

The European Union and democracy promotion:  
a strategy of democratization  
in the framework of the neighbourhood policy?

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## Abstract

Democratization is one of the most important trend in the international system and the European Union is one of the most important international actor which promotes democracy towards third states, in particular through the policy of enlargement.

In this work we are going to analyze which should be, in the following months, the main aspects of the European Union democracy promotion in the framework of the European Neighbourhood Policy (ENP), focussing in particular on content or political priorities and instruments of this strategy, and to compare them with the main aspects of the strategy of democratization pursued through the enlargement policy.

## Introduction

In this paper we start to address two main questions: whether it is possible to talk of a strategy of democracy promotion in the framework of the European Neighbourhood Policy (ENP), and what are similarities and differences – in particular as concerns method and content – with the main EU democracy promotion strategy.

We have decided to analyze the topic of democracy promotion in the framework of the ENP for three interrelated reasons. First, democratization is one of the most important trend in the international system; second, the EU is one of the most active external actor in the promotion of democracy towards third-States; and third, the ENP is going to be developed in the next years, and is going to become an important part of the EU external relations.

The argument is developed into three main parts. The first part deals with definitions of democracy and democratization, and we are going to explain why democratization may be considered one of the main important trend in the international system. In the second part we describe the main juridical basis for EU democracy promotion and what are the main policies in the framework of which the Union promotes democracy: enlargement towards candidate countries and stabilization and association towards potential candidates in the Western Balkans, focussing on the first one. In this part, we are also explaining why the EU is one of the most active international actor in the promotion of democracy towards third-States and how the Union makes use of its experience in democracy promotion today. In the last part we analyze which could be – on the basis of the Commission formal documents – the strategy of democracy promotion in the framework of the ENP, focussing, in particular on method and content of this strategy.

As concerns recent scholarship on the role of international institutions in democratization reforms, much scholarship has focused on the role of the EU, within this literature most attention goes to analyzing the democratic transformation of the formerly communist Central and Eastern European countries (CEEs).

Several studies have touched on EU democracy promotion efforts in certain regions – for instance, in the Euro-Mediterranean Partnership framework and in EU relations with the ACP countries. After March 2003, the attention of European policy-makers and commentators is beginning to shift towards the new neighbours: in northern Africa, southern and eastern Mediterranean and in the Southern Caucasus. As the ENP is a new policy, we are starting to explain which could be, in the following years, a strategy of democracy promotion in the framework of this policy, and to compare it – in a systematic way - with the main European democracy promotion strategies.

## 1. Democracy and democratization

In this part we start with definitions of democracy, to arrive to give a meaning to democratization, which is one of the most important trends in the international system. The literature on democracy and democratization is very broad, we refer to the works and definitions of Morlino.

### 1.1. Definitions of democracy

For long time the meaning of democracy has been discussed. In the last decades, when we talk of democracy, we refer to the liberal mass democracy developed in the western experience. According to Morlino <sup>1</sup>, to understand the democratic *genus*, it is important to distinguish six different definitions of a democratic political regime<sup>2</sup>: general, procedural, genetic, minimum and normative (see figure 1).

A general empirical definition has been given by Dahl [1979]: all political regimes, which guarantee the real participation of the wider male and female adult population and the possibility to dissent and opposing, may be considered democracies.

A procedural definition of democracy stresses the formal norms and institutions of a democratic regime, in particular the followings: formal norms or procedures which regulate the vote at universal suffrage; free, fair, competitive and periodic elections; a parliament with decision-making and control powers elected with the above mentioned norms; a first minister and a government responsible in front of the parliament or the result of direct election; and intermediate structures as political parties and interest organizations.

A genetic definition of democracy focuses on how such a regime has formed: on norms and procedures which result from an agreement-compromise for the peaceful resolution of conflict among politically relevant social actors and other institutional actors present in the political arena.

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<sup>1</sup> L. Morlino, *Democrazie e Democratizzazioni* (Bologna: il Mulino, 2003), pp. 18-31.

<sup>2</sup> With 'regime' we mean institutions and norms of specific political asset. In a narrow sense, do not make part of a regime all bureaucratic apparatus, like administration, magistracy, police, army and all other structures existing in modern democratic countries. These bureaucratic apparatus make part of the 'state', which may coexist with different regimes.

After the procedural and genetic definition, and if we want to conduct an empirical analysis of democratic transitions and instauration, it is very important to give a minimum definition of democracy. In this perspective, all political regimes with a) universal suffrage, male and female; b) free, fair, competitive and periodic elections; c) more than a political party; d) different and alternative sources of information; should be considered democratic.

According to Morlino, an ideal democracy may be defined as the regime which should create the best institutional opportunities to realize liberty and equality. Dahl [1998] and Beethan [1999] suggest some principles to assure liberty and equality: political inclusion for all adults, equality of the vote, effective participation of all citizens, clear and correct information for all, and accountability and responsiveness of those who govern. In their attempt to realize these principles, contemporary democracies may not leave environment protection, health right, assistance for old and disabled people, right to work, support to unemployed persons and promotion of dignified standards of living, and the promotion of equity in the private controversies or between public and private interests. Providing and protecting the above mentioned values and rights needs some institutional instruments. Dahl [1970 e 1982, 10-11] suggests the necessity of eight institutional guarantees: liberty of association and organization, liberty of thinking and expression, right to vote, right of the political leaders to compete for the electoral support, alternative sources of information, possibility to be elected, free and fair elections, institutions that make the government policies depend on the vote. The rule of law must be added to all these instruments. It comprises not only the respect for the existing laws, but also the realization of an efficient administration, the existing of an independent magistracy and of a working system to solve private and public conflicts, the absence of corruption and criminality, the presence of a pluralist system of information.

.....Figure 1 about here .....

## 1.2. Democratization: a trend in the international system

According to Morlino, democratization means both the transition from non democratic political regime, in particular authoritarian ones, to different democratic regimes, and eventually following processes of instauration, consolidation, crisis or growing of democratic quality <sup>3</sup> (see figure 2). It is important to define each of these processes <sup>4</sup> and to keep in mind that democratization is an open process and the result of the interaction of internal and external factors.

With transition we mean the intermediate period, in which the regime has lost some fundamental aspects of the authoritarian regime, without having acquired all new characters of the regime that will be set up. In particular, the transition starts when basic civil and political rights start to be recognized, and it may be

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<sup>3</sup> See L. Morlino, *cit.*, p. 11.

<sup>4</sup> For these definitions see L. Morlino, *cit.*, p.122, 125, 147, 84, and p. 228.

considered concluded when it is clear that a democracy will be established. That is clear with the first free, competitive and fair elections.

The process of democratic instauration involves a complete enlargement and a real acknowledgement of civil and political rights; the complete civilization of the society; the emergence of more political parties and of a party system, and other collective organization of interests; the adoption of the main democratic institutions and procedures like the electoral law or the establishment of the relationship between executive and legislative.

It is important to underline that the democratic consolidation is one of the possible results of a democratic instauration. The consolidation starts when the new relevant institutions and norms have been created and start to work. For example the instauration may end with the approval of the Constitution and the emergence of the party system after the elections; and the consolidation may start immediately after. The democratic consolidation may be defined as the process of definition, fixation and adaptation of the different structures and norms of the democratic regime.

There is a democratic crisis when limits to the expression of political and civil rights appear.

The democratic quality grows when a democracy is over the minimum standards and move towards liberty and equality, which are the main goals of an ideal democracy. A quality democracy or a good democracy is a stable institutional asset, which realizes liberty and equality among citizens, through correctly working mechanisms and institutions.

.....Figure 2 about here.....

If we go back to the last century we can observe that democratization has become one of the most important trends in the international system. The findings in table 1 show a dramatic expansion of democratic governance over the course of the century, associated to a growth in the number of sovereign states and of the world population. In 1900, there were no states which could be judged as electoral democracies by the standard of universal suffrage for competitive multiparty elections<sup>5</sup>. The states with restricted democratic practices (countries which denied universal franchise to women, racial minorities, and the poor and landless) were 25 in number and accounted for just 12.4 percent of the world population. By 1950, the defeat of Nazi totalitarianism, the post-war momentum toward de-colonization, and the post-war reconstruction of Europe and Japan resulted in an increase in the number of democratic states. At mid-century, there were 22 democracies accounting for 31 percent of the world population. By the close of last century democracies

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<sup>5</sup> The U.S., Britain, and a handful of other countries possessed the most democratic systems, but their denial of voting rights to women, and in the case of the U.S. to black Americans meant that they were countries with restricted democratic practices.

clearly predominate, and have expanded significantly in the Third Wave, which has brought democracy to much of the post-Communist world and to Latin America and parts of Asia and Africa. In 2000 democracies are 120 in number and represent 62.5 percent of the global population.

.....Table 1 about here.....

In table 2 it is possible to see the evolution of the political regimes that governed actual EU members, candidates, potential candidates, and neighbours, at three equidistant points in the 20th century. In the last column it is also possible to compare the ratings of freedom, according to the last annual survey of Freedom House. On this basis, and as concerns third countries, we should expect that EU will promote democratic quality towards free countries, democratic consolidation towards partly free country and democratic transition toward not free countries. Only an accurate analysis of European democracy promotion towards each third country could confirm this hypothesis.

.....Table 2 about here.....

## 2. The European Union and democracy promotion

In this part we analyze the juridical basis for the activity of democracy promotion by the European Union; then we focus on internal and external factors that may help us to understand why the Union is one of the most important international actor as regards democracy promotion; and last, we describe how, the EU utilizes, today, its experience in democracy promotion, in particular in the framework of the enlargement policy.

### 2.1. The principle of democracy in the EU

From a juridical perspective the European Union recognizes the principle of democracy as a fundamental principle for the Union and as a common principle to the Member States <sup>6</sup>. It is a recent juridical acknowledgement, which dates back to May 1999, with the entry into force of the Amsterdam Treaty <sup>7</sup>, and which was not emended with the entry into force of the Treaty of Nice <sup>8</sup>.

A reference to the principle of democracy can also be found in the Charter of fundamental rights of the European Union, proclaimed by the Nice European Council of December 2002 (it makes part of the second

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<sup>6</sup> *'The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States'* (Article 6(1) Treaty on the European Union (TEU)).

<sup>7</sup> The Amsterdam Treaty was signed on 2 October 1997.

<sup>8</sup> The Treaty of Nice entered into force on 1 February 2003.

part of the Draft Treaty Establishing a Constitution for Europe), which reiterates that the Union is based, among others, on the principle of democracy<sup>9</sup>.

The Draft Treaty Establishing a Constitution for Europe<sup>10</sup> has many important references to democracy. From our perspective, most important are in article 2 and in article 193. The first one indicates democracy among the Union's values<sup>11</sup> and the second one, which deals with the Union's external action, states that the principle of democracy should inspire the Union's action on the international scene and should be advanced in the wider world, through common policies and actions in order to consolidate and support democracy<sup>12</sup>.

