



# The European Neighbourhood Policy: An Intergovernmental or Supranational Creation?

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Master's thesis  
M.Sc. International Public Management and Public Policy  
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27 January 2020

Word count: 22,037

## I. ABSTRACT

This research focuses on which dominant theory of European integration, neofunctionalism or liberal-intergovernmentalism, best explains the development of the ENP from 2004. Their explanatory value is tested through a congruence analysis to investigate the congruence between the propositions from both theories and the empirical observations. The findings of this research demonstrate that neofunctionalism has a higher explanatory value than liberal-intergovernmentalism and, therefore, better explains the development of the ENP from 2004. This shows that even though the decision-making regarding the ENP is based on an intergovernmental process, the Commission was able to assert its influence over the policy in the formulation stage. The Commission promoted and framed the policy, interacted with ENP stakeholders, especially with the EU member states and the ENP partners in the initial years, and forged a consensus among the EU member states by excluding aspects from the policy, which would not be endorsed by all the EU member states. Due to its key role, the Commission has been able to increase its knowledge and expertise in this policy domain even though it already had a comparative advantage vis-à-vis the EU member states before the formulation stage. More generally speaking, these findings demonstrate that, under the right circumstances, supranational EU bodies are able to influence EU policy-making, even in policy areas in which the decision-making process is intergovernmental.

## II. ACKNOWLEDGMENT

I would like to thank my supervisor, dr. K.H. Stapelbroek, for guiding me through this process during the program, and after I decided to postpone my graduation date. He provided me with useful comments while I was writing my thesis. Additionally, I would also like to thank my second reader, dr. S.R. Grand, for his time and feedback.

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## V. LIST OF ABBREVIATIONS

<i>AA</i>	Association Agreement
<i>AP</i>	Action Plan
<i>Commission</i>	European Commission
<i>Council</i>	Council of the European Union
<i>EaP</i>	Eastern Partnership
<i>ECSC</i>	European Coal and Steel Community
<i>EEAS</i>	European External Action Service
<i>EIB</i>	European Investment Bank
<i>EMP</i>	Euro-Mediterranean Partnership
<i>ENI</i>	European Neighbourhood Instrument
<i>ENP</i>	European Neighbourhood Policy
<i>ENPI</i>	European Neighbourhood and Partnership Instrument
<i>EP</i>	European Parliament
<i>ESS</i>	European Security Strategy
<i>EU</i>	European Union
<i>EUSR</i>	EU Special Representative
<i>FAC</i>	Foreign Affairs Council
<i>GAERC</i>	General Affairs and External Relations Council
<i>HR</i>	High Representative of the Union for Foreign Affairs and Security Policy
<i>JHA</i>	Justice and Home Affairs
<i>MFAEI</i>	Ministry of Foreign Affairs and European Integration of the Republic of Moldova
<i>NGO</i>	Non-governmental organization
<i>NIS</i>	Newly Independent States
<i>PCA</i>	Partnership and Cooperation Agreement
<i>UfM</i>	Union for the Mediterranean
<i>US</i>	United States
<i>WETF</i>	Wider Europe Task Force

## 1. INTRODUCTION

### 1.1. Introducing the European Neighbourhood Policy

The European Union (EU) gained ten new member states in 2004 as a result of the enlargement process. Consequently, the change in the EU's external borders created new challenges and opportunities for the EU. The European Neighbourhood Policy (ENP), as a key element of EU foreign policy, was created as a response to these new circumstances (Commission, 2004c). In March 2003, the European Commission (Commission) issued its first communication, which outlined the core objectives and principles of the policy. After the Thessaloniki European Council officially adopted the policy in June 2003, the Commission issued *European Neighbourhood Policy: Strategy Paper* in 2004. This paper presented the geographical scope of the policy and the methodology used for its implementation, which marked the official launch of the ENP (Commission, 2004c; Commission & HR, 2015). This research will focus on the original ENP from 2004. The Council of the European Union (Council) welcomed both communications (Council, 2003a; Council, 2004) and called the 2004 strategy paper “an excellent basis to carry forward work on the ENP” (Council, 2004, p. 11).

The vision, which drove the policy in 2004, concerned the creation of “a ring of [neighbouring] countries, sharing the EU's fundamental values and objectives” (Commission, 2004c, p. 5), like the rule of law, democracy and respect for human rights. This should have ensured “stability, security and well-being for all concerned” (Commission, 2004c, p. 3). It was about political, security and economic stabilization of the EU's wider neighbourhood. This shows that the ENP supported a key objective of the European Security Strategy (ESS) from December 2003 to protect the EU's security and promote its values: to create a secure neighbourhood (Commission, 2004c). Through the ENP, the EU attempted “to translate this objective into a coherent EU-wide policy approach” (Sasse, 2008, p. 295). Furthermore, the EU attempted through the ENP to prevent the development of new dividing lines between an enlarged EU and its new neighbourhood. To ensure these aims, the EU attempted to include its new neighbours in EU activities and stimulate cooperation between the EU and its neighbourhood based on positive conditionality. This should, eventually, move beyond cooperation towards significant economic and political integration.

To do this, the EU selected two main principles: differentiation and joint ownership (Commission, 2004c). The neighbouring countries from Eastern Europe, the Southern Mediterranean and the Southern Caucasus, which do not have a prospect of EU membership<sup>1</sup>, have each negotiated or will negotiate an Action Plan (AP) with the EU. The APs should be based on mutual consent. The APs serve as policy documents, which state what norms and values the ENP partners have to embrace (Smith, 2005). If an ENP partner embraces these norms and values successfully, it will be rewarded with intensified cooperation with the EU or with other means, such as EU financial assistance. However,

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<sup>1</sup> Countries from Eastern Europe, the Southern Mediterranean and the Southern Caucasus, which are included in the ENP, will be referred to as ‘ENP partners’.



each existing AP has been differentiated based on the current economic and political situation of each ENP partner, the current relationship between the EU and each ENP partner, and the ENP partner's capacities, needs and interests in the ENP. This shows that the ENP was initially based on the bilateral relations between the EU and the ENP partners (Commission, 2004c, Del Sarto & Schumacher, 2005).

However, despite this research will focus on the ENP from 2004, it is relevant to keep in mind that the ENP has developed over the years since its launch in 2004. Between 2004 and 2006, the ENP went through a transition period in which previous policies were harmonized and converged. Institutional integration was complete at the beginning of the new multiannual financial framework for 2007-2013, which was also the moment the new funding instrument of the ENP, the European Neighbourhood and Partnership Instrument (ENPI), was launched (Wesselink & Boschma, 2017). Even though the ENP was established as a bilateral policy, three regional and multilateral cooperation forms were established within the framework of the ENP in 2008 and 2009. The Black Sea Synergy was established in February 2008, followed by the establishment of the Union for the Mediterranean (UfM) in July 2008. In May 2009, the Eastern Partnership (EaP) was established as the third multilateral component (Commission, n.d.a; Martinezgarnelo y Calvo, 2014; Wesselink & Boschma, 2017). Additionally, the ENP was reviewed twice. The first review was in 2011 as a response to the new Lisbon Treaty, which gave way for innovations related to EU external policy. Furthermore, the Arab Spring made the need for this review more compelling (Commission & HR, 2011; Mocanu, 2010). The Commission and High Representative of the Union for Foreign Affairs and Security Policy (HR)'s 2011 joint communication presented a more tailored approach based on the shared universal values, the rule of law, democracy and human rights, and more shared accountability. This renewed ENP aimed at contributing to the ENP partners' inclusive economic development and stimulating more political reforms towards 'deep democracy' (Commission & HR, 2011). The Council welcomed this joint communication on 20 June 2011 (Council, 2011). The second review was in 2015 as a response to significant changes in the EU's neighbourhood since 2011, such as increased refugee flows into the EU as a result of conflict, rising terrorism and human rights violations in the neighbourhood, energy crises and the violation of Ukraine's sovereignty by Russia (Commission & HR, 2015). The Commission and the HR's 2015 joint communication focused on how the ENP partners and the EU can build more effective partnerships in the future. The universal values are still cornerstones, but economic, political and security stabilization in the neighbourhood is now the "main political priority in this mandate" (Commission & HR, 2015, p. 2). The renewed ENP should demonstrate greater flexibility to changing situations, greater mutual ownership, greater differentiation and more emphasis on security and migration inflows (Commission & HR, 2015). The Council welcomed this joint communication on 14 December 2015 (Council, 2015). Based on this brief overview of the development of the ENP, we may conclude that since 2003, the Commission has largely designed the policy whereas the Council has agreed upon the policy.

## 1.2. Research aim & question

This research aims to explain what the main drivers were behind the formation and design of the ENP from 2004. Because of the limited scope of this research, this research will mainly focus on the ENP from 2004 and the subsequent Council conclusions to analyze how the fundamental elements of the ENP were developed (Commission, 2004c; Council, 2004). However, where relevant, other communications and Council conclusions will be included to strengthen arguments. The explanation of the formation and design of the ENP from 2004 will be based on a congruence analysis through which the explanatory strength of two dominant theories of European integration, neofunctionalism and liberal-intergovernmentalism, will be tested (Hix & Høyland, 2011). These theories present the main drivers behind the process of European integration. Neofunctionalism claims that the role of nation-states in international politics is diminishing. Instead, non-state actors, such as interests groups and supranational EU bodies, are the main drivers behind European integration (Haas, 1958). Liberal-intergovernmentalism criticizes this theory by claiming that EU member states are the main drivers behind European integration as they pursue their national interests (Moravcsik, 1998). This shows that both theories provide us with different theoretical expectations of what the main drivers were behind the ENP. These theories are, therefore, going to be useful to explain the institutional dynamics, which shaped the ENP from 2004. Consequently, this leads to the following research question:

*Does neofunctionalism or liberal-intergovernmentalism best explain the formation and design of the European Neighbourhood Policy (ENP)?*

The following sub-questions will help to answer this research question:

- What actors were involved in the development of the ENP from 2004, and what were their interests?
- How did these actors influence the development of the ENP from 2004?
- What actors had the largest influence on the formation and design of the ENP from 2004?

## 1.3. Relevance

The research question and aims of this research are both theoretically and societally relevant. The explanation of the formation and shape of the ENP from 2004 has not extensively been discussed in the literature concerning the ENP. The shape of the ENP has only been discussed in relation to path dependency, as a legacy of the 2004 enlargement (Kelley, 2006). Several scholars have criticized the ENP's aims (Zaiotti, 2007), the APs (Dannreuther, 2006; Del Sarto & Schumacher, 2005; Eriş, 2012; Smith, 2015), and the principles of joint ownership and differentiation (Barbé & Johansson-Nogués, 2008; Leino & Petrov, 2009; Seeberg, 2010). Other scholars have studied the extent of the success of the EU's normative power in its neighbourhood by stimulating economic, political and security reforms within ENP partners in accordance with EU norms, values and regulations (Longhurst, 2011;

Martinezgarnelo y Calvo, 2014). In addition, several studies have focused on the reasons why the EU has not successfully exported its values, norms and regulations to its neighbourhood (Börzel & Van Hüllen, 2014; Casier, 2011; Del Sarto & Schumacher, 2005; Eriş, 2012; Magen, 2006; Schimmelfennig & Scholtz, 2008). Thus, this research will add to the existing academic literature by providing an in-depth analysis of the dynamics between the EU member states and the supranational EU bodies, which shaped the ENP. To explain the development of the ENP from 2004, this research will use two dominant theories of European integration, neofunctionalism and liberal-intergovernmentalism, because these theories have not been used in one research to explain the development of the ENP from 2004.

This research is also societally relevant as it aims at providing clarity regarding the dynamics between the EU member states and the EU bodies because “history shows there is always a gap between the far-reaching ambitions of the Commission-led papers [on the ENP] and what actually gets implemented. Input from EU member states, changing assessments of the performance of ENP countries and budgetary contexts temper initial perspectives” (Longhurst, 2011, pp. 6-7). EU member states tend to favour limited European integration when it concerns foreign policy, which is characterized by intergovernmental decision-making (Hix & Høyland, 2011). On the other hand, it has been stated in the literature that the Commission has been an active agenda-setter and has played an active role in designing and operating the ENP (Kelley, 2006; Zaiotti, 2007). This calls for a better understanding of the institutional dynamics, which shaped the ENP from 2004, in practice.

#### 1.4. Thesis outline

The research question, outlined in section 1.2., is leading in this research. Chapter 2 will present the existing academic literature concerning the ENP, and it will show how this research adds to the academic literature. Chapter 3 will focus on the theoretical framework in which the core concepts of neofunctionalism and liberal-intergovernmentalism will be discussed. Based on these theories, theoretical propositions will be deduced. Chapter 4 will provide an overview of and justify the research design of this research, a congruence analysis, and will provide the operationalization. In chapter 5, the theoretical propositions will be tested against the empirical observations based on the operationalization, which was discussed in chapter 4. In chapter 6, the findings of the empirical analysis will be summarized and discussed. In chapter 7, the main research question will be answered, the limitations of this research will be reflected upon, and suggestions for further research will be provided.

## 2. LITERATURE REVIEW

According to Bryman (2016), it is important to acknowledge what has already been studied within the relevant research field to build on previous literature and to prevent making mistakes, which previous researchers encountered. To build on and add to existing academic literature, this chapter will look into the literature on the ENP. In the first section, an overview of the ENP and scholars' related criticism will be provided. In the second section, the link, similarities and dissimilarities between enlargement and the ENP will be discussed and explained. In the third section, the meaning of the conditionality mechanism within the ENP will be explained. In the fourth section, the extent of the EU's normative power in its neighbourhood through the ENP will be discussed, followed by reasons why, according to scholars, the EU has largely been unsuccessful at stimulating reforms within the ENP partners in accordance with EU values, norms and regulations. Finally, the current gap in the literature will be exposed, and it will be explained how this research will fill this gap and, as a result, will contribute to the existing academic literature on the ENP.

