

The European Neighbourhood Policy: A Bureaucratic Phoenix?



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Summary

The European Neighbourhood Policy (ENP) was initiated in 2003 with regional variations in the south with the Union for the Mediterranean since 2008, and in the east, with the Eastern Partnership since 2009. The aim of bringing together countries as diverse as Egypt and Armenia under the same heading seems bold. The bureaucratic advantage in having a single framework is obviously understandable, but the political relevance is less so. However, the geopolitical unrest in the east and the south have created many uncertainties, both in terms of security and the European Union's ability to be an influential and leading actor. Hence, the revision of the ENP in November 2015 and the publication of the EU's Global Strategy in June 2016 to try to refocus European priorities.

They are based around three principles: selectivity, stability, and resilience. First of all, selectivity allows for a greater differentiation in the treatment of partners, particularly according to the willingness of these countries to co-operate with the EU. Then, stability takes on centrality in face of support for democracy; European security concerns have become a priority. Finally, resilience reinforces the idea that stability and security are fundamental principles of the ENP, although this concept remains fairly vague and difficult to export.

Gradually, the ENP is becoming a toolbox. The EU knows, rightly, that it cannot hope to transform all its neighbourhood, either at the same rate, or towards the same horizons. This is why the ENP needs to be based on a clear political framework so that its tools and its relations are governed by guiding principles. The Global Strategy can provide such a framework. The European institutions and Member States must ensure that there is coherence of action. It is all the more important as the ENP has suffered from its technocratic nature for a long time, which disconnected it from the broader foreign policy objectives. Nowadays, there is an opportunity to correct this design fault and to put the ENP at the service of the EU's foreign policy and make it more relevant in the eyes of Member States, who may then invest in it further.

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Introduction

The European Neighbourhood Policy (ENP) is a political conundrum. The ambition of bringing together countries as diverse as Egypt and Armenia under the same heading seems bold. The bureaucratic advantage in having a single framework to manage relations with neighbouring countries to the east and south of the European Union is obviously understandable, but the political relevance less so. Beyond the obvious differences which characterise the 16 countries brought together within the ENP, the interest of these countries in co-operating with the European Union varies significantly – as much as the EU's interest in deepening relations with all these countries.¹ However, the EU has been building partnerships with its neighbours since 2003 in the context of the ENP, complemented since 2008 by the Union for the Mediterranean (UfM) for the south and since 2009 by the Eastern Partnership (EaP) for the east. In the space of 13 years, this policy has already undergone three revisions, the last one dating from November 2015.

It had to reflect the deep geopolitical changes which shook up the southern and eastern flanks of the European neighbourhood, whether it was the resurgence of an assertive Russia or the very contrasting results of the Arab spring. Hence, this revision had to “ensure that in the future the ENP can more effectively support the development of a zone where stability, security, and prosperity are shared with our partners.”²

Besides this revision of the ENP, the EU has also begun to draft a “Global Strategy for the European Union's Foreign and Security Policy,” which is supposed to replace the 2003 “European Security Strategy” (ESS). Published in June, this “Global Strategy” obviously covers the neighbourhood and introduces the concept of “resilience” to the east and south – missing from the revision of the ENP. This sequence recalls that of 2003 when the first communication by the Commission about the ENP pre-empted the release of the ESS by a few months. The relevance of this

1. It is important to look past the letter of the Treaty of Lisbon, which it is true, states that the EU has to maintain “privileged relations” with its neighbours (Article 8 of the Treaty on the European Union).

2. European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy, “Towards a New European Neighbourhood Policy”, Joint Consultation Paper, 4 March 2015, available at: <http://ec.europa.eu>.

timeline can be questioned: the Global Strategy is the EU's main guidance paper on foreign policy. It can therefore revisit some principles enacted in the ENP revision in November 2015. Several lessons can be identified. The first concerns the positioning of the EU. Faced with much criticism of a Eurocentric ENP and a European attractiveness that is questioned, the EU seems to be placing a bet on selectivity, not only with regard to the partners it wants to deepen relations with, but also in the ambition that it is fuelling with these partners. This is reflected in an emphasis on differentiation – an even more cardinal principle than before – and on flexibility in the content and the ambition of the co-operation programmes in terms of what it can expect from its partners and what they want.

The second lesson reflects the European security concerns. The revision of the ENP makes stability its guiding principle, while the Global Strategy establishes resilience. These two concepts contain a defensive implication far from the “circle of well-governed countries” and the optimism shown in 2003 and even in 2011. The transformative power of the EU in its neighbourhood seems less present in the European discourse. Putting stability at the heart of the debates may even seem astonishing when you know that it is precisely this search for stability which fuelled the strong criticism of the ENP in the 2000s when the EU seemed complacent in the face of some authoritarian regimes, starting with Tunisia.

Are the three key concepts of the ENP – selectivity, stability and resilience – adapted to European ambitions and abilities in its neighbourhood, as well as to the interests of the eastern and southern partners? How to interpret this change in direction in the broader context of the development of the European project?

An analysis of the evolution of the ENP since 2011 will help to put the latest developments into context, as much the November 2015 reform as the place of the neighbourhood in the Global Strategy. An analysis of the main concepts surrounding the ENP will serve to record European thinking about its neighbourhood in a wider reflection about the development of the European project.

Neighbourhoods in Troubled Waters

Many events which have occurred since the start of the 2010s, have profoundly affected the security balance in the eastern and southern flanks of Europe. These upheavals have forced the European Union to review its major co-operation programmes and to question its ability to influence events in its neighbourhood.

From a “circle of well-governed countries” to a “circle of fire”

Instability and concerns in the south

Mohammed Bouazizi setting himself on fire on 17 December 2010 would be the catalyst for the Arab spring. Protests and demonstrations spread throughout the country for several weeks. Ben Ali's fall occurred on 14 January. The transition, which then started, proved to be complicated: between established interests and the rise in new actors, particularly the Islamist party Ennahda, Tunisia struggled to become politically stable. The country's economy, which was already fragile, collapsed.

