



## *Istituto Affari Internazionali*

### **LISBOAN – ERASMUS ACADEMIC NETWORK EXPERT WORKSHOP**

#### **Work Package External Action and CFSP**

#### **“The European Neighbourhood Policy after the Lisbon Treaty” Rome, IAI, March 22, 2013**

**Convenor: Dr Michele Comelli, senior fellow, IAI, Rome**

The European Neighbourhood Policy (ENP), launched by the EU on the eve of the “Big Bang” enlargement, had developed in an informal way, being based on “soft law” instruments. However, the Lisbon Treaty provides a specific legal basis for the ENP and, more in general, for the EU’s relations with neighbouring countries (art. 8 TEU). Interestingly, art. 8 TEU was placed in the Common Provisions of the Treaty on European Union, without any links neither with the article on enlargement, as it was the case in the Constitutional Treaty, nor the provisions on the EU’s external action. In addition, art. 8 TEU also provides for a new kind of agreements with neighbouring countries. Last but not least, the Lisbon Treaty has another important impact for the ENP, in that it has strengthened the High Representative, now also Vice President of the European Commission, and has brought about the creation of the European External Action Service (EEAS). As a result, while at the level of services, the ENP has been integrated within the EEAS, its political responsibility is shared between the Commissioner for (Enlargement and) ENP and the High Representative. Indeed, the Communications on the ENP issued after the entry into force of the Lisbon Treaty had been drafted jointly by the two of them. The cooperation between the two has been envisaged also when it comes to the programming of the financing instruments, that is the European Neighbourhood and Partnership Instrument (ENPI), that will be renamed European Neighbourhood Instrument (ENI). According to the 26 July 2010 Council decision on the EEAS, the programming of the ENPI as well as of other external assistance instruments shall be prepared jointly by the relevant services in the EEAS and in the Commission under the responsibility of the Commissioner in the designated area and shall be submitted jointly with the High Representative for adoption by the Commission.

Finally, the ENP revision carried out in Spring of last year has resulted in an attempt to deepen both positive and negative conditionality in the EU’s relations with neighbouring countries. The EU acknowledged that in the past it was too accommodating with authoritarian regimes in power in the Southern Mediterranean countries and that for the future the EU would be more serious in making conditionality work. However, the question is not only about how to evaluate the performance of neighbouring countries, but also what to do with countries underperforming in democratic practices and not respecting the rule of law and human rights. While it is clear that sanctions and related measures have to be taken in the case of gross human rights violations, the question is what to do in less serious cases. Also, when it comes to the post-Arab Spring countries, the problem lies in

the possible rejection of the conditionality logic by the countries that have gone through a democratic process of reforms through a purely endogenous path.

Finally, it has to be noticed that the 2011 ENP revision does not take into account the innovations brought about by the Lisbon Treaty and notably the introduction of art. 8 TEU and the opportunities that can stem from its use.

The workshop organised by the IAI within the framework of the Lisbon project plans to answer the following questions:

- Has the Lisbon Treaty brought about a real change to the concept and practice of the ENP? Why does it seem to be neglected in the document outlining the revision of the ENP?
- Will art. 8 be used as a legal basis for a new generation of agreements between the EU and its neighbouring countries? How has this kind of agreement been considered? As a special category of association agreements or as a category of its own?
- Art. 8 reads that "the EU shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union", while all the ENP documents refer to shared values between the EU and its neighbours. How to resolve this contradiction?
- Have the strengthening of the High Representative/Vice President of the Commission and the creation of the European External Action Service (EEAS) resulted in more coherence in the elaboration and implementation of the ENP?
- Will it be possible to enhance the use of (positive and negative) conditionality towards the EU's neighbours?
- Are the benefits that the EU has promised to grant to its neighbours (the three Ms: market, mobility and money) realistic?

Please send the abstract of your proposed paper by January 15<sup>th</sup>. We will select a number of proposals. The authors will be requested to send a draft paper (around five pages long) by March 15<sup>th</sup>. Their accommodation and travel expenses (airfare economy ticket plus local transports, up to a ceiling of 550 euro) will be borne by the organisers.