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"Where you stand depends on where you sit"

## A Bureaucratic Politics View on the European Neighbourhood Policy

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### **Abstract**

In 2003 the European Union launched the European Neighbourhood Policy (ENP) with the main objective "to prevent the emergence of new dividing lines between the enlarged EU and its neighbours and to offer them the chance to participate in various EU activities, through greater political, security, economic and cultural co-operation". EU internally the ENP was supposed to bring together EC, CFSP as well as JHA activities within a single framework, with the main aim to overcome the often criticised pillarisation of EU foreign policy and to provide a coherent approach toward the neighbours.

This paper claims that this single framework not only brought together policies from different pillars, but that over time the (informal) roles and interactions of the involved EU actors changed. While at the beginning this change led to conflicts between the Commission and the member states, a more consensual interaction was established after some months, although conflicts still occur from time to time. By scrutinising the interactions and motives of different actors, this paper takes a bureaucratic politics approach that allows to grasp this changing mode of policy making at EU level.

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## Abbreviations

CFSP	Common Foreign and Security Policy
COM	Commission of the European Communities
CS	Council Secretariat
DG	Directorate General
DG Relex	Directorate General for the External Relations
EC	European Community
EFP	European Foreign Policy
e.g.	for example
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood Policy Instrument
EPC	European Political Cooperation
EP	European Parliament
EU	European Union
HR	High Representative for the CFSP
i.e.	that is
IGC	Intergovernmental Conference
MS	EU Member States
PR	Permanent Representation

## Introduction

In March 2003 the Commission published its “Wider Europe” communication about a new policy framework towards the EU neighbouring countries that emphasised the need of intensified links with this “ring of friends” to guarantee security and stability for the Union’s citizens.<sup>1</sup> Five years later, the assessment of the European Neighbourhood Policy (ENP) is quite diverse. The Commission cheers the new policy with small critical remarks in some policy areas (see for example press release COM 2008, IP/08/509), most member states view the development critically in some aspects but generally positive, and European citizens seem to primarily ignore it (see European Commission 2007) while most scientists critically predict the failure of the ENP to effectively support change in neighbouring countries (see e.g. Weber/Smith/Baun 2007).

There are several scientific contributions that describe the development of the ENP, its similarities and differences with other policy initiatives and, more recently, its shortcomings to influence third countries positively. But only a few scholars also reflect how the ENP policy framework goes further than just bringing together the traditional EU foreign policies (i.e. the supranational external EC policies and the intergovernmental Common Foreign and Security Policy, and more recently the external dimension of Justice and Home Affairs) into one single framework. This paper aims to contribute to exactly this gap in scientific research by investigating following questions: In how far does the single ENP framework allow for a change in how EU foreign policy is made towards the neighbours? And what reasons did the involved EU actors have to push or allow for this new arrangement?

Although the treaty provisions formally still clearly differentiate between economic and political aspects, the decisive difference in ENP policy making is not between economic and political issues anymore, but between the different stages of the policy making process: The Commission is providing drafts, the member states (MS) decide in regard of political issues, but it is the Commission again that implements and negotiates with third countries. And although there is still a difference between EC and CFSP issues and although the MS closely control that the Commission does not exceed its competences within the ENP framework, I assume that traditional intergovernmental/supranational decision-making schemes are not able to grasp the role of the Commission in particular and the new form of interaction of the EU actors in general within the ENP. The single ENP framework does not solely combine the

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<sup>1</sup> This paper aims to discuss institutional and theoretical implications of the ENP, and therefore intentionally abstains to give a general introduction to the development of the ENP (for a comprehensive overview see e.g. Johansson-Noegués 2007).

two different forms of EU foreign policy making, but it is crucial to reflect in how far the ENP cross-pillar framework allows for a new form of EU actors' interaction.

From a *theoretical perspective* this paper links to scholarly work that assumes institutional change as a slow, sometimes informal, day-to-day policy process that gets formalised at a later point in time. Within the European integration literature this approach of "interstitial institutional change" (see special issue 30/2 of *West European Politics*, especially Farrell/Héritier 2007; Caporaso 2007) strongly opposes a liberal intergovernmentalist perspective. While the latter assumes that institutional change within the EC is intentionally decided by EU member states during Intergovernmental Conferences in accordance with their national (primarily economic) interests (Moravcsik 1993: 496), this paper highlights the need to look at informal and slowly changing, day-to-day practices to grasp how EU policies are performed within the ENP framework.

Furthermore, the paper draws on scholarly work on bureaucratic politics and its differentiation between policy interest goals (purposive goals) and organisational interests (reflexive goals) (see e.g. Peters 1992) to categorise the diverse motivations of EU actors.

