

# Policy Brief # 12 February 2009



## Black Sea Synergy and Eastern Partnership: Different Centres of Gravity, Complementarity or Confusing Signals?

By Yannis Tsantoulis\*

### Abstract

This comparative analysis is primarily based on the two Communications published by the European Commission entitled *Black Sea Synergy – A New Regional Cooperation Initiative* of 11 April 2007 and *Eastern Partnership* of 3 December 2008, and on the *Commission Staff Working Document* accompanying the *Eastern Partnership*. The basic idea is to analyse the key features of both the Black Sea Synergy and the Eastern Partnership and consider the impact of these two policy approaches for the region as a whole. Overall, the objective is to briefly assess the content of these two policy initiatives/approaches and examine their interaction and the level of their complementarity – if there is any. To this end, after a brief and focused presentation of each policy, this paper undertakes a more detailed comparative analysis (*see Table 1*) of the key official documents launching the Black Sea Synergy and the Eastern Partnership reflecting thus on the potential implications and the probability of a future *modus vivendi*.

**Keywords:** Black Sea Economic Cooperation, Black Sea Synergy, Eastern Partnership, European Union.

### The Current State of Play

Following the last rounds of enlargement, the European Union (EU) gradually started to realise that the establishment of a single, coherent policy framework towards its new eastern neighbourhood was a necessity. The first serious move towards the formation of a policy towards its emerging eastern neighbourhood was the launching of the Black Sea Synergy<sup>1</sup> (BSS) in 2007 that was regarded as an *intermediary step* toward a cohesive EU strategic vision for the region. From the very beginning, the BSS was identified as complementary to the

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*The views expressed in this Policy Brief are personal and do not necessarily represent those of the ICBSS.*

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<sup>1</sup> European Commission, *Communication from the Commission to the Council and the European Parliament, Black Sea Synergy: A New Regional Cooperation Initiative*, COM(2007) 160 final, Brussels, 11 April 2007; European Commission, *Communication from the Commission to the Council and the European Parliament, Report on the first year of implementation of the Black Sea Synergy*, COM(2008) 391 final, Brussels, 19 June 2008.



European Neighbourhood Policy (ENP), EU-Russia relations and accession negotiations with Turkey. Basically, it was the first document that identified the key areas where regional cooperation could be promoted including, among others, issues of energy, trade, environment, transport, good governance as well as contacts between local authorities. Since then, the main objectives have been to stimulate reforms in the policy and economic sectors of the countries of the region, support stability and foster growth, give emphasis to feasible projects that require practical region-wide efforts and – if possible – create an encouraging atmosphere for the resolution of the conflicts in the region.

Only twenty months after the launching of the BSS, a Polish-Swedish proposal that was referring to the need to strengthen the presence of the EU in its eastern neighbourhood called for a policy which goes beyond the current ENP both by deepening **bilateral cooperation** and by creating a solid framework for **multilateral co-operation**.<sup>2</sup> Following this proposal and the dramatic events of the “08.08 Crisis”, the Extraordinary European Council<sup>3</sup> of 1 September 2008 reaffirmed that it wishes to adopt an “Eastern Partnership” (EaP) by March 2009. As a result, the Commission officially presented on 3 December 2008 a Communication titled “Eastern Partnership”.

### The Black Sea Synergy: Key Features and Potential Contribution

The key achievements of the BSS so far have been that:

- It managed, first of all, to put the Black Sea region on the radar screen of the EU as a **single distinct policy area**, a unit of analysis and not a vague geographic space. It did so by raising the policy profile/identity of the region and since then paving the way for a more coherent EU approach towards the region as a whole.
- **It brought together**, for the first time, **all the major political actors** and other key stakeholders (national governments, international and regional organisations, business sector, etc.) involved in shaping the future of the region thus promoting **inclusiveness**.
- It promoted the **concept of regional cooperation** and not only cooperation between the EU and the region but also and equally importantly **within the region** thus making **local ownership/inclusion a key element**.
- It endorsed the idea of solving problems which require region-wide efforts and also with its **project oriented character** and its modest ambitions in areas of common interests – with a particular emphasis on environment and transport – has made the whole initiative more realistic and has thus created the conditions for a **spillover effect** to other areas of policies, including high politics such as energy and security issues.
- It reinforced the Europeanisation process in the region by promising specific “carrots” and having concrete benchmarks.<sup>4</sup>

<sup>2</sup> Joint Polish-Swedish proposal Draft Paper, *Eastern Partnership*, 23 May 2008, <http://www.ms.gov.pl/Polish-Swedish,Proposal,19911.html>

<sup>3</sup> Council of the European Union, *Brussels European Council 15 and 16 October 2008 Presidency Conclusions* 14368/08; Council of the European Union, *Council Conclusions on Georgia*, 2889<sup>th</sup> External Relations Council Meeting, Brussels, 15-16 September 2008.

