

The European Union and its Eastern Partners: Beyond the Limits of Current Approaches to Regional Cooperation

by Florent Marciacq and Tobias Flessenkemper

ABSTRACT

The Eastern Partnership, concluded between the European Union on the one side and Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine on the other, has faced major challenges and yielded mixed results since its launch almost ten years ago. The EU's capacity to adapt to existing circumstances and learn from its experience will be key in promoting a more effective approach in the future. Despite progress in acknowledging the complexity of its Eastern neighbourhood and the gradual revision of its policy frameworks, the EU needs (1) to define better the differentiated goals it wants to achieve together with its Eastern partners; (2) to clarify its operational understanding of resilience; and (3) to approach the multiplication of cooperative orders in the Eurasian space more strategically. Also, lessons from the EU's more intense engagement in the Western Balkans could help avoid pitfalls across the EU's neighbourhoods.

*European Union | Eastern Europe | South Caucasus | Eastern Partnership |
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keywords

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Introduction

Following on to the European Union Eastern Partnership Summit of 24 November 2017 in Brussels, the first Eastern Partnership Reflection Forum was organized from 10 to 12 December 2017 by a network of think tanks from across Europe and held in Minsk. The central message coming from the Eastern Partnership Reflection Forum is that more clarity is needed in delineating the overall nature of the EU's current relationship with its Eastern neighbours.

Despite progress in acknowledging the complexity of its Eastern environment and the gradual revision of its policy frameworks, the EU needs to define better the differentiated goals it wants to achieve together with its Eastern partners. This should include sharing a more operational understanding of resilience and clarifying the depth of differential engagement the EU aims at in this complex region. Furthermore, the EU will need to structure its relationship with Russia, in light of the emergence of multiple cooperative orders in the Eurasian space, in particular the Eurasian Economic Union.

A broad variety of bi- and multilateral frameworks have developed since the 1990s between the EU member states and the European Union on the one side and the Eastern neighbours on the other. These include, *inter alia*, the Eastern Partnership,

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· Report of the Eastern Partnership Reflection Forum entitled "The European Union and its Eastern Partners. Current Approaches to Regional Cooperation", held in Minsk on 10-12 December 2017 in the framework of the Belarusian Presidency of the Central European Initiative. The Reflection Forum is joint initiative of the Austro-French Centre for Rapprochement in Europe (ÖFZ/CFA), the Centre international de formation européenne (CIFE), the Minsk Dialogue Track-II Initiative (MD) and the Istituto Affari Internazionali (IAI), launched in cooperation with the European think-tank and research community and with the support of various governmental and international organizations. This Reflection Forum was organized by IAI, ÖFZ/CFA, CIFE and MD, in cooperation with the French Institute of International Relations (IFRI), Stiftung Wissenschaft und Politik (SWP), Estonian Center of Eastern Partnership (ECEAP), Austrian Institute for International Affairs (OIIP), Slovak Foreign Policy Association (SFPA) and European Institute of Peace (EIP). For more information, see the ÖFZ/CFA website: <http://oefz.at/?p=2275>.

the European Neighbourhood Policy, national and EU foreign and security policies, regional economic integration initiatives as well as the EU visa dialogue with associated states. This broad range of interrelated frameworks, which have developed over time, makes the EU approaches difficult to read. They have become a source of potential misunderstanding in particular among the general public in Eastern Europe and the South Caucasus.

How mutually reinforcing are the objectives pursued by these frameworks? How to find a balance between increasing the coherence and consistency of the EU's approach towards its Eastern neighbourhood and the need for more differentiated, tailor-made approaches towards individual partner countries? How to advance a shared understanding of resilience that serves to pursue more clearly defined objectives? How to respond to the emergence of alternative cooperative orders in the Eurasian space so as to obviate incompatibilities across regional integration schemes and safeguard European security? Which are the lessons that can be learned from the EU's experience in the Western Balkans?

These and other questions have been analysed and discussed by the Eastern Partnership Reflection Forum. The Forum was organized in a participatory and innovative format allowing for an open-ended and direct expert discussion in four key thematic areas:

- Differentiation inside, differentiation outside and regional cooperation: The practice of connecting the EU, its member states and the Eastern Partners.
- Internal challenges, external challenges and regional cooperation: How to enhance resilience in EaP countries?
- Compatibility across and beyond the Eastern Partnership: Advancing pan-European integration through regional cooperation.
- From the Eastern Partnership countries to the Western Balkans: Regional cooperation across EU neighbourhoods.

The aim of the Forum was to advance a pan-European reflection on inclusive cooperation in and with Eastern Europe and the South Caucasus region. In preparing the Eastern Partnership Reflection Forum, the organizers have been inspired by the original reflection format of the Western Balkans Reflection Forum initiative, launched in 2015 in support of the Berlin process. Both activities provide a platform connecting national, regional and European institutions, and experts affiliated to think tanks and universities across Europe, by fostering an exchange of perspectives at the pan-European level, while encouraging cooperation projects.

The Forum took place in the framework of the Belarussian Presidency of the Central European Initiative (CEI). It brought together more than 80 experts from 32 European countries, including most European Union member states and Eastern Partnership countries as well as from Russia, the Western Balkans and Switzerland. This paper summarizes and discusses key issues addressed by the Forum, which took place under the Chatham House rule.

