

EN

EN

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 9 December 2004
COM(2004) 795 final

**COMMUNICATION FROM THE COMMISSION
TO THE COUNCIL**

**ON THE COMMISSION PROPOSALS FOR ACTION PLANS UNDER THE
EUROPEAN NEIGHBOURHOOD POLICY (ENP)**

1. INTRODUCTION

The ENP Strategy Paper of May 2004¹ set out the Commission's approach for taking forward work European Neighbourhood Policy over the coming years. It was based on more than a year of intensive work following the Commission's Communication "Wider Europe – Neighbourhood: A new framework for relations with our Eastern and Southern Neighbours"². Consultations took place with Member States and the Secretary General/High Representative, as well as partner countries. The 2004 Strategy Paper defined the objectives and principles, the geographical scope, and the methods to be used for implementing the ENP. The Council "welcomed the Commission's proposal to pursue the ENP through action plans to be agreed jointly with the neighbouring countries concerned"³.

The Commission has since completed consultations on a first set of draft Action Plans and is transmitting these to the Council for approval and for subsequent endorsement by the Association or Cooperation Councils with each of the partners concerned.

The purpose of this Communication is to situate the Action Plans within the policy framework of the ENP, particularly in the context of current political developments notably in Ukraine.

2. MAIN FEATURES OF ENP

ENP offers a means to strengthen relations between the EU and its partners, which is distinct from the possibilities available to European countries under Article 49 of the Treaty on European Union. It is addressed to partners neighbouring the Union which are not involved in the present accession or pre-accession process.

The objective of ENP is to share the benefits of enlargement with neighbouring countries in strengthening stability, security and well-being for all. By drawing countries into an increasingly close relationship with the EU, it can create a 'ring of friends' and prevent emergence of new dividing lines. It offers countries the chance to participate in various EU activities, through greater cooperation on political, security and economic issues as well as culture and education. Through this deeper engagement with its partners, the EU seeks to promote partners' commitment to common values such as the rule of law, good governance, respect for human rights, and the promotion of good neighbourly relations.

The ENP will further intensify cooperation with partner countries in a broad range of other areas including political dialogue and cooperation, trade, aspects of internal market policies, energy, transport, information society, environment and research and innovation, social policy and people-to-people contacts.

ENP is fully in accordance with the goals of the European Security Strategy (endorsed by European Council of December 2003) which are to: *"make a particular contribution to stability and good governance in our immediate neighbourhood [and] to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations"*.

¹ COM(2004)373 final, 12.5.2004

² COM(2003)104 final, 11.3.2003

³ GAER Council conclusions of 14 June 2004

ENP is also a valuable complement to Barcelona process in that it will allow each partner to develop closer links with EU based on its particular needs and capacities.

3. ACTION PLANS

Action Plans constitute an initial step towards realising the vision set out above. In line with the conclusions of the Council, the present proposals for or Action Plans are:⁴ *“to be agreed jointly with the neighbouring countries concerned. They should have a minimum duration of three years and be subject to renewal by mutual consent. Such action plans should be based on common principles but be differentiated, as appropriate, taking into account the specificities of each neighbour, its national reform processes and its relations with the EU. Action plans should be comprehensive but at the same time identify clearly a limited number of key priorities and offer real incentives for reform. Action plans should also contribute, where possible, to regional cooperation.”*

The first Action Plans proposed have been developed with partners with which the EU has Association or Partnership and Cooperation Agreements in force: Jordan, Moldova, Morocco, Tunisia, Ukraine, Israel and the Palestinian Authority. Before starting work on the Action Plans, the Commission prepared Country Reports which were used to identify priorities for each country. The Commission has held exploratory talks with all these partners in the course of 2004 in close coordination with the Member States. Successive Presidencies, the Council Secretariat and representatives of SG/HR Solana have participated in all consultations with partners.

The intensity and level of ambition of relations with each ENP partner is differentiated, reflecting the degree to which common values are effectively shared, the existing state of relations with each country, its needs and capacities, as well as common interests. The tailor-made Action Plans contain a number of priorities intended to strengthen commitment to these values. These include for example strengthening democracy and the rule of law, respect of human rights and fundamental freedoms, including freedom of media and expression, rights of minorities and support for the development of civil society. Commitments are also sought to certain essential aspects of the EU's external action, including in particular, the fight against terrorism and the proliferation of weapons of mass destruction, as well as efforts to achieve conflict resolution. The Action Plans should contribute to cross-border cooperation. In this, the experience gained with structural polices will be taken into account.

