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Editorial

Dear friends and colleagues of MAXCAP,

Our MAXCAP project has been running for almost a year now and the collaboration between partners in the various working packages is well under way. We have submitted our first three deliverables to the European Commission. This newsletter includes summaries of their most important findings and arguments. We are also preparing the publication of several working papers resulting from ongoing research, which are in various stages of review and production. You can access our first working paper on our website.



Prof. Tanja A. Börzel



Dr. Antoaneta Dimitrova

Broad scale empirical work in six different countries: candidates and member states – has been set in motion by the Leiden team. Our teams have been conducting focus groups in small villages and large cities, asking citizens what they think of the Eastern enlargements and of possible enlargements to come. A workshop is being organized in April 2014 in Sofia to discuss methodological and substantive issues related to the Q methodology discourse analyses which will result from this work. This is exciting and innovative empirical work and we hope to have some interesting preliminary results to share with you by the time the next newsletter is out.

The team of Freie Universität has started to coordinate a comprehensive review of the modes of integration developed and applied by the EU to foster the democratic quality and governance capacity of new member states, current and potential candidates, and the Eastern neighborhood countries.

The EUI team has been collecting data on economic upgrading in the candidates and new member states at the national and the sectoral level, analyzing their position in the common European market. A workshop has also been organized in Florence in December 2013 discussing the methodological issues and research design for the comparative sectoral case studies. The studies will look into the mechanisms through which different modes of integration and different strategies exercised by the EU play a role in bringing about specific economic and social outcomes at the sectoral level.

In terms of policy developments in our research area, these have been interesting and challenging times. The failure to initiate the long negotiated Association Agreement including the Deep and Comprehensive Free Trade area with Ukraine at the end of 2013 and subsequent protests in Ukraine have put the EU's policy towards its Eastern neighborhood in the spotlight. Ukraine has become the most important test for the integration capacity of the European Union and, of course, of Russia's new found assertiveness. We in the MAXCAP consortium have been following these events closely. Our policy briefing on the Vilnius summit, which we organized in Berlin after the summit, allowed us to assess the complex situation as it was unfolding. Our advisory group member, Dr. Klaudijus Maniokas, who took active part in the organization of the Lithuanian Presidency of the European Union, reported on the Vilnius summit and presented his own insightful analysis of what went wrong. His commentary, as well as more on the discussions during the policy briefing meeting in December 2013 in Berlin, can be found in this newsletter.

We hope that you enjoy reading about the MAXCAP activities in this newsletter.

Best regards,

Tanja A. Börzel

Tanja A. Börzel
Project coordinator

Antoaneta Dimitrova

Antoaneta Dimitrova
Project co-coordinator

Report: MAXCAP's First Policy Briefing

“Eastern Partnership: Too little, too late?”

A Debate on the Conclusions of the Third Eastern Partnership Summit in Vilnius 2013

MAXCAP Policy Briefing held at the Embassy of the Republic of Lithuania in Berlin on December 3, 2013



Welcoming remarks by Ramūnas Misiulis, Counsellor at the Embassy of the Republic of Lithuania

The MAXCAP Policy Briefing analyzed the Vilnius Summit's conclusions in light of the objectives of the 2011 Second Eastern Partnership Summit as well as inquired into the differential outcomes among the respective countries. In this context, it also addressed the impact of the Union's renewed ENP strategy and asked about the need for readjustments. Representatives from the Federal Foreign Office and various academic institutions were invited as panelists. The Policy Briefing attracted around 40 participants, among them academics, students, journalists and policymakers. Tanja A.

Börzel, MAXCAP's Coordinator and Director of the Center for European Integration at Freie Universität Berlin, moderated the event.

After warm words of welcome by Ramūnas Misiulis, Counsellor at the Embassy of the Republic of Lithuania, the MAXCAP Policy Briefing started with an assessment of the Vilnius Summit's outcome.

While the panelists acknowledged that the Ukrainian refusal to sign the EU Association Agreement (AA) and Deep and Comprehensive Free Trade Agreement (DCFTA) resulted in an overall negative public perception of the Vilnius Summit, they argued for a more nuanced evaluation of the Summit's effects.