1. More differentiation, more ownership, more of the same?

The launch of the Eastern Partnership (EaP) in 2009, as Eastern dimension the European Neighbourhood Policy (ENP), marked a clear shift away from the European Union's low-key involvement in the post-Soviet space. Prior to the EaP-sponsored Association Agreements (AAs) and Deep and Comprehensive Free Trade Agreements (DCFTAs), the ENP was based on political commitments, vague incentives and soft conditionality. Relations with the Eastern partners were shaped at the bilateral level through a series of similar, yet already slightly differentiated, Partnership and Cooperation Agreements (PCAs). An overall strategic approach for the region was lacking.¹

With the EaP, ENP New Approach (2011)² and ENP Review (2015),³ the EU has implicitly acknowledged the limitation of its original approach. Its objectives in Eastern Europe and the South Caucasus, firstly, became broader, more ambitious: "deep democracy" instead of "democracy" and "sustainable economic and social development" instead of "economic development".⁴ The cooperation offer presented to some EaP countries, secondly, was upgraded: DCFTA instead of simple trade agreement, "more for more" approach instead of determinate conditionality and new elements such as visa liberalization and sectoral cooperation (e.g. in energy) completed the picture. The EU, thirdly, operated a gradual shift away from the enlargement methodology that engrained its Eastern policy framework. Reinforcement by material rewards remained an important tool, but the new emphasis on local ownership created room for more persuasion and less bargaining, i.e. norm adherence rather than norm compliance.⁵ Finally, the EaP added to the bilateral approach that hitherto prevailed a multilateral track fostering regional cooperation.

Quite importantly, the EU began recognizing that "not all partners aspire to comply with EU rules and standards"⁶ and has opened the door to more differentiation in its relations with its Eastern partners. These shall be able to determine "the nature

¹ Laure Delcour, *The EU and Russia in Their 'Contested Neighbourhood'. Multiple External Influences, Policy Transfer and Domestic Change*, London and New York, Routledge, 2017.

² European Commission and High Representative of the Union, *A New Response to a Changing Neighbourhood* (COM/2011/303), 25 May 2011, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52011DC0303>.

³ European Commission and European External Action Service, *Review of the European Neighbourhood Policy* (JOIN/2015/50), 18 November 2015, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52015JC0050>.

⁴ European Commission and High Representative of the Union, *A New Response to a Changing Neighbourhood*, cit.

⁵ See Frank Schimmelfennig, "The EU: Promoting Liberal-Democracy through Membership Conditionality", in Trine Flockhart (ed.), *Socializing Democratic Norms. The Role of International Organizations for the Construction of Europe*, Basingstoke, Palgrave MacMillan, 2005, p. 106-126.

⁶ European Commission, *Review of the European Neighbourhood Policy (ENP): Stronger Partnerships for a Stronger Neighbourhood*, 18 November 2015, http://europa.eu/rapid/press-release_IP-15-6121_en.htm.

and scope of [the] partnership with the EU”⁷ that they intend to develop as well as their level of engagement, based on their national interest and regional security context.

The purported end of the EU’s “one-size-fits-all” model, which failed to effectively shape the Union’s Eastern neighbourhood, has given a new impetus to relations between the EU and chosen Eastern partners. Major milestones have been reached in the past few years by Ukraine, Georgia and Moldova with the conclusion of AAs and DCFTAs and the introduction of visa liberalization regimes. Although the EU does not explicitly offer membership perspectives to the Eastern partners, these countries consider differentiation as an opportunity to prepare themselves for accession. They value the EaP for its integrative offer and development potential, including better access of their citizens to the Schengen area, inclusion in the digital single market, custom union and other integration steps.

By contrast, relations to Belarus and Azerbaijan (and Armenia to a lesser extent), have developed more cautiously and less extensively over the same period, due to key differences in strategic interests and/or security priorities. These countries, in principle, are more interested in deepening cooperation with the EU, much less so in its integrative logic. After its failed attempt to secure an AA and DCFTA with the EU due to conflicting interests, Armenia agreed on a lighter Comprehensive and Enhanced Partnership Agreement in 2017. As for EU relations with Belarus and Azerbaijan, their development remains based on PCAs concluded in the 1990s, despite current efforts at replacing them.

Eastern partner	Contractual framework with the EU	Year of conclusion
Armenia	Comprehensive and Enhanced Partnership Agreement	2017*
Azerbaijan	Partnership and Cooperation Agreement	1996
Belarus	Partnership and Cooperation Agreement	1995*
Georgia	Association Agreement & Deep and Comprehensive Free Trade Agreement	2014
Moldova	Association Agreement & Deep and Comprehensive Free Trade Agreement	2014
Ukraine	Association Agreement & Deep and Comprehensive Free Trade Agreement	2014

* not ratified as of February 2018. The ratification of the PCA with Belarus has been withheld for more than 20 years by the EU in response to Belarus’ lack of commitment to democracy.

⁷ Ibid.

Differentiation, as a result, has gradually transformed the EaP into a two-speed approach, driven by relatively inconsistent motives: alleged integration for EaP “frontrunners” and more ambivalent cooperation for EaP “laggards”.⁸ This development may pave the way to deeper, albeit unreflective, forms of differentiation within the EaP (EaP2/EaP3), and further undermines the strategic coherence of the whole approach. Furthermore, the lack of clarity concerning the EaP’s *finalité* (in terms of accession perspectives offered or not to Eastern partners) fuels unjustified expectations and fosters confirmation biases among EaP “frontrunners” and is a source of interrogation, if not suspicion, among others. Moreover, key differences in EU member states’ national approaches towards the EaP have a blurring effect on its perceived *finalité* and question the very coherence of the common framework.

