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**THE EXTERNAL POLICIES OF THE EU  
TOWARDS THE SOUTHERN NEIGHBOURHOOD:  
TIME FOR RESTARTING OR SLIDING INTO  
IRRELEVANCE?**

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# ABSTRACT

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*The EU foreign policy towards its southern neighbours in North Africa and Near East is pressured internally to deliver on security goals and normative values, while being challenged in the Mediterranean region. Uprisings and instability brought forward during the Arab Spring, civil wars in the Middle East, massive migration and shared resources require European engagement towards its Arab and non-Arab Mediterranean neighbours, creating a loose framework composed by Member States' diplomatic initiatives, bilateral and multilateral policies and international institutions. This mix tries to govern the relationship between the European Union and the Southern Neighbourhood, creating policy gaps, overlaps and potentially competing agendas.*

*Are the EU external policies towards the region consistent or clashing? Are the competing agendas of security, democracy and development, and diverging national interests detrimental to both the EU and the region? The handling of the Arab Spring and its aftermath is presented as a case study. The research question is analysed through the European Neighbourhood Policy and the Union for the Mediterranean. The ENP has been put into context historically with the Barcelona Process antecedent and horizontally, by analysing challenges and complementary policies, such as Common Foreign and Security Policy, migration and intergovernmental multilateral cooperation..*

Keywords: *European Neighbourhood Policy; Union for the Mediterranean; Southern Neighbourhood; Common Foreign and Security Policy; Arab Spring*

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# INTRODUCTION

Historically speaking, foreign policy has been the field where opaque *raison d'état* prevailed supreme on any transparent multilateral reasoning. Discreet sealed notes, great games and stately etiquette were left to the high nobility or crowns behind closed doors, often generating paranoia on ulterior motives. Whereas trade and economy were considered somewhat “lower” affairs that could be left more easily to specialised bureaucrats and be subject to open negotiations and rules, the “higher” realm of diplomacy was considered as the ultimate domain to be closely guarded by states. By some degrees, this still holds true according to many scholars and officials.

Once the European Union started to expand beyond its initial scope of operating as a facilitator in sharing European pieces of states’ market, it started clashing with the reality of its surrounding environment. The organisation was founded on the premises of advanced democratic economies based on the rule of law and united by a common will to refrain from exercising certain priorities pertaining to the Westphalian state in order to achieve a degree of supranational governance that would leave everyone involved better off. This framework is ill equipped in understanding the realities of governance and politics in countries just outside this bubble of wealth, not because the closed approach to government, which is common on the other side of the Mediterranean, is a foreign concept in Europe, but simply because Europe as we know it was founded as a way of transcending it.

As the European Union operates mostly with multilateral approaches on a supposedly positive-sum rationale, it hoped to create a policy towards its neighbours that, in a way, reflected its own functioning, while struggling to grasp key cultural and political differences. As such, the relationship with its neighbouring countries has been both good-willed and underwhelming at the same time, prompting many restarts and strategic re-thinking. Additionally, Member States have repeatedly proved that when narrow national interests diverge, cooperation still takes a backseat. One positive effect, albeit minor, is that this systemic underperformance puts pressure towards an evolution of the European foreign policy away from being a simple outlet for nice speeches towards becoming a more substantial player. It seems unlikely that this pressure alone will prompt a transformation of the external relations of the European Union, but as its greatest challenge, it makes a substantive case for additional pooling of power, if there will be enough leadership to press for it.

The shortcomings of the European foreign policy towards its southern neighbours in North Africa and Near East (such as in the case of the Arab Spring or the Syrian and Libyan civil wars) puts into question the effectiveness of an inward-looking bureaucracy that tends towards technocratic solutions in its dealing with the outside world.

This piece aims at answering the following research question: have the EU external policies towards the region been consistent or clashing among themselves, hampering their ability to reach significant goals? The hypothesis being tested is that the competing agendas of security, democracy and development, as well

as diverging interests between Member States and the Union have been detrimental to both the EU and the region. In order to assess this hypothesis, the European handling of the of the Arab Spring and its aftermath will be used as a case study since it could be considered as a litmus test for the EU capabilities in the region.

The research question is mainly analysed through the European Neighbourhood Policy, as it is the most comprehensive approach taken by Brussels for engaging North Africa and Near East, and the complementary Union for the Mediterranean, which acts both as an instrument and as a challenger to the policy.

Nevertheless, policies towards the area fail to be understood if taken individually, as they are part of a complex web that connects the former colonies of the southern shore of the Mediterranean to the former masters in the north. As such, the European Neighbourhood Policy has been put into context historically (with a review of common policies that led to it) and horizontally, by briefly analysing complementary policies and cross-cutting challenges, such as Common Foreign and Security Policy, the migration crisis and intergovernmental multilateral cooperation coordinated through Brussels.

Another reason for assessing such policies together is that when an individual approach is perceived as failing, the European Union has tried to compensate for it by intensifying its efforts on a parallel outlet. For instance, this has been the case for the European Instrument for Democracy and Human Rights when the Euro-Mediterranean Partnership (also known as the Barcelona Process) was understood in Brussels as stuck in highly sensitive political issues.<sup>1</sup> This mix of Member States' diplomatic initiatives (such as the 5+5 forum), European bilateral policies and technocratic initiatives in international institutions create a loose framework of external policies that try to govern commonly the relationship between the countries of the European Union and the so-called Southern Neighbourhood.

Finally, we try to assess if there has been any lesson learning by the European Union in the aftermath of the Arab Uprisings by analysing the course taken by the Review of the European Neighbourhood Policy, before giving some practical considerations on future directions that could be explored by the EU in order to improve the efficacy of its policies.

As it has always happened in the past, the West has constructed its own image by watching the East as in a reverse mirror<sup>2</sup>, depicting it as a mythical land where its own rules do not apply. This has been the case for the promotion of European values such as democracy, rule of law and social development. The lesson that is increasingly clear to everyone in the policymaking community is that by ignoring (or leaving as an afterthought to Member States) the “closer East” which is the southern shore, the European Union has become rocked by the effects of instability and bad governance that have marred the region, often with Western help.

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<sup>1</sup> Bicchi, F. and Voltolini, B. 2013. EU Democracy Assistance in the Mediterranean: What Relationship with the Arab Uprisings? *Democracy and Security* (9:1-2). p.90.

<sup>2</sup> Said, E. 1978. *Orientalism*. Pantheon Books, New York.

# Part I. The history of the Southern Neighbourhood ENP

## 1.1 The historical stakes in the Mediterranean neighbourhood

From a historical point of view, Europe and the southern shore of the Mediterranean share a deep web of political relationships. Without going as far as the Roman times, Napoleon inaugurated the colonisation era by invading Egypt (and failing to retain it). Quickly the region became unlocked for the expanding military economies of European states and after the fall of the Ottoman Empire after World War I, all of the southern shore of the Mediterranean became administered by its northern counterparts from Alexandretta to Rabat. The French took it as far as declaring the whole of Algeria to be mainland France. The transformative effects imparted by such political shocks have been long lasting and can be traced, as nuanced undertones, until contemporary times. The decolonisation struggles have shaped the future independent states and a sizable number of current issues can be attributed to the ways in which such independence was reached. Many leaders in the region have effectively backed their ruling credentials as being the liberators from colonialism. At the same time, the European political discourse towards the area is delimited by this violent past.<sup>3</sup> Nevertheless, the economic and cultural ties built between the colonial capitals and the local elites have lingered, captivating the interests of the former colonial masters towards the new polities.

Lebanon is perhaps the most glaring example of this attitude, as local elites are still referring to themselves as English-educated or French-educated, in a political system enshrined by a French-written sectarian constitution whose shortcomings have prompted a bloody civil war. The Italian sense of “duty” towards Libyan affairs are well known as well, with the Italian foreign service taking pride in being the last one closing its embassy when security deteriorated in 2014 and currently among the most active in trying to restore governance in its former colony.

Such structural connections could not be easily ignored once the European Union started to expand its areas of competence vis-à-vis the Member States. Since external trade was among the first exclusive competencies of the European Commission, it had to start dealing with the former colonised world of its Member States. The most evident case has been the European trade policies towards the so-called ACP countries. The African, Caribbean and Pacific Group of States comprises 79 countries that have entered (bar Cuba) a special binding relationship with the European Commission<sup>4</sup>, gaining privileged access to the internal Union market and sustainable development aid, first through the Lomé Convention and after with the Cotonou agreement and its revisions.

As the post-Cotonou framework offers a special relationship between mainland Europe and many of its former colonies, it is a fair assessment that such policy is the Europeanisation of a post-colonial settlement

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<sup>3</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: 'Making Democracy Work' or 'Good-Enough Governance'?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 11.

<sup>4</sup> Secretariat ACP. <http://www.acp.int/content/secretariat-acp>

that deals in a shared way with the legacies left by (mostly but not only) their former French, British, Spanish and Portuguese masters. This peculiar framework could not be explained as purely aid or trade packages, unless we factor in historical memories and a lingering sense of “colonial guilt”. As it is more of a burden to single Member States, it is an example of shedding individual responsibilities by sharing them in a progressive framework, which has expanded the foreign developmental dimension of the European Community then and of the European Union now.

When it comes to the Middle East and North Africa, Europe enjoys a similar special relationship that no other areas seem to enjoy. The United States may have forged some special connections with specific countries such as Egypt, Israel/Palestine and Saudi Arabia. China is willing to engage in trade partnerships while avoiding any political implications and Russia is historically gravitating towards Syria since Soviet times. However, generally speaking the majority of Mediterranean countries enjoy no bigger partner than the European Union, given the limited attractiveness the formers offer to other major actors, both geographically and economically. The importance of the region to Europe and the weight of the colonial legacy are especially evident if we consider that the first instances of common Euro-Mediterranean cooperation started as various Community policies during the 1960s<sup>5</sup>, much similarly to ACP policies.

A major structural issue is that the European Union is not a single polity with full-fledged foreign policy powers able to devise “hard” strategic objectives, and the traditional instability of the southern Mediterranean has proved a tricky field where pure trade policies are ill suited to impact coastal states. Given that external policies in the EU need to be approved and actively supported politically by all Member States, this has weakened the development of an effective full-fledged foreign policy framework for dealing with the MENA region and has forced policies to be the minimum common agreed endeavours, which often result in positive statements and meagre aid. Given such structural limitations, it has been argued that the EU has effectively resigned itself to be a “modest force of good” in the region<sup>6</sup>, with limited ability to enforce its normative, positive-sum vision of the Mediterranean.

## 1.2 Pre-Barcelona Policies

The history of the relations between the southern shore of the Mediterranean and what was becoming the European Union through the forging of incremental cooperation arches back to the first bilateral trade agreements of the 1960s and bilateral financial cooperation agreements of the 1970s.<sup>7</sup> During this time, the conceptual framework of “Mediterranean” as a strategic region was created in European

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<sup>5</sup> Monjo, E.S. 2006. *The Multiple Dimensions of Euro-Mediterranean Cooperation*. Eipascope 25<sup>th</sup> Anniversary Special Issue. p. 75.

<sup>6</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: 'Making Democracy Work' or 'Good-Enough Governance'?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 6.

<sup>7</sup> *Ibid.*

policy-making environments.<sup>8</sup> Historical topics that have consistently manifested have been security, migration, energy, development and the Arab–Israeli conflict.<sup>9</sup> The presence of shared issues brought forward approaches such as the Global Mediterranean Policy (1972–1990) and the Renewed Mediterranean Policy (1990–1996). The former was based mainly on tariff preferences (save for key exports, such as agricultural products) and financial cooperation agreements. The latter had five main objectives: economic reforms, private investment, structural adjustment, market opening and political and economic dialogue<sup>10</sup>. The issue of agricultural production proved thorny since the beginning of such policies, given the existence of the Common Agricultural Policy inside the EU, which is based on a much more significant budget. The Renovated Mediterranean Policy was launched also following suggestion by the Commission to encourage the diversification of agricultural production in third Mediterranean countries in order to prevent surpluses in foodstuff such as citrus fruits, olive oil and wine.<sup>11</sup>

According to Bicchi, even if soft security threats to European interests already existed in this period, such as the breakdown of social cohesion following economic crises and readjustments, mass migration and so on, they were not yet perceived as such by policymakers, thus not triggering a major European response.<sup>12</sup>

A first closer political association endeavour did not end positively, as an application to become a Member State of the European Community by the Kingdom of Morocco was rejected on 1987 on the grounds of “non-Europeanness” of the country.<sup>13</sup>

### 1.3 The Barcelona Process

More ambitious approaches to addressing the region were devised during the 1990s, where the goodwill towards multilateralism of the post-Cold war world created momentum for a grander European project in the Mediterranean. This renewal of multilateral efforts captured the zeitgeist of the post-Cold war mind-set by suggesting the unthinkable before: the EU would respond politically to newly perceived threats by creating a Euro-Mediterranean region.<sup>14</sup> As simple accession to the EU had been ruled out in principle, a looser framework had to be found. On the initiative of the then Spanish foreign minister Javier Solana (with political support by France and the EU Commission), the 15 Member States of the EU and Algeria, Cyprus,

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<sup>8</sup> Holden, P. 2009. The European Union’s Mediterranean Policy in Theory and Practice. *Mediterranean Politics* (14:01). p. 126.

<sup>9</sup> Bicchi, F. 2011. The Union for the Mediterranean, or the Changing Context of Euro-Mediterranean Relations. *Mediterranean Politics* (16:01). p.4

<sup>10</sup> Monjo, E.S. 2006. *The Multiple Dimensions of Euro-Mediterranean Cooperation*. Eipascope 25<sup>th</sup> Anniversary Special Issue. p. 75.

<sup>11</sup> European Institute for Research on Mediterranean and Euro-Arab Cooperation. Website. *Euro-Mediterranean Cooperation (Historical)*. Available at: <http://www.medeia.be/en/themes/euro-mediterranean-cooperation/euro-mediterranean-cooperation-historical/> Accessed on 10 August 2016.

<sup>12</sup> Holden, P. 2009. The European Union’s Mediterranean Policy in Theory and Practice. *Mediterranean Politics* (14:01). p. 127.

<sup>13</sup> Cfr. COM (2003) 104 final, cit., p.5.

<sup>14</sup> Bicchi, F. 2011. The Union for the Mediterranean, or the Changing Context of Euro-Mediterranean Relations. *Mediterranean Politics* (16:01). p.15.

Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Syria, Tunisia and Turkey met in Barcelona on 27–28 November 1995 in order to launch the so-called Barcelona Process.

The officially dubbed Euro-Mediterranean Partnership (EMP) was founded during a particularly optimistic time, when the Middle East peace process seemed to be working. The project hinged on a regional and highly political vision, which contrasted with other functionalist and bilateral approaches. The collapse of the Soviet Union, the transformation of the European Community into the European Union, and the tentative agreement between the Palestinian Authority and Israel seemed to indicate a multilateral world where Europe could play a transformative role in region building in the Mediterranean area. The failed bid for democracy in Algeria seemed to urge European players to engage further with the topics of democracy and reform. As such, the findings of the Barcelona Conference called for the establishment of a “multilateral and lasting framework of relations based on a spirit of partnership”<sup>15</sup>.

Nevertheless, despite the positive-sounding language, it was clear from the beginning that the old European preference for “stability” and securitisation of their neighbours over democracy and freedom of doing political opposition still prevailed, potentially hampering the latter agenda. The opening statements remarked so:

*“The participants express their conviction that the peace, stability and security of the Mediterranean region are a common asset which they pledge to promote and strengthen by all means at their disposal. To this end they agree to conduct a strengthened political dialogue at regular intervals, based on observance of essential principles of international law, and reaffirm a number of common objectives in matters of internal and external stability.”*<sup>16</sup>

According to an interpretation, these words could mean that the primary objective was to avoid worrisome developments in the southern border, even if with a positive-sum and social development tint.

Officially, this framework was supposed to be founded on three complementary pillars:

- a regular political dialogue;
- the development of economic and financial co-operation; and
- a focus on social, cultural and human aspects based on a Charter for Peace and Stability.<sup>17</sup>

Among the most tangible products of the Process, it was envisaged the establishment of a “Middle East Zone free of weapons of mass destruction, chemical and biological weapons and their delivery system” and a free-trade area by 2010.<sup>18</sup>

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<sup>15</sup> Mediterranean Barcelona Declaration Adopted at the Euro-Mediterranean Conference (27 and 28 November 1995)

<sup>16</sup> *Ibid.* p.3

<sup>17</sup> Comelli, M. 2005. *The approach of the European Neighbourhood Policy (ENP): Distinctive features and differences with the Euro-Mediterranean Partnership*. Rome, Istituto Affari Internazionali. p.7

<sup>18</sup> *Ibid.*

One of the great achievements of the declaration was the focus on region building and multilateralism. By stressing the need to create a sort of Euro-Mediterranean community of states where wealth and citizen would cross borders more easily, it was thought this would have incentivised the Middle East Peace Process and almost automatically encouraged democracy and human rights. Even the security concept outlined in the initial document was particularly innovative and multilateral, as it included concepts such as “societal threats”, proliferation of weapons of mass destruction and so on.<sup>19</sup> A social and open approach to a broadly defined security originating from the so-called School of Copenhagen and that was to be gradually but firmly redefined in a stricter sense in the following decades, especially after 9/11.<sup>20</sup>

Another important achievement of the Process has been creating one of the few international fora where Palestinians and Israelis could sit at the same table and discuss with their neighbours.

