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## **Change and continuity in the European Neighbourhood Policy: the Ukraine crisis as a critical juncture**

### **Abstract**

The Ukraine crisis presented a severe geopolitical challenge to the European Union (EU) policies in the neighbourhood. This is because during the course of the crisis, Russia openly challenged the EU's economic and political integration initiatives in the region using economic, informational and eventually military means. As such, the crisis and its escalation has had ramifications across the EU in the fields of security, trade, energy security and regional cooperation. In the wake of the crisis, a clear rhetorical break with previous EU policy was announced by various key actors to respond to these challenges. Yet both the rhetoric and declared ambition for reform in response to the events is not matched by a major revision of actual policy objectives or policy tools. The question at the core of this article is how to explain the changes made to the European Neighbourhood Policy (ENP) following the Ukraine crisis. In order to provide an answer this article will build on historical institutionalism, exploring how two key historical institutionalist insights improve our understanding of the policy changes made to the ENP after the Ukraine crisis: (i) the institutional 'effects' and plasticity of the ENP institutions and (ii) temporal contingency. In doing so, this article takes issue with two tendencies in the current literature on policy change in the ENP. First, the lack of analytical engagement with the very notion of policy change, which throughout the literature is rarely defined or conceptualized. Second, the prevailing assumption that one should not be surprised that in the case of the ENP reform after the Ukraine crisis there has been little change, due to the prevalence of policy inertia. It is argued that this oversimplifies both policy continuity and policy change. By paying particular attention to the decision-making process preceding change, this article thus aims to shed new light on the issue of EU foreign policy change.

The Ukraine crisis posed a geopolitical challenge for the EU's policies in the Eastern neighbourhood, as the political instability and the military conflict that developed in Ukraine from late 2013 onwards significantly undermined the EU's economic and political integration initiatives in the region. This was exacerbated by the violent escalation of the crisis, particularly the insurgency in Eastern Ukraine and the Crimea, which was supported by Russia.<sup>1</sup> Moreover, the ramifications of the crisis were felt across the EU in the fields of security, energy security as well as in the economic realm. Political relations between EU member states and Russia were severely complicated.<sup>2</sup> Countries such as France and Germany were forced strike a cautious balance between their economic interests in a stable bilateral relationship with Russia and the EU's stance vis-à-vis Russia, especially concerning the imposition of sanctions.<sup>3,4</sup> For other European countries, such as Poland or Lithuania, the Ukraine crisis was a stark reminder of their vulnerability to potential Russian aggression, despite their membership of both the EU and the North Atlantic Treaty Organization (NATO). At the core of the crisis stood the future strategic orientation of Ukraine and of the

post-Soviet space more broadly, which the EU and Russia both consider to be their ‘neighbourhood’.

The Ukraine crisis, as argued by various scholars, thus marked a critical juncture in relations between Russia and the West, a critical juncture and catalyst for shaping the EU’s power, and a critical juncture that brought to the surface the tensions posed by the EU’s governance architecture in the neighbourhood and in its foreign policy.<sup>5</sup> It will be argued here that the Ukraine crisis equally marked a critical juncture for the European Neighbourhood policy in particular, as it propagated a profound rethink of the ENP against the backdrop of events in Ukraine. Leading actors across the EU, among them the European Commission, called for an ENP revision in order to better address the conflict in the neighbourhood, to develop and promote stability and to ‘better address the security threats that arise from conflict situations’ in the neighbourhood.<sup>6</sup> Such a revision would allow the EU to respond to the oft-mentioned ‘return of geopolitics’ in the region.<sup>7</sup>

But whilst the overarching ambitions of the ENP were reformulated following the events, substantive adjustments to ENP policy objectives, tools or targets are minimal; and a strategic overhaul of the ENP is virtually absent. This discrepancy between the severity of the challenge to the EU’s policies and the lack of substantive policy reform stands at the core of this article, as it tries to answer the question of how to explain the changes made to the ENP following the Ukraine crisis. Currently, when attempting to answer this question, the extant literature leaves a conceptual void. On the one hand, as will be detailed further below, the dominant accounts of ENP reform focus on evaluating the policy’s performance, or on normatively appreciating whether the policy changes that were made were sufficient. On the other hand, there are approaches to policy change from both International Relations (IR) and public policy studies that appear to lack an appropriate toolbox to address the ENP, because they do not possess adequate tools to study EU policymaking, which is inherently multi-actor and multi-level, taking place in a dense institutional context.

In want of an improved understanding of the policy changes made to the ENP, this article uses a theoretical framework premised on historical institutionalism, that approaches the Ukraine crisis as a critical juncture for the ENP, defined below as relatively short periods of time marked by a heightened contingency and a loosening of the constraints of the overarching structure, creating a temporarily increased role for agency. The aim of this article

is to improve our understanding of the policy changes made to the ENP that followed this critical juncture by focusing on the decision-making process. The goal is to identify not just what kind of policy change occurred, but also why these particular policy changes followed the decision-making process. It will start by outlining the Ukraine crisis and problematizing the notion of policy change. It subsequently presents the theoretical framework employed before it moves on to explore how two key historical institutionalist insights improve our understanding of the policy changes made to the ENP after the Ukraine crisis: (i) the institutional ‘effects’ and plasticity of the ENP institutions and (ii) temporal contingency.

### **The Ukraine crisis and the problem of policy change**

Ukraine was to sign an Association Agreement (AA) and a Deep and Comprehensive Free Trade Agreement (DCFTA) with the EU in November 2013. Both the AA and the DCFTA are core parts of the EU’s relationships with its partners under the umbrella of the European Neighbourhood Policy (ENP), and provide an agenda and priorities for political and economic reforms. Until August 2013, it appeared as if the Ukrainian government led by president Viktor Yanukovich was moving steadily towards the signing both documents in November. Yet there were mounting structural problems that were set to collide in a Ukrainian domestic context characterized by severe financial and economic trouble. In November 2013, Yanukovich decided to postpone signing the Association Agreement – purportedly in order to leverage Russian support, eventually received in the form of a bail-out in December – but equally under severe Russian pressure to do so.<sup>8</sup> Demonstrations and rallies by the many Ukrainians who supported a landmark EU-deal over closer ties with Moscow followed, which regularly clashed with pro-Russia demonstrators.

The Ukrainian refusal to sign the Association Agreement exacerbated an already unstable chapter in EU relations, as the political and military crisis which unfolded after the Vilnius Summit was the culmination of a series of events and developments that had been looming under the surface for over a decade.<sup>9</sup> Within a few months the country descended into a full-scale geopolitical crisis, with the Russian military supporting the insurgence in Eastern Ukraine and the Crimea.<sup>10</sup> At the end of February 2014, president Yanukovich fled the country as the Ukrainian parliament voted to remove him from office. Around the same time pro-Russian gunmen seized buildings in Simferopol, the capital of the Crimea. On 16 March 2014, an overwhelming majority of Crimean voters supports joining Russia in a referendum

regarding the future status of the territory. Despite challenges to the legality of the referendum<sup>11</sup>, this ballot was followed by the Russian annexation of the peninsula, broadly considered as a fundamental breach of international law, the Helsinki Act of 1975 and the terms of the 1994 Budapest Memorandum.<sup>12</sup> The variety of means that Russia had deployed to pressure Ukraine into not signing the Agreement, followed by its role in the escalation of the military conflict, called into question member state perceptions of EU-Russia relations.<sup>13</sup>

