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From regional power to global power? The European Neighbourhood Policy after the Lisbon Treaty

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Abstract

The European Neighbourhood Policy (ENP) was established in 2004 to provide a framework for coherent and efficient EU action towards its neighbours in the East and the South. Coherence was meant to be achieved in the EU's approach across various policies, but also across various countries. This chapter investigates how the Lisbon Treaty has affected the institutional set-up of the EU's relations with its neighbours, the main underlying logics of the ENP framework and its effects on the EU's global and regional standing. We take an institutional and political approach, asking how and to what extent the set-up of the EEAS, the strengthened role of the High Representative and the change in the role of the rotating presidency all affect the EU's policy-making towards its neighbours. The Lisbon provisions are only now being implemented. As such, institutional and political developments in the EU's policy-making system are the focus of this chapter. To what extent does the Lisbon Treaty strengthen or diminish the logics underlying the ENP? What implications might this have for the EU's efforts to become an actor of global reach? Or is the EU instead consolidating its regional power base with more limited geopolitical ambitions?

Introduction

The establishment of the European Neighbourhood Policy (ENP) as the main framework for the development of relations between the EU and its direct neighbours has been acknowledged as one of the EU's most innovative approaches in

external relations. The ENP established a common policy framework within which closer relations with those countries at the borders of the enlarged EU (both to the East and the South) could be pursued. In order to achieve security for the EU, stable and prosperous neighbours were considered an important prerequisite. The idea was to integrate them gradually into the EU's sphere of influence, along the lines of what Laïdi (2008) called, "the EU's normative empire". The promotion of a value-based model of political, economic and social development was thus a central aspect of the ENP, following the enlargement template (Schimmelfennig 2009). This policy framework for fostering closer relations with the EU's neighbours has to a large extent been presented as the middle ground between full integration and traditional external relations (Simão 2012).

Besides this external objective, internally the ENP has sought to increase coherence between the EU's various policies and the countries it covers (Maurer 2011). Coherence issues, as developed in this chapter, can include a wide spectrum of perspectives, reflecting the EU's multilevel governance system and the broad array of issues covered in its external relations. Coherence includes relations between the EU member states' foreign policy and EU-driven initiatives, including the goal of "speaking with one voice" in setting the strategic goals and the practical pursuit of policy options through assistance and project development. It also can cover coherence between EU instruments and policies – what the EU calls "policy mix" – including the mutual reinforcement of positive outcomes in different areas: human rights, energy security, conflict management, economic development, etc. In this regard, the Lisbon Treaty has been presented as a very significant effort to reform the EU and address coherence issues especially in CFSP and CDSP issues (Wessels and Bopp 2008). It has also sought to address what Hill (1993) has famously coined the "capabilities-expectations gap", giving the EU the tools to act globally. By the end of this reform process, the EU should be ready to act more effectively and decisively in its external actions, especially towards its neighbours. Reform has also aimed at solving the political dilemma of widening versus deepening, while enlargement fatigue and the financial crisis have meant a halt on further enlargement, except Croatia.

Considering this context, this chapter investigates how the Lisbon Treaty affects the institutional set-up of the EU and its relations with its neighbours. It examines the main underlying logics of the ENP framework and how it serves to position the EU in the broader international context. Considering the evolving nature of the EU's stabilisation policies, which have historically focused on the regional dimension, do the changes brought about by the Lisbon Treaty prepare the EU to become a more coherent and effective global actor? What lessons can the EU learn from the ENP? Should we conclude instead that the EU's vocation is of a regional nature, with limited capabilities to project security globally? The chapter takes an institutional and political approach, asking to what extent reorganisation – with the set-up of the European External Action Service (EEAS), the strengthened role of the High Representative (HR) and the change in the role of the rotating

presidency – affect the EU's policy-making towards its neighbours and what the broader implications are for the EU's global presence.

The chapter looks particularly at the ENP's principles of added value, the promotion of common values vs. differentiation, positive conditionality, joint ownership, and coherence, in order to guide our analysis. The findings show a varied and disparate set of outcomes as result of implementing the Lisbon Treaty, with many uncertainties over the institutional accommodation of new actors and their roles, over the interplay of Treaty reforms with ongoing dynamics in the neighbourhood (i.e. the Arab spring), and over the ENP review process that got underway in summer 2010. Moreover, institutional changes alone are not sufficient to assess the ability of the EU to consolidate its position as a regional and global actor; international dynamics have also had an influence. The chapter uncovers these complex inter-relations and sheds light on the ongoing dynamics of adaptation in the ENP.

