

Re-thinking the European Neighbourhood Policy: From “Alternative to Enlargement” to Regional Foreign and Security Policy?

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Introduction

To maintain security for its member states and citizens is clearly one of the fundamental purposes of the European Union, especially if security is defined as a “low probability of damage to acquired values” (Baldwin 1997, 13). The European Union (EU) prides itself in being a community founded on shared values among its members,¹ and its European Neighbourhood Policy (ENP) frequently refers to a “vision [of] a ring of countries, sharing the EU’s fundamental values and objectives”, while realising that the “degree of commitment to common values” may differ across the different partner countries (European Commission 2004, 5,8). In this sense, the ENP is, if anything, essentially a policy that seeks to achieve security for the European Union, its member states and citizens. Yet, it is equally clear that *security* for the EU cannot be achieved without *stability* in its neighbourhood (and beyond). As early as 2003 the so-called “Wider Europe” Communication from the European Commission noted that “neighbouring countries are the EU’s essential partners ... to create an enlarged area of political stability” (European Commission 2003b, 3) and in 2004, the Commission’s ENP Strategy Paper emphasised that an “important priority will be the further development of a shared responsibility between the EU and partners for security and stability in the neighbourhood region” (European Commission 2004, 13), reflecting a similar observation in the EU Security Strategy of December 2003 (Council of the European Union 2003a, 7,9,11). The link between internal and external dimensions of EU security have also been highlighted in the “Draft Internal Security Strategy for the European Union”, which states that there can be no doubt that the EU’s ability to achieve sustainable security depends to a significant degree on its ability “to work with [its] neighbours and partners to address the root causes of the internal security problems faced by the EU” (Council of the European Union 2010, 3).

‘Re-thinking’ any kind of policy requires an initial engagement with the purpose of such an exercise, which can be focused, among others on the process of how the policy is made, the outcomes of this process (i.e., the concrete policies to be implemented), and the impact that the policy has as a result of its implementation. Put in the language of the 2003 “Wider Europe” Communication, the patten two dimensions can be linked as follows: “If the EU is to work with its neighbourhood to create an area of shared prosperity and stability, proximity policy must go hand-in-hand with action to tackle the root causes of the political instability, economic vulnerability, institutional deficiencies, conflict and poverty and social exclusion” (European Commission 2003b, 13). In terms of this paper and its focus on the ENP as a policy designed to achieve security for the EU, I am particularly interested in this nexus of outcomes and impact. Re-thinking the ENP from this perspective can be done by looking at two closely related questions: (1) Have existing outcomes (policies under the ENP) achieved certain desirable impacts (goals set for the ENP, i.e., security)? And (2) What future outcomes will the ENP policy making process have to generate in order to (continue to?) achieve such desirable impacts.

In order to answer these two broad questions, I will proceed in three steps. First and second, I’ll give a brief overview of where the ENP comes from and where it is right now. This will focus primarily on the accomplishments of the ENP in what is now close to a decade of its existence and assess the extent to which the ENP has generated policies that have resulted in achieving any of its goals so far. Third, I will consider the current challenges that the EU faces in particular in its southern neighbourhood and outline some possible directions for the development of ENP over the next decade in light of its prevailing mission to create a “democratic, prosperous and stable region” (European Commission 2011e).

Where does the ENP come from?

The ENP was created as a new policy in 2003 and has been operational since 2004. It has its origins in the December 2002 Copenhagen European Council which finalised the 2004 enlargement of the EU by ten

¹ As per Article 2 of the Consolidated Version of the Treaty on European Union “The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.”

members. An earlier British/Scandinavian-led initiative to give the EU's future eastern neighbours an enhanced status, but one distinct from the Western Balkans countries whose European perspective within the Stabilisation and Association Process was affirmed (and subsequently turned into a concrete membership perspective at the 2003 Thessaloniki European Council).² The initiative received some further modification by being extended to those Mediterranean countries thus far, and since 1995, covered by the Euro-Mediterranean Conference (the so-called Barcelona Process).

