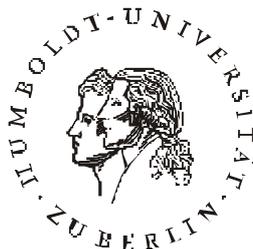


WALTER HALLSTEIN-INSTITUT FÜR EUROPÄISCHES VERFASSUNGSRECHT



FORUM CONSTITUTIONIS EUROPÆ

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**ROMANIA, THE EU'S NEW EASTERN BORDER
DOES EUROPE NEED A NEW NEIGHBORHOOD POLICY?**

DR. MIHAI-RĂZVAN UNGUREANU

AUSSENMINISTER RUMÄNIENS

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- ES GILT DAS GESPROCHENE WORT -

*Das Forum Constitutionis Europæ ist eine gemeinsame Veranstaltung des
Walter Hallstein-Instituts und der Robert Bosch Stiftung.*

Distinguished audience,
Dear friends,
Ladies and gentlemen,

Often people find difficult engaging in a dialogue with a distinguished audience; and the more the audience is so eminent, as the one I have the privilege to address to this evening, the trickier the starting becomes. And to make the things even bolder, I cannot begin without confessing a truth: I have always kept dear to my heart a profound wish to come in this prestigious edifice where dazzling minds are shaped with wisdom and dedication. I certainly hope that my presence today will rise to your expectations.

So, dear friends, here I am now, when less than two month apart us from 2007, a year of particular significance for both Germany and Romania and a year full of tremendous challenges. For Romania, it will mark the presence in the EU as a member state, and for Germany it will represent the first EU Presidency over a Union with 27 countries. And I hope that you will agree with me that for both of us it is a daring challenge, a fantastic responsibility and a unique moment at the same time.

Ladies and gentlemen,
Romania's future presence in current European landscape is frequently – and rightly, I would add, associated with the EU's new Eastern border. Nothing more true in this statement. But we are bound to also see the other side of the coin. This consists in a common duty to come together and imagine the shell for our neighbourhood policy meant to consolidate the area of stability and security beyond EU's borders. On our part, we are deeply committed to do it, as we well know the problems the region faces and we deem to have a special responsibility in ensuring a secure area around the EU's frontiers.

But how should it be done? Let's glimpse into the theme, let's asses and judge.
By launching in 2003 the European Neighbourhood Policy, the European Union created history. It has defined, for the very first time, a comprehensive framework for its neighbours. My belief is that it was a crucial step in the wake of the fifth wave of enlargement in terms of redefining the relations with the neighbours of the Union.

The ENP proved to be a good policy, based on solid and valid principles, a key instrument to promote good governance, economic and social development in countries around the EU. It has a constructive dual approach: integrated, because it encompasses both the Southern and Eastern neighbours, but also differentiated, because of country-tailored bilateral frameworks of cooperation through the Action Plans, which establish the dialogue priorities between each of the neighbours and the Union.

As we acknowledge the positive effects of the ENP, we should also be aware of the shortcomings or limits of the present framework. The ENP has been sometimes associated to the EU enlargement policy, and this link/correlation between two different policies has proved to be unfortunate for the efficiency of the ENP. For the Eastern neighbourhood, ENP cannot be a substitute for enlargement, but could be envisaged as a starting point.

We do not have the moral right to deprive other countries from the benefits that we obtained in the past as candidate country to the EU. But, on the other hand, we made a choice and we had to make some sacrifices in order to join a strong EU. Therefore, the EU should maintain its unity and strengths. Romania doesn't believe in the opportunity of "closed doors" to countries like the Republic of Moldova. It would be more useful to introduce in the ENP+ concept, the necessity of monitoring the progresses as it was done for the Copenhagen criteria, in order to obtain tangible results.