Although the country has succeeded in establishing democratic institutions, in providing some political stability, and in redressing the economic situation somewhat, terrorism has darkened a promising picture. The attacks in recent years have reminded us of the country's precarious security situation. However, its closeness to Libya, a country with no central government subject to violent fighting between rival militias and the rise of Daesh, makes the country important in the fight against terrorism.

Nevertheless, Tunisia was quickly identified as a country to support. The EU released additional funds for Tunisia, set up a *task force* as of September 2011, and increased co-operation programmes with the Tunisian government and civil society: opening up negotiations for a deep and comprehensive free-trade agreement (DCFTA), raising the limits for export quotas of Tunisian olive oil on the European market, etc. The EU is

even experimenting with new types of co-operation, by launching a security sector reform project for local police forces.

In Libya, the military operation in 2011 and Mouammar Gaddafi's fall plunged the country into chaos. The pretence of stability in the country during Gaddafi's very long regime broke out to show deep divisions in the Libyan society. Opponents to the regime have failed to ensure transition. The country has plunged into violence with the creation of several militias, to the point that the country appeared ungovernable. This chaos was conducive to the emergence of Daesh in Libya. Its territorial gains were phenomenal in 2015, although the movement has experienced several recent territorial losses. However, the country remains a source of concern in Europe, as much for the chaotic security situation, as for the porousness of its borders, from where thousands of refugees leave to reach the Italian coast.

Egypt also caused a shock wave for the Europeans. Hosni Mubarak's fall, initially, followed by the coming to power of the Muslim Brotherhood, which was overthrown by a military coup in July 2013, recalled how little influence Europe has in this country. Above all, the Egyptian situation poses a dilemma for the EU and its Member States regarding the attitude to adopt in relation to the current government of General el-Sisi and the iron grip which he holds the country in.

Syria remains the most complicated case. No country has experienced continuous episodes of war as it has been the case in Syria for five years. Europe is struggling to find a position with regard to Bashar al-Assad's regime; as well as actions to be taken against the establishment of Daesh. Hence, the EU has adopted a weak stance because of the differences which divide the Member States. Beyond humanitarian and development aid and a wave of sanctions and diplomatic announcements, the EU does not seem to be able to influence this issue. Add to this, the departure of millions of Syrians for neighbouring countries and Europe. Faced with an enormous influx of people at the European coasts, more than 850,000 arrivals in 2015, and the European countries' inability to find a compromise to manage this extraordinary situation, the refugee crisis further highlighted the sensitivity of the Syrian issue, increasingly associated with the refugee crisis.

The upheavals briefly identified in these four countries have raised questions about the Europeans' room for manoeuvre, their ability to act, their influence and the impact of local situations on European security. This last point is important. The previous Libyan and Tunisian regimes controlled the irregular immigration flows via the Mediterranean Sea. The European dilemma was also evident in Libya. The European Union

refused to co-operate with Tripoli because of the nature of the regime. On the other hand, the European authorities concluded several agreements with Libya to control the mass arrival of people at the European coasts.³ Nowadays, with no central government, checks are few, while the flow of people trying to reach the Italian coast is increasing. Shortly after the beginning of the Arab spring, European considerations alternated between supporting the new authorities and a desire to guarantee control of the maritime borders by transit countries. This twofold approach characterises the European response in the region.

Is there nothing new in the east?

The eastern neighbourhood has not been left by the wayside since 2011, even if the events which disturbed the region started in 2013. So, the 2011 reform of the ENP was not initiated because of a change of course in the east. Admittedly, there was the Russo-Georgian war in 2008, which however only had a limited impact on the ENP as a whole. However, this emphasised the interest of some Member States, mainly Poland and Sweden, in launching the Eastern Partnership in 2009.

Ukraine seemed to be moving away from the EU in 2010. The election of Viktor Yanukovich marked a turning point towards Moscow when the EU was considering forming closer relations with the country. Both parties had begun negotiations for the signature of an Association Agreement with a DCFTA. The power struggle between the European Commission and Russia over Ukraine was real: it maintained that the DCFTA and the Eurasian Economic Union, just created by Russia, were incompatible, while it was unacceptable to Moscow for Kiev to sign the DCFTA. The Commission's attitude assumed a technical nature: Ukraine's membership of the Eurasian Economic Union would require it to negotiate an agreement with all of this Union and no longer just with Ukraine. On the other hand, the Russian stance was geopolitical: it was a question of not losing Ukraine. The Russians put sufficiently strong pressure on President Yanukovich for him to reconsider his decision to sign the DCFTA in November 2013. After several months of demonstrations in Ukraine and the annexation of Crimea by Russia, many attempts at destabilisation took place in eastern Ukraine, as well as armed confrontations in Donbass.

3. V. Bonavita, "The Externalization of Border Controls towards the EU's Broader Neighbourhood: Challenges of Consistency", in S. Gstöhl et E. Lannon (eds.), *The European Union's Broader Neighbourhood: Challenges and Opportunities for Cooperation beyond the European Neighbourhood Policy*, Oxon, Routledge, pp. 11-36.

However, this situation did not prevent the EU and the new Ukrainian government from signing the Association Agreement and the DCFTA on 27 June 2014.

The positive outcome for the EU in Ukraine has not been repeated in Armenia. The country, which was engaged in the same negotiations as Ukraine, suddenly chose in September 2013 not to sign the Association Agreement and to the contrary to join the Eurasian Economic Union. This about-turn forced the Commission to express its disapproval at the pressure exerted by Russia on the countries in the Eastern Partnership.⁴ This Armenian “choice” marked the end of ambitious relations between Erevan and Brussels, although the path for new negotiations was opened in October 2015. However, Armenia’s membership of the Eurasian Economic Union complicated these negotiations.

In the east, Russia became an obstacle in the EU's eastern neighbourhood. Although the European institutions considered that the Association Agreements did not constitute a threat to Russia, Moscow interpreted it very differently⁵. This situation led the EU to question two givens: is Russia still a strategic partner? Is the EU's transformative power still attractive in the eastern neighbourhood? The answer to these questions seems to tend towards the negative. Hence, the decision to focus on some countries rather than others that are also subject to Russian pressure, but inclined to co-operate with the EU: Georgia and Moldova.