The Ukraine crisis deeply affected the EU's relationship with Russia, and has had policy consequences for a great variety of areas, including security, energy and trade. It is argued here that in addition, the Ukraine crisis equally marked a critical juncture for the European Neighbourhood policy. Although it was not the underlying cause of the Ukraine crisis, the ENP was the proximate cause of the events that unfolded from late November 2013 onwards. Russia had arguably attempted to frustrate EU's efforts to deepen its relationship with Ukraine through the ENP long before the Vilnius summit took place.<sup>14</sup> As such, the Ukraine crisis sparked a widespread call for reform of the ENP. As the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission (HR/VP) Federica Mogherini stated in a joint speech with European Commissioner of the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) Johannes Hahn: 'We need to review our policy, our way of working, our partnership with the countries of our region [...]. In particular because as our region is in flames, both to the East and South, we have to use all the potential of our bilateral relations with partners in the region to have an effective impact on our region'.<sup>15</sup>

As he entered office in November 2014, the new President of the European Commission Juncker asked DG NEAR to make recommendations for improving the ENP as a response to the various crises with which the EU was faced. He stated that '[r]eform means change. I want us all to show that we are open to change and ready to adapt to it'.<sup>16</sup> Neighbourhood and Enlargement Negotiations Commissioner Hahn, for his part, had stated it was his 'priority to ensure that the ENP is fitter for purpose and that it contributes more effectively to preserving Europe's security and values', whilst repeatedly referring to the escalation of the conflict in Ukraine as a basis for such reforms. '[I]t is clear that the ENP must be further adapted to and targeted on our neighbours' individual situations and needs'.<sup>17</sup> In the consultation document that precluded the ENP reform round, the Commission and the European External Action Service (EEAS), the EU's diplomatic branch, indeed argue that the ongoing conflict in

Ukraine, ‘caused by an increasingly assertive Russian foreign policy’, has meant that ‘the ENP has not always been able to offer adequate responses’. Its reform agenda in the neighbourhood had stalled, ‘in part due to competing interests’.<sup>18</sup> Change was needed.

This sentiment was echoed at the member state level. France and Germany expressed their concerns about the violation of Ukrainian sovereignty and territorial integrity, while the Baltic countries as well as the Visegrád Group countries drew analogies between the annexation of the Crimea and their own histories of Soviet occupation.<sup>19</sup> Poland in particular forcefully condemned the ‘Russian aggression’.<sup>20</sup> Media sources and certain scholars, meanwhile, mused about the Cold War resemblance the events in Ukraine had suddenly taken.<sup>21</sup> Germany, France and Poland went on to call for a fundamental review of the ENP when they met late March within the framework of the so-called “Weimar-Triangle”, as further detailed below.<sup>22</sup>

After the failed Vilnius summit there thus was a gradual breakdown of the legitimacy and adequacy of the neighbourhood policy, as voices rose to revise the ENP. As a response, the EU initiated a review of the ENP in 2015, led by the Commission and the EEAS and open to input from civil society.<sup>23</sup> It was meant not only to re-examine tools and instruments, but to review the very foundations on which the ENP was built, as resonated in the above statements by European leaders. And indeed the revised ENP of 2015 initially appears to reflect a change in policy course. The document does not mention conditionality once, suggesting a quite radical break with one of the oldest tools in the EU’s foreign policy toolbox. It states that the incentive-based approach, to which the EU had so adamantly committed itself a mere four years earlier after the Arab uprisings, ‘has not proven a sufficiently strong incentive to create a commitment to reform, where there is not the political will’.<sup>24</sup> In the words of Commissioner Hahn, ‘[f]rankly, the idea that we could automatically incentivise change with the “carrots” available has turned out to be false.’<sup>25</sup> Yet despite these and other statements suggesting a break with previous policy, upon scrutiny substantive adjustments to policy are minimal and a strategic overhaul of the ENP is virtually absent, an argument generally accepted within the ENP scholarship.<sup>26</sup>

Such a lack of policy change is not surprising in theory. Scholars studying foreign policy change in the fields of public policy, international relations or foreign policy analysis are indeed in broad agreement that dramatic foreign policy changes are rare. Inertia and stability

are the baseline assumption.<sup>27</sup> Earlier assessments of the EU's ability to reform its neighbourhood policy equally underlined the policy's inertia.<sup>28</sup> Two issues need to be taken into account, however. First, in the case of the 2015 ENP reform, it is insufficient to argue there has been policy inertia. Rather, there has been a clear rhetorical break with the previous approach to the ENP in the wake of the events, accompanied by a declared commitment to policy reform announced by the European Commission and the HR/VP, but also by the European member states, as will be further detailed below. But whilst some of the ENP's overarching ambitions as well as the supposed nature of the problems stemming from the changing neighbourhood were reformulated following both events (e.g. its increased focus on pragmatism and stabilisation); substantive adjustments to policy objectives, tools and targets are minimal. This disconnect between the declared commitment to reform of the ENP announced by the European institutions and member states in 2015 and on the other hand the lack of substantial reform in the final ENP document, is ill-explained by the extant literature. There have been assessments of how the ENP should change and adapt to changing circumstances after the Ukraine crisis<sup>29</sup>, as well as evaluations of whether the proposed policy changes were adequate.<sup>30</sup> Missing, however, is a conceptualization of policy change and of how it may occur. The extant literature rather underlines the *continuity* of the ENP, the EU's inability to change and to adequately adapt its policies to the changing geopolitical reality.<sup>31</sup> It does not provide a satisfying answer to the question of *how* crises result in policy change, or how we might explain the various forms of policy change that may follow, especially at the European level. With the notable exception of Schumacher and Bouris<sup>32</sup>, the notion of policy change is even rarely defined. This article posits that the existent appraisals of the responsiveness, appropriateness, adaptability and especially the lack of change in the European Neighbourhood Policy will benefit from a better theoretical and analytical understanding of foreign policy change.

A second reason why this paper challenges the argument that policy inertia is unsurprising and should thus be expected in this particular case is that the Ukraine crisis embodied a severe geopolitical challenge to the European Union and its foreign policies, especially in the Eastern neighbourhood: Russia's steps to protect its interests in the post-Soviet space, particularly in Ukraine over the course of 2014, were fed by the EU's expanding influence in this region, which Russia sought to counter balance. Russian integration initiatives had increasingly openly challenged the European initiatives in the region, for example when it strong-armed Armenia into not signing the Association Agreement with the EU by selling

artillery cannons and rocket launchers worth \$1 billion to Azerbaijan in 2013<sup>33</sup>. The mounting competition between EU and Russian economic initiatives in the region over the past decades evolved into a zero-sum game in which Russia increasingly framed European integration in the region as a threat to its security interests, particularly regarding the Eastern Partnership (EaP). Russian Foreign Affairs Minister Sergey Lavrov had argued back in 2007 that the EaP had turned the post-Soviet space into a ‘sphere for geopolitical “games”’.<sup>34</sup> Over time, Russia’s threats regarding further European integration in the region became increasingly vocal, for example when Sergei Glazyev, adviser to Putin, stated in 2013 that ‘by signing this agreement about association with EU, the Ukrainian government violates the treaty on strategic partnership and friendship with Russia.[...] Signing this treaty will lead to political and social unrest [...] The living standard will decline dramatically ... there will be chaos.’<sup>35</sup>

Increasingly, authors have considered this ‘return of geopolitics’ in the neighbourhood<sup>36</sup> with some urging the EU respond.<sup>37</sup> And the EU does indicate a willingness to adapt: the 2016 Global Security Strategy states the EU has ‘learnt the lesson: my neighbour’s and my partner’s weaknesses are my own weaknesses’.<sup>38</sup> The ENP is one of the policy areas where the EU aims to make a strategic difference.<sup>39</sup> This urgency to change and the apparent willingness to change makes the above described lack of engagement with the theoretical dimension of policy change more problematic. Rather than studying policy change, the focus has been on criticising policy continuity. What is missing is the embedding of such criticism in a framework of change: how can we improve our understanding of why particular policy change occurs in EU foreign policy following crisis, or why it does not occur?

