

The EU's Role in 'Transforming' Conflict in the Neighborhood: Multilateralism and the Eastern Partnership

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Abstract

Although the European Neighbourhood Policy contains a conflict prevention dimension, the outbreak of conflict in Georgia demonstrated the extent to which this dimension was underdeveloped at best, and completely ineffective, at worst. This article critically assesses the potential contribution that the Eastern Partnership initiative, and in particular its multilateral approach, can make to the EU's impact on creating a climate that is conducive to reconciliation and long-term stability. It is argued that the multilateral approach within the Eastern Partnership certainly offers 'new' potential for long-term transformation. However, it also asserts that to be effective it must address some fundamental weaknesses within its multilateral and bilateral governance mode.

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The EU's Role in 'Transforming' Conflict in the Neighbourhood: Multilateralism and the Eastern Partnership¹

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Introduction

The European Union's (EU) identity as a security actor has evolved significantly in recent years, with its first European Security Strategy (ESS 2003) document setting out a holistic framework for engagement, with an emphasis on addressing the root causes of conflicts and threats to Europe. As one part of this security strategy the European Neighbourhood Policy (ENP) was introduced in order to provide 'stability and security' through bilateral engagement and partnership. However, it has fallen short in many ways, with only partial success in transforming polities and with a minimal effect on the 'frozen conflicts' that exist in the East and South. Parallel policies such as the Black Sea Synergy (BSS) and the Eastern Partnership initiative (EaP) have been constructed in order to inject regional and multilateral dimensions into the EU's efforts for facilitating the movement to an environment where the desecuritisation of conflicts might occur through the creation of a more open and 'networked' governance border, where cooperation and confidence rather than competition and conflict constitute the main *modus operandi*.

The EaP, whilst initially conceived in May 2008 to strengthen the ENP, was imbued with added importance and urgency following the conflict that erupted between Russia and Georgia over South Ossetia in August 2008. This conflict raised concern and many questions about the EU's ability to contribute to conflict prevention and transformation in the neighbourhood. Moreover, it begged the question of not just how to engage with local conflicting parties, but also on how to engage with Russia in such a way as to ensure a certain convergence and synergy of thinking between the EU's

¹ An earlier version of this paper was presented at an EU-GRASP workshop in March 2010 hosted by Warwick University.

vision of a networked, cooperative neighbourhood underpinned by Europe's postmodern normative conception of community and that of Russia, which holds a view (albeit 'ontologically dislocated') of international society still very much embedded within the Westphalian notion of sovereignty, survival and competition (Makarychev 2009).

The aim of this article is to explore and critically assess the potential contribution that the EaP initiative can make to the EU's impact on creating a climate that is conducive to democratisation and confidence-building, increased cooperation, reconciliation and stability. In pursuing this line of enquiry the emphasis is not on what the EU can do in terms of short-term crisis intervention and management, but rather how it can contribute to creating a conflict-reducing milieu within which there is a reduction in the intensity and spread of conflict communication (Albert et al 2008): in other words, where it can contribute in terms of assurance and prevention (Kirchner & Sperling 2005: 15). The argument in this sense is that the EaP conceptually represents a positive mode of engagement that could lead to transformation in conflict dynamics in the neighbourhood. However, it is further argued that whilst the EaP represents a change in form (multilateralism), it is likely to suffer from the same problems as the ENP in terms of function - as it is based on the same fundamental methods of engagement for inducing change. In this sense, for the 'multilateralism' within the EaP to be 'effective' the EU cannot simply assume that the linkages between the different dimensions of the EaP, or indeed between the EaP and other policies launched to the East, will grow organically. Indeed, some thought must go into how the EU will ensure an effective mode (s) of multilateral governance, how it will evolve and is eventually implemented, in particular if it wishes to observe any transformative outcome in the Eastern neighbourhood. If not, the EaP is likely to suffer the same fate as the now moribund Barcelona Process in the South. The success of the EaP is crucial not only for the effectiveness of the EU as a security actor to the East, but also to the evolution of the EU's security strategy which remains, in the words of the Report on its implementation, 'a work in progress' (Report on the implementation of the ESS 2008).

It must be made clear at the outset that the EaP (or indeed the ENP) was not conceived specifically as a conflict resolution tool, but that it can certainly be characterised as a policy that can contribute to long-term transformation with the aim of providing stability, security, prosperity and conflict prevention. In the words of Benita Ferrero-Waldner, the Eastern Partnership will help to mitigate 'the economic and social disparities which fuel conflict…and to avoid new flash points' (Ferrero-Waldner 2009). Indeed, the EU's main avenue of influence in conflict situations is through fostering cooperative arrangements across a plethora of issue areas and policy dimensions in order to build

confidence and trust. Similarly, what must also be borne in mind when analysing the EU's role in the neighbourhood is that an already overcrowded international mediation arena (the UN, OSCE, Russia, US and of course Turkey in the case of Nagorno-Karabakh more recently) the EU's valueadded is not just as another mediator, but as an actor that can provide the necessary tools to cultivate an environment for peaceful change and transformation. Second, the EU's role in the Eastern neighbourhood conflicts (Transnistria, Abkhazia and South Ossetia, Nagorno-Karabak²) varies according to the dynamics at play within each - that is the local, national, regional and international. In this sense, this article will not attempt to analyse the minutiae of EU engagement – bilateral or multilateral - in each case, but rather provide an overarching analysis of how the EaP can contribute more broadly to transforming the environment towards conflict transformation. Finally, whilst this article will focus on the EU's role through the EaP as a multilateral process, this is not without an awareness of EU action through multilateral organisations such as the OSCE, UN and NATO (and indirectly in international financial institutions) in the neighbourhood conflicts. However, the primary focus here will be on evaluating the EaP in the context of the added value it brings to the ENP3. In this sense, it will involve conceptualising the EaP within the broader multilateralism literature, but crucially, in a EU-specific context in terms of its modes of multilateral governance engagement in the East.

