Laure Delcour / Elsa Tulmets (eds.)

Pioneer Europe?

Testing EU Foreign Policy in the Neighbourhood

Nomos

Saakashvili to regain militarily South Ossetia in the conflict with Russia in early August 2008 seems to have postponed any chance of conflict settlement for the next few years. By contrast, the reunification of Moldova and Transnistria does not seem unreachable and would appear as a major diplomatic success for the ENP and the EU-Russian partnership, but it should not be reached at any price. In fact, the ENP as a norms diffusion process cannot be satisfied by a "Transnistrianized Moldova", in which the key characteristics of Transnistria would be extended to the whole Moldova. In that case, Tiraspol would have a veto power on every strategic decision in a loose federation, making the appropriateness of European norms more hazardous and more difficult to implement.

Constructing the EU's External Roles: Friend in the South, Teacher in the East?

Petr Kratochvíl *

Introduction

The European Neighbourhood Policy is a truly complex policy. Indeed, if we take into account the cumbersome evolution of the policy, the policy's multi-faceted nature comes as no surprise. While it started out as a policy aimed at the Eastern neighbours, the biggest and most important of these, Russia, rejected its participation even before the policy was launched. Meanwhile, to soothe the EU's southSouthern members, who felt that the EU's attention had tilted too much and for too long to the East, the Southern Dimension was added to the original project, hence creating the two regional directions characterising the policy until today. Finally, after Georgia's Rose Revolution, the diversity among the ENP partner countries was further increased by adding the three Southern Caucasian States into the basket.

While this alone would render a reasonable level of consistence for the policy extraordinarily difficult to achieve, another difficulty with the policy lay in the ways the policy was perceived by individual EU member states[1] (cf. Kratochvíl 2006). Some, notably the new EU members in Eastern Europe, saw the policy clearly as a pre-enlargement strategy and fought vigorously for the clichéd "membership perspective" for their shoo-ins[2]. Others, in particular Southern member states, favoured more cooperation with the states on the Southern coast of the Mediterranean without, however, pushing for these countries' membership. Finally, a number of old EU members, painstakingly aware of their populations' enlargement fatigue and growing fear of immigrants, came to understand the policy as an enlargement substitute.

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1 Cf. *Kratochvíl, Petr* (2006) The European Neighbourhood Policy: A Clash of Incompatible Interpretations, in: *Kratochvíl, Petr* (ed.) The European Union and its Neighbourhood: Policies, Problems, Priorities, Prague: Institute of International Relations, pp. 13-28.

2 For the connection between the ENP and enlargement, see *Kelley, Judith* (2006) "New Wine in Old Wineskins: Policy Adaptation in the European Neighborhood Policy", in: Journal Of Common Market Studies, 44 (1), March, pp. 29-55; *Tulmets, Elsa* (2006) "Adapting the Experience of Enlargement to the Neighbourhood Policy: The ENP as a Substitute to Enlargement?", in: *Kratochvíl, Petr* (ed.), The European Union and Its Neighbourhood: Policies, Problems and Priorities, Prague: Institute of International Relations, pp. 29-57.

However, this article argues that besides the South-East tension and the enlargement-non-enlargement tension, there is a third source of friction which has so far been hidden from the analysts' eyes. This tension is rooted in the Union's self-perception as the *dominant power* and, at the same time, a *benign power* which can transform its neighbourhood by the token of its mere existence and attractiveness[3]. I define the dominant power as a power that plays the key role in the international system or in its regional subsystem and that uses its asymmetrical position to make other actors in the system comply with the dominant power's requirements. The benign power, on the other hand, is a power that strives to deals with other actors without recourse to force, intimidation or deliberate manipulation and that aims at equality in the external relationships. There are two areas where the discursive clash between these two elements in the EU's self-perception causes great difficulties within the ENP. The first is the principle of partnership and joint ownership[4]: On the one hand, the European Union is eager to present its power influence in the neighbourhood as benign, and hence the official documents and speeches on the ENP teem with references to the equality of the partnership, shared values, commonly agreed priorities, etc. But once we start to explore this rhetorical strategy in more detail, we will soon realise that the principle of joint ownership is seriously eroded by the EU's belief that it is primarily the Union itself who should define the contents of partner countries' reforms and, in particular, who should decide whether the partner countries are performing badly or not.