European responses

Old methods updated?

The Arab Spring propelled the newly established European External Action Service to the forefront. In order to be seen as voluntary and entrepreneurial in the face of the significant events to the south of the Mediterranean, the European institutions published a revision of the ENP in 25 May 2011.⁶ This put the finishing touches to a previous publication in March intended for the southern neighbourhood.

4. Š. Füle, "Statement on the Pressure Exercised by Russia on Countries of the Eastern Partnership", Strasbourg, 11 September 2013, available at: <http://europa.eu>.

5. G. Nodia, "The Revenge of Geopolitics", *Journal of Democracy*, Vol. 25, No. 4, October 2014, pp. 139-150.

6. High Representative of the European Union for Foreign Affairs and Security Policy and European Commission, "A New Response to a Changing Neighbourhood: A Review of European Neighbourhood Policy", COM(2011) 303, 25 May 2011.

The Joint Communication by the High Representative, Catherine Ashton, and by the European Commission had to establish several key principles: differentiation, conditionality, and mutual accountability for the programmes. The first two are closely linked. Differentiation means that the EU can more or less develop closer relations with its partners depending on the partners' ability and desire. The second has often been summarised by the formula: "more for more, less for less". In other words, the level of integration with the EU depends on the reforms implemented by the partners. This is reflected, for example, by growing access to the European markets. On the other hand, the EU says it is ready to reduce the scope of its relations with an uncooperative partner. The third component recognises that European priorities dominate the co-operation programmes, hence the need to find a better balance to make "common interests" appear. In reality, these changes only reaffirm the principles already enacted in the first ENP documents.⁷

However, the implementation of a form of conditionality implies that the partners consider the European partner – and the conditions that it imposes for co-operation – as essential. Indeed, the EU is explicit about the importance of democratic reforms: "The new approach must be based on mutual accountability and a shared commitment for the universal values of human rights, democracy, and the rule of law."⁸ However, this assumption does not take into account the fact that populations freed from the yoke of authoritarian regimes were not looking to rush towards the EU, often seen as complacent towards these same regimes. Without forgetting that the presence of legitimate and stable partners is not a guaranteed given in all the countries, as shown by Libya and Syria.⁹

One of the purposes of this revision of the ENP was not only to be able to use it for medium- and long-term objectives, but also for crisis situations, which it was not initially prepared for. In order to affirm its attractiveness for its partners, the EU has summarised its offer by the "three Ms": *money, market, mobility*.¹⁰

The first component has been translated into an additional financial commitment of € 1.2 billion as part of the European Neighbourhood and

7. O. Shumylo-Tapiola and V. Pertusot, "The European Neighborhood Policy: Still a Long Way to Go", in CIDOB (ed.), *CIDOB International Yearbook, 2011*, Barcelona, CIDOB, 2011.

8. European Commission, "Review of the European Neighbourhood Policy", 18 November 2015, JOIN(2015) 50 final, available at: <http://ec.europa.eu>.

9. M. Asseburg, "The Arab Spring and the European Response", *The International Spectator*, Vol. 48, No. 2, June 2013, pp. 57-58.

10. C. Ashton, "Remarks on Arrival to the Extraordinary European Council", 11 March 2011, available at: www.consilium.europa.eu.

Partnership Instrument (ENPI), which became the ENI in 2014. This amount was in addition to the 12 billion provided for in the multi-annual 2007-2013 financial framework. Over the period 2011-2013, €540 million was dedicated to the south as part of the SPRING programme, a sort of reform incubator for the Mediterranean countries in the context of the ENPI. The European Investment Bank increased its investment capacity for the southern neighbourhood by €1 billion and the European Bank for Reconstruction and Development, whose mandate was restricted to eastern Europe, changed its statutes to be able to make loans to the south.

The countries in the Mediterranean neighbourhood had mostly signed a free-trade agreement in the 1990s, but this did not give them the same degree of access to European markets as the DCFTA, created as part of the EaP. Hence the objective of opening negotiations with voluntary and capable partners in the south.

In the same vein, the EU expanded the geographic scope of these instruments in terms of mobility. It had already finished negotiations to introduce visa liberalisation schemes with several eastern neighbours. In order to regulate these negotiations, the EU created the Mobility Partnership, which covers both issues of mobility and migration – and intrinsically those related to irregular immigration.

By reflecting the new features of the EaP, the EU marked a change of approach, at least theoretically, *vis-à-vis* its partners by institutionalising its dialogue with civil society.¹¹ It created the Civil Society Facility to intensify dialogue between the EU and non-governmental organisations in the east and south. The EaP had already fostered the creation of dialogue at civil society level, at a multi-lateral level, whereas this facility must be above all bilateral. Therefore, emphasis was made on the south. The 2011 reform also anticipated the creation of a European Endowment for Democracy (EED), inspired by its US equivalent, the National Endowment for Democracy.

11. G. Noutcheva, "Institutional Governance of European Neighbourhood Policy in the Wake of the Arab Spring", *Journal of European Integration*, Vol. 37, No. 1, January 2015, pp. 19-36.

Despite a modest budget (€6 million per year) and some difficulty in setting up, these first results seem encouraging.¹²

Nevertheless, it would be inadequate to limit it to the strict format of the ENP or to these multilateral forms, the EaP and the UfM. Indeed, the EU's relations with its neighbourhoods exceed these frameworks. Two other aspects which are important to analyse: the migration issues and the common security and defence policy (CSDP).

The migration issues are partly incorporated into the direct activities of the ENP with the establishment of mobility partnerships, and visa liberalisation schemes where appropriate. However, other activities have been added at the same time. In 2011, the Global Approach to Migration and Mobility (GAMM) instrument adopted a general framework for relations with the southern neighbourhood to cover the issues of migration, asylum, and the fight against irregular immigration. The budget allocation remains modest: European support increased in 2015 to €192 million for ongoing activities. Other contributions have been added to this initiative. The EU set up the Madad fund in September 2015, with an initial allocation of €23 million which reached €733 million in May 2016 with contributions from Member States, Turkey, but mainly from various EU instruments. This fund has the role of supporting the countries neighbouring Syria in their management of refugees, and host communities and governments.¹³ The European contributions mainly come from the ENI and the Instrument for Pre-Accession Assistance (IPA) – a part of the fund is intended to support the Balkan countries which are hosting refugees –, which demonstrates the EU's ability to redirect funds depending on the priorities of the moment.