A value-based and coherent EU foreign policy

The EU's assured presence on the international stage has been achieved gradually, both through the development of new tools and through the expansion of policy areas in which the Union acts. Smith (2008) underlines that the EU has mainly expanded its foreign policy through acting on five core issues: regional cooperation, human rights, democracy and good governance, conflict prevention and the fight against international crime. In all these areas the EU's contribution has moved beyond the regional scope of Europe. Bretherton and Vogler (2006) make the argument that many of the EU's new global functions have been reinforced by introducing new policy tools, including environmental diplomacy, trade relations, development and cooperation, but also by strengthening relations with its neighbours, through enlargement and CFSP / CSDP mechanisms. The argument is that, since the end of the Cold War in particular, the EU has managed to project itself globally by taking a leading (or at least central) role in major international issues and by developing the institutional tools to be able to act on the world stage.

The EU's global presence remains closely linked to the debates about the sui generis nature of its actorness. The EU's decision making processes combine both intergovernmental and supranational aspects; it promotes civilian and normative approaches in international affairs and remains committed to principled multilateralism. The commitment to achieving milieu goals through its foreign policy, i.e. promoting an "international environment in which different actors can interact peacefully through institutions without having to stick to predefined interests" (Delcourt and Remacle 2009, p. 237), makes the EU a promoter of value-based structural stability. What this concept entails is a commitment to changing the structural conditions for stability and peace to develop, as opposed to more limited crisis and conflict management approaches. In this regard, the EU's approach to global security combines soft power tools (normative tools) and, increasingly,

hard power tools (material instruments) (see Petiteville 2005, p. 17). The most effective policy mechanism in the EU's external relations, aimed at promoting and managing stability in the EU's regional context, is enlargement. Historically the European Communities have committed to the principle of widening and deepening, diffusing the principles of liberal democracy, market economy and human rights, as the basis for regional stability in Europe. Under the ENP, the EU promotes a similar approach, albeit much more limited in what it can actually offer its neighbours.

Relations with its neighbours thus represent a fundamental testing ground for the EU's claims to act as a global stabiliser. As argued by Bretherton and Vogler (2006, p. 137) "[…] the conduct of regional relations, over the next decade, will have profound implications for the fundamental character of the Union, its physical borders and its reputation as an actor". This view assumes that part of the EU's success in acting as a regional stabiliser rests on its ability to be seen as a model for its neighbours. The international image of the EU, the way it is perceived by others in its actions (and non-actions) are by no means marginal aspects of its global actorness, and this is all the more true when it comes to relations with its direct neighbours. Seidelmann (2009, p. 262) underlines the geographical and ideational dimensions of the concept of "neighbour" – aspects that the EU has also used in building the political notion of a neighbourhood where it has special responsibilities. The Wider Europe Communication of the European Commission (2003, p. 6) underlines "proximity, prosperity and poverty" as three main reasons for the EU to develop a special policy for these regions. It also underlines that these relations should build on "shared values" (European Commission 2003, p. 4). The Prague Declaration on the Eastern Partnership (EaP)[1] further reinforces the view that a political partnership with the Eastern neighbours should rest on shared values, developed through reforms. The declaration reads "[the support of political and socio-economic reforms] serves the shared commitment to stability, security and prosperity of the European Union, the partner countries and indeed the entire European continent" (Council of the European Union, 2009, p. 6). Therefore, both through its statements and actions, the EU needs to be coherent in the goals it wants to achieve through its external policies.