The article will proceed as follows. The second section will sketch the analytical framework - attempting to unpack the meaning of multilateralism and its relationship to governance and conflict transformation, broadly conceived, in the context of the EaP. The third section will critically discuss the multilateral EaP initiative and the potential it has to contribute to a conflict reducing environment in the neighbourhood. Whilst the EaP was only launched in May 2009 the emphasis will be on the potential value added of such an engagement mode over and above the ENP for conflict prevention through broader processes of transformation. The concluding section assesses the implications of the EaP for enhancing the EU's security role in the conflicts to the East. It also reflects on the potential theoretical questions that arise from the EU's mode(s) of engagement in the eastern neighbourhood.

The EU and Effective Multilateralism as a Process of Cooperation

The term 'effective multilateralism' has appeared in various EU documents as a core principle for resolving security problems – including conflict transformation – but without any clear definition

² Crimea might also be included here, although it is a 'silent' rather than 'frozen' conflict in the Eastern neighbourhood

³ For a review of the ENP as an instrument of conflict management see Gordon & Sasse (2008).

or meaning as to what this means across different issue areas and themes. Indeed, the EU's concept of effective multilateralism as defined in the ESS (2003; ESS Report on Implementation 2008) is embedded within its international organisational definition – with the United Nations (UN) at the apex as the key actor. The UN, with its universal mandate and legitimacy, is seen by the EU as uniquely placed to meet the challenges of the 21st century. This is not to say that the EU does not have other dimensions to its multilateral ambitions (Jorgensen 2008: 1) – indeed it is these broader ambitions, in the form of the multilateral dimension of the EaP, that this article seeks to engage with and define in terms of form and function, if not direct implementation, at this very early stage of its inception.

The task here is therefore to reflect on how we can develop a deeper understanding of the EU's multilateral (EaP) initiatives in the context of governing security, and more precisely transforming conflict in the eastern neighbourhood. In this context, what is required is an analytical reference point that can guide and explain the potential of the EaP in terms of its multilateral mode of engagement (in parallel with the upgraded bilateral mode) in the neighbourhood. Moreover, such conceptual reference points will enable an analysis that allows us to clearly differentiate between the principles and components that underpin the EaP initiative, and the governance methods that the EU has available to actually achieve them. In other words, it will enable us to assess if the multilateral EaP can be 'effective'; that is, achieve its stated goals.

In order to achieve this we must discuss how multilateralism has been defined, and indeed what is meant by multilateralism as a political and transformative process in the context of the EaP. Furthermore, when analysing the EU specifically we need to explain and understand not just the EaP process in terms of form, but the EU's own internal multilateral process of constructing and implementing external policies. Contextually important is the fact that within the EU the meaning and function of multilateralism differs according to its 'variable identity' as an international actor. For a normative and civilian power EU the preference is on normative multilateralism whereby the multilateral option in its external relations is not simply a policy (functional) choice, but rather part of the EU's normative make-up and it is seen as the most legitimate mode of engagement for resolving regional and global problems. For a military power EU the preference is for functional multilateralism where multilateralism is legitimate precisely when it is seen to be effective (Kienzle 2008: 12). In the case of the EaP, the *dominant* mode of EU engagement is clearly normative and civilian.

In this sense, multilateralism as a method is perceived to hold advantages for fostering cooperation and transformation – in particular in addressing the complex dynamics involved in conflict situations – as it 'is likely to produce better outcomes' (Martin 2009) through the creation of collaborative networks at different levels of governance. Moreover, it is seen as a mode that can imbue legitimacy and credibility into any process of conflict transformation or peace–building – whether in its international organisation variant (through the UN or OSCE, for example), or indeed, its variant as a process in conflict environments (the EaP, for instance). Equally, there are many constraints on achieving an effective form of multilateralism in practice, for reasons primarily of ambiguous definition (prominent in the EU – see for example: Jorgensen 2006; Gowan 2008), as well as coherence in form, coordination in functional processes, and indeed, the perceptions and strategies of the recipients of such policies.

So how can we understand multilateralism in the context of the EU and the EaP? The traditional definitions of multilateralism offered by prominent scholars such as Keohane (1990) emphasise a state-centric form – and define multilateralism as 'coordination of national policies in groups of three or more states, through ad hoc arrangements or by means of institutions'. Ruggie (1993) defines it as the coordination of relations among three or more states 'on the basis of generalized principles of conduct', with three key principles that underpin it: 1) indivisibility (the notion of collective security, whereby an attack on one is an attack on all); 2) non-discrimination (all parties are treated equally); and 3) diffuse reciprocity (reliance on long-term assurances, not quid-pro quo exchanges). Such definitions are embedded within the 'institution of multilateralism tradition' (Martin 1992), with the added notion that collective, rule-based action in this way avoids accusations of imperialism, and provides a normatively legitimate way of promoting ethical goals (Martin 2009).