### **A historical institutionalist perspective**

The question at the core of this article is thus how to explain the changes made to the ENP in the wake of the Ukraine crisis. To answer this question it will draw on insights from historical institutionalism, an approach to studying politics that posits that understanding political development starts with understanding it as a continuous and changing process that is embedded in institutions.<sup>40</sup> For a long time, one of the weaknesses of historical institutionalism was a lack of systematic theorizing on the processes of institutional creation and change.<sup>41</sup> Institutional change, when discussed, was widely attributed to “punctuated equilibria”, entailing that institutions remain stable until they are confronted with an external

or exogenous shock.<sup>42</sup> Later historical institutionalist approaches stepped away from punctuated equilibria approaches, opening up the study of incremental transformative change through a variety of mechanisms, such as displacement, layering, drift or conversion, and further developed the notion of episodic change.<sup>43</sup>

Historical institutionalism currently provides fertile ground for an analysis of policy change because it offers a conceptual framework for understanding both policy continuity and change. European foreign policy, moreover, is highly complex and multi-layered, operating policies at varying levels and conducted by a wide range of actors.<sup>44</sup> The ENP is no exception. Historical institutionalism offers a conceptual toolbox for the analysis of institutional adaptation suitable for the policies of such a ‘fragmented but discernibly multitiered European polity’.<sup>45</sup> Moreover, the historical institutionalist conceptualization of critical junctures<sup>46</sup> is useful as this article treats the Ukraine crisis as a critical juncture for the ENP. Such critical junctures are defined as follows. First, they are characterized by the temporary loosening of the constraints of structure as a result of particular developments, such as certain crises or shocks.<sup>47</sup> As existing political and institutional structures are not able to adequately address the political developments, their legitimacy crumbles, as well as their ability to determine action.<sup>48</sup> Second and following from this, critical junctures constitute moments of heightened contingency. This means the opening of multiple possible futures, the determination of which depends on the particular dynamics and relations in the period that follows, until institutional changes are either established or not.<sup>49</sup> Third, during critical junctures, ‘there is a substantially heightened probability that agents’ choices will affect the outcome of interest’<sup>50</sup>, creating a temporarily increased role of agency.<sup>51</sup>

Building upon this definition, the Ukraine crisis was a critical juncture for the ENP as its escalation broke down the legitimacy of the old approach to neighbourhood relations, exemplified in the statements by the President of the European Commission, the Commissioner for Neighbourhood and Enlargement Negotiations and the HR/VP mentioned above, echoed by member states such as Germany and France. It created a moment of heightened contingency as calls for reform mounted and the EU launched a formal reform round of the ENP. It temporarily increased the role of agency as member states and civil society were asked for input on how the ENP should be reformed in the wake of the challenges, and certain member states provided blueprints for ENP reform.<sup>52</sup>

It is important to note that the Ukraine crisis involves various antecedent conditions, and has had more consequences than ENP reform. The political and military crisis which unfolded in Ukraine after the 2013 Vilnius Summit was the culmination of a series of events and developments that had been looming under the surface for over a decade. This does not mean it cannot be studied as a critical juncture for the ENP individually. Critical junctures are ‘critical’ in the sense that they are necessary for the policy change to occur, although there may exist important antecedent conditions as in this case.<sup>53</sup> Their duration is relative to the event that triggered the episode of reform, and in this article the critical juncture is approached as starting at the Vilnius Summit of 2013 and lasting until the ENP reform was presented in November 2015.

This article puts forward two historical institutionalist explanations that improve our understanding of how the ENP has changed in the wake of the Ukraine crisis. First, the so-called institutional “effects” of the ENP institutions and their plasticity. With institutional effects are meant the way in which the institutions governing the ENP allocate political authority, and how they thus structure the decision-making process. What, in a literal sense, is their effect on the policy change process. This is especially important for an analysis of change, since actors with the possibility and power to influence institutions may act as powerful agents of policy change. The subsequent notion of institutional plasticity is a novel concept that characterizes ‘second wave’ historical institutionalist theorizing as put forward by Capoccia and Hall.<sup>54</sup> It means that institutions are not seen as a mere intermediary between powerful actors and political outcomes. Rather, they are the result of political struggle and the locus of this struggle, both constraining and malleable in the hands of powerful actors.<sup>55</sup> The notion of plasticity thus implies that institutions constrain agents, and at the same time are constrained by agency. To assess the impact of institutional plasticity on the policy change process requires to find out how the historical formation of the ENP and its rules and regulations constrain the ENP reform episode (how they give form); as well as how the institutions of the ENP can be shaped by the key actors at both the EU level and at the member state level (how they take form).

The second explanatory factor of policy change this article explores concerns temporal contingency. In this article, which analyses how “x” (a critical juncture), led to “y” (policy change), temporal contingency refers to three elements: indeterminacy, uncertainty and conditionality. It implies indeterminacy because it is assumed that “y” could have been

different, if the temporal context had been different. It implies uncertainty because of the absence of necessity, because the process between “x” and “y” is unpredictable, depending on various historical events taking place. Finally, contingency implies conditionality, because “y” depends on “x”. Different but contemporaneous political processes might interact, together producing the outcome of policy change.<sup>56</sup> Taking into account temporal contingency thus means replacing the notion of universal causality with that of contextual causality in order to address how temporal processes and events generate and influence actor preferences and perceptions, as well as patterns of decision-making regarding policy change. Historical institutionalism analyses therefore explicitly situate variables in their appropriate temporal context.<sup>57</sup>

By embedding the analysis of the ENP reform episode after the Ukraine crisis in its historical context, focusing on the actors and coalitions that played a role during the historical moment, this article aims to offer an accurate explanation for the policy changes made to the ENP. It does so by carefully reconstructing the reform episode through historical process tracing, which refers to the investigation of how processes unfold over time through situating the process in a particular time, without missing the overarching patterns.<sup>58</sup> It is ‘historical’ in the sense that it looks at micro-political events, ‘using standard historical methods [is] a way of going into the “black box” of politics to understand better the interactions of actors, preferences and institutions’ as per Immergut.<sup>59</sup> This involves identifying the key political actors fighting over institutional change; the terms of the debate and the full range of options that they perceived, reconstructing the support these options had and analysing ‘as much as possible with the eyes of the contemporaries’, the interactions that led to the institutional outcome.<sup>60</sup>

As the goal of the historical process tracing is to provide a detailed reconstruction of the decision-making process between the critical juncture and institutional change, in terms of evidence this research relies predominantly on materials left behind in the normal course of a decision-making process.<sup>61</sup> This implies the use of multiple sources of evidence, in order to make as many observations of the policy process as possible: official texts and policy documents (including whitepapers, joint declarations, non-papers and official statements by the European actors and the member states actors under scrutiny), publicly available secondary sources allowing for an accurate description of the historical and political context in which ENP reform took place, and finally semi-structured interviews with 17 EU policy

officials working closely on the ENP, conducted in Brussels or over the phone between April 2015 and July 2017 by the author. The interviewees were working for the European External Action Service (both in Brussels and at the EU Delegations in Kiev and Moscow), the European Commission (DGNEAR), the European Council and finally the European Parliament at the time of the critical juncture. These interviews were mainly used in order to identify: 1) the perception of the critical juncture by the Commission and EEAS; and 2) what the key actors at the European level subsequently considered as the appropriate course for ENP reform.