The Lisbon Treaty was meant to make the EU more democratic, more transparent and more coherent. In foreign policy making, the EU has long been criticised, mainly for its lack of coherence (Wessel 2000, p. 1135; Pilegaard 2003; Stetter 2004; for a more comprehensive discussion of the concept see also Allen 1998, 2004; Gauttier 2004; Nuttall 2005). Coherence, or the lack thereof, was also the focus of reform during the negotiations of the Lisbon Treaty. Moreover, the aca-

[1] The EaP was set up in 2009, following a communication from the European Commission and the Prague Summit declaration. It aims at deepening EU political and economic relations with the countries in the eastern dimension of the ENP: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. See European Commission (2008) and Council of the European Union (2009).

demic literature views the treaty provision on coherence as a fundamental principle of the external action of the EU (Smith 2001, p. 173, 2004a, p. 210; Nugent 2002, p. 154)) – and one guaranteeing that external actions in different policy areas, as well as by different actors, are not contradictory, or more optimistically, ensuring that they are mutually supportive and complementary.
In the Lisbon Treaty, Art. 7 TFEU[2] and Art. 13(1) TEU[3] demand coherence between EU policies in general terms, although Art. 21(3) TEU relates directly to coherence in EU foreign policy-making:

> "The Union shall ensure consistency between the different areas of its external action and between these and its other policies. The Council and the Commission, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, shall ensure that consistency and shall cooperate to that effect" (Lisbon Treaty, TEU Art. 21.3)

Before the Lisbon Treaty, Art. 3 had explicitly asked for "consistency of its external activities", while the Lisbon Treaty now adds the need to also ensure consistency between areas of external action and other policies. In 2010 the European Council restated the need to "enhance coherence and complementarity between [the EU's] internal and external policies" and called for new institutional practices of consultation, information-sharing and debating to ensure the achievement of such goals (European Council 2010). Furthermore, it is now explicitly the HR as the chair of the Foreign Affairs Council and Vice-President of the Commission who should ensure the coherent action of the EU towards the outside world, both at the institutional and policy level, by coordinating the various EU actors contributing to EU foreign policy-making. The coherence of the EU's foreign and security policy thus rests to a large extent on the new institutional relations being established and on the development of the HR's and EEAS's functions. Coherence is thus one of the fundamental dimensions of the process of translating EU stated goals into practical results, and tests the suitability of institutional mechanisms in place under the Lisbon Treaty. As argued above, the match between discourse and practice is fundamental for the consolidation of a relevant international identity upon which the EU can try to build its regional and global actorness.

According to Nuttall (2005, p. 97), coherence in EU foreign policy may be achieved at different levels and either in terms of policies or in terms of polity.

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[2] Article 7, TFEU reads the following: "The Union shall ensure consistency between its policies and activities, taking all of its objectives into account and in accordance with the principle of conferral of powers" (Lisbon Treaty, Treaty on Functioning of the European Union, Art. 7)

[3] Article 13(1), TEU reads the following: "The Union shall have an institutional framework which shall aim to promote its values, advance its objectives, serve its interests, those of its citizens and those of the Member States, and ensure the consistency, effectiveness and continuity of its policies and actions" (Lisbon Treaty, TEU Art. 13.1)

Vertical coherence (policy-level) occurs between the foreign policies of the member states as well as between foreign policies of the member states and the external actions of the European Union. *Horizontal coherence* (policy-level), on the other hand, applies to the dimension of policies and asks for coherent actions in different EU policy areas. Thirdly, *institutional coherence* (polity-level) shall occur between the different pillars (EC and CFSP) and their respective actors in EU foreign policy-making. Nuttall argues that this differentiation of levels becomes crucial when trying to improve coherence. In his view, institutional coherence can be solved more easily because "only" the structure of the system needs to be adapted, whereas improving 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, p. 3-6, 10, for similar conclusion see Gauttier 2004, p. 23). It is interesting to observe with regard to this differentiation, that the EU treaty provisions predominantly ask for horizontal coherence to be achieved in EU external actions, while the reaction of EU actors and their efforts in implementation to achieve this provision are mainly based on institutional and structural adaptations, as illustrated below.

We are thus faced with a framework of analysis whereby EU discourse on its neighbours and its own practices rest on two fundamental dimensions in order to successfully achieve the goals of peace, stability and prosperity in the broader European continent: first, value-based action and second, foreign policy coherence (the "what" and the "how" of EU foreign policy). The following sections of this chapter look at the underlying principles guiding the ENP which set the normative foundations of the relations with the neighbours. Thereafter, we assess the extent to which the Lisbon Treaty has changed these principles through the institutional restructuring that has followed. Through this analysis we show how institutional changes interact with coherence issues in external relations, and how this affects perceptions of the EU's ability to reinforce its position as a regional actor with more ambitious, global aspirations.