However, such notions have more recently been questioned by Keohane (2006) on the grounds of the assumed legitimacy of such multilateral organisations, which he argues is based, problematically, on a deeply statist normative theory. Important here is the implication of this challenge; namely that multilateralism is not simply about state interaction. Indeed, he argues that the 'old' multilateralism 'is one of limited cooperation – mutual adjustment of policy – rather than of governance' (Ibid: 7). He also points to a fundamental contradiction in the multilateralism (international organisational form) of the 21st century, which is its 'profoundly undemocratic nature'. Indeed, he goes on to argue that multilateralism can only be legitimate if it meets the three fundamental standards of inclusiveness, decisiveness and epistemic reliability. Inclusiveness refers

to the effective representation of all valid interests (that is, through indirect means); decisiveness refers to the ability to take effective action; and epistemic reliability, ultimately, on the ability of a multilateral organisation to 'revise' the rules of the game on the basis of internal and external criticism.

Whilst work on the EU and multilateralism has become prominent in recent years (Whitman 2007; Jorgensen et al. 2009; Elgstrøm & Smith 2008; Laatikainen & Smith 2006), the focus here is on the EU as a multilateral organisation and the EaP as a multilateral process. The two, of course, are intimately connected, but can be unpacked separately for conceptual clarity and purpose. In this context it is clear that the internal EaP process, as with the ENP, is complex, cutting across multiple policy actors and dimensions. When we talk of decisiveness, therefore, we must take into account the ability of the EU to act coherently in projecting external governance – that is, horizontally (between different policies), institutionally (between different bureaucratic apparatuses) and vertically (between the EU and Member States) (see Nuttall 2005) - and to ensure that, at the very least, there is a connectedness within the internally constructed policy domain and between that and its external projection and implementation (Lerch & Schwellnus 2006). Whilst the intention of the Lisbon Treaty is to add to EU coherence, the formative nature of the 'new' foreign policy regime does not make it clear if this will in practice be the case in terms of the administration and projection of the EaP.

Nevertheless, the EU's legitimacy does rest on this coherence. If EU actors, once a policy has been constructed and agreed upon, or indeed because of the way it has been constructed, do not pull in the same direction discursively or in terms of required material resources, then policy legitimacy deteriorates with the consequence, in most cases, that the EU is less effective in terms of delivering its stated policy aims. Beyond this, and equally important in terms of legitimacy and effectiveness given that the EaP is modelled on partnership and joint ownership (similarly to the ENP), is what 'local actors make of it'. Thus, even if the EU is internally coherent across all dimensions, its outcome will very much depend on how the policy is perceived by intended recipient actors and indeed, beyond that, other significant actors with an interest in the country or region that the EU is attempting to influence (for instance Russia in this case). The extent to which recipient actors identify not just politically and economically with an EU policy, as well as where they locate

themselves in terms of identifying with EU norms,⁴ are critical factors in understanding how the multilateral EaP will influence conflict transformation to the East.

Also important in terms of effective multilateralism are the key characteristics and types of multilateral processes that can be identified, that is, the design of the process in terms of underlying principles, methods, and organisational tools. Here, Richmond (2008) has attempted to define multilateralism beyond its state institutional form (and state focus) in the context of the liberal peace. This work is intuitively germane to the task here as it introduces the idea of complexity in the *multilateral process* in recognising the important role of non-state actors and the salience, within what he calls 'new multilateralism', of recognising the linkages between all actors in the peace-building process and 'building capacity in civil society emerging from conflict'. This, therefore, is a broad conceptualisation of 'inclusiveness' and one that calls for 'marginalized populations within conflict zones to have a voice in the conflict transformation process' (Ibid: 164). Beyond this, he also delineates the concepts of horizontal and vertical multilateralism operating at different levels of governance. Horizontal multilateralism refers to 'the relationships between official actors, states, and diplomats, and relationships between a broad range of unofficial and private actors'. Vertical multilateralism, however, is defined 'by any relationship between an official and 'private/unofficial' actor' (Ibid: 164).

Unpacking this further, his central argument is that norms constructed within the horizontal dimension can be replicated within the vertical dimension, with added 'ownership' (and thus sustainability) of the conflict transformation process by local actors. Moreover, he posits that sophisticated forms of multilateralism are needed, driven by wilful communities (e.g. the EU) in order to bring about peace. Furthermore, such multilateralism is not simply defined by the formal or horizontal, but also the vertical and informal if transformation rather than instrumental adaptation is to take place in conflict situations. Important in the EaP context is not just that a wider array of actors and dimensions are at play in the multilateral process, but that there is a consensus on how transformation should be constituted and, secondly, that coordination and cooperation within the multilateral process is then able to deliver some form of transformation, security and peace at the variant levels of governance that exist (Richmond 2008: 168-9; Martin 2009: 5). Moreover, in the EU context, it is ensuring that there is at least a 'thin' agreement at the outset that the principles, rules or norms upon which cooperation and indeed transformation are based, are agreeable to actors within the multilateral (EaP) process.