The Treaty on European Union (TEU), signed in Maastricht on 7 February 1992<sup>13</sup>, had already two references to democracy, which haven't been amended by the following Amsterdam and Nice Treaties. The first one is in the framework of the provisions on a common foreign and security policy: according to article 11(1), in fact, the development and consolidation of democracy is among the objectives of the Union's common foreign and security policy<sup>14</sup>. The second one is in the framework of the provisions on development cooperation: according to article 177 (2) of the Treaty Establishing a European Community (TEC), Community policy in the sphere of development cooperation should contribute to the general objective of developing and consolidating democracy<sup>15</sup>. The Treaty of Nice contains a new reference to democracy, in the framework of provisions on economic, financial and technical cooperation with third countries. According to article 181a(1) TEC, in fact, Community policy in this area should contribute to the general objective of developing and consolidating democracy<sup>16</sup>.

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<sup>9</sup> *'Conscious of its spiritual and moral heritage the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law'*.

<sup>10</sup> Adopted by *consensus* by the European Convention on 13 June and 10 July 2003.

<sup>11</sup> *'The Union is founded on the values of respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, solidarity and non-discrimination'* (Draft Treaty Establishing a Constitution for Europe, Part I, Title I: Definition and objectives of the Union, Article 2: The Union's values).

<sup>12</sup> *'1. The Union's action on the international scene shall be guided by, and designed to advance in the wider world, the principles which have inspired its own creation, development and enlargement: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, equality and solidarity, and for international law in accordance with the principles of the United Nations Charter. The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organisations, which share these values ... 2. The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to: (a) safeguard the common values, fundamental interests, security, independence and integrity of the Union; (b) consolidate and support democracy, the rule of law, human rights and international law ...'* (Draft Treaty Establishing a Constitution for Europe, Part III: The Policies and Functioning of the Union, Title V: The Union's External Action, Chapter I: Provisions having general application, Article III-193).

<sup>13</sup> Entered into force the 1 November 1993.

<sup>14</sup> *'The Union shall define and implement a common foreign and security policy covering all areas of foreign and security policy, the objectives of which shall be: ... to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms'* (Article 11(1) TEU).

<sup>15</sup> *'Community policy in this area [development cooperation] shall contribute to the general objective of developing and consolidating democracy and the rule of law, and to that of respecting human rights and fundamental freedoms'* (Article 177(2) TEC).

<sup>16</sup> *'... Community policy in this area [economic, financial and technical cooperation with third countries] shall contribute to the general objective of developing and consolidating democracy and the rule of law, and to the objective of respecting human rights and fundamental freedoms'* (Article 181a(1) TEC).

On the basis of this brief reconstruction we can make two sort of considerations. First, today, the principle of democracy, as a common value of the Union, should be respected not only within its borders, but also in the context of the Union' s external relations, in particular in the common foreign and security policy, in the development and cooperation policy and in the economic, financial and technical cooperation with third countries. Second, the EU democracy promotion activity has a strong juridical basis.

## 2.2. Why focus on the EU?

Among regional and international institutions the EU has been unique in developing the most diverse and advanced set of legal and institutional strategies to promote democracy in third countries. Morlino identifies five internal factors and five external ones which have prompted EU to develop a range of strategies for promoting democratization in countries and regions nearby as well as farther away.

The internal factors are the following:

1. From its inception in 1957 the EEC was meant as a grand exercise in peace building through integration. Hence, the EU' s own *raison d'être* serves its Member States as a compass for promotion of Western-democratic values.
2. Although the Community began its life with an emphasis on economic cooperation as a means of securing peace, it has evolved to become more and more a 'Community of values'; transforming itself into something resembling a constitutional order.
3. The EU' s military weakness has spurred it to become a 'civilian superpower' which tries to promote stability in neighbouring countries and regions through economic and trade development, democracy, good governance and the rule of law.
4. As a regional institution the EU is able to offer incentives - such as membership - that one-country cannot.
5. Over the last half-century the Community has evolved a sophisticated supranational bureaucracy, with organizational capacity, substantial material resources to affect policy and with a growing confidence about the future role of the EU on the global stage.

The main external experiences that have prompted the EU to develop novel democracy promotion strategies and instruments are as follows:

1. In the middle 1970s and early 1980, the Community had to cope with the need to facilitate democratic consolidation in formerly authoritarian Greece, Spain and Portugal, as a key aspect of these countries' accession into the Community.
2. The collapse of the Soviet bloc in the late 1980s and early 1990s, confronted the EU with dangers of potential instability and hyper-nationalism in countries emerging from under the yolk of



Communism, the response culminated in the formal decision, made in December 2002, to enlarge the Union to ten new Member States. During this process the EU has developed the bulk of its concepts, strategies and instruments in the area of democratization. The special EU dynamic created in the process of preparation for accession produced some of the most extensive, detailed and intrusive democracy promotion policies ever conceived.

3. The EU's geographical location and relative prosperity mean that it had to cope with the necessity of promoting political stability and economic development not only among candidate and potential candidate states but also in North Africa, Eastern Mediterranean, the Middle East, WNIS,<sup>17</sup> NIS,<sup>18</sup> Russia and the Gulf. In all these areas the EU views the promotion of democracy as being inseparable from the attainment of peace and sufficient levels of material development. In other words, the promotion of democracy is also a security issue for the EU.
4. The colonial history of several key EU Member States (Belgium, France, Netherlands, Portugal, Spain, UK) has meant that since the 1960s, the Community has been engaged in more traditional forms of democracy promotion through its aid and development policies, particularly vis-à-vis the African, Caribbean and Pacific (ACP) countries.
5. The EU is increasingly asserting its evolving identity as a 'community of values' on the world stage.

### 2.3. The EU and democracy promotion today

Democracy promotion through enlargement has been the most important and successful EU strategy of democratization. Indeed, looking at the whole EU experience in democracy promotion, it is difficult not to be struck by the democratic transformations occurred in those Central and Eastern European countries (CEEs) that have joined, on May the 1<sup>st</sup>, the EU as full members<sup>19</sup>. According to Morlino, emerging from under the yolk of communist rule in 1989-1990, the CEEs have made a remarkable transition from authoritarianism to consolidated democracy in just over a decade – a transition that is unparalleled in scope and depth.

As underlined by many authors, the use of conditionality has been the key element of the last enlargement process to structure relations with candidate countries. Indeed, the last and the current pre-accession process, with Opinions, Accession Partnerships, National Programmes for the Adoption of the *Acquis*, and Regular Reports is entirely structured around the progressive meeting of the Copenhagen criteria<sup>20</sup>, and progress towards membership is measured in terms of compliance.

The Copenhagen criteria state that membership requires that the candidate State has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; the existence of a functioning market economy, as well as the capacity to cope with competitive

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<sup>17</sup> Western Newly Independent States (Ukraine, Moldova and Belarus).

<sup>18</sup> Refers to Armenia, Azerbaijan, Belarus, Georgia, Turkmenistan, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Ukraine and Uzbekistan.

<sup>19</sup> Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia.

<sup>20</sup> Laid down by the Copenhagen European Council, in June 1993.

pressure and market forces within the Union; and the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union<sup>21</sup>.

Following article 49 TUE<sup>22</sup>, the Commission addresses to the Council its Opinion on the country application for membership of the EU. In this document, the Commission, after having described and analysed the current situation of the country as regards the criteria for membership, may recommend or not the opening of accession negotiations.

The first Accession Partnerships were decided in March 1998<sup>23</sup> to set out in a single framework the priority areas for further work towards membership of the European Union, the financial means available to help the country implement these priorities, and the conditions which will apply to that assistance. The main priority areas identified for each candidate state relate to their ability to take on the obligations of meeting the Copenhagen criteria and they are divided in short term and medium term priorities. The Accession Partnerships are decided by the Commission, after consulting the candidate country and on the basis of principles, priorities, intermediate objectives and conditions decided by the Council. Every candidate country has to adopt a National Programme for the Adoption of the *Acquis*, to explain how it will implement the Accession Partnership. Both the Accession Partnership and the National Programme for the Adoption of the *Acquis* are updated regularly to take into account new developments in the candidate countries.

At the end of 1998 the Commission has started to report every year, to the European Council, on progress made by each of the candidate countries in preparations for membership, focussing on political and economic criteria for membership and on the ability to assume the obligations of membership<sup>24</sup>. Prior to these reports, implementation of the Accession Partnerships is examined with each applicant State in the Europe Agreement bodies. The Commission's Regular Reports serve as a basis for taking, in the European Council context, the necessary decisions on the conduct of the accession negotiations.

It is clear that the main instrument to promote democracy through enlargement has been political conditionality. As we have already said, the political criteria for accession to be met by the candidate countries and laid down by the Copenhagen European Council in June 1993, stipulate that these countries

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<sup>21</sup> At its meeting in Madrid, the European Council stressed the need for the candidate States to adjust their administrative structures to ensure the harmonious operation of Community policies after accession and at Luxembourg, it stressed that incorporation of the *acquis* into legislation is necessary, but not in itself sufficient; it is necessary to ensure that it is actually applied. The Feira and Gothenburg European Councils, in 2000 and 2001 respectively, confirmed the vital importance of the applicant countries' capacity to implement and enforce the *acquis*, and added that this required important efforts by the applicants in strengthening and reforming their administrative and judicial structures.

<sup>22</sup> Any European State which respects the principles set out in Article 6(1) may apply to become a member of the Union. It shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the assent of the European Parliament, which shall act by an absolute majority of its component members. The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.

<sup>23</sup> It was the European Council to decide, at its meeting in Luxembourg in December 1997, that the Accession Partnership would be the key feature of the enhanced pre-accession strategy, mobilising all forms of assistance to the candidate countries within a single framework.

<sup>24</sup> See Agenda 2000 and European Council of Luxembourg (December 1997).

must have achieved ‘stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities’. In particular, the European Union has asked CEEs to implement the following main political priorities: reform of the judiciary (in particular independence of the judiciary), fight against corruption, reform of the administration and decentralization, real guarantee of political, civil, and economic and social rights and protection of minorities (in particular Roma and Russian speaking) <sup>25</sup>.

Today democracy promotion through enlargement of the Union continues to be pursued with Bulgaria, Romania, Croatia and Turkey. But EU democracy promotion does not end with these candidate countries and the related enlargement policy (see table 3). First, there do exist structured efforts of democracy promotion vis-à-vis potential candidate countries – notably in the Western Balkans (Albania, Bosnia-Herzegovina, Fyrom, Serbia and Montenegro) in the framework of the stabilization and association policy. Second, the Union has declared the intention to promote democratic reforms in the framework of the neighbourhood policy, towards Eastern Europe (Russia, Ukraine and Moldova), Southern Mediterranean (Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Jordan, Palestinian Authority, Lebanon and Syria) and Southern Caucasus (Armenia, Azerbaijan and Georgia).

.....Table 3 about here .....

### 3. Which could be democracy promotion in the framework of the neighbourhood policy?

In the second part we have seen that the Union is founded on the values of respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights; and that in its relations with the wider world, it aims at upholding and promoting these values. In this part, we are going to analyze how the European Neighbourhood policy seeks to promote commitment to shared values. First, we are going to sum up the main legal and institutional developments concerning this policy, secondly we are going to describe the main procedural and substantive features of which could be the EU democracy promotion strategy in the framework of the neighbourhood policy.