The two-pronged approach of offering Israel an EU Association Agreement, a type of bilateral treaties that entail a favourable framework on trade and cooperation, and supporting the Palestinian Authority was meant to bring both key players into the normative realm of the EU, toning down mutual suspicions and encouraging cooperation. In the end, this strategy did not achieve significant results because of the developments on the ground in Israel/Palestine itself, of the inability of the EU to take a common stand and because of the dynamics of EU–US relations in relation to the conflict.<sup>21</sup> As such, an inconsistency between the stated goals of the EU towards the area and its willingness to act strongly on them appear evident.

In order to strengthen the cooperative process, the European Commission also launched the document “Agenda 2000”, which envisaged measures aimed at reinforcing the relations between the EU and partner countries, and promoting sustainable development.<sup>22</sup>

With the passing of time, it was proved that such an open-ended and ambitious multilateral formula was relying on goodwill, which was quickly become a scarce commodity. The stalemate in negotiations between the Palestinian and Israeli counterparts (fuelled by a ramp-up in illegal settlements that never really stopped and with a stricter siege imposed on the Gaza Strip) caused a closure in the political space and rendered the utilisation of multilateral fora with Arab countries ever more difficult. Moreover, the unwillingness of many southern countries to improve their records on good governance, human rights and economic reforms dragged the political process indefinitely, entrapping it.

Another major obstacle that stood in the way of the Barcelona Process was the obvious lack of common identity and shared goals among all the different countries involved. For EU countries, the security fears brought by the 9/11 attacks and the aftermaths of the Afghani and Iraqi invasions rendered politically very costly to open up their borders to the Mediterranean South, among fears of terrorist networks and radicalisation.

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<sup>19</sup> Panebianco, S. 2010. *Dealing with Maritime Security in the Mediterranean Basin: The EU as a Multilateral Actor*. Documenti IAI 1016. Istituto Affari Internazionali, Roma. p. 5.

<sup>20</sup> *Ibid.*

<sup>21</sup> Cavatorta, F. and Rivetti, P. 2014. EU–MENA Relations from the Barcelona Process to the Arab Uprisings: A New Research Agenda. *Journal of European Integration* (36:6). p. 621

<sup>22</sup> Monjo, E.S. 2006. *The Multiple Dimensions of Euro-Mediterranean Cooperation*. Eipascope 25<sup>th</sup> Anniversary Special Issue. p. 76.

Furthermore, there was a structural gap in what southern countries actually desired from their political engagement in the Barcelona Process. Many non-EU Mediterranean countries were keener in expanding their bilateral relationship with the European Union in order to gain increased access to its market for their agricultural products and commodities and in order to obtain visas more easily. The region-building aspect was secondary to them (and the discussion on reforms and rights even more remote to their interests). The range comprised countries such as Morocco, which achieved an advanced status in dealing with the EU, and Algeria<sup>23</sup>, which later frustrated many times Commission officials by refusing to sign Association Agreements and rejecting the Neighbourhood Policy.

Whereas EU countries were used to and even desired coordination among them as an essential feature of the European integration process, non-EU members of the Euro-Mediterranean Partnership lacked any form of “regional will”, which proved to be a structural problem. This stalled further the political process so much that it was clear that it was not going anywhere anytime soon.

Further weakening the process, it is evident that the ethical discourse based on human rights and good governance was not followed consistently as the EU instruments placed a greater emphasis on more traditional realist interests. Thus, the EMP (and the ENP afterwards) was caught between the EU's "unethical" realist goals and its normative rhetoric.<sup>24</sup>

The case of Algeria shows clearly this type of dual-faced approach. Following the *coup d'état* that impeded the likely electoral victory by the Islamist party, the government strengthened its position through the political legitimization offered by key players in the EU. The preferences and political decisions of the local political elite have been informed by the EMP and have interpreted its democracy promotion efforts in Algeria. The background for the discrepancy between the political objectives of the EMP/Barcelona Declaration and the actual practices of EU policies in Algeria are evident and explainable by taking into account the energy endowment of the country and European fears of an “Islamist takeover” in its own backyard. In turn, the ruling elite has been able to sustain non-democratic governing structures against the Islamic opposition, which was kept from power by the suspension of the elections and army intervention in 1992. This situation laid the foundation for the tragedy of Algeria in the 1990s.<sup>25</sup>

Furthermore, the case for economic advancement thanks to increased reciprocal market access proved a mirage as the liberalisation of trade was quick only for industrial goods, where the economies of the Arab countries were unable to compete, given their mismatch in education. Even if nowadays the youth has been covering the educational gap, the ageing gerontocracies that permeate state institutions and their crony private enterprises are still clouding any industrial blooming in the region.<sup>26</sup> By contrast, the slow approach

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<sup>23</sup> Gillespie, R. 2009. Significance and Prospects of the Union for the Mediterranean. In H. Giusto, ed. *The Euro-Mediterranean Dialogue: Prospects for an Area of Prosperity and Security*. Fondazione Italianeuropei, Rome. p. 80

<sup>24</sup> *Ibid.*

<sup>25</sup> Pace, M., Seeberg, P. and Cavatorta, F. 2009. The EU's democratization agenda in the Mediterranean: a critical inside-out approach. *Democratization* (16: 1). p. 15

<sup>26</sup> The Economist. 2016. *Look forward in anger: By treating the young as a threat, Arab rulers are stoking the next revolt*. 6 August.

taken toward agricultural products was a result of intense lobbying efforts led by southern EU Member States<sup>27</sup>. The only non-EU Mediterranean country that managed to strengthen its economy was Israel, whose advanced industrial sector benefitted from a greater access to the European market offered by its Association Agreement. Again, it is possible to detect a coherence gap between the stated developmental goals of the initiatives and the chosen instruments, and another between democracy promotion and ensuring that the Mediterranean stayed a safe environment for the EU.

Additionally, the paucity of the incentives set out by the EU as a way to attract its partners and the expectation that it would be an obvious choice revealed a deep Euro-centrism that further compounded the issue.<sup>28</sup> Whether the shortcomings of the policy were structural, analytical or financial, if we have to assess the European external power toward the region on its ability to be compelling or, according to Robert Dahl, to make an actor do something that it would otherwise not do, it does not result to be significantly impacting.

Despite the more evident shortcomings of the Barcelona Process, there are some smaller achievements. According to Mr Josep Borrell, former President of the European Parliament, “a broader outcome of the Barcelona Process has been that bi-lateral relations between the EU and a number of Mediterranean countries have been deepened. And there have been achievements in some economic areas, as well as significant progress at a cultural level.”<sup>29</sup>

#### 1.4 The European Neighbourhood Policy

*“The EU doesn’t believe in imposing reform, but we do want to do all we can to support the region’s own reforms quite simply because we believe that democracy, good governance, rule of law, and gender equality are essential for stability and prosperity. This has always been an objective of the Barcelona process and it is the cornerstone of the Neighbourhood Policy.”<sup>30</sup>*

During the building of this integration process for the Mediterranean region, the external focus of the European Union shifted dramatically with the increasing integration of parts of the former Soviet bloc in its economy. The EU was able to influence more deeply its eastern border than the southern one, as the prospect of accession made politically acceptable to them the imposition of priorities and conditions

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<sup>27</sup> Hollis, R. 2012. No friend of democratization: Europe’s role in the genesis of the ‘Arab Spring’. *International Affairs* (88:1). p.83

<sup>28</sup> Howorth, J. 2016. Stability on the borders: the Ukraine crisis and the EU’s constrained policy towards the Eastern neighbourhood. *Journal of Market Studies*. p. 13

<sup>29</sup> Josep Borrell. 2010. Yes the Barcelona Process was “mission impossible”, but the EU can learn from that. *Europe’s World*. <http://europesworld.org/2010/10/01/yes-the-barcelona-process-was-mission-impossible-but-the-eu-can-learn-from-that/#.VxDAMnobhhY>

<sup>30</sup> Ferrero-Waldner, ‘The Middle East in the EU’s External Relations’. Cited in: Pace, M. 2009. Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization* (16:1). p. 42.

dictated by the European Commission, which led to a radical transformation of the candidate countries. The lack of such an appeal in the south and the consequent inequality in the transformative process in the two geographical areas made so that the EU gradually became more and more interested in Europe outside its borders. Financially, this was very clear: by quoting Borrell “the time and energy invested by the EU on Poland in a single year was greater than the total amount invested in all the North African countries since the beginnings of the Barcelona Process.”<sup>31</sup>

The structure of the relationship was also different in its incentive systems: whereas Enlargement policies were based on a positive conditionality structure based on a path of positive steps that lead to the next ones, the Barcelona process was based on a sort of principle of negative conditionality. The Association Agreements connected to the Barcelona Process contained clauses calling for the suspension of the agreements in the event of human rights violation, even though these were never used.<sup>32</sup>

This absorption process by the EU led to its logical conclusion when ten new Member States were accepted in the Union between 2004 and 2007. This significant success for European practices towards enlargement, reform and multilateralism came with the widening of challenges and new borders: once that the friendly neighbouring countries that aspired to become part of the EU actually did, their less Euro-centric neighbours became the new EU neighbours. It was one thing to flesh out agreements and trade policies with Poland and Romania, which engaged with the EU as a way to shore up their own defences against Russian influences, another to engage with Belarus and Ukraine, which had a less clear-cut stance on defence, influence and internal reform.

As it was clear that unending accession was not an infinite option, the answer to the big question “what now?” came as a self-replication of EU policies already in place for accession, but toned down in future perspectives and possible achievements. In 2002, on initiative of the then European Commission President Romano Prodi, inputs from the Enlargement Directorate-General launched a new policy course that inaugurated in 2004 the European Neighbourhood Policy (ENP).

Focus of the initiative was not to create new full-fledged EU Member States, but a vaguely defined “ring of friends”<sup>33</sup> that would encircle the EU as a buffer area. This new policy was to be achieved by working “with its southern and eastern neighbours to achieve the closest possible political association and greatest possible degree of economic integration”<sup>34</sup>. By building on common interests, the process was supposed to further shared values such as democracy, rule of law, respect for human rights, and social cohesion. The new framework would generate a new type of bilateral association agreements called ENP action plans and that deviated from the previous model of bilateral association agreements that were spawned by the multilateral region-building process of the Barcelona Process. Such plans were individual political

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<sup>31</sup> *Ibid.*

<sup>32</sup> Comelli, M. 2005. *The approach of the European Neighbourhood Policy (ENP): Distinctive features and differences with the Euro-Mediterranean Partnership*. Rome, Istituto Affari Internazionali. p.10

<sup>33</sup> Howorth, J. 2016. Stability on the borders: the Ukraine crisis and the EU’s constrained policy towards the Eastern neighbourhood. *Journal of Market Studies*. p.11

<sup>34</sup> European External Action Service. European Neighbourhood Policy: What is the ENP? Accessed on 18/04/16. Available at [eeas.europa.eu/enp/about-us/index\\_en.htm](http://eeas.europa.eu/enp/about-us/index_en.htm)

agreements between the EU and the partner country and contained a “wish list” of political reforms and targets to be reached. In this way, the prominence of the European Commission was strengthened vis-à-vis signing partner countries.

The endgame, according to Mr Prodi, was to create a friendly economic and political environment where the EU and its neighbours would be “sharing everything but not the institutions.”<sup>35</sup> The security dimension of this project was echoed in the 2003 European Security Strategy, where it was envisioned the promotion of “a ring of well-governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations”.<sup>36</sup>

Two main points could be argued against this approach. First, this generalised framework applied the same general approach to countries ranging from Ukraine to Morocco. The Euro-centrism that compromised the Euro-Mediterranean Partnership reaffirmed itself, as it was apparent that Brussels believed that the promises of aid and trade deals would be enough for becoming a significant source of attraction to its neighbours. Second, it did not consider the real desires of the concerned countries. Whereas some aspired only to increased trade access, others wanted full-fledged membership. By creating a single framework of yearly reports on their progresses and commitment, it managed both to discourage the tepid and to frustrate the passionate about the European Union.<sup>37</sup>

If this stance based on bilateralism and bureaucratic reports appears at odds with the multilateral and light political framework offered by the Euro-Mediterranean Partnership, it is because it is so. As its history suggests, the ENP was conceived with the Eastern neighbourhood in mind and only later its design was extended to the non-EU Mediterranean countries, at the request of Southern European Member States that tried to mitigate what they perceived as a shift of focus towards East.<sup>38</sup> As a consequence, the new policy added a level of approach incoherence with its supposed counterpart.

In Arab countries, the openness towards European discourses was at a historical low after the invasion of Iraq in 2003. Even if France and Germany were openly against the intervention, such differentiation in Western politics escaped most actors, causing a more pronounced rejection of transformative normative arguments in the Middle East and North Africa. Structurally, the autocrats that ruled most Arab countries were of course not particularly interested in losing their control over states and societies in the name of liberal democracy in exchange for a few aid deals. A few countries nominally subscribed to the political reform process (such as the kingdoms of Jordan and Morocco) with limited results.<sup>39</sup> The recent

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<sup>35</sup> Prodi, R. 2002. *A wider Europe – A proximity policy as the key to stability*. Speech given at the Sixth ECSA World Conference on Peace, Stability and Security. Brussels. 5 December 2002.

<sup>36</sup> Cited in Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: ‘Making Democracy Work’ or ‘Good-Enough Governance’?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 5.

<sup>37</sup> Lehne, S. 2014. *Time to reset the European Neighbourhood Policy*, Brussels, Carnegie Europe. Available at: <http://carnegieeurope.eu/2014/02/04/time-to-reset-european-neighborhood-policy/h021>

<sup>38</sup> Comelli, M. 2005. *The approach of the European Neighbourhood Policy (ENP): Distinctive features and differences with the Euro-Mediterranean Partnership*. Rome, Istituto Affari Internazionali. p.2

<sup>39</sup> Hollis, R. 2012. No friend of democratization: Europe’s role in the genesis of the ‘Arab Spring’. *International*

amendments in the Jordanian Constitution awarding additional powers to the monarch shed lights over the effectiveness and sincerity of such processes.<sup>40</sup>

Most often, what happened is that the promotion of democracy, rule of law and human rights devolved in fulfilling highly technical requirements, devoid of substantive changes. In this way, paper requirements by Brussels were fulfilled and it avoided seriously challenging the core interests of unwilling authoritarian states.

Nevertheless, some general progress was actually achieved, even if more by political calculation linked to the central importance of the European market for many countries, than in relation to the appeal of the reforms for the disenfranchised populations. However, even the short supply of goodwill towards positive transformation has run into difficulties thanks to the flawed strategic rationale behind ENP action plans. First of all, it was difficult to explain to countries that had just subscribed to their Association Agreement in the EMP why they needed to approach this parallel framework, secondly the assumption that countries not destined towards full membership could benefit by implementing neoliberal (and liberal-governance) *acquis communautaire* was baffling. This concept of gradual harmonisation translated into a shortlist of action plans drafted in Brussels among which the countries could select their menu for reform. Instead of just implementing the whole *acquis*, countries such Egypt resorted to hard bargaining that avoided unwanted internal political and judicial reforms<sup>41</sup>, with outcomes that would become clear during the Arab Spring.

Jordan exploited the ENP Action Plans in order to implement their own reform agenda while benefiting of EU financial and technical assistance. However, the lack of internal capabilities (both private and public) made clear for them the impossibility of such a plan. The Lebanese government led by Fouad Siniora showed enthusiasm for the ENP, not because it projected wealth and growth, but as a way to strengthen itself against internal competition and undue Syrian influence. Overall, the bilateral plans of the ENP proved to be no more effective than the multilateral approach of the Barcelona Process, notwithstanding that the ENP Association Agreements became the most favourite tools for trying to achieve something similar to the Euro-Mediterranean Free Trade Area envisioned in the EMP.<sup>42</sup>

These examples demonstrate that the European Neighbourhood Policy was conceived from policies created for a much more stable environment in East Europe in which there was already a deep desire to acquiesce to the EU will; a “policy for peaceful times”<sup>43</sup> that was ill fitting to the realities of North Africa and Near

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*Affairs* (88:1). p.85

<sup>40</sup> Albawaba News. 2016. *Jordan constitutional amendments consolidate power for King Abdullah*. 29 April. Available at: <http://www.albawaba.com/news/jordan-constitutional-amendments-consolidate-power-king-abdullah-834578>

<sup>41</sup> Hollis, R. 2012. No friend of democratization: Europe’s role in the genesis of the ‘Arab Spring’.