Individual priorities identified in the Action Plan aim to be both ambitious and realistic, and formulated in a manner as precise and specific as possible so as to allow concrete follow-up and monitoring of the commitments taken by both sides.

The Commission will send the draft Action Plans to the European Parliament, as well as to the European Economic and Social Committee, and the Committee of the Regions for information.

The legal basis for the work with each partner country is the Association Agreement or Partnership and Cooperation Agreement currently in force. Once approved by the Member States, the Action Plans will be endorsed by the respective Association or Partnership and Cooperation Councils. This takes the form of a Commission proposal for a Council Decision

⁴ GAER Councils of 16 June 2003 and of 14 June 2004.

on the position to be taken by the European Community and its Member States within the relevant Association or Partnership and Cooperation Council with regard to the adoption of a Recommendation on the implementation of the relevant Action Plan.

After that, the joint bodies set up under these agreements (Association or Cooperation Councils and Committees and sub-committees) will be used to advance work on and monitor implementation of Action Plans. Progress in meeting agreed objectives will be monitored in the bodies established by the respective Association or Partnership and Cooperation Councils – which bring together representatives of partner countries, member states, the European Commission and the Council Secretariat. The structures under these agreements, and in particular the subcommittees, are being reviewed to ensure that all priorities identified in the Action Plans are duly reflected.

The Commission will draw up periodic reports on progress and on areas needing further effort. For these reports, the Commission will invite the partner countries to provide information and will also draw on the expertise of other organisations, as relevant, such as the Council of Europe, the OSCE, UN bodies and International Financial Institutions. The Commission intends, for countries covered by these action plans, to submit to the Council a first set of progress reports in the course of 2006, and a second one in 2007. As in earlier work on the ENP, the Commission will seek the contribution of the SG/HR for issues related to political dialogue and cooperation and the CFSP.

Any proposals concerning the further development of the EU's contractual links with each partner will be made in the light of these reports. The Commission has proposed that, depending on the degree of success in implementing the initial Action Plans, each partner could be offered a new and more wide ranging contractual framework for its relations with the EU in the form of European Neighbourhood Agreements.

The implementation of the priorities in the Action Plans will be supported by financial assistance through the existing Meda and Tacis programmes. From the start of the next financial perspective, the Commission has proposed a new "policy driven" European Neighbourhood and Partnership Instrument (ENPI) which will focus in particular on supporting the implementation of the ENP Action Plans.

4. PRESENT POLITICAL CONTEXT

Ukraine is among the partners with which a Draft Action Plan has been negotiated in the course of 2004. The Commission has presented this Action Plan for Ukraine as a demonstration of its full engagement with, and commitment to, the country's future development. The Commission recommends that the Council transmit this Action Plan to the EU – Ukraine Co-operation Council for approval as soon as developments in Ukraine make it possible to envisage implementation of its provisions. These include the holding of free and fair Presidential elections in accordance with OSCE standards.

5. FUTURE ACTION PLANS

After a proposal by the Commission, the GAER Council decided on 14 June 2004 to include Armenia, Georgia and Azerbaijan in the ENP. This marks an important step forward in the EU's engagement with the Southern Caucasus region. The decision opens up the perspective of a significantly enhanced partnership. As a first step, the Commission will prepare Country

Reports to be presented in time for the European Council in March 2005. These reports will also provide a basis for a recommendation as to whether and when to prepare Action Plans with these countries.

Furthermore, with the respective EU Association Agreements with Egypt and Lebanon now in force, the Commission will integrate these two countries fully into the ENP and has begun preparations for Action Plans. For these countries, too, the Commission is preparing Country Reports to be presented in time for the European Council in March 2005. This will help to identify priority areas on which Action Plans with Egypt and Lebanon could focus.

The European Neighbourhood Policy is open to Belarus and all Mediterranean countries including Libya once they have met the necessary conditions for inclusion.