



## **A contribution by the Secretariats of COMECE and Justice and Peace Europe to the public consultation:**

### ***“Towards a new European Neighbourhood Policy”<sup>1</sup>***

#### **1. General considerations**

##### *1.1 Should the European Neighbourhood Policy be maintained?*

As enshrined in **Article 8 TEU**, the European Union has the legal **obligation** to work towards transformation of the neighbourhood into a zone of *stability, peace and prosperity* by developing a *special relationship* with its neighbouring countries. This relationship shall be “*founded on the values of the Union and characterised by close and peaceful relations based on cooperation*”.

Moreover, it is natural that maintaining a specific policy field targeting the challenges in EU's immediate as well as wider neighbourhood lies in EU's own interest, too. Socio-economic and security challenges in neighbouring countries may have **direct implications for the EU itself and its member states**, be it, for example, in the domain of security, trade or migration.

If the EU wants to **become a strong actor on the global scene**, it is necessary that it first takes its responsibilities in its own neighbourhood. The ENP review process should strive for creating a **policy which is based on mutual, common and truly shared interest** and is underpinned by a sense of **collective responsibility** of the EU, its member states and the neighbouring countries for making the European continent an area of lasting peace and prosperity.

#### **2. Areas of concern as identified by the Joint Consultation Paper:**

##### **2.1 Differentiation**

###### *2.1.1. Should a single framework continue to cover both East and South?*

Exchanges with our partners from the neighbourhood, such as the *Institut Catholique de la Méditerranée*, have shown that the neighbouring countries would wish to incorporate **a greater degree of differentiation** within the current framework of the European Neighbourhood Policy (ENP), even within its two regional dimensions (Eastern Partnership (EaP) and the Union for the Mediterranean (UfM)).

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<sup>1</sup> JOIN(2015) 6 final.

Due to differing interests, needs, ambitions and levels of socio-economic development, a single conceptual framework with its conditionality principle offering a “**one-size-fits-all**” package for both the Southern and Eastern neighbours is **not adequate** anymore. The future orientation and the design of the ENP should not only follow geographical patterns, but also **better reflect the substantial and contextual** aspects.

*2.1.2 Is there scope within the ENP for some kind of variable geometry, with different kinds of relationships for those partners that choose different levels of engagement?*

The EU must respect the choices and the levels of aspiration of its neighbouring countries. As outlined above, the future ENP must allow for a far greater degree of differentiation in EU's relations with each of them. Whereas the relationship with a country interested in a closer political association and economic integration with the EU should be intensified by offering it an “**ENP plus**” package (see answer 2.1.3 below), the new multi-tier structure of the ENP should make it possible to seek ways of cooperation also with other neighbouring countries that only show interest in a loose relationship with the EU. Such an “**ENP light**” package could include participation in ENP projects and “people-programmes” in areas, such as education, culture, civil society building, health sector reform, rural development, poverty reduction, transport and infrastructure as well as environment.

The **Summit meetings** bringing together the EU Heads of State and Government with those of the partner countries should be **maintained** and intensified, without excluding meetings at lower levels, since they are an important channel for overall cooperation and communication. However, in the light of the different levels of integration and ambition, and the difficulties in finding a common ground for joint declarations, it might be advisable to **divide** the meetings **in two parts** – the first part only including the countries interested in a close relationship with the EU, and the second part involving also the other neighbouring countries.

*2.1.3 Should the EU gradually explore new relationship formats to satisfy the aspirations and choices of those who do not consider the Association Agreements as the final stage of political association and economic integration?*

For neighbouring countries whose aspirations and choices in terms of their approximation towards the European Union go beyond the scope of an Association Agreement, it would be necessary that the EU defines a **clear vision of the long-term form of relationship** with these countries.

The European Parliament<sup>2</sup> has acknowledged for Eastern partners with Association Agreements that these “*do not constitute a final goal*” in their relations with the EU, and that they “*pursuant to Article 49 TEU (...) - like any other European state - have a European perspective and may apply to become a member of the European Union*” provided that they comply with the necessary requirements.