*International*

*Affairs* (88:1). p.86

<sup>42</sup> Gillespie, R. 2009. Significance and Prospects of the Union for the Mediterranean. In H. Giusto, ed. *The Euro-Mediterranean Dialogue: Prospects for an Area of Prosperity and Security*. Fondazione Italianeuropei, Rome. p. 78.

<sup>43</sup> *Ibid.*, p. 81.

East. As such, it is possible to see a gap between the analysis made in Brussels and reality on the ground. Additionally, the mismatch between the new bilateral strategy and the former region building focus of the Barcelona Process fostered differentiation instead of a “ring of friends”<sup>44</sup> and ultimately hurt EU’s ability to reach its agenda.

### 1.5 The Union for the Mediterranean

Given that the political frameworks – upon which ENP supposedly operated, even if the gap between the two policies was evident – towards the partnerships with non-EU Mediterranean country were still those left by the EMP, it was felt that such process was outdated and stagnant.

As the Barcelona Process was born from a "Spanish agenda", a new proposal for a complete overhaul came from former French President Sarkozy.

Such further step was conceived initially for domestic reasons, such as internal electoral gains. Countering fears of an eastward shift in the EU, which would have favoured Germany, Sarkozy proposed during his electoral campaign a new organisation initially called *Union Méditerranéenne*, presented as an international body where only Mediterranean countries would meet. The format resembled the *Dialogue 5+5* configuration, an intergovernmental forum where ministerial delegations meet representing the West Mediterranean for Spain, France, Italy, Malta, Portugal, Algeria, Libya, Morocco, Mauritania and Tunisia.

The initiative was interpreted to be a way of giving France a forum where it could play a strong role insulated from Germany. This run afoul of Germany's Chancellor Merkel, which worked hard to assert the position of her country in any new configuration of external policies. Sarkozy's initial plan entailed launching the initiative at a summit involving just the 10 potential member countries in Paris, with the other EU members not participating until a day later.<sup>45</sup> Whereas Germany lobbied to include all of the EU Member States in the initiative, Italy and Spain (the other two regional powers in the EU concerning the littoral area) worked to fully incorporate the EU and to use the EU institutions in order to complement rather than replace the Barcelona Process and the ENP. The decision of funding it primarily through the EU and the increased inclusion of the External Action Service of the European Union (even if the internal structure is still debated) is a clear sign of this shift in focus. Only after the initial design based on European exclusion was defeated, France received a clear go from the rest of the Union.

After being brought inside the realm of the EU Commission, this new project was tentatively renamed "Barcelona Process: Union for the Mediterranean". The suffix was eventually dropped when Spain was reassured by France that the new institution was going to be based in Barcelona, the historical seat of the

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<sup>44</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: 'Making Democracy Work' or 'Good-Enough Governance'?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 10.

<sup>45</sup> Euractiv. 2008. *Germany and France reach agreement on Mediterranean Union*. 5 March. Available at: <http://www.euractiv.com/section/enlargement/news/germany-and-france-reach-agreement-on-mediterranean-union/>

Euro-Mediterranean Partnership.<sup>46</sup> As the name changes underscore, this political effort became an "Europeanised" initiative, diluting its initial meaning of giving France a competing edge for dealing with the non-EU Mediterranean countries vis-à-vis *Mitteleuropa*.

The initial proposal was open to different interpretations, not incompatible per se with the ENP, but the clear French goals on the matter were:

- reassuring the French population of North African descent that France was not abandoning the area to irrelevance in its foreign policy as the EU grew;
- strengthening again the influence of France over its former colonies in a new political setting;
- rebalancing the dual power structure of the EU vis-à-vis Germany, with a southward policy drive where the Germans had limited potential interests;
- creating a viable political solution that could offer an alternative to full Turkish membership in the EU;
- finding a sizable market for French nuclear energy abroad, increasing the dependence of Mediterranean countries on France for energy security; and
- giving new trust to the moribund EMP with a major political plan developing during the French presidency of EU Council in 2008.<sup>47</sup>

An additional motivation was France's desire to create a new institutional structure that would shift the focus away from the more contentious and politicised issues that had stalled progress in Middle Eastern cooperation. However, whereas the early French blueprint combined regionalism with functionalism, the final project was markedly more bilateral and politicised than ever before.<sup>48</sup> The long debate in the EU on the structure of the UfM has further toned down the overall scope of the organisation from the grandiose initial project suggested by Mr Sarkozy.

The hollowed outcome was somehow unavoidable since the reshaping of cooperative institutions happened at a time when trust between the countries involved was at a historical low. Institutional arrangements can pose as a protective buffer, giving resilience during crises and offering new opportunities when those are over. Altering significantly the institutional framework where the time was not ripe for it allowed laggards and by-standers to extract concessions and assurances.

Many Mediterranean partners welcomed the initiative, as it was felt the Euro-Mediterranean Partnership was failing in key areas, leading to the famous "Arab boycott" of the summit purported to celebrate the tenth anniversary of the Barcelona Process in November 2005.<sup>49</sup> The prospect of region building was

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<sup>46</sup> Gillespie, R. 2009. Significance and Prospects of the Union for the Mediterranean. In H. Giusto, ed. *The Euro-Mediterranean Dialogue: Prospects for an Area of Prosperity and Security*. Fondazione Italianeuropei, Rome. p. 78.

<sup>47</sup> Gillespie, R. 2008. A 'Union for the Mediterranean'... or for the EU?. *Mediterranean Politics* (13:2). p. 279.

<sup>48</sup> Bicchi, F. 2011. The Union for the Mediterranean, or the Changing Context of Euro-Mediterranean Relations. *Mediterranean Politics* (16:01). p.16.

<sup>49</sup> *Ibid.*

especially enticing to those that had been criticising the European Neighbourhood Policy as too focused on bilateral relationships between a core in Brussels and many unconnected peripheries.

Officially, the EEAS states that the political-driven dialogue started in the Barcelona Process and transported in the UfM “encompasses issues related to the fight against terrorism, ESDP, crisis management and conflict prevention, civil protection, good governance, parliamentary cooperation (EMPA / APEM = *L'Assemblée Parlementaire Euro-Méditerranéenne*) political reform and promotion of human rights.”<sup>50</sup>

Of the 15 initial projects suggested by the French, the reduced scope of the project was clear as it was tapered to five areas in the final note of the Council: improving energy supply, fighting pollution in Mediterranean, strengthening the surveillance of maritime traffic and civil security cooperation, an Erasmus student exchange programme, and creating a Euro-Mediterranean scientific community.<sup>51</sup>

The operationalisation of these proposals, already significantly reduced after the initial grand scheme proposed by Sarkozy (such as an institutionalised “special relationship” with Algeria for its former ties with France), have further been marred by the typical slow speed of multilateral institutions where the key stakeholders have different priorities and endgames. In a typical EU fashion, it has meant the technocratisation of the final goals, creating a set of commercial projects to be undertaken jointly by Europeans and MENA countries on fields where it was difficult to find dissent, but at the expense of creating something more incisive and transformative.

Officially, the EEAS states the main projects of the UfM as:

- “the de-pollution of the Mediterranean Sea, including coastal and protected marine areas;
- the establishment of maritime and land highways that connect ports and improve rail connections so as to facilitate movement of people and goods;
- a joint civil protection programme on prevention, preparation and response to natural and man-made disasters;
- a Mediterranean solar energy plan that explores opportunities for developing alternative energy sources in the region;
- a Euro-Mediterranean University, inaugurated in Slovenia in June 2008; and
- the Mediterranean Business Development Initiative, which supports small businesses operating in the region by first assessing their needs and then providing technical assistance and access to finance.”<sup>52</sup>

It was indeed a positive step to give the Barcelona Process a fixed bureaucratic structure with a Secretariat and a joint presidency, with a European and an Arab head of state serving side by side, and a symbolic location in Barcelona. These arrangements were supposed to give the project a higher profile than its

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<sup>50</sup> EEAS. *Euro-Med. Political and security partnership*. Accessed on 22/04/16. Available at: [http://eeas.europa.eu/euromed/political\\_en.htm](http://eeas.europa.eu/euromed/political_en.htm)

<sup>51</sup> Gillespie, R. 2008. A ‘Union for the Mediterranean’... or for the EU?. *Mediterranean Politics* (13:2). p. 279.

<sup>52</sup> EEAS. *Euro-Mediterranean Partnership (EUROMED)*. Accessed on 22/04/16. Available at: [http://eeas.europa.eu/euromed/index\\_en.htm](http://eeas.europa.eu/euromed/index_en.htm)

predecessors, but in reality they meant more bureaucracy and a focus on state-to-state diplomacy rather than business or civil society engagement.

In fact, civil society has long been the greatest absentee in this dialogue, despite being one of the supposed stakeholders of the Euro-Mediterranean Partnership. The reason it never really caught on could be that some southern states have found empowerment of grassroots civil groups to directly threaten their internal stability.

A lesson learned in the EMP is that the extension of the table to so many states renders difficult to achieve strategic decision-making with large numbers of actors representing different interests.<sup>53</sup> Grander regional designs were doomed to fail since any basin-wide security cooperation proposal would have entailed security cooperation between Israel and many Arab countries, a reciprocal red line<sup>54</sup>, and frequent political spats have often stalled negotiations. This led the UfM to refrain from engaging the most sensitive issues in the Mediterranean in order to focus on uncontroversial targets where consensus would have been easier to find, making the case for the existence of a gap between EU's declared agendas of development and peace, and possible means.

For instance, despite paying lip service to the need for resolving the Arab-Israeli conflict, the issue was basically left untouched by the new organisation, as it was perceived as an unsolvable irritant in diplomatic affairs. An obvious instance is the lack of effective European diplomatic action countering the Gaza blockade enacted by Israel, despite being nominally opposed to it. At the same time, the paucity in applying measures against products coming to the European market from the illegal Israeli settlements (such as the slow decision on the labelling case<sup>55</sup>) shows that the EU has decided to leave the leadership on the issue to the US. Most of the EU-financed infrastructure built in Palestinian areas has now been destroyed by crackdowns by the Israeli military apparatus during the 2000s<sup>56</sup> and annual €1 bn of EU aid given to the Palestinian National Authority is only fuelling a dependency culture in the West Bank and paying for Israel's costs.<sup>57</sup> Especially after the 2006 Palestinian election, according to Tanya Reinhart "Europe chose not to force Israel to respect its obligations under international law"<sup>58</sup>, while EU's positions on supporting the "Middle East Peace Process" are acting as a collective alibi to simply deflect criticisms.<sup>59</sup>

At the same time, the choices that tried to lure the Arab partners in the new initiative proved to be politically challenging and indication of an incoherent duality between European ideals and realist goals in

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<sup>53</sup> Gillespie, R. 2008. A 'Union for the Mediterranean'... or for the EU?. *Mediterranean Politics* (13:2). p. 282.

<sup>54</sup> Hollis, R. 2012. No friend of democratization: Europe's role in the genesis of the 'Arab Spring'.

*International*

*Affairs* (88:1). p.87

<sup>55</sup> European Commission. *Interpretative Notice on indication of origin of goods from the territories occupied by Israel since June 1967*. C(2015) 7834 final. 11 November.

<sup>56</sup> *Ibid.* p.90.

<sup>57</sup> Witney, N. 2013. Europe and the vanishing two-state solution. European Council on Foreign Relations, London. p.6

<sup>58</sup> Pace, M. 2009. Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization* (16:1). p.43

<sup>59</sup> Witney, N. 2013. Europe and the vanishing two-state solution. European Council on Foreign Relations, London. p.5

the Southern Neighbourhood. The designation of Sarkozy and President Mubarak of Egypt as the first joint presidents of the UfM seemed to be a recognition of the latter as an appropriate political head for an EU-funded institution, and it has even backfired since his ouster by Egyptian demonstrators at the height of the Arab Spring. Similarly was the case for the good reception of Syrian President Bashar al-Asad by Sarkozy and the rehabilitation of Qaddafi.

The shift of focus from the multilateral setting of the Barcelona Process to the more pliable intergovernmental setting further obfuscated the transformative drive towards human rights and good governance implied by the EU's "normative agenda".<sup>60</sup> Effectively, the dialogue on democracy and human rights in the organization has been silenced<sup>61</sup> or just reduced to cooperation at the parliamentary level.<sup>62</sup> The final outlook was far from the original vision of a "Mediterranean EU" and much closer to a "mini UN".

The traditional trade-off that has been "paid" to the Arab ruling partners was the effective downgrade of European criticism in exchange for securitising the southern border, regulating migration, state retraction and privatisation measures.<sup>63</sup> In other words, ensuring "stability" on the border, in fear of a terrorist "Islamisation" that has been exploited by non-EU elites in order to paint themselves as the only possible alternative to disruptive change.

The competition between these two agendas hampered both democratic development and long-term stability. As it turned out, these regimes – upon which European leaders had spent much political capital hoping for border protection – were (and often are) not stable at all, but simply stagnant.<sup>64</sup> By early 2011, the Euro-Mediterranean Partnership had mostly become a stability outlet where the EU footed the bill through financial rents and political legitimisation while pretending to be promoting "gradual" reforms. The coming of the Arab Spring against the authoritarian southern regimes gave a hard blow to the organisation, disrupting its efforts to become impacting and able to deliver for the peoples of both shores. Effectively, the UfM was dragged into the Arab Spring with nothing to bring to the table. Largely preoccupied with the composition of its internal structure and its relationship with Union institutions (which ended up being the Euro- co-president). European quarrelling over funding and institutional setup further delayed the commissioning of the organisation. This is evident if we compare the rhetoric of being a "project of projects" despite being unable to ship a single project until 2012, well after the start of the demonstrations. Funding has proved to be contentious as it entailed having a say over selection and betting

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<sup>60</sup> Behr, T. 2012. The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots? *Amsterdam Law Forum* (4:2). p. 78

<sup>61</sup> Bicchi, F. 2011. The Union for the Mediterranean, or the Changing Context of Euro-Mediterranean Relations. *Mediterranean Politics* (16:01). p.17.

<sup>62</sup> Gillespie, R. 2009. Significance and Prospects of the Union for the Mediterranean. In H. Giusto, ed. *The Euro-Mediterranean Dialogue: Prospects for an Area of Prosperity and Security*. Fondazione Italianeuropei, Rome. p. 79

<sup>63</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: 'Making Democracy Work' or 'Good-Enough Governance'?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 5.

<sup>64</sup> Perthes, V. 2011. Europe and the Arab Spring. *Survival* (53/6). p.82

financially over an uncertain institution. It was temporarily decided in 2011 to have half budget financed by France, Germany and Spain and the other half directly from the EU. In the meanwhile, the only instruments left to deal with the Arab uprisings and their aftermath were those pertaining to the EU proper: bilateral ENP agreements, the European Neighbourhood Instrument and some institutional investment funds, some of which were launched for the occasion.<sup>65</sup>

## Part II. The failing against challenges of democracy and post-Arab Spring

*It appears that the EU prefers to work on the basis of a model of democracy that protects perceived stability, by retaining authoritarian regimes in power and maintaining the status quo in conflict situations, at the expense of taking bold moves to deal with the reality on the ground for the very targets it seeks to influence through its democracy promotion packages.<sup>66</sup>*

The statement offered by the Arab Uprisings is that citizens were actually asking from their political systems the kind of economic growth and the democratic rights that the EU had professed to be furthering for decades and that their regimes were in the perpetual and gradual process of implementing.

Despite the plethora of EU policy instruments aimed at promoting democracy in the MENA region, such as individual MS initiatives, the EMP association agreements, the EU strategy for the Arab world, the 2005 European Initiative (now Instrument) on Democracy and Human Rights, and the ENP action plans, the reality was the EU's main concerns were on migration, security and stability, instead of democratic transformation in the area.<sup>67</sup> One of the main drivers for the EU in engaging with third countries (especially southward) has been the effort to solve its own transnational problems, especially those resulting in internal security issues.<sup>68</sup> Consequently, most aid or democratisation packages have been a tit-for-tat side payment in order to ensure compliance, not economic growth or truly democratic systems. This incoherence has led to a systemic downsizing of the EU democracy promotion strategies, where the EU started with grandiose blueprint and ended up with a particularly small outcome.<sup>69</sup> Most funds assigned through the European

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<sup>65</sup> Behr, T. 2012. The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots? *Amsterdam Law Forum* (4:2). p. 80

<sup>66</sup> Pace, M. 2009. *Liberal or Social Democracy? Aspects of the EU's Democracy Promotion Agenda in the Middle East*. Stockholm, International Institute for Democracy and Electoral Assistance. p. 9.