Secondly, the contradictory nature of a benign power reveals itself very clearly in the way the EU deals with security, in particular potential sources of threat to its security, such as frozen conflicts. On the one hand, the Union as a friendly actor (and also as a composite actor whose stance is frequently on the verge of fragmenting into individual national positions[5]) does not wish to take sides and tries to remain strictly neutral in these conflicts. This neutrality, coupled with the intrusion of outside powers, however, slows down any progress toward solutions to these conflicts. As a result, the EU's self-perception as a dominant power is seriously challenged since apparently, the EU is not able to stabilise its own neighbourhood, not speaking about the global projection of its power. Interestingly, the ambiguity surrounding the question of the EU's role in the neighbourhood feeds back into the discussion about the two tensions mentioned above and hence can further reinforce the division between the Eastern and Southern Dimensions of the ENP since the EU stresses its dominant nature in the East, hence adopting a position of a teacher, while maintaining a more equal, benign stance in the South, thus playing the role of a friend.

These two case studies were chosen for two reasons: First they constitute the strongest and weakest element of EU's policies: While the voluntary spread of EU's norms is clearly the most effective tool the EU has at its disposal, its security policy is still rather underdeveloped, fragmented and at times contradictory. Second, the two notions are applied differently in the East and in the South which may reveal some interesting differences in the overall approach of the Union to the two neighbouring regions.

1. Methodology

The methodology used in this chapter is based on critical discourse analysis[6]. We analyse documents on the ENP published by the European Commission. We start from the assumptions that (1) texts and discourses are not reducible to material conditions and that (2) discourse analysis can reveal much about the authors of the conditions and that (2) discourse analysis can reveal much about the authors of the texts, the structure of meanings they assign to themselves and others, and the overall critical interpretation of their social environment. At the same time, critical discourse analysis maintains that the social world cannot be reduced to discourse only and that discourse is closely related to actual social practices, such as construction of power asymmetries, exclusionary practices aiming at hierarchisation of actors, and ascribing positive and negative values to their actions. In short, discourse is the primary vehicle through which ideology can be reproduced and thus have an effect on society (or international relations, for that matter).

We start from the structural-synchronic analysis of *texts*, exploring their internal structure and the differences in stresses in the preambles and in the technical parts dealing with the policy's substance and implementation. Then we move forward to dealing with *intertextuality*, comparing the changes in the texts in time (comparative diachronic analysis), whereby we are mainly interested in the question of whether the dominant principles highlighted in the older documents retain their importance in the newer texts or whether they recede to the background. Finally, this allows us to make the final move to the analysis of the social *context*, showing what impact the inconsistencies in the application of the leading principles might have for the policy as a whole[7].

3   For a discussion on the EU's nature as a benign power, see, for instance, *Manners, Ian* (2002) "Normative Power Europe: A Contradiction in Terms?", in: Journal of Common Market Studies, 40 (2) 2002, pp. 235-258. See also the contributions of Johansson-Nogués and Tulmets in this volume.

4   For definitions, see for example *Tulmets* (2006), *op. cit.*. See also the contribution of Moschella in this volume.

5   See, for example, Natorski's, Lang's and Liberti's contributions in this volume.

6   *Fairclough, Norman* (1992) Discourse and Social Change, Cambridge: Polity Press; *Fairclough, Norman* (1995) Critical Discourse Analysis: The Critical Study of Language. London: Longman; *Toolan, Michael J.* (2002, ed.), Critical Discourse Analysis. London: Routledge; *Wodak, Ruth / Meyer, Michael J.* (2001 eds.), Methods of Critical Discourse Analysis. London: Sage, pp. 1-13.

7   The importance of context for critical theory is also stressed in *Campbell, David* (1992) Writing Security: United States Foreign Policy and the Politics of Identity, Manchester: Manchester University Press; *Fierke, Karin M.* (2001) Critical Methodology and Constructivism, in: *Fierke, Karin M. / Jørgensen, Knud Erik* (eds.) Constructing International Relations: The Next Generation, Armonk and London: M. E. Sharpe, pp. 115-135.