The CSDP is also very active in the southern and eastern neighbourhoods. Today it has 36 operations (17 ongoing and 19 completed). Out of the 19 completed operations, only two were in the neighbourhood. This included EUFOR Libya, which was never deployed because of unachievable launch conditions¹⁴. On the other hand, currently seven of the 17 CSDP missions are in the southern and eastern neighbourhoods. Three were launched as of 2011, one in Libya (EUBAM

12. R. Youngs, "The European Endowment for Democracy, two years on", *Strategic Europe*, 4 September 2015, available at: <http://carnegieeurope.eu>.

13. For more information on this fund, see European Commission, "EU Regional Trust Fund in Response to the Syrian Crisis, the "Madad Fund" – State of Play and Outlook 2016", May 2016, available at: <http://ec.europa.eu>.

14. S. Fabbrini, "The European Union and the Libyan Crisis", *International Politics*, Vol. 51, No. 2, March 2014, pp. 186-187.

Libya), one in the Mediterranean Sea to fight against people smugglers and reduce irregular immigration (EUNAVFOR Med, also known as Operation “Sophia”) and one in Ukraine to supervise the reform of the security sector (EUAM Ukraine). The other four are prior to 2011 (two in the south and two in the east). The African dimension of the CSDP is obvious, but the mandates tend to be renewed less than for the neighbourhood, partly because the Member States’ interest is less sustained. However, let us qualify this: the operations in the neighbourhood rarely have a strong military component and focus on aspects which the EU has more established experience in, the civil security sector reform and the monitoring of sensitive situations, such as EUMM Georgia. Therefore, the purpose is generally long term and the operations are aimed at the lower end of the spectrum.

What scope?

The European efforts have been many and varied. However, criticism of the ENP has not stopped. Most of this focuses on the lack of impact of the advocated policies, the technocratic nature of the ENP, inadequate resources compared to the challenges and the Eurocentric nature of the action plans.¹⁵ The Commission endorsed a lot of these criticisms in the public consultation announcement document to pave the way for the review of November 2015.¹⁶ It is true that developments in terms of government effectiveness and of rule of law were mixed between 2010 and 2014 (see Table 1).

The reading of these data could lead to the conclusion that the ENP is a failure. It is important to qualify this. In the absence of an existing dynamic in society and within the civil service, the EU's impact can only be limited. Even if a country was committed to a reform process, the EU

15. See for example: M. Leigh, "The European Neighbourhood Policy: A Suitable Case for Treatment", in S. Gstöhl and E. Lannon (eds.), *The Neighbours of the European Union's Neighbours: Diplomatic and Geopolitical Dimensions beyond the European Neighbourhood Policy*, Oxon, Routledge, 2016, pp. 203-226; S. Lehne, "Time to Reset the European Neighborhood Policy", *Carnegie Paper*, February 2014, available at: <http://carnegieeurope.eu>; N. Tocci, "The Neighbourhood Policy is Dead. What's Next for European Foreign Policy Along its Arc of Instability?", *IAI Working Papers*, November 2014, available at: www.iai.it; M. Nilsson and D. Silander, "Democracy and Security in the EU's Eastern Neighborhood? Assessing the ENP in Georgia, Moldova, and Ukraine", *Democracy and Security*, Vol. 12, No. 1, January 2016, pp. 44-61.

16. European Commission and High Representative of the European Union for Foreign Affairs and Security Policy, "Joint consultation Paper: Towards a New European Neighbourhood Policy", 4 March 2015, available at: <http://ec.europa.eu>.

would have to align its co-operation programmes with the ongoing reforms in that country to maximise its influence.¹⁷

Table 1 – Government effectiveness and rule of law

Country	Government effectiveness		Rule of law	
	2010	2014	2010	2014
Algeria	38.8	33.7	27.0	25.5
Armenia	49.3	46.2	39.8	43.8
Belarus	11.0	35.1	15.2	22.6
Azerbaijan	23.9	42.3	23.2	30.8
Egypt	43.1	20.2	51.2	31.3
Georgia	64.1	71.6	48.8	64.4
Israel	88.0	85.6	79.1	83.2
Lebanon	45.0	40.9	30.3	24.0
Jordan	59.3	59.6	61.1	69.7
Libya	12.9	2.9	19.0	2.9
Moldova	30.6	39.9	42.2	46.6
Morocco	50.7	48.1	50.2	56.3
Palestine	41.1	32.2	48.3	38.5
Syria	32.5	6.7	36.5	6.7
Tunisia	63.2	48.6	59.7	53.4
Ukraine	25.4	40.4	24.6	23.1

Source: World Bank

The post-2010 period has not escaped the critical dilemma which the EU has been dealing with since the foundation of the ENP: stability or democracy. When there is a certain level of liberalism in a country, the EU can expect democratic progress through co-operation. When there is a certain level of stability, democratic reforms may be sources of destabilisation in the short term.¹⁸ This dilemma is clearly raised in the

17. See for example T. A. Börzel and T. Risse, "From Europeanisation to Diffusion: Introduction", *West European Politics*, Vol. 35, No. 1, January 2012, pp. 1-19; T. A. Börzel and V. van Hüllen, "Good Governance and Bad Neighbours? The Limits of the Transformative Power of Europe", *KFG Working Paper*, December 2011, available at: <http://userpage.fu-berlin.de>.