Klaudijus Maniokas, member of MAXCAP's Advisory Board and Chairman of the Lithuanian consultancy ESTEP, identified the design of AA/DCFTA as a fundamentally new type of international accords containing an unprecedented density of complex and specific regulation. He argued that in contrast to the increasing demands inherent to the alignment process, the EU offers for the respective target countries remain too weak. He criticized that EU member states and the European Commission would not allocate enough resources, concluding that, in political as well as socio-economic terms, current support structures for the Eastern Partnership program would not be sufficient to present an attractive alternative to Eastern neighbourhood countries.

These structural flaws of the Eastern Partnership, Maniokas added, would undermine the EU's position vis-à-vis Russia, who is likely to perceive international politics in the post-Soviet space as a zero-sum game, offering its neighbors considerable short-term benefits in exchange for enhanced political influence.

These conclusions led Börzel to ask Kakha Gogolashvili, Director of the Centre of EU Studies at the Georgian Foundation for Strategic and International Studies (GFSIS), why Georgia would remain on a pro-EU track despite seemingly weak EU offers. According to Gogolashvili, Georgian elites, in contrast to Ukrainian politicians, had proceeded wisely by taking into consideration the population's moods and attitudes towards Russia and the EU, contributing to a stable political situation in Georgia. He reminded the audience that Russia's leverage had weakened due to the ban on imports of Georgian food products and beverages as well as a result of recognizing the independence of two break-away regions of Georgia – Abkhazia and South Ossetia in the aftermath of the Russian-Georgian War of 2008. Diversification of foreign trade had further weakened Russian influence over Georgian manufacturers, with the result that oligarchical ties do not play such an important part in the political arena as in Belarus, Armenia or Ukraine. In the same vein as Maniokas, he stressed the new and unique quality of the Eastern Partnership, stating that the multilateral program track provided for a successful approach that would remain unaffected by bilateral shocks. At the same time, he argued for more substance in promoting the Eastern Partnership among its addressees, including intelligible explanations and evaluations of short-term impacts and benefits.

“The structural flaws of the Eastern Partnership undermine the EU's position vis-à-vis Russia, who is likely to perceive international politics in the post-Soviet space as a zero-sum game.”

Klaudijus Maniokas

Nelli Babayan, researcher at the Center for Transnational Studies, Foreign- and Security Policy at Freie Universität Berlin, enriched the debate by summarizing recent political and economic developments in Armenia, an Eastern Partnership country, which in September 2013 had surprisingly announced its decision to join the Russian-led Eurasian Customs Union. A priori, Babayan ascertained that the Vilnius Summit could hardly be called a success if comparing the objectives of the Eastern Partnership and the results of the high-level talks. At the same time, she argued for bringing the Summit's preliminary socialization effects into focus. As an example she mentioned large-scale protests against Ukraine's and smaller-scale protests against Armenia's decisions of joining the Eurasian Customs Union. She argued that these protests can to some extent be considered as a token of the populations' socialization to European values and democratic norms. In addition, Babayan referred to surveys, which show that the divide was growing between the population on the one hand, suffering from high unemployment and a stagnating economy, and the Karabakh-proxy elites on the other hand, who are responsible for shaping the country's policies.

David Gudisch, as a representative of the European Directorate-General at the Federal Foreign Office, agreed with the panel's previous speakers that the public perception and visibility of the Eastern Partnership had increased substantially owing to the Vilnius Summit. He stressed that for assessing the Summit's success, one needed to look beyond the Association Agreements and also consider long-term developments the Eastern Partnership would render possible, such as mobility partnerships, visa facilitation and readmission agreements as well as action plans to arrive at pan-European visa freedom. Regarding the growing divergence in the Eastern partners' level of ambition in their relations to the EU, he questioned the feasibility to maintain a multilateral framework for the increasingly diverse set of bilateral relations within the Eastern Partnership.

In addition, he explained the Eastern Partnership design as an instrument to spread the values of market economy and liberal democracy, not being conceived for taking countries out of Russia's perceived sphere of influence. Concluding, Gudisch argued not to give up on the political dialogue with Russia, evoking the need for a positive EU-Russia agenda.

During the Q&A, the audience asked the panelists for policy advice in the context of Ukrainian upheavals.