In this study, we focused on the analysis of seven documents published by the European Commission. These documents cover a period of almost exactly five years, from March 2003 to April 2008, thus describing the policy's evolution from its early beginning (the first communication on Wider Europe)[8], through the Strategy Paper[9], to two documents calling for improvements in the policy[10] and three reports assessing the progress in the policy's implementation[11].

2. The EU as Dominant and Benign

All analysed documents are framed in the general understanding that it is the European Union that is the key actor in the region as well as the actor that is behind the reform and modernisation drive in the neighbouring countries. The best metaphor describing this position of the EU is that of a teacher: The EU is the dominant actor here and the actor who leads others and aims at their modernisation, social learning and adoption of the EU model of governance. It is usually in the introductory parts of the documents where explicit references to this double role of the EU are mentioned. The first document[12] is already very clear on both of these points: It starts by reiterating that "An enlarged Union of 25 countries, with a combined population of more than 450 million and GDP of almost € 10 000 billion, will fundamentally increase the political, geographic and economic weight of the EU on the European continent"[13]. This document also entails the clearest allusion to the EU as a benign power which positively influences its neighbourhood: "The EU has a duty, not only towards its citizens and those of the new member states, but also towards its present and future neighbours to ensure continuing social cohesion and economic dynamism. The EU must act to promote the regional and sub-regional cooperation and integration that are preconditions for political stability, economic development and the reduction of poverty and social divisions in our shared environment"[14].

The same ethos has remained remarkably constant over time as can be demonstrated by citing a document published three and a half years later. Here, the double nature of the EU as both a benevolent actor and the most powerful actor is put even more pithily: "The premise of the European Neighbourhood Policy is that the EU has a vital interest in seeing greater economic development and stability and better governance in its neighbourhood. The responsibility for this lies primarily with the countries themselves, but the EU can substantially encourage and support their reform efforts"[15].

This self-perception is coupled with the growing stress on an EU-centred understanding of the European continent. For instance, while the original initiative consistently talked about the "new EU neighbourhood policy", thus keeping up the distinction between "EU" and "Europe"[16], all later documents refer to the European Neighbourhood Policy and hence make an EU policy identical with a "Europe's policy". It is indeed striking that even though the EU covers less than half of the continent's territory, it is able to discursively push through the identification of the two notions to such an extent that it is often accepted by outsiders as well. Similarly, although the catchwords are "reform" and "modernisation" in all the documents, there is little doubt that the EU stands at the centre of these reforms, and this interpretation frequently comes to the fore, for instance in the phrase "implementation of EU-oriented reforms"[17].

The following two case studies explore the mutual relation of these two roles of the EU by exploring (1) the joint ownership principle; (2) the EU's stance in regard to the frozen conflicts in the neighbourhood.

3. Case I: Joint Ownership

It is not difficult to understand why the principle of partnership and that of joint ownership constitute a key pillar of the whole policy.[18] The main reason for its relevance lies in the EU's experience with past projects whose failure was seen as directly originating in the missing identification with the projects on the part of the partner countries. One such project is the Northern Dimension. Here, the frustration caused by the low level of responsiveness on the side of Russian authorities was so high that an allusion to the Northern Dimension as a negative example of unsatisfactory ownership even made it into the Strategy Paper on the ENP which

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8   *Commission of the European Communities* (2003), Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003) 104 final, Brussels, 11 March.

9   *Commission of the European Communities* (2004), European Neighbourhood Policy Strategy Paper, COM(2004) 373 final, Brussels, 12 May.

10 *Commission of the European Communities* (2006), "On Strengthening the European Neighbourhood Policy", in: COM (2006) 726 final, 4 December and *Commission of the European Communities* (2007) A Strong European Neighbourhood Policy COM(2007) 774 final, Brussels.

11 *Commission of the European Communities* (2008) Communication from the Commission to the Parliament and the Council. Implementation of the European Neighbourhood Policy in 2007, COM(2008) 164, Brussels, 3 April; *Commission of the European Communities* (2008) Implementation of the European Neighbourhood Policy in 2007. Progress Report Egypt, SEC(2008) 395, Brussels, 3 April; *Commission of the European Communities* (2008) Implementation of the European Neighbourhood Policy in 2007. Progress Report Ukraine, SEC(2008) 402, Brussels, 3 April.