This implies that this paper will not discuss the outcome and the effectiveness of the ENP in respective third countries, but that the focus is on the interaction of EU actors<sup>2</sup>, their conflicts and their motivations. In this regard, the paper will after a short literature review investigate just two closely-interconnected ENP aspects: the "single framework" as an ongoing quest for coherence and the presumably changing interaction of EU actors within the ENP-framework. These two issues are closely interlinked: the single framework approach has profound implications for the interactions of the Commission and the Council (ie the Member States), while in the end, of course, a changing interaction of EU actors also affects the possibility of coherent action. The forth part will, furthermore, present the EU actors' motives to allow/push for the assumed change, before the paper returns to the main research question in the concluding remarks.

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<sup>2</sup> As European actors I perceive the following institutions: The member states (and their permanent representations in Brussels) will on the one hand be perceived as a collective (the Council, the Council working group etc.) when the interests of the various member states are similar or in the same way affected. On the other hand and to a certain degree, the member states are also incorporated as single actors, if the interest of one specific member state is especially harmed or one member state has a special interest in changing the policy in a certain direction. Another separately defined actor is the Council Secretariat (especially the Policy Planning and Early Warning Unit) and the High Representative for CFSP. A further crucial actor for this research project is the Commission and its various Directorate Generals (DGs). The European Parliament (EP) is only incorporated in a limited sense.

## 1. Scholarly approaches to analyse the ENP

The perception of the ENP in the scientific literature as well as in public discussions seems contradictory: on the one hand it is often perceived as a new policy towards our neighbours, while at the same time it is seen as a follow up of prior policy frameworks. In the scholarly debate it is agreed that primarily three internal changes and dynamics (see e.g. Del Sarto/Schumacher 2005: 19) influenced the set-up of the ENP: Enlargement, the dissatisfaction with existing relations with the neighbours and the adoption of a comprehensive security approach. Current analyses compare the ENP mostly with the first two events.

### 1.1. *ENP as Enlargement-light*

The prospective sharing of borders with new neighbours was the most obvious trigger to reconsider how to organise the relations with the new neighbours (see e.g. joint letter of Patten/Solana 2002), but there were also other internal aspects of the enlargement process that shaped the Commission's approach. As highlighted in its first communication on the new policy, the Commission views enlargement "*as the Union's most successful foreign policy instrument*" (COM 2003, 104 final: 5) and is therefore determined that a similar strategy might also be useful in other policy frameworks. Therefore instruments and logic applied during the enlargement preparations were also incorporated into the ENP: Action plans, the use of evaluation and progress reports and the principle of differentiation (Kelley 2006: 49; Del Sarto/Schumacher 2005: 37). But also human resources were shifted to the new emerging policy area. Former enlargement officials were transferred to unit D in DG Relex. The considerations behind this move of the Commission seem pragmatic:

"The College of Commissioners discussed who should lead ENP and they found a practical solution: After the finalisation of the enlargement negotiations Verheugen did not have that much to do anymore, while Chris Patten was rushing around the world, being a busy man. Furthermore, it was planned to make DG Enlargement smaller. But as, of course, nobody wanted to lose these enlargement experts, their know-how, and experience, the College of Commissioners decided to integrate these people in the new ENP unit." (I-7: COM).

The Commission decided to involve officials from DG enlargement in the planning and set-up stage of the ENP, and Kelley (2006) identified primarily rational, bureaucratic power reasons of the Commission in proposing this form of ENP to keep its successful position after enlargement in external relations:

"The ENP is a fascinating case study in organizational management theory. Its combination of socialization and conditionality exemplifies how the Commission relied on institutional learning and strategic adaptation from enlargement policies to expand its foreign policy domain." (Kelley 2006: 29, 48)

In the scientific literature this linkage between the Eastern enlargement process and ENP is often used to compare the success of the two processes and to investigate in how far EU

external governance is also effective in neighbouring third countries. The shortcoming of this approach is that these scholars perceive the missing carrot of an accession perspective as the only difference between ENP and the enlargement process, which in their line of argument is strong enough to make the ENP fail. Although the ENP does not include the perspective of accession and this explicit negation of a membership perspective creates critical reluctance of some third countries, I fully agree with Moschella (2006: 161) that such a comparison is nevertheless misleading as the final goal of the ENP is not accession and integration, but creating stability and security for EU citizens by supporting economic and political reforms in the neighbourhood (GAERC 2007: 2). Although the applied instruments might be the same, the final goals differ.

Therefore I assume that the definition of the enlargement process as a successful foreign policy should be more critically reflected, as the final goal of the enlargement process was integration and not the achievement of a foreign policy objective.

