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INSTITUTIONALISING THE WIDER EUROPE

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SUMMARY

The Wider Europe has now become a prominent feature in European foreign policy discourse, prompted by the need for the enlarging EU to define its future relations with the rest of Europe and the arc of Arab-Islamic states to its south and east. The EU's first policy documents on this subject, however, have been thin in substance, mainly seeking to develop more active bilateral relations with countries such as Ukraine and Moldova. Yet at the same time the EU is discussing bilaterally just with Russia a set of common European policy spaces that should be at the heart of a Wider Europe policy. It is therefore argued in this paper that the EU should adopt a systematic approach to defining a complete set of seven common European policy spaces, with multilateral institutional developments to match, thus bringing together the bilateral and multilateral approaches. The overarching institutional mechanism should be through transforming the present very weak 'European Conference' into a seriously structured 'Pan-European Conference', led by a Coordinating Group consisting of the EU, Russia and a few other rotating places for non-EU states, with institutionalised linkages to the Council of Europe and other European multilateral organisations for the specific common policy spaces.

* Senior Research Fellow, Centre for European Policy Studies (CEPS), Brussels. This Policy Brief is also available in Russian translation from the CEPS website. A more general view of Wider Europe policy, as opposed the institutional angle in the present paper, is available in the author's CEPS Policy Brief No 39, *The Shaping of a Policy Framework for the Wider Europe*, September 2003 (accessible at www.ceps.be).

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1. Wider Europe enters on stage

As the ink has been drying this year on the 12 new Treaties of Accession to the European Union, the term 'Wider Europe' has swiftly entered into the discourse of European foreign ministers and the European institutions (with 'New Neighbours' and 'Proximity Policy' being used as alternative terms). No coincidence of course. Every enlargement has led to new developments in the EU's external policies. But this one is arguably the most important to date, since it confronts the question if not of the EU's final frontiers, at least of how the EU of 25, or 27 (plus Bulgaria and Romania) or possibly 30 (with Turkey, Croatia and Norway) will relate to the rest of Europe and its wider neighbourhood.

The topic is of strategic importance for the European Union, and also for Russia as the major non-EU actor on the European stage. The subject has been opened up by two documents from the European Commission,¹ complemented by Solana's security strategy documents (preliminary version of June,² final version forthcoming in December). The European Parliament now finalises its report on the same subject.³

But the content so far on offer from the EU is very thin, and focuses mostly on a little more hub-and-spoke bilateralism towards Ukraine and Moldova. The responsibility is given the Commissioner for enlargement, suggesting indeed that the main idea is some kind of faint derivative of accession negotiations. The Wider Europe initiative risks being a flop unless it is given more Wider European policy content and a credible institutional backup. But a flop would be more than a non-event, for two reasons.

First, it would risk boosting some worrying dynamics in the new Europe, namely the increasing polarisation between the two bilateral hub-and-spoke systems of the EU and Russia, as opposed to deepening the common European policy space. This would mean an increasingly tense EU-Russian relationship with respect to their interests in their overlapping near abroads. Symptomatic of these tensions are the contradictions between the EU-Russian endeavours to create a Common European Economic Space and the recent announcement by Russia, Belarus, Kazakhstan and Ukraine to form a Single Economic Space, while Ukraine is looking for a signal from the EU concerning its prospects for ultimate EU membership. Another example is seen in Moldova, where there is new EU interest in helping find a solution to the Transnistria problem. Moldova wants to join the South East European integration train, but Russia so far resists the EU coming seriously into the Transnistria

¹ European Commission, *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*, COM(2003)104 final, 11.3.2003; and *Paving the Way for a New Neighbourhood Instrument*, COM(2003)393 final, 1 July 2003.

² *Securing Europe in a Better World*, document submitted by J. Solana to the European Council, Thessaloniki, 19-21 June 2003.

³ European Parliament, draft report of the Committee on Foreign Affairs (rapporteur: Pasqualina Napolitano), *Wider Europe – Neighbourhood: A New Framework for Relations with Our Eastern and Southern Neighbours*, 2003/2018(INI), October 2003.

affair. Both of these situations, from trade policy to conflict resolution, cry out for cooperative European solutions involving the EU, Russia and the states that lie between.