#### 3.1. Main juridical and institutional developments

Commission Progress Reports on the candidate States from 1999 onwards have contained references to the enlarged EU’s relations with its neighbours. In Strategy Papers attached to the pre-accession country Reports in 2001 <sup>26</sup> and 2002 <sup>27</sup> the outlines of a more substantive so-called proximity policy begin to emerge.

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<sup>25</sup> For further details on political priorities see L. Mattina, *La sfida dell’allargamento* (Bologna: il Mulino, 2004).

<sup>26</sup> *Commission Strategy Paper*, 13 November 2001, “Making a Success of Enlargement”.

<sup>27</sup> *Commission Strategy Paper*, 9 October 2002, “Towards the Enlarged Union”.

Since April 2002 the New Neighbours initiative has regularly appeared on the agenda of the Council. An initial joint position paper by Solana and Patten was discussed in September 2002.

The Copenhagen European Council – of December 2002 – states that enlargement ‘presents an important opportunity to take forward relation with neighbouring countries based on shared political [democracy, respect for human rights and the rule of law] and economic values’ and that the Union is ‘determined to avoid new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union’<sup>28</sup>.

In particular, according to the Presidency Conclusions, enlargement ‘will strengthen relations with Russia’ and the EU also ‘wishes to enhance its relations with Ukraine, Moldova, Belarus and the southern Mediterranean countries based on a long-term approach promoting democratic and economic reforms ... and is developing new initiatives for this purpose’<sup>29</sup>.

In March 2003, the Commission initiates the new European Neighbourhood Policy (ENP)<sup>30</sup> intended to provide a framework for new relationships with the countries of Eastern Europe (Russia, Ukraine, Moldova and Belarus) and Southern Mediterranean (Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Jordan, Palestinian Authority, Lebanon and Syria)<sup>31</sup>, that do not have the perspective of membership of the EU.

According to the Commission ‘[i]n return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including in aligning legislation with the *acquis*, the EU’ s neighbourhood should benefit from the prospect of closer economic integration with the EU ... the prospect of a stake in the EU’ s Internal Market and further integration and liberalisation to promote the free movement of – persons, goods, services and capital’<sup>32</sup>.

The Commission makes clear some essential prerequisites for political stability: democracy, pluralism, respect for human rights, civil liberties, the rule of law and core labour standards<sup>33</sup>, and describes the political situation in the two regions of the neighbourhood policy: ‘[n]early all countries of the Mediterranean, the WNIS and Russia have a history of autocratic and non-democratic governance and poor records in protecting human rights and freedom of the individual. Generally, the countries of the WNIS and Russia have taken steps towards establishing democracy and market institutions over the past 12 years. Yet

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<sup>28</sup> *Presidency Conclusions* – Copenhagen, 12 and 13 December 2002, p. 6.

<sup>29</sup> *Cit.*, p. 7. Furthermore: ‘The European Council welcomes the intention of the Commission and the Secretary General/High Representative to bring forward proposals to that end’ [joint letter to the Council by the High Representative Mr Javier Solana and Commissioner Patten in August 2002] and ‘The European Council encourages and supports the further development of cross-border and regional cooperation inter alia through enhancing transport infrastructure, including appropriate instruments, with and among neighbouring countries in order to develop the regions’ potential to the full’.

<sup>30</sup> Communication on ‘Wider Europe Neighbourhood: A new framework for relations with our Eastern and Southern Neighbours’(COM(2003) 104 final, 11.03.2003).

<sup>31</sup> Southern Caucasus countries might be added in the scope of this policy.

<sup>32</sup> COM(2003) 104 final, 11.03.2003, p. 4.

<sup>33</sup> COM(2003) 104 final, 11.03.2003, p. 7.

political reform in the majority of the countries of the Mediterranean has not progressed as quickly as desired’<sup>34</sup>.

In June 2003 the Council affirms that ‘the EU wishes to define an ambitious new range of policies towards its neighbours based on shared values such as liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law’<sup>35</sup>. It underlines also that these new policies should not override the existing framework for EU relations with Russia, the Eastern European countries, and the Southern Mediterranean partners, as developed in the context of the relevant agreements, common strategies, the Northern Dimension Initiative and of the Barcelona Process and that implementation of existing agreements remains a priority. Furthermore, according to the Council, new policies should have two goals: first, working with the partners to reduce poverty and create an area of shared prosperity and values; and second, anchoring the EU’s offer of concrete benefits and preferential relations to progress made by the partner countries in political and economic reform as well as in the field of Justice and Home Affairs.

The Council indicates some incentives, on which the EU’s approach could be based; the basic principle for the new EU policies towards its neighbours, which is differentiation; and the key policy instrument through which policies will be implemented: Action Plans. According to the Council, these Action Plans should be political documents, building on existing agreements and setting out the over-arching strategic policy targets, common objectives, political and economic benchmarks used to evaluate progress in key areas, and a timetable for their achievement which enable progress to be judged regularly.

After the Thessaloniki European Council, of June 2003, which endorses the Council conclusions and looks forward to the work of the Council and the Commission, in July 2003, the Commission tables a Communication ‘Paving the Way for a New Neighbourhood Instrument’<sup>36</sup> and establishes a Wider Europe Inter-Service Group.

In October 2003, the Council invites the Commission, with the contribution of the High Representative, where appropriate, to present detailed proposals for the relevant Action Plans early in 2004, in order to take this matter forward by June 2004; and the Brussels European Council urges the Commission and the Council to take it forward.

In October 2003 and February 2004 the Commission makes two oral progress reports to the Council and contributes to detailed discussions in the Permanent Representatives Committee and the relevant Council working groups, concerning the elements to be included in ENP Action Plans.

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<sup>34</sup> COM(2003) 104 final, 11.03.2003, p. 7.

<sup>35</sup> GAER Conclusions on Wider Europe – New Neighbourhood, p. 1.

<sup>36</sup> COM(2003) 393 final.

Since then, the Commission has held exploratory talks with partners in Eastern Europe (Moldova and Ukraine) and the Southern Mediterranean (Israel, Jordan, Morocco, Palestinian Authority and Tunisia), which have Partnership and Cooperation Agreement or Association Agreement in force <sup>37</sup>, to confirm their interest in European Neighbourhood Policy (ENP) and to ascertain their views on the priorities to be addressed in the Action Plans <sup>38</sup>.

On 12<sup>th</sup> May 2004 the Commission has presented a Strategy Paper <sup>39</sup> and seven Country Reports (for Moldova, Ukraine Israel, Jordan, Morocco, Palestinian Authority and Tunisia) <sup>40</sup>. The Strategy Paper sets out principles and scope, the participation of other neighbouring countries, Action Plans, regional cooperation, and supporting the ENP. Country reports, covering progress in implementation of bilateral agreements and related reforms, reflect the political, economic, social and institutional situation in the countries and focus on priority areas of the European Neighbourhood Policy.

The Commission has transmitted the Communication to the Council and European Parliament. On the basis of the conclusions that will be drawn by the Council, the Commission will implement the policy as set out in the Strategy Paper. In the coming months, the Commission will complete talks with the countries concerned and present draft Action Plans. The Action Plans put forward by the Commission, with the contribution of the High Representative on issues related to political cooperation and CFSP, should be approved by the respective Cooperation or Association Councils.

### 3.2. Main procedural and substantive aspects

As concerns the geographic coverage of the ENP, it is addressed to three main areas. In Eastern Europe, it covers Russia, Ukraine, Belarus and Moldova; in the Southern Mediterranean, it applies to all the non-EU participants in the Euro-Mediterranean Partnership (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia and Palestinian Authority), with the exception of Turkey; and, according to the Brussels European Council of 17-18 June 2004, the ENP has been extended to the Southern Caucasus countries (Armenia, Azerbaijan and Georgia). Two observations should be made as concerns respectively Belarus and Libya. First, according to the Commission Strategy Paper, it is not yet possible to offer the full benefits of ENP to Belarus, because an authoritarian political regime is in place, since 1996 elections have failed to meet international democratic standards and democratic structures are lacking; so the EU will support democratic parliamentary elections, in the autumn, working in coordination with the OSCE and the

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<sup>37</sup> In Eastern Europe, the Partnership and Cooperation Agreements provide the basis for contractual relations. In the Mediterranean, the Euro-Mediterranean Partnership provide a regional framework for co-operation which is complemented by a network of Association Agreements.

<sup>38</sup> According to the Commission, the development of Action Plans with other neighbours should begin, once those currently under preparation have been presented. The Commission suggests that it begin to explore in the second half of the 2004 the possibility of drawing up Action Plans with countries in the Mediterranean which have themselves ratified Association Agreements, that is Egypt and Lebanon.

<sup>39</sup> COM(2004) 373 final.

<sup>40</sup> SEC(2004) 564, 565, 566, 567, 568, 569, 570.

Council of Europe and will strengthen assistance to Belarus, with a clear focus on civil society<sup>41</sup>. Second, as concerns Libya, full integration into the Barcelona Process is the first step towards a negotiation of an Association Agreement, which will allow participating in the ENP<sup>42</sup>.

The European Neighbourhood Policy has two main objectives: strengthening stability, security and well-being for EU member states and neighbouring countries, and preventing the emergence of new dividing lines between the enlarged EU and its neighbours<sup>43</sup>.

These two objectives won't be reached through membership to the Union. In the short term, neighbour countries will be offered reinforced relations<sup>44</sup> through the chance to participate in various EU activities through greater political, security, economic and cultural co-operation; while in the long term, the Union will offer partner countries an increasingly close relationship, going beyond cooperation to involve a significant measure of economic and political integration<sup>45</sup>. Two observations are needed. As concerns the short term, eleven incentives have been indicated (for a complete list see table number 4). Second, it is important to underline, that in enriching relations with partner countries the Commission will draw on the experience gained in supporting the process of political and economic transition in the new member states and in candidate countries.

In change of the above mentioned offer, the Union asks neighbours their commitment to common values, principally within the fields of the rule of law, good governance, the respect for human rights, including minority rights, the promotion of good neighbourly relations, and the principles of market economy and sustainable development. Commitments will also be sought to certain essential aspects of the EU's external action, in particular, the fight against terrorism and the proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.

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<sup>41</sup> EU-Belarus relations stalled in 1996-7 as a consequence of serious setbacks in the development of democracy and human rights in Belarus, in particular the replacement of the democratically elected parliament with a national assembly nominated by the President in violation of the 1994 constitution. The GAC reacted in 1997 by freezing conclusion of the PCA, signed in 1995, and restricting ministerial level contacts and the scope of EU assistance to Belarus. Since 1997 Belarus has applied a constant policy of deviation from its commitments to the Council of Europe and OSCE. Confrontation with the OSCE over its representation in Minsk led to a decision of 14 member states to impose a visa ban on government representatives in November 2002. In the Communication of March 2003, the Commission notes that the EU should engage Belarus in a process focused on creating the conditions for free and fair elections, and once achieved, the integration of Belarus into the neighbourhood policy. In the Strategy Paper, the Commission notes that Belarus is already eligible to participate in three of the Neighbourhood Programmes (Baltic Sea Programme, Latvia-Lithuania-Belarus, Poland-Ukraine-Belarus) and will also be eligible under the New Neighbourhood Instrument.