### 2.1. Overview of the ENP

#### 2.1.1. Involved EU institutions

The Council and the European Council, as intergovernmental EU institutions, decide upon the overall direction of the ENP. The ENP is an EU foreign policy instrument, the area in which "decisions [...] shall be taken by the European Council and the Council acting unanimously" (article 31(1) TEU). In 2009, the Lisbon Treaty came into force and states the same rule; foreign policy is subject to unanimity in the Council and European Council (article 24 Treaty of Lisbon). It is also important to note that, prior to the enforcement of the Lisbon Treaty, the ENP fell under the responsibility of the General Affairs and External Relations Council (GAERC), a configuration of the Council. In 2009, the Lisbon Treaty split the GAERC into the General Affairs Council and the Foreign Affairs Council (FAC), chaired by the HR, which has since then been responsible for the ENP (Balfour, 2015). However, other EU actors, like the HR and the Commission, may write (joint) communications to the Council to convey their wishes or thoughts regarding the ENP on which the Council may respond with conclusions. As shown in chapter 1, in practice, the Commission and the HR have written communications regarding the ENP on which the Council has responded with conclusions. The Commission has also dealt with the day-to-day management of the policy. The European Parliament (EP) has also played a role in the development of the ENP. It can be consulted on foreign policy matters, and in areas in which the legislative procedure applies, such as the European Neighbourhood Instrument (ENI) – previously called ENPI – and other budgetary matters, the approval of the EP is required (Balfour, 2015).

#### 2.1.2. Aims

The Commission's strategy paper on the ENP from May 2004 marks the launch of the ENP. This policy document states the vision of the ENP, which concerns "a ring of [neighbouring] countries, sharing the

EU's fundamental values and objectives" (Commission, 2004c, p. 5), such as democracy, the rule of law and respect for human rights. Sharing these values and objectives should enhance "stability, security and well-being for all concerned" (Commission, 2004c, p. 3). This ring of countries concerns countries from Eastern Europe, the Southern Mediterranean and the Southern Caucasus: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Syria, Tunisia and Ukraine. Furthermore, the ENP has been "designed to prevent the emergence of new dividing lines between the enlarged EU and its neighbours and to offer them the chance to participate in various EU activities, through greater political, security, economic and cultural co-operation" (Commission, 2004c, p. 3). However, Zaiotti (2007) argues that the EU is, in fact, reproducing existing barriers and creating new barriers between the ENP partners and the EU. He uses the metaphor of the 'gated community syndrome' to re-describe the ENP. He argues that even though the stated purpose of the ENP is to encourage friendship and cooperation with its ENP partners, the EU still builds protective fences to protect its internal security, which does not aspire friendship with the ENP partners. To explain this shift towards security, Zaiotti (2007) draws upon the 'Schengen culture of internal security'. This culture stems from the agreement signed by the Benelux, Germany and France in Schengen in the mid-1980s to abolish border controls within the EU. The core principles of the Schengen culture are "the emphasis on security as the central feature of the political process and thus having priority over other policy domains, the 'pooling' of sovereignty among national governments as the best approach to protect Europe from internal and external threats, pragmatism and flexibility in the policy-making process, and suspicion and wariness in relations with third countries" (Zaiotti, 2007, p. 153). These assumptions are held by European policy-makers at the supranational and national level. As a result, practical implications are, for example, pressure on the EU's neighbours to increase security at the borders with the EU and more emphasis on topics, such as illegal immigration, to secure the EU's internal security. It is, thus, the influence of the core principles of the Schengen culture, which explains the shift towards security within the ENP (Zaiotti, 2007).

### 2.1.3. Action Plans

After the launch of the ENP, the Commission created country reports to summarize the current levels of development of each ENP partner and to show what differences had to be bridged between each ENP partner and the EU. The Commission used the country reports as guidelines during the negotiations on the APs. The Commission has, in cooperation with the EU's presidency and the HR, negotiated the APs with the ENP partners while the Council needs to approve the APs before they can be implemented (Commission, 2004c). Each ENP partner has a separate AP with the EU, which is in place for three to five years (Eriş, 2012; Wesselink & Boschma, 2017). APs define the operational side of the ENP while the Association Agreements (AAs) and the Partnership and Cooperation Agreements (PCAs) remain the legal documents on which bilateral relations between the ENP partners and the EU are based (Smith, 2005). The APs outline the overarching principles, such as the rule of law and human rights, which are

specified into objectives for the ENP partners. They also outline key priorities in the fields of “political dialogue and reform, economic and social development and reform, regulatory and trade-related issues, justice and home affairs, and people-to-people contacts” (Zaiotti, 2007, p. 147). This diversity shows the cross-pillar nature of the ENP. Progress is evaluated in the committees, which are established by the AAs or PCAs, while the Commission publishes periodic progress reports (Eriş, 2012). Several scholars have criticized the APs. Smith (2015) questions the diversity of the sets of objectives in the APs because he observes that most of the objectives in the APs are political, related to human rights and democracy. Furthermore, scholars have argued that the APs have been formulated vaguely. They emphasize that it is unclear which objectives have priority, when the objectives should be adopted, what the exact benchmarks are and what the exact rewards are for adopting the objectives successfully (Dannreuther, 2006; Del Sarto & Schumacher, 2005; Eriş, 2012; Smith, 2015).

#### 2.1.4. Principles: joint ownership & differentiation

Two main principles of the ENP are joint ownership and differentiation. According to the principle of joint ownership, priorities and objectives, which are stated in the APs, should be based on mutual consent for mutual interests. This principle rejects a situation in which the EU would provide the ENP partners with pre-determined objectives and priorities (Commission, 2004c). However, several scholars stress that the Commission’s strategy paper from 2004 emphasizes ‘common values’ between the EU and the ENP partners whereas these shared values are, in fact, the values of the EU (Barbé & Johansson-Nogués, 2008; Del Sarto & Schumacher, 2005; Kelley, 2006; Leino & Petrov, 2009; Smith, 2005; Zaiotti, 2007). This is clearly illustrated by Barbé & Johansson-Nogués (2008), who show that the EU has created a narrative in which the policy is a win-win situation, which is based on shared values and interests. By using the conceptual model of Habermas, which looks at ‘rights’, ‘values’ and ‘utility’ for justifications for action, they evaluate the ethical power of the EU. If the EU were an ethical power, it would be able to balance the preferences of both the EU and the ENP partners and satisfy both parties. Empirical evidence of border management, conflict management and democracy promotion shows that these aspects favour EU values and interests. Leino & Petrov (2009) add to this by criticizing how the EU has presented its values as universal and wanted by all, and how the EU plays with this universality. They argue that common values can only be common if they have an abstract nature. This abstraction makes it possible to use these common values for exclusive and inclusive goals. These common values can be used to express the EU’s identity, but they can also be used to exclude non-member states. These common values, presented as neutral, “receive their meaning in political balancing” (Leino & Petrov, 2009, p. 659). Their meaning changes from case to case. What matters, in practice, is who decides upon their meaning during the implementation process. In the context of the ENP, the Commission decides upon their meaning because it is responsible for the operational side of the ENP. This shows values are not a mutually shared basis within the ENP, because there is no functional institutional framework, which fosters a debate on the meaning and implementation of common values between the EU and the

ENP partners. EU values, which are presented as universal, justify this lack of dialogue (Leino & Petrov, 2009).

The second principle is differentiation. Even though the values, such as the rule of law and human rights, are the same for each ENP partner, the objectives and the implementation process have been differentiated based on the current economic and political situation of each ENP partner, the current relation with the EU and each partner, and each partner's capacities, needs and interests in the ENP (Commission, 2004c). This shows that the ENP rejects a 'one-size-fits-all' strategy and embraces the diversity of each ENP partner. Del Sarto & Schumacher (2005) call this 'differentiated bilateralism'. Seeberg (2010) criticizes the principle of differentiation. He argues that the EU has moved from an ENP agenda with democracy promotion as its main component to a post-normative, pragmatic bilateral agenda. He uses a neoinstitutionalist approach to show that despite the different situations of Jordan and Lebanon, the EU has engaged with Jordan and Lebanon in the same manner and has implemented similar policies. This goes against the ENP's tailor-made approach, which emphasizes differentiated policies based on a state's unique situation. The EU's pragmatic agenda is partly motivated by the complex political realities in which both states are situated – authoritarian regimes, repression and other societal challenges - combined with the regional conflicts in the Middle East and interventions from external actors, such as the United States (US) (Seeberg, 2010).

#### 2.1.5. Previous agreements

Even though the ENP was established as a new policy in 2004, the ENP should not be seen as a new policy, but it builds upon previous policies and arrangements, which were established by the PCAs and AAs (Commission, 2004c). In the 1990s, the EU established PCAs with the western Newly Independent States (NIS), which sought to stimulate stabilization and integration in the region. The same pattern was visible in the South Mediterranean area. In 1995, the EU and the South Mediterranean states signed AAs following the establishment of the Euro-Mediterranean Partnership (EMP), known as the Barcelona Process (Börzel & Van Hüllen, 2014; Dannreuther, 2006; Wesselink & Boschma, 2017). However, even though it was the aim to build upon earlier policies and arrangements, not all aspects of earlier policies have been maintained within the ENP. A comparison between the EMP and ENP reveals several differences. Firstly, the EMP has a regional focus whereas the ENP has a bilateral and differentiated focus. Secondly, the EMP is based on negative conditionality whereas the ENP is dominated by positive conditionality. Lastly, the ENP shows the interests of the EU more explicitly whereas those were more implicit in the EMP (Del Sarto & Schumacher, 2005; Smith, 2005).

#### 2.2. Enlargement

The Commission acknowledged that the EU's 2004 enlargement, because of which the EU gained ten new member states, was the driving force behind the idea of the ENP (Commission, 2004c). From a European foreign policy perspective, enlargement was used to create stability within the EU's direct

neighbourhood and to spread EU norms, values and regulations to candidate countries in a legitimate way by offering a membership prospect to candidate countries. Candidate countries could only become EU members if they successfully adhered to the EU's pre-determined accession criteria, which shows that the EU was an active normative entrepreneur during the enlargement process (Haukkala, 2008). Several scholars have called enlargement successful because it was indeed able to stimulate transformations in candidate countries through soft power rather than military power. They, therefore, emphasize the EU's normative power during enlargement (Dannreuther, 2006; Haukkala, 2008). Mocanu (2010) argues that its conditionality mechanism made enlargement successful. For him, the incentive of EU accession was the reason for the successful economic and political reforms within candidate countries in accordance with EU standards. The success of the enlargement policy stimulated a discussion about the EU's future foreign policy because the EU's external borders shifted due to enlargement. One way of reaching stability in the EU's new neighbourhood is through cooperation between the EU and its new wider neighbourhood (Börzel & Van Hüllen, 2014; Del Sarto & Schumacher, 2005; Mocanu, 2013; Wesselink & Boschma, 2017; Zaiotti, 2007). This is based on the argument that the EU cannot maintain its security and prosperity if its neighbours are facing insecurity and increasing poverty (Haukkala, 2008). This led to the development of the ENP.

Kelley (2006) argues that the ENP is a policy extension of the enlargement policy as a result of adaptation and policy learning. She argues that path dependency determined the shape of the ENP. She argues that the ENP has been influenced by both the historical development of enlargement and previous weak arrangements with the ENP partners. As a result, the enlargement policy and the ENP share many similarities, like conditionality, periodic reporting, financial and technical assistance, and monitoring. In addition, the Commission had an active role during enlargement, which it has within the ENP, too (Kelley, 2006; Magen, 2006; Mocanu, 2010; Mocanu 2013). The reforms, which the ENP partners have to undertake, are also very similar to the reforms candidate countries had to undertake. They focus mostly on political reforms, related to democracy and the rule of law (Kelley, 2006).

However, unlike candidate countries, the ENP partners have no chance of receiving the 'carrot', the prospect of EU membership. It is for this reason that Turkey and the Balkan states are not treated as ENP partners. After all, they have a recognized prospect of EU accession (Dannreuther, 2008; Smith, 2005). The ENP has, therefore, been described as "a strategy which seeks to promote the EU's transformational diplomacy [like enlargement] but without the incentive of a perspective of future membership" (Dannreuther, 2006, p. 185). The exclusion of EU accession as an incentive to stimulate reforms in the ENP partners is the result of an 'enlargement fatigue' after the 2004 enlargement (Dannreuther, 2006; Eriş, 2012; Magen, 2006; Smith, 2005).

### 2.3. Conditionality

The previous paragraphs have already shown that one of the main aspects of the ENP is the conditionality mechanism, and that, unlike enlargement, the prospect of EU membership is not used as



an incentive to stimulate reforms towards EU norms, values and regulations in ENP partners. Instead, here conditionality means “the possibility for the ENP partner states to benefit from ‘*privileged relations*’ with the Union [...] depending on the concrete progress on sharing the European values and on the effective implementation of the economic and institutional reforms in these states” (Mocanu, 2010, p. 44). This quote shows that the more ENP partners will embrace EU values and standards and shape their societies accordingly through internal reforms, the more the EU will deepen its relationship with these states (Del Sarto & Schumacher, 2005). This shows the ENP is based on ‘positive conditionality’. In practical terms, internal reform is driven by investment facilities through the European Investment Bank (EIB), deeper relations, such as fewer trade barriers or a stake in the EU’s internal market, and financial and technical assistance (Kelley, 2006; Wesselink & Boschma, 2017). However, if an ENP partner is unwilling to adhere to EU values, norms and regulations, the EU can end or reduce the level of its privileged relations with this ENP partner by, for example, reducing financial resources (Mocanu, 2010). Sasse (2008), on the other hand, treats conditionality “as a process rather than a clear-cut variable” (p. 295). With this conceptualization, supported by empirical evidence from the cases of Ukraine and Moldova, she argues that the ENP has two specific functions. It serves as a reference point for political actors from the ENP partners, which they can use to serve their political agendas and as “a loose framework for socialisation” (Sasse, 2008, p. 296) for both the ENP partners and the EU.

