

The EU's New Black Sea Policy What kind of regionalism is this?

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Michael Emerson

Abstract

After the accession of Bulgaria and Romania in 2007, the European Union moved quickly to fill an obvious gap in its vision of the regions on its periphery, proposing the 'Black Sea Synergy'. The EU shows a certain degree of commonality in its approaches to each of the three enclosed seas in this region – the Baltic, the Mediterranean and now the Black Sea. While the political profiles of these maritime regions are of course very different, they naturally give rise to many common policy challenges, including those issues that are based on the technical, non-political matters of regional maritime geography. This paper sets out a typology of regionalisms and examines where the EU's Black Sea Synergy is going to find its place. While the Commission's initial proposals were highly eclectic, with various examples of 'technical regionalism' combined with 'security regionalism', there is already a diplomatic ballet in evidence between the EU and Russia, with the EU countering Russia's pursuit of its own 'geopolitical regionalism'. The EU would like in theory to see its efforts lead to a 'transformative regionalism', but the lack of agreement so far over further extending membership perspectives to countries of the region risks the outcome being placed more in the category of 'compensatory regionalism'.

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THE EU'S NEW BLACK SEA POLICY

WHAT KIND OF REGIONALISM IS THIS?

CEPS WORKING DOCUMENT No. 297/JUNE 2008

MICHAEL EMERSON*

1. Introduction

On 1 January 2007, with the accession of Bulgaria and Romania, the European Union officially entered the Black Sea. Until that date, the EU institutions had been very reticent to express any interest in the Black Sea as a region of policy relevance. For example, earlier offers by the Black Sea Economic Cooperation (BSEC) organisation for the EU to become an observer there had not met any positive response.

The European Commission had been thinking about it, but hesitation among various member states had discouraged any open initiative. With the accession of Bulgaria and Romania, the issue could no longer be a question mark, given the obvious new legitimacy for the EU to take an active interest in the region, and the equally obvious demands by the two new member states for it to do so. As a result it took only a few months for the Commission to produce, in April 2007, a policy document entitled “Black Sea Synergy – A New Regional Initiative”.¹

The title of this document and its contents bore a striking resemblance to a CEPS Policy Brief of June 2006 by Fabrizio Tassinari entitled *A Synergy for Black Sea Regional Cooperation – Guidelines for an EU Initiative*.²

The Commission's Black Sea Synergy paper thus announced the opening of a new Black Sea policy for the EU. It follows the path of a familiar logic of action in response to the EU's territorial enlargement, namely to construct a certain regionalism around the EU's newly extended periphery. This had been seen already in three cases: to the south in the Mediterranean with the Barcelona Process, to the south-east with the Stability Pact for the Balkans, and to the north around the Baltic and Barents Seas under the name of the Northern Dimension.

The Black Sea initiative will also add a multilateral regional dimension to the eastern branch of the European Neighbourhood Policy (ENP), which since 2004 had been entirely built around bilateral activity with Moldova, Ukraine and the three South Caucasus countries.

But what is this policy going to look like in practice? Some answers began to emerge with the first major political event for the EU's new Black Sea policy at a ministerial meeting held in Kyiv on 14 February 2008, to which the EU invited all Black Sea states, and which was hosted by Ukraine at the level of President Yushchenko.

* Michael Emerson is Associate Senior Research Fellow at the Centre for European Policy Studies (CEPS) and head of the EU Foreign, Security and Neighbourhood Policies research programme. He is the former EU Ambassador to Moscow. This working document was first published under the title “The EU's New Black Sea Policy”, in Daniel Hamilton and Gerhard Mangott (eds), *The Wider Black Sea Region in the 21st Century: Strategic, Economic and Energy Perspectives*, Centre for Transatlantic Relations, John Hopkins University, Washington, D.C., June 2008. The author is grateful to Fabrizio Tassinari for many discussions on this topic and for his permission to use materials from one of his writings.

¹ Document COM(2007)160 final, 11.04.2007.

² Fabrizio Tassinari, *A Synergy for Black Sea Regional Cooperation – Guidelines for an EU Initiative*, CEPS Policy Brief No. 105, Centre for European Policy Studies, Brussels, June 2006.

2. Typology of regionalisms

At first sight there are quite a number of types of regionalism open for consideration in the case of the Black Sea. Box 1 lists no fewer than nine possible scenarios, which suggests already that there may be ambiguities, if not confusions and competing visions at stake.

Box 1. Different possible species of Black Sea regionalism

Technical regionalism: Objective criteria assign specific public policy functions to the territorial level that best encompasses their costs and benefits.

Good neighbourliness regionalism: Neighbouring political jurisdictions organise congenial activities together with a view to building good relations and friendship.

Security regionalism: Facing common threats such as illegal migration, trafficking of drugs and people, terrorism and strategic security generally.

Eclectic regionalism: Experimenting with many conceivable types of regional cooperation, without a clear strategic view, or evident criteria for selection.

Dysfunctional regionalism: Vain attempts to construct regional cooperation, frustrated by serious political divergences or inefficiencies between the participants.

Institutional regionalism: Focus on the administrative and organisational structures devised to promote regional cooperation.

Transformative regionalism: Regional cooperation as a means of working towards the 'Europeanisation' of the region.

Compensatory regionalism: A major bloc, in practice the EU, seeks to compensate outsiders immediately beyond its frontiers for the disadvantages of exclusion.

Geo-political regionalism: Relating to the objectives of leading powers to secure a sphere of influence.