Historiographical modes of inquiry, process tracing and the careful study of the empirical record are hallmarks of historical institutionalism.<sup>62</sup> Interviews can equally be part of historical process tracing, but form only an element of this, as the overarching goal is to provide a detailed reconstruction of the historical episode relying on a wide variety of evidence and material sources that are left behind in the policy process. As Skocpol argued in *Why I Am an Historical Institutional*: ‘it is not enough just to explore how people talk or think. We must also find patterns in what they do’.<sup>63</sup> It is because of this necessity to provide a detailed reconstruction not just of single actor views or preferences, but of the entire historical episode for each case study, that no interviews were conducted with policy officials of the key member states. Rather, the evidence used for the historical process tracing regarding the policy preferences of the key member state actors consists of official documents, non-papers and official statements. The disadvantage of not conducting interviews with officials from the key member states under scrutiny would be that publicly available data might not be specific enough, and is not necessarily of the same quality and quantity for all member states under scrutiny. This has been mediated by using historical institutionalist research techniques such as drawing upon secondary sources and media sources. To improve the validity of the findings derived from these sources, this article drew on a mix of primary and various secondary sources in its assertions and claims. The advantage of using this approach was that it provided a reliable account and verifiable evidence regarding the member state positions and, more importantly, of how these evolved over time due to temporal contingencies, temporal context being an important element of this approach. Interviewing officials for these member states who worked on the issue at the time, and relying on their memory to investigate how their country’s perception of the critical juncture evolved over these weeks seemed less reliable than following the paper trail. Finally, because the focus is on the perception of the member states, e.g. how the French government

perceived the Ukraine crisis, it was considered that official documents such as non-papers by the government and statements by the head of state and the minister of foreign affairs offered a more complete view than individual interviewees could provide.

### **Institutional effects and plasticity**

The first explanation of policy change concerns the institutional effects and the plasticity of the ENP institutions – how institutions structure the decision-making process, and to what extent these institutions themselves are shaped by agency.

Rather than focusing on the entirety of the 28 member states and all the European institutions, this analysis focuses on the role and impact of key actors. This focus on key actors has both theoretical and pragmatic reasons. Pragmatically, historical process tracing is a meticulous and detail-oriented process of small-*n* cases, which entails prioritizing rigour and depth over breadth. More importantly, focusing on key actors is a theoretical decision. Who the key actors are follows from the above mentioned institutional effects. The formal and legal features of the ENP determine the distribution of power and the of decision-making authority: who the key actors are in the policy area in general, but also in the specific decision-making process on policy change.

The institutional arrangements and their plasticity also determine the power of the European actors and the member states to shape the ENP. The EU has historically governed and managed its relations with the neighbourhood in a technocratic and trade-oriented way, and the ENP consists of various institutions with blurred lines of accountability.<sup>64</sup> This has made the ENP quite plastic: the ENP, as opposed to formal regulative institutions with very little room for deviation such as the Common Foreign and Security Policy (CFSP), is one of the institutional arrangements that leaves room for interpretative flexibility. It is built on a very limited legal structure that was explicitly designed to reinforce *existing* policies and instruments in place and therefore overlaps with many institutional arrangements.<sup>65</sup> The ensuing institutional complexity within the EU's neighbourhood relations has historically left important leeway to EU member states to engage in policy entrepreneurship, either by taking the lead in the European Council, forging a coalition, or by pursuing bilateral or parallel institutional initiatives.<sup>66</sup> Examples are the Swedish and Polish involvement in the Eastern Partnership (EaP)<sup>67</sup>, the Eastern dimension of the ENP, or the French lobbying for the Union

for the Mediterranean (UfM)<sup>68</sup>, bringing together the EU and 15 countries from the Mediterranean. Other, less successful recent examples are Italy's suggestion of a 'Marshall Plan for the Arab World'<sup>69</sup> or the German short-lived attempt to establish an "ENP Plus" strategy during its 2007 Council Presidency to reiterate the importance of the Eastern dimension of the ENP, separating the "European neighbours" – i.e. those in the Eastern neighbourhood – from "the neighbours of the EU", referring to the Southern Mediterranean.<sup>70</sup>

Following these premises, this article focuses on the EEAS and the Commission as key actors at the European level and Germany, France and Poland as key actors at the member state level. The selection of these particular actors is based on as follows. The institutional arrangements put the EEAS and the Commission at the head of the ENP's day-to-day management, with the European Council as the primary decision-maker. The European Council is however not studied separately as a key European actor in the ENP reform process, even though it holds final decision-making powers over the revised ENP. First because it consists of the member states, and thus cannot be analytically separated from the key actors at the member state level. Second, because its role in the ENP reform process is pre- and post-hoc when it requests a reform, and when it adopts the conclusions from the revised ENP. In between, its role in the decision-making process is limited. Interviewees confirm that the EEAS and the Commission were indeed the central European actors in the ENP reform round.<sup>71</sup> At the European level, the key actors thus were the EEAS and the Commission. Although they are separate institutions and do not necessarily always have the same position<sup>72</sup>, in the case of the 2015 ENP reform their policy preferences are impossible to disentangle, as they jointly led the formal reform process, producing joint consultation papers. Interviewees, especially at the European delegations<sup>73</sup>, equally confirm how the Commission and the EEAS ran the reform episode in conjunction.

At the member state level, not all states are as involved in the European Neighbourhood Policy, as the above described policy entrepreneurship by member states and the Ukraine crisis show. Germany, France and Poland emerged as the key actors from the very beginning of the ENP reform episode under scrutiny. This mainly for two reasons: 1) the historical commitment to the Eastern neighbourhood of primarily Germany and Poland; 2) the fact that the Ukraine crisis was not just an ENP-crisis, but a full-blown geopolitical crisis on European borders of which the resolution was not left to the European institutions, but to the countries of the Weimar Triangle: Germany, France and Poland. Initially established in August 1991,

the Weimar Triangle had been a symbol of reconciliation between Germany, France and Poland after the fall of the Wall. It provided for annual consultations on European policy. Mounting disagreements over the past decade however, over the war in Iraq, the Treaty of Lisbon and bilateral disputes among the three countries had planted discord, until the events in Ukraine ignited its temporary revival in 2014.<sup>74</sup> Although some argue their joint appearance at the Foreign Ministers meeting in Kiev in February 2014 ‘had the appearance of being an ad-hoc event without substantial strategic thought’<sup>75</sup> in the early days of the critical juncture the Triangle temporarily re-emerged as the crisis manager in the conflict. Because the Weimar countries took the lead in the resolution of the political and military conflict, they repeatedly met “minilaterally”.<sup>76</sup> From these meetings equally resulted the first detailed ENP reform proposal on 1 April 2014<sup>77</sup>, one day after the leaders of the three countries had met to discuss the situation in Ukraine. They were the first to initiate ENP reform and left an important mark on the reform agenda.<sup>78</sup>