12 *Commission of the European Communities*, COM(2003), *op. cit.*.

13 *Ibid*, p. 3.

14 *Ibid*.

15 *Commission of the European Communities*, COM(2006), *op. cit.*, p. 2.

16 Cf. *Commission of the European Communities*, COM(2003), *op. cit.*.

17 *Commission of the European Communities*, COM(2008), *op. cit.*, p. 2.

18 Both of these are frequently mentioned in the bilateral Action Plans between the EU and the partner countries. See ENP – Reference Documents, http://ec.europa.eu/world/enp/documents_en.htm.

says that "the importance of local ownership is one of the most pertinent lessons that can be drawn from the Northern Dimension"[19]. After the decision was taken to include the Southern dimension in the neighbourhood policy, the importance of the principle further rose. Again, the reason is clear: The lack of a co-ownership by both the EU and the countries of the Southern Mediterranean belonged to the most frequently raised critiques in the Euro-Mediterranean Partnership or within the Barcelona Process[20].

The term "joint ownership" is first introduced in the Strategy Paper from May 2004. Here, it is presented as the first substantial principle (followed by differentiation), and it is underlined as "essential"[21]. However, the emphasis on ownership is omnipresent in all documents which swell with phrases related to the principle, such as "an equal stake", "shared interests", "joint approaches", "mutual commitments" or priorities "defined by common consent"[22].

A mirror reflection of the extreme efforts to underline the joint ownership is the strict avoidance of the term *political conditionality*, which by many, especially in the South, is seen as condescending and patronising. In its stead the key word used is "benchmarks", sometimes even "agreed benchmarks". The Commission maintains that benchmarks "offer greater predictability and certainty for the partner countries than traditional 'conditionality'"[23], but the substance of the measure, irrespective of its name, remains virtually the same. Notwithstanding the claim that benchmarking can "ensure national ownership and commitment"[24], benchmarks are undeniably factual criteria specifying under which *conditions* rewards from the EU are bestowed upon the partner country.

To put it another way, the stress on joint ownership and commonly agreed benchmarks generates the illusion of a completely equal partnership between the EU and the partner countries, thus giving the EU a penchant to continue in its benign nature. This illusion can be maintained as long as the documents stay on the general level. However, once we descend to concrete measures provided for in the bilateral Action Plans, the asymmetry, i.e. the conviction of the EU that it can and indeed should define to contents of the Action Plans between the EU and the partner countries, becomes clearly visible. In other words, in the general, declaratory parts of the Commission's communications, the joint ownership coupled with the image of the EU as a benign actor is prevalent, but in the practical parts where more space

is dedicated to details of the implementation of the partnership, the EU's dominance takes over.

The clearest example of this asymmetry is legal harmonisation, one of the most fundamental tools used by the EU, also used in the process of enlargement. Legal harmonisation means, to put it bluntly, a one-sided adoption of EU-inspired legal norms in the legal systems of the partner countries. To give just a few illustrations, partners are "encouraged to approximate their legislation to that of the Internal Market"[25], they are also asked to adopt measures leading to their convergence in areas of more general normative harmonisation as diverse as the Bologna Process and the Lisbon Agenda[26], and their reforms should aim at "close approximation to the fundamental standards prevailing in the EU"[27]. Even though obviously, legal harmonisation also depends on the partner countries, this is bracketed in the texts, and the Action Plans with the subsequent Progress reports resemble rather homework given by a teacher than commonly agreed documents.

The prior analysis has focused on the structural-synchronic aspects of these documents' textual structure, but the same trend is noticeable also in the diachronic sense. Not only was the word "EU" replaced by "European" in the policy's name soon after its inception, but also the spatial directions have been reversed. While the first document still speaks about the EU "drawing closer" to the neighbours[28], thus reflecting the geographical extension of the EU's territory, the subsequent documents turn this on its head and speak about the neighbours approaching the EU. This is indeed surprising since this reversal is present even when geography is the primary focus. For instance, the Strategy Paper from 2004 begins the section "geographic coverage" by saying that "the ENP is addressed to the EU's existing neighbours and to those that have drawn closer to the EU as a result of enlargement"[29]. This reversal of geographic imagery then dissolves in the general call for measures "which will bring the partner countries closer to the EU in a number of priority fields"[30] and finally smoothly transmutes into the above mentioned convergence through the adoption of the acquis.