<sup>42</sup> The EU currently has no contractual relationships with Libya. In April 1999, following the suspension of UN sanctions, Libya acquired observer status in the Barcelona Process and was invited to become a full member as soon as the UN Security Council sanctions have been definitely lifted and once Libya has accepted the Barcelona *acquis*.

<sup>43</sup> Commission Strategy Paper, p. 3.

<sup>44</sup> Relations between the EU and most countries participating in the ENP are already developed. In Eastern Europe, the Partnership and Cooperation Agreements provide the basis for contractual relations. In the Mediterranean, the Euro-Mediterranean Partnership (the "Barcelona Process") provides a regional framework for co-operation which is complemented by a network of Association Agreements.

<sup>45</sup> Pp. 3 and 5.

In the short term the main instrument to realize the policy will be Action Plans, while in the long term the main instrument should be European Neighbourhood Agreements.

In the May Strategy Paper, the Commission has given many details as concern the realization of Action Plans. Main principles which will guide the drafting and realization of Action Plans are joint ownership and differentiation. The first one means that priorities will be defined together with partner countries, and will thus vary from country to country; while differentiation means that priorities will reflect the existing state of relations with each country and its needs and capacities. Action Plans will cover two broad areas: first, commitments to specific actions, which confirm or reinforce adherence to shared values and to certain objectives in the area of foreign and security policy; secondly, commitments to actions which will bring partner countries closer to the EU in a number of priority fields. In particular these documents will incorporate a set of priorities in the following key areas for specific action: political dialogue and reform; trade and measures preparing partners for gradually obtaining a stake in the EU' s Internal Market; justice and home affairs; energy, transport, information society, environment and research and innovation; and social policy and people-to-people contacts. These priorities for action will constitute benchmarks which can be monitored and assessed. Progress in meeting the priorities will be monitored in the bodies established by the Partnership and Cooperation Agreements or Association Agreements and the Commission will report periodically on progress accomplished. On the basis of this evaluation, the EU will review the content of the Action Plans and decide on their adaptation and renewal.

For analyzing the strategy of democratization it will be very important to focus on the content of the first part of the Action Plans, the one which deals with commitments to shared values. According to the Strategy Paper, priorities intended to strengthen commitment to these values will include:

- strengthening democracy and the rule of law, the reform of the judiciary and the fight against corruption and organised crime;
- respect of human rights and fundamental freedoms (including freedom of media and expression), rights of minorities and children, gender equality, trade union rights and other core labour standards, and fight against the practice of torture and prevention of ill-treatment;
- support for the development of civil society;
- and cooperation with the International Criminal Court.

Commitments will also be sought to certain essential aspects of the EU' s external action, in particular, the fight against terrorism and proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.



As concerns human rights and freedom all EU' s neighbours are signatories of UN human rights conventions, some are members of the Council of Europe <sup>46</sup> and OSCE and have ratified the European Conventions for the Protection of Human Rights and Fundamental Freedoms and committed themselves to adhere to relevant conventions setting high democratic and human rights standards as well as to accept mechanisms to ensure that they comply with human rights obligations. Signatories to the Barcelona Declaration have accepted *inter alia* a declaration of principles to act in accordance with the United Nations Charter and the Universal Declaration of Human Rights, and to develop the rule of law and democracy in their political systems, respect human rights and fundamental freedoms and guarantee the effective legitimate exercise of such rights and freedoms. Partner countries are also committed to respecting core labour standards and to promoting fundamental social rights, as parties to relevant ILO conventions.

The Action Plans will also cover other key areas: political dialogue <sup>47</sup>; economic and social development policy <sup>48</sup>; trade and internal market <sup>49</sup>; justice and home affairs <sup>50</sup>; connecting the neighbourhood (energy <sup>51</sup>, transport <sup>52</sup>, environment <sup>53</sup>, information society <sup>54</sup>, research and innovation<sup>55</sup>); and people-to-people <sup>56</sup>, programmes and agencies <sup>57</sup>.

..... Table 4 about here .....

On the basis of the Commission Staff Working Paper on ENP - Country Reports, of 12 May 2004, it is possible to make a list of political priorities, which should be contained in the July 2004 Action Plans. Country reports do not only reflect the political situation of the countries, they also reflect the economic and social situation; and first of all they cover progress in the implementation of bilateral agreements and related reforms.

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<sup>46</sup> Moldova, Russia and Ukraine.

<sup>47</sup> Political dialogue should encompass foreign and security policy issues.

<sup>48</sup> Participation in the ENP project should be accompanied by active policies to address poverty and inequality.

<sup>49</sup> The ENP envisages enhanced preferential trade relations and increased financial and technical assistance. It also offers neighbouring countries the prospect of a stake in the EU Internal Market based on legislative and regulatory approximation.

<sup>50</sup> Important challenges are migration pressure from third countries, trafficking in human being and terrorism.

<sup>51</sup> Enhancing the strategic energy partnership with neighbouring countries is a major element of the ENP. This includes security of energy supply and energy safety and security.

<sup>52</sup> Efficient, multimodal and sustainable transport systems is necessary to generate more trade and tourism between the Union and its neighbours.

<sup>53</sup> Environmental pollution does not respect borders.

<sup>54</sup> Information and communications technology is fundamental for the development of modern economies and societies.

<sup>55</sup> The opening of the European Research Area to partner countries is a challenge of the 6<sup>th</sup> Framework Programme for RTD.

<sup>56</sup> The ENP will promote cultural, educational and more general societal links between the Union and its neighbourhood.

<sup>57</sup> The European Neighbourhood Policy envisages the gradual opening of certain Community programmes, based on mutual interests and available resources. As participation in programmes designed for Member States can pose practical difficulties to third countries, the creation of dedicated programmes geared specifically to meeting partner countries' needs should also be explored.

All these Country Reports, respectively for Ukraine <sup>58</sup>, Moldova <sup>59</sup>, Tunisia <sup>60</sup>, Palestinian Authority <sup>61</sup>, Morocco <sup>62</sup>, Jordan <sup>63</sup>, and Israel <sup>64</sup>, will provide guidance for the preparation of the Action plans, and might also serve as a basis for assessing future political progress by the Union.

The Commission Staff Working Papers divide, in almost all Country Reports, the description of the political situation into four parts called:

1. democracy and the rule of law;
2. human rights and fundamental freedoms;
3. regional and global stability;
4. co-operation in justice and home affairs.

Through a content analysis of these parts we can indicate for each country political priorities which should be contained in July 2004 Action Plans. Table 5 contains the results of this analysis.

.....Table 5 about here.....

First of all we have to notice that each country has a different starting political situation. In brief, we may distinguish three main groups of neighbour countries: those towards which the EU should promote the transition towards democracy (Palestinian Authority and Tunisia), those towards which the Union should encourage democratic consolidation (Ukraine, Moldova, Morocco and Jordan) and those towards which the EU should support the growing of democratic quality (only Israel).

Main common political priorities, which could be suggested by the EU for the first group of countries and that distinguish them from the other groups deals with the recognizement of basic civil and political rights, with the conduct of free, competitive and fair elections, with the development of political pluralism and with the creation of free media.

As concerns the second group, Jordan has in common with other countries only the ratification of international conventions and the elimination of some restrictions to the real guarantee of human rights, while the others should concentrate also on strengthening the democratic regime, reform of the administration, decentralization, reform of the judiciary and fight against corruption. All countries of the first group should focus also on these political priorities.

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<sup>58</sup> SEC(2004) 566.  
<sup>59</sup> SEC(2004) 567.  
<sup>60</sup> SEC(2004) 570.  
<sup>61</sup> SEC(2004) 565.  
<sup>62</sup> SEC(2004) 569.  
<sup>63</sup> SEC(2004) 564.  
<sup>64</sup> SEC(2004) 568.

Main political priorities for Israel deals with the full protection of human rights and fundamental freedoms, in particular of Palestinians, and with the signing, ratification and observance of international conventions.

A next step of this study could be to compare the political situation described by the Commission in these Country Reports with other sources as Council of Europe, OSCE, NGOs, academics and literature<sup>65</sup>. It will be very interesting also to evaluate whether political priorities contained in next Action Plans will be in line with the analysis of the political situation of the Country Reports and how much of the financial resources of the existing support to ENP and of the ENI will be devoted to democracy, rule of law and human rights; and compare it with the resources devoted to democracy, rule of law and human rights in the framework of the financial programmes for candidates.

## Conclusion

In this paper we wanted to address two main questions: if it is possible to talk of a strategy of democracy promotion in the framework of the European Neighbourhood Policy (ENP), and what are similarities and differences – in particular as concerns method and content – with the main EU democracy promotion strategy in the framework of enlargement policy.

As concerns the first question, we should consider two main aspects. On one hand, if we look to the official documents of the High Representative, the Commission, the Council and the European Council, it is possible to affirm that the EU wishes to realize a strategy of democratization in the framework of the ENP and that it is the instrument to achieve the European Neighbourhood policy goals (security, stability and well-being for EU member states and neighbouring countries). On the other hand, if we look to the concrete actions to realize this strategy, we still do not have materials to answer positively to this question. As we have seen in the case of enlargement, a strategy of democratization is a long term process, and to affirm that this strategy has started we need at least to look at political priorities contained in Action Plans with neighbour countries. Taking into account these considerations, we may affirm that the European Union wishes to develop a strategy of democracy promotion in the framework of the ENP, and that this process will start as soon as the Union will publish ENP Action Plans with neighbour countries. When Action Plan will be drafted, it will be interesting to compare the political priorities contain therein, with what we have expected from the description of the political situation contained in the documents we analyzed (see table 5).

As regards similarities and differences between the strategy of democracy promotion through enlargement and which could be a strategy of democratization in the framework of the ENP, we can say that the firsts can be found in content, conditionality and processes, while the main difference has to do with incentives.

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<sup>65</sup> Even if, in the Country Reports, the Commission refers sometimes to some of these sources.

The main similarity in content, with the strategy of democratization in the framework of enlargement, can be found in what the EU asks neighbour countries to do, that is their commitment to common values. As we have seen in table 5, the Union should ask neighbours the same commitments the EU asks candidate countries: strengthening democracy and the rule of law, the reform of the judiciary and the fight against corruption and organised crime, respect of human rights and fundamental freedoms (including freedom of media and expression), rights of minorities and children, gender equality, trade union rights and other core labour standards, fight against the practice of torture and prevention of ill-treatment; support for the development of civil society; cooperation with the International Criminal Court; the fight against terrorism and proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.

As regards conditionality, the Commission has made explicit the conditionality attached to shared values, and the resulting priorities to be identified in the Action Plans<sup>66</sup>: increased political, security, economic and cultural cooperation is offered in return for political and economic reform.