Another challenge here is the EU’s continued overreliance on the enlargement methodology, despite a more flexible approach recently adopted. In its Eastern neighbourhood, the EU does not conceptualize differentiation as an open-end instrument or an opportunity to “imagine a new social order”.⁹ Building on existing asymmetries (or “normative hegemony” as some scholars have put it)¹⁰ and a propensity to conduct political dialogue as technical monologue,¹¹ the EU rather understands differentiation as sheer “deviation” from the norms and system of governance it has already established and consistently promoted both internally and externally.¹² The Eastern partners, accordingly, may be allowed to opt out from certain arrangements, depending on their needs, but the general framework and the agenda guiding the EaP (e.g. with its emphasis on EU values and reluctance to engage in bilateral issues for instance) are not established jointly. Other models would yet deserve some attention (e.g. European Economic Area, Swiss bilateralism, Turkey’s Customs Union, etc.).¹³ But since the EU already fixed from the outset the main parameters of its contractual framework with its Eastern partners, the EaP leaves little space for additional inputs and critical appraisals.

⁸ Richard Youngs, *Europe’s Eastern Crisis. The Geopolitics of Asymmetry*, Cambridge, Cambridge University Press, 2017.

⁹ Elena A. Korosteleva, Igro Merheim-Eyre and Eske Van Gils, “‘The Political’ and the ENP. Rethinking EU Relations with the Eastern Region”, in Sieglinde Gstöhl and Simon Schunz (eds.), *Theorizing the European Neighbourhood Policy*, London and New York, Routledge, 2017, p. 226.

¹⁰ Hiski Haukkala, “The EU’s Regional Normative Hegemony Encounters Hard Realities: The Revised European Neighbourhood Policy and the Ring of Fire”, in Dimitris Bouris and Tobias Schumacher (eds.), *The Revised European Neighbourhood Policy. Continuity and Change in EU Foreign Policy*, London, Palgrave Macmillan, 2017, p. 77-94.

¹¹ See, for instance, Florent Marciacq and Natalia Sanmartín Jaramillo, “When the European Union Speaks on Behalf of Non-European Union States: A Critical Appraisal of the European Union’s Alignment Mechanism in Multilateral Fora”, in *European Security*, Vol. 24, No. 2 (2015), p. 203-220.

¹² Elena A. Korosteleva, Igro Merheim-Eyre and Eske Van Gils, “‘The Political’ and the ENP”, cit.

¹³ See Alexander Duleba et al., *Integration without Membership. Potential and Limits of Ukraine’s Association with the EU*, Bratislava, Research Center of the Slovak Foreign Policy Association, 2017, <http://www.sfpa.sk/?p=6432>.

Without re-politicization, this tendency of the EU to disallow for ideological contestation bears the risk, at best, to hamper the localization of EU norms in the EaP contexts and consequently limits ownership, and at worst to be countered by full-fledged rejection.¹⁴ Turning the Eastern partners and their populations into “self-regulating subjects whilst depoliticising them through deciding what is ‘normal’ and ‘best’ for them on their behalf” is no panacea.¹⁵ In order to fertilize the potential offered by differentiation, the EaP should search to build on new lines of argumentation, drawn by more constructive cleavages than the pro-EU frontrunners vs. pro-Russian laggards dichotomy. For instance, the desirability, scope and timing of economic reforms prescribed by the EU in the establishment of open market economies should also be assessed in light of the social costs incurred. Re-politicizing the EU’s relations with its Eastern partners, e.g. by desacralizing the EU’s offer through ideological rather than national contestation, would help fuelling transnational discussions from Lisbon to Vladivostok and accordingly build new bridges across European nations.

2. A new EU strategic approach: more resilience?

The reform agenda promoted by the EU in its Eastern neighbourhood is meant to offer a response to the internal challenges most Eastern partners face in their respective post-Soviet context. For most of them, this means polities in which political rent-seeking elites are closely connected to business networks; entrenched informality in all sphere of life; weak institutional and civil society capacities; lower level of socio-economic development and often too securitized issue-areas with wide-ranging ramifications.¹⁶ Moldova, Georgia and Ukraine are facing territorial claims and crises in direct confrontation with the Russian Federation, which supports proxy regimes undermining the integrity and stability of the three states.

To accompany the transformation of these states confronting significant fragilities, while taking into account the differentiated needs of its partners, the EU committed itself in 2016 to use its “enduring power of attraction” and “support different paths to resilience [...], focusing on the most acute dimensions of fragility and targeting those where [it] can make a meaningful difference”.¹⁷ Resilience, since then, has become a leitmotiv of the EU’s external action. The 20 deliverables for 2020 with their focus on building a stronger economy, stronger governance, stronger connectivity and stronger society, reflect, to some extent, the logic underpinning

¹⁴ Elena A. Korosteleva, Igro Merheim-Eyre and Eske Van Gils, “‘The Political’ and the ENP”, cit.

¹⁵ Münevver Cebeci, “Deconstructing the ‘Ideal Power Europe’ Meta-Narrative in the European Neighbourhood Policy”, in Dimitris Bouris and Tobias Schumacher (eds.), *The Revised European Neighbourhood Policy. Continuity and Change in EU Foreign Policy*, London, Palgrave Macmillan, 2017, p. 68.

¹⁶ Laure Delcour, *The EU and Russia in Their ‘Contested Neighbourhood’*, cit.

¹⁷ European External Action Service, *Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union’s Foreign and Security Policy*, June 2016, p. 25, <https://europa.eu/globalstrategy/en/node/331>.

resilience, as does the shift towards a more result-oriented approach to legal approximation, initiated by the EaP in the past years.