Second, it would mean failing to realise the EU's unique potential for aiding the process of conflict resolution in the European South Eastern periphery, from the Balkans to the Caucasus. The EU's unique tool is the modern process of 'Europeanisation' beyond the states that are actively negotiating accession. By this one may mean that the force of the incentives coming from the EU to transform the former communist and fascist states of Europe in terms of common European values and standards would be ineffective beyond the accession process. The Wider Europe should be precisely about extending Europeanisation beyond the accession process, rather than a symbolic diplomatic gesture to the excluded.

2. Organisation of common European policy spaces

How to give substance to the Wider Europe slogan? The answer has to lie in a) the definition of the territories to be covered, b) identification of the policy areas of common European interest and c) the institutional shape of their multilateral organisation (in addition to their inevitable bilateral content).

On the geographical extent of the Wider Europe, the obvious model is the membership map of the Council of Europe, since this covers all of what is uncontroversially 'Europe', all of these states having subscribed to common fundamental political values and norms.⁴ This would correct for the Commission document's much criticised exclusion of the South Caucasus states from the Wider Europe.

The Mediterranean states of the Barcelona process are also covered in the Commission's Wider Europe document. But the agenda for the Arab world and the Greater Middle East is quite different from that for the Wider Europe (of Council of Europe membership). The Mediterranean and Greater Middle East are of the highest priority for the EU's foreign and security policies, but should continue to be handled in the existing institutional framework, i.e. the Barcelona process, the Gulf Cooperation Council, etc. These regions are also prime subjects of Solana's European Security Strategy documents. Both the Wider Europe (of Council of Europe membership) and the Greater Middle East are strategic EU interests, but they are different businesses.

Yet these two vast geo-political regions should not be rigidly segmented by EU policy. In particular, some countries of the South and Eastern Mediterranean may be willing and able to associate closely with European values in due course. While the Commission's document of March was too superficial and sweeping in saying simply that all the Mediterranean countries of the Barcelona process should be part of the Wider Europe initiative, it should not go to the other extreme either with a message of ethno-cultural discrimination. If some countries of the Mediterranean want to make a serious commitment to European values, the Council of Europe could open its door to associate membership for such countries, and maybe in due course full membership. Israel and the future Palestinian state could be candidates after resolution of the conflict (before which Israeli democracy would hardly qualify). Of the Arab states of North Africa, for example, perhaps Morocco might become the first to approach Council of Europe standards at some stage, in which case they should be given every encouragement.

On the common European policy 'areas' or 'spaces', the last EU-Russian summits in May 2003 actually agreed to a list of no less than five, to which two more need to be added to be

⁴ Only Belarus is temporarily outside.

systemically complete. The seven common European policy areas may be conventionally grouped under three broad dimensions – political, economic and security – but to be tractable operationally, a breakdown into the seven areas is needed.⁵ See Box 1.

Box 1. The seven common European policy areas

Political and human dimension

1. Democracy and human rights
2. Education, culture and research

Economic dimension

3. Trade and market
4. Monetary
5. Infrastructure and network

Security dimension

6. Justice and internal security
7. External security

The institutional aspect is almost wholly lacking so far in the official documents, bar token remarks about using the existing multilateral bodies. Yet this is what is critically needed to give credibility and a creative organisational structure to the Wider Europe initiative. It also fits perfectly with the EU's very official doctrine favouring a global multilateral order, which is eloquently expressed at the UN in New York with the US policy as target, but which has not always been so evident in the past from the sometimes rather condescending attitudes expressed towards the 'lesser' European organisations.

The overarching structure could start with an upgrading of the so-called European Conference (the periodic meetings between the EU and most other European states), which should be more meaningfully renamed as the Pan-European (or Common European) Conference. This forum should be opened to all Council of Europe member states.⁶ Core structures are required, however, if this is not to resemble the UN General Assembly without the UN Security Council. Moreover, the Council of Europe and the OSCE themselves also need core structures if they are to be more relevant for a Europe with an EU of 25 and more member states.

The Pan-European Conference would have a Coordinating Group consisting of the EU (future foreign minister), Russia and two rotating places for non-EU member states. One could discuss whether this Coordinating Group should have Turkey and Ukraine as permanent members. (They might prefer not to have this status, since they could consider

⁵ All these spaces have been advocated by the EU and Russia at summit level together, except the Democracy and Human Rights Area (presumably because of the shadow of Chechnya for Russia, and institutional complications on the EU side for the monetary area).