<sup>67</sup> Pace, M. 2009. Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization* (16:1). p.45

<sup>68</sup> O'Neill, M. 2015. Security cooperation, counterterrorism, and EU–North Africa cross-border security relations, a legal perspective. *European Security* (24:3). p. 439

<sup>69</sup> Bicchi, F. 2010. Dilemmas of Implementation: EU Democracy Assistance in the Mediterranean. *Democratization* (17:5). p. 977

Instrument for Democracy and Human Rights ended up being used on uncontroversial human rights issues, such as women empowerment.<sup>70</sup>

The dismayingly bad states of the non-EU Mediterranean economies (total and youth unemployment rates in the Arab world are the highest of any region, nearly 12% and 30% respectively<sup>71</sup>), the entrenched corruption and the revolts for basic rights proved the political multilateral processes of the past to be failing in many aspects, unable to impact the livelihoods of the Mediterranean. Even worse, it proved that the chosen allies of the European leaders were actually those in the way of real reforms and economic overhaul, as it has been showed by the pressure they have encountered from their own populations during the Arab Uprisings. If anything, their economic reforms consisted in EU-sponsored implementation of neoliberal policies that lead to increased inequality and worsening of conditions for the lower strata of the population.<sup>72</sup>

Furthermore, the dichotomy between normative “ethical” and realistic security goals was evident in the EU’s stability agenda for the Southern Neighbourhood. Underpinning this unresolved tension between two different approaches to the region, we find two major types of European discourses, in a Foucauldian sense, describing the Mediterranean. On one hand, the primary discourse views the EU as an ethical power “exporting” norms and values, advocating fuzzy borders, and as such describes the Mediterranean as a sphere of shared values and civilizations. An opposing discourse construes the Mediterranean as a conflict-ridden zone.<sup>73</sup>

These two discourse frame European needs from the area in very different ways, even if policy efforts have been made to bridge together proposals of openness and democracy, and security and migration “hard” goals. Nevertheless, the outcome of pursuing a certain type of security and stability has been weakening EU democratisation efforts<sup>74</sup> with the additional effect of diminishing the European political will for aggressively tackling democratic and rights issues<sup>75</sup>, since they could have disparaged those primary objectives. The resulting partnership has been recognised even by the European Commission as benefitting the stability of some autocratic regimes.<sup>76</sup>

For instance, in exchange for help on migrant flow regulation (such as the notorious deal between Qaddafi’s Libya and Berlusconi’s Italy) and cooperation on security and intelligence sharing, the EU

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<sup>70</sup> Bicchi, F. and Voltolini, B. 2013. EU Democracy Assistance in the Mediterranean: What Relationship with the Arab Uprisings? *Democracy and Security* (9:1-2). p.91.

<sup>71</sup> The Economist. 2016. *Look forward in anger: By treating the young as a threat, Arab rulers are stoking the next revolt*. 6 August.

<sup>72</sup> Behr, T. and van Genugten, S. 2011. Europe in North Africa: New Assertiveness or Interminable Decline? *Jindal Journal of International Affairs* (1:1). p. 95

<sup>73</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: ‘Making Democracy Work’ or ‘Good-Enough Governance’?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 7.

<sup>74</sup> Bicchi, F. 2010. Dilemmas of Implementation: EU Democracy Assistance in the Mediterranean. *Democratization* (17:5). p. 980

<sup>75</sup> *Ibid.* p. 977

<sup>76</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: ‘Making Democracy Work’ or ‘Good-Enough Governance’?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 11.

allowed Arab governments to avoid implementing any serious opening of their political space.<sup>77</sup> This behaviour has effectively watered down the effectiveness of the (already timid) reform proposals on the table and tainted EU credentials as standard-bearer for democracy and good governance at the eyes of the local population.

If we are not to consider all the labour mobilisation protests leading to the breaking point in Egypt and Tunisia, the protest movements that sprang across the Arab world and went under the label of “Arab Spring” or “Arab Uprisings” started in Tunisia with the self-sacrifice of a street vender who burned himself as an ultimate protest against police misbehaviours. Quickly, the frustrated youth that found itself without suitable political outlets for safely expressing their dissatisfaction against the decade-old regimes took the streets and swiftly toppled their governments in Tunisia and Egypt, started a civil war in Libya and Syria, and prompted various promises of reforms from Morocco to Turkey. This shows the risks of avoiding implementation of secure democratic space for protests and engagement.

Despite the sanitised narrative of Europe jumping to the defence of those yearning for liberty, at the immediate beginning of the Tunisian protests French Foreign Minister Michèle Alliot-Marie offered embattled Tunisian President Ben Ali to send in French riot police in order to rein in the mob.<sup>78</sup> Despite trying to make up in the aftermath by promising special funds – such as the SPRING funds – for the emerging new democracies, it is likely that such instinctive behaviour has left some kind of historical memory. It is significant that in May 2011 France felt the need to be the host of the Deauville Partnership, a forum where donors would commit resources for the “democratic transitions” of countries where protests were successful.

It would be ingenuous to take at face value such definitions, as they are often distorted in official declarations to take very specific meanings. Despite being offered as a way to promote change in such countries, “development” and “good governance” funds are often tied to the same kind of economic liberalism discourse that perpetuates and increases neo-colonial dependence on outside powers and external rents, without triggering internal growth.<sup>79</sup>

Even in the case of post-Uprising Tunisia, we find the new offers to be reminiscent of old security-focused EU policies, suggesting no major rethinking of European policies. Specifically, the EEAS and the Commission have integrated formerly separate policies of development and financial assistance with policies related to security, often offered as “technical support” missions helping the new governments to develop internal “capacities”.<sup>80</sup> This has led to the strengthening of the security apparatus with increased ability to repress internal dissent through EU funding and expertise.

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<sup>77</sup> Hollis, R. 2012. No friend of democratization: Europe’s role in the genesis of the ‘Arab Spring’. *International Affairs* (88:1). p.93

<sup>78</sup> Mullin, C. and Patel, I. 2015. Governing Revolt: EU–North African Relations after the ‘Arab Spring’ Uprisings. *Journal of Intervention and Statebuilding*. p.1

<sup>79</sup> *Ibid.* p.4

<sup>80</sup> *Ibid.* p.9

Often in fragile post-Arab Uprising countries, the security sector is actively involved in corruption and criminal economic activities, undermining the trust in state institutions.<sup>81</sup> Given that a safe and trustworthy security sector would be key in ensuring a peaceful democratic transition and healing sectarian division (a notion widely held in Western policy-making environments<sup>82</sup>), it would be expected that the EU would stress the need for deep reforms when preparing an ENP plan. In fact, a simplistic and normative approach has taken place, where modernisation through Western training and professionalism might be wielded as an improved tool of repression in the hands of the ruling elites<sup>83</sup>, furthering anti-democratic agendas and leaving states more brittle.

This in turn stifles internal debate and avoids pushes for real political and economic reforms. It seems to be very far from the official EU proclamation that the “hour of Europe” has come to the MENA area as universal values of democracy, and it seems a rather counterintuitive implementation of 2011 Southern Neighbourhood Strategy for “Democracy and Shared Prosperity”, which pledged money, market access and mobility to its North African neighbours.<sup>84</sup> Again, the conflicting nature of European needs compounds the policy incoherence, or worse signals that the democratic discourse might just be secondary to security requirements, especially as the EU looks more and more under contestation by xenophobic populist forces. Egypt provides a good example, as discontented segments of Egyptian society had long advocated for “democratic” reforms, seriously challenging former President Hosni Mubarak’s authoritarian rule. This included diverse groupings such as the Egyptian Movement for Change, known as *Kifaya* (Enough), the National Rally for Democratic Transition – which has given itself the task of drafting a new constitution – and the Muslim Brotherhood, the oldest Islamist opposition movement in the Arab world, which had achieved a degree of electoral success already during Egypt’s elections in 2005.

However, real progress towards democracy and rule of law was severely hampered by Mubarak’s regime, which was enabled by EU and US policies despite the lack of genuine democratisation that should be part of the European “exportable” values and centrepieces of the ENP. Behind the Western support for Mubarak then, and incumbent President al-Sisi now, there is the priority given to “stability” and counter-terrorism cooperation.<sup>85</sup> Despite the European Parliament resolution condemning Egypt for its human rights practices<sup>86</sup> and the recent coup against the Islamist President Morsi, the EU has been swift in offering hundreds of million euros in assistance and firm political support.

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<sup>81</sup> Sayigh, Y. 2016. *Arab Spring: Unreformed Policing Hampers Transitions*. AlJazeera. 11 April.

<sup>82</sup> Sayigh, Y. 2016. *Dilemmas of Reform: Policing in Arab Transitions*. Carnegie Middle East Center, Beirut.

p. 3.

<sup>83</sup> *Ibid.*, p. 19.

<sup>84</sup> Behr, T. and van Genugten, S. 2011. Europe in North Africa: New Assertiveness or Interminable Decline? *Jindal Journal of International Affairs* (1:1). p. 94

<sup>85</sup> Pace, M. 2009. Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization* (16:1). p.43

<sup>86</sup> Mada Masr. 2016. *EU Parliament passes resolution condemning torture in Egypt following Regeni's murder*. 10 March. <http://www.madamasr.com/news/eu-parliament-passes-resolution-suspend-military-cooperation-egypt-following-regeni-murder>

The latest instance of this behaviour is French President Hollande signing significant trade and arms deals<sup>87</sup> with President al-Sisi despite the EP condemnation towards the country and the withdrawal of the Italian ambassador following alleged cover up by the Egyptian security apparatus on the suspected extrajudicial killing of an Italian social science researcher. As Hollande declared that human rights in the region should not be held to the same standard of Europe, Berlin duly showed its support for al-Sisi.<sup>88</sup>

What must be puzzling for the Egyptian authorities is the uproar such killing has caused in Italy, as the whole of the EU has found nothing major to say when in August 2013, the regime has perpetrated the single largest massacre of Egyptians in contemporary history, with the pre-planned killing of over 800 Egyptians at Rabaa<sup>89</sup>. Or when, weeks before Rabaa, it had killed some 50 Egyptians in front of the Republican Guard headquarters and later, on 6 October, there was another mass killing by security forces during anti-regime protests.<sup>90</sup> Even in the face of the alleged murder of the Italian national, the silence of other fellow Member States has been widely felt, especially as the British and the French are still counting on the Egyptian apparatus to strengthen their supported factions in the Libyan turmoil.

The damage of the past action is clear. It does not help that the Arab public opinions is widely aware of EU inconsistent support for democracy, for instance when comparing European statements in support of democracy as an avenue for selecting governments, while cheering for certain electoral results publicly. The most blatant case has been in 2006, where the EU pronounced the Palestinian elections to be free and fair, but denouncing its results and boycotting the actual winner in the competition, Hamas.<sup>91</sup> In the run up to the 2007 Annapolis Conference, it went as far as professing complete support of the empowerment of “the Palestinian Authority (PA) via institution building and its work in the Jerusalem based ‘Governance Strategy Group’” while completely disregarding the existence of Hamas and its control of the Gaza Strip.<sup>92</sup> In such context, it is certainly more helpful the European political indication that the so-called “Tunisian Quartet” was to be lauded for negotiating internal peace and democracy whatever their political affiliation, instead of simply cheering for a name or a grouping. Nevertheless, this political support has yet to materialize tangibly in substantial development projects for the country, which remains economically beleaguered and it is failing to feel a substantial “democratic premium” from Brussels.

This inability of the EU to appear consistent in their support for the democratic principles it professes reinforces the notion that it has become comfortable with its own discomfort towards democracy promotion

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<sup>87</sup> DW. 2016. *France's Hollande inks billion euro deals with Egypt*. 19 April. <http://www.dw.com/en/frances-hollande-inks-billion-euro-deals-with-egypt/a-19197370>

<sup>88</sup> Cruciati, C. 2016. *Berlino e Parigi ai piedi di al-Sisi*. Nena News. 19 April. <http://nena-news.it/berlino-e-parigi-ai-piedi-di-al-sisi/>

<sup>89</sup> Human Rights Watch. 2014. *Egypt: Rab'a Killings Likely Crimes against Humanity*. Available at: <https://www.hrw.org/news/2014/08/12/egypt-raba-killings-likely-crimes-against-humanity>

<sup>90</sup> Haddara W. 2016. *One murder too far: How the Regeni case turned the tide on Egypt*. Middle East Eye. 26 April. <http://www.middleeasteye.net/columns/one-murder-too-far-how-regeni-case-turned-tide-egypt-1524181655#sthash.6AdXq9FS.dpuf>

<sup>91</sup> Hollis, R. 2012. No friend of democratization: Europe's role in the genesis of the ‘Arab Spring’. *International Affairs* (88:1). p.91.

<sup>92</sup> Pace, M. 2009. *Liberal or Social Democracy? Aspects of the EU's Democracy Promotion Agenda in the Middle East*. Stockholm, International Institute for Democracy and Electoral Assistance. p. 8.

abroad. Namely, the EU is uncertain that European-based democratic political structures may actually fit abroad<sup>93</sup>, thus it simply resorts to an overly technical approach to its external relations as a way of avoiding confronting its own doubts on the matter by using mere checklists devoid of substance for ascertaining the seriousness of the democratic drive of its partners. The long chain of decision making from Brussels to EU delegations allow policies such EU Democracy Assistance funds to “evaporate” through the myriads of small steps that lead from the central idea to implementation.<sup>94</sup> This outcome proves to be politically expedient for avoiding clashes with the governments in the Mediterranean that would be most hostile to outside pressure for internal substantial changes.

Nevertheless, the Arab Spring attests that, despite European tepidness, there is yearning from local populations for democratic and social principles. Veiledly racist reasoning supporting the appropriateness of a “Chinese model” of progress has been weakened by region-wide strikes, mobilisations and uprisings. It is clear that such model of economic opening and political closure does not entice the large swathes of young population in Arab countries, as well as in Central Asia and Africa.<sup>95</sup> In fact, the EU has found difficult to support populations fighting for the same rights they have deemed to be unworthy, while supporting strongmen that were promising to Europe to stop radical Islamism.

Naturally, it would be unfair to the EU – and an overestimation of its already overblown capabilities in influencing external actors – if we were to accept that the lack of democracy in the Middle East and North Africa region is completely fault of European policies. Furthermore, the multilateral approach advocated by the EU clashes with the reality that third country regimes cannot be expected to cooperate to their own demise.<sup>96</sup> The local root of authoritarianism and the meddling of external powers are not to be underestimated and the need of the EU to interact with key neighbours is very real.

Nor is the EU isolated in promoting securitisation and stability agendas over democracy and human rights. According to a POMED (Project on Middle East Democracy) report, US security and military assistance increased from 69% of total State Department aid to the Middle East in Obama's first budget eight years ago to 73% in fiscal year 2017. Additionally, the US Department of Defense has sponsored some \$100 billion in arms sales to the region since 2008. By contrast, assistance for democracy building dived from 7% to 6% of the total. According to the report, “as the Obama administration comes to an end, it will leave behind a legacy in the region of continuing close ties with repressive governments and increasing already-robust security assistance, while reducing attention to and funding for democracy, human rights, and governance.”<sup>97</sup>

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<sup>93</sup> Ibid. p. 7.

<sup>94</sup> Bicchi, F. 2010. Dilemmas of Implementation: EU Democracy Assistance in the Mediterranean. *Democratization* (17:5). p. 978.

<sup>95</sup> Perthes, V. 2011. Europe and the Arab Spring. *Survival* (53/6). p.82

<sup>96</sup> Bicchi, F. 2010. Dilemmas of Implementation: EU Democracy Assistance in the Mediterranean. *Democratization* (17:5). p. 981.

<sup>97</sup> Pequet, J. 2016. *US aid caught up in Middle East crackdown on civil society*. Al-Monitor. 26 April. Available at <http://www.al-monitor.com/pulse/originals/2016/04/aid-middle-east-crackdown-civil-society.html#ixzz472GGHQ96>

What can be faulted in Europe is its inability to perceive the reality on the ground and the impact of its policies on the lower strata of local population. In order to avoid tackling the gap created by its policy incoherence, Brussels has constructed a narrative that is fitting the limited political space Member States are willing to cede to the European Union concerning the Southern Neighbourhood. This positive conceptualisation concluded that democracy and the promotion of a neoliberal economy were tied together *a priori* and that both of them could be sold without cultural adaptation or realism, much like the economic shocks of the Washington Consensus in post-Soviet East Europe were not really questioned until the reality of mass poverty kicked in.

