



**Parliament of Romania
Chamber of Deputies
Committee on European Affairs**

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**Opinion
on the Joint Communication of the European Commission and of the High
Representative for foreign affairs and security policy to the European Parliament, the
Council, the European Economic and Social Committee and the Committee of the
Regions
Review of the European Neighbourhood Policy – JOIN (2015) 50**

Pursuant to the provisions of Art. 170 (1) of the Chamber of Deputies Regulations republished, the Committee on European Affairs and the Committee on Foreign Policy were seized to examine on the merits the Joint Communication of the European Commission and of the High Representative for foreign affairs and security policy to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Review of the European Neighbourhood Policy – JOIN (2015) 50.

Having regard to:

- The draft opinion adopted by the Committee on Foreign Policy,
- The report drafted by Mrs. Ana BIRCHALL, President of the Committee on European Affairs,
- The Note of the Ministry of Foreign Affairs,
- The Note of the Romanian Intelligence Service,
- The messages of the Representation of Romania to the European Union,
- The contributions of the participants in the public debate on the “*Eastern Partnership in the New European Neighbourhood Policy*”, organised on 29 March 2016 and the conclusions of the debate,
- The report on the review of the European Neighbourhood Policy (2015/2002(INI)) of the Committee for External Affairs of the European Parliament,
- The European Parliament Resolution on Association Agreements/ agreements on a Deep and Comprehensive Free Trade Area (2015/3032(RSP)),
- Council conclusions on the Review of the European Neighbourhood Policy – Council

Foreign Affairs, 14 December 2015,

- Information Sheet and the contributions of the Directorate for European Union – Chamber of Deputies,
- The contributions of our Secretariat,

1. *The Committee on European Affairs notes* that the developments in the region since 2004, and especially those in the recent years, have demonstrated that the European Neighbourhood Policy (ENP) has not always been able to react promptly and adequately to rapid changes and difficult circumstances;

The Committee on European Affairs notes that ENP has faced serious challenges in meeting its main objectives to promote peace, stability and prosperity; consequently, ENP needs a readaptation/review process;

2. *The Committee on European Affairs believes* that the neighbourhood policy should be fully cohesive and in line with the Global Strategy on Security under development; the *Committee on European Affairs highlights* that the necessary changes are a matter of substance, of concept, not only a matter of form and nuances;
3. *The Committee on European Affairs recalls* that until 2008 we witnessed a EU policy of export of values and influence, of transformative power and of soft power which led to significant effects of the enlargement policy and of the neighbourhood policy, by increasing the attractiveness of the European Union; that European Union was extrovert and solidary with its neighbourhoods, even though the neighbourhood policy has been constantly underfunded;

After the sovereign debt crisis, the Russian Federation's withdrawal from the Treaty on Conventional Armed Forces in Europe in 2007 and the events in Georgia, we noted an implosion and a renewed focus on the internal issues of the European Union, which determined the temptation of individual salvation for the citizens of neighbourhood states and a decrease in the attractiveness of the European Union;

4. *The Committee on European Affairs notes* that although two years ago NATO shifted from a peace to a crisis approach, the European Union maintains an inertial peace leadership, inclined to aggregated solutions at a wider society, implemented by lengthy and thorough processes, obviously inadequate in times of major crises, overlapping and interdependent crises, with a major public impact;

The Committee on European Affairs believes a crisis leadership is in order, a leadership which is able to provide efficient and timely management of important themes and crises and to inspire the trust of European citizens;

The Committee on European Affairs underlines that discouragement of cyber components or information war in which Europe, as well as the states from its Eastern border are already engaged in, is less costly than the actual war, both from a military and civil war perspective;

The Committee on European Affairs believes that actual investment in neighbourhoods and in Europe itself should focus on these dimensions and should be reliable, inspiring trust both to the Member State, mainly from its Eastern border, but equally to the other countries included in the neighbourhood policy;