⁴ See Browning & Christou 2008

Richmond's (2005; 69: 2008; 169) analysis implies that transformation through governance is dependent on a consensus between actors and between vertical and horizontal forms of multilateralism. This is not an entirely unproblematic concept in terms of achieving, in this case, conflict transformation, as the method of achieving this can vary between and within regional and international organisations involved in the process. Thus, the principles and organisational dynamics that underpin the relationship in any multilateral process are important as they vary from top-down coercive to bottom-up partnership approaches - with different modes of conditionality attached to each in terms of forcing or indeed inducing change (discussed below in the EU context). More broadly, the most conducive (ideal type) model of multilateralism is one that incorporates a top-down and bottom-up approach to conflict transformation – with clear visibility of both horizontal and vertical multilateral processes at work. This allows a functional culture of cooperation to develop within the consensual, multi-layered relationships that exist (Martin 2009: 5), as well as control and ownership of the process not just by the intervening state or multilateral organisation (the EU in this case), but also the regional and local actors involved. As Martin notes, within this context, 'it appears easier to create an effective division of labour as well as sustainable results' (Ibid: 7).

Thus, what we must explore further to inform our analysis of the multilateral EaP are the methods and mechanisms of engagement that underpin the policy and the organisational tools it possesses to potentially 'create a climate of settlement...through reducing economic and social disparities'. That is, we need to unpack exactly how the governance tasks of prevention (building or sustaining domestic, regional and international institutions that contribute to the creation of order) and assurance (confidence-building measures and post-conflict reconstruction) (Kirchner & Sperling 2005: 15) can be understood in the context of the EaP. Much work has focused on the lack of EU leverage through the ENP to transform the countries of the eastern neighbourhood and the conflicts that exist therein because it does not offer the 'golden carrot' of accession as an incentive.⁵ However, more recent work on the ENP is also instructive for the analysis here, as it provides a more nuanced way of understanding the EaP as multilateral governance, beyond traditional, topdown (hierarchical) modes of engagement that induce change through strict conditionality (Lavenex 2008). In other words, it explores the conditions through which a networked model based on cooperation and coordination can be 'effective' in transforming polities, and thus conflicts, within a horizontal logic of engagement. The suggestion in this literature then, and the main implication for this work, is that transformation occurs not through direct policy enforcement, but

⁵ See Sasse, 2008 for an overview

by networked interaction – where 'external governance becomes a form of extended governance or flexible horizontal integration' (Ibid: 940).

Within such a model, EU influence is 'constituted' through the extension of the dynamics of integration – creating joint structures of cooperation and coordination through different functional networks: a) informational (to diffuse policy-relevant knowledge, best practices and ideas); b) implementation (enhancing cooperation among actors to cooperate in enforcing rules and laws; c) regulatory (formulation of common rules and standards in any given policy dimension). Such a transformative governance process is multi-level, transgovernmental and transnational in nature, and includes actors from the public and private sector, IOs, and governments. In other words, it is: inclusive; underpinned by vertical and horizontal multilateralism; process-oriented; and voluntary, allowing 'for the extension of norms and rules that goes along with participatory openness' (Lavenex 2008: 941) - in this case, in the wider policy areas that can spillover into creating a conducive climate for conflict prevention. More precisely, there is a possibility under this mode of transforming not only legal/regulatory borders, but also political and identity borders in the longterm. This is not to say that multilateral networked governance is a panacea for conflict transformation: it is challenging and problematic in many ways. Indeed such a mode requires a certain degree of organisational resources, decentralisation, civil society empowerment, and norm convergence - not something that is clearly visible within the countries of the EaP, or indeed the main regional actors involved in the conflicts within the EaP countries.

To summarise the discussion thus far, the purpose here is not to provide distinct or indeed definitive types of EU 'effective' multilateralism in terms of the organisational or process-oriented form. Rather it is to provide analytical benchmarks for enhancing our understanding of the potential within the EaP to transform conflict in the neighbourhood through addressing the wider policy environment. Thus, the argument is not that networked governance is more conducive to achieving effective multilateralism and thus sustainable conflict transformation – indeed, there is much evidence to suggest that the EU's hierarchical model and the strict conditional model that accompanies it is much more effective for transforming polities to the East (Schimmelfennig & Sedelmeier 2004, 2005). However, it does suggest that in the absence of the leverage afforded to the EU through the membership perspective to formally transform conflict, we need to identify the conditions under which EU 'multilateral' governance, of which the EaP is an important example, can be effective in providing a climate that can lead to the desecuritisation of conflicts. We must note, importantly, that whilst the EaP exhibits key features of networked governance in theory, this does

not actually exclude 'hierarchy' as a method of implementation, where conditions dictate (e.g. low levels of knowledge, information and resources at the local level). Indeed, Lavenex (2008) has shown how this can be the case across different sectoral dimensions of the ENP. Of course, it will be some time before we can make this judgment on governance practice in the case of the EaP, but the key point here is that it does not exclude the possibility of direct and indirect forms of hierarchical governance emerging within the EaP process.

So where does this leave us with 'effective' multilateralism and the EaP? It is suggested here that we can formulate and test the following propositions (see Diagram 1). First, that 'effective' multilateralism is *more likely* when the following conditions are prevalent: internal EU coherence; consensus exists on the main EU norms for transformation across the actor constellation involved; vertical and horizontal multilateralism is high; inclusion⁶ and local ownership of the process is high; there exist requisite organisational resources to facilitate the multilateral process; and there are a multitude of actors and networks involved across conflict-governance layers (intra as well as interstate), with a high likelihood of desecuritisation of the conflict (and broader security) space and amelioration of the root causes of conflict through building prosperity, democracy, trust and confidence. This also connotes a more sustainable process of transformation.

