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Shaping the Post-Soviet Space? EU Policies and Approaches to Region-Building

Laure Delcour

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List of Abbreviations

BOMCA	Border Management Programme in Central Asia
BSEC	Black Sea Economic Cooperation Organization
BSS	Black Sea Synergy
CABSI	Central Asia Border Initiative
CADAP	Central Asia Drug Assistance Programme
CBSS	Council of the Baltic Sea States
CDC	Community of Democratic Choice
CEEC	Central and East European Countries
CEPOL	European Police College
CIS	Commonwealth of Independent States
COEST	Working Party on Eastern Europe and Central Asia within the Council of the EU
COMECON	Council of Mutual Economic Assistance
CFSP	Common Foreign and Security Policy
CIB	Comprehensive Institution-Building
CSTO	Collective Security Treaty Organisation
DCFTA	Deep and Comprehensive Free Trade Area
EaP	Eastern Partnership
EC	European Community
EDF	European Development Fund
EEAS	European External Action Service
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EPA	Economic Partnership Agreements
ESDP	European Security and Defence Policy
EU	European Union
EUBAM	European Union Border Assistance Mission
EUMM	European Union Monitoring Mission
EurAsEC	Eurasian Economic Community
EUROJUST	European Union's Judicial Cooperation Unit
EUROPOL	European Police Office
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders
GAERC	General Affairs and External Relations Council
GUAM	Georgia Ukraine Azerbaijan Moldova Organisation for Democracy and Economic Development

IMEMO	Institute of World Economy and International Relations
INOGATE	Inter-State Oil and Gas to Europe
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organisation
OECD	Organization for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe
PCA	Partnership and Cooperation Agreement
PfM	Partnership for Modernisation
NIS	New Independent States
PHARE	Pologne Hongrie Assistance à la Restructuration Economique
SCO	Shanghai Co-operation Organisation
TACIS	Technical Assistance to the Commonwealth of Independent States
TRACECA	Transport Corridor Europe Caucasus Central Asia
UND	United Nations Development Programme
USSR	Union of Soviet Socialist Republics

Foreword

This book is important for three reasons.

First, the post-Soviet space is the most important neighbouring region of the European Union. Economic, political and societal interdependence has been growing steadily over the past 20 years. Since the 2004 enlargement, several EU member states share borders with former Soviet republics. Those countries are of tremendous importance for the Union's energy security – be it as producers of oil and gas or as transit countries. Most importantly, however, most countries in the post-Soviet space are neighbours *in* Europe. Therefore, for the EU the question is not only about how to build up diplomatic relations with them, but about how to integrate them. It is essentially about the future of the European continent.

Secondly, the European Union has advanced to become one of the key players in the post-Soviet space. It is a central economic and trade partner and the biggest provider of economic support, technical assistance and humanitarian aid in the region. Through the various policy instruments it has deployed in the past few years it supports political and economic reform processes, civil society and conflict resolution. Some of the eastern neighbours nurture the hope of becoming EU members in the foreseeable future. For them, but also for less ambitious regional players, the Union has become an alternative political model and also a counterweight to Russia's overpowering influence.

And yet, the Union often finds itself overwhelmed by the complex dynamics in its eastern neighbourhood. As Laure Delcour rightly points out in her introduction, this is a *terra incognita* in every sense of the word: 12 countries (15 post-Soviet republics minus the three Baltic countries which are now members of the EU), which share certain characteristics that are the legacy of their Soviet past, but which nevertheless have taken very different development trajectories since the demise of the Soviet Union. A host of factors – state weakness, political and economic instability, corruption, constant tensions over energy trade issues, socio-economic and environmental problems – undermine their sustainable development. Unresolved conflicts and disagreements over borders, resources and many other issues make it questionable, to say the least, if the post-Soviet space can be called a region at all. Last but not least there is Russia, who considers the post-Soviet space her 'sphere of privileged interests' and external actors such as the EU as competitors for influence.