5. *The Committee on European Affairs acknowledges* with high concern the gravity and the exceptional nature of the crises from the neighbourhood of the Eastern borders of the European Union, both in the East and in the South, expressed by the death of hundreds of thousands in wars, shipwrecks and terrorist attempts and *appreciates* there is a significant risk that loss of lives should continue;
6. *The Committee on European Affairs believes* that the European Union cannot be blame for this situation, on the contrary, the Union has managed to mitigate conflicts and save lives; as a commendable global actor, peace-maker and negotiator with very high quality and moral standards, The European Union cannot and should not respond to violence in a primitive manner, but should strengthen its capacity of timely response and intervention, including its military capabilities, in order to deter those criminal groups and the countries which consecrated “barbarism” as long-term political strategy;

At the same time, information campaigns proportionate to the European Union’s ambitions as a global actor should be organised, to counteract the propaganda of the destabilising forces from South and East and to present the benefits of the association with the European Union;

The Committee on European Affairs believes that an example of poor communication can be found in the very text of the Communication: “*Poverty, inequality, a perceived sense of injustice, corruption, weak economic and social development and lack of opportunity, particularly for young people, can be roots of instability, increasing vulnerability to radicalisation*” and *asks* the European Commission and the High Representative to nuance such statements, as the horrific crimes committed by terrorist may under no circumstances be relativised by economic or social justifications, as they cannot be even explained;

7. *The Committee on European Affairs notes* that since it was launched, 12 years ago, ENP has been an instrument designed to determine partners to come closer to the European values and prosperity and that it was not designed to operate in such grievous situations as described above;
8. *The Committee on European Affairs recalls* that in all its opinions and analyses it has maintained that the right to life ranks first in the human rights hierarchy and that all EU policies and actions should view the right to life as leading priority and *maintains* this approach;
9. *The Committee on European Affairs notes* that the current ENP review is the most comprehensive form of this policy since its commencement and that the review has decreased the transformative ambition of the EU, has introduced an adjustment of policy-making to the neighbourhood realities and has marked a shift from the enlargement approach, adopting a pragmatic approach;
10. *The Committee on European Affairs further believes* that the accession perspective should be maintained for the associated countries from the Eastern Europe, especially since this cannot be accomplished by bilateral relationships of the EU Member States with the partner states; this type of major offers may influence favourably the European option of the associated states and are part of the EU “attractiveness” strategy;
11. However, *the Committee on European Affairs regrets* the emphasis placed by some Member States on the neighbourhood policy, counterweighted by the lack of support

for the accession perspective of Eastern partner countries which make progress in getting closer to the Union;

12. *The Committee on European Affairs supports* EU's commitment to the neighbourhood partners which concluded Association Agreements and Free Trade Agreements and *salutes* further promotion of enhanced and differentiated commitment of the EU to the Eastern Partnership countries which advance on the path of democratic reforms; however, the *Committee on European Affairs signals that, after the annexation of Crimea*, the Eastern Partnership can no longer contribute to solving large scale issues, but only punctual issues;
13. *The Committee on European Affairs is of the opinion* that the ENP review should provide an integrated and comprehensive approach on all EU policies and actions on the neighbourhood, namely the cohesion policy through the Cross-Border Cooperation component, the development cooperation policy, the enlargement policy as well as the Black Sea synergy, as a regional cooperation initiative and as a forum for dialogue, and the Danube Strategy;
14. *The Committee on European Affairs believes* that the EU support for the Eastern partners which concluded Association Agreements compels them to achieve the reforms they assumed, regardless the alteration of the social background through external interventions which comprise all possible pressure methods and enjoy excessive funding; the *Committee on European Affairs believes* that the response to the resources employed by the Russian Federation to destabilise the Republic of Moldova, Ukraine and Georgia should consist in adequate support measures and mechanisms, in line with the specific standards and values of the European Union;
15. *The Committee on European Affairs salutes* the ratification of the Association Agreement between the European Union and the Republic of Moldova, as well as the Council's recommendations of 15.02.2016 to the Republic of Moldova to accelerate reforms, especially those aimed at addressing depolitisation of public institutions, fighting systemic corruption, independence of the judiciary and of the law enforcement authorities, resolving the cases of fraud which affected its banking system in 2014 and recovering the diverted funds; the *Committee on European Affairs encourages* pro-European politicians in Chişinău to re-launch the Republic of Moldova as the "success story" of the neighbourhood policy, through unity, options of general interest and morality;
16. *The Committee on European Affairs salutes* the entry into force, on 1 January 2016 of the Association and Free Trade Agreement between the European Union and Ukraine and expresses hope that the referendum planned for 6 April 2016 in the Netherlands will not affect the ratification process; the *Committee on European Affairs regrets* the political instability in Ukraine, deepened by the lack of unity within the Government, the cyber attacks, the debt created by the cease of payments to the Russian Federation and especially by the slow pace of reforms;
17. *The Committee on European Affairs salutes* the progress mentioned by the last reports of the Commission in December 2015, indicating that Georgia and Ukraine currently meet the requirements provided by the action plans on visa liberalisation and *expresses hope* that both the Council and the Member States will approve the visa-free for the two countries as soon as possible;
18. *The Committee on European Affairs shares* the opinion expressed in the Report on the Review of the European Neighbourhood Policy (2015/2002(INI)) of the