The decisions of the 2002 Copenhagen Council led to a Communication from the European Commission, entitled "Wider Europe— Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours", which was released in March 2003. This strategy paper defined the fundamental parameters of the ENP which remain largely valid to date, including that

The aim of the new Neighbourhood Policy is therefore to provide a framework for the development of a new relationship which would not, in the medium-term, include a perspective of membership or a role in the Union's institutions. A response to the practical issues posed by proximity and neighbourhood should be seen as separate from the question of EU accession. (European Commission 2003b, 5)

The "Wider Europe" communication also defined the new policy's aims "to reduce poverty and create an area of shared prosperity and values based on deeper economic integration, intensified political and cultural relations, enhanced cross-border cooperation and shared responsibility for conflict prevention" and, in a rather round-about way, introduced one key mechanism from its enlargement policy, conditionality, into the delivery of the new policy,³ which was seen as complementing, rather than replacing existing policies and bilateral arrangements. Hence, bilateral Action Plans were designated the main instruments of delivering the policy, alongside a small, but symbolically significant emphasis on regional cooperation. In July 2003, the Commission followed up with a Communication on "Paving the Way for a New Neighbourhood Instrument" (European Commission 2003a), which proposed the creation of "a new legal instrument addressing the common challenges identified in the Wider Europe Communication" (European Commission 2003a, 4). Importantly, this Communication also raised the issue of regional differentiation (between the southern and eastern dimension of the ENP), noting that "[a] Neighbourhood Instrument for the external borders of the enlarged European Union would logically be linked to, and coherent with, the various external policy agendas and processes and should take account of the different regional priorities already developed" (European Commission 2003a, 11).

By the time, in May 2004, that the Commission issued a strategy paper on the ENP, recommending "the inclusion of Armenia, Azerbaijan and Georgia within the scope of the ENP" (European Commission 2004, 7),⁴ earlier hopes that the ENP would also cover Russia had dissipated following the May 2003 EU-Russia Summit in St Petersburg where the sides committed to developing their relations in a different framework, the so-called four common spaces of the strategic partnership.

At the same time, the Strategy Paper highlighted the security dimension of the ENP in several ways. It made specific reference to the EU Security Strategy published in December 2003 and identified "foreign and security policy issues including regional and international issues, conflict prevention and crisis management and common security threats (e.g. terrorism and its root causes, proliferation of weapons of mass destruction and illegal arms exports)" as essential to a more effective political dialogue, including also "the possible involvement of partner countries in aspects of CFSP and ESDP, conflict prevention, crisis management, the

² The Presidency Conclusions of the December 2002 Copenhagen Council noted "The European Council ... reaffirms the European perspective of the countries of the Western Balkans [and] ... underlines its determination to support their efforts to move closer to the EU" (Council of the European Union 2002). At Thessaloniki, six months later, the Council "reiterated its determination to fully and effectively support the European perspective of the Western Balkan countries, which will become an integral part of the EU, once they meet the established criteria" (Council of the European Union 2003b).

³ The 2003 Communication states the EU's aim "[t]o anchor the EU's offer of concrete benefits and preferential relations within a differentiated framework which responds to progress made by the partner countries in political and economic reform." This is subsequently further specified in the same document noting that "[e]ngagement should ... be introduced progressively, and be conditional on meeting agreed targets for reform. New benefits should only be offered to reflect the progress made by the partner countries in political and economic reform. In the absence of progress, partners will not be offered these opportunities" (European Commission 2003b, 9,16).

⁴ The inclusion of the South Caucasus in the ENP was foreshadowed by the European Security Strategy of December 2003, which stated that "[w]e should now take a stronger and more active interest in the problems of the Southern Caucasus, which will in due course also be a neighbouring region" (Council of the European Union 2003a, 8).

exchange of information, joint training and exercises and possible participation in EU-led crisis management operations” (European Commission 2004, 13).

Thus, within two years of the Copenhagen Council, the EU had a new policy that was neither enlargement nor foreign or security policy proper. Put differently, clearly not enlargement, and equally clearly not yet foreign and security policy. This is reflected, in part, in the fact that between 2004 and 2009, ENP was part of the portfolio of the then European Commissioner for External Relations and European Neighbourhood Policy, Benita Ferrero-Waldner, but became attached to the portfolio of the now European Commissioner for Enlargement and European Neighbourhood Policy, Štefan Füle, when the implementation of the Lisbon Treaty in 2009 created the post of Vice President of the Commission and High Representative of the Union for Foreign Affairs and Security Policy, effectively merging the roles of the former External Relations Commissioner with that of the High Representative for CFSP.