This acritical approach towards market reforms caused a somewhat paradoxical outcome. The market reforms requested internationally (such as the sudden privatisation in Egypt that caused a predatory military elite to gain a sizable share of the economy<sup>98</sup>) caused the deterioration of living conditions for the local populace, hence leading to mass demonstrations for democracy, jobs and “bread”. Instead, it was assumed that market reforms would have generated democracy almost spontaneously. The reality is that new social movements and political actors in the region have instead rejected the neoliberal economic reforms as part of the problems in the path of a true democratic (and welfare-oriented) state.<sup>99</sup> This ideological outcome shakes the very foundation of every democracy promotion strategy of the EU in the region since the beginning of the Barcelona Process, as it shows the collective European inability to impact the events of the Arab Spring, the period where democratic calls were most prominent in the Arab world.

The ideological separation between EU democratisation policies and democratic protests, the preference here analysed of securitisation over development and good governance by Brussels and the subsequent clash between these different agendas show that the inconsistent behaviour of the EU has hampered its ability reach its goals in the Neighbourhood during this time. This has been self-evident in the inability of the EU to perform a significant role during the Arab Spring and its aftermath.

### Part III. Case Studies

The range of issues connecting the northern and southern shores of the Mediterranean are various and complex. In order to further complement the analysis of EU policies towards the area, we present the brief analysis of three case studies: the Common Foreign and Security Policy, the crosscutting migrant crisis, and EU cooperation strategies on the Mediterranean Sea, which show a low-key approach to externalisation of governance. These three facets interact with the European Neighbourhood Policy in different ways, offering a clearer final picture of this relationship.

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<sup>98</sup> Sayigh, Y. 2016. *Dilemmas of Reform: Policing in Arab Transitions*. Carnegie Middle East Center, Beirut. p. 15.

<sup>99</sup> Cavatorta, F. and Rivetti, P. 2014. EU–MENA Relations from the Barcelona Process to the Arab Uprisings: A New Research Agenda. *Journal of European Integration* (36:6). p. 624

Many other policy issues were not included, such as energy policy, which in the context of the EU energy union may rise in Mediterranean agendas, and the Common Security and Defence Policy, which for now is just producing few ad-hoc mission but has the potential to greatly expand, especially vis-à-vis the growing need for maritime patrols and the planned EU Border Guard.

### 3.1 Common Foreign and Security Policy in the Southern Neighbourhood

Despite the official narrative, the European interests in the region are not pursued in a coherent way by Member States, often with negative results because of opportunistic behaviours by key players.

The institutional framework outlined by the Lisbon Treaty promised to fix the lack of coordination in EU's foreign policy by instituting the ad-hoc European External Action Service, but it has actually added confusion and complexity, failing to offer a rationalisation of external policies and to streamline policy responsibilities to the bureaucratic framework.<sup>100</sup> Despite reaching out to a tradition originating in 1970 through the European Political Cooperation (EPC), the EEAS still lack necessary consensus inside Brussels and from Member states (and the legal mandate) to create compelling foreign policy initiatives comparable to MS' foreign ministers or the US Secretary of State.

The EPC has evolved into the Common Foreign and Security Policy after 1993, codifying a history of demand for bottom-up foreign policy coordination<sup>101</sup> inheriting customs and procedures, such as waiting for unanimity before proceeding to major initiatives, oftentimes leading to paralysis in the most crucial FP issues.

This is clear in the case of the "Madrid Quartet", that tries to spearhead a negotiation of the Israeli-Palestinian conflict but more often debates within itself for a common position. Another good example happened in Libya during the Arab Spring, where Member States inside the Union disagreed significantly on political recognition of the forces on the ground, with France breaking ranks recognising the legitimacy of the Libyan Transitional Council in March 2011, when others were still evaluating the joint position to take.<sup>102</sup>

The Lisbon Treaty added the EEAS without giving it monopoly on CFSP agenda setting, as specific powers for external representation still reside inside the European Commission (especially on non-CFSP economic matters and aid) and the European Council.<sup>103</sup> The High Representative officially act as bridge between these two institutions, but such role is highly diminished since early proposals of establishing a "European foreign minister".

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<sup>100</sup> Smith M.E. 2013. The European External Action Service and the Security-Development Nexus: Organizing for Effectiveness or Incoherence? *Journal of European Public Policy* (20:9). p. 1300.

<sup>101</sup> *Ibid.* p. 1301.

<sup>102</sup> Cavatorta, F. and Rivetti, P. 2014. EU-MENA Relations from the Barcelona Process to the Arab Uprisings: A New Research Agenda. *Journal of European Integration* (36:6). p. 622

<sup>103</sup> Smith M.E. 2013. The European External Action Service and the Security-Development Nexus: Organizing for Effectiveness or Incoherence? *Journal of European Public Policy* (20:9). p. 302.

Even weaker is the centralisation of defence initiatives, which despite EU battlegroups and similar initiatives are still reliant on NATO or Member States. Notwithstanding the establishment of an Operational Headquarter in Brussels in 2007, Common Security and Defence Policy (security cooperation between Member States) initiatives are still organised on an ad-hoc basis.<sup>104</sup> Even if enhanced cooperation between subsets of MS have allowed the EU to launch more than 20 CSDP missions since 2003, forces had to be generated on a case by case basis, and even drafts of more structured and stable framework are highly debated and hotly contested, such as the European Gendarmerie Force.<sup>105</sup>

Despite decade-old talks about strengthening the Common Foreign and Security Policy, the increasingly intergovernmental outlook of EU politics has indeed blocked any significant growth of the policy area. There are fora, like the UfM where the members are the states, where committed intergovernmentalism could offer a platform for alternative viable solutions. Nevertheless, the stakeholders involved have not yet fostered a strong enough multilateral cooperation in order to achieve transformative and tangible results.<sup>106</sup>

The assertiveness of some Member States in this field is recognised and it is not by chance that the 2015 Review of the ENP calls for an increased role for inputs from key countries.<sup>107</sup> Particularly, United Kingdom and France have been eager in trying to lead and affirm their positions when it comes to their former colonies and their transformations, as a way to masquerade their continuous loss of power in world affairs. This has become an end in itself, as exemplified by France's Gaullist heritage, according to which "France cannot be itself, without being in the first rank."<sup>108</sup> At EU level, this has meant that often the Union foreign policy has been reduced to a *de facto* recognition of decisions taken in London and Paris, furthering individual adventurism and reducing the will of other players to sacrifice immediate interests for the "common good" of the EU as a whole.<sup>109</sup> Additionally, trying to side with the new winners of internal struggles as a way to hide the loss in influence, instead of holding true to its declared democratic values, will not buck the historical trend of the loss of importance of Europe. If anything, it might mark the EU as incoherent in its goals and not respectful of its own narrative. The general disinterest of the German powerhouse in the region and the lesser power statuses of Italy and Spain seem to have bolstered this dual intergovernmental policymaking attitude.

There are clear signs that the lack in coordination and will to pursue a common position hampers the potential of the EU in becoming a world diplomatic player of weight.

By contrast, it was able to achieve a real diplomatic success during the nuclear negotiations with Iran, given the consensus and momentum given by major stakeholders. The coordination between United Kingdom, Germany and France over the issue started in early 2000s, when they began rounds of

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<sup>104</sup> *Ibid.* p. 1306.

<sup>105</sup> Arcudi, G. and Smith M.E. 2013. The European Gendarmerie Force: A Solution in Search of Problems? *European Security* (22:1). p. 1.

<sup>106</sup> Panebianco, S. 2010. *Dealing with Maritime Security in the Mediterranean Basin: The EU as a Multilateral Actor*. Documenti IAI 1016. Istituto Affari Internazionali, Roma. p. 11.

<sup>107</sup> European Commission. 2015. Review of the European Neighbourhood Policy. p. 5

<sup>108</sup> Behr, T. and van Genugten, S. 2011. Europe in North Africa: New Assertiveness or Interminable Decline?

*Jindal Journal of International Affairs* (1:1). p.98

<sup>109</sup> *Ibid.* p. 95

negotiations with subsequent Iranian administrations in order to allay fears of a possible military dimension in the Iranian local enrichment program. When the EEAS took over an official coordinating role, it was clear that the three Member States had a common goal in trying to defuse the situation with the former economic partner. It is evident that without determination from the Obama and Rouhani administrations to kick-start a de-escalation of the issue for their own calculations and *raisons d'état*, no amount of European positive-sum talks could have brought the final resolution. Effectively, the multilateral table that blossomed in Vienna and Geneva started in Oman as secret encounters between US and Iranian officials during the last days of the Ahmadinejad administration<sup>110</sup> and the role played by France has arguably been at times opportunistic and almost breaking the ranks.<sup>111</sup> Nevertheless, the distance of the issue from immediate appetites for Member States and the common interest towards defusing an impasse and reopening a profitable market have paved the way for a diplomatic effort where the EU has spoken with a strong common voice and has raised the profile of the EEAS.

The same cannot be said for the current most violent scenarios in the southern Mediterranean shores, Syria and Libya, despite a stronger influence on the matter, and the flood of people escaping the two countries and chronically troubled Iraq is a clear sign of that.

Whereas the EU strategy has long been to pretend that the Syrian civil war simply did not exist, European governments have experienced that such policy carried sour consequences for them, as a stream of people came knocking on their doors, fleeing the chaos they refused to defuse, hoping to leave the job to others. It was a rude awakening for a Union entrenched into itself to find that external inaction carries consequences in the same ways as action does.

Since the start of rounds of negotiations in Syria, it is evident that European diplomacy is the great absentee from this picture. Being unable to project policies in the context, it is showing once again the structural weakness of its Common Foreign and Security Policy. If the nuclear negotiations have shown that when Member States don't consider a matter critical to them, they can actually agree to a successful common foreign policy, narrow interests and populist resistance to open the European borders have brought its foreign policy capacity to a grinding halt on Syria and Libya. That is both a missed opportunity for becoming less junior in the relationship with the US concerning Middle East and a clear sign that the foreign policy in Europe needs a major structural overhaul. This cannot be obtained by simple formal treaty reforms as the European foreign policy may have reached its current limits, as there is no agreements yet by EU member states to Europeanise CFSP and CSDP.<sup>112</sup> As such, the EEAS appears unlikely to become a "real" outlet of European diplomacy anytime soon.

Rocked by political crises and showdowns at its frontiers, the European Union is demonstrating to be unable to help negotiate peace in Syria through a comprehensive approach, yet it laments that those fleeing the country have no business reaching it.

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<sup>110</sup> The Telegraph. 2013. *Secret US-Iran talks cleared way for historic nuclear deal*. 24 November.

<sup>111</sup> The Wall Street Journal. 2015. *France takes toughest line at Iran nuclear talks*. 20 March.

<sup>112</sup> Smith M.E. 2013. The European External Action Service and the Security-Development Nexus: Organizing for Effectiveness or Incoherence? *Journal of European Public Policy* (20:9). p. 1311.

Most probably, its interests will be served only when and if other actors, such as Russia, al-Asad and the US, will choose to reach a conclusion, without a real European compellence. As such, the Syrian crisis is a good example of the inability of the EU to create an effective foreign policy in the Southern Neighbourhood when there are competing agendas between its main internal stakeholders.

When it comes to Libya, it is clear that there should be some kind of “international division of labour”, as the general disinterest of the US is forcing somehow European to step in to “fix” the broken scenario that is largely the result of military intervention with no real follow-up or coordinated endgame on the EU and US side<sup>113</sup>.

The Libyan turmoil started to worsen after the examples set by Tunisia and Egypt. At that point in time, the international public opinion had largely shifted towards helping the protests for democracy, and it was largely assumed that the same kind of yearning had taken root in Libya. Despite resistances from some EU Member States, it became clear that action was needed as Libyan leader Muammar al-Qaddafi had started a harsh crackdown that had quickly devolved in a full out military campaign against his own citizens. Despite divisions between EU Member States, a convergence between France and United Kingdom (later joined by Italy that did not want to be left behind) coalesced to a somewhat common position on intervention.<sup>114</sup> On 17 March 2011, the UN Security Council passed Resolution 1973, spearheaded by the US administration, authorizing military intervention in Libya. President Obama argued that the goal was humanitarian in nature, as a way to save the lives of pro-democracy protesters who found themselves targeted by the Libyan Army.<sup>115</sup>

Afterwards, Obama has publicly expressed his dismay at the lacklustre foreign policy offered by the EU on Libya, as he thought that the geographical position of Libya and energy and economic ties would have spurred a stronger assertiveness by the EU during the aftermath of the civil war. By quoting him: “there’s room for criticism, because I had more faith in the Europeans, given Libya’s proximity, being invested in the follow-up”.<sup>116</sup>

The events unfolding after the toppling of Qaddafi with the help of a US-led aerial bombing campaign are proof of a lack in hard power and influence by the EU. In the aftermath, the European Union and its Member States have been trying to support a democratic transition, but to date they have had little impact on country’s stabilisation.<sup>117</sup>

Even with mostly peaceful post-crisis elections, the country started internal squabbles that grew while terrorist attacks connected to radical Islamism increased, a virtually unknown phenomenon during the

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<sup>113</sup> BBC News. 2016. *President Obama: Libya aftermath 'worst mistake' of presidency*. 21 April.

<sup>114</sup> Santini, R.H. and Varvelli, A. 2011. *The Libyan crisis seen from European capitals*. The Brookings Institution, Washington.

<sup>115</sup> Kuperman, A.J. 2015. *Obama's Libya debacle: how a well-meaning intervention ended in failure*. Foreign Affairs. March/April 2015

<sup>116</sup> Goldberg, J. 2016. *The Obama Doctrine: The U.S. president talks through his hardest decisions about America's role in the world*. The Atlantic. April 2016 Issue.

<http://www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525/>

<sup>117</sup> Varvelli, A. 2014. *Europe and the Libyan crisis: A failed state in the backyard?* Analysis No. 237. Istituto per gli Studi di Politica Internazionale, Milan.

Qaddafi era.<sup>118</sup> The militia groups that had fought the Libyan army started to fracture and vie for power (even besieging specific ministries), while regionalism and tribalism emerged in the political scene. Despite much talk of international support, ENP democracy building programs and embedding the militias in the national army, the situation on the ground degenerated so much that a new, harsher and prolonged civil war broke out in 2014. This conflict has been more variegated than usually acknowledged outside, but their main actors are coalesced in a militia coalition, Libya Dawn, which holds Tripoli, and an elected parliament in Tobruk in Egypt. Tripoli and Tobruk became host to two governments and parliaments in an intestine war that has left 5,000 dead, the economy in ruins and half a million homeless.<sup>119</sup>

The worsening of conditions on the ground despite EU interest for stability shows a general failure for European diplomacy, as it failed to determine the fate of Libya, thus losing additional political capital in North Africa.<sup>120</sup> This has determined both a re-nationalisation of foreign policy by France and UK (with increased convergence) and signalled that a combination of EEAS plus political blessing by the European Council is not currently working as a real diplomacy outlet capable of having real sway in international fora. The accusation that Catherine Ashton did not have a sufficiently strong leadership still does not find confirmation in a more successful Federica Mogherini, even if efforts appear to have been stepped up and the EEAS seems to be raising its profile under her management. In fact, despite the renewed efforts in EEAS and in the Commission on foreign policy, it remains the structural weakness of having strong Member State vying to impose competing agendas, increasing policy incoherence or avoiding the creation of ambitious agendas.

Currently, Martin Kobler, a German diplomat, has taken over the place of UN envoy to Libya and he is trying to strengthen the establishment of a national unity government, which is encountering opposition from both camps. It is clear that the EU interest is to have a strong single government in Libya with enough legitimacy to ask foreign support against Da'esh (which has meanwhile prospered in local lawlessness) and to ink some migration deal with the EU.

Still, poor internal coordination and competition risks of hampering effort by increasing incoherence. Even if France pledged support to unity government in security naval operations<sup>121</sup> (more in the interest of EU than Libya), there is still the temptation to help Tobruk in its fight against Da'esh, thus giving it international support and helping the case of those thinking it is possible to resist merging in the national unity government. Italy has declared to be ready to lead a UN operation in the country if invited by a legitimate national accord government, fearing of losing to France its influence in Libya.<sup>122</sup> The migration crisis might press internally the EU for unity on this front, but narrow oil interests and protagonist attitudes

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<sup>118</sup> *Ibid.* p.3

<sup>119</sup> Chris, S. 2016. *Five years after Gaddafi, Libya torn by civil war and battles with Isis*. The Guardian. 16 February.

<sup>120</sup> Santini, R.H. and Varvelli, A. 2011. *The Libyan crisis seen from European capitals*. The Brookings Institution, Washington.