But the introduction of resilience in the EU's strategy has hitherto fallen short of providing a guiding principle easily operationalizable in the framework of the EaP and, above all, of adding value to the exiting approach of concomitant promotion of stability, prosperity and democracy.¹⁸ Its policy implications to date have been a strengthened emphasis on infrastructure investments, energy cooperation, people-to-people and e-connectivity, and perhaps on a more transactional approach on some difficult issues, e.g. in relation to the crisis in Ukraine¹⁹ or visa liberalization.²⁰

Inherent tensions in the EU's approach remain. The export of European governance principles and liberal democratic institutions, for instance, may inherently have a politically destabilizing potential, while prioritizing state stability might undermine the promotion of good governance.²¹ Likewise, the EU's perceived closeness with ruling elite in those countries where institutions are hardly trusted by the citizens, may negatively affect the EU's image within civil society and its ability to support democracy.²² Finally, in countries where a large discrepancy exists between state resilience and societal resilience as in Belarus or Azerbaijan, where state structure seem all powerful, it may be difficult to engage in strengthening societal resilience without causing negative trade-offs between the two types of resilience.

As for the declared needs of the Eastern partners, they are not completely included in the spectrum of actions envisaged by the EU to increase resilience. Circular migration, for instance, is commonly seen as a factor durably increasing human and social capital in countries targeted by development policies, and is accordingly encouraged by a number of international actors, e.g. the OSCE's second dimension. Yet access to EU labour markets is controversial and contested in most member states. Likewise, the Union only marginally refers to conflict management issues in its EaP, despite the intensity of the security dilemma and the persistence of protracted and frozen conflicts in the region. In the absence of engagement in this issue-area, it is questionable whether the EU's ambitions in terms of resilience can be met fully and durably.

¹⁸ Panagiota Manoli, "A Structural Foreign Policy Perspective on the European Neighbourhood Policy", in Sieglinde Gstöhl and Simon Schunz (eds.), *Theorizing the European Neighbourhood Policy*, London and New York, Routledge, 2017, p. 124-142.

¹⁹ Richard Youngs, *Europe's Eastern Crisis*, cit.

²⁰ Laure Delcour and Sandra Fernandes, "Visa Liberalization Processes in the EU's Eastern Neighbourhood: Understanding Policy Outcomes", in *Cambridge Review of International Affairs*, Vol. 29, No. 4 (2016), p. 1259-1278.

²¹ Panagiota Manoli, "A Structural Foreign Policy Perspective on the European Neighbourhood Policy", cit.

²² Laure Delcour, *The EU and Russia in Their 'Contested Neighbourhood'*, cit.

It is too early to assess whether the EaP can contribute to increase the state resilience of the Eastern partners in a more effective way than the ENP did until recently. This will depend, in particular, on the EU's capacity to offer tailor-made solutions beyond its comfort zone, i.e. in policy-areas where its leverage might be lower (e.g. high politics, positive integration/market-shaping measures, etc.). In the absence of concrete prospect of a full EU membership, clear material incentives might here do the job better than socialization and transnational mobilization, although externally-driven, incentive-based transformation may lack strategic character and sustainable outlooks.²³ But the experience shows that the costs of transformation, which fall upon the Eastern partners willing to undergo positive integration, should not be underestimated and are unlikely to be compensated by the EU. Although the EU has become the largest source of external financing in its neighbourhood, most of funds allocated through the European Neighbourhood and Partnership Instrument (ENPI) for the period 2007-2013 (11.2 billion euros) and the European Neighbourhood Instrument (ENI) for the period 2014-2020 (15.4 billion euros) target the Southern dimension of the ENP. The Eastern dimension of the ENP, in the end, only account for one third of the ENPI/ENI budget. That is, for instance, far less than the 22 billion euros allocated by the EU to the transformation and integration of Central and Eastern European countries between 2000 and 2006 (through PHARE, ISPA and SAPARD).

3. More compatibility across Europe's regional cooperative orders?

The EU's more structured engagement in Eastern Europe and the South Caucasus, especially with the launch of the EaP, has triggered concerns in Russia in the past few years. The shift towards hard-law integration, aimed at anchoring Eastern partners' polities in the EU's legal and economic system, has been perceived in Russia as an attempt to extend Union's governance beyond its actual borders, in an area historically dominated by Russia. Geopolitical tensions in the "common neighbourhood" have reached their climax with the war and crisis in Ukraine and are likely to persist, given the promotion by the EU and Russia of overlapping and possibly mutually exclusive regional integration projects. Already weakened internally by territorial conflicts of international character, in this changing context most Eastern partners are under increased pressure.²⁴

If the ENP/EaP constitutes a major capability test for European foreign policy and the EU's global actorness, especially in terms of its capacity to integrate different instruments²⁵ and to project structural (rather than behavioural) influence,²⁶ its

²³ Hiski Haukkala, "The EU's Regional Normative Hegemony Encounters Hard Realities", cit.

²⁴ Laure Delcour et al., "The Implications of Eurasian Integration for the EU's Relations with the Countries in the Post-Soviet Space", in *Studia Diplomatica*, Vol. 68, No. 1 (2015), p. 5-33, <https://biblio.ugent.be/publication/7036906>.

²⁵ Laure Delcour, *The EU and Russia in Their 'Contested Neighbourhood'*, cit.

²⁶ Panagiota Manoli, "A Structural Foreign Policy Perspective on the European Neighbourhood

success will eventually depend on the EU's ability to steer clear of zero-sum games in the region and engage more actively with Russia. The EU's ambition to create a "ring of friends", formulated in 2002 by Romano Prodi, the EC President at that time, should continue to guide the ENP/EaP, but the modalities of this approach should take into account the new realities that have unfolded with Russia's recent foreign policy orientations²⁷ as well as the EU's difficulties to handle the security implications of its hard-law integration offer. The hard-law integration entails necessarily a profound transformation of the social and economic model of the EaP countries, in the direction of a rule-based and competitive and open market economy similar to the one of EU member states.

