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THE EUROPEAN NEIGHBOURHOOD POLICY: A SUBSTITUTE FOR EU MEMBERSHIP OR A CONSOLATION PRIZE?

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Membership of the EU is not a magic wand, which instantaneously heals a new member of all its ills. And at the same time, as a matter of principle, almost all the relevant positive consequences of EU membership can be obtained, even without membership of the European Union, according to the different degrees of integration into the Eu economic and political area and into EU support policies. In this sense, as far as the integration of the neighbouring countries into the EU is concerned, one can indeed be half pregnant. Access to the EU market, up to complete integration into the European single market, cohesion funds, every advantage which pertains to members could be in principle conceded to non-members, in particular to neighbours, if the interested parties so decide. At the same time neighbours can fulfill, if they so chose, all the obligations of membership. In particular, the Eu does not have a copyright on its legislation, and would not certainly protest if non-members were to adopt, as applicable, the *acquis communautaire*. The same applies to respect of human right, democracy, protection of minorities, establishment of a viable market economy, in short the Copenhagen criteria. The most obvious example of this is Norway, which, not being, out of the choice of its own people, a Eu member, shares nonetheless practically almost all the advantages and duties of membership, first of all as a member of EEA, but also of Schengen cooperation and of the Dublin convention. The Norwegian model, and in particular the EEA setup, appears to be in fact the optimal model for the most satisfactory, long run relationship of EU with the neighbouring countries, to which the European Neighbourhood Initiative may aim. On the other hand one could maintain that if a state fulfills the conditions for belonging to the EEA there is no reason why it should not be allowed to enter the EU, if so desires. However, even in the unlikely case all the institutional differences were put aside by homologation of the neighbours to Eu legislation and fulfilment of the Copenhagen criteria, the huge economic differences and differences in living standards between the Eu and its neighbours would be an obstacle anyway to full and equal membership, if only for the consequences of the inevitable massive migration movements both for the departing country (loss of human capital) and for the receiving country (social problems, pressure on welfare expenditure, problems related to criminality and public order).¹ Moreover the attitudes towards political institutions and the rule of law can be affected by the economic conditions, as well as the availability of the resources needed for financing education, environment protection, culture, research, material infrastructures, the betterment of social conditions and social protection, up to average EU standards. These obstacles may be removed only through sustained growth for a long period of time. Membership in this respect would not help, because, as said at the beginning, membership as such is not a magic wand. The policies that would bring the transformation about, by the countries concerned and by the EU, do not really require membership, neither is membership necessarily a guarantee that they will be pursued. Moreover, the problem of additional

¹ Migration could be restricted for a limited transitory period, as in the case of the recent enlargement, but at the end of it the consequences of mass migration could hardly be avoided.

membership seems lie as much with ability of new potential members to fulfil the requirements of membership, as with the EU. After the sudden enlargement to 10 new members, it seems reasonable that before further enlargement some experimentation and a further adjustment of Eu institutions to its new size should be undertaken, a process possibly much more thorough than that initiated with the new European constitution, even in the (unfortunately unlikely) case the constitution will be eventually ratified. And then there may important additional issues at stake, with respect to European Eastern neighbours, involving the external relations of the EU with Russia, and the particular sensitivity of Russia to the issue. As far as the CIS neighbours are concerned, not only they are in principle to membership because they are European, but they are different in some important aspects from most of our Mediterranean neighbours. Whatever their difficult present circumstances, there is a discrepancy in the neighbouring CIS countries between their economic and political conditions and their educational attainments and human capital. One could expect (or hope for) somehow the gap to close in the future and those countries to endow themselves with political institutions and an economic structure better fitted to their level of overall cultural tradition and educational accomplishments.