This asymmetry does not pertain only to the EU's agenda-setting power but also to the unequal obligations taken up by the EU and its member states on the one hand and the partner countries on the other. The ultimate embodiment of the EU's dominance in the region is the evaluation mechanism. Although the Commission insists that the principle of joint ownership means that "both the ENP partner country and the EU can hold each other accountable for living up to their mutual commitments"[31], the evaluating mechanisms do not provide for any institutionalised course of action in which the partner countries could hold the EU accountable.

19   *Commission of the European Communities*, COM(2004), *op. cit.*, p. 21.
20   cf. *Edis, Richard* (1998) "Does the Barcelona Process Matter?", in: Mediterranean Politics, 3/ 3, pp. 93-105; *Del Sarto, Raffaella / Schumacher, Tobias* (2005) "From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?", in: European Foreign Affairs Review, 10 (1), pp. 17-38.
21   *Commission of the European Communities*, COM(2004), *op. cit.*, p. 8.
22   See *Commission of the European Communities*, COM(2003), COM(2004), COM(2006), etc. *op. cit.*
23   *Commission of the European Communities*, COM(2003), *op. cit.*, p. 16.
24   *Ibid.*

25   *Commission of the European Communities*, COM(2003), *op. cit.*, p. 5.
26   Cf. *Commission of the European Communities*, COM(2007), *op. cit.*, p. 9.
27   *Commission of the European Communities*, COM(2008), *op. cit.*, p. 3.
28   *Commission of the European Communities*, COM(2003), *op. cit.*, p. 3.
29   *Commission of the European Communities*, COM(2004), *op. cit.*, p. 7.
30   *Ibid*, p. 9.
31   *Commission of the European Communities*, COM(2007), *op. cit.*, p. 3.

This construction of the evaluation process is also the reason why one can hardly find any references to joint ownership in the progress reports. These reports are written in a seemingly neutral style, merely reiterating the areas in which progress was achieved and the areas where there is still a lack thereof. However, as it is the European Commission who prepares the reports, and no mirror reports evaluating the steps taken by the EU (concerning for instance visa regime or energy security, etc.) are drafted by the partner countries, it clearly betrays the asymmetry in the relationship[32]. In order to make obvious that the reports do contain a strong normative element, we can make a brief comparison of two progress reports, one assessing Egypt[33] and the other assessing Ukraine[34]. Let us note that the overall evaluating report on the implementation of the ENP in 2007[35] states that Ukraine belongs among the four best performers. As a result, we could reasonably expect that the report on Ukraine will contain fewer negative references than that on Egypt since both of them are of approximately the same length (twenty and eighteen pages).

However, when counting negative references to lacking progress, such as "no progress can be reported", "no real progress has been made", etc., we come to the surprising conclusion that whereas there are seventeen such references in the case of Ukraine, there is only one such negative allusion in the report on Egypt. This shows not only that the reports, without a doubt, give the EU's assessment and not just some "objective" depiction of reality, but also that the Commission strongly differentiates between the partner countries. Even though Ukraine is (most probably unjustly) applauded for its reform zeal, it is also criticised in places. The probable explanation for this strange mixture of praise and critique lies in the Commission's understanding that Ukraine, as a potential future candidate, can be dealt with in a more straightforward manner, resembling more closely the assessment reports published during the last enlargement process. Egypt, on the other hand, retains the more distanced position of only being the EU's long-term neighbour, and so the report is much more restrained. In other words, with Egypt, the principle of joint ownership only recedes to the background, whereas with Ukraine it is entirely overruled by the EU's dominance, which is so much present in the enlargement process.