Finally, the Union's foreign and security policy itself is a 'moving target.' Internal decision-making processes affecting political strategies and instruments are not always transparent and easily understandable from the outside. Often they reflect delicate internal compromise rather than the most effective response to the

realities on the ground in the respective countries or regions. EU rhetoric tends to be self-affirmative which sometimes makes it difficult for the Union to have an objective and critical perspective on the way in which its foreign policy impacts on its eastern neighbourhood. Now the Lisbon Treaty promises to streamline and rationalise decision-making and to make EU foreign policy more efficient and comprehensible for third countries. It will take some time, however, before the treaty is implemented and before its effects become visible.

Clearly, misunderstandings abound between the EU and its eastern neighbours. When people do not understand each other they need translation. What Laure Delcour offers in her study is a translation that works both ways: On the one hand, she explains the internal dynamics and key drivers of EU policy towards the post-Soviet space. On the other hand she examines the conditions EU policy meets in that space and explains the reasons for its success or failure on the ground. Thanks to her dual expertise in European foreign policy *and* in post-Soviet affairs she provides the reader with a unique perspective. Last but not least, the political reorganisation of the post-Soviet space is an extraordinarily topical issue that is, high up on the agenda of all relevant actors. Therefore, it is most apt that Laure Delcour chooses the prism of regionalisation for her analysis of the interaction between the European Union and its eastern neighbours.

I hope that this important volume will gain a wide readership both inside the European Union and in the post-Soviet space – and beyond.

Sabine Fischer
European Union Institute for Security Studies

Acknowledgements

The idea of this book originates in the observation of EU policies during trips and stays in various post-Soviet countries over the last fifteen years, first in Russia starting in the mid-1990s and then also in other new independent States during the following decade. The picture that gradually emerged from these observations in the field was manifold. It highlighted a European Union which was gaining influence and striving more and more to shape an area which was *terra incognita* in the EU's external relations two decades ago, which the EU discovered only very gradually and which became crucial to the EU's foreign policy agenda. It also reflected a European Union increasingly differentiating – and possibly compartmentalising – its policy framework between several sub-areas within the post-Soviet space, closely integrating with some of them while trying to protect itself from potential threats originating in others. This book intends to explore the connection between the multiple aspects of this picture, and in particular the way in which the EU has envisioned, used, or induced region-building in its policies in the post-Soviet area.

A number of persons played a role in making this book possible; while only some of them can be mentioned here, I owe a considerable debt to all of them.

I want first to thank my editor, Natalja Mortensen, for her support and her patience through the drafting and production processes of this book. I am also grateful to Véronique Charléty, at ENA, for her understanding and encouragement.

My warmest and special thanks to Sabine Fischer for agreeing to write the foreword of this book and for all the interesting discussions we had about the EU and the post-Soviet area.

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A book is about testing ideas, confronting them with facts and, in light of those facts, refining these ideas with the intent of either elaborating on some facets or adjusting other concepts. Presenting my research at various conferences and exchanging ideas with colleagues has been more than useful in this experimental process. I have benefitted considerably from my participation in conferences organised by CERI/Sciences-Po, the EU Institute for Security Studies, GARNET, the Centre for Russian and East European Studies of Birmingham University and the Slovak Foreign Policy Association.

Last but certainly not least, I am most indebted to Chad Steponik for the wonderful job he did during the editing phase of this work and for his valuable comments; *un immense merci*, Chad!

Laure Delcour

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Chapter 1

Analytical Framework

Following the end of the Cold War and the overthrow of communist regimes, the European Economic Community (EEC) emerged as both a pole of attraction and a strategic anchor for the stabilisation of the whole continent. Yet, whereas the Community's answer to the upheavals in Central and Eastern Europe was quickly designed and ushered in through the enlargement process, more time was needed to build a strategy *vis-à-vis* the former Soviet Union. Arguably, the Community was overwhelmed by the pace and the depth of changes affecting the former USSR. When the Soviet Union¹ collapsed, a major issue for the EEC was clearly identified as the preservation of regional links among New Independent States (NIS) replacing the USSR, as summarised by Jacques Delors, then president of the European Commission, who described the post-Soviet challenges faced by the EC as follows (Delors 1992: 173):