The standard theory of federalism, or more broadly of multi-tier governance, assigns various public policy functions to the geographical level that optimally encompasses the costs and benefits of the policy in question. More precisely this is a search for solutions where there are major spillovers of costs and benefits beyond the territory of the given jurisdiction. Typically there will be under-provision of the policy where the benefits fall significantly outside the borders of the national territory, or where the costs would be borne disproportionately within a national jurisdiction. Regional cooperation above the level of the state can be a way of correcting for poor fits between the territory of government and the impact of the policy or problem. Seas enclosed by a number of different states provide some classic examples, notably in the cases of environmental pollution and fisheries. Without mechanisms to ensure cooperation to achieve common objectives, such as the preservation of water quality and fishing stocks, the individual state will not have a proper incentive to optimise policy or, the individual state cannot manage the problem alone without accepting a totally unreasonable burden of the costs, or even at any cost. These can be regarded as issues of *technical regionalism*, which can be entirely matters of efficiency of public policies at the regional level, where all parties can in principle have the same or similar objectives, and which may be effectively de-politicised.

The region's jurisdictions may also organise other de-politicised activities together for which there may be little or no technical need, but which can contribute to a spirit of mutual confidence and create bonds of friendship, maybe in spite of serious political differences and in order to limit or begin to overcome such differences. Examples include joint youth and sporting activities, groupings of local or regional officials for semi-social gatherings, or regional Rotary-type clubs of professional people. We can call this *good neighbourliness regionalism*.

Common security threats of a cross-border nature, such as illegal migration and trafficking of drugs and people, and movements of terrorists, may also be viewed up to a point as needing regional cooperation technically. But these elements of security policy easily run into highly political matters of strategic security and geo-politics, and the forming of security communities or alliances, and so merit a separate term as *security regionalism*. At the present time there are two overriding security fears shared by all or most EU and Black Sea states: international radical Islamic terrorism and security of energy supplies. While the Black Sea region is not at the heart of the international terrorism scourge, Russia has had a strong interest in joining in the 'global war against terror' logic of President Bush. The EU has its major concerns over terrorism too, but the Mediterranean is more relevant here than the Black Sea. The wider Black Sea-Caspian-Central Asian region is a major conduit for drug supplies, which is a shared concern for both Russia and the EU. However there are reports of serious collusion between corrupt government circles at high levels and drug mafia agents in the Caucasus, especially in Azerbaijan, which limits the scope for cooperation. Energy supply security is the strongest candidate as a core driver on the EU side, largely in association with the US, in order to counter the monopolistic practices and ambitions of the Russian energy and especially gas sector.³ But here the EU's interest to secure diversification of supply routes is in direct contradiction to Gazprom's interest to secure its monopolistic position over gas supply networks. In short, the Black Sea now sees a complex overlay of projects that are cooperative for some participants while being competitive (or threatening, through increased Gazprom monopolisation) for others.

Already we are collecting a variety of quite different regionalisms. The presence of several kinds of motivation may create a diffuse sense that some kind of regionalism needs to be organised, without it being clear at the outset quite what the priorities should be, especially where the region encompasses jurisdictions that have been politically divided for some time. The jurisdictions may come together and make a political declaration favouring their regional cooperation, and draw up lists of conceivable cooperative activities. This leads to a process of trial and error, or something of a bureaucratic Darwinian process, in order to sort out which activities prove viable. At the initial stage this may be called *eclectic regionalism*.

The Black Sea Economic Cooperation (BSEC) organisation has created a comprehensive institutional structure – ministerial councils, a permanent secretariat, working groups of senior officials and experts on sectoral topics, a development bank, a parliamentary assembly and a policy research institute. These structures were set up ahead of establishing real functions. This *institutional regionalism* may be viewed as a variant of the eclectic approach: i.e. set up a comprehensive institutional structure and wait for the Darwinian processes again to sort out the functions that prove themselves in practice from those that fail to take off. In fact the BSEC has so far seen only a weak overall performance, due to several factors, including the competition between the two leading regional powers, Russia and Turkey, through to the weak administrative capacities of many of the member states to organise significant cooperation, and the very limited financial resources made available to it.

However these eclectic and institutional approaches may be viewed as masking more fundamental problems of incompatibility of objectives among the region's actors. The grounds for scepticism are quite substantial. The Black Sea region is extremely heterogeneous politically, economically and culturally and in terms of the shapes and sizes of its countries. It is sometimes said that the Black Sea is a region with little in common except the sea that divides

³ This topic is dealt with in depth in Gerhard Mangott and Kirsten Westphal, "The Relevance of the Wider Black Sea Region to EU and Russian Energy Issues", in Daniel Hamilton and Gerhard Mangott (eds), *The Wider Black Sea Region in the 21st Century: Strategic, Economic and Energy Perspectives*, Centre for Transatlantic Relations, John Hopkins University, Washington, D.C., June 2008.

it. Is the Black Sea to provide an example of *dysfunctional regionalism*? To be sure, there is political poison in the region stemming from the frozen conflicts, which involve every country of the region in one way or another. Relations between Russia, Ukraine and Moldova are troubled by the Transnistria conflict, between Russia and Georgia by the Abkhazia and South Ossetia conflict, and between Azerbaijan, Armenia and Turkey by the Nagorno Karabakh conflict. The EU for its part comes to the region with its own segmentation between four categories of states: the full member states (Bulgaria and Romania), the accession candidate state (Turkey), the ENP partner states (Ukraine, Moldova, Armenia, Azerbaijan and Georgia), and finally Russia as a would-be strategic partner. The EU's primary policies towards each category are bilateral, and are driven by different Commission departments. To say the least, the pursuit of an effective Black Sea regionalism is going to be an uphill struggle.

In a more positive interpretation of the EU's interests in the region, the Black Sea initiative is a natural move to strengthen the ENP, which aims to bring a convergence of the whole region to the EU's political values and economic structures, norms and standards – in short *transformative Europeanisation*. This paradigm may be viewed as involving not only specific policy reforms along the lines of EU laws, but also the transformation of the nature of national borders, diluting their significance and with them national identities in movements towards the post-modern state. The EU's conception of regionalism at its periphery seems to represent the hope that the Europeanisation process may spill over its frontiers into the wider neighbourhood – at least to some degree even where the prospect of accession is not on the horizon.