Maniokas argued that in order to engage critically within the domestic processes of neighboring countries, the EU should use its leverage more confidently and add to its soft power approach a note of realist foreign policy. In addition, the EU should address its policy's structural flaws, by devoting more resources to the Eastern Partnership as well as by shifting the focus from high-standard regulations to a more pragmatic, investment- and business-oriented approach.



Panelists of the MAXCAP Policy Briefing at the Lithuanian Embassy

Gogolashvili characterized Russia's design of an Eurasian customs union as an aggressive step in the context of its WTO commitments. In accordance with President of the European Council Herman Van Rompuy and High Representative of the Union for Foreign Affairs Catherine Ashton, he criticized calls for trilateral talks on Ukrainian developments. With regard to specific policy advice, Gogolashvili advised European policy-makers to push circular migration rather than focusing on symbolic mobility projects. Babayan took a similar line as Maniokas by suggesting a more flexible approach for dealing with EU neighbor countries. So far, the EU seemed to refuse rethinking its relations with Eastern Europe, adhering to its "All or nothing"-approach in the context of association agreements. In this regard, Babayan concluded that the EU, as well as its partners, would need to reconsider the EU's perspective and clearly define European interests, which would inter alia project a clearer message to the partners.

On a related note, Gudisch summoned the audience to think beyond the current political and economic agreements initiated at the Vilnius Summit. He generated awareness of the European Commission's planned feasibility study for an European Economic Area, an ambitious long-term idea akin to Russia's notion of a common economic market from Lisbon to Vladivostok.

Commentary

"A Commentary: The Ukrainian Story and the Eastern Partnership Summit in Vilnius"

By Klaudijus Maniokas



EU leaders, heads of state and government as well as cabinet members at the Vilnius Summit

The still unfolding Ukrainian story clearly demonstrates the strengths and weaknesses of the EU's neighborhood policy. The Eastern Partnership Summit in Vilnius at the end of November 2013 did not result in the signature of the Association Agreement with Ukraine. EU leaders have indeed tried hard to persuade the Ukrainian President Viktor Yanukovich to sign the Agreement. Yet at the end Yanukovich accepted financial help offered by Russia. Far from being a failure of the EU, Yanukovich's refusal to sign the Association Agreement unleashed the biggest protests in Ukraine since the Orange Revolution in 2004. Presumably the protests will bring about more profound domestic changes than the formal signature of the Association Agreement would have done. Most likely, large parts of the Agreement would have become yet another Potemkin village, a fake, under Yanukovich. The EU's insistence on European norms during the negotiations and the consistency of its approach won the hearts of many Ukrainians which proves the attractiveness of the EU.

Yet another positive impact of the Eastern Partnership (EaP) can be seen in the density of the relationship reached between the EU and Ukraine as well as other EaP countries. Since the launch of the EaP the EU's relationship towards its neighbors covers many dimensions far beyond trade and diplomacy. They include not only talks about a visa-free regime and increasing mobility, both aspects being highly relevant for the local populations in the EaP countries, but cover also various infrastructure projects, economic relations and civil society. The problem is, however, that this increasing density of the relationship does not go hand in hand with more EU influence over and impact on domestic developments in the EaP countries. Thus Yanukovich decided not to sign the Association Agreement, and Armenia withdrew from the negotiations. The European Union lacks any impact on Belarus. Overall, political developments in the region deteriorate. Finally, a strong EU engagement in the region is also not being felt as regards financial investments from EU-based companies.

It is therefore difficult to praise the EU approach to the EaP countries and Ukraine in particular. Nobody in the EU seems to understand the motives of the current Ukrainian leader and his entourage. Although nobody expected that Ukraine would easily meet EU requirements, most of the EU leaders and diplomats nevertheless expected the Association Agreement to be signed in Vilnius. However, post factum most of them would agree that Yanukovich came to Vilnius without any intention to sign the Agreement. Have all the investments into getting to know the Ukrainian leadership, including sixteen meetings between the special representatives of the European Parliament Aleksander Kwasniewski and Pat Cox and Ukrainian President Yanukovich, been for nothing? Was this effort enough? The main value added of the Summit in Vilnius was probably that it showed how little most of the EU leaders knew or cared about Ukraine and the Eastern neighborhood in general. As one of them confided afterwards, the Ukrainian President behaved as a visitor from a different civilization. He and the EU leaders spoke different languages and, as one diplomat noted, Yanukovich could feel that he does not belong to the European club.