In 2010, Russia responded to the advancement of the EaP by the launch of its own hard-law integration project, the Eurasian Customs Union (ECU), upgraded in 2015 with the creation of the Eurasian Economic Union (EEU).²⁸ The initiative, inspired by the EU setup, reflected Russia's increased engagement in the region and renewed efforts at shaping its neighbourhood through structural foreign policy. Advanced as flagship project by Russia, the EEU is premised on rapid enlargement and comprehensive and binding legal commitments, while the ENP, at best, represents as an alternative to enlargement.²⁹ Of course, the experience shows that the EEU's ambition stated by Vladimir Putin in 2011 to become "a powerful supranational association capable of becoming one of the poles in the modern world"³⁰ may be over-stretched, considering the failure of previous organizations created in the region; the overly predominant weight of Russia in the organization; the institutional and functional weaknesses displayed by the EEU as rule-based cooperative order, e.g. in the EU/Russian (counter)sanctions crisis; and the perception by Eastern partners' public opinions that the EEU is no vector of modernization.³¹

But the fact is that EEU integration, as dysfunctional as it may be, with its supranational institutions,³² represents a "more advanced and exclusive form of

Policy", cit.

²⁷ Susan Stewart, "Grundeinstellungen der russischen politischen Elite. Recht, Wahrheit, Gemeinwohl und Gewalt", in *SWP-Studies*, No. 2017/05 (March 2017), <https://www.swp-berlin.org/publikation/grundeinstellungen-der-russischen-politischen-elite>.

²⁸ Ivan Timofeev and Elena Alekseenkova, "Eurasia in Russian Foreign Policy: Interests, Opportunities and Constraints", in *Russie.Nei.Visions*, No. 89 (December 2015), <https://www.ifri.org/en/node/10951>.

²⁹ Laure Delcour and Kataryna Wolczuk, "Between the Eastern Partnership and the Eurasian Economic Union: Competing Region-Building Projects in the 'Common Neighbourhood'", in Sieglinde Gstöhl and Simon Schunz (eds.), *Theorizing the European Neighbourhood Policy*, London and New York, Routledge, 2017, p. 187-206.

³⁰ Vladimir Putin, "A New Integration Project for Eurasia: The Future in the Making", in *Izvestia*, 4 October 2011, http://www.europarl.europa.eu/meetdocs/2009_2014/documents/d-ru/dv/dru_2013_0320_06_/dru_2013_0320_06_en.pdf.

³¹ Tony van der Togt, Francesco Saverio Montesano and Iaroslav Kozak, "From Competition to Compatibility. Striking a Eurasian Balance in EU-Russia Relations", in *Clingendael Reports*, October 2015, <https://www.clingendael.org/node/5179>.

³² See, for instance, Ekaterina Diyachenko and Kirill Entin, "The Court of the Eurasian Economic

regional integration” than the EU’s offer and that it is promoted actively by Russia in the region, through positive and negative conditionality measures, based on the multifaceted interdependencies it has inherited from the past.³³ Since EEU membership *de facto* precludes the conclusion of DCFTAs with the EU and, more generally, given the wide implications the intersection of EU and Russia regional policies have at all levels, the question of compatibility between the two region-building projects has become crucial for the stability and security of the region.³⁴ This question cannot be discarded in isolation of any geopolitical context on the principled ground that (i) the Eastern partners are independent, sovereign states; (ii) that they are free to choose whatever regional project they want to join; (iii) that the matter is one to be negotiated at the bilateral level alone. The Ukrainian crisis shows that there is also a need to acknowledge the vested interests of Russia in the EaP region, its readiness to pursue them vehemently, as well as the EU’s inherent limitations in power politics. Compatibility, in other terms, is a challenge also requiring the pursuit of dialogue through more inclusive formats – one of them arguably including the EEU.

While it usually supports interregional dialogue worldwide, the EU has not explicitly recognized the EEU and only conducts limited dialogue with this counterpart at the technical level. The Union’s reluctance to engage with the EEU stems from its principled position following Russia’s illegal annexation of Crimea and its role in the Ukrainian crisis, as well from the different views individual EU member states hold with respect to Russia.³⁵ However, the non-recognition of the EEU by the Union and the absence of more strategic channels of communication between the two organizations (other than through Moscow) result in several drawbacks. First, it constrains the EU’s ability to take a more preventive approach in the pursuit of its Eastern policy in terms of forestalling incompatibilities. Second, it falls short of empowering within the organization those EEU members that participate in the EaP and are interested in balancing their relations or increasing their “strategic hedging” with both Russia and the EU.³⁶ Here, the EU would certainly gain in strengthening its EaP multilateral track and encouraging more regionally owned forms of cooperation.³⁷ Third, it hinders the advancement of a more strategic

Union: Challenges and Perspectives”, in *Russian Law Journal*, Vol. 5, No. 2 (2017), p. 53-74, <http://dx.doi.org/10.17589/2309-8678-2017-5-2-53-74>.

³³ Laure Delcour and Kataryna Wolczuk, “Between the Eastern Partnership and the Eurasian Economic Union”, cit., p. 194. See also Tony van der Togt, Francesco Saverio Montesano and Iaroslav Kozak, “From Competition to Compatibility”, cit.

³⁴ Rilka Dragneva, Laure Delcour and Laurynas Jonavicius, “Assessing Legal and Political Compatibility between the European Union Engagement Strategies and Membership of the Eurasian Economic Union”, in *EU-STRAT Working Papers*, No. 7 (November 2017), <http://eu-strat.eu/wp-content/uploads/2018/01/EU-STRAT-Working-Paper-No.7.pdf>.