Where is the ENP now?

To understand where the ENP currently is, its origins have to be understood as period of two sequential, partially overlapping phases. During the early phase, between 2002 and 2006, ENP was clearly a policy encapsulating the ‘alternative to enlargement’ more than anything else. During the following period, roughly between 2006 and 2010, the ENP began a transition towards the regional foreign and security policy that it arguable is more clearly in 2011, a year that, in many ways, presents a major juncture for the ENP: never before did the EU produce as many strategy documents on the ENP in one year as it did in 2011 (Council of the European Union 2011c; European Commission 2011a, 2011c, 2011e, 2011f), nor was the increase in the ENP budget ever as significant in relative and absolute terms, not to mention the fact that it comes at a time of profound economic crisis within the EU.⁵ This was partly in response to the momentous developments in its southern neighbourhood, partly the result of a longer review process triggered by the implementation of the Lisbon Treaty.

The ground for the reinvigoration that the ENP has seen over the past twelve months was partially prepared in the years 2006—2010. Two reviews of the ENP in 2006 and 2007, respectively entitled “On Strengthening the ENP” and “A Strong ENP” (European Commission 2006, 2007) were followed by a flurry of activity in relation to the developing Eastern Partnership (EaP), which had been developed by the Commission following a request by the Council in June 2008 (Council of the European Union 2008) and gained additional significance following the Russia-Georgia war in August 2008. The EaP took concrete shape with a Communication from the Commission in December 2008 (European Commission 2008a, 2008b) and was officially launched in May 2009 (Council of the European Union 2011c). The importance that this particular element of differentiation within the ENP as a whole took on in the two years following the launch of the EaP is also evident from the two implementation reports in 2009 and 2010, respectively, and the relative progress that was made in relations especially with Moldova, including notably in relation to a more constructive and pro-active EU engagement on the conflict in Transnistria, and Ukraine.

Yet, despite another Eastern Partnership Summit in Warsaw in September 2011 (Council of the European Union 2011c), the focus of the ENP decidedly shifted to the southern neighbourhood as the Arab Spring began to engulf the region from early 2011 onwards in developments at least partly reminiscent to the events in Central and Eastern Europe after 1989. The relatively routine policy process of the ENP was thus suddenly presented with significant challenges and opportunities at a time when its place and role in the post-Lisbon environment was still being defined.

Where should the ENP go to meet the security challenges in its southern neighbourhood?

On 25 May 2011, the High Representative of the Union for Foreign Affairs and Security Policy and Commission Vice-President, Baroness Catherine Ashton, and the European Commissioner for Enlargement and Neighbourhood Policy, Štefan Füle, presented a new communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, underlining the new possibilities for close cooperation between the emerging External Action Service (of the Council) and the Enlargement and ENP portfolio (in the Commission). Boldly entitled “A new response to a changing neighbourhood”, the document is the outcome of a review of the ENP that began in summer 2010 in

⁵ The commission has proposed a total budget for the ENP for the period 2014-2020 of €18.2 billion, reflecting a 40% increase on the current budget (European Commission 2011d).

response to the changes of the Union's new foreign affairs set-up under the Lisbon Treaty. The "New Response" communication proclaims the need for a new approach "to build and consolidate healthy democracies, pursue sustainable economic growth and manage cross-border links" and specifically mentions "stronger political cooperation on ... security [and] conflict resolution matters" (European Commission 2011e, 1,3). Crucially, and thus reaffirming a persistent theme across a decade of EU strategy papers on the ENP, the communication insists that "the new approach must be based on mutual accountability and a shared commitment to the universal values of human rights, democracy and the rule of law" (European Commission 2011e, 2) and puts significant emphasis on both positive and negative conditionality (European Commission 2011e, 4).