The main principles of pre-Lisbon ENP

The ENP was launched in 2003-2004, with the main objective "to avoid drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union" (European Commission 2003, p. 4). It also established that security should be achieved by exporting EU prosperity, norms and the European model. In the early months of negotiating the EU Wider Europe initiative, it became clear that there was a need for intensified links with the EU's "ring of friends" (European Commission 2003, p. 4) to guarantee security and stability for the Union's citizens. The EU would also "offer them [its neighbours] the chance to participate in various EU activities, through greater po-

litical, security, economic and cultural co-operation" (European Commission 2004, p. 3)[4] in order to avoid the perception of an excluding "Fortress Europe" . The ENP was thus conceived as an outreach tool, a pre-emptive policy to bring about security by consolidating a shared community of values and practices (Simão 2012).

In the ENP strategy paper three mechanisms were identified as indispensable for achieving its policy objectives: sharing the benefits of enlargement and added value through ENP; enhancing interdependence to promote peace in the long run; and establishing a comprehensive cross-pillar framework. First, the ENP strategy paper emphasises that the ENP should **reinforce existing relationships and bring added value** for the EU but also its partner countries. By sharing the benefits of enlargement, the "stability, security and well-being for all concerned" (European Commission 2004, p. 3) should be enhanced. At the same time, the question was raised, especially by partner countries, as to whether this added value implies an alternative to potential accession, or, if it should be considered a first step towards becoming an accession candidate. EU officials reasserted that participating in the ENP does not automatically imply potential future EU membership, while at the same time they did not totally discard the idea with its Eastern neighbours – it operated with a kind of constructive ambiguity. This approach could be observed particularly with Georgia in 2004-2005 and can still be seen with Ukraine, where local elites considered the ENP as a first step towards potential accession. However, the EU has been reluctant in its follow-up messages to go in this direction. In the context of the Eastern Partnership this conceptual ambiguity has been clarified to the neighbours' benefit, recognising the "European aspirations" of the Eastern neighbours, as supported and lobbied for by a group of EU member states.[5] Despite the long-term and differentiated perspectives of the neighbours towards the EU, the offer of "more for more", envisioned in the ENP revision strategy (European Commission 2010, p. 2) is seen as increasing the legitimacy of the EU's conditionality in the neighbourhood and furthering the goal of anchoring the neighbours to the EU.

Second, **enhanced interdependence** by enforcing political, economic and cultural links and networks between the EU and its neighbours is considered as the **most important mechanism to achieve security and stability**. "The Communication argues that enhanced interdependence – both political and economic – can itself be a means of stability, security and sustainable development" (European Commission 2003: 4). By creating a privileged relationship with the neighbours, the EU expects more interaction in economic, political and cultural issues, opening new possibilities to externalise its governance tools. In the long run, this coop-

[4] The ring of friends encompassed in 2004 finally 16 partner countries: Belarus, Ukraine, Moldova, Armenia, Azerbaijan, Georgia, Morocco, Algeria, Tunisia, Libya, Egypt, Israel, the Palestinian Authority, Jordan, Lebanon, Syria.

[5] Poland has lead the push for EU recognition of the Eastern neighbours' European aspirations, together with the Baltic and the Visegrad countries.

eration should create a certain degree of interdependence between the EU and its neighbours, and lead to more prosperity and hence peace. Thus, the argument is that interdependence in itself *can* guarantee security and stability. While this is a very idealistic approach, it also seems naïve to emphasise exclusively the positive side of more interdependence. This thinking clearly follows the same logic as is inherent in the EU integration process in economic issues: more trade and more free exchange of goods, services, capital and people will lead to more prosperity and mutual understanding – the transactionalist approach. But at the same time, it is important to consider that there may be losers in this process of closer and more intensive interaction, and that more interdependence may also imply more vulnerability or exposure to the partner's problems. This is an area where vertical coherence between ENP and CSFP actors could clearly enhance coherence and efficiency in tackling the consequences of interdependence, both for the EU and its partners, with positive synergies for the legitimacy of the EU's external action.