The ENP framework could be further refined in order to fully meet the objectives it has set, mainly triggering profound reforms in the countries included in the policy. Therefore, the incentive package could be boosted in parallel with a strengthened link between the incentives and the fulfillment of commitments. The new neighbourhood policy should address soft security aspects. To this end, the ENP+ should envisage improvements in the following domains: enhanced cooperation in the security energy dialogue, environment issues, human rights and minorities, rule of law and law enforcement, combating organised crime, terrorism and trafficking, migration aspects.

What kind of instruments should we consider?

In terms of the instruments that are meant to put in practice the policy, they should be coherent with and complementary to the instruments of other EU policies. Moreover, the instruments that have proven their efficiency in other frameworks, notably the enlargement, should be put to good use in this policy, too. We welcome in this respect the envisaged use of TAIEX and twinning for the partner countries and hope for their swift implementation.

It is also a positive development that from 2007, the ENP will have a subsequent instrument, ENPI, with its specific feature - the cross-border cooperation component. Romania is very much interested in the ENPI projects, as we are the Managing Authorities for two such programmes, mainly the Romania/Ukraine/R. of Moldova and the Black Sea basin one. On our part, we intend to use to the maximum the funds allocated to this instrument and engage the partner countries in a culture of European cooperation. At the same time, we believe that the ENP should facilitate/stimulate the development of the border areas of the EU – that have a crucial role in boosting the trans-border cooperation.

Last, but not least, we need the new ENP to be a broader, more complex framework that can help tackling the frozen conflicts in our Eastern neighborhood. Consequently, it will have a definite impact over the future democratic development of these countries, inducing the predictability and stability the Union would like to have at its borders. For the years to come, Romania pleads for a stronger, more coherent and coordinated EU involvement in the Eastern neighborhood. And speaking about the need for a louder EU voice in the field of tackling frozen conflicts, I will give a specific example concerning the way this particular presence started to be achieved: the EU Border Assistance Mission (EUBAM) between the R. of Moldova and Ukraine. It is our conviction that the EUBAM is an important piece in the ENP integrated approach and we look forward to contributing to the Community personnel once we join the Union. In the same line, EU needs to upgrade its status from observer to full participant in the negotiations seeking a viable and lasting solution for the Transnistrian conflict.

Distinguished audience,

Romania will bring to the EU two new neighbors: the Republic of Moldova and the Black Sea. From this perspective, our desire is to consolidate the EU values in the Republic of Moldova and to engage this country into meaningful, beneficial cooperation with the EU. And as I have always stated in various occasions I will also do it now: Republic of Moldova should prove determination and carry on vigorously the vast political reforms to which it committed herself upon the signature of the Action Plan.

There are several EU policies with an important external dimension that are relevant for the Black Sea area. This is the case of the justice and home affairs, the energy policy, the infrastructure and environmental policy. We believe that the EU should take into consideration more carefully the possibility of shaping of a Black Sea Dimension within the EU, aimed at creating an area of stability, prosperity and security with a well-defined regional identity. As an EU member, Romania will be the strongest advocate for the development of a Pontic dimension linked to the ENP, dimension that could be known as the Bucharest Process.

Taking all these into account I believe that together we can shape a better ENP for us and for our citizens, as we enjoy the advantage of having the ENP amongst the few EU external policies that could gain a consensual approach of the member states.

Ladies and gentlemen,

One has to admit that the debate on the European Neighbourhood Policy, the frontiers of the EU and the possibility of future enlargements of the Union is tightly connected to one of the “hottest” items on the European agenda: the Constitutional Treaty and the future of Europe.

Concepts such as “enlargement fatigue” or “absorption capacity” appear nowadays increasingly often in different debates, at European or national level. I believe, however, that they have a rather negative connotation since they tend to diminish the huge force of transformation and modernization of the enlargement project for the candidate or potential candidate countries.

As a consequence, instead of going into less productive considerations about these concepts, I would rather refer to the need to reform the present institutional system of the EU, to improve its functioning capacity and to maintain an open and substantial dialogue with its citizens.