### 1.2. Dissatisfaction with existing relations

To the East, the enlargement in 2004 made it necessary to think about creating closer links with newly bordering countries. Towards the South it was the dissatisfaction with the 1995 initiated, multilateral framework of the Barcelona process<sup>3</sup> that was perceived as moving (too) slowly and not delivering the desired results (Dannreuther 2006: 190). The multilateral framework of the EMP only allowed development to follow the speed of the slowest member and did not allow more ambitious partners to intensify their relations with the EU according to their individual interests. Nevertheless, the single multilateral framework of the EMP was used as a template for the ENP, but this time to sum up the bilateral relations between the EU and its partners.

The ENP differs from the EMP in its more positive approach to conditionality and its application of a benchmarking system, as the differentiated and bilateral approach allows the European Union to reward well-behaving partner countries<sup>4</sup>. Del Sarto and Schumacher (2005: 22) furthermore argue that within the ENP framework the EU interests are more

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<sup>3</sup> In 1995 the European Council and the foreign ministers of 12 Mediterranean countries (Morocco, Algeria, Tunisia, Egypt, Israel, Jordan, Lebanon, Palestinian Authority, Syria, Cyprus, Malta and Turkey) had adopted the "Barcelona Declaration" that launched the EMP. The partnership was designed as a framework that coordinated and subsumed all relations between the European Union, its member states and the Mediterranean countries (for a more detailed discussion of the EMP see among others Philippart 2003; Salama 2002; Gomez 1998; Gillespie 1997; Bretherton/Vogler 1999: 158-159; Smith, H. 2002: 160-164)

<sup>4</sup> In the recently published progress reports the Commission announced that it will intensify cooperation with Ukraine, Israel, Moldova and Morocco as these partners "*have shown particular ambition and capacity*" (COM 2008, IP/08/509)

clearly defined than within the EMP: safe external borders, security and stability for European citizens are the final goals of the ENP, while the support of social, political and economic welfare in partner countries is perceived as the instrument to reach the final goals.

These scholarly comparisons demonstratively show which EMP shortcomings have been tackled by the ENP framework, but they do not really investigate what the adaptation meant for the actors at European level, although it must be emphasised that the ENP officially is not meant to substitute the EMP but is designed as “complementary” policy. I assume, nevertheless, that it would be necessary to observe more detailed in how far the “old” EMP structures and the ENP units cooperate, but that it must not be overlooked that ENP is working quite differently from the still pillarised EMP.

### 1.3. A comprehensive security approach and cross-pillar linkage

EU-internally the development of the ENP framework coincides with the adoption of a comprehensive security approach in 2003 that repeatedly emphasised the importance of more coherence in external actions:

“..we need to be more active, more coherent and more capable [...] The challenge now is to bring together the different instruments and capabilities. [...] Diplomatic efforts, development, trade and environmental policies, should follow the same agenda.” (Solana 2003: 11 and 13)

“*Building security in our neighbourhood*” is, moreover, mentioned as one crucial strategic objective to provide the broadly defined goal of EU security (Solana 2003: 7-8; see also Dannreuther 2006: 186).

During the 1990s scholars used the formal pillarisation of the treaty as justification to look only at one part of the EU “*system of external relations*” (Hill 1993: 322), i.e. to analyse the external (economic) relations of the EC-pillar or the intergovernmental CFSP pillar (Wessel 2000: 1135), what in the end also did not allow to grasp the emerging interaction and the mutual linkage between the two forms of policy making and their respective main actors. Cross-pillar perspectives have only recently been added to the research agenda, although this approach has not yet been explicitly applied to the ENP.

Theoretically, Michael Smith already discussed the issue of “politicisation” and the linkage of policy areas across the pillars in 1998. He viewed the EC as agent of the actor EU and identified the process through which the external relations become politicised as the most crucial research question (Smith, M. 1998: 78)<sup>5</sup>. Winn and Lord (2001) choose the EU joint

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<sup>5</sup> In practice, during the following years a similar argument was made by critics about the incoherent EC development assistance and its weak use of political conditionality (Santiso 2002; Smith, K. 2001; Dimier 2006; for official discussion on EU level refer to COM 2005, 134 final). But apart from normative discussions about the use of conditionality there are only some legal analyses (Baratta 2002; Pocar 2002; Paasivirta/Rosas 2002) about the overlap of external relations and CFSP provisions.

actions of Mostar, Dayton and the Southern Caucasus during 1996 and 1999 as case studies to analyse the interaction of European actors beyond the pillars. They concluded that the European Commission does have a certain scope as policy entrepreneur in pillars two and three, but that its role highly depends on the extent of a-priori defined national preferences of EU member states and the level of information of other (national) actors.