Third, the ENP strategy paper repeatedly emphasises the need for a **comprehensive and coherent approach** that would make the EU an efficient actor in the world or, as it is formulated in the ENP strategy paper:

> "A comprehensive neighbourhood policy, integrating related components from all three 'pillars' of the Union's present structure, will enable neighbouring countries to share the benefits of EU enlargement in terms of stability, security and well-being. […] In the implementation of the ENP it is the utmost importance that the institutions and member states act in a consistent and coherent way" (European Commission 2004, p. 6)

Coherence and the "single framework" are meant to work in two ways: First, the ENP should provide a framework where relations with third countries to the East and to the South are covered, to achieve a certain level of coherence in approaches to different third countries, while accounting for regional dynamics. At the same time this coherent approach should, nevertheless, also allow for differentiation as regards the needs, specific situation and respective national interests of the partners. Secondly, the single framework is meant to work at the EU internal level as a coordination tool for the diverse set of policy areas, ranging from European Commission-driven issues (trade, development assistance) to political topics (including security issues) and cultural cooperation (see Tulmets, 2008)[6].

In addition to these three mechanisms meant to contribute directly to the main objective of creating security and stability, the ENP strategy paper also clearly sets out three principles that the ENP should be based upon right from the

[6] Yet, this attempt for closer coordination to achieve institutional and therefore horizontal coherence within the ENP framework for more than five years also altered the (informal) policy processes in a way that would allow for stronger involvement of the Commission, especially in agenda-setting, policy-formulation and implementation in the EU's approach towards its neighbours (Maurer 2011).

beginning: it should provide a single framework based on **shared values and common principles** that secure the rule of law, good governance, human rights and minority rights, as well as a market economy approach and sustainable development; second, it shall at the same time allow for **differentiation** according to the needs and the capacity for reform of the partner country; and third, it should operate on the principle of **joint ownership**, in that Action Plans are negotiated between the EU and the government of partner countries and should equally embody priorities set by both sides of the partnership.

There is a complex network of interaction between partner country governments, EU member states and EU institutions supposed to make the ENP work. The Lisbon Treaty did not directly change the ENP as a policy framework but several general changes have impacted profoundly on processes and procedures in EU external relations. The next part briefly outlines the general institutional changes of the Lisbon Treaty and then discusses how these adaptations impact on the EU's ability to match discourse with action on its own doorstep.

The implications of the Lisbon Treaty for the ENP

The most visible change in the Lisbon Treaty is the formal abolition of the three pillars, although CFSP is again kept apart (Title V, TEU) from the other external relations provisions (External Action, Part V TFEU) and, more importantly, decision-making remains intergovernmental. A few other institutional adaptations of the Lisbon Treaty are, however, more important than the abolition of the pillar structure for this chapter, as they are directly meant to improve EU action towards an effective and coherent EU foreign policy: The HR of the Union for Foreign Affairs and Security Policy combines the posts of High Representative and Commissioner for External Relations (being Vice-President of the Commission at the same time). This institutional double-hatting is meant to encourage the coherent interaction of external relations policies and political CFSP outputs, also because the HR now chairs the Foreign Affairs Council (FAC). The newly created EEAS incorporates officials from the Commission (primarily DG Relex), the Council Secretariat and the member states[7]. This new body is meant to support the work of the HR in all thematic areas. Nevertheless, most provisions in the treaty text are vague and their concrete implications are difficult to predict, as most will depend on how the revisions are put into practice over time (see also Duke 2008, p. 18).

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[7] For a detailed listing of transferred posts to the EEAS at the beginning of 2011, see EEAS Press Release from 21 December 2010: http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1769&format=HTML&aged=0&language=EN&guiLanguage=en

In its relations with the wider world, the EU and its member states have created different frameworks to handle the relationships with third countries. The EU has repeatedly emphasised its desire to prioritise strategic action with its immediate neighbours, particularly since the end of the Cold War (Bretherton & Vogler 1999, p. 138; Smith 2003, p. 59). However, with the Lisbon Treaty, the intention to foster stronger relations with the neighbourhood were explicitly emphasised for the first time:

> "The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation." Art. 8 TEU (Lisbon Treaty)

Thus, the Lisbon Treaty did not directly change the ENP framework, but general legal adaptation in EU foreign policy making does indirectly affect the way the EU pursues its policies. These institutional changes and the salience of the Mediterranean after the Arab Spring have given new impetus to the development of key principles in the ENP (see Table 1).