At the other end of the spectrum is a (thin) multilateralism where: there exists minimal internal EU coherence; no consensus exists on the main EU norms for transformation across the actor constellation involved; there is very limited or even negligible horizontal or vertical multilateralism; inclusion and local ownership and involvement is low; there are very little or poor organisational resources to facilitate the multilateral process; and wider actor involvement is limited beyond state officials or those officials involved from international and regional organisations and institutions as well as implementation agencies. In this scenario there is less likelihood of building a sustainable transformation.

The categorisations of thin and thick multilateralism by no means represent static notions of understanding transformation in the East – in fact, precisely the opposite. They simply represent the two polar extremes – with many variations existing in between and indeed at the margins of such conceptualisations. It is not to suggest either that there is any automaticity involved in

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investigation.

⁶ Of course the opposite argument has been made in relation to multilateralism in its international organisation form: that 'big N' and inclusive multilateralism is far less 'effective' than 'minilateralism' (Martin 1992). Obviously this is context and issue-based, and in the case of conflict resolution the evidence does suggest that inclusive multilateralism in terms of *process* is more effective. Whether this is the case in relation to the Eastern Partnership is a matter for further empirical

achieving conflict transformation in the long-term if thick multilateralism is dominant - simply that there is a higher probability of achieving a stable and sustainable transformation if this is the case. In addition, the effectiveness of the EaP multilateral process is very much dependent on the governance principles and model on which it is premised. In this sense the task is not to suggest some sort of linear-causal model to relate specific governance models to multilateralism, but to create a more nuanced understanding of how and under what conditions effective multilateral governance can prosper through the EaP.

Thin Multilateralism Thick Multilateralism EU minimal internal internal EU coherence: coherence: consensus exists on the main EU norms for no consensus exists on the transformation across the EU for main norms actor constellation transformation across the involved: actor constellation involved; vertical and horizontal there is very limited or even multilateralism is high: negligible horizontal inclusion and local vertical multilateralism; ownership of the process is inclusion and local ownership high; of the process is low; there exist requisite there are very little, or poor organisational resources to organisational resources to facilitate the multilateral facilitate the multilateral process; process; Sustainable Transformation Non-transformation Desecuritisation

Diagram 1 - The EU and Effective Multilateralism

The Eastern Partnership, Multilateral Governance and Conflict Transformation: Added Value?

The EaP Policy Frame

As has already been stated, any definitive conclusions on the EaP are not possible given that it has not yet been fully operationalised. However, it is fruitful to assess the extent to which the features of the multilateral dimension of this governance process add value to the ENP in the area of conflict prevention and transformation, broadly conceived, in particular given that it was constructed to address some of the deficiencies within this policy.

The EaP was officially launched in Prague on May 7 2009 with the aim of affecting transformation across a number of governance levels and thematic platforms of engagement, which included: Democracy, Good Governance and Stability; Energy Security; Economic integration and convergence; and Contacts between People (European Commission 2008). The countries involved, that is Ukraine, Moldova, Belarus, Georgia, Armenia and Azerbaijan, were to be offered through the EaP 'more concrete support than ever before to encourage reforms that are essential to build peace, prosperity and security, in our mutual interest' (Ferrero-Waldner 2009).

The EaP aims to enhance the bilateral nature of the ENP, and to introduce a multilateral framework for engaging with the Eastern neighbours. In this sense, it is a complement to and innovation beyond the ENP, as well as more regionally oriented initiatives such as the BSS. More concretely, it was designed to reinforce the ENP, without offering the prospect of membership. Whilst the main goal is to 'create the necessary conditions to accelerate political association and further economic integration between the EU and interested partner countries' (Council of the European Union 2009; 5), it also recognises the need to 'promote stability and multilateral confidence building' (Ibid: 5) in order to induce peaceful settlement of the conflicts that exist and which constrain cooperation and integration with the EU and within the region.

In governance terms the principles that underpin the EaP remain the same as those of the ENP: it is guided by differentiation, joint ownership and conditionality – the latter rather related to progress and reward conditional on agreement and implementation based on EU norms and values. In addition, the EaP references *legal* and regulatory approximation, but not the wholesale adoption of the EU *acquis*. There is an aim to facilitate the movement to approximation through institutional and administrative capacity building at bilateral and multilateral levels of governance, and the

commitments of partner countries will be reflected not in Action Plans, but rather in Association Agreements (legally binding), which will offer added incentives in the thematically prioritised areas of the EaP. The macro governance framework (Lavenex 2008), therefore, resembles that of the ENP, and points towards horizontal joint structures of governance.

So does the EaP meet the thick multilateral criteria set out in order to maximise its chances of being effective?

Internal Coherence and Resource

The EaP is a policy that cuts across many policy dimensions and which therefore blurs the line between EU external governance and EU public policy, with the involvement of different DG's in the process of engagement and implementation. However, there is evidence to suggest that the EU approach within the EaP process is not coherent. Horizontally, this takes the form of how the EaP fits with other similar initiatives, such as the BSS, launched in April 2007. Indeed, the question remains as to the added value of the EaP given that it replicates the BSS in terms of countries involved (excluding Belarus), as well as the thematic areas that it targets, namely those of trade, democratisation and good governance, energy and migration, and the broader issues it wishes to address, such as conflict resolution, transport, environment, etc. Whilst the EU assures that the BSS and the EaP are complementary, it does not clearly spell out the links between the regional focus in the former and the multilateral focus in the latter – and indeed how these will function together beyond some sort of organic coming together of policies.

