



Analizy natolińskie

3(35)2009

RAFAŁ TRZASKOWSKI

How to Strengthen the European Neighbourhood Policy?

*The Participation of ENP Countries in Some Community Agencies
and Programmes*

Providing the neighbourhood policy with a new impetus became one of the most important declared priorities of the European Union. In December 2006, in an answer to the expectations of many member states, the European Commission published a Communication on the general approach to enable ENP countries to participate in community agencies and programmes.¹ In this document the Commission presented a catalogue of all the EU agencies, clearly stating whether a given entity is open for the membership of the third countries or not. It turns out that most of them allow a certain form of participation, or at least cooperation, with the neighbourhood countries. Simultaneously the Commission presented a catalogue of all community programmes which allow for the involvement of ENP states. The Communication is clear that ENP countries may participate in many Community initiatives in such different areas as competition and innovation, consumer rights, public

health or cultural cooperation, security and promotion of basic human rights, as well as cooperation between the customs officials.

Usually the Union requires the third countries to bear the costs of the cooperation with community programmes and agencies, which usually is an effective obstacle discouraging the ENP countries from doing so. The European Neighbourhood Policy Instrument does not foresee the possibility of funding the involvement of partner countries in agencies and programmes. It is, however, possible to support such participation with loans from the European Investment Bank, or European Bank for Reconstruction and Development.

At the end of 2007 the Commission started negotiating an agreement concerning participation in Community programmes and agencies with Israel, and preparing similar agreements with Morocco, Moldova and Ukraine. Israel, which has rich experience in this field, signed the framework agreement concerning the modalities of cooperation with the EU at the beginning of 2008. In the middle of 2008 the EU started preliminary talks about participation in Community programmes and agencies with Morocco. The EU agreed with Rabat a preliminary list of common undertakings. The aspirations of both Ukraine and Moldova are very similar. At the beginning of 2008 Kiev agreed its own priorities concerning involvement in Community programmes. Such cooperation is seen in Ukraine as a step towards membership, which would not only help in the implementation of *acquis communautaire*, but also allow indirect participation in the process of formulating it. In November 2008, simultaneously with the preparations to open a new partnership deal with the European Union, Moldova presented its own priorities in the area.

The possibility of opening the Community programmes and agencies for the participation of neighbouring countries is one of the examples of functional strengthening of the ENP. The Commission's Communication concerning Eastern Partnership, published in December 2008², provides an excellent opportunity to ask whether the Commission's proposal could be implemented in a way which would be beneficial for the Union and the interested ENP countries. The most important question is whether the involvement in Community programmes and agencies would become a part of a global strategy of bringing the ENP countries closer to the EU, the strategy which *a priori* would not exclude future membership, or a side-payment for the resignation from ambitions and agreement for limited, sectoral cooperation, which would consti-

tute an ersatz of accession. Everything would depend on what *modus operandi* will be finally chosen by the European Union.

We can envisage two scenarios. In the first the Union would chose key areas in which cooperation with neighbouring countries would be beneficial. Participation in Community programmes would become a form of payment for agreement to integrate in the areas which have strategic importance for the EU. Integration in different sectors would proceed in a pragmatic way, without any synergy among them, regardless from a broader context and, more importantly, in a way divorced from any real, multi-faceted strategy of relations between the EU and the ENP countries. According to the second scenario, the involvement of ENP countries in Community programmes and agencies would become a part of a true strategy, which would aim at bringing the region closer to the EU. This strategy would allow the ENP countries to get acquainted with the functioning of the EU decision-making system. Such scenario, if materialized, in the future could also result in a more conscious, eventual membership of certain ENP countries in the Union.

From Poland's point of view we should try to use the possibility of gradual opening of certain Community programmes and agencies in order to promote the process of bringing the ENP countries closer to the European Union. If the Commission's initiative were to be treated seriously Poland should undertake a few concrete steps. First of all, in close cooperation with our neighbours, we should establish a list of common priorities. Such priorities should stem from a strategic vision of the relationship between the EU and ENP countries. Secondly, after formulating the list of such priorities, we should undertake an effort to convince our partners that a similar list should be worked out on the EU level, which would mobilize the Commission to implement its own initiative in a more active manner. In order to do that one should look again at the list of Community programmes and agencies. Maybe in the most important cases, one should also consider

The possibility
of involving the EU neighbours in Community programmes and agencies should become a part of a global strategy of bringing the ENP countries closer to the EU, which a priori would not exclude future membership. Currently it is rather perceived by many as a form of side-payment for the resignation from ambitions and agreement for limited, sectoral cooperation, which would constitute an ersatz of accession.

the possibility of lobbying in order to change the existing regulations or decisions on the basis of which the current programmes or agencies function, so as to allow for a greater degree of openness.

Thirdly, we should reflect on how to finance the participation of ENP countries in Community programmes. We should aim at the greatest possible flexibility in the way the money from the ENPI is spent and facilitate the possibility of securing credits from EBRD and EIB. Maybe we should go even further. In the coming years we should also consider the option of partial financing of certain ENP initiatives from the Community internal programmes. We could also think about the creation of a special fund, to which member states could contribute voluntary donations. The Commission's Communication seems to go in the right direction, as it proposes increasing the spending earmarked for the East EU neighbours through revamped ENPI. However, in the times of financial crises such innovative ideas may be very difficult to agree on.

The initiative to open the biggest possible number of Community agencies and programmes to the participation of neighbourhood countries constitutes a good starting point for the discussion about bringing our partners closer to the EU. Let's hope that involving our partners in our undertakings will become the means to realize the end, not the end in itself.

(March 2009)

DR. RAFAŁ TRZASKOWSKI – *senior research fellow at Natolin European Centre*

¹ European Commission, Communication from the Commission on the general approach to enable ENP Partner Countries to participate in Community Agencies and Community Programmes, Brussels, 4.12.2006, COM (2008), 724 final.

² European Commission, Communication from the Commission, Eastern Partnership, Brussels, 03.12.2008, COM (2008) 823.