However the Black Sea region contains several countries – Georgia, Moldova and Ukraine especially – that are deeply disappointed at not being granted a 'membership perspective' by the EU. A standard argument is that this lack of Europe's mega-incentive for a transformative Europeanisation is a serious weakness of the European Neighbourhood Policy. A Black Sea initiative could be seen as seeking to bolster the ENP and to compensate in some degree for the disappointment of the Black Sea states aspiring to membership – *compensatory regionalism* for the excluded lying beyond the frontier.

Finally there is the overarching question of how the Black Sea Synergy is intended to, or may actually affect the geo-political tendencies and tensions in the region – *geopolitical regionalism*. Ukraine, Moldova and Georgia feel that Russia is deploying overt or implicit strategies of political and economic pressurisation, and the Kremlin openly states its foreign policy priority to re-consolidate the CIS area. The US for its part is certainly perceived by Russia as adopting the contrary geo-political position, especially with respect to Georgia, which together with Ukraine, seeks NATO accession, or at least in the foreseeable future a membership action plan (MAP). In this situation the EU is certainly playing a softer game, but one that is not without subtlety and options. It can certainly present itself as a more neutral player.

3. An unofficial Black Sea Synergy proposal, June 2006

The CEPS 2006 paper⁴ took a position on the matters both of organisational and institutional structure, and the choice of priority sectors of policy considered most plausible for Black Sea cooperation. It drew on the EU's prior experiences (the Northern Dimension initiated in 1999, the Barcelona Process in 1995 and the Balkan Stability Pact in 1999), which provided important references. All three were regional-multilateral responses to the EU's own enlargement and/or the collapse of communism, be it Soviet or Yugoslav. All three initiatives were attempts to ease if not erase Europe's post-world war divisions, or to soften its borders with its neighbours and so diminish the disadvantages of exclusion. The Barcelona Process was indirectly motivated by

⁴ Tassanari, op. cit.

these same concerns, since the southern EU member states were concerned that there should not be a swing in bias in the EU's policies to the advantage of the north, given the opening of the EU for its enlargement to Central and Eastern Europe. In terms of our typology of regionalisms, the broad objectives were somewhere in the range between the transformational and the compensatory. The Black Sea fits into this logic, and was only delayed as a result of the time lags in the enlargement to the Black Sea coast with the accession of Bulgaria and Romania.

There is an important difference in these three cases over whether the EU is coming into a pre-existing structure, as in the Northern Dimension given the Baltic and Barents Sea councils that date back to 1992 and 1993 respectively, or is setting up an altogether new structure, as was the case with the Barcelona Process and the Stability Pact. In this respect the Black Sea is in the first category, given that the BSEC organisation was founded in 1992. To the south the Barcelona Process started *de novo* without any pre-existing regional organisation, and has remained without its own institutional structure. However this has created a lingering resentment with the South Mediterranean partner states over the lack of formal equality of the partnership. This will be corrected to some extent with the initiative of President Sarkozy, as a result of which the Barcelona Process will be re-baptised as the 'Union for the Mediterranean', with two co-chairs from the south of the EU and Southern Mediterranean states, and a small common secretariat. To the south-east, the Stability Pact also started *de novo* out of the need to fill a security vacuum after the Bosnian war.

There is the further issue over whether the EU is the only major actor, or at least the clear prime mover. The Balkan Stability Pact was proposed by the then German EU presidency, but quickly became a project of the EU-US alliance, and co-opted into its structure all relevant international organisations (OSCE, UN agencies, NATO, World Bank, etc.). For the Barcelona Process the EU has acted on its own. In the Northern Dimension the objective was initially to secure cooperative relations with Russia alongside the prospect of the EU's Baltic enlargement. Following the 1997 enlargement, the Northern Dimension has been reshaped, with only four full members: the EU, Iceland, Norway and Russia. The Black Sea, analogous to the Northern Dimension, has its pre-existing BSEC structures, in which both Russia and Turkey have so far been the lead actors.

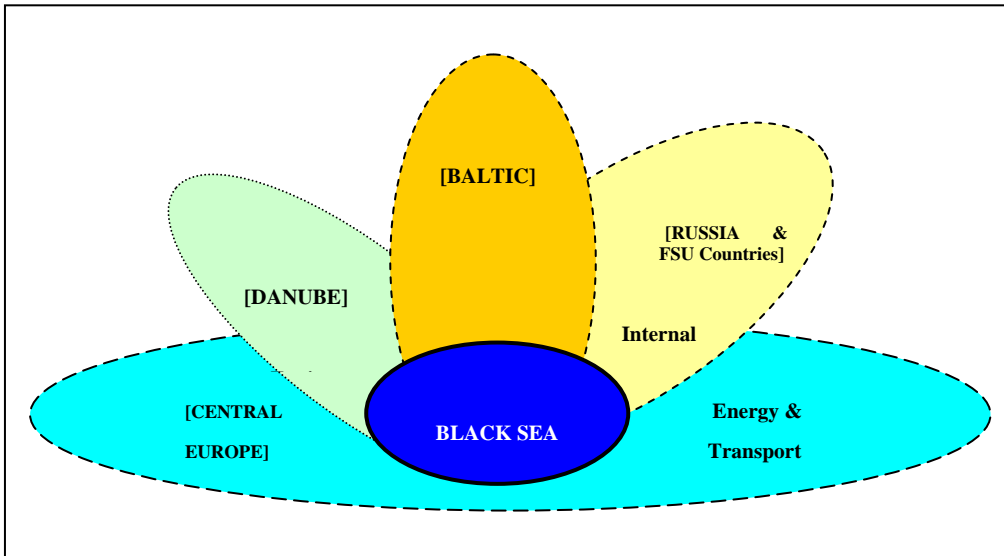
The Black Sea could thus broadly fit into the pattern of the EU's regionalism established in the three other cases, but it still has to determine whether to play the whole EU initiative through the pre-existing BSEC organisation, and how agreement might be reached with Russia and Turkey as the major players. The CEPS paper took the position in favour of 'variable geometry', i.e. allowing for different participation and organisational forms according to the sectoral policy domain, not to the exclusion of BSEC, but without granting it a general competence for the entire initiative. This is illustrated in Figures 1 and 2. Specific 'partnerships' were proposed for five sectoral priorities: environment, energy, transport, internal security and democracy.