There is also the issue of funding and resources for the EaP. Here, evidence suggests that the lack of institutional and vertical coherence in existing initiatives is a concern. Firstly, the EaP does not address the issue of delays in funding many ENPI programmes that already exist; and secondly, it does not address the difficulty in releasing funds to the relevant Commission DGs in order to operationalise programmes for the relevant ENP/EaP countries (e-mail communication 2009). This matter is only likely to get worse before it gets better given the post-Lisbon ambiguity surrounding which EU actors that will take responsibility for the financial cycle and implementation of such programmes⁷. This does not bode well for the credibility of the EaP in the partner countries involved if there is a clear gap between what the EU officially commits and what it actually releases to achieve the goals of the EaP, especially in terms of promoting the transnational and multilateral element. Moreover, whilst the ENPI budget for 2009-13 is 785 million euros, only 350 million is for

⁷ More specifically, it is uncertain at the time of writing how much responsibility the External Action Service will take in relation to financial and policy control (confirmed by conversation with a Senior Commission Official, December 09).

the EaP (that is, extra money, as the rest has come from re-programming)⁸. This is clearly not enough to implement the EaP goals in the short to medium term. Indeed, when compared to the pre-accession funds allocated to Turkey alone in the same period, the figure is derisory and unlikely to be sufficient to establish a platform for transformation in the East (Shapovalova 2009: 4).

In terms of vertical coherence, there is an issue relating to the division between Member States on geographical priority in the EU's external governance – that is, between those that support the Eastern dimension led by Sweden and Poland, and those that support the Mediterranean dimension, led by France, Italy and Spain. This has implications across different dimensions. Firstly, on the debate on incentives and eventual membership of those to the East - the EaP, once again, represents a fragile compromise between those that support the offer of membership and those that do not. Such ambiguity is a consequence of the unresolved debate on 'absorption capacity', but it also has negative consequences in terms of the credibility and efficacy of the EaP. especially where the partner countries consider themselves to be European 'like' EU Member States, rather than simply 'with them', as neighbours. Secondly, there is also the issue of diverging Member State interests and discourses across the thematic platforms and issues that the EU aims to influence within the EaP process. This is particularly salient in relation to areas of high politics, such as energy and migration, where: a) Member States pursue their own bilateral policies that contradict or constrain EaP aims; b) Member States block or disagree on the extent to which policies to the East should be liberalised because of politicisation or indeed securitisation of these issues. The consequence of this is the contradiction that emerges, as with the ENP, between the rhetoric and evolving policy practice – and the effect this has on the credibility of the EaP.

Inclusiveness/Actors and Networks/Vertical and Horizontal Multilateralism

The EaP is certainly more inclusive than the ENP, which only sought to enhance the relationship between the EU and individual partner countries, and was minimal in terms of its attempts to engage civil society and private actors in the transformation process. Moreover, the bilateralism that underpinned it did not create an environment within which cooperation and trust between the actors within the region could evolve alongside the relationship with the EU. The EaP, on the other hand, provides for a multi-level, multi-actor and multi-platform approach, and in this sense provides an innovation beyond the ENP, whilst allowing for the evolution of not just horizontal but also vertical multilateral processes crucial to transformation and peace building in the East.

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⁸ Of course there is also the possibility that Member States will make bilateral contributions, and there is also the potential for contributions from IFI's, donors and private sector investors.

However, the major omission here is the more obvious and automatic role for the alternative centres of power that are also key stakeholders in terms of the platforms the EU is attempting to influence and the conflicts in the neighbourhood. The BSS, for example, at least allows direct engagement with and the participation of Russia and Turkey, without which conflict transformation or indeed approximation to EU rules and regulations is not possible, given their own interests, norms and agendas in the Eastern neighbourhood. The EaP, on the other hand, whilst not excluding the possibility of third state participation, does so on an ad hoc, case-by-case-basis - and only where relevant to meeting the objectives of the EaP. This raises several issues which need to be resolved if the multilateral element of the EaP is to be effective. Firstly, even though Russian participation is crucial, it will be subject to the various and diverse logics at play in the partner countries. As such, Georgia and the Ukraine are unlikely to support Russian participation and influence and indeed, Russian participation within the democracy platform would be deeply problematic for the partner countries (perhaps less so on the issue of trade). Secondly, there is a question of how Russia would want to cooperate and participate even if invited. Here, it is fair to assume, given Russian consistent requests to be treated as an equal partner in its relationship with the EU, that it would also want to be treated in this way within any EaP framework⁹. Clearly this is a an issue which the EU must resolve if it is to ameliorate rather than exacerbate the Russian government's opposition to what it clearly perceives as another EU policy to influence its own sphere of influence.

Beyond this, there is also the issue of how to engage with the conflict parties in each of the partner countries – South Ossetia and Abkhazia, Transnistria, and Nagorno Karabakh. If broader transformation is to actually occur, then such conflicts must be resolved – as recognised in the Joint Agreement. Conversely, if the EaP is to help resolve these conflicts, then a way of bringing such parties in without formal recognition needs to be found – the case of Cyprus is indicative of what the EU could do in terms of offering incentives to trade directly with the TRNC¹⁰. The EaP needs to build on the EU initiatives introduced into the conflict zones in the Eastern neighbourhood through grants and aid, Special Representatives, civilian missions, and border missions such as EUBAM (Transnistria), which have to date only had a moderate impact in terms of engaging with conflict parties and reducing the conflict dynamics on the ground.