The EU's stance towards the unfolding developments in Kyiv provide further evidence for the EU's lack of knowledge and intelligence when dealing with the EaP countries. The EU's stance towards Russia and its policy towards Ukraine was and is far from it ought to be, too. The EU denounced Russia's aggressive, but successful attempts to dissuade Ukraine from signing the Association Agreement with the EU. While the EU rightly refused to engage in the bidding game over Ukraine, its policy remains rather passive. Instead of actively shaping the events, the EU appears to be simply observing what is happening. Apart from several high level visits, including a visit of Catherine Ashton (whose attention to Ukraine and the region is comparatively small if compared to the resources spent on Iran and the Middle East in general) and the statements of the EU External Affairs Council, there seems to be very little active engagement with Ukraine's political parties, opposition movement, media or its economic elite. Simply put, the EU does either not have active policy tools at its disposal or is simply reluctant to use them.

The EU fails to properly address Russia. There is a growing consensus within the EU about the increasingly negative role of Russia in the region. This awareness is a certain achievement but, as it is the case with the whole EaP in general, it has so far not been translated into clear policies and actions. The EU obviously has only limited tools to address Russia and its growing influence in the EaP region. At the same time the EU does not try to create respective tools.

There are many factors behind the EU's reluctance to strongly engage with the EaP countries. The fact that the EU's successes during previous enlargements was based on its sheer (soft) power of attraction is clearly a key factor. It is a cozy excuse not to engage into a fight and instead to indulge oneself with a praise of one's beauty and virtue.



The host of the Vilnius Summit, Lithuanian President Dalia Grybauskaitė, between President of the European Parliament Martin Schulz and President of the European Council Herman Van Rompuy

“Enlargement and Integration Capacity: A Framework for Analysis”

By Frank Schimmelfennig

The paper conceptualizes ‘integration capacity’ and develops a dynamic model of enlargement in order to provide a basic framework for analysis for MAXCAP. Based on the EU policy debate on integration capacity, the paper distinguishes internal and external integration capacity. Internal capacity denotes the preparedness of the EU to enlarge; external capacity refers to the preparedness of nonmembers to integrate with the EU. The major components of internal integration capacity are policy-making capacity (decision-making capacity, implementation capacity, and financial stability), public support, and institutional reform; external integration capacity is based on democracy, good governance, economic capacity, regulatory alignment, and public support in the nonmember states. Both internal and external integration capacity are the major supply factors for enlargement, understood as a gradual process of horizontal integration. The paper then theorizes the factors that affect internal and external integration capacity and their impact on enlargement. Veto players and weak state capabilities are the major domestic obstacles in the nonmember states, which can, however, be compensated by EU capabilities, the ability of the EU to build transnational coalitions, and an effective negotiation design. Internal integration capacity improves the EU’s ability to help nonmember countries prepare for closer integration. Finally, the paper theorizes positive and negative feedback effects from one enlargement to another.

“Public Opinion about European Union Enlargements: From Support to Opposition”

By Dimiter Toshkov, Elitsa Kortenska, Antoaneta Dimitrova and Adam Fagan

In this contribution we take stock of what existing public surveys and academic studies reveal about the state and about the determinants of the opinions, attitudes and evaluations of EU citizens about past and future enlargements of the EU.

Our first conclusion from this overview is that EU public opinion is getting increasingly hostile towards the possibility of EU enlargement in the future. With regard to the Eastern enlargement, a plurality of EU citizens expressed a positive rather than a negative evaluation the last time they were polled in a EU-wide representative survey during 2008. Yet this weak net positive assessment already concealed a considerable dissatisfaction in many of the old member states.

As of 2012, a majority of the European population expressed opposition towards future enlargements of the EU. Practically in all member states, and in some official candidates for membership as well, support has eroded since the early 2000s. It is quite significant that countries which had already low levels of net support in 2002 have found potential for additional decreases (e.g. France, Austria, Germany) and those starting from high levels have similarly followed the trend. Still, some of the prospective candidates for EU membership (e.g. Turkey, Albania) receive systematically lower levels of support than others, although the EU public has very low awareness of which countries are actually in the accession process. Altogether, the most recent surveys of EU public opinion outline a considerable “enlargement fatigue” among the EU citizens.