⁶ Given that the Pan-European Conference would have an attendance identical to that of the Council of Europe Committee of Ministers, the occasions of these meetings could also be used for Council of Europe decision-making purposes, the ministers changing their hats for this purpose without additional meetings, which would help that organisation deliberate politically. There are already opportunities for sectoral ministers, for example of economics, transport, energy, etc., to meet at the Pan-European level in the margins of other institutions' ministerial meetings.

being grouped with Russia in this way as a risk in terms of their EU ambitions, and we therefore leave this issue in parenthesis.) The Coordinating Group would prepare meetings of the full conference, but not have decision-making powers. In this respect there would not be the jump to a full analogy with the UN Security Council, although Russia has pushed for something like this in relation to the OSCE.

The Pan-European Coordinating Group would also supervise the work of separate coordinating groups for each of the seven common policy spaces, which would be structured in the same way with the EU and Russia as permanent members and two rotating places. But to each of these sectoral coordinating groups would be added the relevant specialised institutions:

- the Council of Europe for the two areas of the political and human dimension;⁷
- the EEA/EFTA Surveillance Authority and OECD for the trade and market area;
- the European Central bank for the monetary area;
- the Pan-European Conference of Transport Ministers, the Energy Charter, the EIB and EBRD for the infrastructure and network area;
- Europol for the justice and internal security area; and
- NATO and the OSCE for the external security area.

These coordinating groups would facilitate the exchanges between the Pan-European Conference and the sectoral organisations, and so help give coherence, synergies and impetus to the overall Wider Europe initiative. The EU institutions should take the initiative in submitting Green Papers on each of the policy domains, to be followed no doubt by proposals from Russia and other states of the Wider Europe.

3. Place of the EU in the Wider European organisations

The final institutional development would concern the place of the EU in the European multilateral organisations, and notably the Council of Europe, OSCE and OECD. The EU would accede as full member of these organisations following the model already established for certain UN agencies, replacing the existing ad hoc arrangements.⁸ The EU (foreign minister or his representative) would have full rights in these organisations, with the proviso of ‘no additionality’ for voting rights. This means that where an issue would come to the vote, the EU and its member states decide themselves whether this is a matter for a collective EU position, or individual member states. In the former case the EU representative casts a single vote with a weight of 15 (or 25, etc.), and the member states do not vote. In the latter case the EU representative does not vote.⁹ The Secretary General of the Council of Europe has recently published proposals for a strengthened institutional linkage with the EU, which await an EU response.¹⁰

⁷ The EU already has regular Quadripartite meetings with the Council of Europe (EU Council and Commission, Council of Europe Chairman in Office and Secretary General), and this has become a useful development.

⁸ A recent Commission Communication surveys the relationship between the EU and the entire UN system in considerable detail, but concentrates on the principles of multilateralism and the modalities of more effective coordination rather than institutional innovations. See “The European Union and the United Nations – the choice of multilateralism”, COM(2003)536, 10 September 2003.

⁹ This is basically the model established for the EU’s participation in the Food and Agriculture Organisation (FAO) of the UN, and the UN Convention on the Law of the Sea.

¹⁰ “A Europe of partners – Towards an associate partnership between the Council of Europe and the European Union”, Memorandum by the Secretary General, information document SG/Inf(2003)35, 25 September 2003, Council of Europe, Strasbourg.

The Council of Europe, the OSCE and the OECD would themselves form similar coordinating groups for their own purposes, as well as that of preparing positions for the Pan-European Conference. The Council of Europe coordinating group would consist of the Secretary General, the Chairman in Office, the EU, Russia and two rotating places for the non-EU countries. The OSCE coordinating group would have the same format, but would also include the US in view of its full membership of that organisation. The OECD coordinating group would today include the US and Japan, with Russia to be added later as and when it accedes to this organisation.

In this way, combined with the rest of the Wider Europe structure, these valuable organisations would be rescued from their increasingly grave institutional obsolescence. But the more fundamental point is that the Wider Europe would be given an institutional structure that matches up to the level of this strategic concept. Europe has been searching for over a decade now for the formula for its post-Communist, post-Soviet, and enlarging EU era. Here it is.

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