

Critical Review

Barbé, Esther (Director) (2010). *La Unión Europea más allá de sus fronteras. Hacia la transformación del Mediterráneo y Europa Oriental?*. Madrid: Tecnos: 196 pp.

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The work I propose to review, *La Unión Europea más allá de sus fronteras –Hacia la transformación del Mediterráneo y Europa Oriental?* is the result of a three-year research project headed by Professor Esther Barbé. It was carried out at the Observatory of European Foreign Policy of the *Institut Universitari d'Estudis Europeus* at *Universitat Autònoma de Barcelona*. Esther Barbé is a Professor of International Relations at the Autonomous University of Barcelona and coordinator of research programmes at the Barcelona Institute of international Studies.

The book was coordinated by Anna Herranz Surrallés, coordinator of the Observatory of European Foreign Policy and researcher at *Institut Universitari d'Estudis Europeus*, who was involved in the research project. This study also reflects the direct participation of 13 researchers, mostly lecturers at the Autonomous University of Barcelona, in addition to other scholars such as Eduard Soler i Lecha, Programme Coordinator for the Mediterranean at the CIDOB Foundation.

Structurally, the book is divided into seven chapters. The first is different from the others as it explains the purpose of the work, raises the questions and identifies the variables that define the analytical framework of the study, in addition to justifying the criteria for choosing the case studies examined.

The subsequent chapters seek to answer the questions raised, based on the analysis and comparison of several case studies (273 in total). These case studies are examined in light of a two-fold stance: thematic and geographical. Accordingly, each of the six chapters addresses one of the six major themes chosen for analysis: trade, environment, energy, foreign policy, migration policy, and good governance. The relationship the European Union (EU) maintains with its seven neighbouring states, namely: Algeria, Morocco, Russia, Ukraine, Moldova, Georgia, and Turkey with regard to each of these sectors is analysed in all chapters.



The choice of countries reflects a geographical rationale that seeks to encompass neighbouring states from the east and south. But it also aims to account for the different postures of neighbouring states towards the EU, since it includes a state that is the process of accessing the EU - Turkey -, countries that aspire to eventually join the EU - the case of the Ukraine and Moldova - and countries that want to work with the EU on an equal footing, such as Russia or Algeria.

The choice of thematic areas aimed to cover topics clearly "communitised by the European Union - such as trade and environment - policies which have a predominantly intergovernmental character - such as foreign policy and the politics of good governance - and also intermediate areas such as migration policy and energy policy" (p. 33).

International Context

The authors of *La Unión Europea más allá de sus fronteras* frame this research study within the current context of international power structure, of a multipolar nature, where the EU has been losing influence, hand in hand with the emergence of a Sino-American G-2 leadership. However, from the outset, this study draws attention to the fact that the neo-realist interpretation, by assigning polarity exclusively to states, becomes reductive when applied to the EU, since its characteristics as a power are not associated with its nature but with the recognition of its action as a power. Rather, the authors emphasize the increasing importance of multilateralism, especially due to the indisputable effect of institutions within that international system. In the case of the European Union, as a result of the adoption of the European Security Strategy in 2003, multilateralism has become its international identity reference point. It has since developed the concept of effective multilateralism, which requires an institutionalized international order anchored on law.

Based on this multilateral framework and the EU's loss of influence, and in the knowledge that the EU's ambition is, since 2001 with the Laeken Declaration, to play the role of global actor (power), the authors raise the question: is the European Union a "normative regional hegemony" (p. 17), in which its action involves a type of "bilateralism as practiced in its European Neighbourhood Policy that is nothing else but one way of hiding the unilateralism that marks the EU's relations with its neighbours" (p. 18), or is it a "normative power" whose foreign policy is based on "universal principles and values more than on material interests" (p. 21)?

What regulatory convergence?

The relevance given to the EU's neighbouring countries originated, on the one hand, in the actual Treaty of Lisbon, as it highlights the importance of EU's neighbouring countries (with whom it maintains preferential relations), and, on the other, in the need to ascertain whether the Union's ascendancy at regional level allows it to ensure it is recognized as a global power. Thus, the authors examine the EU's contribution to the promotion of regional security, focusing mainly on the strategy adopted to establish relations with its neighbouring states in the east and south.



This is the starting point for the major analysis in the study: in its aim to bring together distinct institutional, legal and political systems, which convergence strategy does the Union promote? Are the EU's relations with its neighbours asymmetric, whereby the latter undergo a process of Europeanization and are subject to the interests and unilateral transfer of the rules of that institution? Or is the relationship process more complex and there are other models that can be taken into account?

The authors seek to demonstrate that the latter option is more consistent with reality, and claim that, in a complex and flexible international system, "several normative levels - bilateral, European, international - and explanatory variables - power, legitimacy - coexist and enable the construction of different models of regulatory convergence between the EU and its neighbours - coordination, Europeanization, internationalization" (p. 18). The case studies used in this analysis, which, must be stressed, sets a double comparison in thematic and geographical terms, allow us to empirically identify which model was applied in each situation and why.