18. T. A. Börzel and V. van Hüllen, "One Voice, One Message, but Conflicting Goals: Cohesiveness and Consistency in the European Neighbourhood Policy", *Journal of European Public Policy*, Vol. 21, No. 7, August 2014, pp. 1033-1049.

case where a country is not stable¹⁹, and the EU prioritises democratic development, human rights and economic prosperity. Some people already concluded in the 2000s that the EU focused on stability to support democracy. There appears to have been little change.²⁰ The assumption of European institutions is that political stability and economic prosperity are key requirements for democratic development; a debate that has been driving political science for decades. In reality, this dilemma requires an *a priori* position: is democracy necessary for a country to be well governed? Asking this question is still somewhat taboo at the European level, where an idealistic approach remains. However, it seems that the security developments in recent years may have changed the process of European thinking.

Another aspect also deserves to be developed from a geographical point of view. The European structure is based on international trade and progressively the “four freedoms”. This development is rooted in the EU’s DNA, which makes openness a mainstay of its co-operation with its partners. However, the European discourse regarding the neighbourhood fosters ambiguity between open and closed borders: open for some products, quotas or closure for others, possibility of travelling freely for some in the context of temporary immigration (mainly students and businesspeople), but a reluctance towards economic migrants. And this varies from one partner to another. Thus, the EU uses its borders as much to exclude as to regulate, control and introduce “differentiated inclusion.”²¹ Reflecting Celata and Coletti²², the models introduced by the ENP reflect the level of integration and the debates within the EU. Against a background where anti-immigration views are increasing in Europe, the EU is less inclined to have a discourse about openness.

19. On this topic, look at Thomas Risse's studies on “limited statehood”. T. Risse, "Governance in Areas of Limited Statehood", in D. Levi-Faur (ed.), *The Oxford Handbook of Governance*, Oxford, Oxford University Press, 2012.

20. J. Zajac, "The EU in the Mediterranean: Between its International Identity and Member States' Interests", *European Foreign Affairs Review*, Vol. 20, No. 1, 2015, pp. 65-82; N. Ghazaryan, *The European Neighbourhood Policy and the Democratic Values of the EU: A Legal Analysis*, Oxford, Hart, 2014, pp. 23-33.

21. F. Celata and R. Coletti, "Beyond Fortress Europe. Unbounding European Normative Power and the Neighbourhood Policy", *Geography Compass*, Vol. 10, No. 1, January 2016, pp. 15-24; V. Kostadinova, "The Commission, ENP and Construction of Borders", *Geopolitics*, Vol. 14, No. 2, May 2009, pp. 235-255.

22. F. Celata and R. Coletti, "Beyond Fortress “EU” rope? Bordering and Cross-Bordering along the European External Frontiers", in F. Celata and R. Coletti (eds.), *Neighbourhood Policy and the Construction of the European External Borders*, Cham, Springer, 2015, p. 20.

In the light of the instabilities prevailing in the European neighbourhood, security conditions have taken on an even greater dimension within the ENP. These debates are obviously found in the ENP reform and the EU's Global Strategy.

Implicitly and as a result of the economic crisis that the EU is going through, it is its ability to influence which is being questioned. Admittedly, some partners are not very willing to co-operate on issues of political and economic reform. Besides, they do not always see the benefit of it and the choice of possible partners is not restricted to the EU. This is reflected both by a more diversified foreign policy on the part of the governments in office, but also by a broader offer.²³ Tunisia or Egypt have thus developed closer relations with the Arabian-Persian Gulf countries.²⁴ Powers outside of the region are also more active in the south and east. In the east, Russia is the most active country. The Eurasian Economic Union is not only an economic integration initiative, but its scope is also geopolitical.²⁵ Nevertheless, the Russian efforts seem to be triggering counter-fires in some countries, particularly Georgia and Moldova. In fact, rather than moving closer to Moscow, these countries are moving away and seeking a counterpoint to Russian influence in Euro-Atlantic integration.²⁶ In the south, the Arab Spring has seen countries like Qatar²⁷ and Saudi Arabia increasing their investment in the region. Therefore, competition for the European neighbours' attention is higher. The increase in actors makes the EU's task more complex, especially as they impose less conditions and are ready to supply significant financial aid faster, but this must feed into European thinking about the best attitude to adopt in its neighbourhood. Should the EU continue a democratic stance or favour maintaining privileged partnerships with some countries and a reasoned pragmatism with others?

23. See for example C. Walker, "The Hijacking of "Soft Power", *Journal of Democracy*, Vol. 27, No. 1, January 2016, pp. 49-63.

24. K. Kausch, "Islamist-led foreign policies: what implications?", *FRIDE Policy Brief*, March 2012, available at: <http://fride.org>.

25. N. Popescu, "Eurasian Union: The Real, the Imaginary and the Likely", *Chaillot Papers*, September 2014, available at: www.iss.europa.eu.

26. L. Delcour and K. Wolczuk, "Spoiler or Facilitator of Democratization? Russia's Role in Georgia and Ukraine", *Democratization*, Vol. 22, No. 3, April 2015, pp. 459-478; L. Delcour *et al.*, "The Implications of Eurasian Integration for the EU's Relations with the Countries in the Post-Soviet Space", *Studia Diplomatica*, Vol. 68, No. 1, 2015, pp. 5-33.

27. M. Mokhefi, "Le Qatar, acteur des recompositions régionales au Maghreb", *Notes de l'Ifri*, Ifri, January 2014, available at: www.ifri.org.

By analysing the developments in the ENP, and more broadly relations between the EU and its neighbourhoods, a form of combination between pragmatism and idealism asserts itself. The principle of conditionality is applied flexibly and informally: in the event of a worsening political situation in a country, the EU reduces its commitment and its presence.²⁸ For example, this was the case in Egypt in 2013 following the coup – however the level of co-operation quickly returned to its normal level.

Table 2 – State of relations between the EU and its partners

Country	Visa-free regime	Mobility partnership	Association agreement	DCTFA
East neighbourhood				
Armenia		X		
Azerbaijan		X		
Belarus				
Georgia	Validation	X	NG	X
Moldova	X	X	NG	X
Ukraine	X		NG	X
Southern neighbourhood				
Algeria			EMAA	
Egypt			EMAA	EP
Israel			EMAA	
Jordan		X	EMAA	EP
Lebanon			EMAA	
Libya				
Morocco		X	EMAA	AN
Palestine				
Syria				
Tunisia		X	EMAA	AN

NG = new generation

EMAA = European-Mediterranean Association Agreement (signed between 1998 and 2006)

EP = Exploratory phase

AN = Advanced negotiations

Source: European Commission and author

28. R. Balfour, F. Fabbri and R. Youngs, "Report on Democracy Assistance from the European Union to the Middle East and North Africa", EUSPRING Report, 18 May 2016, p. 7, available at: www2.warwick.ac.uk.