Article 8 (see quote above) shows that the Lisbon Treaty specifically mentions the relations with the neighbours as a priority area. This is absolutely in line with the principle of "**added value**", and supports the notion that the ENP framework should not just bring together various EU policies but that it should also add a qualitative improvement to this relationship. There has already been smooth cooperation between the EU Commissioner for the ENP and Enlargement, Štefan Füle, and the HR, which strengthens this added value by enhancing the EU's potential for strategic and coherent action. Furthermore, it is expected that after the budget negotiations currently taking place, the financial means for cooperation with the neighbours will (again) be increased – a move that is supported by both the Commission and the EEAS (European Commission 2011).

There is also a strong indication that the principle of "**common values**", "**differentiation**" and the use of **positive conditionality** will be further strengthened in the future, rather than abandoned. Article 8 of the Lisbon Treaty confirms formally that: the ENP should be "founded on the values of the Union"; that the values of the EU "must be shared"; and that the "partnership must be based on concrete progress". Furthermore, this is explicitly emphasised in the Joint Communication of the HR and the Commission (European Commission & High Representative 2011a, p. 2), which mentions an "incentive-based approach based on more differentiation ('more for more')" (European Commission & High Representative 2011a, p. 5). Yet, while in theory existing ENP agreements allowed for the suspension of cooperation with third countries, as a form of negative conditionality, this mechanism was not used; instead, the EU displayed a clear preference for positive conditionality. Choosing not to apply negative conditionality, but rather, placing greater emphasis on the reform process in third countries, is outlined in the joint Communications referring to ENP revision. Looking to the past,

Füle has been critical that "commitments are unfortunately not always matched by action" and gone on to state that "in line with the conditionality principle, a clear and systematic link must be made between the outcome of the benchmarks assessment and EU support" (Füle 2011, p. 3).

The ENP Commissioner identified the focus on formal transposition as a shortcoming in the current ENP progress reports and has, therefore, suggested to focus more on the actual implementation record of third countries and to take into account the expertise of the strengthened Union Delegations. Also the ENP review document mentions several times that it is not the principle of conditionality itself that has to be changed, but that the Union should consider how to "provide the mechanisms and instruments fit to deliver these objectives" (European Commission & High Representative 2011c, p. 2).[8]

However, it is not just the actual use of political conditionality, but also an increasing awareness of the need to decrease the number of priorities in the action plans, that will encourage "clearer priorities" (European Commission & High Representative 2011c, p. 18) and strengthen the principle of differentiation. Having a clearer list of benchmarks will allow the EU to check more easily the progress of cooperation with third countries, because so far, some governments have just been cherry-picking those reform objectives most convenient for them (see e.g. the example of Tunisia in Bicchi 2010; see the example of Georgia in Vieira and Simão 2008).

Yet, the ENP review document contains a new principle that might indirectly harm the positive change in the use of conditionality: "mutual accountability" (European Commission & High Representative 2011c, p. 2), which implies that it is not only the partner countries that have to fulfil their promises of reform as outlined in the jointly agreed action plans, but that it is also up to the EU to provide stronger incentives of interest to third countries. If the EU were better able to meet its partners' expectations, it could legitimise its own conditionality. Expectations and interests mostly relate to liberalising trade (in agricultural products) and facilitating migration – topics that member states often find difficult to agree upon and where they are reluctant because of national interests and sovereignty issues. To a large extent it will depend on the ability of the HR and of the Commission to push member states to agree to more liberalisation in these areas, in order that partner countries consider the EU's incentive for stronger cooperation as attractive and desirable.

[8] The need to ensure the actual *application* of political conditionality in order to differentiate between reforming and reluctant partners appears as a somewhat idealistic concept in the ENP review documents; this assessment is shared by various EU actors and member state representatives.