#### 2.4. Normative power

As previously discussed, the literature has addressed that the EU attempts to export its values, norms and regulations to its neighbourhood through the ENP. Many scholars have studied the success of the EU as a normative power in its neighbourhood. Both Martinezgarnelo y Calvo (2014) and Longhurst (2011) assess the success of the EU’s normative power in its neighbourhood based on empirical data. Martinezgarnelo y Calvo (2014) concludes that the degree of the EU’s normative power in its neighbourhood should be looked at per state. She finds that whereas Moldova has made progress towards EU values, Georgia has not shown many successful internal reforms, which are based on EU values. Longhurst (2011) assesses the reforms, related to democracy and good governance, made by Ukraine, Belarus and Moldova. Firstly, these states are still poor compared to the EU. Secondly, they remain fragile democracies with elections, which do not adhere to international norms. Thirdly, these countries deal with a high levels of corruption and with weak legal systems. Divisions between different groups in their societies also remain, such as pro-European and pro-Russian elites. Even though these studies show the EU’s lack of success to stimulate reform in the ENP partners based on EU norms, values and standards, these studies do not provide answers to why the EU has failed to inspire reforms within the ENP partners.

Börzel & Van Hüllen (2014) do answer this question and argue that many ENP partners have not embraced democratization processes, because the EU has been inconsistent with its promotion of

democracy in its neighbourhood and has pursued conflicting objectives. By analyzing ten APs, they conclude that the extensiveness of democracy promotion in the APs depends on the levels of instability and political liberalization in the ENP partners. States with a lower level of political liberalization and a higher level of instability have weaker objectives concerning democracy promotion in their APs and, instead, have stronger objectives concerning effective governance, such as state-building. Democratizing states with (semi-)authoritarian regimes may entail the destabilization of the regime, at least in the near future, which they call the democratization-stabilization dilemma. Then, promoting both effective governance and democratic governance becomes a conflicting goal. This all shows stability is favoured over democratization.

However, most studies provide an institutionalist explanation for why the EU has not been successful at stimulating reform in its neighbourhood through the ENP (Del Sarto & Schumacher, 2005; Eriş, 2012; Kelley, 2006; Magen, 2006; Schimmelfennig & Scholtz, 2008). They argue that the conditionality mechanism within the ENP is too weak to promote genuine reform in the ENP partners because EU accession is not an incentive. Some have concluded this based on the ‘external incentives model’, which was used to explain the success of enlargement. Candidate countries were willing to undertake democratic reforms because they had EU accession as an incentive. This makes political conditionality an influential factor (Kelley, 2006; Magen, 2006; Schimmelfennig & Scholtz, 2008). According to Haukkala (2008), excluding EU accession as an incentive within the ENP is “a recipe for failure” (Haukkala, 2008, p. 1613). Eriş (2012) argues that rationalist institutionalism better explains the lack of democratization in Ukraine than constructivism because Ukraine’s efforts for democratization and stabilization stem from motivations, related to EU membership and associated institutional and economic benefits, rather than chances for more integration in the EU’s internal market. Rather than functioning as a normative power, which spreads EU norms and values into its neighbourhood, the EU uses the ENP to spread its norms based on self-interest. It uses the ENP as a tool for the stabilization of its neighbourhood, so external security threats will not damage the EU as a security community. Del Sarto & Schumacher (2005) provide an institutionalist explanation but related to enlargement. They argue that the lack of reform is because the motivation behind the ENP was based on internal dynamics, related to the enlargement process, rather than external factors. Institutional and historical legacies of the enlargement process helped shape the ENP. Because the policy was not designed with the primary policy goal to combat socio-economic problems in the EU’s neighbourhood, it is unlikely that the ENP will solve the socio-economic problems in the ENP partners. Instead, this policy aims at “blurring the EU’s external borders, while moving possible new ‘dividing lines’ farther away” (Del Sarto & Schumacher, 2005, p. 26).

Casier (2011) rejects this dominant institutionalist explanation for limited rule transfer in the EU’s neighbourhood. Rule transfer has happened in the ENP partners, but it has happened very unevenly and selectively. This is the reason why this variation between countries and sectors cannot be answered by this dominant explanation, because, according to Casier (2011), the ENP is not based on effective

conditionality. Conditionality needs three aspects: “conditions, rewards and a link between the two” (Casier, 2011, p. 43). The conditions are plentiful, the rewards remain unclear within the ENP, and it is unclear what conditions need to be met for the ENP partners to get a certain reward. This makes him treat conditionality as absent on the macro-level. Instead, Casier (2011) bases his explanation for the uneven and selective rule transfer among the ENP partners on theories of perception, social learning, lessons drawing and institutional isomorphism, and he finds three factors. The first factor is “the perceived usefulness of ENP provisions for domestic purposes” (Casier, 2011, p. 46), for example, the elite in Mediterranean states are afraid to implement political objectives of the ENP because this might limit their power. This is why they choose to adopt selective economic reforms instead. The second factor is the “perceived prospect of accession” (Casier, 2011, p. 46). Certain ENP partners engage in active legitimacy seeking with the EU by engaging in rule transfer in the hope they will have a chance of the prospect of EU membership in the future. It is the ENP’s macro-institutional design, as the third factor, which fosters legitimacy seeking by certain domestic actors because the policy is fluid, and collective benchmarks are not stated, which makes the policy more ‘subjective’ than enlargement.

## 2.5. Conclusion

This chapter demonstrated what previous scholars have already studied about the ENP. The ENP’s aims and core principles, as well as the negotiated APs, have been criticized in the literature. Many scholars agree that the ‘common values’ between the EU and the ENP partners, which the ENP promotes, are, in fact, values of the EU and its member states. The EU attempts to secure its community by exporting its values to its neighbourhood. Additionally, the prioritized objectives, benchmarks, periods and rewards, which should be stated in the APs, are unclear or lacking. Furthermore, the ENP has been compared to the enlargement policy. There are several similarities between the enlargement policy and the ENP, such as conditionality, monitoring, financial and technical assistance, and progress reports. However, studies on the success of the EU’s normative power in its neighbourhood through the ENP dominate this research area. Most scholars have argued that the EU, as a normative power, has been unsuccessful at inspiring reforms within the ENP partners because most ENP partners have not made large transitions towards EU values, norms and regulations. The dominant explanation for this lack of reform within the ENP partners is the weak conditionality mechanism within the ENP because EU accession cannot be used as an incentive to promote change within the ENP partners.

The literature on the ENP has hardly looked at why the ENP has been shaped the way it is. This research will, therefore, be concerned with the explanation of the formation and design of the ENP from 2004 by means of two dominant theories of European integration: neofunctionalism and liberal-intergovernmentalism. These theories have not been used in one research to explain the ENP’s development. How these theories will be used, will be discussed in the next chapter.

### 3. THEORETICAL FRAMEWORK

This chapter will discuss the theories of European integration, neofunctionalism and liberal-intergovernmentalism, which will be used to explain the design and formation of the ENP from 2004. The selection of these theories will be justified, followed by a discussion on the core concepts of these theories and what they entail. In the final section, theoretical expectations will be deduced from neofunctionalism and liberal-intergovernmentalism, which will be tested against the empirical observations in chapter 5 to assess which theoretical expectations hold.

#### 3.1. Selection of theories

The ENP was launched in 2004 as a key element of EU foreign policy. However, as concluded in the previous chapter, not much research has been done on the institutional dynamics, which shaped the design and formation of the ENP during its launch. Hix & Høyland (2011) present supranationalism, which stems from neofunctionalism, and liberal-intergovernmentalism as the two dominant theoretical explanations for the process of European integration. Neofunctionalism claims that the role of nation-states in international politics is diminishing. Instead, European integration is mainly driven by non-state actors, such as interests groups and supranational EU bodies (Haas, 1958). Liberal-intergovernmentalism claims that European integration is driven by EU member states, which pursue their national interests (Moravcsik, 1998). Thus, these theories provide us with different theoretical predictions on which actors are the main drivers behind the design and formation of the ENP. Because not much light has been shed on the explanation of the formation and design of the ENP from 2004, this research will, therefore, prefer to focus on the main theories of European integration to evaluate their value.

In addition, the role of the Commission during the formation of the ENP has more extensively been discussed in the literature than the roles the EU member states played during the formation of the ENP. By including liberal-intergovernmentalism in this research, research on the institutional dynamics, which shaped the ENP from 2004, will become more complete. This research will include an analysis of the behaviour of both the supranational actors *and* the EU member states.

#### 3.2. Neofunctionalism

Neofunctionalism evolved from functionalism, which advocates that the purpose and shape of an organization are determined by the tasks, which were assigned to the organization. Functionalists do “not limit integration to any territorial area” (Niemann & Schmitter, 2009, p. 46), but they focus on conditions that ensure the maximization of human welfare (Niemann & Schmitter, 2009). Neofunctionalism was developed as a response to functionalism because, according to Nelsen & Stubb (1994), functionalism “failed as a theory for several reasons, but one stands out: it contained no theory of politics” (p. 99). Functionalism could not explain the establishment of the European Coal and Steel

Community (ECSC) and its further development. This was the reason why prominent scholars from the University of Berkeley, including Ernst Haas, formulated a new theory.

Neofunctionalism became a popular theory to explain European unity in the second half of the 20<sup>th</sup> century, but it remains popular today as “for many, ‘integration theory’ and ‘neofunctionalism’ are virtual synonyms” (Rosamond, 2000, p. 50). Neofunctionalism, unlike functionalism, emphasizes the independent behaviour of supranational institutions and the influence of organized interests, and it adds a regional focus to integration. The scholar, who wrote most visibly about neofunctionalism, was Ernst Haas. In his book *The Uniting of Europe* from 1958, he used the ECSC as a case study to discuss Europe’s novel supranational cooperation following the Second World War. Unlike functionalism, political integration is perceived as a process rather than a condition in which “the conceptualisation relies on the perception of interests and values by the actors participating in the process” (Haas, 1958, p. 11). He developed three mechanisms, which, according to Haas (1958), would drive European integration forward: spillover, the transfer of domestic allegiances to the supranational level and technocratic automaticity.

Spillover from one area to another is a core concept within neofunctionalism, whereby “a given action, related to a specific goal, creates a situation in which the original goal can be assured only by taking further actions, which in turn create a further condition and a need for more action, and so forth” (Lindberg, 1963, p. 10). Haas (1958) initially focused on functional spillover, whereby integration within one area would give rise to functional pressures, which would lead to integration within other areas. He showed with his case study on the ECSC that integration of the steel and coal sectors would only be viable if other sectors would be integrated, too. For example, if the transport sector would integrate, raw materials could be transported more easily (Haas, 1958). This reflects the idea that certain areas are interdependent and, therefore, cannot be isolated from other areas (Rosamond, 2000). These aspects have been made more specific by Niemann & Ioannou (2015), who developed several indicators through which functional spillover can be recognized in the empirical situation. These are 1) “the salience of the original goal” (Niemann & Ioannou, 2015, p. 200); 2) “The existence of functional interdependence between issue A (original objective) and issue B (requiring further action)” (Niemann & Ioannou, 2015, p. 200); 3) “The availability of functional solutions” (Niemann & Ioannou, 2015, p. 200); and 4) Functional argument(s) within the political discourse, which are used by important actors in the policy-making process. The first indicator indicates that for the creation of functional pressures for further integration, an urgent original policy goal is needed. The second indicator is about to what extent tensions in the original policy area affect the new policy area, which would need increased collective solutions. The third indicator refers to whether further integration in the new policy area is a necessity to reach the original policy goal or whether alternative solutions are available. If there are no alternative solutions to reach the original policy goal other than further integration, then there is a high chance for the functional link between the original and the new policy area to be strong. The final

indicator is based on the logic that “functional dynamics are only as strong as they are perceived by (key) actors” (Niemann & Ioannou, 2015, p. 200).

The second mechanism, which Haas (1958) identified, is the transfer of domestic allegiances to the supranational level. It is key to note that neofunctionalists treat actors as rational and self-interested. Interest-driven domestic actors, mainly elitist groups, such as political parties, business leaders or interest groups, tend to increase their actions at the supranational level when they realize their interests can no longer be sufficiently pursued at the national level. This would generate a transfer of activities and expectations, and eventually loyalties, from the national to the supranational level, which is perceived as mainly interest-driven. When actors increasingly engage in transnational exchange, there will be a growing demand to develop supranational rules and regulations, which facilitate the aim of reaching collective gains. As a result, these domestic groups attempt to trigger their national governments to move domestic policy competences to the supranational level. In this way, they promote further European integration. Supranational institutions provide them with the opportunity to have a supranational platform for interaction and to have better access to influence decision-making processes. This process in which national - governmental and/or non-governmental - elites lobby for supranational solutions to solve their problems was later called political spillover (Niemann & Schmitter, 2009). The impact of the lobby initiatives by transnational actors on the behaviour of the supranational EU institutions can be assessed by looking at whether the interests of transnational actors have been incorporated into the policy suggestions of the EU supranational institutions (Niemann & Ioannou, 2015). Simultaneously, supranational institutions gain more legitimacy and expertise as a result of this growing exchange with these transnational actors. The more transnational actors will transfer allegiances to the supranational level, the more authority supranational bodies will have. However, the existence of these supranational institutions creates again opportunities for transnational society to grow, which made the existence of supranational institutions desirable (Haas, 1958; Rosamond, 2000; Stone Sweet & Sandholtz, 1997).

The third mechanism is technocratic automaticity, which suggests once supranational institutions are established, they can develop preferences of their own, instead of being merely tools of their creators. Thus, neofunctionalists assume autonomous and active roles for supranational institutions. Supranational institutions are concerned with increasing their authority and with promoting further and deeper integration. They initiate discussions on policy areas in which they are interested, and they try to influence the interests of elites and national governments in favour of deeper integration to reinforce their power. Because their interest is further integration, they develop a comparative advantage regarding information vis-à-vis member states in this area by, for example, interacting with interest groups. They develop technical skills regarding policy proposals, as well as initiate and participate in negotiations with stakeholders, and create package-deals to satisfy opposing stakeholders. They do this by directing the “dynamics of relations among states but also the relations of interest groups within each state” (Niemann & Schmitter, 2009, p. 50). Concluding, supranational EU institutions

engage in supranational entrepreneurship. They cultivate contacts with interests groups and national officials to pursue interests of their own, which is called cultivated spillover (Niemann & Schmitter, 2009; Rosamond, 2000).