<sup>4</sup> Alexandros Yannis, “The European Union and the Black Sea Region: The New Eastern Frontiers and Europeanisation,” *ICBSS Policy Brief*, no. 7 (Athens: ICBSS, May 2008).



Overall, one could argue that the BSS has the potential to play a useful role in facilitating good neighbourly relations and improving the climate in the region via the implementation of its various cross-border cooperation programmes and initiatives. It could also provide additional opportunities for concrete cooperation, based on the idea of **sectoral partnerships**, following the model of the Northern Dimension and thus improving the relations between the EU and certain key actors in the region.

A major added value in the long run could simply turn out to be that the BSS will introduce new opportunities for promoting **inclusiveness over divisions** in the region and between the EU and the region. Given the renewed divisions on the eastern frontiers of the EU, further implementation of the BSS is important.

### The Eastern Partnership: Key Features and Potential Contribution

The potential contribution of the EaP is that:

- It is **more flexible** than the BSS since it includes 5 (+1) countries and thus can be tailored to each partner's needs and capacity.<sup>5</sup> The key notion in the EaP is **differentiation**. The EaP is a policy based on a **differentiated approach** with each partner and dedicated to supporting each individual country to progress in its own way and at its own speed. This approach provides for flexibility and enhances efficiency.
- It offers both **bilateral and multilateral measures** for enhanced cooperation and it goes beyond the ENP with the view to putting at least some of the partners on the path to EU membership. This by itself is the strongest “carrot”/incentive given to the states.
- It has **increased funding**. Indeed, there is a substantial increase from € 450 million in 2008 to € 785 million in 2013 that amounts to a supplementary envelope of € 350 million in addition to the planned resources for 2010-2013.
- It establishes **stronger channels of communication** through the launching of Summits at a higher political level which represents also the beginning of a “socialisation process” among the partners. According to the Communication, meetings of the EaP Heads of State or Government will be held every two years. The EaP also advances **annual spring meetings of Ministers of Foreign Affairs** from the EU and from the Eastern partners, including Belarus as appropriate, attached to a General Affairs and External Relations Council.
- It contains a **more coherent group of non-EU countries**, i.e. countries that are easier to handle as a group. More specifically, the “exclusion” of Russia and Turkey in this regard is important since both countries have acquired a different status in their relationship with the EU (Turkey – accession country; Russia – strategic partnership) than the other states of the region.
- It establishes a **Comprehensive Institution-Building Programme** and thus focuses on capacity building in the partner countries, identifying weak spots and addressing these through training, technical assistance and equipment where necessary.

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<sup>5</sup> More precisely, EaP includes Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. It should be noted, however, that the level of Belarus' participation in the EaP will depend on the overall development of EU-Belarus relations.



- It **pays attention to issues of energy security** in the partner countries themselves and with the EU and also enhances cooperation on **environment and climate issues**.
- It increases **people-to-people contacts** and it involves **civil society** and other stakeholders.
- It has **high profile flagship initiatives**: i) Integrated Border Management Programme; ii) Small and Medium sized Enterprise Facilities; iii) Regional electricity markets, renewables and energy efficiency; iv) Southern energy corridor; v) Prevention of, preparedness for, and response to natural and man-made disasters.
- **Strong Incentives**: The strength of the EaP lies actually at its **bilateral** branch which focuses on:
  - *FTA and creation of a Neighbourhood Economic Community*: New association agreements including deep and comprehensive free trade agreements.
  - *Visa Facilitation*: Eastern Partnership foresees offering “Mobility and Security Pacts” to promote legal movement of people allowing for easier legitimate travel to the EU while at the same time stepping up efforts to combat corruption, organised crime and illegal migration. The ultimate long term goal would be **visa-free travel** with all cooperating partners. Nevertheless, it should be borne in mind that the upgrading of asylum to EU standards also implies re-admission of the illegal immigrants and this cannot be perceived as a “carrot” by the states concerned.<sup>6</sup>

Overall, the EaP focuses on deepening bilateral cooperation by offering more profound **integration** with the EU. One could argue that the EaP serves as a **quasi pre-accession strategy document**. Last, it should be borne in mind that the EaP had, at least at its inception, a **strong political backing** from some countries in the Council of the EU whatever that implies for its future implementation. With the EaP the EU offers its Eastern partners concrete, far-reaching support for democratic and market oriented reforms and thus contributes to their political and economic stability. As a conclusion, the newly created policy reinforces the EU’s ties with its eastern neighbours with a view to putting at least some of them on the path to EU membership.