Table 1: Potential for change of the ENP principles

	Potential for change	Explanation
Added value	↗	• Special emphasis on neighbourhood in Lisbon Treaty • Smooth cooperation between HR and Commissioner so far; EEAS and Union Delegations; • Increased budget envisaged for new European Neighbourhood Instrument
Common Values, Differentiation & Positive conditionality	(↗)*	• "values of the Union" specifically emphasised in LT • "incentive-based approach" & "more for more": explicitly formulated and stronger emphasis on actual implementation • More cooperation for "concrete progress" • Plus reference to Art. 49 (enlargement) and to different needs of Mediterranean countries; • New: "mutual accountability", i.e. also EU has to deliver on migration, trade etc;
Joint ownership	↔ or even (↘)*	• Reiterated as strong concept in review document, yet EU priorities also more explicitly emphasised and return to "partnership with societies"
Single Framework & Coherence		
Institutional	↗ or (↔)*	• Single foreign policy entity of EEAS, HR, Union Delegations – but other services?
Horizontal	↗ or (↔)*	• More strategic direction with HR as FAC chair – but support of member states?
Vertical	↔ or (↗)*	• New: "mutual accountability"

()* means that Lisbon Treaty impact is not direct, but that institutional adaptations provide opportunity for change in respective direction. Yet, the actual development depends also on other factors (e.g. member states' negotiations in the Council, etc.)

The reluctance of member states to discuss issues more profoundly, such as aspects of trade liberalisation and migration facilitation, is highly likely to impact negatively on the principle of "joint ownership". This idea of defining areas of cooperation jointly with the government of the partner country, so that national reform priorities are properly taken into account, was reiterated as an underlying concept in the ENP review documents. Yet, the salient aspects of cooperation for the EU are this time also more explicitly emphasised through the concept of "mu-

tual accountability", i.e. that the EU and its member states also have to deliver and discuss policies that might be difficult for member states because of national considerations. In the past, the refusal of member states to discuss a specific policy area that touched on national sensitivities but showed high salience for partner countries was perceived as hampering the reform process and allowed only for limited room for manoeuvre during negotiations. The EU underlines its strong interest in cooperating on issues regarding "deep democracy", which, for the first time, is clearly defined with specific benchmarks (European Commission & High Representative 2011c, p. 3).

Furthermore, sustainable economic and social development and regional partnerships are the other two aspects highlighted as part of ENP cooperation. Migration and mobility partnerships, on the other hand, are only discussed with regard to economic and social development. Last but not least, the events in the Mediterranean during the Arab Spring (as well as the lack of positive results in the democratic stabilisation of the Eastern neighbours) and the subsequent critique of the EU's ineffectiveness support for democratic change in this region, has led the EU to call for closer cooperation with civil society in project management, rather than providing budgetary support for governmental authorities. Strengthening civil society does not figure strongly in the reform agenda of most partner countries, and to what extent this EU focus is in line with the priorities for reform of the ENP partner countries still has to be seen. Therefore, it is more likely that this principle of joint ownership will stagnate or even diminish in the near future.

Finally, the idea of a "single framework" and "coherence" in the ENP – particularly the achievement of *horizontal coherence* (i.e. coherence between various policies – has the potential to be strengthened in the wake of the Lisbon Treaty, considering that the HR now acts as chair of the FAC and is supposed to guarantee the strategic and coherent formulation of policy objectives. Horizontal coherence might be hampered (and therefore kept at the same level) by two factors: on the one hand, member states might not maintain their original support for a strong HR, if the policies proposed are seen to hamper their national interests and priorities. On the other hand, the achievement of horizontal coherence will also depend on the achievement of institutional coherence between the EEAS and other Commission services (see also Duke 2012). Cooperation with Commissioner Füle has worked well until now. The institutional re-structuring of the EEAS brings together relevant units that were beforehand institutionally separate, split between the Commission and Council Secretariat. Yet, it is during implementation especially that the achievement of a coherent EU foreign policy towards the neighbours largely depends on the capability of the HR and her staff to ensure the support of the other Commissioners and their services (DG Trade, DG EuropeAid, DG Home Affairs)[9]. One area where fully integrating the ENP into the EU's institutional for-

[9] The need for coordination between the EEAS and Commission will in the future especially be visible in the various programming stages within the framework of the European Neighbourhood Instrument (for more details see Stroß 2012).