In the former Soviet Empire, everything will depend upon what the peoples will decide for themselves. Will they follow the path of anarchy ...? Or will they note that, even though independent, they have for economic or even political reasons to work together in the framework of a kind of confederation, or maybe even of a federation modelled after the Community, since they quote this example more and more often? Will Russia, remembering the pre-communist period, gather its forces to aggregate the ensemble and act as a tutor or as a monitor? There is an additional difficulty: where should Russia or this post-Soviet Union, which belong altogether to Europe and to another world, be placed?²

The post-Soviet area thus emerged as a two-fold enigma for the European Community. First, the question of the links to be developed between the Community and the independent states arose suddenly in the early 1990s as one of the tasks to be dealt with by the nascent European foreign policy. Indeed, owing to the lack of official relations between the USSR and the EEC until the end of the 1980s, the whole area was a *terra incognita* to Brussels. Second, the USSR's collapse posed a major challenge to the EEC in light of its traditional approach encouraging regional cooperation in its foreign policy. A possible evolution towards other forms

1 The Union of Soviet Socialist Republics (USSR, also known as the Soviet Union) consisted of 15 republics which became sovereign states in 1991: Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan.

2 Translated from the French by the author.

of cooperation or integration between the new sovereign states was therefore of great interest to the European Community. To sum up, the EC had to design in the former USSR a policy framework starting from scratch and with limited possibilities to apply its preferred region-building approach. Moreover, it had to cope with an environment undergoing drastic changes at a time when it was itself building new stages of its own integration process.

Because of these specific features, the former USSR is a stimulating field for studying what the European Union does and how it acts in the international arena. How has the EEC, subsequently transformed into a Union,³ tackled this post-Soviet puzzle and the disintegration dynamics affecting this area, at a time when it was itself undergoing in-depth changes while giving a decisive impetus to the building of a political and economic Union? To what extent has the EU influenced and directly contributed to shaping the post-Soviet region?

This book will analyse the EU policies designed for and implemented in the former Soviet Union as a test of Europe's capacity to promote one of its core foreign policy objectives – support to regional cooperation – and to raise a distinctive profile in the international arena.

Understanding an International Actor in the Making: The Case for a Bottom-up Research Perspective

Since the early 1990s, the EU has undoubtedly emerged as a 'global actor' (Bretherton and Vogler 1999) displaying a 'new assertiveness' (Rummel 1990) in the international arena. By prompting new and wide-ranging EC policies in the former Eastern block, the end of the Cold War radically transformed the EC's international role and its external action. Two main processes can be identified in this regard.

The first one is well known and relates to the *institutionalisation* of a European foreign policy. The term 'foreign policy' is used widely here. It refers to the management of relationships between the EU (including its Member States) and the outside world.⁴ In this respect, institutional changes that have occurred since the 1990s include the creation of a Common Foreign and Security Policy (CFSP) representing the second pillar of the European Union which came into being with the entry into force of the Maastricht Treaty, the creation of the position of High Representative for CFSP in the Amsterdam Treaty, the launching of a

3 The European Community became the European Union following the entry into force of the Maastricht Treaty in 1993. For greater convenience both names are used indifferently in this book.

4 This definition is similar to the one adopted by Karen E. Smith, who defines foreign policy as 'the activity of developing and managing relationships between the state (or, in our case, the EU) and other international actors, which promotes the domestic values and interests of the state or actor in question.' See Karen Smith 2008: 2.

European Security and Defence Policy (ESDP), and the changes introduced by the Lisbon Treaty, particularly in the position of the High Representative of the Union for Foreign Affairs and Security Policy. Other important institutional changes, although less visible, have also affected the Communities pillar,⁵ namely the growing number and importance of Directorate Generals in charge of external relations within the European Commission. These changes gradually turned the EU into a foreign policy *actor* alongside the member states (albeit, for a long period of time, a decidedly 'divided' actor with three different pillars and miscellaneous decision-making procedures). This evolution is not over, and the entry into force of the Lisbon Treaty is a preliminary step toward the development of a renewed institutional framework for foreign policy. The creation of a European External Action Service (EEAS) is another major development in this respect.

