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**Europeanisation through the ENP? EU Strategies, Determinants and Influence in its  
Eastern Neighbourhood**

*This paper is a draft version*

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*There is a consensus that the EU has been influential in promoting reform in the Central and Eastern European Countries (CEECs) as it was able to use a credible conditional membership perspective as an incentive. Thus, under the ENP, which does not offer that incentive, the EU is often expected to have little influence. This paper argues that the EU's role in the neighbourhood should not be understood only on the basis of the missing membership incentive nor analysed as an overarching policy. Research should be based on the empirical evidence on a country and issue specific basis, which includes not only consideration of the EU's conditional strategies but also of other EU instruments. This paper suggests two macro conditions that can have importance in understanding the EU's leverage in the ENP countries: belief in potential EU membership and identification with the EU. These two variables form a part of the analytical framework in my PhD research which focuses on understanding the EU's leverage in Georgia, Moldova and Ukraine in the area of the JHA<sup>1</sup>. This paper draws on the findings of the values of the variables in the context of the three countries in order to create a preliminary understanding of the logic of why countries comply, whether this is likely to last and, thus, what tools would be most successful for the EU to increase its leverage.*

## **Introduction**

The EU's most important foreign policy tool has been enlargement, as seen in the experiences in the CEECs (Kelley, 2006; Schimmelfennig, 2005). When the EU was preparing for the 2004 enlargement and realised that its limits are growing closer, the EU facilitated cooperation in the neighbourhood by launching its ENP programme, which now includes 27 of its immediate neighbours. However, within this ENP group, there are also countries which have expressed their willingness to be considered as candidates for EU membership since their independence, namely Moldova, Ukraine and Georgia. The ENP countries and the EU have agreed action plans from 2004 onwards to create closer cooperation. They include a set of objectives for reform and approximation with the EU standards in a wide spread of areas, which if complied with, avail further cooperation and access to the EU programmes and agencies and financial and technical aid, or in Prodi's words 'everything but institutions'. The question however remains, to what extent is the EU able to have leverage in promoting convergence toward its standards without offering a membership incentive to these states?

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<sup>1</sup> My research engages the macro and also issue specific level where I investigate the influence of costs, benefits and legitimacy in each issue area separately

The most common answer among researchers has been that due to lack of membership the ENP has little potential to influence countries convergence with the EU standards (Smith 2005; Weber et al. 2007; Sasse 2008; Kelley 2005; Lavenex 2004). Yet, in the EU progress reports and country monitoring reports conducted by the ENP countries it is possible to see convergence to the EU standards in a variety of areas. Drawing from this puzzle, it is suggested here that the understanding of the EU's influence should not be based on the missing membership potential. This paper suggests that the research on the EU influence in the ENP countries should rather be conducted on a country to country and issue to issue basis to reveal the true potential of the EU leverage. It is important as when the EU enlargement is reaching its limits, the only framework between the neighbouring states and the EU is the ENP which makes it vital to understand the true potential.

In order to understand the potential of the EU in the neighbourhood, it is hypothesized that the EU's leverage is both dependent on the domestic and issue contexts. Therefore, it is important to focus on two conditions that often go unnoticed: first, the fact that there is still potential for EU membership for European countries based on the article 49 which states that any European country is allowed to apply for membership, which may motivate countries for convergence and if withheld may cause frustration. Secondly, identification with the EU is another potential factor for encouraging convergence thus making attractiveness and reliability of the EU an important question. This paper introduces these two variables and their levels in the three countries in order to create understanding of the domestic level which may have implications for EU leverage and should be used in creating a deeper understanding together with the issue specific variables on what extent the EU can have influence.

This paper firstly discusses the literature related to Europeanisation and introduces the findings currently surrounding the debate. Secondly, it discusses the two alternative potentials for explaining EU influence and operationalises them in order to provide measurement capability. Thirdly, it introduces the countries perception on membership possibility and identification levels based on the framework and fourthly it shortly discusses the implications of the findings<sup>2</sup>.

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<sup>2</sup> Due to limitation of the size of the paper, I present only the summary of the findings, that base on the research on the foreign policy orientation, membership belief and identification with the EU from the time since the independence to date.

## **Literature and Puzzle**

The term Europeanisation has been employed when discussing the EU's impact in candidate states especially in adherence to *acquis communautaire* (Radaelli 2000; Börzel and Risse 2000; Kelley, 2006; Grabbe 2006; Schimmelfennig et al 2006; Vachudova, 2005). It has been used to describe the process of downloading 'European Union regulations and institutional structures to a domestic level' in the immediate neighbourhood by some authors (Meloni, 2007; Tulmets, 2006; Howell, 2004). Europeanisation has in addition been stretched beyond the EU, referring to eastern European countries' convergence towards EU standards (i.e. Popescu, 2005, Wolczuk, 2006), in the Mediterranean (i.e. Escribano, 2006) or in the Caucasus and in Switzerland, Norway, Iceland (i.e. Fischer, Nicolet and Sciarini, 2002).