Concomitantly, a form of differentiation has been established. In fact, in the east, Georgia, Moldova and Ukraine, and to the south, Morocco and Tunisia, and Jordan to a lesser extent, are privileged partners. This is reflected in the co-operation frameworks planned for the period 2014-2017: the European priorities, namely democracy, human rights, and economic prosperity vary from one country to another.²⁹ For example, in Tunisia, the priority actions relate to socio-economic reforms (40%), local development (30%), democracy (15%) and support for the civil society (15%). To the contrary, in Lebanon, the priorities are focused on social cohesion (40%), transparent and sustainable management of natural resources (20%), support for civil society (15%), judiciary system and security reform (15%), and technical support (10%). However, this differentiation is as much a deliberate choice of the EU as the result of political development in these countries. The scope and the ambition of the partnership programmes illustrate the political will of the partners.

Thirdly the dilemma between stability and democracy persists. It has been particularly put to the test in the south. This has led to a reallocation of some ENP funds, since humanitarian aid and funds dedicated to refugee crisis management have become a priority in relation to political and economic reforms.³⁰ This change in priorities is understandable with regard to the scale of the issue and the heated debates it caused among the Member States, and should crystallise in the coming years.

It is in this transitional context that debates were held on the “Global Strategy” and the ENP reform of November 2015.

29. These documents are available on the EEAS website: <http://eeas.europa.eu>.

30. R. Balfour, F. Fabbri and R. Youngs, "Report on Democracy Assistance from the European Union to the Middle East and North Africa", *op. cit.*, p.6.

From the Reform of the Written Documents to that of Actions

The EU's neighbourhoods are the most complicated geographical areas to manage for European institutions. Besides the local dynamics and regional developments, the Member States assert bilateral interests. The stability of these regions is seen as essential by these same countries, which wish to avoid the indirect effect of some crises on European territory.

However, the ENP has for a long time been dominated by technical and non-political considerations. The 2010s have shown the limits of this position and have even questioned the ENP's relevance. Hence, the aim of reforming it, which coincided with that of approving a new foreign policy strategy for the Union. These exercises, conducted in parallel, adopt different approaches, but have a common message: the EU must be pragmatic and first and foremost ensure its security.

New attitudes towards the neighbourhood?

On 3 March 2015, the High Representative and Vice-President of the European Commission, Federica Mogherini, was clear when the consultation about the new ENP was announced:

“We consider that we must move from an approach which is largely based on assessing progress in our relations, to a political approach, a political partnership, a co-operative approach between equal partners.”³¹

Firstly, the ENP reform was subject in a fairly innovative way to a public consultation, which the Commission received 145 contributions for (without counting the “non-papers” drafted by the Member States and partners³²). The Communication of 18 November 2015 was the result of this consultation and of many other discussions.

31. European Commission, “Joint Press Conference by High Representative/Vice-President Federica Mogherini and Commissioner Johannes Hahn on European Neighbourhood Policy Review”, Brussels, 4 March 2015, available at: <http://europa.eu>.

32. All the public contributions are available at this address: <http://ec.europa.eu>.

An initial point is important: the disappearance of the “deep democracy” terminology which was at the heart of the 2011 revision. Indeed, the 2015 communication stressed stabilisation as the primary and short-term objective. Without stability, the EU cannot engage in ambitious long-term dialogue with its partners. This endorsed the shift made in the 2011 reform, namely that the ENP must accommodate long-term goals and short-term priorities. Support for democracy is no longer officially the only key to access the ENP; stability is now a more assumed mainstay.

This revision should also allow this policy to be better adapted to partners’ demands and ambitions. “Differentiation and mutual ownership will be the main characteristics of the new ENP.”³³ Differentiation, more than conditionality, whose limits are increased, becomes paramount. The concept is not new, but it has found a new lease of life here. Georgia, Morocco, Moldova, Tunisia and Ukraine are explicitly referred to as countries wishing to deepen their relations with the EU. For the remainder, the EU will advise depending on their aspirations, even if it focuses on contacts with civil society and economic and social actors rather than the government. This involves using other tools than the ENP, which mainly focuses on contacts with governments. The use of civil society platforms and of projects funded by other instruments or organisations, such as the UfM, could be the chosen approach. This turnaround is reflected technically. Rather than publishing annual reports for each country simultaneously, the release of a country-report will correspond to a convenient time for a policy discussion about the partnership and for the assessment of objectives. In other words, the reports could be fewer for countries with which political dialogue is limited or even non-existent. The EU also recognises that signing a DCFTA is not on all the partners’ agenda and that it must therefore “seek to jointly identify attractive and realistic alternatives to promote integration and strengthen commercial and investment relations reflecting shared interests.”³⁴

The ENP is transforming into a toolbox. Thus, without portraying this way, the tension between homogenisation (a template for the political and economic transformation of a country) and differentiation (adaptation related to the political willingness and local contexts) tends to favour the latter. Differentiation also implies agreeing to co-operate with

33. European Commission, “Review of the European Neighbourhood Policy”, *op. cit.*, p.2.

34. *Ibid.*, p. 8.

undemocratic countries and revising its ambitions in the neighbourhoods down. It is certainly more pragmatic, but for some, it is a step backwards.³⁵

The priorities have also evolved between 2011 and 2015. In 2011, the three major themes focused on supporting democracy, economic and social development, and the use of the ENP to strengthen regional dynamics. In 2015, the three major priorities concerned economic development, security, and migration and mobility.