The choice of these five sectors marked the case for a limited number of priorities, with a strong emphasis on technical regionalism (environment, energy, transport), as opposed to the extremely dispersed efforts of BSEC. Each of these three domains has experienced significant prior EU activity in the Black Sea region, with different functional maps, for example with the environmental activity addressing the water quality of the Danube basin that stretches up into Austria and Central Europe, and the transport activity based on the EU's priority corridors, which go west-east across the Black Sea region, but not around it.

In two cases political considerations militated against using the BSEC as the institutional base: energy and democracy. The issues here relate to Russia's strong positions: in the first case to maximise the monopolistic position and freedom of action of Gazprom, and in the second case to minimise democracy promotion activity of the 'colour revolution' variety. Since the BSEC

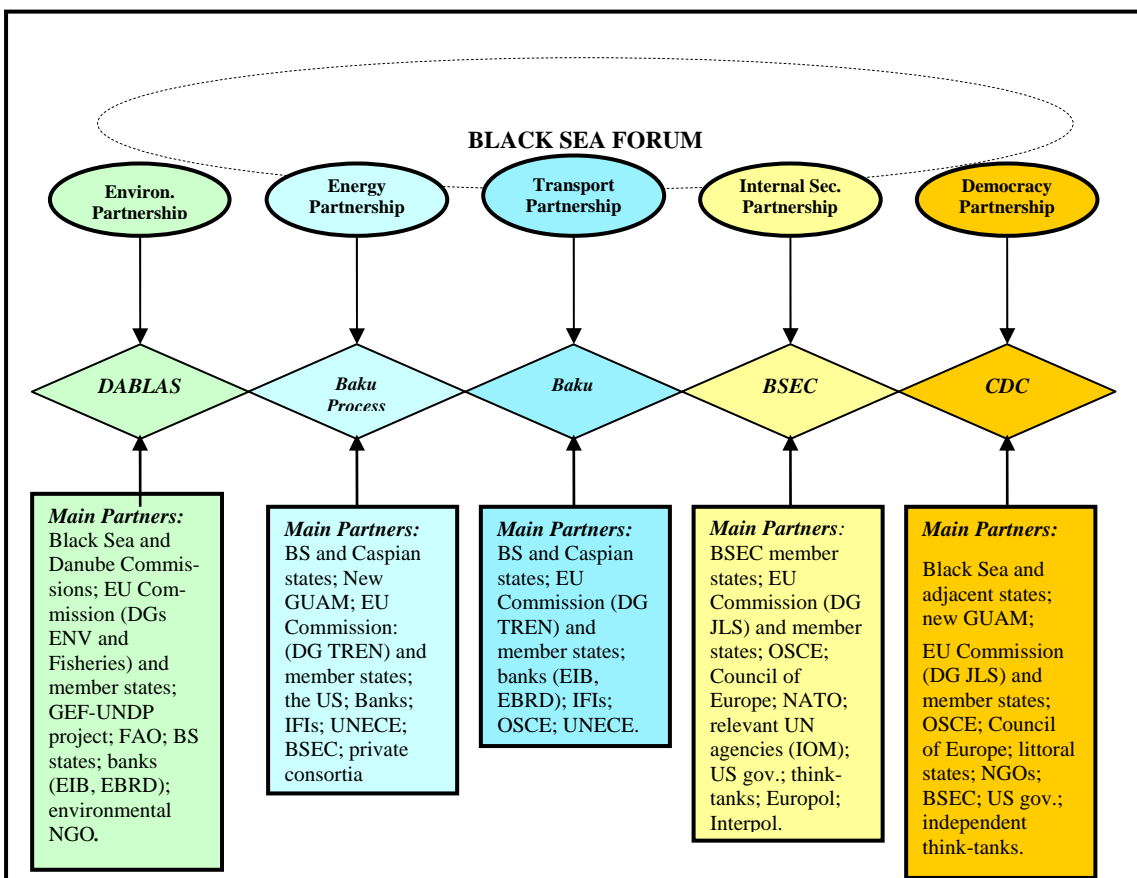
takes decisions by consensus, it would be a dumb move to play the EU's very different interests in these questions through the BSEC.

Figure 1. The variable geometries of the wider Black Sea region



Source: Tassinari, op. cit.

Figure 2. Framework of a Black Sea synergy



Source: Tassinari, op. cit.

Different formats for participation, organisation and funding could therefore be devised for each of the five sectoral 'partnerships'.

The CEPS study also advocated an overarching coordinating mechanism, justifying the synergy attribute. This was to be called the Black Sea Forum, and followed the experience of the Black Sea regional ministerial meeting convened by Romania in June 2006. This would not be an institution, but nonetheless a regular political event at which evolving priorities could be deliberated on by all BSEC member states and the EU, without it being an event controlled by BSEC.