### 3.3. Liberal-intergovernmentalism

Andrew Moravcsik is the founder of liberal-intergovernmentalism, which has been an influential theory of European integration since the 1990s. Moravcsik developed liberal-intergovernmentalism as a response to neofunctionalism to explain the evolution of the EU from 1955 until 1992, arguing that “European integration can best be explained as a series of rational choices made by national leaders” (Moravcsik, 1998, p. 18). This quote shows that this theory is based on a rationalist model, which treats states as rational actors, which pursue their national interests while national leaders embody state preferences (Moravcsik, 1998). Moravcsik describes integration as “a process in which they [states] define a series of underlying objectives or preferences, bargain to substantive agreements concerning cooperation, and finally select appropriate international institutions in which to embed them” (Moravcsik, 1998, p. 5). This definition shows three stages, which together describe how decisions towards European integration are made. In the first stage, underlying national preferences regarding European integration are formed. In the second stage, intergovernmental bargaining based on states’ national preferences shapes the agreements among states. In the final stage, EU member states create supranational bodies and delegate political authority to supranational bodies, which need to secure the outcomes of the intergovernmental bargaining process. However, since no special supranational institution has been established to enforce the ENP, this third stage will not be included in the theoretical framework of this research. Thus, according to the liberal-intergovernmental perspective, states have preeminent decision-making authority and political legitimacy, and they determine to what extent they are willing to transfer their sovereignty to a central supranational authority (Moravcsik & Schimmelfennig, 2019).

In this first stage, the extent of European integration is determined by the interests of powerful national constituents who pressure national governments to act in favour of their interests (Moravcsik & Schimmelfennig, 2019). Moravcsik (1998) states that “two broad categories of motivation might account for underlying national preferences for and against European integration over the past four decades [...]. These are [domestic] geopolitical and economic interests” (Moravcsik, 1998, p. 26). In his book, he studies to what extent geopolitical and economic interests drove national preferences regarding European integration. His argument mainly focuses on the economic explanation. However, he does not disregard the geopolitical explanation. According to Moravcsik (1998), when it concerns the formation of underlying national preferences about integration in the areas of EU foreign policy and defence policy, this can best be explained by the geopolitical explanation. Because the ENP is a foreign relations instrument, the geopolitical explanation will be used in this research to explain national preference formation regarding European integration.

However, it is important to note that the ways economic and geopolitical interests shape national preference formation in favour or against European integration are based on different mechanisms. Economic interests, which drive underlying national preferences regarding European integration, vary both across countries and across issues whereas geopolitical interests, which drive underlying national preferences regarding European integration, vary across countries but not across issues. Furthermore, according to the economic explanation, economic shifts influence national preference formation while, according to the geopolitical explanation, geopolitical problems and their solutions influence national preference formation. Thirdly, economic positions tend to be inconsistent over time, major negotiating demands should be economic, and major concessions should be geopolitical. Geopolitical positions tend to be consistent over time with defence and foreign policies, and in the negotiation process, “major negotiating demands should be geopolitical; major concessions should be, if possible, economic” (Moravcsik, 1998, p. 34). Fourthly, the economic explanation predicts the involvement of many stakeholders of whom the main actors, who influence national preference formation, are domestic economic officials and economic interest groups, as well as actors from the ruling political parties. The geopolitical explanation predicts that actors from the defence and foreign ministries are the main actors, who influence national preference formation regarding European integration, as well as elites and may be supported by public opinion. This shows a more hierarchical way in which geopolitical positions are constructed, based on a state’s perception of threat in political and/or military terms or its commitment to European integration.

In the second stage, states engage in inter-state bargaining because national preferences of states hardly converge. During this process, states have equal access to information regarding state preferences and the functioning of institutions. Instead, state preferences and relative power determine the outcome of the inter-state bargaining process (Niemann & Schmitter, 2009). States, which have the most intense preferences concerning a specific policy issue, are most likely to initiate a policy, and they mediate and mobilize negotiations on how the gains of the policy should be distributed (Moravcsik, 1999). The distributive outcome of this bargaining process depends on the relative bargaining power of each state in the negotiation process. The keyword here is asymmetrical interdependence. States, which are, relative to the status quo, least in need for the establishment of a specific agreement for cooperation and which preferences are least intense concerning the policy issue, usually hold the strongest bargaining position as they can threaten other member states with non-cooperation if their concessions are not accepted (Moravcsik, 1998). States, which have the most intense preferences regarding the policy issue and will gain the most from the agreement for cooperation, will usually give in to the concessions of other states, which will relatively lose the most from the agreement, or will provide side-payments to these states. The outcome of the inter-state bargaining process is the lowest common denominator (Niemann & Schmitter, 2009).



### 3.4. Theoretical propositions

In this theoretical framework, it has been shown that neofunctionalism and liberal-intergovernmentalism provide different theoretical expectations about which actors influence European integration the most. They will, therefore, help us answer the question of which actors have been most influential in determining the design and formation of the ENP from 2004. Based on the previous sections, theoretical propositions can be deduced from neofunctionalism and liberal-intergovernmentalism, which will be tested against the empirical observations in chapter 5.

Theoretical propositions deduced from neofunctionalism:

1. Functional spillover: The ENP from 2004 was developed to reach the objectives of an earlier integrated EU policy;
2. Political spillover: The ENP from 2004 was shaped by transnational actors (governmental and/or non-governmental), who pursued their preferences at the supranational level;
3. Cultivated spillover: Supranational EU institutions behaved as policy entrepreneurs to pursue their preferences and became the drivers behind the ENP from 2004.

Theoretical propositions deduced from liberal-intergovernmentalism:

1. National geopolitical interests: Governments' positions regarding the ENP from 2004 were driven by domestic geopolitical interests;
2. Inter-state bargaining: The ENP from 2004 was a product of inter-state bargaining among the EU member states, which represented the lowest common denominator.

#### 4. RESEARCH DESIGN AND METHODS

This chapter will explain what type of research design will be applied to this research and will justify the choices made regarding the design and methods. Thereafter, the internal validity, external validity and reliability of this research will be outlined. Finally, this chapter will discuss the types of data and the operationalization, which will be used to analyse the empirical information.

##### 4.1. Qualitative research design: case study research

This research will follow a qualitative research design rather than a quantitative research design. Qualitative research is often referred to as small-N research in which a small number of cases or social phenomena are studied in-depth with the use of non-numerical data (Yin, 2009). Case study research is one of the qualitative methods. According to Yin (2009), “the distinctive need for case studies arises out of the desire to understand complex social phenomena. [...] the case study allows an investigation to retain the holistic and meaningful characteristics of real-life events” (Yin, 2009, p. 3). Using case study research to understand complex social phenomena is useful because the researcher can “collect a broad and diverse set of observations per case” (Blatter & Haverland, 2014, p. 144). Since the purpose of this research is to present an in-depth study of one complex social phenomenon, case study research is an appropriate method for this research. Blatter & Haverland (2014) discuss three approaches to case study research, which are the causal-process tracing approach, the co-variational approach and the congruence analysis approach. In this thesis, a congruence analysis will be most appropriate.

##### 4.2. Congruence analysis

In a congruence analysis, “the researcher uses case studies to provide empirical evidence for the explanatory relevance or relative strength of one theoretical approach in comparison to other theoretical approaches” (Blatter & Haverland, 2014, p. 144). In a pro-typical congruence analysis, theory selection precedes case selection because the purpose is to “make a contribution to the scholarly discourse on the relevance and relative importance of specific theories [...] and general paradigms” (Blatter & Haverland, 2014, p. 150). The first step is to select abstract theories from which propositions can be deduced. After this, the socially important case is selected, and the empirical observations of this case are compared with the theoretical propositions. The theory that has a higher explanatory value can best explain the socially important case. It is important to note that instead of a pro-typical congruence analysis, which attempts to contribute to the theoretical discourse, this research attempts to explain a socially important case through abstract theories. This is why in this research, case selection precedes theory selection, but the way in which theoretical propositions are compared with empirical observations remains the same. The socially important case in this research, the ENP, will be explained with the help of neofunctionalism and liberal-intergovernmentalism.

#### 4.3. Case selection

The selected case in this research is the ENP from 2004, which has been a key element of EU foreign policy. This research mainly focuses on what the main drivers were behind the design and formation of the ENP from 2004. When it concerns foreign policy matters, member states tend to favour limited European integration (Hix & Høyland, 2011). However, the literature has mentioned that the Commission has been an active agenda-setter and has played an active role in designing and operating the ENP (Kelley, 2006; Zaiotti, 2007). Because the ENP is a part of EU foreign policy, it is a relevant case through which the dynamics between the EU member states and the EU institutions within the context of EU foreign policy can be studied and to investigate what actors had more influence over the policy during the formulation stage.

#### 4.4. Internal validity and external validity

The validity of this research can be divided into internal validity and external validity. Internal validity is high when theoretical concepts have measured what they were supposed to measure and when an identified cause is truly the cause of the phenomenon (Bryman, 2016). Internal validity of a congruence analysis can be achieved by adhering to two elements of ‘control’. Vertical control can be achieved by deducing propositions from the theories before the propositions are compared with the empirical observations to determine the congruence or non-congruence. Therefore, the theoretical framework of this research has been created before the empirical analysis. It is important that the propositions explain the meaning of the abstract concepts of the theories clearly. Thus, the more precise the propositions are, the easier it is to conclude whether there is congruence between theoretical propositions and empirical observations. If the precision of the propositions is low, it is advisable to create propositions, which vary greatly, to avoid the mismatching of propositions with empirical observations (Blatter & Haverland, 2014; Yin, 2009). Horizontal control can be achieved by comparing at least two different theories with the empirical observations. This makes it possible to show not only whether the propositions deduced from one theory correspond with the empirical observations but also whether the propositions of this theory have a higher level of congruence with the empirical observations than the propositions of another theory. This research maintains horizontal control by comparing at least two theories, neofunctionalism and liberal-intergovernmentalism, rather than just neofunctionalism or just liberal-intergovernmentalism.

External validity is high when “the results of a study can be generalized beyond the specific research context” (Bryman, 2016, p. 42). Because this research uses a congruence analysis, this research will not generalize to other cases but to the theoretical discourse by looking at the conclusions, which show the congruence or non-congruence between the deduced propositions and the empirical observations (Blatter & Haverland, 2014).

#### 4.5. Reliability

The reliability of a research is high when the study can be repeated and is consistent. This means that when the same concepts and measures are used for the same case in another study, identical results should be achieved (Bryman, 2016). In this research, reliability will be achieved by comparing two theories with the empirical observations rather than a single theory. When a researcher selects just one theory, he/she tends to exclusively search for empirical observations that confirm his/her single theory while other relevant empirical observations are neglected (Blatter & Haverland, 2014). To ensure consistency in this research, selecting two theories will prevent the neglect of relevant empirical observations and the search for the confirmation of one single theory.

#### 4.6. Data collection

Yin (2009) identifies six sources through which evidence for case studies can be obtained. These are “documentation, archival records, interviews, direct observation, participant-observation, and physical artefacts” (Yin, 2009, p. 99). This research will collect empirical data from documents. The data for the empirical analysis may partly consist of proxy data, in case specific relevant information about the ENP has not been published by either the EU or individual member states. This reflects a weakness of using documents to collect empirical data because documents “may be deliberately withheld” (Yin, 2009, p. 102). The documents, which will be used in this research, will mainly be primary sources, like official EU documents, working papers, press releases, statements, speeches and newspaper articles. Secondary sources will be used to add additional information, where necessary, to ensure completeness of the analysis. The advantage of document analysis is that documents are exact, because of which they contain detailed information about the event, important names and dates. Secondly, documents cover a broad timespan in which many settings are addressed. Thirdly, documents are unobtrusive, which means they have not been made as a result of the case. And finally, documents are stable, because of which they can be studied repeatedly (Yin, 2009). These are the strengths of collecting data from documents. However, the documents may be influenced by the reporting bias of the author(s), which is, therefore, important to keep in mind during the empirical analysis.

#### 4.7. Operationalization

To make the theoretical propositions from chapter 3 observable, indicators should be defined. The indicators, which make the theoretical propositions from chapter 3 observable in the empirical situation, have been chosen based on the information that was provided in the theoretical framework. Table 1 illustrates the indicators, which will be used to process the empirical observations in chapter 5.

Table 1. *Indicators per theoretical proposition*

<b>Neofunctionalism</b>	
<i>Hypotheses</i>	<i>How can the hypotheses be indicated in the empirical situation?</i>
Functional spillover	<ul style="list-style-type: none"> <li>• An urgent original policy goal;</li> <li>• Functional interdependence between the original policy and the ENP;</li> <li>• Further integration (ENP) as the only solution to achieve the original policy goal;</li> <li>• Functional argument(s) made by key EU actors in the policy-making process.</li> </ul>
Political spillover	<ul style="list-style-type: none"> <li>• Transnational actors (governmental and/or non-governmental) interact with the Commission;</li> <li>• Transnational actors push for their agenda at interaction platforms on the supranational level;</li> <li>• Transnational actors' interests are included in the ENP.</li> </ul>
Cultivated spillover	<ul style="list-style-type: none"> <li>• Commission initiates a debate about a potential ENP;</li> <li>• Commission promotes policy integration (ENP);</li> <li>• Commission initiates and participates in dialogues;</li> <li>• Commission provides package deals to satisfy opposing states;</li> <li>• Commission has more information and expertise than the member states;</li> <li>• Commission seeks to increase its authority.</li> </ul>
<b>Liberal-intergovernmentalism</b>	
<i>Hypotheses</i>	<i>How can the hypotheses be indicated in the empirical situation?</i>
National geopolitical interests	<ul style="list-style-type: none"> <li>• Governments' interests in the ENP are stable over time;</li> <li>• Major demands are geopolitical;</li> <li>• Major concessions are economic;</li> <li>• Negotiations between states take place between officials from foreign and/or defence ministries;</li> <li>• Government officials perceive politico-military threats.</li> </ul>
Inter-state bargaining	<ul style="list-style-type: none"> <li>• States with intense preferences start the initial discussion on the ENP;</li> <li>• States with intense preferences mobilize negotiations;</li> <li>• Opposing states are provided with side-payments by states with intense preferences;</li> </ul>

	<ul style="list-style-type: none"><li>• Concessions of opposing states are accepted by states with intense preferences;</li><li>• The core of the ENP is a reflection of the wishes of the states with intense preferences;</li><li>• The ENP is the lowest common denominator outcome.</li></ul>
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Source: Author's creation.