Krause concluded with similar results, arguing that the EU-Africa relations became increasingly overlapping between external relations and political CFSP issues what allowed for “*a mutual influence of the central actors of the two pillars on each other’s policy output*” (Krause 2003: 222). In regard of the ENP it is interesting how Krause shows that the Commission intentionally used the argument of a comprehensive and coherent approach to strengthen its entrepreneurial position also in political issues.

The most extensive study on cross-pillar issues was so far conducted by Stetter who argues that functional linkages between policy areas allowed for a gradual integration also in the area of foreign policy making (Stetter 2004: 735). However, it should explicitly made clear that this form of integration is still distinct from first-pillar integration and Stetter does not assume a communitarisation of CFSP issues. But the emerging cross-pillar setting, nevertheless, changes the interaction and the roles of the involved actors which in the end lead to following phenomenon:

“One of the key insights from this analysis is that the main differentiation in EU foreign affairs is neither along the ‘pillar dimension’ nor on the often assumed ‘supranational’-‘intergovernmental’ divide - but rather on an actor dimension that cross-cuts the supranational-intergovernmentalist divide” (Stetter 2004: 733)

I want to show in the following sections of this paper that the application of such cross-pillar assumptions also reveals interesting aspects of the EU actors’ interaction within the ENP that on the one hand have not been grasped until now and that on the other hand, are also crucial to understand certain aspects of how the ENP has been developed until now. I argue that the claim for a “single framework” is the continuing quest to achieve coherence in EU foreign policy making, which was/is strategically used by the Commission to preserve its involvement in this new policy framework. However, more interesting are the reasons of the Member States to nevertheless allow for this new ENP framework.

## **2. The concept of a “single framework” and “coherence”**

In regard of the ENP the term “single framework” was only introduced recently into the ENP jargon. In its December 2006 Communication “Strengthening the ENP” the Commission praised for the first time the “single framework” in addition to joint ownership, concreteness and the better use of funds as the strength of the ENP:

“It provides a **single, clear framework** covering the neighbourhood as a whole in which to discuss and handle the **whole range of issues** between the EU and each partner.” (COM 2006, 726 final: 3, emphasis added by author)

In the previous official documents there was no notion of the “single framework” but an emphasis for the need of coherence and an integrated approach:

“to formulate an ambitious, long-term and **integrated approach** to each of these [*neighbouring*] countries. [...] For the EU’s part, the whole range of the Union’s policies (foreign, security, trade, development, environment and others) will need to rise to meet this challenge. [...] The EU should act to reinforce and **unite its existing neighbourhood policy** towards these regions [...]” (Wider Europe Communication, COM 2003, 104 final: 3 and 9)

“Principles and scope - A Neighbourhood Policy for a European Union acting **coherently and efficiently** in the world - A comprehensive neighbourhood policy, integrating related components from all three ‘pillars’ of the Union’s present structure.” (ENP Strategy Paper, COM 2004, 373 final: 6):

Coherence and the “single framework” are meant to work in two ways: First, it should provide a framework where all neighbouring countries are covered, i.e. that all relations with third countries of the Eastern as well as the Southern shore are covered within this framework to achieve a certain level of coherence *between* different third countries. At the same time this coherent approach should, nevertheless, also allow for a differentiation in regard of the need, specific situation and respective national interests of the partners. Secondly, the single framework is meant to work EU-internally as a coordination tool for the diverse set of policy areas, ranging from EC issues (trade, development assistance) to political topics (including security issues) and cultural cooperation. But as the rest of the paper will argue, this coordination tool did not only bring together the different policies within one framework, but it also changed how the (informal) policy process within the different issue areas to different degrees.

On European level more coherent action in external relations is already desired since 40 years, and Art. 3 of the Maastricht Treaty incorporates coherence as a fundamental principle (Smith, M. E. 2004: 210; see e.g. Gauttier 2004: 26; Nuttall 2001; De Wilde/Glume 2004: 2; Nugent 2002: 154). There have been several attempts to improve the cooperation of the various actors,<sup>6</sup> and formally, the Commission and the Council are responsible to ensure consistency, each within its respective powers. At European level, coherence is still seen as a necessary prerequisite for a better international performance of the EU what was also

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<sup>6</sup> For example, the primary aim of the incorporation of the European Political Cooperation within the institutional framework of the EU through the treaty of Maastricht was to foster coherence (Smith, M. E. 2001: 169). The treaty revision of Amsterdam and the incorporation of the instrument of “Common Strategies” were also intended to improve coherence. Further, the constitutional draft included several attempts for better and more coherent foreign policy making that were also incorporated in the Lisbon Treaty.