⁹ In the BSS context the outcome was a compromise, whereby Russian desires to run the process through BSEC and the EU's desire to simply open up Black Sea activity to BSEC members alongside the EU, Russia and Turkey, was reflected in the activities of the first ministerial meeting (Emerso, 2008: p19-20).

¹⁰ Recognised only by Turkey in the international community

Consensus Among Actor Constellation on EU Norms for Convergence/ Organisational and Institutional Resources

The EU is only willing to offer Association Agreements to those 'who are willing and able to comply with the resulting commitments', implying some form of 'thin' recognition of EU norms from the outset. However, we cannot assume that all actors involved in the process perceive EU norms for convergence within the EaP in the same way - or that they wish to progress beyond a 'thin' (that is instrumental) reading. Indeed, the credentials and (record) of the leadership, certainly in Belarus, but also in Armenia, Azerbaijan and Moldova, do not suggest that there is a common understanding, or a desire to move towards EU democratic and human rights norms. In Moldova, the parliamentary elections of March 2009 demonstrated the inadequacy of the ENP in securing political transformation, as opposition voices were marginalised through the curtailment of basic civic and human rights. In Belarus, it is clear that President Lukashenko's enthusiasm for engaging with the EU in the aftermath of the Georgia-Russia conflict and the global economic crisis is not based on a desire to 'democratise' in Western terms - for this would put at risk the authoritarian Belarusian model that he has spent many years constructing (Christou & Browning 2008). Beyond this, Azerbaijan has as recently as March 2009 made constitutional changes that abolish any limits on presidential terms, despite protest from domestic opposition voices and much criticism from the international community; the prospect of an unlimited presidency for Ilham Aliev certainly does not bode well for longer term democratisation through the EaP. In the Armenian case, political freedom was restricted and opposition forces suppressed after the post-electoral crisis of March 2008 (Shapovalova 2009: 3).

Clearly there is a question here about how the EaP, through its multilateral and indeed bilateral dimension, can incentivise a change of policy towards EU standards of good governance – especially in Belarus and Azerbaijan, which do not see themselves as 'with' the EU (inside). This becomes even more problematic if one considers that the incentives offered through the bilateral element of the EaP, and the governance principles that underpin it, are reliant on certain institutional and organisational prerequisites, of which there is minimal evidence in the least advanced countries such as Belarus, Armenia and Azerbaijan. Feasibility studies conducted by the Commission show that Armenia and Georgia are not ready for the liberalisation entailed in deep and comprehensive trade areas - with Azerbaijan and Belarus also constrained by the fact that they are not WTO members, and the Russia-Belarus Customs Union clearly incompatible with the norms and rules of the EU's internal market. For the most advanced states in the EaP it is also difficult to see how there

is 'added value' in the bilateral dimension – the Ukraine is already at an advanced stage of negotiations on its Association Agreement¹¹– which includes the offer of deep free trade and a visa facilitation and readmission agreement. Moldova has also upgraded its status with the EU in terms of trade and visa facilitation¹², although the EU has suspended any further progress pending the outcome of the investigation of events of the elections in March 2009.

The main point here is thus twofold. First, that the bilateral element of the EaP might only act as an incentive for 'deeper' engagement with the partner countries that perceive that it adds value to their existing relationship. Even then, however, it is difficult to foresee how in governance terms this will be implemented and sustained without the requisite norm convergence and organisational resources. Of course one of the main multilateral elements of the EaP, that is comprehensive institution building, might very well provide an additional resource for 'Europeanisation' in these countries, as might the dialogue through proposed fora, such as the EU-Neighbourhood Parliamentary Assembly and the Civil Society Forum. However, this will only be the case if in the short and medium term more funding is provided for the EaP initiative, and indeed the dialogue that is created is in practice open to all actors, to allow bottom-up as well as top-down processes of influence. On a final point, the bilateral and multilateral processes at play in the EaP must reinforce each other in terms of goals, coordination and commitments and the conditionality, albeit 'light', must be applied consistently at all levels of interaction and within all thematic dimensions. This is important if the problems associated with the Barcelona process to the South are to be avoided, in particular the reluctance to prioritise and discuss democratic and human rights standards and infringements.

A secondary problem in relation to shared norms is, of course, that there is no consensus between the EU and the regional actors that have been excluded, but are nevertheless, a significant influence, directly and indirectly, on the transformation that can take place in the Eastern neighbourhood – and in particular the frozen conflicts. The issue of EU-Russia relations is the topic of many academic volumes, ¹³ and cannot be given the coverage it deserves here. However, it is important to understand the logics at play between Russia and the EU in their broader relations, as it also points to certain pragmatic answers for engaging with Russia through this EaP process. Russia has,

¹¹ An Association Agenda has been agreed with the Association Agreement expected to be concluded in 2010

¹² For example, through the additional autonomous trade preferences that came into force on the 1 March 2008; the activation of the Visa Facilitation and Readmission Agreements on 1 January 2008; and the opening of a common visa application centre in Chisinau in April 2007. It also, in June 2008, signed a pilot mobility partnership with the EU for the purposes of providing a single framework for managing migratory flows.