Previous Europeanisation research focusing on the EU's impact has mostly taken place in the framework of new institutionalist literature; rational choice institutionalism and constructivist institutionalism. The rational choice approach assumes that actors' 'identities and interests are given and fixed over time' and that they follow the 'logic of consequentialism', which means choosing the most advantageous option from those available (Schimmelfennig, 2005). Sociological institutionalism assumes the most appropriate course of action within the circumstances and its instrument is politics of socialisation, which implies arguing and persuading and may result in the internalisation of new norms and values (Schimmelfennig, 2005).

The research conducted on the EU potential in the CEEC countries found that the necessary condition to adopt EU norms has been membership (Cremona and Hillion 2006; Kelley 2006; Magen 2006; Schimmelfennig and Sedelmeier 2005; Maier and Schimmelfennig 2007). Nevertheless, Schimmelfennig and Sedelmeier, (2004: 677) and Grabbe (2002) discovered that in some cases - countries that were liberal and more advanced - the Europeanisation process was already well underway before the introduction of the membership possibility. Furthermore, other conditions such as identification with Europe, resonance and 'goodness of fit' were found to be other conditions for encouraging change, but they were effective only in cases of low domestic opposition (Kelley, 2004).

As the EU does not offer membership in the ENP countries, the action plan incentives are considered weak and as the ENP countries are not as advanced as the CEECs little is expected from the ENP (Emerson 2004; Grabbe 2006; Schimmelfennig 2007). Despite this it is possible to perceive, by studying the EU progress reports, convergence with the EU

standards as suggested in the action plans. Therefore, it is argued here that it is necessary to engage in empirical research and not to determine EU influence based from a starting position of weak incentives and missing membership perspective.

It is also necessary to understand tools other than missing membership conditionality which has previously been a starting point for accessing the EU's influence. At the issue specific level it is necessary to understand the use of conditionality, but also participation in the programmes and assistance programmes. At the domestic level it is important to notice that some ENP states may have a potential for membership in theory and that the power of identification with the EU for dictating ENP countries' convergence with the EU standards may have been under estimated.

At the domestic level, firstly, ambiguity of the membership possibility may be a motivator as well as a killer for the ambition for reforms (Danii and Mascauteanu 2011) and should not be left unconsidered in the analysis. ENP states that wish to become members and are driven in this direction may still possess an opportunity for membership as any European country that fulfils the Copenhagen Criteria has an opportunity for membership. The *finalité* of the EU is not yet decided and both the concepts of European and Copenhagen Criteria have seemed to previously offer leeway. Whereas 'being European' has had a variety of interpretations<sup>3</sup> for instance having accepted Turkey as a candidate state; considered by some analysts to fall beyond being European, similarly there has been leeway in regard to the Copenhagen Criteria satisfaction as demonstrated by the experiences of Romania and Bulgaria falling under the minority rights standards despite their accession. On one hand the EU has not denied the option for the ENP states: 'It does not prejudice prospects for European countries that may at some future point wish to apply for membership, but it does not provide for a specific accession prospect either' (Ferrero-Waldner, 2007). On the other Ferrero-Waldner told Reuters in Brussels on 3 May 2005 that near-neighbours like Ukraine, Moldova, and Georgia would be well advised not to apply for European Union membership now, because they would be rebuffed (RFL 04/05/2005). Thus, this ambiguity of the membership question puts the EU in a position of needing to balance between how little or much it promises so on the one hand not to lose its potential leverage and have the states turning their back to the EU but

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<sup>3</sup> 'The EU gives a broad and revisable definition of the term 'European' as one that 'combines geographical, historical and cultural elements which all contribute to European identity. The shared experience of ideas, values, and historical interaction cannot be condensed into a simple timeless formula and is subject to review by each succeeding generation' (Wilson 2004).

also on the other hand how much it can deepen its relations without transforming them into countries that would satisfy the Copenhagen Criteria because, the EU would find it very hard to deny membership on substantive grounds (Sasse 2008:3).