4. The EU's official Black Sea Synergy proposal, April 2007

The European Commission's Black Sea Synergy paper of April 2007 retained the 'Synergy' keyword in its title. However it also set out a long list of 13 topics that could be the subject of regional initiatives, contrary to the CEPS recommendation of a more limited and prioritised agenda. The Commission's list is summarised here in the order of its Synergy document, with a few indications of the intended content under each heading:

1. Democracy, human rights and good governance, with support for regional initiatives underway, implying but without naming the Community of Democratic Choice, which has been a colour revolution support club
2. Security in relation to the movement of persons, notably illegal migration and transnational crime
3. A more active role through increased political involvement in the four frozen conflicts (Transnistria, Abkhazia, Southern Ossetia and Nagorno Karabakh)
4. Energy supply diversification through investment in a new trans-Caspian trans-Black Sea corridor, implicitly to undermine Russia's monopolistic position, and a possible common energy policy legal framework for the ENP countries
5. Transport corridors with support for a number of priority transport infrastructure axes already identified, and regulatory harmonisation in this sector
6. Environmental protection, with special reference to the Black Sea itself and the Danube basin flowing into it
7. Maritime policy, favouring a holistic approach aiming at safety of shipping, environmental protection and job creation in marine sectors and coastal regions
8. Fisheries, with new ways to be sought for sustainable use of fisheries resources
9. Trade policy, advocating that WTO membership be completed for those countries not yet there (Russia, Ukraine, Azerbaijan), and approximation of trade-related policies on EU standards, but with caution against regional free trade initiatives that might contradict the EU customs union
10. Research and education networks, promoting enhanced 'connectivity' between systems and regulatory harmonisation
11. Employment and social affairs, with vague advocacy of exchange of information on best practices, social dialogue and training
12. Regional policy itself in the sense of extending Bulgaria and Romania's new experiences in participating in the EU's own programmes to enhance the competitiveness of coastal regions

13. Financial support can be made available under national, regional and cross-border programmes of the ENP's budgetary grant instrument (ENPI), as well as through investment funding from the European Investment Bank and EBRD.

The Commission's proposals were thus highly *eclectic*, and amount to addressing all conceivable topics, with the exception of hard security and military affairs. It suggests that the EU is embarking upon an experimental period to see which sectors or approaches might develop significantly; indeed the bureaucratic Darwinian process of natural selection is already mentioned. Actually it sees almost every sectoral department of the Commission throwing in its own propositions over what it might do in the Black Sea. The Commission seems here to be flying on automatic pilot, and the controls have been locked onto the practice established over the last decade in negotiations over both enlargements, with neighbourhood policy as its weak derivative. This consists of taking up the chapters of the enlargement process for alignment of policies on the EU norms and standards. With the Commission working as a collegial body, new general policy initiatives will typically see an inter-service working group formed and the project coordinator, in this case the Directorate General for External Relations, has to preside over the production of the resulting policy document that meets with internal diplomatic consensus.

Nonetheless there is a good fit in the order of implicit priorities, with five of the first six sectors coinciding with the CEPS recommendation. The addition proposed by the Commission is concern for conflict resolution in the region, which is surely a desirable objective. The EU's involvement in attempted mediation efforts in the four 'frozen conflicts' (Transnistria, Abkhazia, South Ossetia and Nagorno Karabakh) has so far been very low profile. The main exception is in the case of Transnistria, where the EU has put in place a border monitoring mission and has joined the official negotiating table in its so-called 5+2 format.

On the other hand, the list contains items of only weak plausibility for the EU's involvement in Black Sea regionalism – for example employment and social affairs, and research and development.

The proposal for trade policy relates of course to a strong EU competence. The EU has now embarked on a policy of negotiating 'deep free trade' agreements with all the Eastern neighbourhood states. These are the same Black Sea states, except for Russia which is also a laggard in trade policy, not even having acceded yet to the WTO. This naturally leads to the idea that at some stage there could be a multilateralisation of this set of free trade agreements, with common pan-European rules of origin for 'diagonal cumulation' already developed for the Euro-Mediterranean region, forming a Black Sea free trade area, with or without Russia.

The proposal for an overarching maritime policy is extremely fuzzy at this stage. The concept is being promoted as a new EU policy domain for all of the seas that adjoin the EU, but it is far from firmly established operationally at the EU level, and so its regional applications also seem remote at the present time.

On the wider political questions the Black Sea Synergy paper raised the possibility of either or both ministerial meetings with all BSEC member states (i.e. with Russia) or with just the ENP states (i.e. without Russia).

The BSEC option – i.e. to develop Black Sea cooperation with all BSEC states including Russia – can be justified as the way to bring Russian foreign policy in the European theatre into a more cooperative mode. While Russia is formally outside the ENP, it has a bilateral programme with the EU for deepening four 'common spaces' in ways that bear some resemblance to the ENP action plans. The Black Sea Synergy would thus be bringing the EU closer together with both the ENP states and Russia. Moreover the EU has a relatively positive experience of cooperation

with Russia now in the Baltic Sea region with the Northern Dimension cooperation, and would like the same to develop in the Black Sea.

The ENP option – i.e. to develop Black Sea cooperation just with the ENP states without Russia – would be justified by the contrary political logic of developing the substance and credibility of this cooperation in part to induce Russia to re-evaluate its near abroad policy. Russia would see itself losing influence, and therefore in need of a pragmatic change of policy.

The Commission proposed not to create new regional institutions, but expressed a willingness to take up an observer status in the Black Sea Economic Cooperation (BSEC) organisation, while remaining open to the use of other regional bodies. It seems to be thinking along the lines of the CEPS paper, namely to establish a number of specific partnerships for each priority sector.

5. The first EU-Black Sea ministerial meeting, February 2008

The ministerial event of 14 February 2008 was in fact quite revealing on a number of these issues. A first seeming curiosity was the publication of two versions of the conclusions, both of which are annexed at the end of this paper. The first set of conclusions was published by the BSEC member states alone, and the second set contain the jointly negotiated conclusions of the BSEC member states and the EU. While at first sight, these two documents have a substantial degree of overlap, they are interesting for both their commonalities and differences, and so both are worth documenting alongside each other.