The second remarkable process at stake is the universalisation of the EU's external action.⁶ In the 1990s, the EU concluded new agreements and launched new aid programmes for a number of third countries or regional groupings, including in areas where it previously had no policy. Its network of policies and programmes now spans the globe. Moreover, both the scope and the content of the Union's foreign policy have also deeply been altered and broadened. Once limited to trade and development cooperation (the main components of the previously-named European Community's external relations), the EU's activities have expanded along with its competencies. Conflicts in the Balkans were instrumental in initiating a European policy in an area which had remained sensitive and therefore neglected since the rejection of the European Defence Community in the 1950s. For the first time in 2003, the European Union drafted a security strategy, a document which reflected a growing engagement as a security actor (Council of the European Union 2003). Migration, conflict prevention and management, and energy security have emerged as core issues on the European foreign agenda (Council of the European Union 2008; Vasconcelos 2009). Hence, the EU's foreign policy has gained a global dimension, spanning the world and encompassing most policy areas.

The point here, however, is not to describe at length the landscape of the EU's foreign affairs; it is rather to highlight the deep transformations those affairs have undergone and their constantly evolving character, resulting from both external and internal pressures. Changes in European foreign policy occur not only as a result of external events, as obvious in the case of the end of the Cold War. They are also tightly connected to internal developments in the European integration process. As a result of this combination of a changing external environment and a constantly

5 The pillar structure was introduced with the Maastricht Treaty on 1 November 1993 and abandoned with the entry into force of the Lisbon Treaty on 1 December 2009. The Communities pillar formed the first pillar of the Union.

6 On this issue, see the analysis of Franck Petiteville on EU cooperation activities (Petiteville 2001).

evolving integration process, the European Union is still an international actor in the making (Delcour and Tulmets 2007: 3–8).

European Foreign Policy's Status as a 'Very Fast-Moving Target' (Carlsnaes 2004: 3) Creates a Major Analytical Challenge for Scholars

Over the past two decades, increasing attention has been dedicated to the objectives pursued by the EU in its foreign policies, to the assessment of the EU's influence in the international arena and to the way this influence is exerted. The external developments of European integration have given rise to a number of publications, which Franck Petiteville (Petiteville 2006) divides into three strands based upon their core theme. The first group of publications, he argues, focuses on the institutionalisation of a European foreign policy. The second strand analyses key policies developed abroad by the EU and their impact. Finally, a third group of scholars have strived to theorise the EU's international actions (Petiteville 2006: 15–18).

Crossing these strands and topics studied by scholars, the issue of the EU's specificity as an international actor has been at the core of academic discussions. This specificity is widely explained through the historical developments of the EU integration process (for example, the long-standing lack of military capabilities following the failure of the European Defence Community in the 1950s) and its *sui generis* polity combining supranational and intergovernmental elements. Concepts such as 'civilian power',⁷ 'soft power',⁸ and 'normative power'⁹ have been used to illustrate the EU's uniqueness as an international actor. For some authors, the EU's distinctiveness in the international arena stems from the promotion of normative objectives in its foreign policy. Other scholars instead point to the uniqueness of the EU's tools and instruments and emphasise the specific ways in which it pursues its foreign policy objectives. More specifically, they stress the EU's reliance on persuasion and diplomacy rather than on coercion (K. Smith 2008: 233). Given the fast-changing environment of the EU's foreign policy, a key issue for academics has been to assess the persistence of the EU's distinctive profile, especially in view of the development of military capabilities which the Union had lacked until the end of the 1990s. For some of them (K. Smith 2005), the development of a European Security and Defence Policy is expected to affect the nature of the EU as an

7 The concept was originally coined by François Duchêne in 1973 (Duchêne 1973); see also Whitman 1998.

8 Joseph Nye defines soft power as 'the ability to get what you want through attraction rather than coercion or payments ... Hard power, the ability to coerce, grows out of a country's military and economic might. Soft power arises from the attractiveness of a country's culture, political ideals and policies' (Nye 2004: 256). For a comparison of US and EU soft powers and an analysis of their differences, see Tulmets 2007.