So, what comes next for the EU?

Forging a powerful identity for the European Union in a global world has become imperative. The EU's external role should focus on providing peace, security and stability in the region, but it needs the adequate tools for that. In order to reach this goal, the current institutional and legislative setting of the Union needs to be thoroughly adjusted.

Moreover, it is clear that, within the present legislative framework, discussion about the further enlargement is difficult, considering that the institutional reforms foreseen by the Treaty of Nice refer to a Union formed of 27 states. Thus, there is nowadays a unanimous agreement within the EU on the necessity to reform the institutional system of the Union and its capacity of functioning. There seems to be some disagreement though on the exact means that would make such a reform possible.

Unlike certain proposals recently put forward, I would like to make a plea for the preservation and the entry into force of the Constitutional Treaty as soon as possible.

Firstly, I would like to emphasize that the Constitutional Treaty represents a carefully negotiated compromise, which embodies an adequate balance between the different visions on the future of Europe, as well as between the different interests at stake. At present, re-opening the negotiations from zero does not offer any guarantee that the final result would be better and more easily accepted by the states and by the citizens. Besides, new negotiations would require a long period of time.

Secondly, I believe it is necessary to restate that the provisions of the Constitutional Treaty form a coherent body of text which needs a consistent reading and interpretation. Picking and enforcing only certain provisions, whose selection or “picking” defers from Member State to Member State, would undermine this harmonious construction and its capacity to reach the initial goals.

The substantial arguments in favour of the Constitutional Treaty are not to be overseen. Thus the extension of the qualified majority vote, the methods foreseen for the reform of the institutions, regardless of the future number of Member States, the creation of a European Minister of Foreign Affairs, allowing the Union to speak with one voice, represent as many opportunities for the EU to increase its efficiency and credibility, both at internal and external level. Romania's and Bulgaria's accession to the EU will increase to nearly two thirds the number of the Member States which have already ratified this document; I believe that this huge potential, in terms of states and European citizens which have spoken out their mind, ought not to be overlooked.

My emphasis on the importance of enforcing the Constitutional Treaty should not be seen as an argument against the necessity of improving the present European context. On the contrary, it is a two fold approach: I believe that addressing the citizens' concerns, increasing the transparency of the way the European institutions function and improving the top-down communication will bridge the existing gap between the Union and its citizens. Moreover, I am confident that such initiatives will trigger a clear perception about important European projects, such as the Constitution or the (future) enlargement.

Finding the correct balance between all these aspects is no easy task. It will require flexibility, political will and commitment to the chosen path of action. During its mandate as future PRES, Germany will face the daunting task of orchestrating/ harmonising sometimes very heterogeneous “voices” on the European scene in order to find the common way forward. I am thoroughly confident that Germany will be able to rise up to the task and prove, once more, that it is a true driving force in Europe and for Europe. In this sense, I cannot but welcome Germany's initiative of issuing a Declaration on 25 March 2007 on the occasion of the 50th anniversary of the Treaties of Rome, as a symbol for what Europe has represented and a vowel for what it intends to be in the future. Romania adheres to this highly symbolic gesture of restating the values we share.

I would like to emphasize once more my country's commitment and support for the European project, which is, above all, a political solidarity project. I can assure you that Romania will assume an active stance in the whole debate on the future of Europe.

Distinguished audience,

As highlighted at the beginning of my speech, January 2007 will place upon both Romania and Germany a significant responsibility in the European landscape. Due to time constraints, I limited myself, this evening, to two subjects: the future ENP+ and the Constitutional Treaty. But I assure you that the list of issues of common interest is much longer with equally important themes. In this respect, let me confess that I trust the spirit of the next German Presidency of the European Union, a traditional engine for the European project, to properly tackle them.

Concerning Romania, I promise we will constructively play our part in shaping our European future. You can rely on our support and consider us as a privileged partner.

Thank you for your attention and I am eager to hear your questions!

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