eign policy structures could bring significant results in terms of efficiency and horizontal coherence is conflict resolution and crisis management. Although political and security issues are beyond the strict scope of the ENP and should be dealt with by EU member states and CSFP institutions, the Lisbon Treaty provisions change this in a number of ways. Community and intergovernmental methods remain visibly separated as regards CFSP issues (Wessels and Bopp, 2008, p. 10). However, the double hatting of the HR/VP, with the "merging of functions and legitimacy" (European Parliament 2011) and the setting up of the EEAS bringing together Commission, Council and EU member states' officials, provides an opportunity to overcome the contradictions resulting from different working methods, autonomous decision-making and resource allocation. Conflict resolution and crisis management are fundamental aspects of relations with the neighbours and has been a growing area of EU international action, contributing to global peace and stability.The biggest challenge in terms of coherence, however, is to be expected in terms of vertical coherence between EU policies and the foreign policies of the member states. The newly introduced concept of mutual accountability hints at the critique towards member states, or as Füle (2011, p. 2) formulated carefully, "it has often focused too much on stability at the expense of other objectives and, more problematic, at the expense of our values. Now is the time to bring our interests in line with our values". So far the ENP has been successful in technical cooperation; however, in order to also achieve their political goals, member states must reconsider their tendency to protect their national interests, often at the expense of common objectives. Yet, while the ENP can be considered a positive learning process, vertical coherence can only be improved if member states are willing to work together and coordinate their national foreign policies. If they choose to ignore this concept of "mutual accountability" developed by EU actors, and reject the idea of adapting their national policies to EU approaches, it is likely that the level of vertical coherence will remain unchanged.

Conclusion: Prospective challenges and achievements

This chapter set out to identify the implications of the Lisbon Treaty for those principles underlying the EU's relations with its neighbours. While the Lisbon Treaty did not directly trigger any change in the ENP's framework and its underlying principles, institutional changes in EU foreign policy system indirectly have specific implications for the ENP. This became visible with recent events in the Mediterranean and during the 2011 ENP review process. In this regard the Lisbon Treaty does not provide a break with the past vis-à-vis the ENP, even if some principles show some potential to be strengthened.

One of the main findings presented in the chapter, as regards the approach of the Lisbon Treaty to the ENP, has been strengthening the institutional integration

of this policy more fully into the EU's legal framework. This may allow for stronger political relations between the EU and the countries in its neighbourhood. Yet, the increasing institutionalisation of the ENP as a separate area of EU (foreign) action can also be seen as a potential consolidation of the ENP as a long-term policy framework, clearly looking to avoid new enlargement processes. Arguments that the lack of the "golden carrot" in the EU's conditionality had been a central cause of the poor levels of compliance with ENP-driven reforms in the East, might now be further reinforced.

In order to avoid this scenario, EU actors and member states need to respond positively to the stated principle of mutual accountability, and to put forward incentives that are important to its neighbours. In this regard, the provisions of the Lisbon Treaty, seeking to reinforce coherence in EU foreign policy might, provide important leverage for the EU. As underlined in this chapter, the positive interaction between the HR and the Commissioner in charge of the ENP has recently proven that the institutional design of the Lisbon Treaty can create positive synergies. The ENP revision process displays the much stronger will of the EU to pursue deeper political and economic relations with its neighbours, including on conflict resolution issues. After the Arab Spring and the war in Libya, conflict resolution and crisis management are no longer exclusive to protracted conflicts in Eurasia. This might push forward a clear political will on the part of some member states to support the HR in designing a coherent strategy for conflict prevention, as well as timely crisis management and conflict resolution strategies, i.e. to build on her position as Vice-president of the Commission and capitalise on the upgraded role of EU delegations on the ground. Although this is clearly a long-term process and a difficult objective to achieve, the Lisbon Treaty seems to have put the EU on the right track.

These steps have the clear potential to reinforce the EU's regional presence and are important for its neighbours' long term development and integration into the international system. The consolidation of the EU's regional relevance is furthered strengthened by global dynamics taking place in the post-Cold War and post-9/11 contexts, leading to a marginalization of Europe at the global level. The appeal of the EU as global model might be on the wane, but were the EU able to reinforce dynamics of stability and prosperity in its broader regional context – the goals of the ENP – then this would certainly contribute to reinforcing its global standing. In that sense, one of the major contributions of the Lisbon Treaty are the legal provisions for reinforcing coherence and improving EU capabilities in foreign policy areas. What is missing is the political direction underlying these new tools, both towards the neighbours and in the global international system. For that, a closer engagement with its neighbours and a broader debate on the global role of the EU might be needed, bringing the EU institutions, its member states and their partners all together.

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