³⁵ Richard Youngs, *Europe’s Eastern Crisis*, cit.

³⁶ Yauheni Preiherman, “Belarus’s Asymmetric Relations with Russia: The Case of Strategic Hedging?”, in *UPTAKE Working Papers*, No. 4/2017 (June 2017), http://www.uptake.ut.ee/wp-content/uploads/2017/06/04_preiherman.pdf.

³⁷ Laure Delcour and Kataryna Wolczuk, “Between the Eastern Partnership and the Eurasian Economic Union”, cit.

reflexion on inter-regional cooperation, e.g. on the “integration of the integrations” or the creation of a pan-European economic space, even though these ideas remain a far-fetched objective given the current political context and the major differences in social orders.³⁸

Conclusion: Regional cooperation across EU neighbourhoods

The EU has a long experience of promoting regional cooperation within and beyond its borders. In the Western Balkans, most notably, it has promoted for more than two decades political dialogue, good neighbourly relations, regional economic integration, good governance and democratization. Its intention there, in substance, is little different from the objectives it pursues in its Eastern neighbourhood, even though the *finalité* of the transformation differs fundamentally, since the Western Balkans, unlike their Eastern neighbours, have been given accession perspectives. However, the assumption that EU’s purportedly successful experience in the Western Balkans can be transferred to Eastern Europe and the South Caucasus is anything but obvious.

The EU, first of all, has yielded mixed results in the Western Balkans, as for its capacity to effectively accompany transformation in the region. After two decades of intensive and systematic engagement, the situation remains “fragile” in the region, according to the European Council as of March 2017.³⁹ Economically, the Western Balkan region has experienced massive privatization and now attracts larger investments in connectivity projects (following the EU’s re-engagement in the Western Balkans through the Berlin process, but also through the new engagement of China).⁴⁰ The region, however, is failing to catch up with the EU in terms of GDP/capita.⁴¹ Crumbling industrial production, soaring (youth) unemployment, large trade deficits, sizeable external debts, low birth rates and high emigration weigh heavily.⁴² Likewise, the EU’s approach in the past twenty years has been unable to stop the democratic backsliding that affects most of Western Balkan polities.⁴³ The

³⁸ Ramūnas Vilpišauskas, “European Union or Eurasian Economic Union? A Dilemma for the Eastern Partnership Countries”, in Sieglinde Gstöhl (ed.), *The European Neighbourhood Policy in a Comparative Perspective. Models, Challenges, Lessons*, London and New York, Routledge, 2017, p. 259-281.

³⁹ European Council, *Conclusions by the President of the European Council*, 9 March 2017, par. 13, <http://www.consilium.europa.eu/media/24113/09-conclusions-pec.pdf>.

⁴⁰ Magda Stumvoll and Tobias Flessenkemper, “China’s Balkans Silk Road: Does it Pave or Block the Way of Western Balkans to the European Union?”, in *CIFE Policy Papers*, No. 66 (14 February 2018), http://www.cife.eu/en/5/policy-papers_88-1.

⁴¹ Nenad Stanišić, “Income Convergence in the Process of the Western Balkan States’ Accession to the European Union”, in *Economic Horizons*, Vol. 18, No. 1 (January-April 2016), p. 3-15, http://www.horizonti.ekfak.kg.ac.rs/?q=en/2016_1_Nenad_Stanisic_EN.

⁴² Corina Stratulat, “To be or not to be an EU member state – A question for the Balkan aspirants as well?”, in *EPC Commentaries*, 13 July 2016, http://www.epc.eu/pub_details.php?cat_id=4&pub_id=6835.

⁴³ Marko Kmezić and Florian Bieber (eds.), *The Crisis of Democracy in the Western Balkans. An*

Union's approach in this area, with stability concerns prevailing over democratic governance, has been instrumental in building seemingly democratic institutions, but much less effective in altering authoritarian rules and practices.⁴⁴ Despite the European perspectives offered to the countries of the region already in 2003, policy change and transformation has been slow. Conditionality has triggered *prima facie* compliance (rhetorical and behavioural change, rule-adoption) yet more genuine adherence (structural and identity change, rule-implementation) remains limited.

These limitations should be kept in mind in the context of the EaP. Even with the offer of accession perspectives, the EU struggles in the Western Balkans to reach its ambitions and demonstrate its transformative power. In the absence of accession perspectives, its leverage in the EaP region can only be weaker, while the costs of transformation to be borne upfront by the associated countries are substantially higher.⁴⁵ Domestic gate-keepers and veto-players surely benefit from this weaker equation while sustainable transformation, in this context, may be particularly unpredictable. Moreover, while further upgrading the Union's offer to some Eastern partners may increase the EU's leverage for actual transformation, the Western Balkan experience shows that this leverage does not easily translate into the desired result. The credibility of the EU's offer is here an important parameter. Promising "more for more" can be counterproductive if promises are not kept through the provision of tangible rewards.

Secondly, the EU has fallen short of promoting reconciliation and positive peace in the Western Balkans. Regional cooperation only became a key priority in its approach in the past few years, with the launch of the Berlin process.⁴⁶ Bilateral disputes, as a result, continue to generate tensions and to fuel nationalism. For instance, the EU-led mediation between Belgrade and Pristina, often cited as example of success, has not delivered remarkable progress on the ground. Ten years after its unilateral declaration of independence, Kosovo's political relations with Serbia remain unsettled and five member states of the EU still refuse to recognize the independence of the country. This post-conflict experience in the Western Balkans illustrates the Union's discomfort with regards to hard territoriality issues that do not fit its allegedly post-modern system of governance. These hard territoriality issues (and their security and military implications), however, are a distinctively important element for most Eastern partners. In addition to that,

Anatomy of Stabilitocracy and the Limits of EU Democracy Promotion, BiEPAG Policy Study, March 2017, <https://wp.me/P7NtCV-jB>.