### **Impact and Implications on BSEC**

One of the most important features of the BSS is that it grants an important role to the BSEC that is acknowledged as the most inclusive and institutionalised regional organisation in the Black Sea area. Since the launching of the BSS, BSEC – EU interaction has gained a new momentum, and one can observe significant progress in a number of key areas. Within this context, a number of key Ad Hoc Group of experts have been quite active exploring the possibilities of promoting cooperation within the framework of the EU – BSEC interaction. Nevertheless, in the case of the EaP there is no reference to the BSEC. In areas of cooperation like transport (Black Sea Ring Highway, Development of Motorways of the Sea) and environment BSEC has been (pro)active and successful so far and the absence of BSEC in the planning of the EaP only complicates things and weakens BSEC’s constructive role in the region. Although it is clearly implied that the BSEC, which

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<sup>6</sup> European Commission, *Communication from the Commission to the Council and the European Parliament, Eastern Partnership*, COM(2008) 823 final, Brussels, 3 December 2008.



has the role of the implementer, is more closely linked to the BSS than the EaP, its role could potentially be undermined if the EaP starts pursuing the same policy goals.

### Searching for a “Modus Vivendi”

The almost parallel launching of the EaP and the BSS seems to complicate somehow the formulation of a coherent EU policy towards its eastern neighbourhood as it also indicates a degree of overlapping agendas and policy priorities. An argument often cited is that there is an overlap with the agenda of the BSS and the EaP, and that the EU is sending wrong and confusing signals to the countries of the region. On the other hand, both policies are expected to create a positive momentum for the Black Sea region. Since both the BSS and the EaP are still “fresh” there are several questions still open regarding their actual scope, purpose, implementation and impact.

However, if the EaP is to be conceived as **a parallel track** to the BSS process, then it should be explicitly made clear as should the interaction/complementarity between the two policies. Therefore, it is important to clearly distinguish from the beginning the existing programmes of the BSS from the five flagship initiatives of the EaP. Overall, when drafting a European policy for the Black Sea region, it is important to avoid any possible overlapping between these two policy proposals/documents that might create confusion and thus weaken the credibility and the efficiency of the EU itself.

According to the European Commission, the BSS aims to solve problems which require *region-wide* efforts and attention and thus has the Black Sea as its centre of gravity, whereas the Eastern Partnership will pursue alignment of partner countries with the EU and thus have Brussels as the centre of gravity.

### Key Proposals

As a concluding argument, both policies could be considered as positive initial steps towards the formation of a policy/strategy towards the Union’s new “eastern neighbourhood”. However, both lack power – economic and political – and a conceptual vision. At this stage, the following proposals should be taken into consideration:

1. The funding, the allocation and the distribution of the resources should be further clarified. To put it bluntly – who gets what, how and from whom (e.g. European Neighbourhood and Partnership Instrument, TAIEX, World Bank, Black Sea Trade and Development Bank, etc.).
2. The overlapping in certain policy areas (e.g. visa facilitation), that are crucial to both policies and in certain cases are already in the process of implementation, should be avoided or at least minimised.
3. The exclusion of some key countries (e.g. Russia, Turkey), might give flexibility to the EaP, but it undermines the spirit of regional cooperation in the Black Sea and it can create new divisions. In this regard, there has to be a balance between exclusion and flexibility.
4. The implementation of some policy proposals could prove to be problematic without the participation of all the states concerned. Namely, issues of environmental concern require the participation of all neighbouring states, at least of the littoral ones. There-



fore, ambitious proposals of the EaP should take into consideration all actors involved.

5. As mentioned earlier, there is no important reference to the BSS in the EaP. A short paragraph in the working document of the EaP cannot clarify some key issues. The European Commission could perhaps take the lead and publish a document (e.g. White Paper, Green Paper, Communication, etc.) covering both policies in order to stimulate discussions on the issue.
6. The role of BSEC in certain policy areas should be clarified – within the context of the EaP as well – in order to avoid possible overlapping. The EaP deals with issues that already part of the BSEC’s mandate and this potentially might weaken the latter’s role. A clarification of tasks and objectives, related to the BSEC’s function, is more than necessary.
7. A stronger political backing/commitment by all the member states and the EU Institutions: It is common knowledge that the Union for the Mediterranean has been the brainchild of the French Presidency while the Eastern Partnership has been advocated by Poland and Sweden. This mentality needs to be changed since both regions constitute after all part of the EU’s common neighbourhood.
8. Increased funds to both projects: Amid the current economic crisis, this does not sound realistic but at a later stage all the stakeholders, including the regional organisations and other financial institutions, should provide more financial support. As Vladimir Chizhov, Russia’s Ambassador to the EU said “whatever is not supported by a line in the budget usually does not fly very high.”
9. The Institutional framework and the implementation mechanisms for both policies, but in particular for the Black Sea Synergy, should be further clarified.