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<sup>2</sup> See the European Parliament Resolutions of 13 November 2014 on the AA with the Republic of Moldova (P8\_TA-PROV(2014)0049), of 18 December 2014 on the AA with Georgia (P8\_TA-PROV(2014)0110) and of 15 January 2015 on the AA with Ukraine (P8\_TA-PROV(2015)0011).

The EU Heads of State and Government have, however, so far failed to find a consensus on clearly defining a long-term “accession perspective” - chance to apply for candidacy to the EU – for the partner countries that have expressed their wish to reach the final stage of integration in the form of EU membership.

In the light of the current geopolitical environment and the effort not to put the stability of the region at risk, the exercise of a policy of “*strategic patience*” might be understandable. However, in order not to discourage willing partner countries from pursuing further reforms and not to undermine the credibility of the Union’s policy, it is inevitable that the EU sooner or later unambiguously defines its long-term expectations with regard to the partner countries.

Once a long-term EU accession perspective for a partner country has been identified, it would be appropriate if the ENP was better integrated with the **Enlargement policy**. For this country, a **model similar to accession process** should be designed in order to prepare it better in the long-term for the potential future EU membership. While such an “**ENP plus**” package should uphold the principle of conditionality, this should go hand in hand with an increase of financial resources provided to the partner country for the implementation of the necessary reforms.

Nevertheless, even with regard to partner countries, that are outside the scope of Article 49 TEU, but are interested in a close political association and economic integration with the EU, backed by a strong public support, it is important that the revised ENP offer them a **privileged partnership** including advanced Association Agreements, privileged access to performance-relatory budgetary funds and extensive possibilities of participation in EU agencies, programmes and institutions.

#### *2.1.4 Should the current geographical scope be maintained? Should the ENP allow for more flexible ways of working with the neighbours of the neighbours?*

Geographical proximity might not be the only indicator for the importance of a relationship. For solving **complex issues** related to areas, such as trade, energy, migration, security or counter-terrorism it is necessary to **define a broader concept** which takes into account the relations and allows for cooperation with the neighbours of our neighbours (such as the Horn of Africa, Sahel, Central Asia, Russia) as well as other relevant regional actors (such as the League of Arab States, African Union, Organisation of the Islamic Conference, OSCE, the Council of Europe).

Addressing the **challenge of migration** might be one of these examples. The role of the ENP in this respect should be reinforced and its potential fully used, as the EU will have to increase its cooperation with countries of origin and transit as part of an **integrated, holistic approach** strengthening the coherence between EU’s internal and external policies. EU action on migration will need to go beyond a reactive and defensive „Home affairs“ approach and move towards a **forward-looking and strategic approach** including enhanced **cooperation** with affected third countries, in particular Syria, Iraq, Eritrea, Egypt, Somalia, Libya, Central African Republic and South Sudan. Such an approach should also include addressing the **root causes** of migration by increasing

investment in inclusive development, decent work and social protection in the countries of origin so that migration becomes an option and not a necessity. Also cooperation in **rescue operations** with neighbouring countries should be fostered, without shifting the responsibility solely to the neighbouring countries.

Moreover, as the developments since the 3rd Eastern Partnership Summit in Vilnius in 2013 have shown, the ENP does not only concern the relationship of the EU with its neighbours but it has gained a **wider geopolitical contour** affecting also the relationship with the neighbours' neighbours.

In order to **mitigate geopolitical tension**, it would be important to avoid the perception of the ENP as a "zero-sum-game" and to focus more on **trust-building** measures and **political dialogue**. A possible way forward could be the consideration of opening talks with the Eurasian Economic Union in order to enhance the compatibility of EU's Association Agreements, incl. the Deep and Comprehensive Free Trade Area, with this Eurasian integration project, especially given that two of the Eastern partner countries are also members of this union.

Thus, while the focus of the revised ENP should remain on EU's geographical neighbours, the new framework should also allow for strategic considerations beyond, including a **Strategy on the Neighbours of the EU's Neighbours**.