## 5. EMPIRICAL ANALYSIS

This chapter will connect the theoretical propositions, which were formulated in chapter 3, with the empirical observations of the formation of the ENP from 2004. Each section of this chapter will focus on the observation of the indicators per theoretical proposition, which are summarized in table 1.

### 5.1. Neofunctionalism

#### 5.1.1. Functional spillover

The purpose of this section is to investigate whether the ENP was established as a result of previously integrated areas through the functional spillover effect. Four indicators indicate whether this happened in the empirical situation. First of all, there should be an urgent original policy goal. Secondly, further integration should be the only solution to achieve the original policy goal. Thirdly, the original policy and the ENP should be functionally interdependent. Finally, key EU actors should use functional arguments during the policy-making process. The results have been summarized in Table 2.

The vision of the ENP from 2004 was concerned with the creation of “a ring of [neighbouring] countries, sharing the EU’s fundamental values and objectives” (Commission, 2004c, p. 5), like the rule of law, democracy and respect for human rights. This vision should ensure “stability, security and well-being for all concerned” (Commission, 2004c, p. 3). It was about political, security and economic stabilization of the region. Furthermore, the ENP was developed as a means to prevent the development of new dividing lines between an enlarged EU and its new neighbourhood and to avoid feelings of exclusion in neighbouring states. For example, if new acceding states to the EU and states, which would remain neighbours to the EU, had free trade agreements, these had to be given up (Casier, 2011; Eriş, 2012).

However, implicitly, there is evidence, which suggests that the salient original policy goal aims at protecting the EU’s internal security by creating a secure, stable and prosperous region along the EU’s external borders. While the aims of the ENP include the words ‘stability’ and ‘peace’, “these terms are code words for ‘security’, and more specifically ‘European security’” (Zaiotti, 2007, p. 147). Furthermore, the ENP “will also support the efforts to realize the objectives of the European Security Strategy [ESS]” (Commission, 2004c, p. 2), which was established in December 2003. In its 2004 conclusions, the Council stated that the ENP “is in accordance with the goals of the European Security Strategy [ESS]” (Council, 2004, p. 11). The EU established the ESS to “*defend its [the EU’s] security and promote its values*” (Council, 2003b, p. 8). The ESS has three main objectives. The first objective is to address key threats, like terrorism and nuclear weapons, because distant threats should be considered as near threats due to globalization. The second is to build a secure neighbourhood because “neighbours who are engaged in violent conflict, weak states where organised crime flourishes, dysfunctional societies or exploding population growth on its [EU’s] borders all pose problems for Europe” (Council, 2003b, p. 9). The third is concerned with the promotion of an effective multilateral system, which is based on international law, specifically the United Nations Charter. Exposing the

objectives of the ESS shows that the EU aims at securing itself and its values by, among other things, establishing a stable and secure neighbourhood along its external borders. This is based on the argument that the EU cannot maintain its security if its neighbours are facing increasing insecurity (Haukkala, 2008). The EU has attempted through the ENP “to translate this [second] objective [of the ESS] into a coherent EU-wide policy approach” (Sasse, 2008, p. 295).

In addition, in its 2004 strategy paper, the Commission referred to a link between the ENP and the enlargement policy, specifically the 2004 eastward enlargement and the establishment of the ENP. The enlargement policy has “aimed to extend the EU’s post-1945 model of reconciliation to its neighbours and thus maintain its [EU’s] security community” (Eriş, 2012, p. 244). This suggests that like in the case of the ENP, the implicit salient original policy goal of the enlargement policy is to ensure the protection of the EU’s security community even though this is not explicitly mentioned in the objectives on the Commission’s website, where it is stated that the official objectives are to “foster peace and stability in regions close to the EU’s borders; help improve the quality of people’s lives through integration and cooperation across borders; increase prosperity and opportunities for European businesses and citizens; guide, support and monitor changes in countries wishing to join the European Union in line with EU values, laws and standards” (Commission, n.d.b). The objectives of the enlargement policy on the website seem to be based on the same logic as the ENP’s objectives, to increase stability, security and prosperity in neighbouring countries to ensure the protection of the EU’s security community.

However, Stefanova (2005) called the implications of the 2004 eastern enlargement in security terms ‘controversial’. On the one hand, neighbouring states, which acceded to the EU, are politically stable and are capable of maintaining law and order, which strengthens the EU’s internal security. On the other hand, “the EU’s enlargement creates new divisions at the subregional level, encouraging new patterns of trade, investment, migration, and communication” (Stefanova, 2005, p. 63). This refers, among other things, to new visa requirements and border controls between the states, which acceded to the EU, and their neighbours, which remain ‘outsiders’. Because the enlargement policy does not apply to countries in the EU’s wider neighbourhood, since they do not have the prospect of EU accession, the divisive nature of the implications of the enlargement policy may create feelings of exclusion among these states. Eventually, the divisive nature of the implications of the enlargement policy may create security challenges, as the “new borders affect the domestic politics and foreign relations of countries outside the immediate scope of EU influence” (Stefanova, 2005, p. 63). As the Council stated, “it is not in our [the EU’s] interest that enlargement should create new dividing lines in Europe” (Council, 2003b, p. 10). The Commission recognized the potential risk of new dividing lines in Europe as a result of the 2004 eastward enlargement, which could challenge the EU’s security and, therefore, argued in its 2003 communication that the 2004 eastward enlargement “called for enhanced relations with Ukraine, Moldova, Belarus and Southern Mediterranean countries [ENP partners] to be based on a long term approach promoting reform, sustainable development and trade” (Commission, 2003, p. 4).



The ENP was designed to alleviate these functional pressures arising from the enlargement policy to ensure the protection of the salient original policy goal, the EU's security community (Commission, 2004c; Eriş, 2012). As Ferrero-Waldner, Commissioner for External Relations and ENP, stated at a press conference to launch the first seven APs under the ENP, the ENP's aim "is to avoid a new dividing line being drawn across Europe following Enlargement" (Ferrero-Waldner, 2004). The target countries under the ENP are the countries in the EU's wider neighbourhood, which may experience feelings of exclusion, because they remain 'outsiders' and are not included in the enlargement policy. The ENP aims at ensuring the EU's internal security by sharing the benefits of enlargement, specifically stability, prosperity and security, with the EU's neighbouring countries, which do not apply to the enlargement policy. Through the ENP, these countries are included in EU activities and are stimulated to cooperate with the EU. This should eventually move beyond cooperation towards significant economic and political integration (Commission, 2004c). It seems that the EU deemed the intensification of the cooperation with its wider neighbourhood necessary because "interdependence – political and economic – with the Union's neighbourhood is already a reality" (Commission, 2003, p. 3).

To sum up, several indicators of the functional spillover effect have been observed. The observed urgent original policy goal is to protect the EU's internal security by explicitly promoting a stable, peaceful and prosperous neighbourhood along the EU's external borders. The enlargement policy and the ENP are functionally interdependent because they depend on each other to fulfill the original policy goal, that is, to maintain the EU's security community. The Commission as a whole, as well as Commissioner Ferrero-Waldner, have argued that the ENP's aim is to prevent feelings of exclusion among neighbours and dividing lines in Europe as a way to downplay the negative implications of the enlargement policy, which could damage the EU's security community. However, no evidence has been observed that indicates that the ENP was the only solution to achieve the original policy goal.

#### 5.1.2. Political spillover

This section will look at to what extent transnational pressures (from governmental and/or non-governmental actors) have influenced the development of the ENP. ENP stakeholders, such as EU member states, ENP partners, businesses, non-governmental organizations (NGOs) and academia, are here termed transnational actors because they are involved in a transnational exchange and, therefore, have the possibility to influence the ENP. Three indicators can be used to observe to what extent the ENP from 2004 was a product of transnational pressures resulting from growing transnational exchange: interaction between transnational actors and the Commission, transnational actors' attempts to push for their agenda through interaction platforms at the supranational level and recommendations that are included in the Commission's communications. The results have been summarized in Table 2.

The inclusion of Armenia, Georgia and Azerbaijan in the ENP, as formulated in the Commission's 2004 strategy paper, is the result of active lobbying by these countries in Brussels (Smith,

2005). On 30 September 2003, the EU-Armenia, EU-Georgia and EU-Azerbaijan Cooperation Councils held their fifth meetings in Brussels. After these meetings, the foreign ministers of Armenia, Georgia and Azerbaijan had a joint ministerial working lunch with HR Javier Solana and Commissioner for External Relations Chris Patten. This lunch provided “a useful informal exchange of views on issues of mutual interest, including Wider Europe” (EU, 2003, p. 1). The three countries from the Southern Caucasus were not included in the initial outline of the ENP in the Commission’s 2003 communication, which was “clearly a bitter blow for Armenia and its fellow South Caucasian nations, Azerbaijan and Georgia” (Lobjakas, 2003). Armenia, Georgia and Azerbaijan pushed for their interests – to be included in the ENP – during the meetings and lunch on 30 September 2003, and the discussions between the officials from the Southern Caucasus and the EU were mediated by the EU Special Representative (EUSR) for the South Caucasus Heikki Talvitie. Pushing for their interests, in dialogue with the HR and Commission, seemed a necessary step for the countries from the Southern Caucasus because “none of the three countries has strong backers among EU member states” (Lobjakas, 2003). Following the countries’ attempts, the Commission did include Armenia, Georgia and Azerbaijan within the framework of the ENP in its 2004 strategy paper, and the HR also recommended the inclusion of the three countries in the ENP to the Council. Based on recommendations from the Commission, HR and the EP, the Council endorsed the inclusion of Armenia, Georgia and Azerbaijan, and they would later be referred to as a part of the Eastern Dimension (Commission, 2004c; Council, 2004). This example shows that the countries from the Southern Caucasus interacted with the Commission and pushed for their agendas at the supranational level in Brussels. The Commission responded to their wishes by including them in the framework of the ENP from 2004.

Furthermore, since its 2004 strategy paper, the Commission has initiated opportunities for ENP stakeholders to be involved in the policy-making process of the ENP, which has provided the Commission with the opportunity to increase its knowledge and legitimacy (Rosamond, 2011). As a result, through its established interaction platforms, numerous ENP stakeholders have regularly interacted with the Commission during the development of the ENP. A major event, which was organized and hosted by the Commission in Brussels on 3 September 2007, was the ENP Conference ‘Working Together – Strengthening the European Neighbourhood Policy’ (Commission, 2007b). The Commission has also organised consultation periods to include ENP stakeholders in the policy-making process. On 4 March 2015, the Commissioner for European Neighbourhood Policy and Enlargement Negotiations Johannes Hahn and HR Federica Mogherini launched a consultation period for twelve weeks during which ENP stakeholders could respond to the Commission’s consultation paper *Towards a New Neighbourhood Policy*, presenting questions and areas for improvement within the ENP. The Commission (DG NEAR and DG DEVCO), together with the European External Action Service (EEAS), has also organized forums, like the Civil Society Forum for the Southern Neighbourhood, to create a permanent dialogue between the EU, ENP partners from the Southern Mediterranean and civil society, which was held in 2014, 2015, 2016 and 2017 (Eizensmits, 2015; Majarat, n.d.). These

initiatives could be viewed as supranational entrepreneurship by the Commission. However, interaction platforms, created by the Commission, have led to dialogues between the Commission and ENP stakeholders, which made it easier for ENP stakeholders to share their views on the ENP and assert their influence over the policy. The ENP Conference ‘Working Together – Strengthening the European Neighbourhood Policy’ will be described more extensively in the next paragraph to show the presence of transnational pressures.

The ENP Conference ‘Working Together – Strengthening the European Neighbourhood Policy’ focused mainly on issues related to migration, energy and economic cooperation, and it brought together representatives from the Commission, the Portuguese presidency, the Council, the EP, the EIB, business groupings, civil society and ENP partners’ governments for the first time (Euractiv, 2007; MFAEI, 2007). The purpose of this conference was to hear “where they [ENP partners] would like the EU to put the greatest emphasis, where they see their interests reflected, and where, perhaps, they still feel there are gaps to be filled” (Commission, 2007b). The main purpose of the conference was, thus, “to serve as a “listening exercise” for the EU” (Euractiv, 2007). Commission President José Manuel Durao Barroso also mentioned in his speech that “the feedback you [stakeholders] give us will help to shape the European Neighbourhood Policy for years to come” (Barroso, 2007). During this conference, Minister of Foreign Affairs and European Integration of the Republic of Moldova (MFAEI) Andrei Stratan attempted to push for Moldova’s agenda regarding the ENP as he “declared essential the assurance [towards Moldova] of trade integration and of the access to the EU internal market” (MFAEI, 2007). The Commission’s communication, which followed in December 2007, included Moldova’s interest because this communication stated that “the Commission proposed a draft regulation introducing autonomous trade preferences for the Republic of Moldova” (Commission, 2007a, p. 4). Furthermore, because the conference had a strong focus on migration, several ENP partners and EU member states, like Belarus, Moldova and Estonia, expressed their strong desire for visa facilitation within the ENP (MFAEI, 2007; MFA of Belarus, 2007; MFA of Estonia, 2007). Foreign Minister of Moldova Stratan “declared essential [...] the achievement of the gradual liberalisation of visa regime between the Partner states and the EU” (MFAEI, 2007). The Foreign Minister of Estonia Urmas Paet argued that the facilitation of visa applications by the EU is important because “easier legal travel to the EU countries would be a visible improvement for many citizens of the neighbourhood countries. It would be a clear sign of the development of our partnership and would lead to enhanced people-to-people contacts” (MFA of Estonia, 2007). The push for visa facilitation seemed to have influenced the Commission’s supranational behaviour. In its 2004 strategy paper, the Commission seemed to have been very careful with regards to visa facilitation as it stated that “the European Union *may* also consider possibilities for visa facilitation” (Commission, 2004c, p. 17). However, in its 2007 communication, the Commission “*urges* the Council and the European Parliament to adopt its 2006 “package” on legislative proposals aiming at revising the European Visa policy, [...] simplifying the procedures for visa applicants”

(Commission, 2007a, p. 5). This example shows that transnational actors have gained more opportunities after the ENP was launched in 2004 to assert their influence over the policy.