As concerns structures, it seems that the neighbourhood policy will adopt the same instruments and techniques based on the evolved pre-accession process for the central and eastern European states, which are judged to have worked in promoting political reform in candidate countries. In the framework of the ENP, in a first phase, political priorities will be contained in Action Plans, while for candidate countries they are contained in Accession Partnerships, both Action Plans and Accession Partnerships respecting the principles of joint ownership and differentiation. In a second phase the Commission will report on progress accomplished by the neighbour, as far as every year the Commission reports on progress accomplished by candidates; and then, on the basis of this evaluation, the EU will review the content of the Action Plan and decide on its adaptation and renewal; for candidate countries the Union updates the priorities contained in the Accession Partnerships almost every year. All these similarities confirm the statement of the Commission, that in enriching relations with partner countries, it will draw on the experience gained in supporting the process of political transition in the new member states and in candidate countries.

The main difference between the strategy of democracy promotion in the framework of enlargement and the strategy of democratization in the framework of the ENP has to do with incentives, as only the first foresees the prospect of full EU membership, which is widely recognized to have had a powerful positive effect on the processes and outcomes of democratic transformation and consolidation among the CEEs. Indeed, the other foresees, as we have seen, eleven incentives, in the short term, which aim at reinforcing political, security, economic and cultural cooperation and some political and economic integration in the long term, which is very different from membership. The emerging question is whether ENP incentives will make neighbours accept the political conditionality.

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<sup>66</sup> *Commission Strategy Paper*, 12 May 2004, p.13.

But external incentives are not enough for a strategy of democratization to be successful. It is very important to stress, that to be successful, an external strategy of democracy promotion needs some internal aspects, first of all, the will of the people concerned to political reforms. Indeed, we believe that democratization is the result of the interaction between internal and external factors. In giving a judgement of the last enlargement, the Commission seems to acknowledge this, even if it may seem a bit rhetorical: ‘the credit for this success (the emerging of stable democracies in Central and Eastern Europe) belongs mainly to the people of those countries themselves’<sup>67</sup>.

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<sup>67</sup> *Commission Strategy Paper*, 9 October 2002, COM(2002) 700, at p. 5.

## REFERENCES

- J. Batt, D. Lynch, A. Missiroli, M. Ortega D. Triantaphyllou, *Partners and Neighbours: a CFSP for a Wider Europe* Institute for Security Studies, [Chaillot Paper n.64](#), Paris, September 2003.
- Benedek Marton *From Neighbour to Member or Associate? The future of the European Union's Neighbourhood Policy*, [EU Policy Network](#), October 2003.
- M. Emerson e N. Tocci, "The Rubik Cube of the Wider Middle East", *Center for European Policy Studies*, 2003.
- M. Emerson, *Institutionalising the Wider Europe* Centre for European Policy Studies, [CEPS Policy Brief n.42](#), Brussels, October 2003.
- M. Emerson, *The Shaping of a Policy Framework for the Wider Europe* Centre for European Policy Studies, [CEPS Policy Brief n.39](#), Brussels, September 2003.
- M. Emerson, *The Wider Europe as the European Union's Friendly Monroe Doctrine*, Centre for European Policy Studies, [CEPS Policy Brief n.27](#), Brussels, October 2002.
- European Commission, Communication from the Commission to the Council and the European Parliament, "The European Union's Role in Promoting Human Rights and Democratization in Third Countries", COM (2001) 252 final, Brussels, 8 May 2001.
- European Commission, Communication from the Commission to the Council and Parliament – Preparing for the participation of the Western Balkans countries in Community programmes and agencies, COM(2003) 748 final, 3 December 2003.
- European Commission, Communication from the Commission to the Council and the European Parliament - The Western Balkans and European Integration, COM(2003) 285 final, 21 May 2003.
- European Commission, Communication from the Commission "Wider Europe – Neighbourhood: a new framework for relations with our Eastern and Southern Neighbours", COM(2003) 104 final, 11 March 2003.
- European Commission, Communication from the Commission "Paving the way for New Neighbourhood Instrument", COM(2003) 393 final, 1 July 2003.
- European Commission, Communication from the Commission "European Neighbourhood Policy" Strategy Paper, COM(2004) 373 final, 12 May 2004.
- European Commission, Commission Staff WP ENP Country Report Jordan, SEC(2004) 564, 12 May 2004.
- European Commission, Commission Staff WP ENP Country Report Palestinian Authority of the West Bank and Gaza Strip, SEC(2004) 565, 12 May 2004.
- European Commission, Commission Staff WP ENP Country Report Ukraine, SEC(2004) 566, 12 May 2004.
- European Commission, Commission Staff WP ENP Country Report Moldova, SEC(2004) 567, 12 May 2004.
- European Commission, Commission Staff WP ENP Country Report Israel, SEC(2004) 568, 12 May 2004.
- European Commission, Commission Staff WP ENP Country Report Morocco, SEC(2004) 569, 12 May 2004.
- European Commission, Commission Staff WP ENP Country Report Tunisia, SEC(2004) 570, 12 May 2004.
- R. Gillespie and R. Youngs, *Themes in European Democracy Promotion*, 9.1 DEMOCRATIZATION, 1-16 (Spring 2002).
- R. Gillespie e L. Whitehead, *European Democracy Promotion in North Africa: Limits and Prospects*, 9.1 DEMOCRATIZATION (Spring 2002).
- R. Gillespie e R. Youngs, *The European Union and Democracy Promotion: The Case of North Africa* (London, Frank Cass Publishers, 2002). Also available as articles in *Democratization*, Issue 9.1.

- H. Haukkala, *A Hole in the Wall? Dimensionalism and EU's New Neighbourhood Policy*, The Finnish Institute Of Internatioanal Affairs, [UPI Working Papers](#) n. 41, 2003.
- T. Kuzio, *European Union and Ukraine: a turning point in 2004?* Institute for Security Studies, [Occasional Paper n.47](#), November 2003.
- L. Mattina, *La sfida dell'allargamento* (Bologna: il Mulino, 2004).
- L. Morlino, *Democracy Between Consolidation and Crisis: Parties, Groups and Citizens in Southern Europe* (Oxford: Oxford University Press, 1998).
- L. Morlino, *Democrazie e Democratizzazioni* (Bologna: il Mulino, 2003).
- “The Western Balkans: The Road to Europe” (Speech of Christopher Patten - External Relations Commissioner - to German Bundestag, “European Affairs Committee”), SPEECH/04/209, 28 April 2004.
- K. Pelczynska-Nalecz, *The Enlarged European Union and its Eastern Neighbours: Problems and Solutions* Centre for Eastern Studies, [Policy Briefs](#), Poland, October 2003.
- W. Wallace, *Looking after the Neighbourhood: Responsibilities for the EU-25*, [Notre Europe Policy Paper](#) n.4, July 2003.
- D.K. Xenakis e D.N. Chryssochoou, “Between Good governance and Democratization: Assessing the Euro-Mediterranean Condition”, Jean Monnet Working Papers in Comparative and International Politics, No. 38, Department of Political Studies, University of Catania, October 2001.
- R. Youngs, *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies* (Oxford: Oxford University Press, 2001).
- R. Youngs, *Democracy Promotion: The Case of European Union Strategy*, CEPS Working Paper. No. 167 (Brussels: CEPS, 2001).
- R. Youngs e R. Gillespie, *The European Union and Democracy Promotion: The Case of North Africa* (London, Frank Cass Publishers, 2002). Also available as articles in *Democratization*, Issue 9.1.
- R. Youngs, *European Approaches to Democracy Funding: Learning the Right Lessons?*, *Third World Quarterly*, Vol. 24, no1, pp. 127-138, 2003.
- R. Youngs, *The European Union and Democracy in the Arab-Muslim World*, Working Paper No 2 of the CEPS Middle East & Euro-Med Project, November 2002.

## TABLES AND FIGURES

Figure 1: Definitions of democracy (Morlino)

◆	general
◆	procedural
◆	genetic
◆	minimum
◆	normative

Figure 2: Meaning of democratization (Morlino)

•	transition
•	instauration
•	consolidation
•	crisis
•	growing of quality

Table 1: Democratization in the international system (Freedom House)

	SOVEREIGN STATES and (colonial units)	DEMOCRACIES		WORLD POPULATION (millions)
		Electoral <sup>68</sup>	Liberal Free) <sup>69</sup> (or	
1900	55 and (75)	0		1,668
1950	80 and (74)	22 (31%)		2,396.3
2000	192	120 (62.5%)	85 (38%)	5,909.6
2003	192	117 (61%)	88	6,313.9

Table 2: EU members, candidates, potential candidates and neighbours: the evolution of the political regime (Freedom House surveys)

	COUNTRY	1900 <sup>70</sup>	1950 <sup>71</sup>	2000 <sup>72</sup>	2003 <sup>73</sup>	
					Status Designation	PR-CL rating
ORIGINAL MEMBERS 1951	France	RDP	DEM	DEM	Free	1-1
	Germany	CM	P/TOT	DEM	Free	1-1
	Italy	CM	DEM	DEM	Free	1-1
	Belgium	CM	DEM	DEM	Free	1-1
	Netherlands	CM	DEM	DEM	Free	1-1
	Luxembourg	CM	CM	DEM	Free	1-1
1st Enlarg 1973	United Kingdom	CM	DEM	DEM	Free	1-1 <sup>74</sup>
	Ireland	CM	DEM	DEM	Free	1-1
	Denmark	CM	DEM	DEM	Free	1-1
2nd Enlarg 1981	Greece	CM	CM	DEM	Free	1-2
3rd Enlarg 1986	Spain	CM	AR	DEM	Free	1-1
	Portugal	CM	AR	DEM	Free	1-1

<sup>68</sup> According to Freedom House, to qualify as an electoral democracy, a state must have: a) a competitive multi-party political system; b) universal adult suffrage for all citizens; c) regularly contested elections conducted in conditions of ballot secrecy, reasonable ballot security, and in the absence of massive voter fraud that yields results that are unrepresentative of the public will; d) significant public access of major political parties to the electorate through the media and through generally open political campaigning.

<sup>69</sup> Countries Freedom House regard as free and respectful of basic human rights and the rule of law.

<sup>70</sup> Freedom House.

<sup>71</sup> Freedom House.

<sup>72</sup> Freedom House.

<sup>73</sup> The freedom ratings reflect an overall judgement based on Freedom House survey results. For more details see the essay on Freedom in the World 2003 Survey Methodology.

<sup>74</sup> Northern Ireland (disputed territory): Free, 2-2.