4. Case II: Frozen Conflicts

While the previous case highlighted a situation in which the tension between the benign and dominant elements in the EU's nature was resolved in favour of the EU's

dominance, the second case we have chosen points in the other direction. Frozen (or sometimes even actual) conflicts are the greatest problem in the whole policy[36]. This is caused first by the fact that some partner countries are parties to the conflicts on opposite sides (Israel – Palestinian Territories, Armenia – Azerbaijan), which increases the premium for the EU on remaining neutral. Secondly, a number of external actors are involved in the conflicts as well – ranging from Russia to the United States to Iran.

At the same time, however, frozen conflicts are seen as the first priority by many partner countries (Georgia, Moldova, Palestinian Territories, Armenia, Azerbaijan, etc.). Hence, these partner countries, and particularly their political elites, would like to see finding solutions to these conflict as the first priority on the list of priorities in the Action Plans as well[37]. As is obvious from the Action Plans, this wish has never come true, and the documents list frozen conflicts as being on a par with other priorities. Because of the high visibility of the conflicts and their highly sensitive nature, the relatively low importance given to the solution of frozen conflicts by the EU does not prevent the partner countries from coupling their expectations of the EU exactly with these conflicts, as recently seen in Georgia[38].

The resultant problem is that the EU not only repeatedly avoids proposals for solutions but also repeatedly declares that it is not ready to engage in the conflicts, frozen, "simmering" or hot. As an alternative, the EU tries to transform the ominous territory of conflict resolution into a safe ground for spreading its soft power through conflict prevention and legal harmonisation. For instance, one of the documents maintains that "the EU can make an important contribution by working around the conflict issues, promoting similar reforms on both sides of the boundary lines, to foster convergence between political, economic and legal systems, enabling greater social inclusion and contributing to confidence building... In other cases, depending on the nature of the conflict, increasing the capacities of ministries dealing with refugees, promoting the integration of minorities through language instruction, supporting post-conflict infrastructure rehabilitation, including cultural heritage, or implementing local income generation projects can constitute appropriate confidence-building measures"[39]. Here, the EU, to a large degree, gives up its political power, which could directly contribute to the conflicts' solution, and retreats back to the position of a benign actor who focuses on confidence building

32   In addition, it is important to note that before the Reports are drafted, the Commission first asks for a number of materials from the Partner Countries, which are then scrutinised by the Commission.

33   *Commission of the European Communities*, SEC(2008) 395, *op. cit.*.

34   *Commission of the European Communities*, SEC(2008) 164, *op. cit.*.

35   *Commission of the European Communities*, COM(2008), *op. cit.*.

36   See, for example, the contributions of Helly and Parmentier in this volume.

37   Cf. *Kratochvíl, Petr / Lippert, Barbara* (2007) The Cost/Benefit Analysis of the ENP for the EU's Eastern Partners. Briefing paper for the Policy Department External Policies of the European Parliament, September, <http://www.europarl.europa.eu/activities/committees/studies/download.do?file=18011#search=%20the%20cost%20benefit%20analysis%20of%20the%20ENP%20>.

38   See *Emerson, Michael / Noutcheva, Gergana / Popescu, Nicu* (2007) "European Neighbourhood Policy Two Years on: Time indeed for an 'ENP Plus'", in: CEPS Policy Brief No. 126, March, <http://www.ceeol.com/aspx/getdocument.aspx?logid=5&id=808a34e0-6126-4b8a-aa7c-b554242587ff>.

39   *Commission of the European Communities*, COM(2007), *op. cit.*, p. 6, emphasis in the original.

and, possibly, post-conflict measures[40]. Neither the synchronic nor the diachronic analysis reveals any substantial changes in the way frozen conflicts are tackled. Even in the two recent documents through which the Commission addressed the EU member states and where they are urged to take action, frozen conflicts are not linked to any concrete proposals, and the text remains superficially general for the most part[41].

The most lucid example of how quickly the self-perceived dominance of the EU in the neighbourhood recedes once it is challenged is the role of Russia in the frozen conflicts. Both EU institutions and EU member states cannot have any doubt that Russia is the key factor in the resolution of virtually every conflict in the Eastern neighbourhood, and thus the discussion of the EU's measures in the area of conflict resolution should undeniably also include the steps the EU proposes vis-à-vis Russia. However, all analysed documents anxiously avoid any references to Russia in this context[42].