<sup>121</sup> New Vision. 2016. *France ready to help Libya govt with naval security: minister*. 26 April. Available at: [http://www.newvision.co.ug/new\\_vision/news/1423126/france-ready-help-libya-govt-naval-security-minister#sthash.KniFj4XA.dpuf](http://www.newvision.co.ug/new_vision/news/1423126/france-ready-help-libya-govt-naval-security-minister#sthash.KniFj4XA.dpuf)

<sup>122</sup> The Economist. 2016. *Italy ponders military intervention in Libya*. 5 May.

might prove fatal. The ongoing CSDP naval Operation Sophia, discussed in the paragraph below, plans to extend its activities to the territorial and internal waters of Libya, provided that the EU obtains a mandate from the UN Security Council or the consent of the Libyan authorities.<sup>123</sup>

In either cases, the weakness of the CFSP of the EU is evident and calls for an overhaul, instead of simple bureaucratic reviews, but this would require political willingness from Member States' foreign ministries.

### 3.2 The Migrant Crisis

Stemming irregular migration is perceived to be a major task by rich countries; in the European Union, it assumes an even more charged role as it threatens the popularity of one of the Union's major political achievements, namely the Schengen area.<sup>124</sup>

Officially, migration is a topic well covered by EU policies in a comprehensive way. Based on a framework called Global Approach to Migration and Mobility (GAMM)<sup>125</sup> functioning as EU external migration policy, there should be a dialogue at continental, regional and local levels on mobility, migration and cooperation. This framework identifies four major policy areas: migration and mobility; fight against irregular migration; asylum and international protection; migration and development.

Recent studies have pointed out that migration is currently interpreted more as a security issue than in socio-economic terms, so a process of securitisation and militarisation of the matter is occurring.<sup>126</sup> The reappearance of old checkpoints inside the EU territory affects very significantly the public image of the Union to its citizens, showing that the purported irreversible process of integration can break down and be reversed. As the currency crisis and the deep recession of the Eurozone show the cracks of the economic common policies of the Union, the migrant crisis challenges the popularity and legitimacy of the political common choices that have translated in the almost inertial political integration of the last decades.

Even this issue suffers from a dichotomy in competing agendas: between the goal of showing control over borders, thus allaying fears from an increasingly xenophobic population as a result of the economic crisis, and the normative respect for "European values", which entail international law, human rights, refugee rights and understanding of "hardship" endured by those fleeing war or poverty.

There should be no mistake in believing that the currently significant influx of people coming into the EU is incidental or temporary. Scales may vary, but as the most developed region connected to Middle East and Africa, the EU is due to provide a huge pull factor, especially to the latter. Even if the most significant source of the flows is now Syria, due to its civil war in which the population is suffering the brunt of violence, the structural conditions in Africa are not going to change in the short to medium term. This

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<sup>123</sup> Tardy, T. 2015. Operation Sophia: Tackling the refugee crisis with military means. European Union Institute for Security Studies, Paris. p.2

<sup>124</sup> Mullin, C. and Patel, I. 2015. Governing Revolt: EU–North African Relations after the 'Arab Spring' Uprisings. *Journal of Intervention and Statebuilding*. p.6

<sup>125</sup> European Commission. 2011. *The global approach to migration and mobility*. COM(2011) 743 final

<sup>126</sup> Panebianco, S. 2010. *Dealing with Maritime Security in the Mediterranean Basin: The EU as a Multilateral Actor*. Documenti IAI 1016. Istituto Affari Internazionali, Roma. p. 8.

means that the Mediterranean route is not going to dry up completely anytime soon and the EU should come to terms with this reality. This understanding may explain the efforts of Italy to “Europeanise” the so-called Dublin II asylum system (which assign duties to the first country identifying the migrants) by exploiting the political load that the Syrian crisis is putting on the central European countries for the first time.

In fact, the previous period of “grace” from significant numbers of sea-faring migrants was artificially created in Libya by an agreement (probably illegal under international law<sup>127</sup>) between Italy and Libya.<sup>128</sup> The so-called “Partnership, Friendship and Cooperation” treaty allowed the Italian coastguard to handover *tout-court* vessels in international waters to Libyan authorities. As Libya is not a party of the United Nations Refugee Convention and has no asylum system, it became a place for unloading migrants, leaving them to a dictatorial regime where they suffered mistreatment and indefinite detention, often in inhuman and degrading conditions. Following a familiar pattern of securitised relations between EU and southern neighbours, in exchange for Libya tending to EU realist interests, it was offered money and political legitimation. According to Bill Frelick, refugee policy director at Human Rights Watch, the deal looked “less like friendship and more like a dirty deal to enable Italy to dump migrants and asylum seekers on Libya and evade its obligations.”<sup>129</sup>

When the system broke down with the fall of Qaddafi, this barrier was removed and the European Union has scrambled to “fix” it again, looking for others to sanitise their own borders, in a way externalising security cooperation (instead of advancing the stalled Common Security and Defence Policy). At the same time, they are trying to overcome very strong national appeals to reject common solution by trying to securitise such border with evolving policies. Since claiming an issue such as migration to be a “security” problem invokes an existential threat rhetoric, it further strengthens call for bypassing “normal” rules and advocates for radical solutions.<sup>130</sup> What has happened is that dissatisfaction with this influx of foreigners perceived as “alien” has coalesced in far-right parties such as the United Kingdom Independence Party, Pegida, *Alternative für Deutschland*, the Northern League and the National Front. Feeling support for ruling parties drying up, national governments have rushed to stop migrants from coming inside their own borders, blaming receiving countries (such as Greece and Italy) and raising fences and checkpoints that violate the open border spirit of Schengen. As the Accord was conceived during an era of goodwill towards government cooperation that avoided raising central EU competencies, it revealed the critical flaw of not having a common system for guarding the EU borders.

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<sup>127</sup> European Court of Human Rights. *Hirsi Jamaa and Others v Italy [GC]*, Application No. 27765/09. Available at: <http://www.asylumlawdatabase.eu/en/content/ecthr-hirsi-jamaa-and-others-v-italy-gc-application-no-2776509>

<sup>128</sup> The Economist. 2011. *Italy's shame in Libya*. 25 February. Available at: [http://www.economist.com/blogs/charlemagne/2011/02/europe\\_and\\_libya](http://www.economist.com/blogs/charlemagne/2011/02/europe_and_libya)

<sup>129</sup> Human Rights Watch. 2009. *Italy/Libya: Gaddafi Visit Celebrates Dirty Deal*. 9 June. Available at: <https://www.hrw.org/news/2009/06/09/italy/libya-gaddafi-visit-celebrates-dirty-deal>

<sup>130</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: 'Making Democracy Work' or 'Good-Enough Governance'?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p. 8.

What some players (such as Germany, Italy and the EU Commission) would like to press others to accept is the overcoming of a configuration based solely on national responsibilities (which places undue burden on the most external Member States), for a more political bargain of “EU defence of the external borders in exchange for no internal borders”. As distrust runs rampant as never before in the EU, the potential of this concept hinges on the ability of the system to stop migration routes, as attested by the German persistence in upholding the deal with Turkey.

This debacle fully shows the structural issues in producing coherent external policies in the EU. The competition between security and normative values, and especially the competition between different national governments trying to avoid strengthening populist parties are effectively blocking the creation of common solution.

Additionally, focusing simply on flow management might not be enough to address the challenges of international migration in a time of increased interdependence between states, international conflicts targeting civilian population and a growing inequality, which is particularly harsh in developing countries.

Concerning Africa, the latest political revision of the framework is the 4<sup>th</sup> EU-Africa Summit, which took place on April 2014 and brought together more than 60 EU and African leaders, and a total of 90 delegations.<sup>131</sup> On its side, the EU can boast to be one of the most important donor concerning Africa, with a pledge of almost €40 bn for the African continent over the period 2014–2020.<sup>132</sup> However, it is evident that an important rationale for aid is the need to render palatable EU interests to recipient countries, such as security, stabilisation and especially migration.

On a regional level, the EU has tried to foster two major intergovernmental initiatives concerning African migration: the Khartoum and the Rabat Processes. The Rabat Process tries to treat migration as a dialogue under the approach of development and shared responsibility, and it comprises West and Central African states, plus Algeria and Tunisia, in addition to EU governments.<sup>133</sup> The Khartoum Process involves African countries in the Horn of Africa and East Africa and focuses more directly on developing cooperation between countries of origin, transit and destination to tackle irregular migration and criminal networks through initiative such as information-sharing, focused training and capacity building, technical assistance and the exchange of best practices.<sup>134</sup>

Southern Mediterranean countries are part of these processes as “transit countries” (also as origin countries in fewer cases). Specifically, we find a specific “Dialogue for migration, mobility and security with the southern Mediterranean countries”<sup>135</sup> that was spurred by the unrest following the Tunisian and Egyptian

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<sup>131</sup> The Africa-EU Partnership. <http://www.africa-eu-partnership.org/en/4th-africa-eu-summit>

<sup>132</sup> European Commission. 2015. *Fact sheet: The EU-Africa Partnership*. 22 April. Available at: [http://europa.eu/rapid/press-release\\_MEMO-15-4808\\_en.htm](http://europa.eu/rapid/press-release_MEMO-15-4808_en.htm)

<sup>133</sup> International Centre for Migration Policy Development. *Rabat Process: Participants*. Available at: <http://www.icmpd.org/our-work/migration-dialogues/rabat-process/participants/> Accessed on 3 May 2016.

<sup>134</sup> Declaration of the Ministerial Conference of the Khartoum Process (EU-Horn of Africa Migration Route Initiative) Rome, 28 November 2014.

<sup>135</sup> European Commission. 2011. *A dialogue for migration, mobility and security with the southern Mediterranean countries*. COM(2011) 292 final

crises that have let a significant number of people able to take the sea towards Malta or Italy.<sup>136</sup> The policy document highlighted some areas for quick intervention, most of them allocated to management of the migrant flows, further strengthening the role of the FRONTEX agency, which was to negotiate operational frameworks with Egypt, Morocco, Turkey and Tunisia.<sup>137</sup> In second instance, the document also repeated the European refrain of addressing the root causes of migration through development and reforms, although its focus is clear.

As the flow of refugees increased to a significant dimension for EU standards (it is not to be forgotten that states such as Lebanon, Jordan and Turkey host much larger numbers of refugees), it was clear that such policies were not effective. Europol assessment is that in 2015 more than one million irregular migrants reached the EU, for a criminal turnover between €3–6 bn.<sup>138</sup> As a way to rally support from origin and transit countries, the EU convened the 2015 Valletta Summit on migration. In the heath of the refugee crisis with many Member States threatening to raise internal barrier and leaving most affected countries alone, the EU tried to entice external cooperation by setting up a dedicated EU emergency trust fund for stability and addressing the root causes of irregular migration and displaced persons in Africa made up of €1.8 billion.<sup>139</sup> Additionally, it pledged to find new routes for legal migration and asked cooperation on securitisation of the routes and repatriation of those found not subject to asylum. The new revision of the European Neighbourhood Policy may partially be envisioned as a further step for creating a coherent web of policies that address the migration crisis in a cooperative way together with the Southern Neighbours. Nevertheless, there has not been agreement on bolder proposals. A European asylum system and the issuance of “Common EU Migration Bonds” as a way of financing refugee-related proposals (as advanced by Italy in its non-paper on the revision of the Dublin system<sup>140</sup>) would have been positive steps, but they are unlikely to come. Additionally, the implementation of a recent EU-Turkey deal on mass relocation of migrants traversing the Aegean Sea is proving difficult and criticised by human rights organisations as exceeding “the limits of what is permissible under international law”.<sup>141</sup>

These migration policies seem always to stress two features: addressing "root causes" and flow management.

The developmental discourse seems a way of painting in a positive light what appears to be simple securitisation of the borders. Talks about comprehensive approaches and root causes seem unlikely to qualify as effective solutions for a migration policy, especially with the EU toolbox as it is currently developed and the scarceness of resources when compared to the size of the task. Despite the flows coming from Syria and Afghanistan, the Sahel and the Horn of Africa will generate a stable flow of migrants in the

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<sup>136</sup> *Ibid.*, p. 2

<sup>137</sup> *Ibid.*, p.5

<sup>138</sup> Europol. 2016. *Migrant smuggling in the EU*. p. 5

<sup>139</sup> European Commission. 2015. A European agenda on migration: a European Union emergency trust fund for Africa

<sup>140</sup> Ministry of Interior of Italy. 2016. *Italian non-paper: Migration compact. Contribution to an EU strategy for external action on migration*.

<sup>141</sup> The Guardian. 2016. *Council of Europe condemns EU's refugee deal with Turkey*. 20 April.

near future. It is possible to “fix the holes in the net” by signing agreements with Tunisia, Egypt or even Libya, but civil wars (such as the South Sudanese civil war), famine and even simple lack of jobs and rights will force hundreds of thousands to risk their lives hoping for a future in Europe.

Addressing such "root causes" means engaging with assortments of problems that the EU has ignored in difficult scenarios such as Somalia, Eritrea and the two Sudans, and they all involve hard diplomacy, economic and military firepower, patience, pragmatism and realism. They mean strategic thinking, rallying the Union to act with a coherent approach, and a strong diplomatic clout. The Common Foreign and Security Policy, the Common Security and Defence Policy, the European Neighbourhood Policy and Migration and Mobility Policies are not yet up to such challenges.<sup>142</sup> Strong diplomatic action is still the domain of the Member States, and they are not strong enough anymore to achieve significant diplomatic breakthrough in the Mediterranean, much less in far-flung countries. Increased strategic cooperation between the major Mediterranean MS after setting ad-hoc agendas could offer more “bite”, but it is prone to fail when MS’ interests diverge.

What is left in realm of the possibilities is trying to identify concrete and "honourable" goals (namely, compliant with EU values) and pursue them with a real coordination between CFSP and member states' foreign policy. Even this appears to be a challenge in the current climate.

Convincing neighbouring countries to sanitise their borders from the outside seems also to be a convenient way to avoid finding a way to do the job from the inside. The scope of the migration crisis highlights the failure of designing a common stance on migration and mobility based on solidarity and burden sharing, needlessly making the Mediterranean a graveyard on a scale unseen since the last World War. In addition to agreements with neighbouring countries for dealing with migrants on land, there is a complementary need to devise an action for those that are at sea risking their lives.

There has been a flurry of naval operations that have tried to control EU borders, with limited results. Common naval operations are part of the Common Security and Defence policy, which has been progressing slowly. Following the Italian rescue operation Mare Nostrum and the EU-led security operation Triton, the Union built on its earlier naval operations, such as the anti-piracy Atalanta operation in the Gulf of Aden, creating EUNAVFOR Med. After some fine-tuning, the operation was renamed as Operation Sophia<sup>143</sup>. The primary objective of the operation is dismantling smuggler networks, as its mandate is "to contribute to the ‘disruption of the business model of human smuggling and trafficking networks in the Southern Central Mediterranean’ by ‘efforts to identify, capture and dispose of vessels used or suspected of being used by smugglers’".<sup>144</sup> Therefore, similarly to Triton the operation focused on securitisation of borders instead of being primarily concerned on saving migrant lives at sea. This CSDP operation is the

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<sup>142</sup> Schmidt, J. 2015. *Seeing the bigger picture: The refugee crisis and the link to CFSP*. European Policy Centre, Brussels. Available at: [http://www.epc.eu/pub\\_details.php?cat\\_id=4&pub\\_id=6110](http://www.epc.eu/pub_details.php?cat_id=4&pub_id=6110)

<sup>143</sup> Council of the European Union. 2015. *EUNAVFOR Med: EU agrees to start the active phase of the operation against human smugglers and to rename it "Operation Sophia"*. Available at: <http://www.consilium.europa.eu/en/press/press-releases/2015/09/28-eunavfor/>

<sup>144</sup> Tardy, T. 2015. Operation Sophia: Tackling the refugee crisis with military means. European Union Institute for Security Studies, Paris. p.1

first one openly admitting a coercive mandate, thus creating an institutional innovation.<sup>145</sup> Still, the size of the total effort is rather small: the phase of the operation in the International waters employs five surface naval units and six air assets.<sup>146</sup> The sister operation of Triton in the Aegean Sea, Poseidon of the EU agency Frontex, was insufficient alone and NATO's help was called in to patrol the maritime routes from Turkey.<sup>147</sup>

Nevertheless, there has been some operational progress made by the EU. As declared by HR Mogherini: "Exactly one year ago, 800 migrants died at sea in Libyan waters south of Lampedusa. This finally provoked a reaction. We said the first priority is to save lives. Over the last six months, the EU's naval operation in the Mediterranean Sea have saved 13000 lives, among them 800 children, arrested 68 smugglers and neutralised 100 vessels."<sup>148</sup>

Whereas the additional lives saved are undoubtedly a positive development, this declaration hides a darker reality as "last year, a total of 3,771 people drowned in the Mediterranean Sea while trying to seek asylum in Europe. Thirty percent of those who perished in the Aegean Sea were children."<sup>149</sup>

As the migration crisis continues to loom and no significant asylum reforms can be envisaged in the near future, the role of Europe will be significantly shaped by how it will decide to progress on this common issue. In the meantime, its internal divergences grind its policymaking ability to a halt.