Secondly, identification with the EU can also offer countries a motivation for convergence. If countries believe they are part of the group it would make them reluctant to diverge from the values and the practices of the group as they would find it painful to be shamed or shunned (Schimmelfennig et al 2003:465). Thus, identification with the EU as a potential motivator for convergence, where the EU's potential indirect influence is relying on the EU's attractiveness, may be shaken. Even if on the one hand it is possible to see the EU as some 'rich far away miracle which respects human rights and democracy' (interview no. 1) thus motivating convergence, on the other hand, countries could also lose interest in it for instance as one interviewee pointed out: the EU nowadays is not anymore more so attractive as it is demonstrated that even the EU could not escape the economic crises or when they doubt the EU's goodwill due to its ambiguity over the membership question and when the stringent visa policies have changed the perception of the EU among the population (interview no 2, no. 8).

### **Framework for Analysis**

The three ENP states that are the focus of this paper, Georgia, Moldova and Ukraine, have expressed their willingness for membership. However, whether they actually believe in the possibility of it, which would function as an incentive, is questionable. So too is the question of their true identification with the EU.

To investigate these two issues, which are drawn from rationalist choice logic and sociological institutionalism, and to be able to understand the logic of convergence and to establish the levels in the countries I will use the following operationalisation:

#### ***Perception of the EU Membership Potential***

EU membership potential can be defined by drawing from history and previous experiences of candidates. To become accepted as a member has previously been based on the fulfilment of the geographical criteria of being European and with the satisfaction of the Copenhagen

criteria<sup>4</sup>. Membership potential naturally is dependent on the country's Europeaness (as seen in the example when Morocco was uprightly denied), and its satisfaction with the Copenhagen Criteria levels: showing respect for the rule of law, human rights and democracy. Besides this it is also dependent on the EU's absorption capacity which has been changing with recent enlargements making the EU growing up to its limits and the challenges posed for the potential future enlargements previously brought by the Lisbon Treaty rejections. In addition it is also influenced by the country's external memberships in controversial organisations such as the CIS economic union as a country would not be able to be part of two free trade areas at the same time and as 'The EU had never considered CIS states as future members, a fact enshrined in the PCAs signed between CIS states and the EU' (Kuzio, 2006).

Consequently as indicators for assessing the belief for membership potential in the ENP countries I will apply criteria of internal and external realities both focusing on the two founding principles. The indications are the following for the perception of membership potential: expressions among president, parties, government and population on the foreign policy orientation to determine the vector they are leaning towards. Statements related to expected time of accession and the reason being based on consensus among the country and the commitment for reform are considered as referring to membership belief. Lack of commitment for EU direction and references about the potential accession time are considered to indicate lack of belief for membership.

### *Identification with the EU*

As a competing approach to the external incentives approach and membership conditionality as an explanatory factor for compliance, Europeanisation literature has used variables derived from the constructivist tradition explaining the EU's leverage to influence candidate states. The logic of appropriateness as an explanatory factor for compliance, meaning that the EU's leverage to influence depends on the states perception whether they see the EU as a group to identify with due to its values rather than due to the benefits that it offers. Or in other words 'Socialisation relies on persuasion by the EU and identification of the

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<sup>4</sup> The EU set four conditions for membership at the Copenhagen European Council in 1993: 'Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union. The Union's capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries' (Grabbe, 2004)

government within the EU which lead them to accept the rules that the EU promotes as normatively legitimate' (Sedelmeier 2007: 199).

In order to measure it, as it is a complex task to separate identification from conditional incentive, I use indicators derived from the definition introduced by Schimmelfennig and Sedelmeier. The act of identifying with the EU is often defined on the basis of whether: 'the target states regard the EU as a valid aspiration group whose collective identity, values and norms they share and whose recognition they see and to which they want to belong' (2005:19). Despite deriving from the word identity<sup>5</sup>, identification deviates from the understanding of 'identification as' considering a self-perceived value of being part of the group to understanding of 'identification with' consisting of willingness to be recognised as something and aspiring towards something. This gives the power for influence as the action of identification with the EU to some theorists i.e. Schimmelfennig, influence states behaviour because if they diverge from the identified group practices, they may be 'shamed and shunned' and find it painful (Schimmelfennig et al 2003:465). Identification with the EU is considered to have taken place when the country refers to EU values and norms in its reasons to belong instead of benefits.