¹³ More recently see, Prozorov 2006, 2009; Morozov 2008; Makarychev 2009; Haukkala 2010, forthcoming

particularly following the war in Georgia, approached its relations with the EU predominantly through a sovereign rather than integrationist logic – through a decisionist (systemic) rather than normative (rule-based) conception of international society (Makarychev 2009: 4). It is through such a lens that Russia has interpreted the EaP as an additional mechanism within which the EU is attempting to transform and influence what is considered its own zone of privileged interest. That is, Russia considers the EaP as another vehicle to create an order that is bound by legal rules and norms that excludes the arbitrary exercise of political power (Aalto 2007: 463). In the words of one Commission official 'Russia tends to see the neighbourhood in terms of competition. We speak of shared interests rather than shared values' (Senior Commission official, December, 2009).

The dilemma here is therefore that the multilateralism in the EaP will ultimately prove ineffective, in particular within the energy dimension and in relation to its conflict transformation ambition, if Russia in not first brought into the EaP, and second, if no common culture of cooperation, if not overall understanding, can be found within which the EaP can function. This is not just an issue between the EU and Russia, but also Turkey, the partner countries involved and the many other multilateral organisations and actors that the EaP foresees contributing to peaceful transformation in the neighbourhood through increased communication, cooperation and coordination of actors within and between different governance layers. A (minimal) starting point is to identify and agree at the outset within the logic of mutual interest, benefit and practice, if not norms, where and how it would be beneficial for Russia to contribute (e.g. conflict resolution in Nagorno Karabakh) within the EaP framework as an equal partner, rather than as an observer.

Conclusion

This article has sought to critically assess how effective the 'multilateral' EaP can be in transforming the conflicts in the neighbourhood through the creation of a more peaceful, stable and prosperous environment. As such, the aim has not been to provide a systematic analysis of the EU's interventions and policies in the conflicts to date, but rather to determine how the EaP, as a EU 'foreign policy for the 21st century', can contribute to reducing the conflict-enhancing dynamics in the Eastern neighbourhood space. Obviously, such an evaluation has its limitations and will require additional systematic empirical research in evaluating EaP multilateral governance practice in the future. However, even a cursory look at the EaP framework in terms of its multilateral characteristics and the principles that underpin it suggest that the notion of 'epistemic reliability' will be paramount if it is to evolve into a more effective mode of multilateralism.

Whilst the innovations within the EaP process are positive, with certain elements reflective of 'thick' multilateralism, it is clear that familiar problems and omissions associated with EU external governance in general, and the ENP more specifically, have not been addressed in terms of process. Most significant here is the question of how a functional culture of cooperation and coordination is to emerge through the EaP, given the problems of internal coherence, actor exclusion, and indeed, what local and regional actors make of it. On the latter, it is not clear at this stage how the incentives, funding, and broader processes introduced bilaterally and multilaterally, can be effective in promoting transformation across the partner countries and the thematic areas selected - or indeed, the neighbourhood conflicts in the long term.

The issue of Russia is the most difficult to resolve, and this must be the first area on which the EU should 'reflect' if the EaP is to have any transformative effect. If there is no agreement on a platform through which this can be achieved, then perhaps the EU could rethink its approach within the language of mutual benefit and a community of practices, not values. The second is that of bringing 'local' conflict actors in – without their inclusion, economic and democratic transformation will not be sustainable in a broader milieu that is perennially unstable. Beyond this is the issue of external coherence: how the different regional initiatives at work will complement each other; how the processes within the EaP will reinforce each other; and how the broad actor constellation involved will 'effectively' function at the different layers of governance envisaged. Internally, there is also an issue of (in)coherence – between different advocacy coalitions supporting East and South, between Member States with variant policy priorities and interests to the East, between Member States and the Commission, and finally, within the Commission itself – with issues of competition and control clearly problematic for many of the programmes to be implemented in the East. The Lisbon Treaty will, in the short-term at least, only complicate rather than ameliorate such issues.

One could argue that it is much too early to form a judgment on the EaP. However, it is clear that whilst EU officials have taken many lessons on board in the construction of the EaP, they need to further reflect in the short-term if this process, with its multilateral innovation, is to move towards a thicker and more effective form of engagement than the ENP before it, and indeed other multilateral processes to the South. Beyond the empirics of the process, the EaP has implications for understanding and explaining the EU as a security actor in the East through long-term transformation – and indeed the conditions under which EU thick multilateral modes and horizontal governance mechanisms can contribute to the construction of a conflict-reducing milieu in the regional space to the East. In addition, there is the question of what type of regional (ism)

space is being created, how (and by whom) it is being created, and the underlying dynamics of such a process not just through the EaP, but the plethora of other regional initiatives and processes at play.

Ban-Ki Moon recently appealed for a 'new multilateral approach to ensure sustainable progress in disarmament', arguing that the solution can be found in a 'new multilateralism' where 'cooperation replaces confrontation, where creativity replaces stalemate' (Moon 2009). The EaP process certainly provides something of the 'new' in its multilateral process, but unfortunately, it also preserves much of the old in its lack of multilateral coherence. The EU must, therefore, not only be more reflective, but also more creative in its thinking if the EaP is to provide a platform for a more effective transformation of the Eastern neighbourhood and the frozen conflicts that exist therein.

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