Thus, besides the convergence model described as Europeanization, which involves the partial or full adoption of EU legislation - the case of Turkey in its accession process - there are two types of convergence: international and bilateral. Generally, the authors see the international model when the "politics of convergence is based on standards developed by other international institutions" (p.25), and give as an example the various Action Plans of the European Neighbourhood Policy that mention agreements, regulations, protocols, and international institutions rules, like the United Nations or regional ones, such as the Council of Europe or the Organization for Security and Cooperation in Europe. The third regulatory model is based on a convergence of policies through "standards developed bilaterally between the EU and the neighbouring country to adapt to the situation in question" (p. 25).

Given that, according to the book, the transfer of the EU *acquis* to its neighbours is just one of three possibilities for delineating a process of policy convergence, then it is necessary to understand which variables - which the authors refer to as independent - influence the choice of the convergence model according to which the European Union's relationship with each of its neighbouring states will be based.

These independent variables are the EU's bargaining power and the mutual perception of legitimacy by the neighbouring state. The bargaining power of the European Union refers to "its ability to provide sufficient incentives or disincentives (economic or political sanctions, for example), to neighbouring countries so that they adopt the standards outlined by the Union " (p. 27). Starting from a cost / benefit rationale, this variable involves the neighbouring state choosing between the expected benefit from the incorporation of EU standards and the cost its implementation will represent.

The second variable - mutual perception of legitimacy - "refers to the degree of coherence between the standards provided by the EU and the existing body of regulations in the neighbouring country" (p. 28). This variable is based on a constructivist approach that advocates the adoption of new standards by an actor whenever these are deemed appropriate to the social context of that actor. In turn, this variable is influenced by "i) degree of identification of the neighbouring country with the Union as a community to be part of, independently of the fact this has been recognized by the Union or not, ii) the authority which the neighbouring country attaches to the European Union as a promoter of norms and iii) if the process of setting convergence



standards is seen by the neighbouring country as being unilateral or a result of proper consultation with relevant actors in neighbouring countries "(p. 28).

Consequently, the choice of convergence model that is most appropriate to each situation depends on the relationship established between the model in question and these independent variables. In the light of these factors, the authors define three working hypotheses for the choice of convergence model, stating that the convergence of standards based on EU norms will be the more demanding model, as it implies a strong bargaining power on the EU's part and a good sense of legitimacy on the part of the partner state.

In turn, they assume that convergence through international standards can be a less expensive model, since international organization norms are more general and comprehensive than the EU's. However, it also implies a strong sense of legitimacy of international standards (greater than that attributed to possible European counterparts), and also requires a good bargaining power on the part of the EU. And, finally, it is suggested that the least invasive and more legitimate model, from the viewpoint of the neighbouring state, is the model for convergence of standards developed on a bilateral basis. This model - coordination - is used when the EU's bargaining power and perceived legitimacy are low and generally reflects "a balanced mix of political views and interests of each of the parties involved" (p. 30).

The empirical analysis

This combination of factors - models of convergence, independent variables, subject areas, and neighbouring states - shows how difficult it is to establish the convergence model to be adopted beforehand. Furthermore, we are shown that each of the different convergence models corresponds to distinct impacts and modes of interaction. Accordingly, the various examples drawn from case studies become confusing for those who seek to establish a set of pre-set rules for implementing each convergence method.

In Chapter III, for example, which focuses on energy issues, the authors demonstrate that, although the primary convergence model is done in accordance with European standards (often due to an international normative vacuum), acceptance of those European standards does not imply immediate Europeanization, rather a "selective and gradual reform" (p. 82) in the energy sectors of the countries examined.

In turn, the immigration and asylum policies referred to in Chapter VI shows us that even within the same topic, different models of convergence can be applied, since in the illegal immigration subsector, the European Union fundamentally promotes convergence through Europeanization, while in the legal immigration subsector, convergence is made through bilateral norms, and in asylum-related issues, there is a combined convergence between international standards and EU standards.

Regarding the influence of independent variables, the authors demonstrate that in the case of good governance (Chapter VII), the convergence model depends not only on the theme but also on the country in question. For example, Algeria, which has a very high bargaining power due to its energy resources, becomes a "reluctant partner" (p. 171) with regard to the European Neighbourhood Policy and seeks to maintain a relationship and a level of cooperation among equals.



The specific case of Algeria shows that only 5% of the relations with the EU are made by convergence through Community rules (p. 177), and that standards negotiated bilaterally have a strong prevalence. On the contrary, it is demonstrated that in countries where the European Union's bargaining power is higher, as in the case of Ukraine and Moldova, which have confirmed their aspiration to join the EU, Europeanization is the most frequent convergence model.

Conclusion

This work is very rich in practical examples that respond to issues raised at the beginning. The conclusions contradict the theory that the EU acts unilaterally, as the convergence model based on community standards is the least used (the only exception is the case of Turkey, given the country's situation in the process of accession). In fact, this analysis demonstrates that "EU standards appear as patterns of convergence in only 23% of the cases examined, which is a smaller percentage than standards negotiated bilaterally" (p. 181). The most common convergence model is based on international standards, due to the independent variables: it reflects a lower bargaining power on the part of the EU and is more likely to be perceived as legitimate by the neighbouring state.

In this light, the EU's action in its relationship with neighbouring states does not fit the initially identified concept of "normative regional hegemony." Although it appears that its European Neighbourhood Policy was created with the aim of convergence of standards across the Union, the European Union is "subject to a series of internal and external constraints" (p. 190), like any international actor. At a critical moment of European integration as the one we are witnessing, these reflections are undoubtedly very useful.

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