The focus on democracy has not disappeared, but it is less of a priority. On the other hand, the security aspect takes on a prominent place. It is no longer a question of simply emphasising co-operation on security issues (previously included in the “democracy” part), but of focusing mainly on security sector reform, the fight against terrorism and radicalism, and increasing partnership opportunities within the CSDP.

In the same vein, aspects related to the movement of people have become more important. While the link between mobility and economic prosperity dominated in 2011, future relations seem to be moving towards an assumed balance between regular immigration and help in the fight against irregular immigration. This revision, which is a reflection of its time, is part of the Commission’s actions to “deal with the causes of irregular immigration and forced displacement”³⁶ that are found in “the European agenda on migration” which preceded the ENP revision by a few weeks and influenced its contents. The Commission also published on 7 June, a communication announcing the launch of a partnership framework with third countries under this migration agenda³⁷. Several countries in the southern neighbourhood (Jordan, Lebanon, and Tunisia) are considered priority countries. This new emphasis on migration issues, and particularly on the fight against irregular immigration, has an often neglected dimension: it mainly addresses the southern neighbourhood. In the east, it is a matter of dealing with mobility issues. This difference in perspectives vis-à-vis the neighbourhoods illustrates the fragile balance that the EU must find between European political priorities, a single framework for very different countries, and a match between the European priorities and those of the partners within the ENP.

35. T. Schumacher, "Back to the Future: The “New” ENP towards the Southern Neighbourhood and the End of Ambition", *CEPOB*, No. 1.16, January 2016.

36. European Commission, "Review of the European Neighbourhood Policy", *op. cit.*, p. 15.

37. European Commission, "Communication on Establishing a New Partnership Framework with Third Countries under the European Agenda on Migration", 7 June 2016, available at: <http://ec.europa.eu>.

More than ever, the latter resembles a toolbox in which partnerships develop custom-made bilateral co-operation frameworks with the instruments available.

The regional dimension has lost its importance. This reflects an existing situation: by differentiating more between its partners, the EU can hardly promote a widespread multilateral approach. Faced with this situation, the EU should even develop thematic frameworks which would bring the EU and interested partners together on specific sectoral issues, like migration, energy, climate, etc. Within the framework of its partnership policy, NATO has also been developing this type of approach since 2011, precisely because of the diverse goals of its partners and with the potential added value of dealing with issues of common interest with partners from different regions and other third countries. NATO is facing challenges that the EU could also encounter: partners wishing to discuss points which the Allies do not always have a definitive position on; and there is little follow-up after these meetings.³⁸ There is a risk that these new meetings will only be used for diplomatic consultations of little ambitions. Sharing an interest does not mean agreeing on a common action plan. Moreover, it is unlikely that all the interested countries will engage in closer co-operation in a framework obviously led by the EU and where their interests would not be first.

This review of the ENP therefore provides a more pragmatic view of the neighbourhood policy. The time of the EU as a transformative power seems at best interrupted, if not over. The volatile security situation has gained the upper hand in the thinking even if the traditional components of the ENP remain (trade and reforms). Nevertheless, this reform came out seven months before the foreign policy guiding document, the EUGS. This timetable is unfortunate, insofar as the ENP is subordinate to the Global Strategy.

Global Strategy and ENP: what's the link?

The possibility of a revision of the 2003 European Security Strategy has been driving specialists debates since 2013. There were already many recommendations at this time for the EU to enact this revision at the European Council on defence matters in December 2013, or failing that, announce the revision process. The Member States were divided and were

38. J. Appathurai, "The Future of NATO's Partnerships", in T. Flockhart (ed.), *Cooperative Security: NATO's Partnership Policy in a Changing World*, Copenhagen, Dansk Institut for Internationale Studier, 2014, pp. 35-46, available at: <http://en.diiis.dk>.

content with vague language. The process took shape with the new Commission and the overall security development. The High Representative issued a report to assess the strategic environment in June 2015, following which the European Council gave her a mandate to draft a Global Strategy regarding foreign policy and security issues. The drafting process was complex: intense debates within the European institutions and with the Member States, numerous seminars in Europe and elsewhere, and a public consultation. Despite this political context complicated by the results of the British referendum on 23 June, the Global Strategy was issued before the European Council of 28 June.³⁹

The point here is not to analyse the document as a whole, but to focus on aspects related to the ENP. It should be noted that the approach contrasts with that of the November 2015 revision. The thinking on the southern and eastern neighbourhoods is viewed entirely through the lens of resilience: the promotion of democracy has become a discreet concept.

The objective is to ensure “the resilience of States and societies”. The concept of resilience is new in the European vocabulary – the 2015 ENP reform did not make any mention of it. Its use has two origins: the first is linked to the hybrid warfare tactics used by Russia in Ukraine, which questions the ability of European societies to withstand external pressures on internal dynamics (minorities, media, etc.); the second follows the attacks on the European territory, which questions the ability of societies to not give in to their fear faced with this kind of unforeseeable act. These considerations do not stop at the borders of Europe and the concept of resilience is therefore applied to the neighbourhood.

39. European Union, *Shared Vision, Common Action: A Stronger Europe – A Global Strategy for the European Union’s Foreign and Security Policy*, June 2016, available at: <https://eas.europa.eu>.

The EUGS defines resilience as “the ability of states and societies to reform, and therefore to withstand and recover from external and internal crises.”⁴⁰

Academic studies on resilience have increased recently, although few of them deal with foreign and security policy. Several components stand out, in particular, the duality which resilience is based on: maintaining the existence and stability of a system, and its transformation.⁴¹ Most of the existing studies are case studies in western countries and in stable and democratic countries. Very few analyse the situation in countries in other regions and where stability and democracy are not in place.

Can resilience be exported? This question remains unanswered, but the experience of exporting EU norms reminds us that the results are only convincing in willing countries with implementation abilities. Furthermore, the EUGS recognises this point when it states, rather vaguely, that it will have to use “different approaches to resilience” for countries which do not wish to deepen their relations with the EU.