**Table 1**  
**A Comparative Analysis of the Black Sea Synergy and the Eastern Partnership**

Issues	The BSS	The EaP
<b>Geographical Scope</b>	<ul style="list-style-type: none"> <li>▪ It includes Greece, Bulgaria, Romania and Moldova in the west, Ukraine and Russia in the north, Georgia, Armenia and Azerbaijan in the east and Turkey in the south</li> </ul>	<ul style="list-style-type: none"> <li>▪ It includes Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. However, it should be noted that the level of Belarus' participation in the EaP will depend on the overall development of EU-Belarus relations</li> </ul>
<b>Purpose of Interaction</b>	<ul style="list-style-type: none"> <li>▪ The purpose of the BSS is the <b>development of cooperation</b> <i>within</i> the Black Sea Region and also <i>between</i> the region as a whole and the European Union</li> </ul>	<ul style="list-style-type: none"> <li>▪ The purpose of the EaP is to go beyond the ENP bringing a lasting political message from the EU and it is thus based on <i>joint ownership</i> in order to achieve the objectives of <b>political association</b> and <b>economic integration</b></li> </ul>
<b>Guiding Document(s)</b>	<ul style="list-style-type: none"> <li>▪ Black Sea Synergy Communication</li> <li>▪ The Joint Statement of the Ministers of Foreign Affairs of the countries and the EU and of the wider Black Sea Area (Kyiv, 14 February 2008)</li> <li>▪ BSS – One Year Forward Communication</li> </ul>	<ul style="list-style-type: none"> <li>▪ Eastern Partnership Communication</li> <li>▪ Commission Staff Working Document accompanying the EaP</li> <li>▪ ENP Documents (Action Plans)</li> </ul>
<b>Policy Domain</b>	<p><i>Black Sea wide</i></p> <ul style="list-style-type: none"> <li>▪ Democracy, respect for human rights and good governance</li> <li>▪ Trade</li> <li>▪ Managing movement and improving security</li> <li>▪ The “frozen” conflicts</li> <li>▪ Energy</li> <li>▪ Transport</li> <li>▪ Environment</li> <li>▪ Maritime Policy</li> <li>▪ Fisheries</li> <li>▪ Research and Education Networks</li> <li>▪ Science and Technology (S&amp;T)</li> <li>▪ Regional Development</li> <li>▪ Employment and social affairs</li> </ul>	<p><i>EU – 5+1 Eastern countries</i></p> <ul style="list-style-type: none"> <li>▪ Democracy, Good Governance and Stability</li> <li>▪ Deep and Comprehensive Free Trade Area</li> <li>▪ Mobility and Security</li> <li>▪ Agricultural Dialogue</li> <li>▪ Energy Security</li> <li>▪ Intellectual Property</li> <li>▪ Visa policy: visa facilitation, improvement of the Member states' consular coverage, visa free travel; labour mobility</li> <li>▪ High-standard border management</li> <li>▪ Effective data protection regime</li> <li>▪ Economic and social development</li> </ul> <p><i>Flagship Initiatives:</i></p> <ol style="list-style-type: none"> <li>i) Integrated Border Management Programme</li> <li>ii) Small and Medium sized Enterprise Facilities</li> <li>iii) Regional electricity markets, renewable and energy efficiency</li> </ol>