explicitly highlighted in the European Security Strategy (Solana 2003) as well as the Commission's Communication to the European Council "Europe in the World – some practical proposals for greater coherence, effectiveness and visibility" (COM 2006, 278 final).<sup>7</sup>

From a conceptual point of view, coherence in the external affairs of the European Union may be achieved at different levels and either in terms of policies or in terms of polity. *Vertical* coherence (policy-level) occurs between the foreign policies of the MS as well as between foreign policies of the MS and the external actions of the European Union. *Horizontal* coherence (policy-level) applies to the dimension of policies and asks for coherent actions in and between different EU policy areas. Thirdly, *institutional* coherence (polity-level) shall occur between the different pillars (EC and CFSP) and the respective actors of EU foreign policy making (Nuttall 2005: 97).

Nuttall argues that this differentiation becomes crucial when trying to improve coherence. Institutional coherence can be solved more easily because "only" the structure of the system has to be adapted, whereas improvement of horizontal coherence, i.e. coherence between different policies, requires a more fundamental change and an „*uncomfortable debate about the nature of foreign policy and the quality of the EU as an international actor*“ (Nuttall 2001: 3-6, 10, for similar conclusion see Gauttier 2004: 23). In opposition to Nuttall I assume that debates about the sharing of tasks, competences and means, i.e. about bureaucratic power and financial means, might be as "uncomfortable" and hard as a discussion about the nature of European Foreign Policy in general. The involved institutions as well as the member states try to push their own view about the desired EU role in international affairs, whereas they also look after their (relative) power position in the EU political system. Especially within foreign policy domains there was always a strong reluctance of the member states to allow for the involvement of other actors (sovereignty argument), while especially the Commission repeatedly emphasised the need for a comprehensive and integrated approach to deliver an effective and successful policy towards the outside world (functional indivisibility argument).

### **3. Business as usual or a new form of EU policy making?**

Formally observed, the ENP framework brings together economic and development policies that are negotiated under Community competence, political aspects of the CFSP pillar, and more recently the external dimension of Justice and Home Affairs of the third pillar (fight against terrorism, fight against crime, migration etc).

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<sup>7</sup> See also European Security Strategy (Solana 2003) or Christiansen (2001: 762).

For the Southern dimension, the Euro-Mediterranean Partnership (EMP) was set up in a very similar way, but there the division between economic and political issues was still more clearly designed than within the ENP. The EMP was separated in economic, political and cultural baskets but this formal differentiation does not exist in the ENP, especially as these different areas are always incorporated in one document, e.g. the action plan, the country strategy paper or the national indicative programme. The formal differentiation of the applied EU decision making procedure still exists, but the sharing of tasks is fundamentally different than in former external relations frameworks towards the neighbours. Political and economic issues are now dealt with at the same time, with the only difference that the Council has the sole decision competence about political issues.

Within the formal institutional framework of the EMP, the European Council gives the strategic direction that is expressed in the Common Strategy. Each Presidency of the Council should present its priorities for the implementation of the Common Strategy on the Mediterranean (CSM) in its working program (see Art. 33 CSM, European Council 2000), and the Council is responsible for the actual implementation by adopting Common Positions and Common Actions. Within the EMP the only provision in regard of interaction of different actors is the achievement of coherence, for which both the Commission and the Council are responsible (Philippart 2003: 203-204; Salama 2002: 4, 9; Smith, H. 2002: 160).

In comparison to the often highly technical relationship with the Mediterranean neighbours, the engagement with the Southern Caucasus<sup>8</sup> countries was much less intensified before 2003, and focused primarily on energy concerns, humanitarian assistance, and attempts for conflict resolution. The ongoing conflicts in the region were mainly pursued within the CFSP pillar what led to the fact that the Council and its bodies (a special representative for this region and his team) were more involved in policy making towards the South Caucasus than towards the Southern Dimension. However, also during the 1990s the role of the Commission increased steadily in implementing programmes (especially TACIS) in the Southern Caucasus (Mayer 2006).

The working procedures of the ENP were set up in the “European Neighbourhood Policy strategy paper” (COM 2004, 373 final). It was decided that the Commission would draft country reports for the third countries where it will provide information about the political and economic situation of the country and possible needed reforms. Based on the results of these reports ENP action plans were drafted by the Commission, then discussed with the member states and finally negotiated with the third countries. The action plans are very

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<sup>8</sup> The paper only looks at the Southern Caucasus countries of Armenia, Azerbaijan and Georgia and does not take into account other countries of the Eastern dimension.

concrete and technical, and identify the priorities of reform with each partner for the next three to five years. The Commission is responsible for the implementation of these action plans and the monitoring of progress through periodic progress reports. According to the traditional differentiation, EC policies are decided through the Community method of decision.