Among the other actors that were considered as key players but dismissed were Sweden, the United Kingdom and the European Parliament. Sweden because of its role in propelling the Eastern Partnership and its general proactive involvement in the neighbourhood under the foreign affairs leadership of Carl Bildt. After the Swedish general elections late 2014 and the subsequent new “feminist foreign policy strategy”, however, less attention was being paid to Russia and the Eastern neighbourhood.<sup>79</sup> The new governments early struggles coincided with the conflict in Ukraine. And although Sweden remained actively engaged with the Eastern Partners, it did not play a key role in the 2015 reform episode.<sup>80</sup> The UK, although traditionally part of the “Big Three” in EU foreign policy, was initially hesitant in the Ukraine crisis and the UK government ‘has not been as active or as visible on this issue as it could have been’ according to the House of Lords.<sup>81</sup> Most of the UK’s involvement was within the Group of Seven<sup>82</sup> and within the UN General Assembly, and was focused primarily on imposing sanctions on Russia, on the Crimea annexation and, later, on condemning Russia regarding the MH17 tragedy. It was not actively involved as a key player in the process of ENP reform. At the European level, the European Parliament is excluded from this analysis. During the 2011 ENP reform round after the Arab Spring, the European Parliament’s Committee on Foreign Affairs (AFET) had urged the EU to revise the ENP in the form of a resolution.<sup>83</sup> Additionally, despite having no decision-making powers, members of the EP frequently aimed to influence EU’s policies towards the Arab Spring region through what Reinprecht and Levin call soft intervention: ‘innovative public diplomacy programs that drew

on the EP's institutional and cultural strengths, while relying on nation-states and other institutions to fill resulting capacity gaps'.<sup>84</sup> During the 2015 reform process however, internal divisions over the EU's policy course towards Russia within the European Parliament as well as the political and military escalation of the crisis distracted attention away from the decision-making process on ENP reform, according to an interviewed member of the European parliament.<sup>85</sup> EP discussions prioritized the political dimensions of the Ukraine crisis, the Euromaidan demonstrations and EU-Russia relations.<sup>86</sup>

The ENP's Enlargement heritage and the issue of inter-institutional turf-wars have been discussed by others.<sup>87</sup> Putting these 'institutional effects' at the basis of an analysis of European foreign policy change, however, has received much less attention, and this is where this article aims to make a difference.<sup>88</sup> First, because EU foreign policy change is studied only sporadically. Second because the 'crises as catalyst' approaches to foreign policy change that do exist within International Relations – which assume that crises are major catalysts of change, and mainly focus on episodic and dramatic policy change after crisis<sup>89</sup> – insufficiently specify how crises or shocks lead to change. It is argued here that an explanation of such policy change at the European level is not complete without specifying the decision-making process preceding the outcome of change – which is bound by the institutional rules of the game.

Having set out the key actors, the following section will provide an account of the decision-making process in the 2015 ENP reform round following the eruption of the crisis. Although repeatedly operating together within the Weimar Triangle, Germany, France and Poland did not perceive the Ukraine crisis on similar terms. Despite its active role in resolving the political conflict that resulted from the Ukraine crisis (i.e. forging a European consensus on sanctions and, together with France, facilitating dialogues which included Russia and Ukraine) Germany did not immediately link the crisis in Ukraine to a need to reform of the ENP. In her speeches until early March 2014, German Chancellor Merkel argued her government was in favour of continuing the track towards signing the Association Agreement with Ukraine. It was not proposing an ENP reform episode or a changed approach towards Ukraine, explicitly saying that the neighbourhood policy was about modernization, not geopolitics.<sup>90</sup>

It is only in late March/early April of 2014 that the German government shifts position, as evidenced by the materialisation of the German policy preferences for ENP reform in five points. First, Germany was in favour of a more “political” ENP, possibly through linking it to the CFSP. Strengthening and expanding the role of the HR/VP and bringing the ENP under full control of the HR/VP had been a longstanding policy preference of the German government.<sup>91</sup> Second, Germany preferred a stronger differentiation of the ENP, making it more tailor-made to the requirements and achievements of each partner.<sup>92</sup> Third, regarding the ENP tools and instruments, it did not advocate a change of policy instruments, but rather a stricter and more coherent application of the existing tools, mainly of conditionality.<sup>93</sup> Fourth, Germany reiterated that the ENP is not a pre-accession stage for its partners, while finally, it wanted there to be a greater role for the “neighbours of the neighbours”, i.e. Russia, as Merkel reiterated that the neighbourhood initiatives are not a matter of ‘either/or, either moving closer to the European Union or complying with Russia’s wish for closer partnership with these states’.<sup>94</sup>

While the Ukraine conflict cast doubt on the relationship that had developed between Paris and Moscow since the early 2000s, the French interests in a stable relationship with Russia had implications for France’s perception of the critical juncture. The French initial response to the Ukraine crisis was therefore cautious.<sup>95</sup> Regarding ENP reform, France moderately argued in favour of a revision of the European approach towards the neighbourhood. In their critique of the ENP, the French reform proposal submitted by the French National Assembly stated that the ‘bureaucratic management of the ENP, without political vision, is in part responsible for the eruption of the political crisis in Ukraine.’<sup>96</sup> It also argued that ‘given the failure of the ENP to attain its objectives, despite multiple reform attempts, it is imperative for the EU to build anew the ENP in order for it to be able to be useful in attaining political stability, economic development and promoting the values of peace and democracy’.<sup>97</sup> The main preferences for policy reform of the French government were first an increased flexibility of the ENP, making it more adaptable to the specificities of the partner country in question. Second, France wanted to keep the Eastern and the Southern dimension unified, so as not to compromise attention towards the Southern neighbourhood. Third, it advocated for a less stringed pursuit of conditionality in a more ‘political’ policy; an additional budget for the management of crisis in the neighbourhood on top of the ENP budget, which should remain unchanged; and finally a stronger relationship with the “neighbours of the neighbours”,

converging with Germany on this, mainly focusing on energy, development and security cooperation.

To the Polish government, finally, the Russian incursions in Ukraine as well as its aggressive stance towards the EU showed that the ENP, especially the Eastern Partnership, needed to be significantly strengthened. The Polish perception of the crisis was that it was caused by Russian turn against the West. Therefore, it argued that the conflict in Ukraine called for a united European response that would confirm the EU's commitment to the region, as exemplified in speeches by its foreign minister Schetyna.<sup>98</sup> Its priorities for ENP reform were thus a reconfirmation of the EU's commitment towards the Eastern neighbours.<sup>99</sup> Additionally, the Polish government stated that the DCFTAs that had already been signed with the EU's partners needed to be ratified and implemented as quickly as possible. With regard to the "neighbours of the neighbours", Poland was much more wary of giving Russia any more leverage in the EU's policies in its Eastern neighbourhood.<sup>100</sup> A further point of contention was the fact that both France and Germany expressed a desire to integrate the ENP and the EaP more with the CFSP, with the EEAS in the leading role rather than the Commission. Poland preferred the ENP to remain under the leadership of the Commission.