### **3.3 External policy engagement: cooperation and management of the Mediterranean basin**

A way appreciated in Brussels to engage between the two shores is multilateral technocratic institutions that connect both of them, such as international institutions and multilateral platforms of cooperation currently being set up within the Union for the Mediterranean.<sup>150</sup> As recognised by the European Commission, EU policies "cannot be effectively addressed without robust international cooperation" beyond Europe's border.<sup>151</sup> An underexplored field of multilateral cooperation is marine governance, now coming to the fore as the EU is trying to expand common ruling over maritime space.

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<sup>145</sup> *Ibid.*

<sup>146</sup> European Union External Action Service. 2016. *Factsheet on EUNAVFOR MED Mission*. Update: 23 March 2016. Available at: [http://www.eeas.europa.eu/csdp/missions-and-operations/eunavfor-med/pdf/factsheet\\_eunavfor\\_med\\_en.pdf](http://www.eeas.europa.eu/csdp/missions-and-operations/eunavfor-med/pdf/factsheet_eunavfor_med_en.pdf)

<sup>147</sup> The Economist. 2016. *NATO and the European Union: Buddy cops*. 7 May.

<sup>148</sup> Foreign Affairs Council. 18-19/04/2016. Declarations by High Representative Federica Mogherini. Available at: [http://www.consilium.europa.eu/en/meetings/fac/2016/04/18-19/?utm\\_source=dsms-auto&utm\\_medium=email&utm\\_campaign=Foreign+Affairs+Council%2c+18-19%2f04%2f2016+-+Main+results+-+Defence+items](http://www.consilium.europa.eu/en/meetings/fac/2016/04/18-19/?utm_source=dsms-auto&utm_medium=email&utm_campaign=Foreign+Affairs+Council%2c+18-19%2f04%2f2016+-+Main+results+-+Defence+items)

<sup>149</sup> Nashed, M. 2016. *How many more children must drown or disappear for Britain to take them?* Middle East Eye. 29 April. <http://www.middleeasteye.net/columns/britain-endangering-lives-child-refugees-1254622651>

<sup>150</sup> Panebianco, S. 2010. *Dealing with Maritime Security in the Mediterranean Basin: The EU as a Multilateral Actor*. Documenti IAI 1016. Istituto Affari Internazionali, Roma. p. 3.

<sup>151</sup> Commission of the European Communities. 2009. *Developing the International Dimension of the Integrated Maritime Policy of the European Union*. 15 November. p. 3.

Traditionally, exploitation of marine resources has been a matter where international law has played a significant role. This is due to the fact that water affords a freedom of movement which cannot be impeded easily by unilateral uses of force, especially when compared to comparable sectors of exploitation on land.

This has led to an early development of the law of the sea based on accepted international rules and multilateral treaties.<sup>152</sup> <sup>153</sup> As the sea can effectively be considered a shared resource, this has historically imposed the need to find compromises and solutions acceptable to most actors involved.

In the course of the twentieth century, this environment has led to the creation of regional fishery management organizations (RFMOs)<sup>154</sup>, with roles initially was restricted to scientific research on fishery activities by states and overall fish stocks.

The General Fisheries Commission for the Mediterranean is one of the oldest regional fisheries management organizations, having started its activities in 1952, building on an agreement in 1949 concluded on the basis of article XIV of the FAO Constitution. Its main aims were “to promote the development, conservation, rational management and best use of living marine resources, as well as the sustainable development of aquaculture in the Mediterranean Sea, the Black Sea and connecting waters”.<sup>155</sup> Currently, it has 24 members, 23 member states plus the European Union, improving cooperation over conservation and exploitation of fish stocks.

Nevertheless, some of the less developed members suffer from a low level of available resources or technical skills in data collection, thus adversely affecting their active participation. The RFMO has however been able to partly overcome this by approving binding recommendations on a precautionary basis.<sup>156</sup>

The sustainable maritime economy topic is especially significant in Mediterranean fisheries as they are related to other economic sectors in coastal zones, especially tourism and local consumption. Maritime economy is often embedded in many coastal communities and the degrading of stocks poses existential and social threats to poorer social strata, which operate with smaller fisheries and catches.

For the EU, maritime economy has a very sizable weight in its internal GDP, vice versa a large share of global sea activities are performed by EU Member States: 500 billion euro of revenues, 40% of global maritime transportation, 45% of global shipbuilding, the most advanced economic area for offshore renewable energy and high-sea extraction.<sup>157</sup> As it concerns the tragedy of the commons, it is imperative for the EU to keep the Mediterranean viable, thus it is necessary to ensure cooperation from non-EU

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<sup>152</sup> United Nations Convention on the Law of the Sea. 1982.

[http://www.un.org/Depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm)

<sup>153</sup> United Nations Fish Stocks Agreement. 1995.

[http://www.un.org/Depts/los/convention\\_agreements/convention\\_overview\\_fish\\_stocks.htm](http://www.un.org/Depts/los/convention_agreements/convention_overview_fish_stocks.htm)

<sup>154</sup> United Nations. *Recommended minimum criteria for reviewing the performances of RFMOs*.

[http://www.un.org/Depts/los/convention\\_agreements/fishstockmeetings/icsp6report.pdf](http://www.un.org/Depts/los/convention_agreements/fishstockmeetings/icsp6report.pdf)

<sup>155</sup> GFCM portal. Available at [www.gfcm.org](http://www.gfcm.org). Accessed on 29 April 2016.

<sup>156</sup> General Fisheries Commission for the Mediterranean. 2015. *GFCM Report 39*

<sup>157</sup> European Commission. Directorate-General for Maritime Affairs and Fisheries. Institutional website. [http://ec.europa.eu/dgs/maritimeaffairs\\_fisheries/index\\_en.htm](http://ec.europa.eu/dgs/maritimeaffairs_fisheries/index_en.htm)

Mediterranean countries in order to avoid the creations of “safe havens” for activities dangerous to the shared basin.

According to the Treaty of Lisbon, the policy domain of conservation for fisheries is under exclusive purview of the European Commission. General fishery policies are instead shared between the Commission and the Member States, an overall configuration that leaves a strengthened hand to the former.

As in the Mediterranean Member States and non-Member States share the same basin, European only approaches would simply be “macro-unilateral” stances that would not be enough. Additionally, the high portion of high seas in the Mediterranean makes difficult for individual coastal states to plan and implement effective policies, as stated in the Integrated Maritime Policy for the Mediterranean (2009).<sup>158</sup>

This core issue is recognised by the European Commission, which continues to propose to move to “the next level”<sup>159</sup>, the international level, binding measures adopted and enforced by its Member States, especially by strengthening the managing role of the GFCM<sup>160</sup>, effectively “spilling over” EU policies to other riparian North African and Near Eastern states. Given its structural advantage with highly technical international bodies, the EU has an edge vis-à-vis the Southern Neighbourhood in setting common rules (already implemented inside the EU) for the whole Mediterranean, even inside territorial waters of non-EU members.

In order to translate internal principia of sustainable fishing outside its borders, the EU still needs the cooperation of the GFCM, but common standards are only possible through multilateral and cooperative means<sup>161</sup>, especially for creating regional binding mechanisms.

The interest of the EU in such organizations could strengthen them, becoming powerful tool for creating a network of governance that meshes together the two shores of the Mediterranean, potentially increasing convergence and cooperation. This is part of a drive by the EU to regulate outside of its borders, especially for common resources torn between economic activities and environmental sustainability.

Additional areas for cooperation have been found in “maritime security”, which implies the protection of individuals and economic interests both at sea and in ports,<sup>162</sup> even though now migration dominates maritime security agendas with the Southern Neighbourhood.<sup>163</sup> The European Security Strategy dubs its engagement to build a network of international governance in the Mediterranean basin as “effective multilateralism”, meant as a non-discriminatory and open approach.<sup>164</sup> EU’s Integrated Maritime Policy defines this strategy as one of the pillars of EU’s external relations to be pursued in an integrated way both

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<sup>158</sup> Commission of the European Communities. 2009. *Towards an Integrated Maritime Policy for Better Governance in the Mediterranean*. 11 September. COM(2009) 466. p. 3.

<sup>159</sup> Maria Damanaki. 2014. *Fisheries management in the Mediterranean and the Black Sea: time to go to the next level*. European Commission

<sup>160</sup> Lodge, M. 2007. *Managing international fisheries: improving fisheries governance by strengthening regional fisheries management organizations*. Chatman House briefing paper

<sup>161</sup> Directorate-General for Internal Policies. 2012. *The role of GFCM in regional fisheries management*. European Parliament

<sup>162</sup> Panebianco, S. 2010. *Dealing with Maritime Security in the Mediterranean Basin: The EU as a Multilateral Actor*. Documenti IAI 1016. Istituto Affari Internazionali, Roma. p. 4.

<sup>163</sup> *Ibid.* p.8.

<sup>164</sup> *Ibid.* p.13.

in international fora, such as the UfM and the UN and its agencies, and bilaterally through instruments such as the ENP.<sup>165</sup>

This is clear as the EU is currently building multilateral maritime organisations between EU Member States and non-EU Member States, such as the EU Strategy for the Adriatic and Ionian Region (EUSAIR) that tries on connecting external infrastructure projects, business activities and environmental standards. Given that such plans are currently expanding in other maritime regions, it may be envisaged that new EU plans concerning maritime exploitation could be devised concerning cooperation with the Southern or Western Mediterranean states, either in the Union for the Mediterranean setting or inside the intergovernmental Dialogue 5+5.

## Part IV. The Review of the European Neighbourhood Policy

### 4.1 The revision process

With the Mediterranean in turmoil in the south, and with even the most successful area for EU external policies, Eastern Europe, engulfed by the resurgence of Russia and the Ukraine crisis, most analysts agree that at the end of the day the European Neighbourhood Policy has been misguided and failing.<sup>166</sup> Its shortcomings and the promise of additional focus on development to non-EU countries called for a new review of the ENP. The EEAS has stated that “events of recent years have demonstrated the need for a new approach, a re-prioritisation and an introduction of new ways of working.”<sup>167</sup> This is also part of a broader review of the European Union Global Strategy and according to High Representative Mogherini will be based on five pillars: "First, focus on economic development and job creation; second, cooperation on energy; third, security; fourth, migration; fifth, neighbours of the neighbours".<sup>168</sup>

The first part of the review process has collected more than 250 feedbacks from various stakeholders, which have been summarised in a joint staff-working document that should inform the final decision-making. In this collection, we find some kind of recognition of the criticalities of the policy. Despite not being officially the point of view of the related Directorate-General of the Commission, they are still presented as an official feedback from key stakeholders, and as such likely to be considered in the lesson-learning procedure.

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<sup>165</sup> Commission of the European Communities. 2009. Developing the International Dimension of the Integrated Maritime Policy of the European Union. 15 November. p. 7.

<sup>166</sup> Howorth, J. 2016. Stability on the borders: the Ukraine crisis and the EU's constrained policy towards the Eastern neighbourhood. *Journal of Market Studies*. p. 3

<sup>167</sup> European Union External Action Service. 2015. ENP Review: stronger partnerships for a stronger neighbourhood. Available at: [http://eeas.europa.eu/top\\_stories/2015/181115\\_enp\\_review\\_en.htm](http://eeas.europa.eu/top_stories/2015/181115_enp_review_en.htm) Accessed on 6 May 2016.

<sup>168</sup> *Ibid.*

The document reports that some academics have suggested that the ENP has not brought the added value initially expected<sup>169</sup> arguing for external relationships more bilateral than the loose framework of ENP, and highlighting that the Action Plans were outdated. Other have expressed the preference for keeping it as a single EU framework for dealing with the region, a minority has suggested splitting it in southern and eastern policies. Additionally, it is recognised that it is difficult to ascertain how the ENP might have contributed to the economic, political and social indicators used in the partner countries.

Security is defined as a greater challenge since the last revision of 2011 and there is a recognition that democratic governance has been embraced "by only few partners".<sup>170</sup> Furthermore, the document acknowledges that stakeholders should be able to formalise different kind of relationships based on their different eagerness to integrate with the EU. The goals of the Neighbours have not always aligned to ENP goals, leading to a lack of commitment.<sup>171</sup> It is stated that in the less interested countries, the impact is negligible. Likewise, sometimes Member States have pursued different policies than the EU, prompting calls for greater consistency in external and internal policies on security, migration and energy. Otherwise, if ENP, CFSP and CSDP will not be linked coherently between them and with MS external policies, it will signal that the EU is unable to speak with one voice (Palestine is cited as a case).

Concerning financial firepower, the policy could be stronger, with €15.4 bn<sup>172</sup> in the European Neighbourhood Instrument allocated for the 2014-2020 period. However, there is increased access to other programs such as Horizon 2020. The European Parliament has defined the assistance programs as being too small, especially in the Southern Neighbourhood.<sup>173</sup> Procedures are felt as cumbersome and complex, especially compared to their achievements, making the case for a lighter approach. Interestingly, in 2014 the total trade between EU and Southern Neighbourhood has been the most significant in the area, as it amounted to €188bn out of total €253 bn in the "ring of friends".<sup>174</sup>

Concerning mobility, it is underlined that Israel is the only non-EU Mediterranean country with a visa-free travel regime and, concerning infrastructure, there is notice of a Regional Action Plan for the Mediterranean Region aiming at convergence and development on transportation in view of a future "Euro-Mediterranean transport network".

The degrading of economic growth (and the demanding nature of implementing the *acquis* in ENP countries) and respect for human and minority rights are spelled out and there is a clear need to develop conflict management capacities, also building institutional capacity for strategic analysis. A practice judged as successful is the "More for more" approach, which should be encouraged, but aid on its own will not be enough to prompt significant reforms or social change in unwilling countries.

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<sup>169</sup> European Commission. 2015. *Joint staff working document: Towards a new European Neighbourhood Policy*. JOIN(2015) 50 final. p.2

<sup>170</sup> *Ibid.* p.6

<sup>171</sup> *Ibid.* p.7

<sup>172</sup> *Ibid.* p.6

<sup>173</sup> *Ibid.* p.16

<sup>174</sup> *Ibid.* p.7

Finally, it is asked that the whole process become less bureaucratic, with fewer intermediaries and with a clear identification of priorities.

The Commission document of the review leading to the new European Neighbourhood Policy highlights where Brussels has decided to head. The official purpose mentioned is finding a way to “build more effective partnerships in the neighbourhood”.<sup>175</sup> There is a clear recognition of the limits of the ENP leverage and a pledge to increase differentiation between countries, with more recognition of partner individual goals and less prescriptive norms. Still, the main focus for development is seen as “open market and growth” and stability, through security sector reform and anti-radicalisation policies. “Trade area” mentions are toned down, but still envisaged as a final goal to achieve through differentiated agreements. The main political goal for the EU is, again, to increase stability, although there are some mentions about promoting social development in order to ensure it. It is noted that poverty, inequality and injustice fuel instability, especially among the youth. Nevertheless, the interpretation of stability is tilted towards securitisation: border protection, tackling terrorism and organised crime, migration flow management, readmission schemes and externalisation of refugee camps. In exchange, there is increased talk of visa liberalisation and an upcoming EU Blue Card Directive on highly skilled mobility.<sup>176</sup>

Trying to become more strategic, the review will try to select fewer priorities and to increase stakeholder ownership, when possible using the “More for more” approach. However, countries unwilling to embrace deep reforms and increased market opening will have to develop different approaches with the EU, breaking from the single mould. Single yearly reports on progress should be discarded in the future, with a new assessment system based on mutually agreed individual goals on tailor-made formats. In order to increase coherence and recognising EU power configuration, Member States will be “invited to play the role of lead partner for certain initiatives or to accompany certain initiatives or to accompany certain reform efforts”.<sup>177</sup> Increased cooperation is planned with international financial institutions such as the European Investment Bank, the World Bank and the International Monetary Fund, blending grants and loans in order to boost financial leverage.

Politically, the EU pledges support to sub-regional fora, such as in the Maghreb and the Mashreq (respectively, western and eastern Mediterranean Arab countries) and plans potential outreach to Iraq and Iran (neighbours of neighbours) should the political environment improve. Given the political scenarios, it looks currently unlikely.

At the end of the process, the revision has received political endorsement by the European Council.<sup>178</sup> The next months will be crucial for assessing how the EU policies toward the Southern Neighbourhood will be shaped by this review.

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<sup>175</sup> European Commission. 2015. *Review of the European Neighbourhood Policy*. SWD(2015) 500 final. p.2

<sup>176</sup> *Ibid.* p.16

<sup>177</sup> *Ibid.* p.5

<sup>178</sup> European Council. 2015. *Council conclusions on the Review of the European Neighbourhood Policy*.

