

## Panel 12: The Future of EU external governance: Comparing experiences in Central and Eastern Europe

Chaired by: Veronica Junjan (Twente University) and Giselle Bosse (Maastricht University).

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This panel explored the effectiveness with which the EU has promoted democratisation and public administration reforms in Central and Eastern Europe (CEE) during the past decades. It aimed specifically at comparing the impact of the EU on those countries in CEE who have recently joined the EU (such as Romania and Bulgaria), with countries located further East, constituting the new neighbourhood of the European Union (Ukraine, Moldova and Belarus), and other countries in the Union's vicinity, which have not been offered the prospect of EU membership. Whereas enlargement is generally seen as the EU's most effective and successful foreign policy for the promotion of democracy, the Union's efforts to impact on political reforms in the neighbourhood through the European Neighbourhood Policy (ENP) and Eastern Partnership (EaP) have yielded very little effects to date. In order to account for the differences of the EU's impact on CEE and ENP partners, papers in this panel will also analyse and compare the mechanisms through which the EU promotes democratisation, as well as the determinants for the successful adaptation and implementation of reforms in CEE and ENP partners.

The panel therefore aimed to attract papers which examined the impact of the EU on democratisation in CEE and ENP partners, with a focus on particular areas (i.e. human rights, rule of law) as well as institutional reform (electoral system, separation of powers, good governance, judiciary). Paper contributions with a focus on public sector/ administrative reforms were particularly welcome.

The papers of this panel drew on the External Governance approach, as a theoretical framework to analyse the effectiveness of the EU's democratisation efforts (and especially public sector reform) through 'rule transfer', which is applicable to examining EU rule transfer under conditions of enlargement, as well as exploring (partial) EU rule transfer through ENP and EaP. According to Lavenex and Schimmelfennig 'the notion of governance is particularly suitable to grasp [the] process of rule expansion beyond formal membership in the EU polity' (Lavenex and Schimmelfennig 2009, p. 795) and occurs when 'parts of the European Community (EC) EU legal order or the *acquis communautaire* are transposed upon non-member states' (Lavenex 2004, p. 683). External governance can be characterised by a 'highly asymmetrical relationship between insiders and outsiders; the imposition of predetermined formal rules, the exclusive participation of bureaucratic actors; and top-down communication structures' (Lavenex 2004, p. 682; Schimmelfennig and Sedelmeier 2004). At the same time, external governance can also take place through 'new governance' based on 'more horizontal forms of network governance and communication in which rule expansion progresses in a more participatory manner' (Lavenex and Schimmelfennig 2009, p. 796). These institutional settings (as independent variables) in turn impact on the effectiveness with which EU rules are being transferred to non-members: "The more precise, binding, and enforceable EU rules are (...) the more likely they will be selected, adopted, and implemented beyond EU border. This entails the hierarchical mode of governance being the most likely to lead to the effective transfer of EU rules, because rules are normally more legalised in this mode than in the network or market modes." (Lavenex and Schimmelfennig 2009, p. 802). Apart from the institutionalist explanations of the effectiveness of the EU's democratisation efforts in CEE and EaP, however, papers may also want to adopt a critical stance to the External Governance approach and explore alternate propositions, such as purely power-based explanations, domestic factors, or historical and sociological explanations/ understandings. As such, papers can draw on a mix of methodologies, including comparative qualitative and quantitative analysis, focus groups and discourse analysis.

The panel contributed significantly to the NIG's central theme of 'Citizens and Governance'. Democratisation and public sector reform in CEE and ENP partner states is inherently linked to fundamental changes in the relationship between citizens and the institutions governing the public sphere of these countries. It is therefore essential to explore the effectiveness with which the EU has managed the political reform process in CEE (in comparison to ENP partners) to gain a better understanding of how and why public sector reforms in some countries are being implemented better and faster than in others. The effectiveness with which democratisation and public sector reforms take place directly impacts on individual citizens. For Benita Ferrero-Waldner, former European Commissioner for External Relations and European Neighbourhood Policy, the ENP signifies not only the 'latest addition to our democratization toolbox' to 'encourage the spirit of democracy' via strengthening the rule of law, democracy and respect for human rights' (Ferrero-Waldner, 2006a: 1) but also 'human security – putting individuals at the heart of security concerns' (Ferrero-Waldner, 2007: 3).

The panel also contributed to the theme of 'Public management in a joint-up world', by placing a particular focus on the EU's efforts to promote public sector reforms in CEE and ENP partner countries. The EU has made 'good governance' a leading principle in its efforts to promote political reforms in Central and Eastern Europe. The administrations in CEE, however, face a significant challenges adopting and developing the EU's rules for high quality public management. By focusing on the different mechanisms through which these rules can be transferred and/or negotiated, this panel will also highlight new approaches to achieve high quality of public management in CEE and ENP countries, such as hybrid solutions and reciprocal learning.