*2.1.5 Is the multilateral dimension able to deliver further added value? Are these formats fit for purpose? How can their effectiveness be strengthened? Can we more effectively use other, more flexible frameworks?*

The new approach to ENP should find the **right balance between a bilateral, (sub-) regional and multilateral approach**. The two permanent regional blocks (EaP and UfM) should be kept as an **overall framework maintaining a certain degree of unity**, while allowing, however, for a sufficient degree of sub-regional dynamics and the possibility of involving also countries lying beyond the current ENP structures. For dealing with complex issues, such as security or migration, an approach merely based on bilateral relations will not be efficient.

The new ENP framework should thus entail more flexible **differentiation patterns within and also beyond the two current regional frameworks** (EaP and UfM) by foreseeing the possibility of creating **alliances on an ad-hoc basis** between the EU as such, or some of its member states, and the respective partner countries or groups of countries. These alliances could focus on some specific areas or sectors where **shared interest** has been identified. An example of such a (sub-)regional form of cooperation could be to work on a Common Security/Migration Strategy for the Mediterranean or engage in joint projects concerning Energy security or Technology and Science, drawing lessons from the Energy Community Treaty, European Common Aviation Area, Mobility Partnerships.

A possible format for such a multilateral cooperation in the South could be based on the experiences from the Euro-Arab dialogue launched in the 1970s as well as the Mediterranean Cultural Forum of 2008 (*"Forum des Etats Généraux Culturels*

*Méditerranéens*“). In this respect, an enhanced cooperation in a “**5+5+5 format**” (Mediterranean Europe + Maghreb + African Sahel ) could be envisaged.

In the East, a possible multilateral cooperation should include a better use of the potential which the **Visegrad Group**<sup>3</sup> could offer to advance regional cooperation with the Eastern neighbouring countries in various sectors.

This form of multilateral cooperation could also **enhance the involvement of EU member states** in the design and implementation of the ENP, which - so far - has rather been lacking.

## **2.2 Flexibility**

*2.2.1 Are the Association Agreements and DCFTAs the right objective for all or should more tailor-made alternatives be developed, to reflect differing interests and ambitions of some partners?*

As regards the **tools** of the reviewed ENP, a shift from a mechanistic to a more **tailor-made individual** approach is necessary.

The choice of the particular tools for each neighbouring country should take into consideration various aspects, such as in particular the **interests** and needs of the EU and those of the neighbour, the **attitudes of the whole society** not only those of the political elite, the extent to which the tools constitute **incentives** for neighbour's commitment to **reforms**, the level of **ambition and choice** for the intensity of the relationship, and not least the **geopolitical** environment. The tools should always be agreed following a preceding proper **dialogue** with the country concerned.

*2.2.2 How can the EU engage more effectively and respond more flexibly to developments in partner countries affected by conflict situations? What tools would the EU need to respond more effectively to fast-changing developments in the neighbourhood?*

In view of the rapidly changing environment in EU's neighbourhood, it is important that the reviewed ENP develops a toolkit for both **rapid response** as well as **long-term strategy**.

For enabling the EU to become a security provider in its neighbourhood, the revised ENP must no longer be isolated but **tied more closely to EU's broader foreign policy**. **Better coherence** must be ensured between the ENP and other EU foreign policy goals as well as with the external dimension of other relevant EU policies, such as in the area of freedom, security and justice.

The integration of the ENP into the wider EU foreign policy will require a better and more **systematic coordination** between the High Representative/Vice-President, the

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<sup>3</sup> The so-called Visegrad Group consists of Hungary, Slovakia, Czech Republic and Poland.

Commissioner for the Neighbourhood Policy and Enlargement Negotiations and other respective Commissioners.

A step in this direction could be the appointment of a **special envoy for the East and the South** who could contribute to a better coordination of the revised policy.