The institutional question was highlighted by the fact that there were actually two ministerial meetings on February 14th, not one. At the first and shorter meeting, the EU troika (Presidency and Commission) joined in a meeting of the BSEC ministers, the latter gathered together in their BSEC capacity. The BSEC ministers adopted a declaration “on a BSEC-EU enhanced relationship”. The second and longer meeting resulted in a joint statement under the authority of “the ministers of foreign affairs of the countries of the European Union and of the wider Black Sea area”.

At play here was the question of the degree to which the EU's Black Sea Synergy would be articulated through the BSEC organisation, or whether BSEC would be just one of the possible institutional arrangements to be used. On the BSEC side, Russia and Turkey were seeking to maximise the use of the BSEC organisation. It may be speculated that the motivations here are somewhat different. For Russia the consensus decision-making rule of BSEC was attractive as an instrument for retaining control over the EU's insertion into the Black Sea process. Turkey was perhaps more motivated by its pride of ownership of the BSEC, having been its political initiator, and with Istanbul the location of its headquarters. On the EU side, many member states are wary of granting too big a role to BSEC, and certainly not a monopoly position, for reasons counter to Russia's motivation.

So a compromise was reached, with the first shorter meeting taking place within a BSEC framework, and the second one referring in its title just to the “wider Black Sea area”. The Russian position has actually moved considerably since the time it was basically against the EU's insertion into the BSEC in any way – such was the position adopted by Russia at some earlier BSEC meetings. When faced with the impossibility of halting the EU's entry into the Black Sea, its second position was then to try to confine it to BSEC decision-making to the maximum degree possible. The outcome on February 14th with the two meetings seems to have been a rather weak rearguard action by Russia in response to this situation.

These February 14th meetings thus provided some answers to two of the questions we posed earlier. The EU has entered into a Black Sea process with Russia, rather than just with the ENP states; and the process includes the BSEC, but without a monopoly position.

For future such events, there could be changes in format on the EU side. This first Black Sea event brought together all 27 member states,⁵ which is a very heavy format for an important but not top-priority topic. Elsewhere the EU develops lighter formats, notably in the case of the Northern Dimension, which has invented the so-called ‘open troika’ method, where the EU is represented by the Presidency and Commission, plus on an optional basis those member states that feel seriously interested. This format will be further simplified when the Treaty of Lisbon enters into force, with merger of the Presidency and Commission (through double-hatting of the High Representative and Vice-President of the Commission).

The texts of the two concluding documents further underline the different institutional preferences. The unilateral BSEC declaration is first of all strong on the achievements of BSEC and goes on to stress that the EU-BSEC relationship should be comprehensive and inclusive, avoid duplication, and be further institutionalised with an ‘enhanced BSEC-EU relationship’ to include ministerial meetings in different formats (i.e. ministers of various sectoral policy domains). The EU-BSEC relationship does in fact broaden out, with the European Commission now taking up the role of observer in several BSEC working groups (transport, environment, research).

However, while the joint statement of the ministers of the EU and wider Black Sea area (see below) recognises the important role to be played by BSEC, but also notes that “the Black Sea Synergy will at the same time remain open to all appropriate cooperation possibilities provided by other regional bodies and initiatives” (i.e. the ‘Black Sea Synergy’ here standing for the EU policy). There is reference also to the Black Sea Synergy benefiting from the formation of “Black Sea partnerships involving various stakeholders from the EU and wider Black Sea area”, which, more concretely, can mean the creation of operational trust funds such as those already in operation in the Northern Dimension.

The priority sectors mentioned in the two documents contain both substantial common ground and some significant differences. The list of identified sectors is shorter in the BSEC document, partly because the BSEC is basically an economic organisation, to the exclusion of purely political issues; whereas for the EU the Black Sea Synergy is definitely also intended to be political. The BSEC document thus identifies transport, energy security, environment, crime, terrorism, disaster relief, information technologies, and the movement of people and the creation of clusters. The joint statement also covers all these domains (except passing over the ‘clusters’), but also addresses questions of democracy, human rights, civil society, conflict resolution and parliamentary activities. These latter political activities will of course fit more easily with the GUAM and Community of Democratic Choice initiatives, of which Georgia and Ukraine are the keenest advocates, whereas Russia regards these as dangerous instruments for the spread of ‘colour revolutions’.

The last substantive paragraph of the joint statement is most positive: “Participants considered that this Black Sea Synergy meeting is the beginning of a long-term regional cooperation endeavour offering new opportunities and increased stability to citizens of the Black Sea area and the whole of Europe”.

The next stage in the process was in June 2008, when the Commission presented to the Council a report on progress to date, with indications of how the various lines of concrete activity will be followed up. These conclusions highlighted the following:

⁵ The EU member states were represented by 5 foreign ministers, 14 deputy foreign ministers and 8 ambassadors, whereas the 8 non-EU Black Sea states were represented by 6 foreign ministers and 2 deputy foreign ministers, including Russia at first deputy foreign minister level.

Long-term, measurable objectives in fields like transport, environment, energy or maritime safety should be set to spur more concerted action. These would require the support of all BSS members. In each case a lead country and/or organisation should be identified to ensure coordination of activities which might be undertaken at national or regional level to achieve the objectives set.

To facilitate the realisation of projects, sectoral partnerships could be established to provide a framework for co-financing (including through the NIF) and a basis for the involvement of IFIs. These partnerships might bring together all or some of the Black Sea Synergy participants to cooperate on a series of projects. The successful experience of the Northern Dimension provides a useful example of how this could work.