### **Summary of Results of Applying the Framework in Georgia, Moldova and Ukraine**

Utilising the previous framework in the three countries since independence and relying on data on literature, interviews, official statements and news indicated the following results:

#### ***Georgia***

Georgia can be described to be a country that wants to Europeanise without integration. Throughout the examination period there was little belief in Georgia's potential membership at the elite level which was to do first with a lack of interest and later due to the realisation of the regulatory changes that it would require. It was suggested that as EU regulations would not be compatible in this liberal economic country could be an explanatory factor for the lack of political will toward EU integration (interviews no 3 and 4). However, identification with the EU has been present in Georgia throughout its history. In the beginning by creating a link

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<sup>5</sup> According to Habermas (Habermas 1992): 'European identity is based on the values of peace, democracy, respect for human and minority rights, social justice and welfare' EU gives a broad and revisable definition of the term 'European' as one that 'combines geographical, historical and cultural elements which all contribute to European identity'. (Melnykovska et al 2010)

to Georgia's unique Europeaness going back centuries and later, due to the fact that it associated the EU as a provider of democracy (Jones 2003). Therefore, Georgia is representing a case where strong EU identification is the primary explanatory factor for convergence as there was no evidence of belief in membership potential. Thus, the EU's leverage to influence Georgia is likely to be dependent on the compatibility of the EU values to Georgian values and issue specific conditions of the specific areas. Convergence is likely to take place on a case by case basis depending on the fit between the two entities and, therefore, an overall leverage of the EU at all policy spheres is unlikely.

### ***Moldova***

During the early years of independence Moldova was trying to find its own identity out of Romanian's shadow rather than committing to any foreign policy direction (King 1994). The EU firstly became an orientation when the neighboring CEECs were considered as potential candidates making Moldova consider it also a good way to gain on its relations with the EU and secondly due to realisation its isolation when Russian relations deteriorated after 2003 . The truly European direction was however just present in the elite after 2009 when the Communist Party was defeated and sent into opposition by the creation of the Alliance of European integration. The membership belief, which was before in place on pure geographical reasoning and association to the CEEC group and having been included in the Stability Pact in the 1990s, has since 2009 been based on the commitment on reform 'until membership comes possible' and stating that there is no point of questioning whether there is a potential as Moldova wants to act that there is( interview no 5,6 , 7). In a set up where small and weak Moldova has little to offer to the EU, partnership is not taking place on equal and participatory terms (Korosteleva, 2010) but Moldova seems willing to follow the EU' lead. Despite clear orientation and willingness to commit to action plan demands and further cooperation through association agreements, Moldova has not been reflecting in its commitment necessarily a connectedness of European civilization or emphasized European or the EU as a 'force of good' during the observation time. It was demonstrated in Moldova's indecision in creating a consensus on commitment toward the EU until 2009 and its orientation being directed toward the EU only sporadically at the instance of benefits or due to need because of isolation from Russia. Therefore, EU leverage in Moldova is dependent on allowing the hope of EU membership potential in the country and offering short term concrete incentives and capacity support that will support the changes in the particular area as Moldova has committed to reforms as long as the membership becomes possible.

## *Ukraine*

The early years of independence were characterised by Ukraine neither committing to the EU nor Russia. The goal was only to gain their independence as a 'civilised divorce' from Russia's influence (Kuzio 2005). The fully fledged orientation was just created from 2002 onwards when deteriorated conditions under Kuchma and isolation prompted Yuschenko and Timoshenko towards the Euro-Atlantic integration and finally demonstrated during the Orange Revolution. Membership belief was created during the Orange Revolution due to the EU's sympathy and recognition of Ukraine's achievements and due to the leadership's ambitious agenda for reform.

However, the ENP, which was launched instead of a path to membership, was never accepted fully in Ukraine and shattered Ukraine's perception of potential membership together with the difficulties in achieving the reform agenda due to elite conflicts in the leadership (interview 8). It eventually culminated in a situation where the elite evidently put the question aside and where the population is even wondering about its necessity, as demonstrated in the opinion polls and by recently electing the least pro-European president. Under these conditions, where evidently the identification that the elite had previously has with the EU has diminished and where the EU membership perception does not look any more likely, EU leverage is dependent on the potential of benefits on the basis of Ukrainian cost-benefit calculations at the issue specific level. EU leverage is therefore limited to areas where it is able to offer strong incentives as since losing the momentum for membership during the Orange Revolution, Ukraine prefers to consider approximation toward the EU standards on a case by case basis.

### **Conclusion and the Future Potential for the EU Influence**

This paper discussed Europeanisation literature in the context of analysing EU influence and argued that the EU influence in the neighbourhood has been assumed to be unlikely due to the missing membership perspective. Then it suggested that the EU influence should not be based on this assumption but rather should be analysed country by country and issue by issue bases and then it introduced two potential macro level variables that give indications of the potential logic of why countries comply and to what extent the EU may have influence. After introducing the framework it presented results based on the literature and official documents and interviews in Georgia, Moldova and Ukraine. By applying the framework to Georgia, Moldova and Ukraine it contributed through highlighting preliminary answers about the

potential of the EU instead of only assuming it to be low due to missing membership. These values together with the issue specific conditions are utilised further in my PhD thesis in detecting the EU's potential for influence and answer the question whether and under what conditions there is Europeanisation through the ENP.

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