Committee on Foreign Affairs of the European Parliament that the EU should design effective mechanisms to support partners countries affected by repressive measures, by commercial constraints or by direct military aggression from third countries;

19. *The Committee on European Affairs* believes that the associated countries, i.e. the Republic of Moldova, Georgia and Ukraine should be the beneficiaries of the most important part of this policy, which should include also the European integration perspective, hence the turn of the neighbouring policy into a future enlargement policy;
20. *The Committee on European Affairs* notes that Romania is among the most active Member States to ensure a prominent role of the ENP on the European Union agenda;
21. *The Committee on European Affairs* believes that Romania can provide advice and support to the Republic of Moldova, Georgia and Ukraine in the implementation of the Association Agreements, thus promoting the EU interests on the Eastern flank, more concretely being able to provide expertise especially in the fields of energy, administration, good governance, justice, banking system and economy;
22. *The Committee on European Affairs* reminds that the Neighbourhood Policy and the Eastern Partnership will be calibrated against the European Security Strategy, to be adopted by the European Council in the summer of this year;
23. *The Committee on European Affairs* supports the proposals on the development of the security component and enhancing cooperation with partners states on aspects related to the reforms of the security system, prevention of conflicts, annihilation of terrorist, organised crime and human trafficking networks, and counterbalance of extremist/radical trends in those countries;

However, *the Committee on European Affairs* notes that the new focus on security and migration deepens the existing challenges to coherence, as any efficient ENP contribution in these fields will require intense coordination with various players from the European Commission, the European External Action Service, Member States, EU agencies and relevant international organisation;

24. *The Committee on European Affairs* maintains the need for a strategic approach on the ENP, balanced between the Mediterranean and Eastern components but implemented in a distinct manner, based on the principles of differentiation and accountability, which should consider much more concretely the aspirations of each partner, the political will and the effective progress, especially in terms of rule of law, and independence and effectiveness of the judiciary;
25. *The Committee on European Affairs* remarks the distance taken by the new ENP from the “mai more for more” approach, due to the impossibility to make up for the lack of political will; *the Committee on European Affairs* doubts that “*more effective ways to make its case for fundamental reforms with partners*” will be identified in these cases;
26. *The Committee on European Affairs* appreciates that the new ENP formula is neither a full review of the old ENP nor a strategic vision on the EU’s relationships with its neighbours;

The Committee on European Affairs notes that, in its efforts for a more pragmatic tone, the new ENP should focus more on significant realities, such as the manner in which the EU should relate to the neighbours of its neighbours; bearing in mind the

uncertainty on the re-definition of relationships with, e.g. Russia, it is unclear whether the High Representative will be able to bring the necessary amendments in the EU global strategy on foreign and security policy, to be presented to the European Council in June 2016;

The Committee on European Affairs expresses concerns that, in the reviewed version, ENP seems to shift more to the traditional foreign policy, which involves only bilateral political and economic cooperation with third countries, to the detriment of promoting the European model;