4th Enlargement 1995	Austria	CM	P	DEM	Free	1-1
	Sweden	CM	DEM	DEM	Free	1-1
	Finland	E	DEM	DEM	Free	1-1
5th Enlargement 2004	Hungary	CM	TOT	DEM	Free	1-2
	Poland	E	TOT	DEM	Free	1-2
	Czech Republic	E	TOT	DEM	Free	1-2
	Slovakia	E	TOT	DEM	Free	1-2
	Slovenia	E	TOT	DEM	Free	1-1
	Estonia	E	TOT	DEM	Free	1-2
	Lithuania	E	TOT	DEM	Free	1-2
	Latvia	E	TOT	DEM	Free	1-2
	Cyprus	P	C	DEM	Free	1-1
	Malta	C	C	DEM	Free	1-1
	Candidates	Romania	TM	TOT	DEM	Free
Bulgaria		E	TOT	DEM	Free	1-2
Turkey		AM	DEM	DEM	Partly Free	3-4 <sup>75</sup>
Croatia		E	TOT	DEM	Free	2-2
Potential Candidates	Albania	E	TOT	DEM	Partly Free	3-3
	Bosnia-Herzegovina	E	TOT	P	Partly Free	4-4
	Macedonia	E	TOT	DEM	Partly Free	3-3
	Serbia and Montenegro (Yugoslavia)	CM	TOT	AR	Free	3-2 <sup>76</sup>
Neighbours	Russia	AM	TOT	DEM	Partly Free	5-5 <sup>77</sup>
	Ukraine	E	TOT	DEM	Partly Free	4-4
	Moldova	TM	TOT	DEM	Partly Free	3-4 <sup>78</sup>
	Belarus	E	TOT	AR	Not Free	6-6
	Palestinian Authority					<sup>79</sup>
	Israel	E	DEM	DEM	Free	1-3
	Algeria	C	C	AR	Not Free	6-5
	Egypt	C	CM	RDP	Not Free	6-6
	Tunisia	P	P	AR	Not Free	6-5
	Morocco	TM	P	TM	Partly Free	5-5 <sup>80</sup>
	Libya	E	P	AR	Not Free	7-7
	Jordan	E	CM	RDP	Partly Free	6-5
	Lebanon	E	RDP	AR	Not Free	6-5
	Syria	E	RDP	AR	Not Free	7-7
	Armenia	E	TOT	DEM	Partly Free	4-4 <sup>81</sup>
	Azerbaijan	E	TOT	AR	Not Free	6-5
Georgia	E	TOT	DEM	Partly Free	4-4 <sup>82</sup>	

DEM = Democracy: 'political system whose leaders are elected in competitive multi-party and multi-candidate processes in which opposition parties have a legitimate chance of attaining power or participating in power'.

RDP = Restricted Democratic Practice

CM = Constitutional Monarchy

TM = Traditional Monarchy

AM = Absolute Monarchy

AR = Authoritarian Regime

TOT = Totalitarian Regime

C = Colonial Dependency

P = Protectorate

E = Empire

PR-CL (Political Rights and Civil Liberties)

1 represents the most free and 7 the least free category.

<sup>75</sup> Cyprus (T, disputed territory): Free, 2-2.

<sup>76</sup> Kosovo (disputed territory): Partly Free, 5-5.

<sup>77</sup> Chechnya (disputed territory): Not Free, 7-7.

<sup>78</sup> Transnistria (disputed territory): Not Free, 6-6.

<sup>79</sup> Israeli-Administered territories (disputed territory): Not Free, 6-6; and Palestinian Authority-administered territories (disputed territory): Not Free, 5-6.

<sup>80</sup> Western Sahara (disputed territory): Not Free, 7-6.

<sup>81</sup> Nagorno-Karabakh (disputed territory between Armenia and Azerbaijan): Partly Free, 5-5.

<sup>82</sup> Abkhazia (disputed territory): Not Free, 6-5.

Table 3: The EU and democracy promotion

<i>STATUS</i>	GEOGRAPHIC AREA	THIRD-STATE	WHAT SORT OF DEMOCRATIC PROMOTION (transition, consolidation or quality)	EU POLICY (in the framework of which democracy is promoted)	
Candidates	Eastern and Western Balkans	▪ Bulgaria <sup>83</sup>	Democratic quality	enlargement	
		▪ Romania <sup>84</sup>	Democratic quality		
		▪ Croatia <sup>85</sup>	Democratic quality		
	Med.	▪ Turkey <sup>86</sup>	Democratic consolidation		
Potential candidates	Western Balkans	▪ Albania <sup>87</sup>	Democratic consolidation	stabilization and association	
		▪ Bosnia-Herzegovina <sup>88</sup>	Democratic consolidation		
		▪ fYROM/Macedonia <sup>89</sup>	Democratic consolidation		
		▪ Serbia and Montenegro <sup>90</sup>	Democratic quality		
Neighbours	Eastern Europe	▪ Russia	Democratic consolidation	neighbourhood	
		WNIS <sup>91</sup>	▪ Ukraine		Democratic consolidation
			▪ Moldova		Democratic consolidation
			▪ Belarus		Democratic transition
	Southern Med.	Middle East	▪ Palestinian Authority		Democratic transition
			▪ Israel		Democratic quality
		South: Maghreb	▪ Algeria		Democratic transition
			▪ Egypt		Democratic transition
			▪ Tunisia		Democratic transition
			▪ Morocco		Democratic consolidation
			▪ Libya		Democratic transition
			East: Mashraq		▪ Jordan
		▪ Lebanon			Democratic transition
		▪ Syria			Democratic transition
	Southern Caucasus	▪ Armenia	Democratic consolidation		
▪ Azerbaijan		Democratic transition			
▪ Georgia		Democratic consolidation			

<sup>83</sup> Negotiations are well advanced with aim to join the EU in 2007.

<sup>84</sup> Negotiations are well advanced with aim to join the EU in 2007.

<sup>85</sup> On 29th October 2001 Croatia signed the Stabilization and Association Agreement, which is not still entered into force. On 20<sup>th</sup> February 2003 Croatia applied for the EU membership. In April 2003 the Council requested the Commission to submit its Opinion on the application. In July 2003 a series of questions was transmitted to the Croatian authorities. In October 2000 the Croatian government responded to the questions. After an exchange of questions and information between the Commission and the Croatian government, on 20<sup>th</sup> April 2004 it was published the Commission's Opinion on Croatian application. The last European Council of Bruxelles (18<sup>th</sup> June 2004) has decided to open negotiations with Croatia since 2005, giving Croatia the status of candidate country.

<sup>86</sup> The Commission will present before the end of 2004 a report on Turkey's fulfilment of the Copenhagen political criteria, along with a recommendation on the possible opening of accession negotiations.

<sup>87</sup> At the moment Albania is negotiating to arrive at a Stabilization and Association Agreement.

<sup>88</sup> On 18<sup>th</sup> November 2003 a Feasibility Study for BiH was published, sixteen conditions for progress were set out down the Stabilization and Association Process, but there was not significant progress in fulfilling these conditions, so the Commission could not recommend to the Council the start of Stabilization and Association Agreement negotiations.

<sup>89</sup> On 9th April 2001 the Stabilization and Association Agreement was signed. It has been ratified by all Member States and will enter into force shortly. On 22<sup>nd</sup> March 2004 fYrom applied to the EU for membership.

<sup>90</sup> The Commission is working with Serbia and Montenegro authorities to solve some outstanding problems with a view to a rapid launching of a Feasibility Study.

<sup>91</sup> Western Newly Independent States.

Table 4: The European Neighbourhood Policy

GEOGRAPHIC COVERAGE	Eastern Europe	Russia, Ukraine, Moldova, Belarus
	Southern Mediterranean Southern Caucasus	Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestinian Authority, Syria, Tunisia Armenia, Azerbaijan, Georgia
OBJECTIVES	<ol style="list-style-type: none"> <li>strengthening stability, security and well-being for EU member states and neighbouring countries,</li> <li>preventing the emergence of new dividing lines between the enlarged EU and its neighbours.</li> </ol>	<ol style="list-style-type: none"> <li>enhanced and more focused policy approach of the EU towards its neighbourhood, bringing together the principal instruments at the disposal of the Union and its Member States;</li> <li>the implementation of the ENP itself brings with it the perspective of moving beyond cooperation to a significant degree of integration, including through a stake for partner countries in the EU's Internal Market;</li> <li>upgrade the scope and intensity of political cooperation with partner countries and make it more effective;</li> <li>encourage reforms that will bring benefits in terms of economic and social development;</li> <li>incentives for resolving outstanding issues which have arisen in bilateral relations;</li> <li>Action Plans will define priorities and provide focus for the implementation of existing agreements;</li> <li>introduction in 2007 of a new financial instrument, the European Neighbourhood Instrument (proposal), which will address in particular cross-border co-operation, <i>in addition</i> to the areas addressed by existing instruments or their successors (for the period 2004-2006, Neighbourhood Programmes will add value to cross-border, transnational and regional co-operation);</li> <li>increasing of existing funds or their successors under the new financial perspectives (proposal), in keeping with the priority given by the EU to the ENP;</li> <li>gradual opening of certain Community programmes, promoting cultural, educational, environmental, technical and scientific links (under examination);</li> <li>support including technical assistance and twinning for partners that wish to meet EU norms and standards;</li> <li>new contractual links, in the form of European Neighbourhood Agreements;</li> </ol>
WHAT IS OFFERED	<p>Short term: reinforced political, security, economic and cultural cooperation</p> <p>Long term: some economic and political integration</p>	<p>Rule of law,</p> <p>good governance,</p> <p>respect for human rights (including minority rights)</p> <p>promotion of good neighbourly relations</p> <p>principles of market economy and sustainable development</p> <p>essential aspects of the EU's external action (the fight against terrorism and the proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution).</p>
INSTRUMENTS	<p>Short term:</p> <p>Long term:</p>	<p>Action Plans</p> <p>European Neighbourhood Agreements</p>
ACTION PLANS	<p>Guiding principles:</p>	<p>Joint ownership;</p> <p>Differentiation.</p>
	<p>Two broad areas:</p>	<p>strengthening democracy and the rule of law, the reform of the judiciary and the fight against corruption and organised crime;</p> <p>respect of human rights and fundamental freedoms (including freedom of media and expression), rights of minorities and children, gender equality, trade union rights and other core labour standards, and fight against the practice of torture and prevention of ill-treatment;</p> <p>support for the development of civil society;</p> <p>and cooperation with the International Criminal Court;</p> <p>the fight against terrorism and proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution;</p> <p>political dialogue;</p> <p>economic and social development policy;</p> <p>trade and internal market;</p> <p>Justice and home affairs;</p> <p>connecting the neighbourhood (energy, transport, environment, information society, research and development);</p> <p>people-to-people, programmes and agencies.</p>

	Progress monitoring	In the bodies established by the Partnership and Cooperation Agreements or Association Agreements. The Commission will report periodically on progress accomplished.
REGIONAL COOPERATION	Eastern borders	Encouraging the participation of the Russian Federation
	Mediterranean	Some priority cooperation sectors (...) Euro-Mediterranean Partnership: bilateral and regional agenda (priority areas for cooperation).
SUPPORTING THE ENP	Existing financial support to ENP Countries	Grant assistance to Russia and the WNIS is mostly provided through the <i>Tacis</i> programme and in the Mediterranean countries through the MEDA programme. Assistance channelled through these instruments over the period 2000-2003 amounted to € 3716.1 million. The EIDHR, which promotes the principles of liberty, democracy, respect for human rights and the rule of law in third countries and provides funding for these activities primarily in partnership with NGOs and international organizations, has allocated between 2000 and 2003 € 19.3 million to Russia and the WNIS and € 41.4 to projects in the Mediterranean countries. The European Investment Bank has been providing loans to the Mediterranean countries (€3445 million for the period 2000-2003). Since 2002 lending operations have been extended to include a private-sector oriented Facility for Euro-Mediterranean Partnership. Lending to Russia has been open since 2001 within a specific mandate in the context of the Northern Dimension to cover environment projects in North-West Russia. Macro financial assistance has been provided to third countries facing exceptional balance of payments financing needs: operations were approved in 2002 for Ukraine (€ 110 million) and Moldova (€15 million), but not yet disbursed. In the period 2000-2003, the European Union has also provided € 277 million of humanitarian assistance to ENP countries confronted with emergencies and € 103,5 million in food aid.
	ENI	A European Neighbourhood Instrument was first envisaged in the Commission's March 2003 Communication and further developed in the July 2003 Communication which set out a two-phase approach: for the period 2004-2006 the introduction of Neighbourhood Programmes based on enhanced co-ordination among existing instruments, after 2006 the establishment of a new neighbourhood instrument. This instrument will support cross border cooperation as well as regional co-operation projects involving both EU member states and partner countries. Meanwhile Neighbourhood Programmes are being developed through existing support mechanisms. For the period 2004-2006, the funding foreseen for ENP under external assistance programmes amounts to € 255 million. Approximately € 700 million will be provided for the corresponding EU internal borders under the Interreg programme.