Resilience as presented in the strategy seems to move closer towards “good governance”. The latter does not appear anywhere in the Global Strategy, while it still remained an important belief in the revised ENP. However, the focus on building resilient states and societies in the neighbourhood reflects a defensive approach. “Good governance” has positive connotations for transforming a State. Resilience implies feeling threatened, even attacked, and having to resist. It is at this level that the EU definition varies from those that can be found elsewhere. It highlights the principle of ability to reform, which in the definitions of resilience, can only occur in an already stable system.

Therefore, the critical dilemma for the EU regarding its neighbourhood does not change: is the EU looking to avoid upheavals in its neighbourhood and the possible ricochet effects of destabilising its borders, or exporting its norms and systems, so that its neighbours gain democratic and liberal principles? The first option implies that the EU accepts that a stable regime is not necessarily a democratic regime.

The main purpose of the Global Strategy being the EU's security, it would be plausible that this should be the chosen approach. However, the strategy also states that a “resilient society characterised by democracy, trust in the institutions, and sustainable development is at the heart of a

40. *Ibid.*, p. 23.

41. J.-M. Normandin and M.-C. Therrien, "Resilience Factors Reconciled with Complexity: The Dynamics of Order and Disorder", *Journal of Contingencies and Crisis Management*, Vol. 24, No. 2, June 2016, pp. 107-118.

resilient state.”⁴² Perhaps it should also refer to the concept of “principled pragmatism”, which is presented as the key to interpreting the EU’s external action.⁴³ It is another way of stating that the European action will adapt to the contexts in which it operates. This is reminiscent of the principle of differentiation, supplemented by that of selectivity – as much about the countries in which political and financial capital are invested in, as the issues which they talk with a particular partner about.

In addition, the security dimension of the EUGS is even more pronounced than the ENP reform. The Global Strategy revisits an approach in existence since 2003: my partners’ security is my security. In other words, the ENP may establish the principle of mutual ownership, but the Global Strategy is explicit: the EU’s vital interests are at play in its neighbourhood. Implicitly, its view must take precedence over that of its partners. Rather than regretting this, it must be understood: the ENP is firstly a European policy; however, with the EU therefore accepting that all its partners do not wish to deepen their relations with it. On this specific point, the EU seems to be advancing in this direction, without closing the door either to a form of co-operation now, or to a deepening of relations if the partner is ready. Thus, the EU has a less proactive attitude than the one it adopted in the 2000s.

Without the tone being fundamentally different, the EUGS puts a premium on the protection and security dimension. It is the framework document for the EU’s external action and will be followed by communications, regional strategies, action plans, and other reviews. Will this lead to an update of the ENP in 2017? No formal sequence is scheduled in this sense, since the Foreign Affairs Council on 14 December 2015, as well as the November Communication, stated that the revision had to be fully consistent with the Global Strategy. This may seem somewhat difficult when it is to be published only eight months later. An assessment of the impact of the European Neighbourhood Instrument should be published in the third quarter of 2017. The scope of this evaluation could be extended to incorporate elements of the Global Strategy, particularly the centrality of this concept of “resilience”.

42. European Union, *Shared Vision, Common Action*, *op. cit.*, p. 24.

43. *Ibid.*, p. 16.

Conclusion

The European neighbourhood policy has changed a lot since its creation in 2003, less in its design than in its approach and implementation. The 2015 reform seems to indicate that the European Union is choosing stability even if it means reducing its “transformative power” goals in some partner countries. This shift has been confirmed with the June 2016 Global Strategy which establishes the principle of resilience and only moderately emphasises democratic principles. Rather than a step backwards, the EU has revised its stance and re-evaluated its ability to influence. Two key aspects seem to emerge:

- (1) the EU can only achieve its ambitious co-operation objectives with willing countries that have the ability to implement them;
- (2) it is important to differentiate between the partners and to select those with which progress can be achieved and/or those whose development is of strategic interest for the EU's security.

The security dimension has become a critical focus of the ENP. Therefore, it will be important to analyse the balance that the EU and its partners will find between the security aspects and those related to irregular immigration – two European priorities – and the other dimensions of the ENP, particularly those related to economic development. This balance will be especially difficult to find in the south where security and migration problems are the greatest from the European point of view.

Another problem will be for the ENP to deepen the regional dimensions of its commitment. Indeed, the emphasis on differentiation moves the ENP away from a form of homogenisation – or at least an attempt to do so – in its relations with its partners. It becomes more complicated to put forward the regional dynamics when the EU has close relations with some countries and not others. The area where this seems the least sensitive involves co-operation with civil society organisations, but their room for manoeuvre and their ability to act varies greatly depending on their political environment.

Gradually, the ENP is becoming a toolbox. It has many mechanisms and instruments, but the EU knows, rightly, that it cannot hope to transform all its neighbourhood either at the same pace, or towards the

same horizons. This is why the ENP needs to be based on a clear political and strategic framework so that its tools and its relations may be governed by guiding principles. The Global Strategy can provide such a framework. The European institutions and Member States must ensure that there is coherence of action. It is all the more important as the ENP has suffered from its technocratic nature for a long time, which disconnected it from the broader foreign policy objectives. It is today possible to correct this design fault and to put the ENP at the service of the EU's foreign policy and make it more relevant in the eyes of the Member States, who may in return invest in it further.

This approach will not shoot down all criticisms of the ENP, as its development is becoming increasingly paradoxical. It is a unique political framework which brings together very different countries with which the EU wishes to establish specific bilateral relations and promote regional dynamics. Its assessment must therefore be based on the whole of its action, even though this is not possible. Perhaps it is a necessary evil, but we need to be aware of this.

Above all, this politicisation of the ENP should be seen in a context of debates on the future of the European Union. The development of the ENP's priorities reflects the state of the union. The EUGS should clearly set a long-term course for the ENP, but the many deliberations about the EU's future cannot proceed without debate about the EU's external action, the tools for mobilisation and the policies to conduct, starting with the European Neighbourhood Policy, the first circle of European foreign policy. What is the degree of interaction and optimal co-ordination between EU action and that of Member States in the neighbourhoods? What role can the ENP play in addressing the concerns of European citizens, particularly regarding security? Wrongly, the ENP is still too uncorrelated from questions about the future of the European project.



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