⁴⁴ Danijela Dolenc, *Democratic Institutions and Authoritarian Rule in Southeast Europe*, Colchester, ECPR Press, 2013; Arolda Elbasani, *European Integration and Transformation in the Western Balkans. Europeanization or Business As Usual?*, London and New York, Routledge, 2013; Claire Gordon, Marko Kmezić and Jasmina Opardija-Susnjarić (eds.), *Stagnation and Drift in the Western Balkans. The Challenges of Political, Economic and Social Change*, Bern, Peter Lang, 2013.

⁴⁵ Laure Delcour, *The EU and Russia in Their 'Contested Neighbourhood'*, cit.

⁴⁶ Florent Marciacq, *The EU and the Western Balkans after the Berlin Process: Reflecting on the EU Enlargement in Times of Uncertainty*, Sarajevo, Friedrich-Ebert-Stiftung Dialogue Southeast Europe, 2017, <http://library.fes.de/pdf-files/bueros/sarajevo/13948.pdf>.

despite higher level of trust among EU member states since the Ukrainian crises,⁴⁷ here is neither consensus on the need of the Union to play a bigger role in conflict transformation nor for it to do so via ENP/EaP instruments.⁴⁸

Thirdly, in the Western Balkans, just like in the Eastern neighbourhood, the EU now stresses the need to ensure the local ownership of the transformation it encourages. But in the former, it has long assumed that fostering isomorphic transformation through bilateral relations would necessarily entail reconciliation and boost regional cooperation/integration. That has not been the case. Challenges that have a regional dimension – including in the Eastern neighbourhood – require a strong multilateral approach, which creates regional ownership and should not be subordinated to the development of bilateral ties. As a matter of fact, even at the bilateral level, local ownership remains less easy to strengthen than it is assumed. Including professionalized civil society representatives is necessary to ensure that transformation reaches out to the broader society.⁴⁹ But to anchor transformation in a sustainable way, inclusion should ideally extend to representatives of more grassroots initiative, who critically question the “bourgeois” model of constitutional liberal democracy offered by the EU for not fully taking into consideration the different characteristics of partner countries.⁵⁰

In conclusion, almost ten years after the launch of the Eastern Partnership in 2009, the EU faces a different and far more differentiated political and institutional landscape, both internally and externally. For that reason, throughout 2018, there will be a need to continue the reflection initiated on the future of regional cooperation in Europe, on the multifaceted challenges the EU and its Eastern partners face in the region as well as on the adequacy of the EaP and other instruments. This reflection shall inform the debates opened in the run-up to the Sibiu European Council of March 2019 on the general orientations of the EU in its Eastern neighbourhood, following the programmed end of the United Kingdom’s membership and the rising complexity in the European cooperation environment.

Updated 5 March 2018

⁴⁷ Michal Naturski and Karolina Pomorska, “Trust and Decision-making in Times of Crisis: The EU’s Response to the Events in Ukraine”, in *Journal of Common Market Studies*, Vol. 55, No. 1 (January 2017), p. 54-70.

⁴⁸ Sabine Freizer, “The Revised European Neighbourhood Policy and Conflicts in the South Caucasus: The EU’s Growing Conflict Transformation Role”, in Dimitris Bouris and Tobias Schumacher (eds.), *The Revised European Neighbourhood Policy. Continuity and Change in EU Foreign Policy*, London, Palgrave Macmillan, 2017, p. 157-176.

⁴⁹ Ghia Nodia, Denis Cenuşă and Mikhail Minakov, “Democracy and its Deficits: The Path towards Becoming European-Style Democracies in Georgia, Moldova and Ukraine”, in *CEPS Working Documents*, No. 2017/12 (December 2017), <https://www.ceps.eu/node/13318>.

⁵⁰ Münevver Cebeci, “Deconstructing the ‘Ideal Power Europe’ Meta-Narrative in the European Neighbourhood Policy”, cit. See also Kristoffer Lidén et al., “EU Support to Civil Society Organizations in Conflict-Ridden Countries: A Governance Perspective from Bosnia and Herzegovina, Cyprus and Georgia”, in *International Peacekeeping*, Vol. 23, No. 2 (2016), p. 274-301.

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Programme

Minsk, 10-12 December 2017

10 December 2017

Evening talk

Security dialogue and regional cooperation in and with the Eastern Partnership region

Welcome

Peter Jankowitsch, former Minister of Foreign Affairs of Austria, member of the Board of the Austro-French Centre for Rapprochement in Europe (ÖFZ/CFA), Vienna

Wolfgang Sender, Head of Belarus Office, Konrad-Adenauer Foundation, Minsk/Vilnius

Discussion

Chair **Yauheni Preiherman**, Head, Minsk Dialogue Track-II Initiative (MD), Minsk

Panelists **Valery Varanetsky**, Chairman, Standing Commission of International Affairs, House of Representatives of the National Assembly of the Republic of Belarus, Minsk

Christine Muttonen, former President of the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE), Vienna/Villach

Pieter Feith, Senior Diplomatic Advisor, European Institute of Peace (EIP), Brussels

Ghia Nodia, Director, International School of Caucasus Studies, Tbilisi

11 December 2017

Official opening

Merike Kokajev, Ambassador of Estonia to Belarus, Minsk

Margot Klestil-Löffler, Alternate Secretary General, Central European Initiative (CEI), Trieste

Dominique David, President, Austro-French Centre for Rapprochement in Europe (ÖFZ/CFA), Vienna; Advisor to the Chairman, French Institute of International Relations (IFRI), Paris