At the European level, the perceptions of the Ukraine crisis and the need for reform evolved differently. In the early days of the Ukraine crisis, European actors were quick to support the Ukrainian protestors on the 'Euromaidan'. Then President of the European Commission José Manuel Barroso declared his solidarity with the protestors at a speech in December 2013, stating that '[w]hen we see in the cold streets of Kiev, men and women with the European flag, fighting for that European flag, it is because they are also fighting for Ukraine and for their future'.<sup>101</sup>

Despite this expressed support for the protestors in Ukraine, the European Commission and the EEAS did not link the crisis to the need for ENP reform until well into the Ukraine crisis, nor did it substantially modify its approach to the region.<sup>102</sup> Throughout this period, from the November 2013 Vilnius summit until the summer of 2014, it was decided to continue pursuing the same policy goals with the same instruments as before the Vilnius Summit. It thus favoured the status quo. This was visible in the statements and actions of the European institutions at the time. The European actors had focused on initially defending the ENP, which was framed as a mutually beneficial socio-economic reform agreement, which was not

at the detriment of Russia or any other actors. The EU repeated that the door of the ENP remained open to Ukraine, making it clear it wished to pursue the ENP as it was. This results in Ukraine, Georgia and Moldova signing the Association Agreement on 27 June 2014. As one Commission official expressed this status quo approach, the period between the Vilnius Summit and the spring of 2014 was:

‘..just a parenthesis’, and there was ‘not a change in terms of policy, at least not in terms of policy instruments [...] What was on the table before was an AA, from 2008, is the *exact* same Association Agreement which was supposed to be signed in Vilnius, [and which] was signed in June six months later. So not a single comma was changed in the Agreement’.<sup>103</sup>

Initially, the EEAS and the Commission thus perceived the crisis as an incident, and carried on the plans that were already on the table, as confirmed by the interviewees at DG NEAR and at the Delegations in Kiev and Moscow. This reluctant stance only altered slightly when the new cabinet of Commissioners took office. The new President of the European Commission Juncker made the ENP review a priority of his cabinet’s first year.<sup>104</sup> As the crisis in Ukraine continued to escalate, the EEAS and the Commission move towards encouraging policy change. They jointly launch a review of the ENP in 2015. Yet the policy preferences of the European actors regarding policy change remained conservative. The consultation document shows that the Commission and the EEAS do not wish to change the underlying logic of the ENP – i.e. its focus on the promotion of socio-economic development and good governance as a means to achieve greater political association and economic integration between the EU and its partners. Rather, the EEAS and the Commission consider to revise the modalities through which these goals are pursued, and the pace and countries with which these goals are pursued. In terms of policy aims and instruments, the preferences of the Commission and the EEAS thus do not deviate substantially from the status quo *ex ante*. It is ‘*how* instruments should be used’ that is seen to be the basis for the review.<sup>105</sup>

### **Temporal contingency**

The EU always said, ‘we should not see this as a zero sum game’. But if we look at the events, we can see that it did end up playing one. If we really want to understand the backlash, and the subsequent problems, we should pay special attention to the events that happened early 2014.

Interviewed member of the European Parliament<sup>106</sup>, June 2015

In the wake of the Ukraine crisis there have been several political developments that are important to take into account when assessing the ENP reform episode. The second explanation of policy change this paper puts forward indeed concerns the way in which the particular temporal context of the reform episode has an impact on the outcome of policy change. A demonstration of temporal contingency implies demonstrating that the observed outcome, in this case policy changes made to the ENP after the Ukraine crisis, were not necessary but contingent, i.e. they depended on the temporal context. The following section thus aims to demonstrate that the outcome – the different forms of policy changes to the ENP – would have been different, if the temporal context had been different; that this particular outcome was not necessary but at least in part the product of the particular temporal context.

At the dawn of the Ukraine crisis, neither the European actors nor Germany was convinced that this crisis was one that necessitated ENP reform. France was hesitant to act, while only Poland signalled an eagerness to reform the ENP. Four months after the Vilnius summit, however, a first ENP reform proposal by Germany, France and Poland is on the table. This is followed by the investiture of the Juncker presidency on 1 November 2014, eager to reform the ENP. How did this transformation occur? It is argued here that there were four main turning points in the critical juncture opened by the Ukraine crisis, which will be detailed below: (1) the ‘Euromaidan’ demonstrations that followed the Vilnius summit and their violent escalation; (2) the deal with Yanukovych and his subsequent ousting; (3) the annexation of the Crimea and (4) the tragic downing of the MH17 plane.

The Vilnius summit and the subsequent demonstrations that were violently repressed mainly served to greatly increase the salience of the neighbourhood region and that of the neighbourhood policy. Appalled by the deteriorating situation and the violence used by government forces, the EU imposes its first sanctions against Ukrainian officials.<sup>107</sup> Meanwhile, the Weimar Triangle re-emerges for the first time, as the foreign ministers of Germany, France and Poland attempt to negotiate a deal between the government and the Ukrainian opposition.<sup>108</sup> This agreement was reached on the 21<sup>st</sup> of February 2014, when the foreign ministers of the Weimar Triangle signed a deal seeking an end of the bloodshed in Ukraine with Yanukovych in the presence of Russian diplomat Vladimir Lukin, including a call for new elections no later than December 2014.<sup>109</sup> It is an important moment that marks the beginning of a pro-active leadership by these three key member states to de-escalate the

crisis. A day after the agreement is signed, however, the Ukrainian parliament votes to remove President Yanukovich from office, and Yanukovich flees the country. The key actors at the European level welcome the acting prime minister Yatseniuk and reiterate their commitment to Ukraine<sup>110</sup>, while the Russian leadership was shocked and worried by the course of events, and by the ousting of their allied Yanukovich.<sup>111</sup> The deal with and subsequent flee of Viktor Yanukovich was an important turning point in the sense that it marked the re-emergence of the Weimar Triangle taking the leadership in the Ukraine crisis, which later turns out to be a stepping stone for ENP reform.

Third, the annexation of the Crimea constituted a crucial turning point, as it was around this time the European institutions moved from defending the status quo regarding the ENP, towards becoming a very moderate change players. The Commission and to a lesser extent the EEAS had hitherto been convinced that European integration with the post-Soviet region was beneficial to Russia. The interviewed MEP referred to the EU as ‘super naïve’<sup>112</sup> when it came to Russia. This naivety seemed to turn around in the wake of the Crimea annexation and over the course of 2014. One interviewee stated that the EU had ‘never imagined that Russia would resort to military force in Europe without a clear financial interest, that seemed an idea from the past. The EU did not properly anticipate how far Russia was going to fight back in Ukraine.’<sup>113</sup> Another policy official commented that ‘[the EU] did not realize that we were dealing with a dictatorship, taking decisions based on temper. Not the way rational countries operate. We thought Russia was a normal country’.<sup>114</sup>