Comprising the countries on the southern and eastern Mediterranean shores—Morocco, Algeria, Tunisia, Libya, and Egypt; and the Palestinian Territories, Israel, Jordan, Lebanon, and Syria—the EU's southern neighbourhood faces no shortage of challenges that undermine the region's stability and threaten the EU's security. In order to assess how much impact the envisaged outcomes of the new ENP are likely to have in this respect, these challenges first need to be identified. They fall into two broad categories. The first of them is related to instability IN the southern neighbourhood itself:

- Latent/unresolved conflicts between states, primarily evolving around borders in the Middle East between Israel and Syria and Lebanon
- Communal/sectarian/secessionist civil wars, primarily the on/off power struggles in Lebanon and the Palestinian territories, as well as the self-determination struggle in Morocco/Western Sahara
- The Israeli-Palestinian conflict which combines elements of inter-state and intra-state conflicts linked to the broader regional setting of the Arab-Israeli conflict
- The so-called 'Arab Spring', i.e., the popular uprisings against a widely perceived lack of economic opportunity, freedom and dignity in a number of the authoritarian regimes in the Middle East and North Africa—with their largely unpredictable outcomes and consequences, including continuing violence in Egypt, Libya, and Syria

All of these conflicts pose a serious humanitarian challenge (and have in many instances done so for years if not decades), but they also constitute a security challenge to the EU (and more broadly) in that they are an essential part of an environment that is conducive to the proliferation of cross-border security threats. In this second category of security challenges, the issues are of more immediate and direct impact on the EU itself:

- Illegal (trans-) migration to EU member states
- Transnational organised crime, especially related to smuggling of goods and trafficking in humans, arms, and drugs
- International terrorism
- Supply and transit dimensions of European energy security

The new ENP mission statement recognises that addressing these threats is an interest that the EU shares with the countries of the southern neighbourhood, and at least implicitly, also makes a connection between the two categories in seeing problems IN the neighbourhood among the causes of security threats BEYOND its geographical boundaries, including for the EU. More to the point organised crime, international terrorism, etc., are, to some extent, symptoms of underlying problems, such as the lack of civil and political liberties and economic opportunities, in the countries of the southern and eastern Mediterranean, which may be addressed by the breadth of policies that comprise the ENP, including institution building, economic cooperation, and cooperation on a range of security issues that fall into the areas of CSDP and JHA.

Looking back over close to a decade of ENP, the track record of these policies to achieve their strategic goals of strengthening the prosperity, stability and security of the EU and its neighbours is less than stellar. Among all the countries of the southern neighbourhood, only two—Morocco and Jordan—have fully implemented, and moved beyond, their original action plans. In recognition of this, the EU granted them 'advanced status' in 2008 and 2010, respectively. Yet, one might question, for example, how much Morocco really has advanced since the inauguration of the ENP in 2003: the conflict in the Western Sahara—after all, one of the security challenges in the Southern Neighbourhood constantly referred to in EU documents—is nowhere nearer a resolution than it was eight years ago.

Is this likely to change now? The “New Response to a Changing Neighbourhood” signifies a certain degree of continuity in its commitment to democracy, economic development, sub-regional cooperation and regional differentiation that has characterised the ENP since 2003. What is if not new, so at least far more explicit, is a greater emphasis on conditionality and political and security cooperation. Thus, the EU seeks to “enhance [its] involvement in solving protracted conflicts” (European Commission 2011e, 5). However, rather than outlining concrete steps that go beyond the implementation of ENP (and CFSP/CSDP) to date, the emphasis is on continuing what already happens (and has arguably not been very effective): membership in the Middle East Quartet, opposition to violent border changes, using operational presence through existing missions to back reform efforts, and employing instruments that promote economic integration and sectoral reform to support confidence-building measures and conflict resolution objectives (European Commission 2011e). The only, partially innovative new initiative is that the “EU intends to enhance its support for confidence-building and outreach to breakaway territories, for international efforts and structures related to the conflicts, and, once that stage is reached, for the implementation of settlements” (European Commission 2011e, 5).