27. *The Committee on European Affairs expresses reserves* to the appraisal that the new approach would be more realistic, as lowering the EU ambitions might generate a drawback from its very values and principles; in this case, one might say that achieving “*more effective partnerships*” is the equivalent of denying the underpinning values and principles of the Union;
28. *The Committee on European Affairs notes* that in the new version of the ENP, the partnership priorities could represent the common denominator between the EU and the partner states; the latter could choose an “*à la carte*” traditional external policy, avoiding the sensitive aspects of the ENP related to frozen conflicts, democracy and human rights;
29. *The Committee on European Affairs acknowledges* that, in order to simplify the ENP methodology, the annual progress reports should be replaced by a new type of assessment, focused on the achievement of jointly agreed objectives and that the country reports will focus on the jointly agreed objectives, while aspects related to European values will be assessed periodically in separate reports; the *Committee on European Affairs points out* the risk that, for want of clear conditionalities, some partner states might lower compliance with the European Union standards to unacceptable levels;
30. *The Committee on European Affairs supports* strengthening the mobility partnerships within the neighbourhood, including circular migration, which would open safe and legal routes for migrants, but only if the authorities of those partner states which are facing radicalisation elements prove full commitment to fight terrorism;
31. *The Committee on European Affairs appreciates* the idea of establishing dialogue and cooperation formats with the neighbours’ neighbours through the thematic frameworks, a concept which favours dialogue and cooperation in various cross-cutting fields; the *Committee on European Affairs acknowledges* that the key themes identified respond to the current challenges in the neighbourhood area, such as migration, energy, security etc.; the *Committee on European Affairs believes* it is useful that such ad-hoc discussion fora will bring together the stakeholders from the Eastern or Southern neighbourhood, and the UE Member States, the ENP countries and the regional partners, international financial institutions, international organisations and other donors;

However, *the Committee on European Affairs requests* clarifications on the level of institutionalisation of such frameworks, the relationship between the new frameworks and the existing cooperation platforms, e.g. those on energy within the Union for the Mediterranean and the Eastern Partnership or the Rabat and Khartoum processes in the field of migration;

The Committee on European Affairs indicates that by the establishment of parallel regional cooperation organic forms which exceed the framework of the Eastern

Partnership and of the Union for the Mediterranean, the old model of static formations of states grouped in the two platforms would have lower importance, so that it is not clear whether the new frameworks will supplement or will remove the old regional cooperation platforms;

32. If the Communication under analysis aims at a stronger focus on crisis prevention and management, the *Committee on European Affairs regrets* that no level of intervention at political, humanitarian and security levels was provided; the *Committee on European Affairs* notes that the European action within ENP may only adapt to the fact situation until it reaches a certain limit; the *Committee on European Affairs appreciates* that the absence of this level may be compensated by synergy with other policies; however, it *points out* that when the majority and the most serious aspects of the fact situation fall under the scope of other policies, the very usefulness of the ENP is open to debate;
33. *The Committee on European Affairs appreciates* that in order to create a more strategic ENP which should achieve the necessary balance between its values and its interests, UE the EU should:
- Support the variable geometry, by providing substantial financial and political incentives to high achieving partner states and by maintaining a simplified framework with the less ambitious neighbours,
 - Link more efficiently the policy agendas by strengthening the strategic and financial connections between ENP, common foreign and security policy and migration policy,
 - Maintain Member States' commitment by presenting a political roadmap with concrete proposals for thematic frameworks which should supplement the ENP multilateral frameworks.
34. Since the stabilisation of the partner states is the main priority of the Neighbourhood Policy for the next 3-5 years, the *Committee on European Affairs points out* that this objective requires an uncompromising positioning and the use of the entire diplomatic arsenal and political resources of the European Union, as well as the refrain of some Member States to block majority decisions;
35. *The Committee on European Affairs acknowledges* that stabilisation includes economic consolidation, but *points out* that the resources available to the EU until 2020 for its actions as “global actor” in the multiannual financial framework amount for only 6% of the total budget and cover all related programmes, including assistance for development and cooperation, therefore commitment to massive economic support actions will not be possible, and the partner states will have to build development strategies based on their own resources;