		<p>iv) Southern energy corridor</p> <p>v) Prevention of, preparedness for, and response to natural and man-made disasters</p>
<b>Operational Structure</b>	<ul style="list-style-type: none"> <li>▪ Black Sea wide High-level political events (Ministerial Meetings) to provide political orientation and visibility of the Synergy. However, the frequency of these Meetings is not clearly defined</li> </ul>	<ul style="list-style-type: none"> <li>▪ Meetings of the EaP Heads of State or Government every two years</li> <li>▪ Annual spring meetings of Ministers of Foreign Affairs from the EU and from the Eastern partners, including Belarus as appropriate</li> <li>▪ Four thematic platforms, according to the main areas of cooperation held at least twice a year at the level of senior officials engaged in reform work in the relevant policy areas</li> <li>▪ Panels supporting the work of the thematic platforms in specific areas. Their formats and participants will be determined according to need</li> </ul>
<b>Type of interaction</b>	<p><i>Black Sea wide</i></p> <ul style="list-style-type: none"> <li>▪ Better coordinating specific programmes, building on the activities of cooperation arrangements already in place, by ensuring added value and avoiding duplication</li> <li>▪ Dialogue with partners on regional policies</li> <li>▪ Development of region-wide activities</li> <li>▪ Sharing experiences and best practices</li> <li>▪ Promoting confidence – building measures</li> <li>▪ Setting new legal frameworks in key sectors</li> </ul>	<p><i>EU – 5+1 Eastern countries</i></p> <ul style="list-style-type: none"> <li>▪ It is based on a <b>bilateral track</b> designed to create a closer relationship between the EU and each of the countries concerned and on a <b>multilateral track</b> providing a new framework where common challenges can be addressed</li> </ul>
<b>Instruments</b>	<p><i>Black Sea wide</i></p> <ul style="list-style-type: none"> <li>▪ Existing EU programmes</li> <li>▪ Programmes of regional relevance (TRACECA, Black Sea Commission, etc.)</li> <li>▪ Black Sea Partnerships</li> </ul>	<p><i>EU – 5+1 Eastern countries</i></p> <ul style="list-style-type: none"> <li>▪ <b>Association Agreements (AA)</b>. It should be noted that their context will vary and will be differentiated accordingly to support the partner’s objectives and capacities. Lastly, they will contain legally binding commitments on regulatory approximation in trade related areas</li> <li>▪ In the long run, the creation of a network of bilateral agreements among the partners, possibly leading to the creation of a <b>Neighborhood Economic Community</b></li> <li>▪ Tailor-made and on a country-</li> </ul>

		<p>by-country basis <b>mobility and security pacts</b></p> <ul style="list-style-type: none"> <li>▪ Tools: Mobility Partnership, Twinning Projects (TAIEX)</li> <li>▪ <b>Comprehensive Institution-Building programme (CIB)</b></li> </ul>
<b>Cross-border Cooperation</b>	<p><i>Black Sea wide</i></p> <ul style="list-style-type: none"> <li>▪ Black Sea CBC programme under the ENPI</li> </ul>	<p><i>EU – 5+1 Eastern countries</i></p> <ul style="list-style-type: none"> <li>▪ Extended ENPI-funded cross-border cooperation</li> <li>▪ Memoranda of Understanding on regional policy with partners, as a basis for dialogue</li> <li>▪ Regional Development Programmes</li> <li>▪ Direct co-operation between the regions of the EU and of the partner countries, including participation of relevant partners in existing transnational programmes in South-Eastern, Central and Northern Europe</li> </ul>
<b>Financial Support</b>	<p><i>Black Sea wide</i></p> <ul style="list-style-type: none"> <li>▪ Principle of co-financing</li> <li>▪ Community support could be available under the national, regional and cross-border programmes of the ENPI</li> <li>▪ Other external assistance instruments</li> <li>▪ For EU members, the Regional Development Fund</li> <li>▪ Regional activities of the EBRD, the EIB</li> </ul>	<p><i>EU – 5+1 Eastern countries</i></p> <ul style="list-style-type: none"> <li>▪ EIB and EBRD</li> <li>▪ Neighborhood Investment Facility (NIF)</li> </ul>
<b>Levels of Interaction</b>	<p><i>Black Sea wide</i></p> <ul style="list-style-type: none"> <li>▪ Intergovernmental</li> <li>▪ Interparliamentary</li> <li>▪ Local Authorities</li> <li>▪ NGOs</li> </ul>	<p><i>EU – 5+1 Eastern countries</i></p> <ul style="list-style-type: none"> <li>▪ National governments</li> <li>▪ EU institutions (besides the EC and the EP, Committee of the Regions and the European Economic and Social Committee)</li> <li>▪ International organisations (such as the OSCE and CoE)</li> <li>▪ Civil Society Organisations (CSOs)</li> <li>▪ Third countries</li> </ul>

*Sources: European Commission, Communication from the Commission to the Council and the European Parliament, Black Sea Synergy: A New Regional Cooperation Initiative, COM(2007) 160 final, Brussels, 11 April 2007; European Commission, Communication from the Commission to the Council and the European Parliament, Report on the first year of implementation of the Black Sea Synergy, COM(2008) 391 final, Brussels, 19 June 2008; European Commission, Communication from the Commission to the Council and the European Parliament, Eastern Partnership, COM(2008) 823 final, Brussels, 3 December 2008.*



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*Within the framework of the EU-Black Sea Observatory project; with the support of the Hellenic Ministry of Foreign Affairs.*



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ISSN 1791-6658

ISBN 978-960-6885-04-4

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