The frequency of ministers' meetings should reflect concrete needs. In some cases they could take place in the existing sectoral frameworks (such as TRACECA or the Baku Initiative) or could follow the Kyiv model (back-to-back with BSEC meetings, with full EU participation or involving an open troika). Foreign ministers could meet as required to mark the major milestones of the process.⁶

6. Conclusions

Overall one can register that the EU has taken significant steps towards constructing a new Black Sea dimension to its neighbourhood policies in the wake of the EU's enlargement to the Black Sea region with the accession of Bulgaria and Romania in January 2007. The act of enlargement was promptly followed in April 2007 by the Commission's 'Black Sea Synergy' proposal, which was readily endorsed by EU foreign ministers and then at the top level by the European Council. This has now begun to be operationalised at the wider Black Sea level with the first ministerial meeting in Kyiv in February 2008, which set fairly clear guidelines for the next steps.

In the course of this meeting, several key questions surrounding the possible political character of the initiative began to be answered. A certain dialectic process between the EU and Russia was played out. First Russia was invited to the ministerial meeting and accepted to participate, thus averting the alternative scenario under which the EU's initiative might have proceeded only with ENP countries. But secondly Russia's wish to tie the EU's presence in the region predominantly into the BSEC organisation for reasons of political control was declined by the EU, which is now an observer of BSEC without granting this body any monopoly. Russia has had to go along with this, and the joint statement of the Kyiv meeting envisages activity on purely political issues outside BSEC, and with the EU retaining freedom to use any appropriate regional body or arrangement.

More broadly this beginning of a Black Sea dimension to the EU's neighbourhood policies fills an obvious gap in the EU's vision of the map of wider Europe. The EU is moving towards a certain degree of commonality in its approaches to each of the three enclosed seas of its periphery – the Baltic, the Mediterranean and now the Black Sea. While the political profiles of these maritime regions are of course very different, they naturally give rise to many common policy challenges, including those issues that are based on non-political matters of regional maritime geography. However the EU seems to be principally motivated in seeing all regions in its neighbourhood integrating as far as possible with its economy and converging on its political norms. How far this can succeed through neighbourhood policies that do not comprise a further widening of the enlargement process is still an unanswered question.

⁶ European Commission, *Report on the First Year of Implementation of the Black Sea Synergy*, COM(2008)391 final, 19 June 2008.

Can we offer an answer to our own question about where the EU's Black Sea Synergy is going to find its main place in the typology of regionalisms, as set out at the beginning? While the Commission's initial proposals were highly 'eclectic', the Kyiv ministerial meeting did produce some useful prioritisation. There is certainly going to be a significant amount of 'technical regionalism' combined with 'security regionalism'. There is already in evidence a gentle diplomatic ballet between the EU and Russia, with the EU resisting Russia's pursuit of its own 'geopolitical regionalism'. The EU would like in theory to see its efforts lead to a 'transformative regionalism', but the lack of agreement so far over further extending membership perspectives to countries of the region risks the outcome being placed more in the category of 'compensatory regionalism'.

Declaration

of the Ministers of Foreign Affairs of the member states of the Organization of the Black Sea Economic Cooperation on a BSEC-EU enhanced relationship

*Special Meeting of the BSEC Council of Ministers of Foreign Affairs,
Kyiv, 14 February 2008*

We, the Ministers of Foreign Affairs of the Member States of the Organization of the Black Sea Economic Cooperation (BSEC) – the Republic of Albania, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Bulgaria, Georgia, the Hellenic Republic, the Republic of Moldova, Romania, the Russian Federation, the Republic of Serbia, the Republic of Turkey and Ukraine – met in Kyiv, on 14 February 2008. We discussed the perspectives for the development of a mutually beneficial cooperation between BSEC and the EU, respecting the interests of both sides.

Taking guidance from the political assessments and executive dispositions of the Declaration adopted by the Heads of State and Government of the BSEC Member States on the occasion of the BSEC Fifteenth Anniversary Summit held in Istanbul, on 25 June 2007, we reaffirm our commitment to the Organization and its Charter as an indispensable foundation for peace, stability, security and prosperity in the wider Black Sea area.

We consider BSEC-EU interaction as an integral part of overall European economic, scientific and environmental cooperation. Our aim is to achieve proper synergies by coordinating the efforts with various integration and cooperation formats, international organizations and institutions, in particular financial ones, acting in the BSEC area.

BSEC is an inclusive, treaty-based, full-fledged, project oriented regional economic organization, possessing mature institutional structures, well established operational rules and procedures. We all share the conviction that our multilateral economic cooperation contributes to enhancing peace, stability, security and prosperity to the benefit of our region. The Organization has also contributed to developing a sense of regional ownership and identity among our peoples. We are committed to further consolidate its role as an active and reliable partner in international and regional affairs.

We believe that the earliest peaceful settlement of the existing protracted conflicts in the BSEC region, on the basis of the norms and principles of international law will contribute to the enhancement of regional cooperation.

The BSEC-EU interaction is a forward-looking and promising framework, which can contribute to shaping the foundations of an enhanced regional relationship.

BSEC continues to be committed to develop new legal instruments and mechanisms for multilateral economic cooperation in a regional format, which can effectively benefit the citizens of the area.

We believe that interaction between BSEC and the EU should further be institutionalized and result-oriented, through the identification of common tools and the development of synergies. It is necessary to undertake joint efforts to support development and cooperation in the wider Black Sea area, through various cooperation programmes and partnerships.

We also believe that the joint BSEC-EU action in the wider Black Sea area should be comprehensive and inclusive, so that its benefits encompass all BSEC Member States.

BSEC is looking for closer cooperation and coordination with the EU in the areas of mutual interest, ensuring complementarity, synergies and avoiding duplication of work.

We also express the wish to establish a BSEC-EU enhanced relationship, within which Ministerial Meetings in different formats could be held.