Here is where the EU may be able to find (yet again) a niche for an effective contribution to stability in its neighbourhood through the instruments that the ENP offers. Consider, briefly, the case of Libya. While the UN-authorized military intervention was a NATO operation almost solely conducted and led by Europeans—first and foremost the UK and France—the EU has not so far played any significant role. Clearly constrained by its economic and financial crisis, the real blow to concerted and unified EU action was dealt by the German abstention during the vote on UN Security Council Resolution 1973(2011).⁶ Until then, the EU had been fully supportive of UN actions and contributed to enforcing sanctions against the Gadhafi regime. A joint statement by the President of the European Council, Herman Van Rompuy, and the EU High Representative, Catherine Ashton, on the day the crucial UN resolution was passed already indicated more lukewarm support of the EU, noting its readiness “to implement this Resolution *within its mandate and competences*” (Rompuy and Ashton 2011) and the subsequent Council Conclusions three days later unsurprisingly offered no more than “CSDP support to humanitarian assistance in response to a request from OCHA and under the coordinating role of the UN” (Council of the European Union 2011a). At that time, the NATO military operation, carried predominantly by military forces of EU members Britain and France, was already in full swing. A starker contrast could hardly be imagined.

The EU did follow up with a Council Decision on an EU military operation in support of humanitarian assistance operations in Libya, setting up operational headquarters in Rome and preparing various scenarios (Council of the European Union 2011b). Embarrassingly, a request for the activation of EU military assistance was never made. EU Military Staff and assets were, however, involved in the evacuation of EU citizens from Libya and third-country refugees via Tunisia.

While it is easy (and not wrong) to belittle the inability of the EU to offer any substantial military support during the Libyan crisis (even though it did, through its member states, clearly have the necessary capabilities), the EU has been an important player in a different way: by providing significant humanitarian assistance, worth over €150million by October 2011. An additional €25million are available for short-term stabilisation needs, as well as a further €60million for assistance in the transition process. These will include measures decided together with the transitional government to build up state institutions, to support civil society, human rights and democratisation, to provide health services and assist with border management and security sector reform. (European Commission 2011b)

The EU’s military embarrassment to one side, the Union does have substantial experience and a positive track record in these civilian crisis management operations—which it has carried out with great success on three continents. From the joint EU/ASEAN mission that monitored the implementation of the Aceh peace agreement in Indonesia (including a substantial disarmament operation), to police training and advisory missions in Afghanistan, Macedonia, Bosnia, the Palestinian Territories and the DRC, from EU border assistance missions at the Moldova/Ukraine and Egypt/Gaza borders to missions supporting security sector reform in Guinea-Bissau and the DRC, and to missions supporting the strengthening of the rule of law in Iraq, Georgia, and Kosovo. Although some of these missions are still on-going, they all have been at least qualified successes—they have fulfilled their, albeit sometimes narrowly conceived, mandates and in most cases contributed to lasting stability and improved security on the ground. In addition, the EU, as a collective of its

⁶ For a record of the 6498th Meeting of the UN Security Council see (UN Security Council 2011).

27 member states, remains the largest donor of development assistance, including support of state-building, administrative reform, and public sector capacity building. In all of these areas, the EU works closely with other international and regional organisations and the governments and civil society of recipient countries.

This is where the EU can make a real contribution to the future of Libya, and the statement by the High Representative following the fall of Sirte and the death of Gadhafi clearly indicate the Union's willingness to become a strong partner of the new Libya (Ashton 2011). The case of Libya demonstrates in an exemplary way countries of the Arab Spring in the southern neighbourhood who go through a challenging, and at times violent, transition process now need each other economically and politically (as did and do the Central and Eastern European countries that joined the EU in 2004 and 2007 or are now covered by the Eastern Partnership). These countries' successful transition to democracy is crucial to stability in the EU's southern neighbourhood, and thus to the EU's security, and it is here where the ENP will have to prove its mettle.

Conclusion

While the EU recognises that "more continuous and more intimate political dialogue" is necessary to "tackle the sources of instability and conflict" (European Commission 2011e, 18,20) in the southern neighbourhood, the section in the new ENP strategy on "Partnership for Democracy and Shared Prosperity in the Southern Mediterranean"⁷ is rather silent on political and security cooperation in this respect, as is the "Dialogue for migration, mobility and security with the Southern Mediterranean Countries" released on 24 May 2011 (European Commission 2011a). It thus remains unclear how the EU will translate its aspirations for more security and stability into the fast-changing reality of the Southern Neighbourhood.