When we look at the formal treaty provisions only, the role of the Commission in policy making towards the neighbourhood did not change considerably during the last two decades, neither with the adoption of the Common Strategy for the Mediterranean nor with the incorporation of the ENP. But this is misleading, and several scholars already emphasized that the impact of the Commission on foreign policy evolved considerably during the last years (White 1999: 45; Allen 1998: 48), and it is now perceived by many authors as

“the most important actor in Union policy towards the Mediterranean - taking responsibility for implementing the Euro-Mediterranean partnership” (Smith, H. 2002: 160).

With the ENP the involvement of the Commission even increased that is now not only limited to implementation anymore. Christiansen (2001: 762) emphasised in his study on inter- and intra-institutional relations in the EU “that deficits of the formal structures and the treaty provisions are compensated by informal arrangements”, whereas he concluded that the formal treaty provisions do not tell the whole story about tasks and competences of European actors.

After an empirical analysis, the main tasks of the Commission within the ENP framework can be categorised (interestingly enough) according to the main tasks that Hill (2003: 76-78) identified as vital functions of national foreign bureaucracies: routine information gathering, assistance in formulating policies, and institutional memory.

### *3.1. Routine information gathering*

Within the ENP the most important task of DG Relex is to collect and provide information to assess and monitor the implementation of the association agreements and the ENP action plans in a very detailed way (I-10: COM). The country desk officers are the focal points that can rely on the EC delegations’ expertise about the on-site situation as well as on the more technical assistance of the sectoral ENP units and of other DGs (I-7: COM; I-8: COM). And although the member states (MS) and the Council Secretariat (CS) closely observe the involvement of the Commission, they in the end approve its role as a positive one.

The MS as well as CS-officials, generally, view the role of the Commission in gathering information very positively and acknowledge that it fulfils a very important task that can only be sufficiently performed by the Commission (I-21: PR UK). Nevertheless, the MS become

sometimes also quite jealous of the advantages of the Commission (I-13: CS), especially when they get the feeling that the Commission relies on its information-advantage:

“Vis-à-vis the working groups they [Commission officials] explain certain positions on a punctual basis but not regularly, and concerning information it depends – when they only need majority vote they often wait quite long and give the proposals to the member states just some days before the decision – so that they do not have time to look at the proposals in exact details and find points they would disagree with. For us it is not possible to look at every point in detail, especially when there should be a joint paper afterwards. It is a game.”  
(I-17: PR France)

Officials of other MS also confirm this problem, although they emphasize that this can not be generalized to the Commission per se, as the delivery of information depends very much on the personal attitude of the civil servant whom they are working with (I-18: PR Germany). Furthermore, all interview partners emphasised that the sharing of information is not a problem anymore when negotiations with third countries are taking place, as all involved actors are aware of the importance to have a common standpoint vis-à-vis third parties (I-15: CS). Officially, also the Commission highlighted the need to improve the exchange of information with the Council and the MS as a very important asset to strengthen the role of the EU as foreign policy actor (COM 2006, 278 final: 7-8).

The importance of the EC delegations was also a salient topic during the negotiations of the constitutional draft treaty and the Lisbon treaty respectively. The CS as well as the MS expect that through the set-up of an External Action Service they would be able to “use this huge potential” of the EC delegations more directly (I-15: CS). The Commission, of course, views this development more sceptical, as it fears to loose an important source of power vis-à-vis the other actors.

### 3.2. Assistance in formulating policies

Apart from providing information and expertise the Commission also fulfils a very important task in formulating policies within the ENP framework, even if in the end other actors might have the sole competence to decide. In 2004 and 2005, the Commission prepared the country reports, which highlighted the most needed reforms in the partner countries and were the starting point for further policy developments. It drafted the more detailed and very technical ENP action plans, which afterwards were discussed with the MS (I-14: CS). The MS, as the deciding authorities, have the difficulty during this later involvement that first, it is impossible for them to look at every point and to assess the impact in detail, and that secondly, at this stage the MS can only agree or disagree to the drafts, but they can not give their own input any more (I-17: PR France). Furthermore, the Commission sometimes acts in a very strategic way to achieve acceptance of their proposed policies, especially if only a qualitative majority is needed. Through tactically linking different issues (for example agriculture and the free movement of workers) in one discussion it “tries to persuade the

member states” (I-11: COM). Therefore the MS often have the feeling that the huge power of drafting proposals “culminates in a rule of the Commission” (I-16: PR France) in the area of ENP. Not all MS would formulate it in a such rigorous way, but they agree that the power of the Commission increased steadily during the last years (I-13: CS; I-18: PR Germany).