Two weeks after the referendum, the foreign ministers of Germany, France and Poland met in Berlin and Weimar to discuss the Ukraine crisis. Their meeting signals the first time since the eruption of the crisis that the possibility of ENP reform is proposed. Initially, Germany, France and Poland discuss ‘how they can work together to inject fresh impetus in the EU’, underlining that the crisis in Ukraine went beyond the scope of the ENP.<sup>115</sup> Within a few days, however, the three countries present their first blueprint for ENP reform, tying ENP reform into their preferred EU crisis response.<sup>116</sup> The Russian intervention in Ukraine had served to make the neighbourhood policy even more salient and ENP reform more urgent. This was exacerbated by the tragedy of the MH17 plane, shot down over Eastern Ukraine on 17 July 2014, killing all 298 people on board. The shock event impacted attitudes of both decision-makers and the general public towards the Ukraine crisis and the actions of Russia over the summer of 2014. It compounded the changing stance of the key actors, triggering the

imposition of new sanctions against Russia and providing fresh impetus to reform the ENP after the summer of 2014.<sup>117</sup> Merkel for example stated that the downing of the aircraft showed that ‘the Ukraine crisis is by no means solely a regional issue. No, this example shows us: it affects all of us’.<sup>118</sup>

These temporal contingences have fed into the policy changes made to the ENP, first in terms of forging a shared declaratory commitment to a strategic overhaul of the policy, in order to better deal with the uncertainties stemming from the region. A clear rhetorical break with previous policy was announced. A new cabinet of Commissioners took office on 1 November 2014, eager to put forward ambitious projects and plans for action at the start of their term. President of the European Commission Juncker declared the review of the ENP would be one of the major objectives of his Commission. ‘Given the significant developments in the neighbourhood’, the Commission announces, ‘it is now essential to undertake a fundamental review of the principles on which the policy is based as well as its scope and how its instruments should be used’.<sup>119</sup> The “declaratory commitment” to policy reform, shared by virtually all actors, meant that most of the reforms of the ENP concern its grand ambitions: making the ENP “more political”, more focus, more differentiation, ownership and most of all a greater focus on stability and social and economic stabilization.<sup>120</sup>

In terms of policy tools and targets, very little has changed. The tools to achieve the political aims of the revised ENP remain mainly economic: the EU continues its commitment to its partners’ approximation to the EU’s *acquis* through the use of Association agreements and DCFTA’s, supposed to lead to a gradual economic integration with the European market. This approximating with European standards requires long and painful reforms, with only visa liberalization as a potential short-term incentive, which keeps up the “‘Enlargement lite’ fiction’ of the previous ENP.<sup>121</sup> The ENP funding, a total of €15.4 billion in the 2014-2020 period, remained stable, of which €5 billion is reserved for the five frontrunners of the ENP, Georgia, Ukraine, Moldova, Tunisia and Morocco.<sup>122</sup> Overall, the revised overarching policy ambitions do not seep through to the level of policy tools and targets because the various actors differed greatly regarding the desired changes. Only France and Poland proposed substantial changes to the directionality of the policy. Yet both actors disagreed on the new direction itself, amongst others by suggesting respectively a greater focus on the South and crisis management; and a significant strengthening of mainly the Eastern dimension of the ENP.

In an apparent compromise to Poland and France, the revised ENP states the EaP and the UfM are to be strengthened. It does so by admitting that previous initiatives for intraregional cooperation have failed, and it calls for more ‘ad hoc meetings’ and for thematic frameworks to reinforce relations between the neighbours themselves.<sup>123</sup> Despite these declarations, however, the commitment to especially the UfM is vague as the EU merely commits to ‘give priority, wherever suitable, to the UfM in its regional cooperation efforts’.<sup>124</sup> Similarly, the preference for a more political ENP was shared by all key actors and made it to the final ENP reform document. But despite its prominence, its exact meaning and consequences for the policy objectives and tools remain unspecified.

This is where we see the impact of temporal contingencies on policy change. Vague and ambiguous overarching policy ambitions, such as more focus, more differentiation, ownership and more stability have the advantage of not requiring agreement among actors regarding the exact direction and level of policy changes. But they do have a strong symbolical element showing the actor in question is ‘doing something’ and on the ‘right side of history’ and thus are rewarding, especially in the capricious temporal context of the 2015 ENP reforms.

The two explanations of the particular policy change outputs put forward here, (i) institutional effects and plasticity (ii) and temporal contingency, thus interact. The temporal context the can make the policy area in question more salient, the need for reform much more urgent and render hitherto unprecedented forms of policy change possible and even desirable. A critical juncture is among events that make the temporal context more salient, as it throws into question “normal” policymaking, which becomes subject to criticism and revision, as we have seen with the ENP over the course of 2014. The events hit at the heart of the existing policy area, exposing its deficiencies, opening ‘different paths to the future that were hitherto unforeseen, unimagined or simply unacceptable’.<sup>125</sup> The way in which the ENP is governed (the institutional effects), moreover, exacerbates the consequences of diverging member state preferences, because policy change hinges on actor agreement. The sudden urgency and salience of the policy change process is mediated by institutional constraints on decision-making. Radical and substantive policy adjustments need to be approved by all member states. The dispersed institutional basis of the ENP, the technocratic approach the Commission has historically taken and this heterogeneity in member state preferences

together make the ENP quite plastic, providing fertile ground for more ambiguous policy changes, which carefully play into diverging policy preferences. Not only because they are easier to agree upon, but also because the institutional structures provide room for such ambiguity.

### **From crisis to policy change**

In the above it has been argued that the existing literature on EU foreign policy change, mainly with regard to the European neighbourhood policy, falls short on two counts. First, it lacks an analytical engagement with the notion of policy change, which throughout the literature is rarely defined or conceptualized. Second, there is a prevailing assumption that, because policy inertia and continuity are such a dominant feature in western democracies and especially the EU, one should not be surprised that in the case of the ENP reform after the Ukraine crisis, there has been little change. When change is studied, in both IR and the European integration literature, it is approached from a ‘crisis as catalyst’ viewpoint. Europe will be forged in crises, and will be the sum of the solutions adopted for those crises’, wrote Jean Monnet in his memoirs.<sup>126</sup> His words have been cited through the decades by those who see and tend to see in every crisis an opportunity. Schmitter for example finds that ‘tensions from the global environment and/or contradictions generated by past performance give rise to unexpected performance in the pursuit of agreed-upon common objectives.’<sup>127</sup> It is not denied here that the ENP has been overwhelmingly stable, or that crises may indeed trigger a process of policy change. The argument is rather that existing explanations insufficiently specified *how* exactly crises lead to change, and what form of policy change we may expect. By focusing either on long periods of continuity or on brief outbursts of dramatic change, they tend to both overemphasize continuity and oversimplify how crises can engender change.

By driving two historical institutionalist explanations of change, the above showed that the prevailing dichotomy between policy continuity and policy change does not do justice to the variety in policy change outcomes that follows the decision-making process. The symbolic changes to the overarching policy ambitions in the 2015, combined with the minimal reforms in terms of policy tools and targets show that not all policy continuity is an exact repetition of past policy and practices, in the same way as not all policy change can be categorized as ranging from minor to major change. This is important because critiques on the ENP primarily stress its continuity, often arguing that what is necessary is a radical rethink of the

European strategy towards its neighbourhood. Yet it has been argued that such a ‘radical rethink’ of the ENP strategy may in practice actually coexist with a strong conceptual and instrumental continuity, especially for a policy such as the ENP which is essentially an umbrella framework for quite technical, on-the-ground policies. It has been put forward that order to assess how policy has changed in the wake of geopolitical challenges such as the Ukraine crisis, one has to identify who the key actors were that contested over policy change, how they perceived the crisis and pushed for certain reforms in the European institutional context, and in what temporal context they interacted.