We invite the EU to join the efforts of BSEC in particular in the priority areas of the development and interconnection of transport infrastructure in the region (Black Sea Ring Highway and development of the Motorways of the Sea of the BSEC region), in enhancing energy security and environmental sustainability in the region, in combating all forms of organized crime, terrorism, in preventing and managing natural and man-made disasters, in upgrading communication and information technologies in the region and in facilitating the movement of peoples, including representatives of the business communities and lorry drivers, between the EU and BSEC countries. BSEC is interested in using the EU experience in promoting regional cooperation inter alia through the creation of clusters with the view to unite efforts of industry, universities and research centres. With this aim, BSEC suggests to develop together with the EU a respective “road map” for cooperation and establish special ad hoc joint working groups for practical implementation. BSEC is also interested in starting talks at an expert level, to identify means and ways of cooperation in the areas of common interest.

We express our gratitude to the Government, the Ministry of Foreign Affairs and the people of Ukraine for the warm hospitality and the excellent organization of this important Meeting, held back-to-back with the Ministerial Meeting for launching the Black Sea Synergy process.

Joint Statement

of the Ministers of Foreign Affairs of the countries of the European Union and of the wider Black Sea area

1. Foreign Ministers of the countries of the European Union and of the wider Black Sea area met in Kyiv to initiate the Black Sea Synergy cooperation. The Meeting was opened by H.E. Viktor Yushchenko, President of Ukraine.
2. Ministers identified significant challenges and opportunities in the wider Black Sea area, which may require coordinated action at the regional level. They agreed that greater involvement by the European Union can increase the potential of Black Sea regional cooperation. Ministers welcomed the Black Sea Synergy Initiative of the European Union as an important tool to achieve this goal.
3. Participants agreed that the primary task of the Black Sea Synergy is the development of cooperation within the Black Sea region and also between the region as a whole and the European Union. The different aspects of the Synergy will be discussed, agreed upon and implemented by the interested countries in a fully transparent and flexible manner, based on mutual interests.
4. The Black Sea Synergy will benefit from the European Neighbourhood Policy and other EU policies applied in the relationship with countries of the region. EU support to Black Sea regional cooperation is aimed at producing tangible results in a number of priority areas. This includes the development and interconnection of transport, energy and communication infrastructure, responding to increasing trade, investment, traffic and information flows as well as rapidly evolving transit needs. Ministers declared their intention to promote the dialogue between energy producers, consumers and transit countries aimed at ensuring fair access to energy resources and markets, enhancing energy security and environmental sustainability. They will support regional transport cooperation with a view to improving efficiency, safety and security. Ministers agreed that the Black Sea Synergy offers a framework to improve coordination between relevant EU and regional policies as well as wide-ranging programmes such as the development of major trans-national transport axes, the Motorways of the Sea or the Black Sea Ring Highway.

5. The Synergy should contribute to better coordinating specific environmental programmes, notably those focusing on tasks relating to water quality. It should also invigorate the dialogue on Black Sea maritime policies and facilitate efforts to establish regional fisheries management cooperation in order to ensure sustainable use of Black Sea fishery resources. Black Sea regional cooperation should also provide a framework for building capabilities to cooperate in combating climate change and in preventing and managing natural and man-made disasters in the region. Black Sea countries and the European Union will develop region-wide activities to strengthen cooperation in the fields of migration, law enforcement and the fight against organised crime building on the activities of cooperation arrangements already in place, by ensuring added value and avoiding duplication. Increased EU engagement in Black Sea regional cooperation has the potential to bring benefits also in the fields of trade, science and technology, research, culture and education as well as employment and social affairs.

6. Ministers took note of the wish for a possible visa facilitation perspective and the role of enhanced mobility in promoting the development of trade and economic relations.

7. The Black Sea Synergy could benefit from Black Sea partnerships, involving various stakeholders from the EU and the wider Black Sea area.

8. Participants agreed that the Black Sea Synergy would be a useful means to strengthen the democracy and respect for human rights and to foster civil society.

9. Protracted conflicts impede cooperation activities. Therefore participants emphasized the need for their earliest peaceful settlement on the basis of the norms and principles of international law.

10. The Meeting took due regard of the importance of parliamentary activities in promoting regional cooperation.

11. Ministers welcomed the first steps of the Black Sea Cross-Border Cooperation Programme which supports civil society and local level cooperation in Black Sea coastal areas.

12. Participants stressed the need for proper funding of priority regional cooperation programmes. Co-financing should apply as a general rule. In this context, the regional activities of the International Financial Institutions, most notably the EBRD, the EIB and the BSTDB, could offer new possibilities along with financing coming from the EU and from countries of the Black Sea area.

13. The Ministers recognised the important role played by regional organisations and initiatives, particularly by the Organisation of the Black Sea Economic Cooperation (BSEC). Ministers noted with satisfaction that the European Commission has obtained observer status in BSEC and has engaged in practical interaction with it in several fields. Black Sea Synergy will take due account of the work in BSEC and will at the same time remain open to all appropriate cooperation possibilities provided by other regional bodies and initiatives, including those in the Danube region, a key area to strengthen connections between the EU and the Black Sea countries.

14. Participants considered that this Black Sea Synergy Meeting is the beginning of a long-term regional cooperation endeavour offering new opportunities and increased stability and prosperity to citizens in the wider Black Sea area and the whole of Europe.

Ministers expressed their gratitude to Ukraine for the excellent preparation and organisation of the Meeting.

Kyiv, 14 February 2008

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E-mail: info@ceps.be

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CENTRE FOR
EUROPEAN
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STUDIES

Place du Congrès 1 • B-1000 Brussels
Tel: 32(0)2.229.39.11 • Fax: 32(0)2.219.41.51