Formally there is a clear division between economic EC and political competences of the MS. But the CS as well as the MS often get the impression that the Commission also wants to cover political aspects (I-15: CS; I-16: PR France) and therefore they carefully control what the Commission is including in its negotiations with the third countries (I-1: PR Austria). On the other hand, all involved actors again also emphasize that the Commission is doing a very important job that could not be done by the MS or the Council alone (I-21: PR UK). They also highlight that the cooperation between CS and Commission improved significantly during the last years, especially after some turbulent first months after the ENP set-up, during which all involved actors had to get used to the new form of interaction and find a certain routine. Now, the CS as well as the MS often actively ask for the expertise of the Commission in areas where it has no formal competences at all (I-7: COM; for similar results see also Christiansen 2001: 762-764).

### 3.3. Providing coherence through Institutional Memory

Hill (2003: 77) argues that the institutional memory of foreign policy bureaucracies ensures a certain amount of continuity in the external relations of a state. At European level this task is meant to be performed by the CS whose primary task is to assist the rotating presidency and ensure continuity in the formulated policies of the Council. The civil servants of the Commission view themselves performing this task in the area of the ENP, as in their view also the officials in the CS often change (I-8: COM; I-19: COM). Furthermore, COM-representatives highlight that for such slow-moving processes like the ENP and the EMP the day-to-day policy making of the Commission is more important than short-term political ad-hoc decisions of the Council. Profound improvements take time and need the support of more technical and long-term strategies (I-7: COM) which in the end make the EMP and ENP more successful than possible alternative, more interventionist approaches (I-1: PR Austria).

During the last two decades there were several reorganizations of the institutional setup of the Commission that reflect quite tellingly the old discussion about how to structure foreign policy bureaucracies – along geographical or sectoral units (Hill 2003: 78-81). Today, within the Commission both of these divisions exist, but the respective geographical desk officers are the focal point for coordinating all policies towards the third country (I-8: COM; I-9: COM; I-10: COM).

Although this paper is not able to assess this aspect in general, it was observable in the investigated cases of Morocco and Georgia, that the coordination of and with other actors is highly depend on the respective personalities in charge. CS and MS representatives complained about the bad cooperation with the head of unit F (Mediterranean) in DG Relex, as they often were not informed in an appropriate way. Furthermore, the MS had to recall proposals from this unit to third countries several times, as these drafts clearly exceeded the mandate of the Commission and were not in the interest of the MS (I-18: PR Germany). The MS ascribe these problems not generally to the Commission but specifically to this unit. In the Southern Caucasus unit this kind of problems did not occur at all, and the Council, the Commission as well as the team of the special representative emphasized that “they have a very pragmatic share of work and that they work as a team” (I-5: COM; I-14: CS; I-22: CS). The EU approach towards the Southern Caucasus must not directly be compared to the Southern dimension, but this observation indicates that personal contacts and the attitude of the individual officials towards cooperation with other institutions play a significant role.

#### **4. Motives for change in policy process**

Foreign policy is perceived as the most sensible area to national sovereignty, and the pillar-structure that was introduced with the Maastricht Treaty is often argued to clearly show this reluctance of Member States to allow for a closer cooperation in this area at EU level. Since some years scholars and practitioners often even talk about a re-intergovernmentalisation of EU foreign policy making, with the CFSP/ESDP becoming more active and Member States engaging more intensely in coordination of their foreign policies. But why did Member States then allow for the increased involvement of the Commission in foreign policy making towards the neighbourhood? Did they not perceive ENP as foreign policy? Or quite on the contrary, did they have intentional reasons to allow for this change?

In the Foreign Policy literature, and especially in Bureaucratic politics scholars differentiate between *reflexive goals* and *purposive goals*. Reflexive goals are all organisational interests in terms of competences of (financial) means, while purposive goals are more targeted to a policy demand. Actors recognize that they have to adapt their form of interaction to a more effective and “good” policy making, what might be triggered by two different ways of reasoning. On the one hand an increased functional linkage of different policy areas might also ask for a more integrated approach at EU level (Christiansen 2001: 762; Stetter 2004: 720-721), while on the other hand a new policy demand might occur because of rational cost/benefit calculations or efficiency reasons. The member states intentionally decide to involve supranational actors for more efficient policy making and under a strict control

mechanism, because the quantity and complexity of foreign policy output on European level has grown and they lack the ability to pursue their policy ideas on their own.