It would be premature to jump to the conclusion that the reason for this is the general tabooisation of Russia in the EU's external policies, since that would mean that Russia would not be addressed at all. But this is not true. For instance, *Wider Europe – Neighbourhood*[43] refers to Russia, among others, in the following areas: stake in the Internal Market, energy policy, cross-border cooperation, legislative and regulatory approximation, lending from the European Investment Bank, etc.[44] But the part on frozen conflicts[45] is entirely silent on Russia's role. Also, the long subchapter on "regional conflicts" in the communication from 2007[46] starts the list of frozen conflicts with Transnistria, Abkhazia and South Ossetia, all of which are directly linked to Russia's involvement in these conflicts. But again, not a single reference is made to Russia's role, and it remains completely unclear as to how the EU's Russia policy is (or is not) related to these sensitive issues.

5. The Implication for the South/East Divide

Although we started from the assumption that the previous tensions are no longer the key to understanding the current evolution of the ENP, they are still substantially influenced by the policy's primary contradiction – the role the EU plays in the neighbourhood. Especially the tension between the South and the East is particularly reinforced by the different roles preferred by the EU.

The first repercussion for the two geographical dimensions is obvious. The EU's rhetoric toward the South is much more cautious, stressing the equality of the partnership. While this is clearly appreciated by the Southern partners (at least better appreciated than the approach hidden behind the Barcelona Process), it also means that this cautiousness diminishes their chances for a quick convergence with the EU. The Eastern part of the neighbourhood is, on the contrary, seen as an arena where the EU should act asymmetrically. As a result, both political conditionality and requirements for a stricter compliance in law harmonisation are palpable here.

The result will undoubtedly be a gradual, if informal, differentiation between the Southern and the Eastern partner countries. In the East, this will be reflected both on the symbolical level, e.g. through the probable replacement of "Partnership and Cooperation Agreements" with "Association Agreements" or "Enhanced Agreements", and on the level of practical policies. Here, the Eastern neighbours' prospects for attaining deep free trade areas, eventually extending to cover all four fundamental freedoms of the EU, stand much higher than those of the Southern partners.

Surprisingly, our research revealed an opposite tendency as well. While the EU's status as a dominant power is virtually unchallenged in the South, Russia is rapidly rising in the East as a strategic competitor, offering the countries in the common neighbourhood an alternative model of governance. Indeed, with the growing disillusionment about the democratic credentials of the leaders of East European colour revolutions, and with Russia's economic rise, the EU option is no more the only obvious way for many countries in the region. Although we could argue that Russia does not, in fact, offer any viable modernisation option, the public discourse in the partner countries may not be aware of these shortcomings. What the public is, nevertheless, clearly aware of is – as indicated above – the issue of frozen conflicts. It is in this area where the EU will either rise up to the challenge of dealing directly with the solutions to the conflicts, or its influence will dwindle.

No matter whether the EU finds enough internal political will to become more deeply involved in the East or not, Russia's presence in the Eastern neighbourhood further adds to the growing gap between the two regions. As a consequence, the EU will be required to develop distinct strategies to cope with challenges particular to the East. The differentiation will be sooner or later palpable in the South as well. The different regional setting, the influence of other players (Iran, US, etc.) and the fear of radical political Islam will mean a further separation of approaches to the two regions. Even though the EU will most probably try to do so within the ENP framework, the policy's internal consistency will necessarily diminish.

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40 See Tulmets' and Parmentier's contributions in this volume.

41 *Commission of the European Communities*, COM(2006) and COM(2007), *op. cit.*.

42 For the only exception, see the general comment in *Commission of the European Communities*, COM(2006), *op. cit.*, p. 9.

43 *Commission of the European Communities*, COM(2003), *op. cit.*

44 We should bear in mind, however, that at the time of the release of Wider Europe – Neighbourhood, Russia was still expected to join the initiative. I thank one of the editors for this remark.

45 *Commission of the European Communities*, COM(2003), *op. cit.*, p. 12.

46 *Commission of the European Communities*, COM(2007), *op. cit.*.