*2.2.3 How should the ENP address conflicts and crises in the neighbourhood? Should CFSP and CSDP activities be better integrated in the ENP framework? Should it have a greater role in developing confidence-building measures and post-conflict actions as well as related state- and institution-building activities ?*

In view of the ongoing crisis in Ukraine, the “frozen conflicts” in some Eastern regions as well as the instability in the Middle East and the advance of terrorist groups at EU’s Southern borders, the revised ENP will have to **fit better into EU’s comprehensive approach** to external conflict and crisis as outlined in the Joint High Representative-Commission Communication<sup>4</sup> of 11 December 2013 and the Foreign Affairs Council Conclusions<sup>5</sup> of 12 May 2014.

In particular, it is necessary that the ENP be better **integrated with the Common Security and Defence Policy (CSDP)**. In this respect, the revised ENP should better contribute to conflict-prevention and conflict-transformation by providing tools for developing confidence-building measures, ensuring inclusive transition processes and post-conflict actions including state- and institution-building activities and reconciliation initiatives.

This role of the ENP should also be reflected in the ongoing debates on the review of the European Security Strategy.

## **2.3 Focus**

*2.3.1. Does the ENP currently have the right tools to address the priorities on which you consider it should focus? What new tools could be helpful to deepen cooperation in these sectors? How can the EU better support a focus on a limited number of key sectors, for partners that prefer this?*

The **fields identified** in the Joint **Consultation Paper** - *trade, economic development, connectivity, security, governance, migration and mobility, environment, young people and women* - are certainly areas that have a **potential for increased cooperation** between the EU, its member states and the countries in the neighbourhood.

For the revised ENP framework it would be important that it shifts away from the current model covering a **wide range of sectors** with every country. This approach should **only** be maintained **with** those **countries** that are **willing and able** to do so.

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<sup>4</sup> The EU’s comprehensive approach to external conflict and crisis (JOIN(2013) 30 final) of 11.12.2013.

<sup>5</sup> 3312th Council meeting “Foreign Affairs“ (9542/14), 12 May 2014.

As a general principle, areas of **truly shared interests** need to be identified with each country or group of countries through a regular and thorough **dialogue** and the focus of the cooperation (bilateral or regional according to the relevance of the sectors concerned) should be narrowed to such areas only in order to make the partnership as efficient as possible.

The revised ENP should be **integrated within** the full array of already existing **EU instruments**. In the sense of creating a “**Common Neighbourhood Area**“, the **participation** of interested ENP countries **in EU programmes** should be further enhanced. This could include areas such as trade, financial support for humanitarian, socio-economic purposes, for the civil society, counter-terrorism cooperation, and programmes, such as Erasmus+, Horizon 2020, Creative Europe, Europe for Citizens, EUROPOL, and not least the European Energy Union.

**Joint, win-win projects** between the EU or some of its member states, and the interested neighbouring countries should be promoted, for example concerning renewable energy initiatives and the fight against pollution.

Nevertheless, however narrow the focus of cooperation might be, the importance of **protection and promotion of Human Rights, including Religious Freedom**, in EU’s relations with its neighbours must never be neglected. Strategic interests should never overshadow the concern for the protection and promotion of Human Rights in each partner country, including the rights of minorities and vulnerable groups. Any application of double standards in this respect puts the coherence of EU’s Human Rights policy, and not least, its credibility at stake. Any instruments of cooperation, including trade agreements, should therefore contain **effective safeguarding and monitoring mechanisms** for the protection of Human Rights.

*2.3.2 How can the ENP do more to foster religious dialogue and respect for cultural diversity and counter prejudice? Should increasing understanding of each other’s cultures be a more specific goal of the ENP and how should this be pursued?*

An important area on which the revised ENP should lay a particular focus is **interreligious dialogue**. According to recent reports<sup>6</sup>, religious minorities face serious restrictions and violations of their right to Religious Freedom in several of the current ENP countries both in the East and the South, not to mention the religiously motivated atrocities committed by the so-called Islamic State in the Middle East. This only underlines the necessity for the ENP to devote a particular attention to the question of Freedom of Religion or Belief (FoRB) and to fostering mutual respect and understanding.