Table 5: Priorities to be contained in July 2004 Action Plans for Ukraine, Moldova, Tunisia, Palestinian Authority, Morocco, Jordan and Israel

<b>Commission Staff WP – ENP Country Report Jordan (SEC(2004) 564, 12.5.2004)</b>	
1. 'democracy and rule of law' priorities:	Not found.
2. 'human rights and fundamental freedoms' priorities:	<ul style="list-style-type: none"> <li>- ratify UN Optional Protocols to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention Against Torture;</li> <li>- ratify ILO Convention No. 87 on the freedom of association and protection of the right to organize;</li> <li>- modify current legislation which puts some restrictions on the freedom of expression and association;</li> <li>- modify legislation which foresees a number of restrictions to the freedom of the media;</li> <li>- prevent ill-treatment of political detainees (including arbitrary arrests and 'incommunicado' detention);</li> <li>- ensure impartial supervision of prisons;</li> <li>- ratify the UN protocol of 1989 on the abolition of the death penalty (Jordan continues in practice to apply the death penalty);</li> <li>- transpose into national law the UN Convention of Elimination of All Forms of Discrimination against Women, which Jordan has signed.</li> </ul>
3. 'regional and global stability' priorities	Not found.
4. 'co-operation in justice and home affairs' priorities	Not found.
<b>Commission Staff WP – ENP Country Report Palestinian Authority of West Bank and Gaza Strip (SEC(2004) 565, 12.5.2004)</b>	
1. 'democracy and rule of law' priorities:	<ul style="list-style-type: none"> <li>- strengthen the legitimacy of the Palestinian Legislative Council through new elections (the legal term expired in 1999 and no new elections have been held since then);</li> <li>- solve difficulties in organising elections to the Palestinian Authority (updating the voter register);</li> <li>- adopt legislation regulating political parties;</li> <li>- conduct local elections (since 1976 the Ministry of Local Government has appointed mayors and council members);</li> <li>- make the Palestinian public administration become effective and efficient (through a clear division of responsibilities, the development of a coherent human resource development programme and</li> </ul>

<p>training for civil servants);</p> <ul style="list-style-type: none"> <li>- increase progress in implementing the public administration and civil service reform programme (fully implement the Civil Service Law from 1998);</li> <li>- implement legislation on the judicial system (Basic Law and the Judicial Authority Law), to make the judicial system fully operate (clear the division of responsibilities between the Ministry of Justice and the Higher Judicial Council, increase the court infrastructure, increase resources for proper training within the judiciary, improve communication between courts, procedures and management of records);</li> <li>- guarantee the independence of the judiciary (eliminating interference from the executive);</li> <li>- make effective the State Security Courts abolition of 2003;</li> <li>- unify the various security services;</li> <li>- allow access to prisons to outside bodies or international human rights organisations;</li> <li>- make Police and Preventive Security commanders more effective in carrying out arrests of criminals and armed militants;</li> <li>- fight corruption.</li> </ul>
<p><b>2. ‘human rights and fundamental freedoms’ priorities:</b></p> <ul style="list-style-type: none"> <li>- fight cases of torture and ill-treatment in PA detention centres, namely those operated by the security services;</li> <li>- increase control over the interrogation methods of the security services and create clear procedures for investigating complaints effectively and impartially;</li> <li>- guarantee in practice freedom of expression;</li> <li>- guarantee in practice the freedom of the press and media;</li> <li>- stop frequent government censorship on the Palestinian mass media;</li> <li>- improve equality of rights for women;</li> <li>- do not obstruct the activities of civil society organisations, that promote greater reform and protection of human rights;</li> <li>- allow the development of a real democratic workers movement in Palestinian Territory (the board and chairman of the Palestinian General Federation for Trade Unions (PGFTU) are appointed by the President of the Palestinian Authority).</li> </ul>
<p><b>3. ‘regional and global stability’ priorities</b></p> <p>Paragraph not present in the document</p>
<p><b>4. ‘co-operation in justice and home affairs’ priorities</b></p> <p>Paragraph not present in the document</p>
<p style="text-align: center;"><b>Commission Staff WP – ENP Country Report Ukraine (SEC(2004) 566, 12.5.2004)</b></p>
<p><b>1. ‘democracy and rule of law’ priorities:</b></p> <ul style="list-style-type: none"> <li>- strengthening the overall system of democratic and institutional checks and balances (president, prime minister, and parliament);</li> <li>- increase the level of procedural transparency and public support;</li> <li>- meet international commitments and standards for democratic elections (in particular as concerns election campaign and media coverage);</li> <li>- decentralize executive powers and administrative structures;</li> <li>- increase powers of regional and local self-governing bodies;</li> <li>- increase efficiency of the judiciary;</li> <li>- fight judiciary vulnerability to political and administrative interference from the executive branch, and to corruption;</li> <li>- reform the broad competences of the General Prosecutor’s Office (this is one of the main points of concern expressed by the Council of Europe);</li> <li>- further progress towards the development of a civil service system, in particular in the areas of impartiality and integrity, and professional stability;</li> <li>- join the Council of Europe Group of States against corruption (GRECO).</li> </ul>
<p><b>2. ‘human rights and fundamental freedoms’ priorities:</b></p> <ul style="list-style-type: none"> <li>- fulfil all its obligations and commitments as a Member State of the Council of Europe;</li> </ul>

- ratify the Convention relating to the Status of Refugees and its Protocol;
- guarantee in practice media freedom <sup>92</sup> ;
- implement and enforce the 2001 law on child protection, designed to bring the country into conformity with international standards regarding children's safety and quality of life <sup>93</sup> ;
- fight racism, direct and indirect discrimination, intolerance or disadvantage for members of groups such as formerly deported persons (in particular Crimean Tatars), the Roma community, immigrants with or without legal status, asylum-seekers and refugees;
- eliminate difficulties in registration and in buying and leasing property for a number of minority and non-traditional religions;
- prevent torture and ill-treatment as regards the condition of detention <sup>94</sup> ;
- ratify the Rome statute for the establishment of an International Criminal Court;
- eliminate for Ukrainian women obstacles to their full and equal participation in the labour force <sup>95</sup> ;
- improve the capacity and sustainability of non-governmental organisations;
- clear standards and criteria for obtaining the official registration, unions and their organisations require, to pursue their objectives; and complete the transition from state-controlled unions to independent and efficient unions.
<b>3. 'regional and global stability' priorities</b>
- end use of conventional arms sales;
- ratify the 1997 Convention on the Prohibition of the Use, Stockpiling and Transfer of Anti-Personnel Mines and on their destruction (Ottawa Conventions).
<b>4. 'co-operation in justice and home affairs' priorities</b>
- deposit the instrument of ratification of the UN Convention against Transnational Crime and its additional Protocols on smuggling and trafficking of 4 February 2004.
<b>Commission Staff WP – ENP Country Report Moldova (SEC(2004) 567, 12.5.2004)</b>
<b>1. 'democracy and rule of law' priorities:</b>
- guarantee the practical implementation of democratic elections (the OSCE observers, monitoring the 2003 local elections, raised concerns in particular about the secrecy of the vote, reported intimidation of opposition candidates, the incomplete separation of party and government - including reports of misuse of public resources for campaign purposes - and about the clear bias in favour of the incumbent authorities on the State Television Channel);
- eliminate problems, underlined by the Council of Europe, as concerns the law regulating the status of parliamentarians and their immunities;

<sup>92</sup> 'Media freedom remains one of the crucial issues for political reform in Ukraine. While press freedom is guaranteed by law and the Constitution, the press has come under increasing pressure since 2003. In terms of ownership, the media landscape is characterised by a significant degree of control by national and local authorities, in particular over the electronic media. A number of NGOs have published very critical reports on Ukrainian press freedom in 2003. Privatised or newly established media are concentrated in a few hands, and often interlinked with government structures. Independent media are often weak in financial terms and reportedly face numerous difficulties in carrying out their work, with persistent interference by state organs and an environment in which laws are often open to interpretations. The condition of the media in Ukraine has attracted the attention of the Parliamentary Assembly of the Council of Europe (PACE), which in its Recommendation I 589 (2003) on Freedom of expression in the media in Europe noted that "violence continues to be a way of intimidating investigative journalists". The PACE branded as "unacceptable" the lack of progress in the investigation of crimes, such as the murder of journalist Heorhiy Gongadze' (SEC(2004) 566, p. 8).

<sup>93</sup> 'The UN Committee on Children's Rights in its Recommendations of September 2002 ... stressed the priority that should be given to the best interests of the child and called for the integration of marginalized children' (SEC(2004) 566, p. 8).

<sup>94</sup> 'Torture and ill-treatment were among several concerns highlighted in the annual report (2002) of the National Human Rights Ombudsman on the situation of human rights in Ukraine. According to the report, around 12,000 individuals alleged that they had been subjected to torture and ill-treatment in the previous years, most commonly in the context of interrogation for the purpose of eliciting a forced "confession". In its review of Ukraine's fourth periodic report in November 2001, the United Nations Committee against Torture noted many ongoing deficiencies in the penal system, including the lack of clarity regarding the time when a detained person may exercise the rights to counsel, medical examination, and contact with a family member. The 2003 monitoring report for the Council of Europe Parliamentary Assembly shared concerns expressed earlier by the European Committee for the Prevention of Torture (CPT) as regards the conditions of detention in Ukraine, and the lack of progress in numerous areas (especially concerning the ill-treatment of persons deprived of their liberty by law enforcement agencies, and overcrowding both in militia and penitentiary establishments)' (SEC(2004) 566, p. 9).

<sup>95</sup> 'Gender discrimination in political, economic, social, and cultural spheres is prohibited under the Ukrainian constitution and domestic laws, and Ukraine is also a signatory to relevant international conventions. However, in practice, Ukrainian women reportedly face obstacles to their full and equal participation in the labour force. In June 2002 the United Nations Committee on Elimination of Discrimination against Women credited Ukraine with adopting a new law on the prevention of domestic violence, but expressed concern about the prevalence of violence against women and the need for improved measures for prosecution and victims' services' (SEC(2004) 566, p. 9).