Transnational actors have also organized interaction platforms themselves with the financial help of the Commission. The Commission funded the international conferences ‘The Neighbours of the EU’s Neighbours: Diplomatic and Geopolitical Dimensions beyond the ENP’ and ‘The ENP in a Comparative Perspective: Mapping the EU’s Wider Neighbourhood Relations’, which were organized by College of Europe’s Department of EU International Relations and Diplomacy Studies on 15-16 November 2012 and 14-15 November 2013. They brought together representatives of the EEAS and the Commission, academia, diplomats and trainers (College of Europe, n.d.a; College of Europe, n.d.b). Furthermore, in 2018, the Civil Society Forum for the Southern Neighbourhood, which was organized by the Commission and the EEAS from 2014 until 2017, was for the first time organized by civil society itself through the Majalat initiative, from now on called the Majalat Civil Society Forum (Majarat, n.d.). Consequently, “civil society actors are now in the driving seat of organizing and framing the dialogue with the EU” (Majarat, n.d.).

Concluding, this section has shown that transnational actors, specifically Armenia, Georgia and Azerbaijan, which share similar interests, did interact with the Commission and pushed for their agendas at the supranational level before the 2004 strategy paper was published. Even though it remains difficult to demonstrate a causal relationship between the transnational actors’ lobbying and the Commission’s supranational behaviour, their interests have been included in the Commission’s 2004 strategy paper, which suggests that transnational actors influenced the design of the ENP from 2004. However, following the launch of the ENP in 2004, transnational actors have gained more opportunities to assert their influence over the policy, partly because the Commission has increasingly facilitated this interaction by establishing numerous interaction platforms through which transnational actors can push for their agendas in exchange for expertise and increased legitimacy. However, since 2004, transnational actors have also organized interaction platforms themselves with financial support from the Commission through which they have attempted to influence the ENP.

### 5.1.3. Cultivated spillover

This section will look at whether the Commission has engaged in supranational entrepreneurship during the development of the ENP from 2004. To determine if the ENP was developed based on supranational entrepreneurship, it is necessary to find out who pushed for the ENP, why they did so and how. The following indicators will be used to indicate whether the Commission acted as a policy entrepreneur: the Commission as initiator of the discussion about a potential ENP, the Commission as promoter of policy integration (ENP), the Commission as initiator of and participant in dialogues, the Commission as provider of package deals to opposing states, the Commission as expert based on a comparative advantage regarding information and expertise vis-à-vis the member states, and the Commission as promoter of its authority. The results have been summarized in Table 2.

The initial discussion on a new policy targeting the countries in the EU's wider neighbourhood was opened in 2002 by UK Foreign Secretary Jack Straw, who wrote a letter to the Spanish Foreign Minister Josep Picqué on 28 January 2002, when Spain held the EU presidency (Tulmets, 2017). In this letter, he expressed his "concerns about the EU's relationship with its future neighbours following enlargement (Ukraine, Belarus and Moldova)" (Straw, 2002, p. 2). In this letter, he also mentioned that his and Picqué's officials had already been working on an approach to address these concerns. This approach "does not hold out the prospect of EU membership, but offers clear and practical incentives in return for progress on political and economic reforms" (Straw, 2002, pp. 2-3). According to Straw, this idea should offer some kind of a "special neighbourhood status" (Straw, 2002, p. 3). The references in his letter were the initial ideas, which would lead to the ENP. On 8 April 2002, the Spanish presidency received a second letter on the same subject matter from Swedish Foreign Minister Anna Lindh and Trade Minister Leif Pagrotsky, who called for the inclusion of both the Eastern *and* Southern neighbours into the new policy. This implicitly shows the existence of two camps surrounding the policy. One camp wanted to include the Eastern neighbours with a focus on security and governance issues while another camp wanted to focus on the neighbourhood as a whole and was interested in stability. In the end, on 15 April 2002 the HR Javier Solana and the Commissioner for External Relations Chris Patten were brought together in the General Affairs Council to discuss a common strategy that would eventually focus on the eastern neighbours (Tulmets, 2017). The Commission was asked to draft a new eastern neighbourhood policy following Solana and Patten's joint letter to the Council in August 2002. The Commission's communication *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours* from March 2003 set out the basic principles of the ENP. The fact that the EU member states opened the initial discussion on a new regional policy is backed up by this Commission's communication in which is stated that "the November 2002 General Affairs and External Relations Council launched the work, noting in particular the situation of Ukraine, Moldova and Belarus – new neighbours on the Union's land border. The December 2002 Copenhagen European Council confirmed that the Union should take the opportunity offered by enlargement to enhance relations with its neighbours on the basis of shared values" (Commission, 2003, pp. 3-4). This shows that the member states, not the Commission, initiated the discussion on a new eastern neighbourhood policy.

The issues, which Straw described in his letter, were mainly Justice and Home Affairs (JHA)-related issues. He presented the potential dangers in the neighbours' societies: "within three years, Ukraine and Belarus will border the EU – with all the attendant problems of cross-border crime, trafficking and illegal immigration. Moldova will not be an EU neighbour until later, when Romania joins, but it already faces grinding poverty, huge social problems and mass emigration" (Straw, 2002, p. 2). The Commission has less experience with and less information about JHA-related issues than the Council has (Zaiotti, 2007). This may explain why the Commission did not initiate a new regional policy based on these reasons while Straw did in his letter to the Spanish presidency in 2002.

When the member states had set the scene for a new neighbourhood policy, the Commission started to promote the policy and provide arguments about why the establishment of an integrated neighbourhood policy was necessary. Commission President Romano Prodi's speech from December 2002 shows how he promoted a new neighbourhood policy as he argued that "we [the EU] *need* to institute a new and inclusive regional approach that would help keep and promote peace and foster stability and security throughout the continent" (Prodi, 2002). His main argument why the EU needed a new regional approach focused on security: "the EU's foreign policy must be brought up to speed. It must be expressed with one voice and vested with the necessary instruments. There is no other way to guarantee our [the EU's] security in the long term" (Prodi, 2002). In addition, the Commission also provided arguments in its 2003 and 2004 communications why a new regional approach was necessary. In its 2003 communication, it used moral argumentation by stating that "the EU has a duty, not only towards its citizens and those of the new member states, but also towards its present and future neighbours to ensure continuing social cohesion and economic dynamism" (Commission, 2003, p. 3). The Commission's support for the ENP can also be seen in its 2004 strategy paper in which it asked for adequate financial means to meet the ENP's aims. It also wanted to stretch the reach of the ENP and recommended to include countries from the Southern Caucasus into the ENP, which was also recommended by the EP, and endorsed by the Council in 2004. This ensured that the EU's involvement in the neighbours from Eastern Europe, the Southern Mediterranean *and* the Southern Caucasus was deepened because of which the Commission ensured a greater regional role for itself. The Commission, thus, seems to have used appealing rhetoric leading up to its 2004 strategy paper to convince the decision-makers to endorse its communication (Commission, 2004c; Council, 2004).

Furthermore, besides promoting the policy, the Commission also initiated and participated in discussions and dialogues with EU member states and ENP partners before its 2004 strategy paper was released, and it has increased dialogues with international organizations, businesses and civil society organizations since its publication. The Commission clearly stated in its first communication that social, political and economic dialogue should be encouraged, which was endorsed by the Council in 2003 (Commission, 2003; Council, 2003a). The Commission has acted upon these aims. After the Council endorsed the Commission's 2003 communication, the Commission held exploratory talks with the neighbours, which had signed AAs or PCAs, to assess their interest in the ENP and their priorities (Commission, 2004a). The Commission was determined to "continue its contact with ENP partners" (Commission, 2007a, p. 10) in the future. The Commission adhered to this desire because it held consultation sessions with ENP partners, as well as with other stakeholders, before the revision of the ENP in 2011 and 2015 (Commission & HR, 2011; Commission & HR, 2015). The Commission also interacted with representatives of EU member states. Before the release of its 2004 strategy paper, the Commission had "contributed to detailed discussions in the Permanent Representatives Committee and the relevant Council working groups" (Commission, 2004c, p. 2). For example, the Commission participated in the relevant JHA Council groups and geographical working groups with member states'

representatives before submitting its 2004 strategy paper to the Council (O'Connell, 2008). In its parliamentary resolution from 2004, the EP stated that in its 2004 strategy paper "the Commission responded only to the Council's opinion and ignored Parliament's comprehensive resolution of 20 November 2003 [...] [and expressed its desire to the] Commission to avoid bureaucratising the whole ENP process and to fully consult and involve not just the Council but also Parliament" (Jeandesboz, 2009, p. 58). This suggests that before the publishing of its 2004 strategy paper, the Commission had extensively discussed the ENP with member states' representatives and had included their wishes into its 2004 strategy paper. After its publication, the Commission also started to involve other stakeholders more. On 3 September 2007, it was the Commission, which organized and hosted the ENP Conference 'Working Together – Strengthening the European Neighbourhood Policy' in Brussels. It was "the first ever meeting of Ministers and other representatives from all of the countries covered by the European Neighbourhood Policy (ENP) with their counterparts from the European Union" (Commission, 2007b). Other representatives included NGOs and business groupings (Commission, 2007b). Furthermore, the Commission has initiated discussions with international organizations, like the European Patent Office and the Council of Europe, to discuss possibilities for cooperation in the near future to reach the ENP's aims, which was recommended by the EP in its 2007 resolution (Commission, 2007a; Commission & HR, 2011; EP, 2007).

Besides the Commission's active promotion of further integration and participation in dialogues with the ENP partners and the EU member states before the release of its 2004 strategy paper, the Commission also aspired to increase its power in EU foreign policy by becoming a pioneer within the ENP. Already in December 2002, Prodi's speech showed the Commission's ambition to become a pioneer in the ENP, as he stated that "the EU's foreign policy must be brought up to speed. It must be expressed with one voice and vested with the necessary instruments" (Prodi, 2002). One of the Commission's tasks is to represent the EU on the world stage (Hix & Høyland, 2011). In his speech about the first outlines of the ENP, Prodi clearly stated that it should be expressed with one voice. In other words, the Commission would be the right candidate to fulfill that role. The European Council did delegate the task of conceptualizing the ENP to the Commission, as well as drafting country reports and APs, because of which the Commission received informal agenda-setting powers (Council, 2003c). This seems like a logical choice because the Commission had gained more experience and professional expertise in this field than the member states. The Commission had dealt with similar policies in the past, like the enlargement policy, and had engaged with the ENP partners under previous structures, like the EMP (Kelley, 2006; Magen, 2006). Secondly, the Commission designed the ENP in 2003/2004 as a cross-pillar policy. It has been argued that the Commission created a cross-pillar policy to make the distinction between the EU's external and internal policies less visible to attempt to increase its power to areas in which it does not possess formal competences, because they have traditionally been intergovernmental (Pélerin, 2008). Thirdly, the Commission established the Wider Europe Task Force (WETF) in July 2003 (Commission, 2004c). The WETF supported the Commission with developing a

further political concept of the new ENP, drawing up country reports to portray the ENP partners' current economic and political contexts, and drawing up APs (Euractiv, 2003). The Commission increased its capacity to collect information on the ENP partners and create a sound 2004 strategy paper. In addition, even though this has happened after the publication of its 2004 strategy paper, the Commission has been involved in the monitoring process since the ENP's launch. Progress of the assigned objectives per ENP partner is evaluated in the committees, which are established by the AAs or PCAs. They include representatives from the Commission, the ENP partners, the Council Secretariat and the EU member states. After each evaluation, the Commission has published periodic progress reports to the Council. However, "effective opinion- and decision-making [...] requires that Commission evaluation reports are of high quality and have political credibility" (Lippert, 2008, p. 11). To ensure these, the Commission also requested the ENP partners to provide additional, relevant information and used the expertise of other international organizations, like the UN and Council of Europe, and regional bodies (Commission, 2004a; Commission, 2004b, Commission & HR, 2011).

All in all, the empirical observations suggest that the Commission has engaged in supranational entrepreneurship before the publication of its 2004 strategy paper. The initial discussion on a new regional policy was opened by the EU member states. However, after the member states had set the scene for a new regional policy, the Commission promoted further integration proactively, initiated and participated in discussions and dialogues concerning the formulation of the ENP with the ENP partners and the member states, and attempted to increase its authority by designing the ENP as a cross-pillar policy and by increasing its capacity. The Commission had a comparative advantage regarding information and technical expertise vis-à-vis the member states because it had administered and monitored the enlargement policy and had maintained relations with the Southern Mediterranean partners under the EMP on behalf of the EU member states. The Commission has continued to increase its knowledge since the initial discussion because it has had to act on behalf of the EU member states during several stages of the ENP by holding dialogues with numerous stakeholders. No empirical evidence has been found, which indicates that the Commission had to provide package-deals to opposing EU member states.

## 5.2. Liberal-intergovernmentalism

### 5.2.1. National geopolitical interests

The purpose of this section is to investigate to what extent the indicators of national geopolitical interests are in line with the development of the ENP. The following five indicators can be used to test this congruence: stable governments' interests in the ENP, government officials who perceive political/military threats, inter-state negotiations between officials from foreign and/or defence ministries, major geopolitical negotiating demands and major economic concessions. The results have been summarized in Table 2.



The ENP was initially developed as a result of geopolitical concerns, which were expressed by government officials. UK Foreign Secretary Jack Straw initiated the dialogue about a new neighbourhood policy in January 2002 in his letter to the Spanish EU presidency in which he addressed security-related threats in the eastern neighbours Belarus, Moldova and Ukraine, like illegal immigration, trafficking and cross-border crime (Straw, 2002). In Swedish Foreign Minister Lindh and Trade Minister Pagrotsky's letter to the Spanish EU presidency from April 2002, they stated that "there is no better way to underpin peace and security [in the EU's neighbourhood] than economic development and economic integration, apart from continuing and strengthening the political dialogue" (Lindh & Pagrotsky, 2002, p. 2). These letters indicate that the establishment of the ENP was driven by government officials' perception of politico-military threats, even though the views differed on how those had to be addressed, for example, through political dialogue or economic development.