Surveying the growing academic literatures which try to explain public attitudes towards enlargement, we find that both utilitarian (interest-based) and identity factors are considered influential. Furthermore, the influence of structural variables is complemented by the potential impact of media framing and cues provided by political parties. Determinants of public opinion do not appear to differ consistently between old and new member states although they are usually analyzed separately: a point the scholarship needs to be improved upon.

The existing studies also find a significant gap in EU enlargement attitudes and evaluations between the elites and the general public. Several key findings which may partly explain the elite-public gap can be found in research on national and EU level media discourses. In particular, recent work has discovered a discontinuity between utilitarian national-level justifications of the last EU enlargement and common norms and values based EU-level justifications. This leads us to conclude that citizens' opinions and perceptions of enlargement should be studied in the context of the discourses which influence them – a task we will undertake in the next stage of research for Work Package 3 of MAXCAP.

“Contextual Policy Reading of Public Opinion Data and Recent Trends in Attitudes towards European Integration”

By Georgi Dimitrov, Kaloyan Haralampiev, Stoycho P. Stoychev

Sofia University, in cooperation with Leiden University, developed a framework for the contextual policy reading of public opinion data and recent trends in attitudes towards European integration. Their paper presents a logically integrated series of empirical micro-studies resolving problems in an inductive manner. Using mainly Eurobarometer data and heuristics of the classification trees analysis Dimitrov et al. argue that:

- a) Pro/contra EU enlargement attitudes are a *construct* of diverse, multifaceted relationships. It is mainly a *projection* of an extremely complex set of other values and specific premises *upon the EU's future*, which, as a system, establish the structure of what *seems* to be an “attitude towards the EU and its enlargement”;
- b) Citizens' attitudes are by rule clearly polarized, at least – in most countries and, moreover, there is a steady, increasing trend for negative attitudes to prevail;
- c) The structural causes for these polarizations are, most significantly, *nationally specific* and *go down to 13 levels of factor influences*. The strongest among these factors are based on the most pragmatic aspects of social life, depending on the membership status of the respective country and domestic policy-making on a national level. These factors exert influence in different proportions – in line with the diversity of multiple national and regional contexts. The polarization is a result of *varying sets of factors*, which themselves vary in every single case in strength and significance.

MAXCAP Resource Data Base

Operated by ETH Zürich

MAXCAP Partner ETH Zürich has established a compilation of relevant primary and secondary resources on previous and current EU enlargements as well as on the EU's relations with its neighbors.

The continuously updated MAXCAP resource database contains links to a wide range of EU-related legal documents, databases of quantitative and qualitative studies, annual reports, action plans, strategy papers, surveys, news portals etc. On several sub-topics such as EU law implementation, Good Governance or Public Attitudes, our virtual collection grants access not only to general resources, but also to policy- and country specific data links.

Please visit our MAXCAP Resource Database online at www.maxcap-project.eu/resource-database.

MAXCAP and the European Commission's Open Access Requirements and Policies

Antoaneta Dimitrova, as one of MAXCAP's project coordinators, attended an open access training on 12 November 2013 in Brussels, organized by the Flash IT project of the FP7 of the European Commission. There were presentations by Daniel Spichtinger, Open Access officer at the European Commission, Viktoria Tsoukala, from the National Documentation Centre in Athens, Greece and Professor Alma Swan, director of several open access advocacy groups and NGOs and a specialist in Open Access.¹

Some of the key recommendations all colleagues should bear in mind so that we can comply with open access requirements were summarized by Viktoria Tsoukala. To comply with FP7 open access requirements, scholars need to show that they have made their best effort to make their work open access. This can happen via two routes, the so called Green route and the Gold Route. The Green route involves so called self-archiving, whereby 'the author archives an electronic copy of a peer-reviewed publication (author's final copy or publisher copy) in an institutional or subject repository at the time of publication, after which it is freely available to everybody under specific license. A repository is an online database operating under specific technical standards that allows the institution to manage, preserve, disseminate, showcase its scientific output.' (Tsoukala, 2013).