<ul style="list-style-type: none"> <li>- reform the judiciary, most importantly strengthen the judicial power, in particular the independence of judges and prosecutors, the enforcement of court decisions, training of personnel, ensuring access to justice and streamlining cooperation among the different branches;</li> <li>- increase the institutional capacity of the public sector (government institutions are not able to perform efficiently due to inconsistencies in their functional and institutional frameworks), improve methods of selection and promotion;</li> <li>- combat corruption and organised crime both domestically and at international level;</li> <li>- ratify the Council of Europe's Criminal and Civil Law Conventions against corruption;</li> <li>- increase the financial resources to fight corruption.</li> </ul>
<p><b>2. 'human rights and fundamental freedoms' priorities:</b></p> <ul style="list-style-type: none"> <li>- implement the judgements of the European Court of Human Rights (according to the Council of Europe);</li> <li>- ratify the two Optional protocols to the UN International Covenant on Civil and Political Rights and the Optional Protocol to the Convention against Torture;</li> <li>- do not restrict the freedom of expression, assembly and association;</li> <li>- guarantee journalists with independence;</li> <li>- secure implementation and adequate financing of the legislative framework concerning the protection of the children;</li> <li>- give effective implementation to the legislation concerning national minorities;</li> <li>- fight discrimination towards the Roma and the Gagauz communities, mostly in rural areas;</li> <li>- improve detention conditions to comply with international standards (in particular physical ill-treatment of prisoners, torture, short of food and water, limited access to health care, absence of specialised juvenile justice and detention);</li> <li>- ratify the Rome statute for the establishment of an International Criminal Court;</li> <li>- adopt a specific domestic law addressing non-discrimination between women and men.</li> </ul>
<p><b>3. 'Transnistria' priorities</b></p> <ul style="list-style-type: none"> <li>- solve the conflict;</li> <li>- ensure Moldova's control over its entire customs territory;</li> <li>- improve the human rights situation in the region in particular minorities' language rights and freedom of speech and diversity of opinion;</li> <li>- fight illicit trafficking such as smuggling in arms, human beings, drugs;</li> <li>- withdraw Russian ammunition, equipment and troops.</li> </ul>
<p><b>4. 'regional and global stability' priorities</b></p> <ul style="list-style-type: none"> <li>- sign the third Protocol of the Convention on the illicit manufacturing and trafficking of firearms.</li> </ul>
<p><b>5. 'co-operation in justice and home affairs' priorities</b></p> <ul style="list-style-type: none"> <li>- fight trafficking in women and children;</li> <li>- ratify the UN Convention against Transnational Organised Crime (Palermo Convention) and its protocols on smuggling of migrants and Trafficking in persons;</li> <li>- abolish Moldova's right not to extradite its own citizens;</li> <li>- fight against drug consumption and drug trafficking.</li> </ul>
<p style="text-align: center;"><b>Commission Staff WP – ENP Country Report Israel (SEC(2004) 568, 12.5.2004)</b></p>
<p><b>1. 'democracy and rule of law' priorities:</b></p> <p>Not found.</p>
<p><b>2. 'human rights and fundamental freedoms' priorities:</b></p> <ul style="list-style-type: none"> <li>- ratify the two Optional Protocols to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women and the Optional Protocol to the Convention Against Torture;</li> <li>- ratify ILO Convention No. 182 on the elimination of the worst forms of child labour;</li> <li>- review and approve annually the State of Emergency (the renewal is automatic);</li> <li>- in exercising its right to protect its citizens from terrorist attacks, exert maximum effort to avoid civilian casualties and take no action that aggravates the humanitarian and economic plight of the Palestinian people;</li> <li>- abstain from any punitive measures which are not in accordance with international law, including extrajudicial killings and destruction of houses;</li> <li>- apply the Fourth Geneva Convention to its actions in the West Bank and Gaza Strip;</li> </ul>

<ul style="list-style-type: none"> <li>- apply the International Covenant on Civil and Political Rights (ICCPR) to the West Bank and Gaza Strip;</li> <li>- do not use physical force and torture during interrogations;</li> <li>- grant Palestinians from the West Bank and Gaza Strip who work in Israel the right to join Israeli trade unions or organize their own unions in Israel;</li> <li>- modify laws and regulations that favour the Jewish majority (in contrast with the Declaration of Independence which proclaims equality for citizens);</li> <li>- guarantee access to justice for migrant workers and for activities in the occupied territories.</li> </ul>
<p><b>3. 'regional and global stability' priorities</b></p> <ul style="list-style-type: none"> <li>- make part of the Non-Proliferation Treaty (the government neither recognises nor denies the existence of nuclear weapons in Israel);</li> <li>- sign the Ottawa Agreement on Land Mines;</li> <li>- take measures, in response to suicide bombings, proportionate and compatible with its obligations under international law;</li> <li>- do not affect – through the separation barrier and various closures and restrictions existing in the West Bank and Gaza, the distribution of humanitarian assistance to the Palestinian population;</li> <li>- take action to alleviate the suffering of Palestinians in the Occupied Territories, by lifting prohibitions on movement, reversing its settlement policy and dismantling settlements built after March 2001, and reversing the construction of the so-called security fence on Palestinian land.</li> </ul>
<p><b>4. 'co-operation in justice and home affairs' priorities</b></p> <ul style="list-style-type: none"> <li>- grant asylum seekers of an appropriate interim status (until a decision on their application is taken), social benefits (including medical services) and allow them to work;</li> <li>- enforce fully the amendment to the Penal Law, which foresees more stringent sentences for trafficking of human beings;</li> <li>- implement the shelter for trafficking victims (approved in 2003 by the Government);</li> <li>- ratify the "United Nation Convention against illicit traffic in narcotic drugs and psychotropic substances" (1988).</li> </ul>
<p style="text-align: center;"><b>Commission Staff WP – ENP Country Report Morocco (SEC(2004) 569, 12.5.2004)</b></p>
<p><b>1. 'democracy and rule of law' priorities:</b></p> <ul style="list-style-type: none"> <li>- guarantee in practice the separation of powers - enshrined in the constitution – as the sovereign retains a significant number of executive prerogatives and exerts a certain amount of legislative power;</li> <li>- increase Parliament powers;</li> <li>- ensure the impartiality of judges;</li> <li>- improve access to justice;</li> <li>- reform the civil service;</li> <li>- fight corruption.</li> </ul>
<p><b>2. 'human rights and fundamental freedoms' priorities:</b></p> <ul style="list-style-type: none"> <li>- implement legislation on human rights;</li> <li>- ratify the UN two Optional Protocols to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention against Torture;</li> <li>- ratify ILO Convention No. 87 on the freedom of association and protection of the right to organise;</li> <li>- implement fully the new legislation on associations;</li> <li>- guarantee fully the freedom of assembly;</li> <li>- eliminate law restrictions on press freedom;</li> <li>- liberalise the audiovisual media;</li> <li>- insert in Moroccan criminal law a definition of torture in conformity with that required by the UN Convention to which Morocco is party and classify as crimes all acts that might be viewed as torture;</li> <li>- stop cases of torture, especially in cases of arbitrary detention linked to investigations into terrorism, including Islamist terrorism (according to the relevant UN committee and NGOs);</li> <li>- ratify the Rome Statute for the establishment of the International Criminal Court;</li> <li>- put into practice the reforms made to the Code of Personal Status on the status of women and the family;</li> <li>- eliminate reserves for articles dealing with the status of women, divorce and nationality of the Convention on the elimination of all forms of discrimination against women;</li> <li>- sign the option protocol to the Convention on the elimination of all forms of discrimination against women;</li> <li>- prohibit (in legislation) domestic violence against women;</li> <li>- increase female participation in politics;</li> </ul>



<ul style="list-style-type: none"> <li>- comply with child labour laws;</li> <li>- increase the impact of NGOs on major political decisions;</li> <li>- increase NGOs funding and capacity;</li> <li>- increase trade union rights of certain categories of workers, such as agricultural labourers and magistrates;</li> <li>- incorporate provisions which make racial discrimination illegal into the penal code;</li> <li>- recognize the Berber speaking community's cultural and linguistic rights.</li> </ul>
<p><b>3. 'regional and global stability' priorities</b></p> <ul style="list-style-type: none"> <li>- find a political solution of the Western Sahara conflict and all related humanitarian problems;</li> <li>- ratify the 2000 UN Convention on Transnational Crime and its two Protocols on trafficking in human beings and smuggling of migrants.</li> </ul>
<p><b>4. 'co-operation in justice and home affairs' priorities</b></p> <ul style="list-style-type: none"> <li>- elaborate a specific bill addressing the issue of money laundering.</li> </ul>
<p style="text-align: center;"><b>Commission Staff WP – ENP Country Report Tunisia (SEC(2004) 570, 12.5.2004)</b></p>
<p><b>1. 'democracy and rule of law' priorities:</b></p> <ul style="list-style-type: none"> <li>- real guarantee of the principle of the separation of powers, in particular as regards the powers of the President of the Republic;</li> <li>- increase Parliament's capacity to oppose government policy (the President of the Republic has the power to dissolve Parliament);</li> <li>- real guarantee of freedom of association;</li> <li>- develop political pluralism;</li> <li>- increase progress in implementing the policy of administrative decentralisation;</li> <li>- real guarantee of independence for the judiciary;</li> <li>- reform of the judiciary;</li> <li>- decentralise civil service and break strong links with the party in power.</li> </ul>
<p><b>2. 'human rights and fundamental freedoms' priorities:</b></p> <ul style="list-style-type: none"> <li>- real guarantee of article 8 of the Tunisian Constitution which guarantees the freedoms of opinion, expression, assembly and association;</li> <li>- ratify UN two optional protocols to the International Covenant on Civil and Political Rights, the optional protocol on the Elimination of All Forms of Discrimination against Women, and the optional protocol to the Convention against Torture;</li> <li>- facilitate, through legislation, the development of an independent civil society;</li> <li>- change restrictive legislation dealing with the freedoms of press and publication;</li> <li>- stop censorship of the media, newspapers and foreign publications;</li> <li>- assure free access to Internet;</li> <li>- limit authorities' control of private means of communication;</li> <li>- guarantee effective legal action against crimes of torture;</li> <li>- make custody do not extend beyond the maximum allowed by Tunisian law;</li> <li>- implement measures to improve detention conditions in Tunisian prisons;</li> <li>- sign the agreement establishing the International Criminal Court;</li> <li>- abolish discrimination between men and women still existing in law;</li> <li>- protect the Tunisian General Workers Union (UGTT) from certain de facto restrictions on its freedom of action.</li> </ul>
<p><b>3. 'regional and global stability' priorities</b></p> <p>Not found.</p>
<p><b>4. 'co-operation in justice and home affairs' priorities</b></p> <ul style="list-style-type: none"> <li>- make more comfortable the accommodation conditions of applicants for entry to Tunisian territory or persons in the process of deportation;</li> <li>- define a legal framework as regards the refugees' status.</li> </ul>