The Commission's communications include rhetoric, which is based on the initial geopolitical discourse. Especially the 2003 and 2004 communications emphasize strengthening prosperity, security and stability in the EU's neighbourhood through increased cooperation between the EU and the ENP partners to ensure a stable and secure European continent. Security-related elements are explicit aspects in the Commission's communications. Zaiotti (2007) states that "the first element that stands out in the ENP [from 2004] is the central role that security issues, such as illegal migration, drug trafficking and terrorism, play in the initiative" (p. 147). And with the ESS, "the EU for the first time formulated a comprehensive strategic approach that also integrates the ENP [from 2004] into a more broadly conceived foreign and security policy context" (Lippert, 2007, p. 180). The Foreign Ministers of the member states concluded that the aims of the ENP from 2004 are in line with the ESS, and endorsed the security- and JHA-related elements in the ENP in the GAERC (Council, 2004).

Worth mentioning is that the Commission & HR's 2011 and 2015 joint communications have a larger focus on security-related matters, which were mainly responses to the uprisings during the Arab Spring but to other security-related matters as well, like the annexation of Crimea by the Russian Federation. In the 2011 communication, one of the priorities is "stronger political co-operation on governance reforms, security, conflict-resolution matters" (Commission & HR, 2011, p. 2) because "EU geopolitical, economic and security interests are directly affected by continuing instability" (Commission & HR, 2011, p. 5). In its 2011 conclusions, the Council explicitly mentions that it is beneficial to the EU's geopolitical interests to have a stable neighbourhood. The security-oriented rhetoric has intensified in the 2015 communication because "the EU's own interdependence with its neighbours has been placed in sharp focus. Growing numbers of refugees are arriving at the European Union's borders hoping to find a safer future. Energy crises have underlined the EU's need to work with neighbours on energy security, including diversification of energy sources, routes and suppliers. There have been acts of terror affecting the EU and the neighbourhood, most recently the heinous terrorist attacks in Paris on 13th November [...] There will be a new focus on stepping up work with our partners on security sector reform, conflict prevention, counter-terrorism and anti-radicalisation policies, in full

compliance with international human rights law. More than ever after the November 13th terrorist attacks in Paris, intensified cooperation with our neighbours is needed in these areas” (Commission & HR, 2015, pp. 2-3). The Council endorsed the new proposals in both communications to strengthen the security dimension of the ENP (Council, 2011; Council, 2015). It seems that the ENP was established as a result of an initial geopolitical discourse among EU member states, which focused on geopolitical threats in the region that had to be resolved. As a result, security- and JHA-related elements received priority status in the ENP and were endorsed by the Foreign Ministers of the member states in the GAERC. Thus, it seems that the ENP has been perceived by member states as a platform through which geopolitical issues can be mitigated.

While the examples provided above suggest that member states perceived politico-military threats in the neighbourhood, governments’ interests in the policy have not all been constant over time and have been based on other motives as well. Germany’s interest in the policy has changed over time. During the 2002-2004 formulation stage of the ENP, Germany did not play a substantial role and was more interested in relations with Russia because Germany’s “strategy towards the east was based on the “Russia first policy”, which arose from personal relations between leaders of Germany and Russia, Helmut Kohl and Boris Yeltsin, and later Gerhard Schröder and Vladimir Putin” (Marcinkowska, 2016, p. 39). However, Chancellor Angela Merkel has since she was elected in 2005 not demonstrated the same fascination for Russia as previous German leaders and, instead, called for an increase in the ENP’s effectiveness and larger German involvement. She “has introduced a more “balanced” Ostpolitik to the hard “Russia first policy”” (Marcinkowska, 2016, p. 39). The initiative of the German Presidency in 2006, called ENP ‘Plus’, shows the attempt made by Germany to balance its Ostpolitik more and place a larger emphasis on the ENP. This initiative suggested a greater differentiation between the eastern and southern states in the ENP and a greater emphasis on Moldova and Ukraine because Germany was concerned about the security and stability within these two countries. However, besides geopolitical motives, there was also an economic motive because the eastern region has great economic potential for Germany and is important because of “joint ventures of the German industries with their Eastern counterparts in the areas of aluminium, steel and aeronautics” (Kourtelis, 2015). Furthermore, Germany has been interested in the energy and mineral resources, which the eastern region offers (Kourtelis, 2015). On the other hand, Poland’s interest in the ENP, the eastern neighbourhood in specific, has been steady over the years, even before it became an EU member state. In fact, Poland was “the only country that expressed a serious interest in shaping the ENP before 2004” (Kratochvil, 2007, p. 191). Even though Poland perceived the Commission’s 2004 strategy paper as a disappointment because the Southern Mediterranean countries were included in the ENP and the prospect of EU accession as an incentive for reform was not included in the ENP, its interest in the ENP remained strong and steady, and “its leading role in the region is unlikely to change” (Kratochvil, 2007, p. 193). Poland’s steady interest in the ENP is based on political and economic motives. Politically, Poland expressed its concern

for the unstable and undemocratic eastern neighbours and has made the democratization of the eastern region its number one foreign policy priority (Kratochvil, 2007).

Thus, this section has provided some evidence, which suggests that the ENP from 2004 originated due to geopolitical concerns, which were expressed by government officials. The geopolitical discourse from the initial years is visible in the Commission's communications and it has been translated into actual policy priorities based on security- and JHA-related elements. The fact that the foreign ministers of the member states have endorsed these elements in the GAERC, and following the Lisbon Treaty, in the FAC, shows that the member states have perceived the ENP to be a good platform through which their geopolitical concerns can be mitigated. Despite this, other motives, like economic gains, have also been observed, and not all member states have shown a constant interest in the policy. As will be more extensively discussed in the next section, no evidence suggests that after the publication of the Commission's 2004 strategy paper, member states in the Council made geopolitical demands and economic concessions (Sobol, 2014) because "the Council approved several items [including the 2004 strategy paper] without debate" (Council, 2004, p. 10).

#### 5.2.2. Inter-state bargaining

It is the purpose of this section to investigate whether the ENP from 2004 was the product of bargaining processes among the EU member states. Six indicators can be used to see if this was the case: member states with strong interest open the initial discussion, member states with strong interests mobilize negotiations, states with strong interests provide side-payments to opposing states, states with strong interests accept the concessions of opposing states, the core of the ENP from 2004 reflects the wishes of the states with strong interests, and the ENP from 2004 is the lowest common denominator. The results have been summarized in Table 2.

The UK was the member state, which initiated the discussion on a potential neighbourhood policy. The question remains for what reasons the UK initiated the discussion and if they reflected a strong interest in a potential neighbourhood policy. Christensen (2011) mentions several reasons why the UK initiated the debate. First of all, the UK perceived negative implications of the 2004 eastward enlargement, which have been expressed in Straw's letter to the Spanish presidency, like increased illegal immigration and cross-border crime. Secondly, the UK wanted the EU to improve its relationship with Ukraine because the UK had a well-established bilateral relationship with Ukraine at the time. And finally, the UK was interested in an Eastern neighbourhood policy because it may have feared an overemphasis on the Southern Mediterranean region because Spain held the EU Presidency at that time. Spain's priorities have been oriented towards the south, and, therefore, the UK's initiative of an Eastern neighbourhood policy may be perceived as an act to counter-balance Spain's priorities. These reasons suggest that the UK had strong interests in the policy.

Even though the discussion was initiated by a member state with strong interests, empirical evidence suggests that the ENP from 2004 was not developed based on pure inter-state bargaining in

the Council, but it was largely shaped by the Commission's actions. According to an EU official, the Commission searched for the lowest common denominator outcome of all member states, which was presented in its 2004 strategy paper (Sobol, 2014). As previously discussed in section 5.1.3. Cultivated spillover, the Commission fully consulted and involved the Council before the publication of its 2004 strategy paper, which makes it very likely that the Commission was aware of the member states' exact preferences, so it could find the lowest common denominator. Consequently, during the 2590<sup>th</sup> Council meeting, "the Council approved several items [including the Commission's 2004 strategy paper] without debate" (Council, 2004, p. 10). Furthermore, there are no documents, which state that after its release member states in the Council were opposed to the Commission's 2004 strategy paper – besides Poland's explicit dissatisfaction – and that side-payments or concessions had to be made among the member states to accept the Commission's proposal (Sobol, 2014). This suggests that the lowest common denominator was indeed found by the Commission and was not a product of pure inter-state bargaining. This illustrates how the Commission used its position as informal agenda-setter. Informal agenda-setting is "the ability of a "policy entrepreneur" to set the *substantive* agenda of an organization, not through its formal powers but through its ability to define issues and present proposals that can rally consensus among the final decision makers" (Pollack, 1997, p. 121). Because the Commission's 2004 strategy paper reflected the lowest common denominator outcome, there was a fairly strong consensus among the heads of government and foreign ministers of the member states on the ENP's presented key design, goals and instruments (Sedelmeier, 2007). In addition, it may be argued that the lowest common denominator outcome was also based on a vaguely formulated proposal. According to Babayan (2012), "the ENP framework is vague and often sacrifices specific actions for consensus" (p. 51). Other Commission's communications have also been described as vague, e.g. Schumacher (2015) refers to "the [2011] revised ENP's in-built vagueness" (p. 389). To find out which preferences were included in the Commission's 2004 strategy paper to forge a consensus among the EU member states, the core content of this communication – here the geographical scope and the formulation of conditionality – will be compared with the national interests of the UK, Sweden, France, Spain and Poland. These member states have been chosen as states with strong interests in the ENP because they either initiated the policy or were actively involved in the formulation stage.

The geographical scope of the Commission's 2004 strategy paper has an eastern and southern dimension. The UK initiated a neighbourhood policy with a single focus on the eastern neighbours but gladly accepted an East/South balance (Lippert, 2008). In 2002, Sweden had already suggested an East/South balance but looked traditionally more at the eastern neighbours. France and Spain's priorities have been oriented towards the Southern Mediterranean. Hence, they expressed their acceptance of the neighbourhood policy as long as the eastern neighbours would be counterbalanced by the Southern Mediterranean countries (Christensen, 2011). Even before its accession on 1 May 2014, Poland was actively involved to exclusively promote the eastern dimension while it showed a "lack of concern for the Southern dimension of ENP" (Lippert, 2008, p. 6). Because the 2004 strategy paper included the

eastern and southern dimension, this did satisfy the national interests of all five member states, even though Poland would have preferred a sole eastern dimension.

The formulation of conditionality in the Commission's 2004 strategy paper is here divided into two aspects, the exclusion of the prospect of EU accession as an incentive for reform and the soft conditionality mechanism. Sweden and the UK were both proponents of an 'open-door policy', which would not exclude the possibility of EU accession towards the neighbours in the east. However, the UK was mostly interested in a prospect of EU accession for Ukraine with which it had well-established bilateral relations at the time (Sobol, 2014). Poland's stance towards the inclusion of the prospect of EU accession as an incentive for reform was more intense because, for Poland, the "ENP is inseparable from the debate on continuing EU enlargement" (Lippert, 2008, p. 4). Poland was a strong supporter of providing the prospect of EU accession, especially to Ukraine. In contrast to Poland, the UK and Sweden, France and Spain expressed their support for the ENP as long as the prospect of EU accession as an incentive for reform would not be offered to the neighbours. They were both opposed to the idea of any further enlargement rounds. Thus, the exclusion of the prospect of EU accession as an incentive for reform within the ENP is mostly in line with the interests of France and Spain and least in line with the interests of Poland. However, even though the UK expressed its support for an 'open door policy', the exclusion of the prospect of EU accession as an incentive for reform did not hurt its national interests per se, because enlargement was not a top priority to the UK (Sobol, 2014).

The conditionality mechanism within the ENP is soft and based on dialogue and mutual ownership. Spain and France were in favour of a soft version of the conditionality mechanism, which would include dialogue and joint ownership (Kelley, 2006; Sobol, 2014). Sweden and the UK, on the other hand, were both in favour of a strict conditionality mechanism, which would place an emphasis on political reforms rather than a softer version, which is based on positive conditionality (Sobol, 2014). No evidence has been found that suggests the interests of Poland regarding the nature of the conditionality mechanism within the ENP. Since the ENP includes a soft conditionality mechanism based on dialogue and mutual ownership, this aspect is mostly in line with Spain's and France's interests. The comparison between the core content of the Commission's 2004 strategy paper and the national interests of the member states with strong interests shows that some of their crucial national interests were included in the communication, and that elements, which would not be endorsed by all the member states, like the exclusion of the Southern Mediterranean countries or the inclusion of the prospect of EU accession as an incentive for reform, were omitted by the Commission to forge a consensus among the member states. Christensen (2011), therefore, describes the Commission's 2004 strategy paper as a "comprehensive compromise document" (p. 134). However, Poland, which showed a strong interest in the policy, saw most of its preferences excluded from the Commission's 2004 strategy paper. This may be explained by Poland's relatively weak position in the EU due to its recent membership at that time. Poland was not familiar with the informal proceedings in the EU and only used the official channels to provide its input (Marcinkowska, 2016). Furthermore, since Poland was a new member state, and all

other new member states showed support for the policy, Poland's options were limited, and it decided to endorse the policy (Sobol, 2014).

All in all, even though a member state with strong interests in the policy initiated the discussion, the Commission “played a key role in conceiving the ENP in 2003-4 and is likely to renew this ambition” (Bertelsmann Stiftung, 2015, p. 7). The Commission searched for and formulated the lowest common denominator outcome among the EU member states, which was presented by the Commission in its 2004 strategy paper. Since the lowest common denominator was already found by the Commission, this decreased the need for inter-state bargaining in the Council following the release of this communication. The member states did provide input and express their preferences when the Commission consulted the Council before its release, which facilitated the Commission's search for the lowest common denominator. The Commission included certain focal points in its communication, which would be endorsed by all the member states. Elements, which would not be endorsed by all the member states, like a neighbourhood policy without the inclusion of the Southern Mediterranean countries or with the prospect of EU accession as an incentive for reform, were omitted by the Commission from its 2004 strategy paper (Sobol, 2012). The Commission adhered to this strategy because (as cited in Copsey, 2007, p. 15) this design was “the only option available at the time in order to keep all the Member States on board” (Sobol, 2012, p. 3).