If there is no institutional repository, depositing with OpenAIRE is recommended (see www.openaire.eu/en/support/helpdesk).

The Gold Route involves paying for making one's article open access, **which are costs eligible under the FP 7 programme for the duration of the project** and also under the forthcoming HORIZON2020 programme. Authors should consider doing this also for MAXCAP, provided that the costs charged by specific journals are not so exorbitant as to eat up all the dissemination budget.

¹ The presentations are uploaded on our website: www.maxcap-project.eu/news/archive

A summary of digital resources was provided (see below), the links will also be available on our project website.

- www.openaire.eu (the European repository for FP7 and Horizon 2020 research)
- Open access publisher policies, Sherpa/Romeo (www.sherpa.ac.uk/romeo)
- Creative Commons Licenses (www.creativecommons.org)
- Open access funder policies
 - (Sherpa/Juliet- www.sherpa.ac.uk/j)
- Open access institutional policies (roarmap.eprints.org)
- Open access repositories (subject-based and institutional)-
OpenDoar www.opendoar.org
- Directory of open access journals(www.doaj.org)
- Open access monographs registry (www.doabooks.org)
- OAPEN Foundation (www.oapen.org)
- Open access data repositories (registry of research data repositories www.re3data.org)
- Authors TCA Addendum (for licensing publishers)
 - (SPARC Addendum- www.sparc.arl.org/resources/authors/addendum)
- Surf copyright toolbox copyrighttoolbox.surf.nl/copyrighttoolbox
- Overall on open access and policy guidelines: [UNESCO guidelines by Alma Swan](#)
- Guidelines for policy implementation for RPOs and RFOs: www.medoanet.eu

The most important conclusions of the training were:

Putting one's final pre-publication copy in a university depository is an easy and open access friendly, green route of complying with requirements for FP7;

Costs for making a project related publication open access are eligible to be declared if it happens during the duration of the project.

Recent Partner Publications

- BCSDN (2013) Enabling Environment for Civil Society Development & EC Enlargement Strategy Paper and Progress Reports 2013, Background analysis, Skopje: Balkan Civil Society Development Network.
- Dimitrova, A. and Buzogány, A. (2014) 'Post-Accession Policy-Making in Bulgaria and Romania: Can Non-state Actors Use EU Rules to Promote Better Governance?', *Journal of Common Market Studies* 52: 139–156.
- Hafner Ademi, T. and Hadzi-Miceva Evans, K. (2013) 'Monitoring Matrix on Enabling Environment for Civil Society Development. The Tool-Kit', *Balkan Civic Practices No. 9*, Skopje: Balkan Civil Society Development Network (BCSDN).
- Langbein, J. & Börzel, T.A. (2013), Explaining Policy Change in the EU's Eastern Neighbourhood. *Europe-Asia Studies. Special Section*, 65 (4), also published as an edited volume by Routledge in 2014.
- Langbein, J. (2014) 'European Union Governance towards the Eastern Neighbourhood: Transcending or Redrawing Europe's East–West Divide?', *Journal of Common Market Studies* 52: 157–174.
- Müftüler-Baç, M. (2013) 'The Future of Europe, Differentiated Integration and Turkey's Role', *Global Turkey in Europe Series No. 9*, Istanbul Policy Center, Istanbul: Sabanci University.
- Schimmelfennig, F. (2013) 'Beyond the Golden Carrot of Conditionality. How the EU Influences Countries Across Its Borders', *Idee* 34(6): 14–19.
- Sedelmeier, U. (2014) 'Anchoring Democracy from Above? The European Union and Democratic Backsliding in Hungary and Romania after Accession', *Journal of Common Market Studies* 52: 105–121.
- Toshkov, D. and De Haan, L. (2013) 'The Europeanization of Asylum Policy: An assessment of the EU impact on asylum applications and recognition rates', *Journal of European Public Policy* 20(5): 661–683.
- Toshkov, D. , Lowery, D., Carroll, B. and Berkhout, J. (2013) 'Timing is Everything? Organized Interests and the Timing of Legislative Activity', *Interest Groups and Advocacy* 2(1): 48–70.