external relations priority for the EU is to promote prosperity, democracy, peace, stability and security in its immediate environs. These aspirations are more urgent for the wider Black Sea region not only because of the political, economic, administrative, ecological and social challenges with which the basin is faced, but also in view of recurrent conflicts/instability in the region of the EU's eastern flank.

Situated at the crossroads between Europe and Asia, as well as Russia and the Middle East, and linked to Southern Europe with access to the Mediterranean and to Central Europe through the Danube River, the Black Sea is more than a region of local strategic significance, representing “an axis of increasing geo-political importance in the enlarging European Union”.⁸

The Black Sea region is at the epicenter in the grand strategic challenge of trying to project stability into a wider European space and beyond into the Greater Middle East.⁹ Put simply, the interface between the Euro-Atlantic community and the Greater Middle East runs across the Black Sea, the new Fulda Gap. The generational challenge of projecting stability into the Greater Middle East will be much aided by a stable and successfully anchored wider Black Sea region.

The Black Sea Economic Cooperation (BSEC) organization, bringing together 350 million people in an area covering 20 million square kilometers, is the most institutionalized structure within the region. Since its initiation in 1992, it has succeeded in creating an extensive cooperation scheme. So far, the organisation seems to prefer a project-based approach, mostly in the area of economic cooperation.

In addition to the BSEC, there are various other forms of regional bilateral and multilateral cooperation projects and programmes in the region, with or without the

⁸ EU Commission, Press Release, Brussels, IP/01.1531, 31 October 2001

⁹ http://www.ceps.be/Article.php?article_id=416

participation of international organizations such as the UN, the EU and NATO. The EU has developed and supported a number of multilateral infrastructure programmes for wider Eurasia that centers on the Black Sea. The EU Commission, under its SYNERGY programme, initiated the establishment of the Black Sea Regional Centre. Following UNESCO initiative, the Mediterranean and Black Sea Regional Tolerance Network was established as a non-governmental group to fight against intolerance, discrimination and violence.

As far as the EU is concerned, the Black Sea region includes a number of different groups of states and has made different forms of agreements with them:

- EU member states: Greece (1981), Romania, Bulgaria (2007);
- EU accession countries: Turkey;
- non-EU countries with Partnership Cooperation Agreements but no membership prospect for the foreseeable future: Armenia, Azerbaijan, Georgia, Moldova, Ukraine and Russia, three of which are not even included in the New Neighbourhood framework;
- non-EU countries in the Stabilization and Association Process, with eventual EU membership prospects: Albania, Macedonia, Serbia and Montenegro;
- Stability Pact countries (Albania, Bulgaria, Greece, Moldova, Romania, Turkey, Macedonia, Serbia and Montenegro).

These different types of status in relations with the EU “mean different operating policies and programmes, legal bases and financial instruments”.¹⁰ On the other hand, it was clearly the EU Commission’s intention to develop a “Black Sea connection” with the regional countries when it adopted its Communication on regional cooperation in the Black Sea region, which was defined as “Greece, Bulgaria, Romania and Moldova in the west; Ukraine and Russia in the north; Georgia, Armenia and Azerbaijan in the east and Turkey in the south”. Acknowledging the “growing strategic importance to the European Union of the Black Sea region”, the Commission expressed “its intention to develop a new regional cooperation strategy”. It further listed the areas in which cooperation could

¹⁰ Emerson and Vahl, *Europe’s Black Sea Dimension*, p. 19-20

be promoted e.g. transport, energy and telecommunications networks, trade, ecologically sustainable development, justice and home affairs.¹¹

For instance, to overcome infrastructure bottlenecks in the region and to improve climate for trade and investment, the EU needs to prepare a region-wide multilateral cooperation agreement to complement existing bilateral treaties and support projects with an emphasis on regional cooperation. On the other hand, given the importance of multilateral cooperation in the field of energy and the EU's need for diversified resources, it should increase its support for the implementation of new energy interconnection network projects in the region.

The existence of mostly Western-based multinational oil companies in the Caspian Basin, at the eastern end of the Black Sea region, indicates the increased Western interest in gaining access to Caspian oil and gas through the Black Sea. While the possibility of transferring oil and gas from large-scale deposits to industrialized Europe raises hopes for regional economic development and prosperity, at the same time it gives substance to the belief that whoever secures the major share of oil pipeline transit will gain enhanced influence not only throughout the Black Sea and the Caspian Regions, but also on a global political scale. Consequently, rivalry over the Caspian Basin energy resources, transport routes through and around the Black Sea, interaction with many regional conflicts and international involvement in these conflicts, confer on the region a unique geopolitical interest.

As the various unresolved dormant conflicts of the region present the main obstacle to further regional cooperation and enhancement of peace and stability on the doorstep of the EU, it should continue to support grassroots civil initiatives and NGO activities, as well as emphasizing human and minority rights, in an attempt to further consolidate civil society and democratization in the region.

Europe might also be affected by the increasing threat of radicalized Islam that is emerging especially in the northern Caucasus. Moreover, illegal immigration, drug trafficking and growing criminal activities in general cause concern in Europe.

¹¹ European Commission, *Regional cooperation in the Black Sea area: State of play, perspectives for EU action encouraging its development*, Communication from Commission to the Council, COM (97), Brussels, 1987

The Black Sea remains a region in the making, with plenty of conflicts. Active encouragement and support of the Black Sea cooperative process is very important in this regard and the EU has an important role to play in the promotion of stability in the wider Black Sea region.