## 6. DISCUSSION

In the previous chapter, the theoretical propositions have been connected to the empirical observations of the development of the ENP from 2004. Chapter 6 will discuss these connections and how they fit in the theoretical framework. The observations from chapter 5 have been summarized in table 2. This table shows whether the indicators, which make the theoretical propositions observable, were observed, partially observed or not observed. When these connections are discussed, it should be kept in mind that the theoretical propositions have been deduced from neofunctionalism and liberal-intergovernmentalism. Neofunctionalism argues that European integration occurs when there is a functional spillover effect, when transnational actors push for their interests at the supranational level and when supranational actors behave as policy entrepreneurs. Liberal-intergovernmentalism argues that European integration occurs when geopolitical national pressures – in the case of foreign and defence policies – push EU member states to design an integrated EU policy through inter-state bargaining.

Table 2. *Empirical observation per indicator*

<b>Neofunctionalism</b>	
<i>Indicators</i>	<i>To what extent have the indicators been observed in the empirical analysis? (not observed/partially observed/observed)</i>
<b>Functional spillover</b>	
An urgent original policy goal	Observed
Functional interdependence between the original policy and the ENP	Observed
Further integration (ENP) as the only solution to achieve the original policy goal	Not observed
Functional argument(s) made by key EU actors in the policy-making process	Observed
<b>Political spillover</b>	
Transnational actors (governmental and/or non-governmental) interact with the Commission	Observed
Transnational actors push for their agenda at interaction platforms on the supranational level	Observed
Transnational actors' interests are included in the ENP	Observed
<b>Cultivated spillover</b>	
Commission initiates the debate about a potential ENP	Not observed
Commission promotes policy integration (ENP)	Observed
Commission initiates and participates in dialogues	Observed
Commission provides package deals to satisfy opposing states	Not observed
Commission has more information and expertise than the member states	Observed
Commission seeks to increase its authority	Observed
<b>Liberal-intergovernmentalism</b>	
<i>Indicators</i>	<i>To what extent have the indicators been observed in the empirical analysis? (not observed/partially observed/observed)</i>

<b>National geopolitical interests</b>	
Governments' interests in the ENP are stable over time	Partially observed
Major demands are geopolitical	Not observed
Major concessions are economic	Not observed
Negotiations between states take place between officials from foreign and/or defence ministries	Observed
Government officials perceive politico-military threats	Observed
<b>Inter-state bargaining</b>	
States with intense preferences start the initial discussion on the ENP	Observed
States with intense preferences mobilize negotiations	Not observed
Opposing states are provided with side-payments by states with intense preferences	Not observed
Concessions of opposing states are accepted by states with intense preferences	Not observed
The core of the ENP is a reflection of the wishes of the states with intense preferences	Partially observed
The ENP is the lowest common denominator outcome	Observed

Source: Author's creation

Because the ENP is an element of EU foreign policy, the decision-making regarding the ENP is intergovernmental. As seen throughout this research, the Commission's communications and the Commission and HR's joint communications had to be endorsed by the GAERC before the Lisbon Treaty and by the FAC following the Lisbon Treaty, before they could be expressed as a part of EU policy. It might, therefore, be tempting to assume that inter-state negotiations and bargaining, as a result of different national interests, shaped the ENP from 2004. Despite the intergovernmental nature of the decision-making process, this research argues that a stronger congruence has been found between neofunctionalism and the empirical situation than between liberal-intergovernmentalism and the empirical situation. Neofunctionalism can, therefore, better explain the formation and design of the ENP from 2004.

There is a strong congruence between the theoretical proposition on cultivated spillover and the empirical observations. Even though the UK, and not the Commission, initiated the discussion on a new neighbourhood policy in 2002, once the member states had set the scene, the Commission acted as a supranational policy entrepreneur through which it was able to become the main actor to shape the ENP from 2004. The Commission took full advantage of the European Council's decision to delegate the task of conceptualizing the ENP to the Commission. The Commission proactively advocated an integrated neighbourhood policy after the initiation of the member states by using rhetoric in speeches and its communications, which would be perceived as appealing to the decision-makers. The Commission described the ENP as a necessary element to ensure the EU's security and as a moral duty through which peace and prosperity could be shared with its neighbours. Secondly, the Commission had a comparative



advantage in information, experience and technical expertise vis-à-vis the member states because it had conceptualized and implemented similar policies in the past, like the enlargement policy, and it had maintained relations with the ENP partners under previous structures. Thirdly, the Commission attempted to increase its authority in the area of EU foreign policy. The Commission developed the ENP as a cross-pillar policy to attempt to increase its power in areas in which it does not possess formal competences because they have traditionally been intergovernmental. The Commission also established the WETF in 2003 to provide itself with the necessary capacity to write a sound 2004 strategy paper and gain a large amount of information on the ENP countries, which was collected in individual country reports. Lastly, the Commission initiated and participated in dialogues with representatives from ENP partners and EU member states before releasing its 2004 strategy paper to assess their interests and priorities. The Commission fully consulted and involved the Council during the formulation stage of the 2004 strategy paper, because of which it was exactly aware of the member states' interests and how the proposal should look to forge a consensus among the member states. The EP explicitly expressed its dissatisfaction of fully involving the Council while the Commission ignored the EP's recommendations. The Commission searched for and formulated the lowest common denominator outcome of all member states at that time, which was presented in its 2004 strategy paper because it was the option, which would be endorsed by all the member states. It has, therefore, been described as a "comprehensive compromise document" (Christensen, 2011, p. 134). The Commission's 2004 strategy paper was indeed embraced by the member states in the Council without an additional debate. This shows that the Commission's actions led to the creation of the lowest common denominator outcome rather than by pure inter-state bargaining in the Council. No evidence suggests that states were opposed to the Commission's proposal from 2004, apart from Poland's dissatisfaction, or that side-payments and/or concessions had to be made among the member states. These findings make the congruence between the theoretical proposition on inter-state bargaining and the empirical observations rather weak.

The observations from chapter 5 suggest that the functional spillover effect also contributed to the desire to develop a common neighbourhood policy. The enlargement policy, because of which the 2004 eastward enlargement took place, on the one hand, increases the EU's internal security by stabilizing close European neighbours. On the other hand, it could have potentially negative implications, like the risk of creating dividing lines in Europe and encouraging feelings of exclusion in the EU's neighbouring countries, which could endanger the EU's internal security. The ENP was designed to mitigate the negative implications arising from the enlargement policy to reach the original policy goal of the enlargement policy, the maintenance of the EU's security community, which demonstrates the functional interdependence between the two policies. The ENP aims at spreading the benefits of enlargement – stability, prosperity and security – to the countries in the EU's wider neighbourhood, which have not been included in the enlargement policy. Even though nowhere has explicitly been stated that the ENP was the only solution to protect the EU's security community,

functional arguments, which show the functional link between the enlargement policy and the ENP, were used by both the Commission as a whole in its communications and by individual Commissioners.

Transnational actors also influenced the shape of the ENP from 2004. One of the main elements of the ENP, the geographical scope, was influenced by transnational actors. Armenia, Georgia and Azerbaijan interacted with the Commission and pushed for their inclusion in the ENP at the supranational level. Their interests were recommended by the Commission in its 2004 strategy paper, as well as by the HR and the EP, and endorsed by the Council. Even though not applicable to the 2004 strategy paper, since its publication, the Commission has increased the possibility for transnational actors to assert their influence over the policy by establishing numerous interaction platforms at the supranational level, like the ENP Conference in 2007.

The empirical analysis of the domestic geopolitical interests suggests that the member states did perceive geopolitical threats in the EU's wider neighbourhood, like the increase of illegal immigration, illegal trafficking and cross-border crime due to the unstable regimes in Belarus, Moldova and Ukraine. As a result of an existing geopolitical discourse, security- and JHA-related elements gained a priority status in the 2004 strategy paper and were endorsed by the Foreign Ministers in the GAERC. However, governments' interests in the policy have not always been stable over time and other motives, like economic gains, have been observed, too.

## 7. CONCLUSION

This research has focused on the congruence between the propositions based on neofunctionalism and liberal-intergovernmentalism and the empirical observations of the development of the ENP from 2004 to discover which theory has a higher explanatory strength. The findings show that neofunctionalism can better explain the development of the ENP from 2004. Even though the decision-making process is intergovernmental, the Commission played a crucial role as a supranational policy entrepreneur during the formulation stage of the ENP. After the UK and Sweden had initiated the debate concerning a new neighbourhood policy, the Commission proactively promoted the ENP by framing the policy to make it appealing to the decision-makers, drafted it as a cross-pillar policy to potentially increase its powers in areas, which have traditionally been intergovernmental, and initiated and participated in numerous dialogues with the EU member states and the ENP partners. The Commission used the dialogues to collect information regarding the member states' preferences. With this information, the Commission managed to find the lowest common denominator outcome, which was presented in its 2004 strategy paper. With its actions, the Commission attempted to rally a consensus among the member states before its 2004 strategy paper was released. As a result, it seems that inter-state bargaining in the Council following the release of the Commission's 2004 strategy paper was no longer perceived by the member states as necessary since the Commission had already found the lowest common denominator. This might explain why no major side-payments were made among the member states and why all the member states endorsed the policy without further debate in the Council. Despite the Commission's key role, the importance of the Council during the development of the ENP should not be forgotten. After all, the Foreign Ministers in the GAERC had to give their consent to develop a common neighbourhood policy. The member states also explicitly expressed their policy preferences during dialogues with the Commission, which made it easier for the Commission to formulate the lowest common denominator and realize which proposals would not be endorsed by all the member states.

This research has tested five theoretical propositions, which were formulated based on the core concepts of neofunctionalism and liberal-intergovernmentalism. Firstly, the proposition that predicts that the ENP from 2004 was developed to reach the objectives of an earlier integrated policy within the EU can be confirmed. The ENP was developed to protect the original policy goal of the enlargement policy, to maintain the EU's security community, which was in danger due to the potential negative implications of the 2004 eastward enlargement. This was acknowledged by the Commission as a whole and by individual Commissioners. Secondly, the proposition that predicts that transnational actors influenced the ENP from 2004 can be confirmed as well. Armenia, Georgia and Azerbaijan pressured the Commission at the supranational level in Brussels to include them in the ENP, which was afterwards recommended by the Commission and endorsed by the Council. After the release of the Commission's 2004 strategy paper, the Commission has created numerous opportunities for transnational actors to assert their influence over the policy by establishing interaction platforms. Thirdly, the proposition that predicts that supranational EU institutions behaved as supranational entrepreneurs to become the main

drivers behind the ENP from 2004 can be confirmed strongly. The Commission set the agenda for the ENP from 2004, drafted and promoted the proposal, attempted to increase its authority and interacted with ENP stakeholders. The Commission fully involved the member states during the formulation stage, so it knew which elements to include in the proposal to forge a consensus among the member states. Fourthly, the proposition that predicts that governments' positions regarding the ENP from 2004 were driven by national geopolitical interests can be partially confirmed. The member states did perceive geopolitical threats along the EU's external borders. Their perceptions were translated into security- and JHA-related elements in the ENP, which their Foreign Ministers endorsed in the GAERC. However, besides geopolitical motives, other motives have been observed as well. Finally, the proposition that predicts that the ENP from 2004 was a product of inter-state bargaining can be disconfirmed. The Commission searched for and formulated the lowest common denominator, which was represented in its 2004 strategy paper. Consequently, the EU member states endorsed the 2004 strategy paper without debate. However, member states provided input and expressed their preferences in the formulation stage. More generally speaking, these conclusions demonstrate that EU supranational institutions can influence EU policy-making, even in policy areas in which the decision-making process is intergovernmental. In addition, the findings of this research show what strategies, like agenda-setting and framing, EU supranational institutions can use to assert their influence over EU policies.

Several limitations of this research should be acknowledged. This research has mainly focused on how the initial ENP from 2004 was developed. However, the ENP has changed over time – three multilateral cooperation forms were added within the framework of the ENP in 2008 and 2009, its financial instruments have changed over the years and the ENP was reviewed twice, in 2011 and 2015. Furthermore, the situations in the neighbouring countries have evolved as well, leading to changing interests of the ENP stakeholders. Because of the limited scope of this research, this research has only focused on the initial period of the ENP, leaving out the development of the ENP after 2004. In addition, three limitations can be linked to the data analysis and data collection. Firstly, the data analysis has focused more on the indicators that represent the theoretical propositions from neofunctionalism because more data could be found on these indicators. This may have led to an analysis in which the indicators that represent the theoretical propositions from liberal-intergovernmentalism seem to have been underemphasized. Secondly, not all interests from each member state were available from this period. However, this research was able to shed light on the member states with strong interests in the policy, which matches with the indicators from the proposition on inter-state bargaining. Thirdly, the analysis has been based on primary and secondary documents, like speeches, official EU documents, news articles, and academic books and articles. Conducting interviews for this research may have given more insight into the policy-making process, which documents do not provide. However, some of these secondary sources include information from interviews with EU officials, which was used in this research.

Based on the provided limitations of this research, several suggestions for further research can be made. Further research could look into the development of the ENP after 2004 to investigate whether the Commission has maintained its key role in shaping the ENP and whether it has used the same strategies or changed strategies. A larger emphasis on domestic interests, which drive member states' stances towards the ENP, could also be useful since this element could be perceived as underemphasized in this research. Additionally, further research could look into the impact of the change in the institutional environment of the ENP on the shape of the ENP. With the establishment of the Lisbon Treaty, which entered into force on 1 December 2009, the institutional environment in which the ENP had been formulated has changed. Since 1 December 2010, the EEAS has been the EU's foreign and defence ministry. Since 2010, the EEAS might have played a role in shaping the ENP, especially during the revisions of 2011 and 2015, which may have changed the dynamics among the EU institutions and the EU member states. After all, in the first mandate of the EEAS, the "neighbourhood" had already been identified as a key priority.

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