Session I

Differentiation inside, differentiation outside and regional cooperation: The practice of connecting the EU, its Member States and the Eastern Partners

In the past few years, in response to the multiple crises it faces, the EU has embarked on introducing more differentiation in its internal functioning. This increased flexibility, aimed at “saving” the EU against the backdrop of Brexit and disintegration tendencies, has also permeated the external policy of the EU (through the reviewed ENP and the new EU Security Strategy). External differentiation, as a result, has become a common thread in the EaP. But it remains to be seen how this growing emphasis on differentiation should be operationalized, and how internal and external differentiation relate with each other, especially vis-à-vis regional cooperation. Moreover, the EU’s commitment to pursue more differentiated policies and the gradual renationalisation of the EU polity imply a shift from a technocratic approach, which failed to acknowledge the needs and aspirations of EaP countries, towards a more politicized approach, which may be more amenable to actual progress in regional cooperation. What implications will these developments have for EU-EaP relations and regional cooperation? How common and principled can the EaP prove to be as an external policy of the EU, given substantial differences in EU member states’ approaches? How can connectivity be used, beyond infrastructure development, as a pragmatic vehicle of cooperation?

Chair **Nona Mikhelidze**, Head, Eastern Europe and Eurasia Programme, Istituto Affari Internazionali (IAI), Rome
Florent Marciacq, Deputy Secretary General, Austro-French Centre for Rapprochement in Europe (ÖFZ/CFA), Vienna

Session II

Internal challenges, external challenges and regional cooperation: how to enhance resilience in EaP countries?

Relations between EaP countries and the EU and among EaP countries themselves often depend on domestic issues and/or international developments. This leads to fluctuations in bilateral relations and regional instability and unpredictability. Regional cooperation, against this backdrop, helps to promote dialogue and build bridges among partners, it also contributes to strengthening resilience and advancing good-neighbourly relations. How can the EaP framework further encourage regional cooperation among EaP countries as a means to increase political, socio-economic and societal resilience? What tools can be used to strengthen the exchange of best practices? How can the EaP contribute to strengthening its partners’ economic stability, given the adaptational costs incurred by access to the EU markets? What lessons can EaP countries learn from their respective experiences with the EU? Finally, what should regional cooperation entail at the level of individuals and people-to-people contacts?

Chair **Susan Stewart**, Senior Associate, Stiftung Wissenschaft und Politik (SWP), Berlin
Tobias Flessenkemper, Senior Research Associate, Centre international de formation européenne (CIFE), Nice/Berlin

Session III

Compatibility across and beyond the Eastern Partnership: advancing pan-European integration through regional cooperation

Geopolitical tensions in the “shared neighbourhood” have reached their climax in the past few years with the crisis in Ukraine and the war in Syria. The polarizing effects have strained those EaP countries seeking to balance their relations with the East and the West and hindered the pursuit of multi-vectored foreign policies. The geopolitical tensions have been reinforced through the parallel promotion by Brussels and Moscow of overlapping regional integration projects (the EaP versus the Eurasian Economic Union). The case of Ukraine, which had to “choose” an integration scheme, is a good example of the negative-sum game shaping the context in which EaP countries may be pushed to operate. How can regional and pan-regional cooperation help overcome this “Thucydides Trap”? How should the EU address these challenges in its bilateral relations with EaP countries? How to make regional integration schemes more compatible with each other, while not losing sight of EaP countries’ sovereign choices? How to engage with EaP individual countries in co-shaping opportunity structures that do not lead to lose-lose situations and increased instability?

Chair **Laure Delcour**, Research Fellow, Foundation Maison des Sciences de l’Homme (EU-STRAT project) / Institut de Relations Internationales et Stratégiques (IRIS), Paris
Dzianis Melyantsou, Programme Coordinator, Minsk Dialogue Track-II Initiative (MD), Minsk

Session IV

From the EaP countries to the Western Balkans: Regional cooperation across EU neighbourhoods

The EU has long experience of promoting regional cooperation within and beyond its borders. In the Western Balkans, most notably, it has been promoting political dialogue, good neighbourly relations and regional economic integration for almost two decades, with mixed results though. Against the backdrop of declining progress in the past few years, enduring crises in the EU, and geopolitical challenges in the region, a mini-lateral intergovernmental initiative was launched in 2014 to maintain the impetus of reforms, transformation and European integration in the Western Balkans. The initiative (so-called Berlin process) prioritized connectivity and regional cooperation. What lessons can the EU and EaP countries learn from the EU’s long-standing engagement in the Western Balkans and its Berlin Process experience? Would EaP countries benefit from a similar mini-lateral initiative, giving precedence to multilateral meetings over bilateral contacts, and trustbuilding over conditionality? Are there similarities in the challenges in the Western Balkans and the EaP region? How can we build bridges between Western Balkans and ENP area studies? Likewise, what lessons can be drawn from the engagement of the CEI both in the Western Balkans and Eastern Europe?

Chair **Davor Boban**, Assistant Professor, University of Zagreb, Zagreb

Panagiota Manoli, Head of the Slavic, East European and Eurasian Studies Programme, Hellenic Foundation for European and Foreign Policy (ELIAMEP), Athens; Assistant Professor, University of the Aegean, Rhodes

A view from Brussels after the EaP Summit 2017 – a way forwards

Vassilis Maragos, Head of Unit, DG NEAR C.2. in charge of "Armenia, Azerbaijan, Belarus & the Eastern Partnership", European Commission, Brussels

Concluding Remarks

Elena Korosteleva, Director, Global Europe Centre, and GCRF COMPASS PI, University of Kent

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