9 See in particular Manners 2002 and 2006; Sjørusen 2006; Laïdi 2008.

international actor and to undermine the EU's civilian power. Yet, as convincingly pointed out by academics conducting research on the EU use of sanctions (de Wilde d'Estmaël 1998, Portela 2005), civilian tools can also be used in a coercive manner.

The above-mentioned literature has undoubtedly contributed to defining *what the European Union is* in the international arena and how it distinguishes itself from other international actors. Nevertheless, several conceptual gaps have been identified in the analysis of the EU's foreign policy. Those stem primarily from an analytical focus on the EU's specificity as a complex international actor. Christopher Hill and Michael Smith deplore the tendency to concentrate on the EU's *sui generis* qualities, combined with a reliance on the tools of comparative politics. They call for bringing back international relations theories in the study of EU foreign policy (Hill and Smith 2005: 4). Brian White highlights two limits in what he calls 'the EU-as-actor-approach' (White 2004: 17–18). First, this approach relies on the assumption that the EU can be analysed as a single actor in the international arena and therefore misses its pluralist and multi-level character. Second, it focuses on the outcomes of European foreign policy rather than on its processes, thus missing key elements such as the factors, conditions, context and/or actors leading to the construction of a foreign policy.

While there is certainly scope for exploring other theoretical approaches,¹⁰ it can also be argued that *another major analytical gap lies in the connection between the conceptual approaches used so far and empirical research conducted*. Many of the policies analysed in the literature have been examined in a deductive manner, as case studies to illustrate the already elaborated conceptual approaches on the EU as a civilian or normative power (see for instance Tocci 2007a; Laïdi 2008).¹¹ Yet, as convincingly put by Karen Smith, studying *what the EU does* in the international arena also allows one to feed the findings back into the larger debate about the EU's international actorness (K. Smith 2008: 2). In other words, in a reversed perspective, focusing on selected policy fields and their design and implementation can help elucidate the nature of the EU's external governance and, conceptualising further, the EU as an international actor (Delcour and Tulmets 2008: 11–12). Such an approach supported by field research also allows to better take into account the processes leading to the construction of EU foreign policy and its various levels.

The Case for Selecting Region-building and Interregionalism as a Policy Field for Analysing EU Foreign Policy

The present book will adopt such an analytical perspective. To that purpose, it intends to focus on a specific policy field, namely to explore the policies designed and implemented by the European Union to support regional cooperation in the former USSR. Regional cooperation here is understood primarily as cooperation

¹⁰ See the discussion hereafter on the analytical framework of this book.

¹¹ This argument was developed in Delcour and Tulmets 2008: 11–12.

among the former Soviet Union republics; but it also refers to schemes designed both for EU Member States and former Soviet countries around a common border. In other words, the present book will examine *EU approaches to regional cooperation both with and between post-Soviet countries as well as EU attempts to foster interregionalism*.

Emphasis will be put on *processes* leading to increased cooperation and integration, in other words on region-building. Such an emphasis indeed allows to account for the role played by both internal and external actors, in other words to examine the way in which the EU has supported regional cooperation in the former Soviet Union and the degree to which such support has been hindered by local developments. Specific attention will be paid to the factors fostering regionalism or, on the contrary, to those hindering region-building and thus provide an explanation for the prevalence of bilateralism in EU policies implemented in the former Soviet Union. Interregionalism relates to the relationships (whatever their degree of institutionalisation may be) between regional groupings, in the present case between the European Union, on the one hand, and regional or subregional organisations and forums grouping several NIS on the other.