There are a number of problems that have beset the ENP from the very start:

- Member states still find it hard to speak with a common voice on foreign and security policy matters, they are often divided among themselves, and rifts also frequently emerge between member states and the EU institutions, and among EU institutions. Policy on the Israeli-Palestinian conflict and more recently on Libya provides ample illustration for that.
- The EU's (and its member states') internal security agenda often dominates, thus privileging the treatment of symptoms (organised crime, terrorism, illegal migration) over a more comprehensive approach to their causes.
- EU capacity to develop and implement an effective security and conflict resolution policy remains underdeveloped, especially as far as human resources are concerned—in the institutions in Brussels and in the delegations on the ground.
- More fundamentally perhaps, there seems to be a certain disconnect between EU rhetoric and the reality in its neighbourhood. The EU appears to have 'bought' too much of its own narrative about the all-persuasive power and cure of democracy and economic development as sufficiently effective substitutes for a more strategic and powerful security and conflict resolution policy. To the credit of the Union, the stronger emphasis on conditionality indicates that democracy and economic development will not always be readily embraced by everyone in the neighbourhood. The jury is still out on whether tougher conditionality can deliver the reforms that the EU, correctly, believes to be necessary to tackle not only the symptoms but also the root causes of conflict and instability. It may not work in every case, but even if it works in only a few countries in the Southern Neighbourhood, this would be much needed, significant and welcome progress.

The challenges that the EU faces in its neighbourhood are profound. From the Arab Spring that has engulfed most of the countries of the southern and eastern Mediterranean (and some beyond) to the stalled Middle East Peace Process and the increasingly real danger of another round of serious and violent escalation of the underlying tensions across the region, and from the continuing problems with genuine progress towards the rule of law in most of the EaP countries to the obstacles that remain in relation to resolving conflicts that now enter the third decade of their existence in Moldova and the South Caucasus.

In the midst of a serious crisis of its own (making) and doubts about the sustainability of the European project as a whole, the EU nonetheless is also presented with a number of opportunities to achieve its strategic goal of a secure, prosperous and stable neighbourhood. These opportunities, first of all, relate to the process and

⁷ This document was originally launched by Ashton and Commission President Barroso on 8 March 2011 in response to the Arab Spring (European Commission 2011f).

outcomes of policy making. The evolution of the ENP over the past decade may not have resulted in a perfect policy whose implementation has automatically delivered greater security for the EU, its member states and citizens, but it has indicated a significant potential to do so. ENP has adapted to changing circumstances in the neighbourhood, it has been able to build on successes and learn from failures, and it finds itself now in a more enabling institutional context following the implementation of the Lisbon Treaty. As a result, the policy making process is both institutionally more conducive and substantively more mature, and thus likely to result in better outcomes (policies).

These outcomes, however, have no automatic guarantee to lead to better, more sustainable impacts in terms of creating the ring of stable, prosperous, and democratic countries across the neighbourhood that will, in turn, enhance security for the EU. However, the Arab Spring, as well as progress in improving relations with countries in the eastern neighbourhood, such as Moldova, Ukraine, Armenia, and Georgia, offer a significant window of opportunity for the EU. The challenge, not only for the EU but also for its partners in the neighbourhood, is to seize this opportunity.

Perhaps, when we look back at the EU's performance during the Arab Spring crisis in five or ten years' time, the best lesson to (re-) learn is that the EU is not good at hard security policy, but does a very decent job when the task is about dealing with the aftermath of conflict. At one level, this may be sobering (if not frustrating). At another level, it is worth remembering, including by drawing on the EU's and Europe's own long historical experience, that while dictatorial regimes can be defeated in the streets and on the battlefield, stable democracies cannot be built there and that they require a very specific set of capabilities. The ENP, as a full-fledged regional foreign and security policy, may thus well produce the right policy outcomes and deliver real impact in the neighbourhood that allows it to live up to its aspiration of a more secure Union surrounded by a ring of countries that share the same fundamental values and objectives.

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