In this context, the *Committee on European Affairs believes* it will be very difficult to achieve certain statements of the Communication, such as: “*The policy should help make partner countries places where people want to build their future ...*” without substantial fund allocations;

The Committee on European Affairs notes that although the EU assistance for development and cooperation invested billions of euro in the neighbourhood states during the years, it has not produced the expected effects; therefore, the funds distribution framework should be reviewed, so that the states which use such funds improperly should no longer be funded;

The Committee on European Affairs proposes the integrated spending of budgets allocated to these policies, under EEAS coordination, as well as the use of thresholds and priority lists which should be compatible with the EU objectives in those geographic areas;

36. *The Committee on European Affairs consents* on the idea of a common framework for the development of relationships with both the Eastern and the Southern neighbourhood, but *rejects* the opinion that the reviewed ENP should remain the sole framework for the EU relationships with the entire ENP region, because, when confronted with the resistance of a regional power which is highly involved both in the East and in the South, it is not certain that the new ENP will manage to achieve its major objectives; in case the ENP is not successful, other regional cooperation instruments and platform should remain active, such as the Black Sea Synergy, whose objectives are complementary to the ENP objectives;

37. *The Committee on European Affairs believes* that a quantitative approach to determine the intensity of the EU action and the resources allocated, possibly based on the number of victims or on the number of inhabitant would be at the disadvantage of the Eastern partner states, which are closest to the European values and may reach faster the EU standards on the rule of law and good governance; *the Committee on European Affairs appreciates* that ensuring the Eastern flank of the Union could be the key to success in the Southern flank as well; therefore, it *rejects* the option that the allocations should be made using the algorithm “two thirds for South, one third for East”, which would mean a breach of one of the basic principles of the Neighbourhood Policy, namely to apportion allocations based on reform success and human rights observance;

The Committee on European Affairs believes that the European Union cannot compromise when its values are at stake, that it should avoid creating double standards in relation to the neighbourhood states and that the future ENP should provide an integrating regional platform to debate human rights issues, in accordance with its fundamental principles;

38. *The Committee on European Affairs salutes* the consistent firm and united position of the European Parliament regarding the sanctions on the Russian Federation and the evaluation of the EU relationships with the Russian Federation, against the full enforcement of the Minsk Agreements;

The Committee on European Affairs believes that the position of some Member States on the review of sanctions is an obvious dissonance with the commitments assumed by those states to the European Union;

39. *The Committee on European Affairs notes* that the Russian Federation has earned *de facto*, through its aggressive behaviour in the past years, a “veto power” in the European Union actions, which means that certain processes will only be implemented with the acceptance of the Russian Federation;

Since the Russian Federation controls the situation in Syria and the East of Ukraine through a mix of military means, forceful policy and subversive actions and attempts to destabilise the partners in the EU neighbourhood and the European Union itself, *the Committee on European Affairs recommends* that the European Commission and the High Representative should publish a report on the foreign policy objectives of the European Union, including the ENP objectives, which cannot be achieved due to

the Russian Federation policy; the report should also include proposals for solutions for each of those hostile actions.

The Committee on European Affairs, convened for the meeting of 31 March 2016, in the presence of 14 of the 22 members, decided unanimously to adopt this opinion which will be submitted to the Standing Bureau of the Chamber of Deputies, to finalise the parliamentary examination procedure.

The Committee on European Affairs proposes the Opinion should be submitted to the Government of Romania, as advisory document for establishing the national position on the matter.

The Committee on European Affairs proposes the European Union institutions should be informed on its observations and recommendations, as a contribution to the development of efficient policies in the field.

At the same time, the Committee on European Affairs proposes that its observations / recommendations should be submitted to the European Commission, within the informal political dialogue proposed by the European Commission in the Communication “Delivering Results for Europe”, COM(2006)211.

President,
Ana BIRCHALL

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