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<sup>6</sup> See for example the “2014 Annual Report on the State of Freedom of Religion or Belief in the World“ by the *European Parliament Intergroup on Freedom of Religion or Belief and Religious Tolerance*; <http://www.religiousfreedom.eu/file/2015/06/2014-Intergroup-Report-FINAL.pdf> ; or the report of *Human Rights Without Frontiers International* “Freedom of Religion or Belief Annual Report 2014: In Prison for Their Religion or Beliefs“ <http://www.hrwf.org/images/reports/2014/Prisonerslist2014.pdf> .

Without prejudice to the existing *EU Guidelines on Freedom of Religion or Belief*<sup>7</sup> that contain a number of specific steps for the EU to apply in its foreign policy and that should also be utilized for EU's action in its relations with the neighbouring countries, the ENP should offer a framework that **facilitates the dialogue between** different religious communities in the region. Moreover, it should also be ensured that the EU and the neighbouring countries maintain a regular dialogue **with the religious leaders and representatives**. In the legal framework of Article 17(3) TFEU, a dialogue process bringing together the political representatives of the EU and those of the neighbouring countries with the respective representatives of Churches and religious communities represented in the neighbourhood could be initiated and devoted to issues that are pertinent to the neighbourhood.

### *2.3.3 What further work is necessary in the area of Visa liberalisation and Visa facilitation process?*

Visa facilitation/liberalisation has proved to be an efficient tool for reform. The experiences of our partners show, however, that further work would be required on advancing the Visa facilitation process, in particular, when it comes to short stay visa. The current framework is not very favourable to mobility in particular of young people who wish to come to Europe for a short learning experience, a seminar or a conference.

**Facilitating the visa procedures and dismantling unreasonable administrative barriers for short-term visits** would be necessary to encourage more mobility, exchanges and networking between people from the neighbourhood and EU-citizens.

### *2.3.4 How can the EU do more to support sustainable economic and social development in the ENP countries? How can we empower economically, politically and socially the younger generation?*

In order to contribute to increased prosperity and employment in the partner countries, one of the priorities of the ENP should be the creation of **new trade and investment opportunities** and the improvement in **the business environment** across the whole region. In particular, this should include providing **support for micro, small and medium-sized enterprises (MSMEs)** that are important factors for **job creation**.

However, the ENP and its development dimension should **not only be based on** indicators of **economic growth**, but must also take into account the increased demand for **social justice, socio-economic rights and human dignity**.

In this respect, one key area of focus should certainly be **education and professional formation**. The ENP should support the creation of quality training courses and promote educational policies that contribute to integral development of the person by encompassing formation, information, technology and values.

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<sup>7</sup> Adopted by the Foreign Affairs Council on 24 June 2013, [http://eas.europa.eu/delegations/fiji/press\\_corner/all\\_news/news/2013/eu\\_guidelines\\_on\\_the\\_promotion\\_and\\_protection\\_of\\_freedom\\_of\\_religion\\_or\\_belief\\_%28june\\_24\\_2013\\_fac%29.pdf](http://eas.europa.eu/delegations/fiji/press_corner/all_news/news/2013/eu_guidelines_on_the_promotion_and_protection_of_freedom_of_religion_or_belief_%28june_24_2013_fac%29.pdf)



## 2.4 Ownership

*2.4.1 Can the structures of the ENP be made more cooperative, to underline the partners' own choices and to enable all civil society actors across partner countries to take part? Can ways of working be developed that are seen as more respectful by partners and demonstrate a partnership of equals?*

In order to avoid the perception of the current ENP framework as being too eurocentric and patronising towards the countries in the neighbourhood, a principal step should be to consult and **debate extensively** with each neighbouring country about **the kind and intensity of relationship** with the EU it would prefer (as a neighbour, partner, ...).