Available at: <http://www.consilium.europa.eu/en/press/press-releases/2015/12/14-conclusions-european-neighbourhood/>

## 4.2 What can the EU offer, realistically?

The European juggernaut is characterised for a certain degree by recycling concepts and procedures, as if they were already legitimised by past practices in lack of a stronger political leadership. As such, when devising ideas and goals to offer realistically to the southern non-EU Mediterranean countries, we can learn from this attitude and try to complement it with strategic depth.

First, the EU should be firm in supporting its long-standing normative goals, irrespective of the government on the other side of the table. Such goals may include a general overhaul of legal systems, EU-grade labour laws respectful of the strikes and trade unions (too often targeted by security apparatuses in order to safeguard “stability”<sup>179</sup> without much reproach coming from Brussels), anti-trust legislation, the establishment of sustainable social-insurance systems and only the market opening measures with positive effects on job creation in small- and middle-sized enterprises.<sup>180</sup>

The only strong political goal offered by the EU that has attracted and transformed state actors has been accession. This is clearly not an option for non-European Mediterranean countries. What could be put on the table is an increased meaning to the Union for the Mediterranean partnership, giving scope to the slogan of “partnership for democracy and shared prosperity” repeated by the EU Commission. The promise of options of multilateral association opening up market access, increased freedom of movements for goods, capital, services and people should be considered for the countries that have enabled real deep democracy and economic growth transformation. Considering EU Mediterranean countries resistance to opening up agricultural market, it could be coupled with a strengthening of centralised social policies at Eurozone level through a fiscal union and increased Cohesion funds, especially among those areas with most to lose from market opening towards the southern Mediterranean.

Failed transformations in North Africa and Middle East will only increase the risk of terrorism and instability, as proven by the thousands of Tunisian foreign fighters recruited by *Da'esh* in the last years. Securitisation and stifling of legitimate economic grievance will only inevitably bite back given enough time, as the past decades after states independence have demonstrated. Without considering the social impact of neoliberal policies<sup>181</sup>, the respect for political Islamism abiding to the law and the enforcement of constitutional rights of free speech, freedom of striking and freedom of dissenting, even the often-repeated proposal of a “Marshall plan” for North Africa is doomed to fail as it would not address the roots of discontent.<sup>182</sup>

Another thing that EU can offer is clarity of goals. Every player has its own geopolitical interests. Egypt, Morocco and Jordan will be key countries for the EU whatever their ruling elites. What would enhance the EU outlook is being clear about its goals without sugar-coating them in human rights speeches that have little to no credibility if they fail to recognise evident violations. Whereas close partnership are and will be

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<sup>179</sup> Sayigh, Y. 2016. *Dilemmas of Reform: Policing in Arab Transitions*. Carnegie Middle East Center, Beirut.

p.5  
<sup>180</sup> Perthes, V. 2011. Europe and the Arab Spring. *Survival* (53/6). p.76

<sup>181</sup> International Monetary Fund. 2016. Neoliberalism: Oversold? *Finance & Development* (53:2), June

<sup>182</sup> Perthes, V. 2011. Europe and the Arab Spring. *Survival* (53/6). p.78

needed, criticism of human rights record and repression is not a violation of internal sovereignty and setting a continuous record can only raise the political outlook of the Union, sending the clear message to Arab citizens that the EU is not only a hand caressing the current strongmen. Incumbents will go, historical memory will remain and historically southern Mediterranean citizens have shown to have a lasting one, especially vis-à-vis their colonial past.

At the vision level, the EU strategic support towards democracy in the non-EU Mediterranean Countries has been failing given the deep Euro-centrism of the EU concerning their vision of what democracy entails, absolutely detached from religion and filled with technocratic international agreements that favour open market against social development.

According to the Commission communication on the Review of the ENP, “more effective ways will be sought to promote democratic accountable and good governance, as well as to promote justice reform, where there is a shared commitment to the rule of law, and fundamental rights.”<sup>183</sup> The Southern Neighbourhood is mostly composed by Muslim societies, where a democracy that disregards or ignore the basic tenets of Islamic principles – which are however subject to local interpretation based on history, politics, jurisprudence and diverse sensitivities – is never going to be accepted as an autochthone form of government. Some differences in dealing with the Mediterranean do exist internally. For instance, Italy has historically maintained a priority respecting local customs and values through multilateralism in agenda setting, instead of proposing top-down lists with final marks for obtaining scarce aid funds.<sup>184</sup>

In this sense, it would be much more fruitful for the EU to have a democracy promotion strategy that is flexible and able to listen to local visions, movements and sensibilities, instead of wasting huge sums on local chapters of well-known and Western-oriented foreign NGOs.<sup>185</sup> While many EU calls (for instance in democracy promotion) are open to all types of NGOs, the significant amounts of money on offer skew selection towards more organised EU-based organizations.<sup>186</sup> Becoming captors of EU funds, they become invested in feeding back to the EU a depiction of the reality on the ground that is compliant to a Brussels vision of the world. The ground-breaking movements that have led to the Arab Spring have responded to basic slogans such as “bread, jobs and freedom”. If the EU wants to focus on real local ownership for democracy promotion, it has to understand that what most stakeholders want and need is a social welfare democracy able to inspire growth able to generate jobs. While important, the focus on “Western-like” goals, such as “green” advanced project like ocean decarbonisation and market opening may result unconnected to more pressing needs in countries where youth unemployment is sky high and the primary political concerns is often the reduction of subsidies for basic food items.

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<sup>183</sup> European Commission. 2015. Review of the European Neighbourhood Policy. p.3.

<sup>184</sup> Tassinari F. and Holm U. 2010. *Values Promotion and Security Management in Euro-Mediterranean Relations: ‘Making Democracy Work’ or ‘Good-Enough Governance’?* DIIS Working Paper (2010:17). Danish Institute for International Studies, Copenhagen. p.14.

<sup>185</sup> Pace, M. 2009. *Liberal or Social Democracy? Aspects of the EU’s Democracy Promotion Agenda in the Middle East*. Stockholm, International Institute for Democracy and Electoral Assistance. p.4

<sup>186</sup> Bicchi, F. 2010. Dilemmas of Implementation: EU Democracy Assistance in the Mediterranean. *Democratization* (17:5). p. 983.

If the EU is to rethink strategically its external policies towards its Southern Neighbourhood in a way that is really promoting a stable and accepted kind of democracy, it may require a reality check where an ultraliberal vision of democracy, pertaining to advanced Western economies, could be flexibly discarded or adapted to a more autochthone social model of democracy. This would need some kind of introspection on the European side on what they really want to achieve in the MENA area and what is the local context for their aspirations. A renewed effort to bridge the many inconsistencies and gaps between their different interests in order to render the external policies more effective and coherent among themselves. In this context, the Commission's suggestion to further pursue "open market and growth, inclusive economic development, and in particular the prospects for the youth" for stabilising the region's country<sup>187</sup> might still entail some sort of paradoxical economic dualism.

It is often an afterthought to many policies, but weak growth and rising inequality are not only endangering the most vulnerable parts of the populations in the area, but also fuelling the disillusion in the states and desperation, which translate often in illegal migration or availability to buy in radical ideologies. Developmental policies in such a complex region cannot simply be neoliberal rules accompanied by positive-sounding declarations, lest Europe wants to find itself marred by the same issues in the next decades, as geography is not changing anytime soon and the EU is realising that they are in for the long haul with North African and Middle Eastern countries. Syria is a stark reminder of this.

A strategic objective for ENP could be targeting Tunisia as a showcase of increased cooperation when democratic standards are raised and democratic aspirations are clear. The ENP Review praises the Tunisian democratic dialogue, and the limited size of the country and its location makes it ideal. The African Bank of Development acknowledges in their country report for Tunisia that "regional disparities continue to grow, despite policies implemented since independence, so a medium- and long-term general strategy is needed."<sup>188</sup> Given recent protests against unemployment in many cities, there is clearly an explosive environment generated by more than 800,000 unemployed in a country of about 11 million, featuring a 30 percent unemployment rate among those with a degree and a 50 percent inactivity rate (namely, the population that is officially unemployed nor officially employed).<sup>189</sup>

Once again, the answer is being shaped on security, with more than 100 million USD in fresh "aid" given by the US Administration.<sup>190</sup> It would make much more sense for the EU to focus instead on advancing local growth and education, especially the kind needed by the local economy for creating more jobs, with a focus on trained and untrained youth. A population where unemployment is not so harsh as to cloud any vision of its own future is a population made resilient against radical promises in exchange of dangerous

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<sup>187</sup> European Commission. 2015. Review of the European Neighbourhood Policy. p.3.

<sup>188</sup> African Bank Development Group. 2016. *Tunisia economic outlook*.

<http://www.afdb.org/en/countries/north-africa/tunisia/tunisia-economic-outlook/>

<sup>189</sup> Capelli, C. 2016. *Il lavoro che non c'è: profilo e cause della crisi socio-economica in Tunisia*. Istituto per gli Studi di Politica Internazionale, Milan. <http://www.ispionline.it/it/pubblicazione/il-lavoro-che-non-ce-profilo-e-cause-della-crisi-socio-economica-tunisia-14498>

<sup>190</sup> Kimball, S. 2016. *Tunisia's getting more guns than democracy*. Foreign Policy. 21 April. Available at <http://foreignpolicy.com/2016/04/21/tunisia-getting-more-guns-than-democracy/>

travels and violence. Failing to understand this fundamental point and insisting on a rehashed version of Washington-consensus policies and favouring the retraction of state from society while cutting subsidies will only empower private religious welfare institutions and make the youth more available to foreign fighter wages. There is a short window for intervention made available to the EU and it is already closing.

## CONCLUSION

The EU external policies towards the MENA region were not born in a vacuum but inherited a set of former colonial relationships that entered a complex arena of interests and interactions between the new positive-sum multilateral body and a region that has been marred by instability, crises and authoritarianism. In order to give a political framework to such dialogue, the Euro-Mediterranean Partnership of the Barcelona Process and the Union for the Mediterranean have tried to inspire multilateralism in a way somewhat similar to the relationship that the EU had inspired with East Europe. Copycatting policies thought for other areas has proved to be inefficient and proof of narrow mindedness among policymakers in Brussels.

Lack of prospect of accession coupled with relative modest amount of funds provided have fatally weakened such prospects, resulting in political stasis between the two shores of the Mediterranean that has limited the attractiveness of the South Mediterranean to the EU. Additionally, protagonist behaviours and mistrust between Member States have resulted sometimes in a lack of coherence that has weakened the ability of the EU to compel non-EU Mediterranean states.

Current Common Foreign and Security Policy and Common Security and Defence Policy can only be the minimum Member States agree on, further limiting the ability of the EU and its new External Action Service to create a strong EU foreign policy. Despite decade-old talks about strengthening a Common Foreign and Security Policy, the increasingly intergovernmental outlook of EU politics has indeed blocked any significant growth of the policy area. This has meant that often the Union foreign policy has been reduced to a *de facto* recognition of decision taken in other capitals, furthering individual adventurism and reducing the will of other players to sacrifice immediate interests for the “common good” of the EU as a whole.

It is clear that the European Union suffers from a gap between its eagerness to have strong security states keeping Islamist forces at bay and securing its external borders, and its own normative rhetoric that focuses on fairness, human rights and democracy. In the past, its European Neighbourhood Policy has privileged securitisation and neoliberal market opening over supporting social welfare, development and the freedom of speech that imperilled the strongmen that it had chosen as partners. Such gap creates a systemic incoherence among the different external initiatives of the EU, resulting in competing agendas in which the security aspect prevails.

This existential dichotomy has damaged the European reputation as standard-bearer of rights and democracy when the Arab Spring erupted, which explains why the new movements have not looked at the EU for inspiration and have rejected many of its policies as tainted by the previous regimes. As a result, it could be argued that the inconsistent behaviour of the European Union has rallied against its ability to pursue its strategic objectives in the Southern Neighbourhood.

The systemic crises that have been awakened during the Arab Spring have found the EU unable to give consistent and strong answers. This is not only pertaining to the discrepancy between the security imperatives of the bloc, its political economy and its democratic values, but also to competing interests from different Member States.

These challenging times have raised a cross-cutting issue such as the migration crisis, which has found Member States to be diverging in their agendas and with little political capital to spend on solidarity after a devastating economic crisis. This has bared issues arising from competing national interest in diverse fields such as the CFSP, CSDP, and Schengen, thus confirming the hypothesis being tested.

Despite the ENP having tried to bridge all these imbalances in the EU agenda, we find that the EU external policies towards the region have been inconsistent and clashing among themselves, hampering their ability to reach significant goals.

Other key players can and have offered significant funds to countries in the Middle East and North Africa. What marks the EU different from them is its fondness of good governance, democracy, social inclusivity and peaceful integration. If the Union will not be able to be coherent about its values and goals, it will go down in history as a declining body, hypocritical in its own rhetoric and unable to deliver.

If failing to reassess itself strategically as a player with advanced and pragmatic ambitions, the EU may further decline, fuelling political forces that are betting on EU failures to propose populist agendas. On the contrary, by becoming a strong actor able to deliver outside, it could attest its importance and may gather the inner strength required to overcome its current existential crisis.

In order to do so, a deeper assessment of its external policies is needed, which should lead to increased consistency and evaluate avenues for affecting the reality on the ground even in terrains so different from the reality of Europe. The menu of reforms offered to the Southern Neighbourhood simply mimics the inner functioning of the Union, without sharing a similar context and with much smaller financial firepower.

Simply opening the markets to external competition without having the soothing power of internal EU funds such as the Common Agricultural Policy and Cohesion Policy, swift privatisation (often supervised by groups of individuals that end up buying pieces of state economy) and state retraction are hardly empowering and more generally strengthen local elites vis-à-vis their citizens. Enforcing a rehashed version of Washington-consensus policies that further inequality and giving legitimacy to mass violation of human rights and democracy end up strengthening the allure of the radical ideologies and mass migration that the EU is trying to prevent.

The review of the European Neighbourhood Policy offer a chance to rethink and fine tune external policies in order to make EU goals more attainable.

What could be put on the table is an increased meaning to the Union for the Mediterranean partnership, given a deeper scope to the slogan of “partnership for democracy and shared prosperity” repeated by the EU Commission. Considering EU Mediterranean countries resistance to opening up agricultural market, it could be coupled with a strengthening of centralised social policies at Eurozone level and increased Cohesion funds in order to compensate market reshaping.

Another thing that EU can offer is clarity. Every player has its own geopolitical interests. Egypt, Morocco and Jordan will be key countries for the EU whatever their ruling elites. Nevertheless, the EU should be clearer in denouncing what considers to be against its own values.

Strategic support towards democracy in the non-EU Mediterranean Countries has been a failure given the deep Euro-centrism of the EU concerning their vision of what democracy entails. As the Southern Neighbourhood is mainly composed by Muslim societies, it would be much more fruitful for the EU to have a democracy promotion strategy that is flexible and able to listen to local visions, movements and sensibilities, instead of wasting huge sums on local chapters of well-known and Western-oriented foreign NGOs. It is significant that although the trend is improving, more than half of allocated democracy funds are awarded to European or regional NGOs instead of local groups<sup>191</sup>.

The ground-breaking movements that have led to the Arab Spring responded to basic slogans such as “bread, jobs and freedom”. If the EU wants to focus on real local ownership for democracy promotion, it has to understand that what most stakeholders want and need is a social welfare democracy able to inspire growth able to generate jobs. Tunisia might be an ideal ground for “promoting” a country that has demonstrated a strong will for democracy and it is currently yearning for much-needed economic development and infrastructural overhaul.

There is only one way to merge the European vocation as a messenger of democratic values and its security needs and it is enshrined in the true meaning of a sustainable economic and social development. Only by spurring development that gives most of its benefits to the impoverished working-age populations of North Africa and Middle East, we can really tackle illegal migrations and sustain the roots of embattled democratic experiments. Economies that are on the verge of collapse, terrorism, radicalisation, and mass migration may not be in the position to play by the normal rules of Western-like unbridled competition. The policymaking community needs to accept that.

The mass calls for democracy from Rabat to Tehran have proved that the region has in fact a deep yearning for economic growth, political rights and good governance. This has disproved the veiledly racist suggestion that a “Chinese model” based on a closed political elite could be a viable future for the area. Furthermore, this indicates that despite the mass rallies for democracy have burned down under new waves of repression, wars and religious extremism, their ashes are still burning. If Europe wants to secure its

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<sup>191</sup> Bicchi, F. and Voltolini, B. 2013. EU Democracy Assistance in the Mediterranean: What Relationship with the Arab Uprisings? *Democracy and Security* (9:1-2). p.82.

legacy and create real partnerships, it should not be afraid of this heat, as it may well be an unintended consequence of its policies but it contains the same very aspirations it holds dear at its heart.

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