This article sought to demonstrate the use of historical institutionalism to analyse the policy changes made to the ENP. Historical institutionalism proved to be particularly useful to study this area of EU external action as it offers a rich toolbox for studying both incremental and episodic change in a dense institutional context. Rather than zooming in on the institutional impediments to effective change, and rather than perceiving them as carriers of continuity as did others successfully<sup>128</sup>, this article embedded these institutional constraints into an analysis that also combines temporal contingency, making them part of the explanation of the variety in change outcomes we did observe. This approach and the focus on both the institutional ‘effects’ and plasticity of the ENP institutions and temporal contingency may pave the way for future analyses of how EU foreign policy may change as a result of crises and challenges in other policy areas.

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<sup>103</sup> Interview policy official 4 at EEAS, 29/04/2015 – phone interview conducted in English.

<sup>104</sup> S. Carp and T. Schumacher, ‘From Survival to Revival: The Riga Summit 2015 and the Revised ENP’, *Egmont Institute Security Policy Brief* (2015); Politico, ‘Juncker’s Ten Priorities’ (Brussels, 2014), <http://www.politico.eu/article/junckers-ten-priorities/>.

<sup>105</sup> ‘Joint Consultation Paper: Towards a New European Neighbourhood Policy’, p. 3, emphasis mine.

<sup>106</sup> The interviewed MEP is a member of the Committee on Foreign Affairs, the Delegation to the EU-Ukraine Parliamentary Association Committee and the Delegation to the Euronest Parliamentary Assembly and thus particularly involved in the EU policies in the Eastern neighbourhood. Euronest is an inter-parliamentary group set up under the EaP that includes members of the European Parliament and representatives of parliaments from the EaP countries, Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

<sup>107</sup> European Council, ‘Council Conclusions on Ukraine’, 2014, p. 2,

[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/141110.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/141110.pdf).

<sup>108</sup> Auswärtiges Amt, ‘An Agreement on the Settlement of the Crisis in Ukraine Is Signed’,

*Auswärtiges Amt*, 2014, <http://www.auswaertiges->

[amt.de/EN/Aussenpolitik/Laender/Aktuelle\\_Artikel/Ukraine/140221\\_Ukraine-Vereinbarung.html](http://www.auswaertiges-amt.de/EN/Aussenpolitik/Laender/Aktuelle_Artikel/Ukraine/140221_Ukraine-Vereinbarung.html).

<sup>109</sup> R. Sikorski et al., ‘Agreement on the Settlement of Crisis in Ukraine’, 2014,

[http://www.auswaertiges-amt.de/cae/servlet/contentblob/671350/publicationFile/190051/140221-UKR\\_Erklaerung.pdf](http://www.auswaertiges-amt.de/cae/servlet/contentblob/671350/publicationFile/190051/140221-UKR_Erklaerung.pdf).

<sup>110</sup> J. M. Barroso, ‘Remarks by President Barroso Following the Extraordinary Meeting of EU Heads of State and Government on Ukraine’, 2014, [http://europa.eu/rapid/press-release\\_SPEECH-14-190\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-14-190_en.htm); Š. Füle, ‘EU Response to Events in Ukraine’, 2014, [http://europa.eu/rapid/press-release\\_SPEECH-14-162\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-14-162_en.htm).

<sup>111</sup> Allison, ‘Russian “Deniable” Intervention in Ukraine: How and Why Russia Broke the Rules’, p. 1257.

<sup>112</sup> Allision, ‘Russian “Deniable” Intervention in Ukraine: How and Why Russia Broke the Rules’, p. 1257.

<sup>112</sup> Interview Member of Parliament, 23/06/2015 – Brussels, conducted in English.

<sup>113</sup> Interview policy official 6 at EEAS, 15/05/2015 – phone interview conducted in English.

<sup>114</sup> Interview policy official 2 at EEAS 27/05/2015 – phone interview conducted in English.

<sup>115</sup> Auswärtiges Amt, ‘Weimar Triangle: Foreign Minister Steinmeier to Meet His French and Polish Counterparts in Weimar’, *Auswärtiges Amt*, 2014, <https://www.auswaertiges-amt.de/en/Newsroom/140326-weimar-er-dreieck/261150>.

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<sup>116</sup> Foreign Ministers of the Weimar Triangle, 'Building a Stronger Compact with Our Neighbours: A New Momentum for the European Neighbourhood Policy - Statement by the Foreign Ministers of the Weimar Triangle'.

<sup>117</sup> G. Toal and J. O'Loughlin, "'Why Did MH17 Crash?': Blame Attribution, Television News and Public Opinion in Southeastern Ukraine, Crimea and the De Facto States of Abkhazia, South Ossetia and Transnistria', *Geopolitics* (2017).

<sup>118</sup> A. Merkel, 'Rede von Bundeskanzlerin Merkel Am Lowy Institut Für Internationale Politik Am 17. November 2014', 2014, <https://www.bundeskanzlerin.de/Content/DE/Rede/2014/11/2014-11-17-merkel-lowy-institut.html>.

<sup>119</sup> European Commission, 'Towards a New European Neighbourhood Policy: The EU Launches a Consultation on the Future of Its Relations with Neighbouring Countries.'

<sup>120</sup> Commission and HR/VP, 'Review of the European Neighbourhood Policy, JOIN (2015) 50 Final', 2015, p. 5, [http://eeas.europa.eu/enp/documents/2015/151118\\_joint-communication\\_review-of-the-enp\\_en.pdf](http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf).

<sup>121</sup> Blockmans, 'The 2015 ENP Review: A Policy in Suspended Animation', p. 3..

<sup>122</sup> European Commission, 'Overview - Instrument for Pre-Accession Assistance', 2016, [http://ec.europa.eu/enlargement/instruments/overview/index\\_en.htm](http://ec.europa.eu/enlargement/instruments/overview/index_en.htm); Commission and HR/VP, 'Review of the European Neighbourhood Policy, JOIN (2015) 50 Final'; Koenig, 'Taking the ENP beyond the Conception-Performance Gap', p. 30.

<sup>123</sup> Commission and HR/VP, 'Review of the European Neighbourhood Policy, JOIN (2015) 50 Final', p. 18.

<sup>124</sup> 'Review of the European Neighbourhood Policy, JOIN (2015) 50 Final', p. 18.

<sup>125</sup> F. Alink, A. Boin, and P. 't Hart, 'Institutional Crises and Reforms in Policy Sectors: The Case of Asylum Policy in Europe', *Journal of European Public Policy*, 8 (2001), p. 290; A. Boin, P. 't Hart, and A. McConnell, 'Crisis Exploitation: Political and Policy Impacts of Framing Contests', *Journal of European Public Policy*, 16 (2009), p. 98.

<sup>126</sup> J. Monnet, *Memoirs* (London: Collins, 1978).

<sup>127</sup> P. C. Schmitter, 'Ernst B. Haas and the Legacy of Neofunctionalism', *Journal of European Public Policy*, 12 (2005), p. 269.

<sup>128</sup> M. Natorski, 'Epistemic (Un)Certainty in Times of Crisis: The Role of Coherence as a Social Convention in the European Neighbourhood Policy after the Arab Spring', *European Journal of International Relations* (2015); Noutcheva, 'Institutional Governance of European Neighbourhood Policy in the Wake of the Arab Spring'; Tömmel, 'The New Neighborhood Policy of the EU'.