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3. Movement of people – the case study of Ukraine

From the social point of view, border regions pose security risks because of the concentration of minority populations across borders. The continuing instability due to these frozen conflicts continues to feed profitable criminal activities, terrorism and further migration. Demographic changes, migratory pressures and refugee flows are obviously major concerns for Europe. It is clear that the migration and population displacements emerging as a result of various conflicts, decreasing standards of living or environmental catastrophes can create insecurity, heighten ethnic tensions, undermine the regional social order and consequently affect nearby EU countries.

The Commission paper raises the prospect of reducing some of the administrative obstacles faced by people living in frontier regions in traveling across the EU's borders. It also mentions the possibility of making it easier for citizens of neighbouring countries to gain Schengen visas – but without details or a timescale. In return, the Commission wants co-operation from the neighbours on making travel documents more secure and frontier management more efficient by training professional, non-military border guards.

For ordinary people the ability to travel freely in other countries is one of the few unambiguous benefits of the end of communism. Even for the many people in wider Europe who have not traveled or worked abroad, knowing that the possibility exists for them and their children is very important. It fundamentally shapes their view of the EU.

However, member-states may well adopt an increasingly restrictive approach to allowing people into the Schengen zone of passport-free travel in future, owing to fears of terrorism and illegal immigration.

The EU could help neighbouring countries by: working more intensively with the neighbours to ease the burden on ordinary travellers and catch more illicit trade and illegal migration; providing more assistance with customs, not just immigration controls; giving the next generation a chance to learn about the EU. Thousands of young people from Central and Eastern Europe have taken up the opportunity to study and work in the EU-15 countries over the past 15 years. The EU should offer the same opportunities to people in its neighbourhood, by allowing young people to travel and work for short periods in the Union. It should set up many more scholarship programmes and student exchanges.

The new Central European members of the EU have a special role and stake in this process. Having gone through the complex process of pro-European reforms, they have an important advantage. They have the potential to become a source of knowledge, experience and encouragement to the countries further East and Southeast.¹²

Ukraine is a new, strategic neighbour for the EU that aspires to join it and has strong historical, political, economic and cultural links with the new EU members. From its perspective, the ENP is a disappointment because it includes the country into the same group as the Mediterranean countries which do not have a clear European perspective. Such a perception of the ENP was evident from numerous statements and comments by Ukrainian policy-makers and analysts.¹³

Nevertheless, Ukraine accepted this new policy instrument and took its implementation seriously. Although the political elite in Ukraine was not satisfied with the long-term prospects of the ENP, it accepted the ENP as a short-term and intermediate framework and has tried to make the best use of the opportunities offered by it.

Starting from 2008, Ukraine can either move to a new stage of its relationship with the EU, which would have a very different quality, or remain one of many countries within the ENP. Three policy projects stand out which from 2008 on could ultimately bring its relationship with the EU to a new level. Those projects are a dialogue on visa facilitation, negotiations on a Free Trade Area and on the new “Enhanced Agreement”.

¹² I. Burakovsky, V. Movchan, *Implications for Ukraine's Relations with its Central European Neighbours*, Institute for Regional and Euro-Integration Studies “EuroRegio Ukraine”, 2004

¹³ M. Overhaus, H. Maull, S. Harnisch, *The New Neighbourhood Policy of the European Union, Perspectives from the European Commission, France, Germany, Poland, Ukraine and Moldova*, Volume 7- no. 19, Trier, Germany, July 27, 2006

In November 2005, the EU and Ukraine launched negotiations on visa facilitation aimed at simplifying visa procedures and at allowing easier access to visas to certain categories of Ukrainian citizens (like journalists, students, university teachers, businessmen etc.), including the possibility of long-term multiple-entry visas (for the duration of up to five years).

The signing and entry into force of this agreement will already put Ukraine ahead of other ENP countries (citizens of Israel enjoy a visa free regime with the EU, but the EU-Israeli relationship has a very different context). At the same time, the visa dialogue does not foresee a removal of Ukraine from the Union's visa "black list", which is an important shortcoming.

4. Conclusions

The EU should be realistic as well as ambitious in its neighbourhood policy. The Union cannot expect to transform the whole of 'wider Europe' in the way it did the Central and East European candidates. Those countries identified with the EU as a way of reaffirming their Europeanness, and accession was clearly open to them.

The Union frequently argues that countries should undertake reforms and cooperate with its policies because that will help them to achieve goals like becoming full market economies and combating terrorism. But these are EU priorities, and are much less interesting to the neighbours' governments. If the EU wants to persuade its neighbours to cooperate, it needs to give them much more help with the areas they really care about, not just its own concerns.

But despite these difficulties, the Union needs to develop a much more coherent, consistent and ambitious policy for its neighbourhood. Even if membership is not possible in the foreseeable future, the EU needs to develop a more substantive process to engage its neighbours and integrate them into its policies. Troubled countries with difficult regimes will be on the EU's doorstep regardless of how far and how fast the accession process goes. If the EU fails to build a more credible and substantive policy, it will constantly have to manage crises in its backyard. That would be much more expensive and difficult than devising an effective strategy now.

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