As already highlighted at the beginning of this paper, the ENP set-up is often linked to the enlargement process, and some scholars argue that it was the unintended consequences of this process that made the Member States not aware of what they actually agreed to when they set-up the ENP. However, the empirical results of the analysis show that the Member States quite knew about the changes introduced by the ENP framework, and most of the time also appreciate(d) a stronger involvement of the agent Commission.

The policy-demand factors is quite visible when the Council Secretariat and the MS acknowledge the decisive involvement of the Commission in the current ENP policy process, because they emphasise that they would not be able to formulate the complex policies towards these countries on their own (I-18: PR Germany; I-21: PR UK). This has changed considerably during the last ten years. At the beginning the Commission was only meant to fulfil administrative tasks like preparing the meetings. But after some time the member states acknowledged that they also have to allow for an involvement of the Commission. The latter has the capacity (and especially its delegations in the third countries) to gather information and draft policy documents, what Member states alone would not be able to do effectively on their own (I-21: PR UK; I-8: Comm; I-10: Comm; I-7: Comm). Given the highly technical nature of some ENP documents, the Member States repeatedly acknowledged that they would neither have the expertise nor the time to look at all these details in their meetings.

However, in line with the bureaucratic interest-hypotheses general turf battles between the institutions also become visible, especially when the Member States get the impression that the Commission “is playing games” with them and wants to sell them a policy that they might not agree to. MS often get the impression that the Commission, the CS, and especially the Policy steadily attempt to expend their competences (I-1: PR Austria). On the other hand, Commission officials argue that the Council Secretariat has extended its numbers of employees extensively because they thought that they would gain more competences through the constitutional treaty and then would have the possibility to use the means of the first pillar directly (I-3: Comm; I-7: Comm). Furthermore, many EU officials have the impression that Javier Solana, and his team of the Council Secretariat extended their competences in geographical terms. The Commission, in contrast, started to set-up an own security unit in DG Relex dealing with crisis management and conflict prevention, what is sceptically observed by the MS.

But the Commission also brings forward policy-demand arguments when explaining for their push to be more strongly involved in the ENP. Commission official repeatedly highlight that

their technical, more long-term perspective of pushing for change in third countries is more effective than the often ad-hoc reactions of the MS within second pillar. Furthermore, they were able to gain valuable experience during the enlargement rounds, and their instruments and procedures so far seem to be better than strict political conditionality or political discussions.

This short outline of motives of EU actors to allow for the ENP framework and a different mode of policy making towards our neighbours shows that it is not always only bureaucratic self-interest that motivates EU actors, but that also specific policy-ideas and policy-demands are taken into consideration. Unintended consequences of prior institutional change (ie. Enlargement) might trigger a certain development, but this factor alone for sure is not enough to understand Member States' motives to allow for the ENP.

### **Concluding Remarks**

This paper looked at the European Neighbourhood Policy from a bureaucratic politics approach, assuming that the single framework approach of the ENP did not only add together different policies towards the neighbours, but also changed the way these policies are made at EU level.

Traditional theoretical approaches would predict that member states would strictly oppose this involvement of the Commission into this foreign policy domain due to sovereignty concerns, but, interestingly, there is quite a consensus between member states that the Commission fulfils quite important tasks in gathering information, assisting in formulating policies and providing coherence within the ENP. The member states, of course, try to closely control the Commission, so that it does not exceed its limits, but on the other hand the Commission also learnt that it does not make sense to pursue a policy that is strongly opposed by member states, as then it would only risk strong opposition to its proposals. This lead from a more conflictual interplay of EU actors during the first months of ENP to a more consensual policy process, although from time to time, of course, turf battles about bureaucratic interests still occur.

In concluding, is the ENP now a new form of foreign policy making at EU level? Putting the ENP development in a longer time-perspective was not the aim of this paper, but for future research it could be assumed that a close investigation of processes before the ENP set-up could reveal that certain tendencies of informal interaction were already present beforehand. As this paper argued, the ENP certainly increased certain informal roles of the Commission, and furthermore it vanished the clear differentiation between policy documents that deal with EC issues, and policies that deal with intergovernmental CFSP issues. It seems that some of

these aspects already showed in prior relations with the neighbours, although only to a certain extent and on an irregular basis. The ENP therefore mainly could be perceived as a next step of formalising already existing informal practices that got stronger and more visible through the single framework approach. Furthermore, it would be interesting to not just compare EU foreign policy making arrangements over time, but also look in how far certain processes of the ENP framework also are used in institutional relationships with other regions or countries (ie Stabilization and Association Process with Balkans).

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