The EU is not only frequently quoted as the first attempt at regional cooperation after World War II but also as the most accomplished system of integration. It is still widely perceived or represented by the majority of academics seeking to conceptualise regionalism as the prototype for regional integration. Neo-functionalist approaches (Haas 1964) have shed light on the processes guiding neighbouring states and regions in fostering integration in specific sectors. Two points are salient in their argument: the role of supranational institutions (for example, the High Authority in the European Coal and Steel Community) and the spill-over process described by Ernst Haas as encouraging countries to expand existing cooperation to adjacent areas (Haas 1968). Functionalist and neo-functionalist approaches have been criticised – by intergovernmentalists,¹² among others – for downplaying the role of national governments and thus failing to explain important political developments in the European integration process. However, in attempting to conceptualise EU regionalism, intergovernmentalists and neo-functionalists have mainly concentrated on the internal integration project. Thus, while the mechanisms underpinning the EU system have been described at length, less attention has been paid to the external aspects of such a model.

Yet, there is clearly a strong link between the EU internal regional integration process and its foreign policy objectives. As far as European foreign policy is concerned, the EU contributes to fostering interregionalism and to supporting regional cooperation outside its borders. These two objectives have been pursued unevenly across the globe.

12 See in particular the publications by Andrew Moravcsik (Moravcsik 1993; Moravcsik 2005).

The former, that is, the links and dialogues developed by the EU with other regional groupings, has increasingly raised the attention of scholars over the past few years. While a convincing theory of interregionalism is still considered to be lacking (Hänggi, Roloff and Rüland 2006: 10), a number of publications have analysed the wide network of interregional arrangements concluded by the EU worldwide and they have shown the way in which *interregionalism has become a major component of the EU's foreign policy since the end of the Cold War*.¹³ This growing importance can be explained through both internal and external factors. On the one hand, a new wave of regional cooperation, concurrent with globalisation processes, emerged at the end of the 1980s and in the 1990s, leading to the creation of groupings and organisations such as the Mercado Común del Sur (MERCOSUR), the North American Free Trade Agreement (NAFTA), South Asian Association for Regional Cooperation (SAARC), the Southern African Development Community (SADC) and a number of others. This 'new regionalism'¹⁴ coincided, on the other hand, with the worldwide expansion of EU foreign policies. Against that background, promoting region-to-region relations is considered by the EU as a foundation for its external policies as far as it enhances its international actorness and efficiency.¹⁵ When it comes to empirical case studies, publications have mainly focused on the interregional links between the EU and a few areas or their regional groupings, mainly East Asia¹⁶ and South America (EU–MERCOSUR links),¹⁷ and also Africa.¹⁸ *As far as EU support for*

13 See in particular, Söderbaum and van Langenhove, 2006; Hänggi, Roloff and Rüland 2006; Telò 2007.

14 The term was coined to distinguish these new regional groupings from the 'old' regionalism embodied by the EU. In contrast to older cooperation schemes, new forms of regional cooperation take place in a globalised and multipolar world and they result from the states' willingness to cope with global transformations. See Hettne, Inotai and Sunkel 1999.

15 This argument is developed by Fredrik Söderbaum and Luk van Langenhove (Söderbaum and van Langenhove 2006: 3). Interregional links help the EU promote the liberal internationalist agenda, build its own identity as a global actor and strengthen its power (Söderbaum and van Langenhove 2006: 120–9).

16 See for example, Gilson, J. 'New Interregionalism? The EU and East Asia', in Söderbaum and van Langenhove 2006: 59–78; Dent, C.M. 'The Asia–Europe meeting process: beyond the triadic political economy?' in: Hänggi, Roloff and Rüland 2006: 113–27.

17 See for example, Vasconcelos, A. 'European Union and MERCOSUR', in: Telò 2007: 165–84; Santander, S., 'The European Partnership with Mercorsur: A Relationship Based on Strategic and Neo-liberal Principles', in: Söderbaum and van Langenhove 2006: 37–58; Faust, J., 'The European Union's relations with MERCOSUR: the issue of regional trade liberalization', in: Hänggi, Roloff and Rüland 2006: 155–67.

18 See for example, Söderbaum, F. 'African Regionalism and EU–African Interregionalism', in: Telò 2007: 185–202; Farrell, M. 'A Triumph of Realism over Idealism? Cooperation between the European Union and Africa', in: Söderbaum and van Langenhove 2006: 15–36.