Moreover, the general and undifferentiated application of the “**more for more**” principle might be **reconsidered** in this respect since it does not contribute in its current form to a sense of an equal relationship. In addition, the shortening of support for governments that are not willing to undertake the required reforms may negatively affect the civil society. The **support for civil society** in the partner countries should therefore be **de-coupled from the commitments** of the respective governments.

Engaging interested partner countries in EU's own policies and granting them **observer status in** respective **EU bodies** and institutions could also contribute to a greater sense of **solidarity, shared-vision and co-ownership of the ENP**. In addition, the existing **joint institutions, platforms, working groups and initiatives**, such as the *Euronest Parliamentary Assembly*, the *EaP Civil Society Society Forum*, the *UfM Parliamentary Assembly* and others, should be **upgraded** and **further extended**.

The civil society in its widest sense should be more strongly involved in the ENP policy-making process. **Inclusion** of members from **civil society in the Summits** could be one example.

*2.4.2 How should the ENP further develop engagement with civil society in its widest sense? Can more be done to network different parts of the partner populations? What can be done to promote links between scientific communities, universities, local authorities, women, youth, the media?*

The relations between the EU and its neighbourhood must go further than traditional mechanisms of regional cooperation and must be cemented by **dialogue, mutual awareness and understanding** not only among states and institutions but also among the societies and people.

The role of the society as the main driver for positive change in the neighbouring countries must be acknowledged and strengthened. Therefore, the dialogue process must be **inclusive and comprehensive**. It must not only encompass high-level meetings and summits but reach **all levels of society** and involve *inter alia* state actors, including the political opposition, non-state actors, civil society, local and regional actors, businesses, workers' unions, religious representatives and different minority groups.

**People-to-people contacts** must be strengthened in order to give the ENP a **human dimension**. The ENP should provide **adequate platforms for inter-cultural exchange** and promote a **culture of participation** of broad layers of society.

The relevant **tools** should comprise **cross-border educational projects, peer exchanges** in a broad range of areas, **enhanced** possibilities for **mobility** and promotion of **responsible and critical** thinking of the **media** by supporting journalists' training, facilitating the exchange of information and establishing a cross-border network of journalists from the EU as well as the neighbouring countries. An **opinion poll** according to the example of **Euro-barometer** could be introduced in the ENP countries in order to better reflect the views of the broader public.

*Secretariats of COMECE and Justice and Peace Europe  
24 June 2015*

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**Name and type of the submitting organisations:**

The **Commission of the Bishops' Conferences of the European Community (COMECE)** brings together the Bishop delegates from Bishops' Conferences of the European Union's Members States. For more than thirty years now, *COMECE* has been closely involved in the process of European integration and offering its reflections to the EU institutions. *COMECE* is a partner of the EU institutions in the Dialogue foreseen by Article 17 (3) of the Treaty on the Functioning of the European Union. Its permanent General Secretariat, based in Brussels, analyses EU policies on a day-by-day basis, striving to bring the specific contribution of the Catholic Church into the European debate.

The **Conference of European Justice and Peace Commissions (Justice and Peace Europe)** is a European network of 31 national *Justice and Peace* Commissions mandated by their Bishops' Conferences to work for the promotion of global social justice, universal peace and respect for human dignity and human rights according to the Social Teaching of the Catholic Church. Its General Secretariat is based in Brussels where it works closely with the Commission of the Bishops' Conferences of the European Community (*COMECE*), in particular, in the area of external relations of the European Union.

**Contact details:**

COMECE 19, Square de Meeûs B-1050 Brussels Belgium  E-mail: <a href="mailto:comece@comece.eu">comece@comece.eu</a> Website: <a href="http://www.comece.eu">www.comece.eu</a> Tel: +32 2 235 05 10	Justice and Peace Europe 19, Square de Meeûs B-1050 Brussels Belgium  E-mail: <a href="mailto:secretary@jupax-europa.org">secretary@jupax-europa.org</a> Website: <a href="http://www.jupax-europa.org">www.jupax-europa.org</a> Tel.: +32 2 235 05 14
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