There is an additional political point to consider. It is true that membership is not a magic wand, but it is a recognizable objective, an objective of prosperity, freedom, and rule of law. The neighbourhood policy or even the prospect of entering the European Economic Area or a future Common European Economic Space is not. This indeed implies that without the perspective of membership the leverage given by the European Neighbourhood initiative for pushing the neighbouring countries towards implementation of the Copenhagen criteria is much weaker. One could well assert that if this goal is not autonomously pursued by the societies concerned, without foreign imposition, there is no scope for the country to become eventually a satisfactory and performing member of the EU. On the other hand liberal democracy has a momentum of its own. It can be pursued because of its expected material consequences, in order to join the EU, but it could become a self-sustaining process. On the other hand, to accept the candidature for membership of a country unwillingly and instrumentally only putting up with the Copenhagen criteria, hoping that it will accept them sincerely in the process of negotiations and after entering, is a gamble that may well not pay.² Lack of immediate membership prospects can reduce the leverage towards neighbouring countries, but in the long run either membership is granted, and whatever leverage the prospect for membership held is lost, or membership is not forthcoming and the leverage is lost anyway since the prospect loses credibility. One should also consider that by taking in countries whose values and attitudes are substantially incompatible with the Copenhagen criteria, the disruption of the EU that could ensue could be at the disadvantage of other neighbouring countries, as prosperity and order in the EU is relevant for prosperity and order elsewhere. Finally, the leverage provided by trade concessions and subsidies, and their withdrawal or maintenance, in any case remains, even without the membership prospect.

There is still another relevant political point: the status of candidate member of the EU is a recognizable status enhancing national pride. To be a partner of EU without being a

² One may refer in this respect to the failed gamble of forcing the unification of the divided island of Cyprus, through the negotiation pressure towards EU membership.

candidate member can be seen diminishing for a country. It may be somewhat silly, but it is probably a fact of life that may reduce the interest of neighbours into the European Neighbourhood Initiative. The rejection by the Norwegian people of the entry in the EU has provided the EU with an opportunity for experimenting with the creation of institutional arrangements for having a country partaking the benefits and engagements of being in the EU without being member and partaking in decisional power. But one thing is to choose voluntarily that limbo by a small (in terms of population) prosperous European country, another to be compelled to accept that position as a second best choice, because the EU refuses membership.

Still another political obstacle can be the fact that according to European Neighbourhood Initiative's intentions the neighbouring countries are suppose to mirror unilaterally EU's rules in order to integrate into its economic area. They do not have leverage on the shaping of the EU's rules they are suppose to adopt. This situation could more easily accepted for accession countries that expect to be accepted one day, not too far away in the future, as equal co-decision members in the EU. It can be less readily accepted by countries that have no short-run or even middle-run prospect of being accepted to EU membership. It is clear that, owing to the asymmetric weight and economic importance, for a number of rules concerning standards and regulations that are required for exporting to the EU, unilateral conformity would be in the end the policy, but to make it explicit as a part of the neighbourhood policy may be politically awkward.

Then there is the issue of the policy towards the countries, such as Belarus, that do not comply with the Copenhagen criteria and with the principles of democracy. They do not cease to be neighbours and to have common interests with the EU. So long as they are not expansionistic authoritarian states, which could put the security of their neighbours at risk, there could be good reasons to cooperate with them on an equality basis, albeit without subsidies or special advantages (aside for some support for the development of their civic society), but in a cooperative spirit for resolving issues in mutual interest (first of all border control), such as in the Söderköping process. They should be excluded from the concessionary aspects of the neighbouring policy, but not from neighbouring policy as such, which seems to be sufficiently flexible to include every possible situation. We may also consider that here we could have a vicious circle: an authoritarian regime, and the absence of the rule of law, the lack of respect for human rights, might be factors acting against economic performance and the openness of a country, but economic progress and increased openness can be factors mitigating the political system, bringing about its evolution in a suitable direction. Thus, possibly the best option with those regimes could be, rather than to isolate them, to pursue those interests that could be of common concern, together with those measures that may favour their opening up. Of course a quite different issue is how to deal with rogues regimes endangering the security of their neighbours (such as, until recently, it was the case with Libya). Of course, an appraisal of the likely consequences of different attitudes and policies of the EU on the internal evolution of its neighbours could be of relevance here, even if this could be only hypothetical and very tentative, and one should beware of unintended consequences.

In conclusion: the answer to the question: “the European neighbourhood policy: a substitute for EU membership or a consolation prize” is that it can be a viable substitute, but could unfortunately be rather perceived as a consolation prize.