Rethinking the EU's Mediterranean Policies Post-1/11

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Abstract

The revolts sweeping across North Africa and the Middle East in 2011 have shaken long-held truths about the region. Most strikingly, the sustainability of these regimes has proved a chimera. The events in the region and the many truths they uncovered call for a serious rethink in Western policies towards the region. The aim of this paper is to explore what such a rethink might entail for the European Union. Reviewing the European Neighbourhood Policy by revamping the benefits on offer, reconsidering the effective use of conditionality, establishing adequate monitoring mechanisms and engaging with a plethora of partners both within and beyond the region is imperative. Such a review is contingent on the recognition of a reversed hierarchy of priorities, induced by the force of historical events unfolding in the region. To reverse policy priorities is no small feat, considering the entrenched logic that has sustained Euro-Med policies so far. Nonetheless, various dynamics press for a new way of thinking. The proposals contained in this study constitute concrete steps to rethink the EU's Mediterranean policies in line with the fundamental rights and principles which the Union seeks to advance in its external action.

Keywords: _European Union / Mediterranean countries / North Africa / Middle East / European Neighbourhood Policy (ENP) / Union for the Mediterranean (UfM)_

Rethinking the EU's Mediterranean Policies Post-1/11

by Nathalie Tocci and Jean-Pierre Cassarino[*]

1. Introduction

The revolts sweeping across North Africa and the Middle East in 2011 have shaken long-held truths about the region, truths become such through their assiduous repetition by Middle Eastern regimes and the unconditional support conferred to these regimes by the West. True, Middle Eastern regimes had been remarkably resilient, remoulding their authoritarian practices to the prerogatives of a globalized world (Guazzone and Pioppi 2004; Schlumberger 2007). True also, despite all their liberal rhetoric, external actors - US and EU *in primis* - played a prime role in sustaining these regimes, viewing them as the lesser evil in a region supposedly plagued by religious extremism, if not as reliable partners in pursuing foreign policy agendas, commercial and energy interests, and the management of migratory flows.

Yet the sustainability of these regimes has proved a chimera (Colombo 2010). No one knew exactly when the underlying traits of unsustainability - from political repression and corruption to deep inequalities, youth unemployment and widespread poverty - would reach the boiling point of no return. Some simply stressed the gravity of these problems (Guazzone and Pioppi 2004). Others believed that ultimately these ills would acquire political shape and form (Colombo 2010; Spencer 2009). Middle Eastern regimes themselves recurrently rang their alarm bells, warning their Western partners that democratic change would have opened the floodgates to Islamic fundamentalism, leading to domestic instability. The West persisted in its largely unconditional support, extending the lease of life of these increasingly illegitimate regimes. While little can be said about the future of these countries, political Islam, however, was not amongst the headline slogans on the streets of Tunis, Cairo, Benghazi and elsewhere in the early months of 2011.

This is not to suggest that over the decades, Western policy towards North Africa and the Middle East has been fixed in stone. It is to say instead that despite the changes, the underlying premises of such policies remained largely the same. The events in the region and the many truths they uncovered call for a serious rethink in Western policies towards the region. The aim of this paper is to explore what such a rethink might entail for the European Union.

2. Tracing the 180-degree turn in EU policies towards the Mediterranean: 2001-2011

Before doing so, let us briefly recall the evolution of EU policy towards the southern Mediterranean over the last decade, highlighting how, despite what appeared to be a 180-degree turn, the underlying logic of EU policy has remained the same.

2.1 9/11 and its policy after-shocks: the birth of the ENP

The 21st century began with the trauma of 9/11, which initially seemed to induce a fundamental shake-up in Western policies towards the Middle East. In the early post-9/11 years, the dominant mantra was that the West had mistakenly bet on stability over democracy. By sustaining authoritarian regimes and their human rights violating practices, the West, the theory went, had bred frustration and resentment in the region, which had found political expression in exile, repressed social unrests and Islamic fundamentalism. The West was thus called on to revise its policies in order to induce democratization in the Arab and Muslim worlds, and eradicate the "root causes" of terrorism. This theory originated in the neoconservative American right, which began promulgating 'ambitious schemes of political and social engineering' (Owen 2009) as a means to reconcile what had been an inherent tension within post-Cold War American conservatism (Ish-Shalom 2007): on the one hand, the pessimistic view of an inevitable 'clash of civilizations' (Huntington 1993), and, on the other, the optimistic forecasts of an 'end of history' (Fukuyama 1992). Neoconservatives tried to reconcile this tension by appropriating structural theories of the democratic peace, which legitimize democratization through one-size-fits-all institutional solutions and the cultivation of pro-Western elites. Forced and forceful democratization from the top-down, epitomized by the 2003 war in Iraq, represented the tool to "tame" cultures, and magically exit the clash of civilizations and enter the liberal dream of the end of history.

The European Union did not wholly, let alone wilfully, buy into this logic. Yet it was implicitly influenced by it when, grappling with the implications of its successful eastern enlargement, it was called on to develop a neighbourhood policy which included the southern Mediterranean as well. Indeed, while the United States under the first mandate of G. W. Bush mobilized for the 2003 war in Iraq, discursively legitimized (after weapons of mass destruction were nowhere to be found) by the neoconservative belief in top-down and forceful democratization, the EU struggled to find its own answers to its neighbourhood.

At the time, the EU, high on the optimism of the eastern enlargement, yet aware that its success could not be replicated indefinitely elsewhere, was intent on developing an alternative policy towards its neighbours further to the east. The (somewhat contradictory) aim of such a policy was that of capitalizing on the successes of EU enlargement, while finding an alternative to it. What, by late 2003-2004, became known as the European Neighbourhood Policy (ENP) aimed to do just that: offer to the neighbours 'everything but institutions', carefully conditioning such offers to the implementation of specified and agreed-on priorities for action in the political, social, economic and institutional domains (Comelli 2004). Much like the enlargement method, which was based on conditional offers and assistance along the path towards full membership, the ENP, while scaling down the carrot on offer, aimed at replicating the

methods of enlargement to neighbours further to the east (Del Sarto and Schumacher 2005; Kelley 2006).

The ENP was designed for the east, and in particular for those EU-minded aspirants such as Ukraine and Moldova, determined to follow the footsteps of their Central and Eastern European peers. Yet the debate over the ENP was soon applied to the southern Mediterranean too, whereby southern European member states were keen not to let the EU's southern dimension slip off the EU agenda.

However, the policy logic for the southern Mediterranean was different from that for the east. The challenge here was not that of concocting an appetizing alternative to enlargement. With the exception of Morocco's ill-fated application for EC membership in the far-away 1987 and occasional Israeli voices airing the desirability of EU membership, no southern Mediterranean country (setting aside EU candidate Turkey) had ever expressed the desire to join the EU. Yet the need for a revamping of EU policies towards the Mediterranean was just as pressing.

Indeed, the Barcelona Process - Euro-Mediterranean Partnership (EMP) -, premised on the optimism of the Oslo peace process,[1] was foundering in the fire of the second intifada[2] in the early years of the new century. Alongside this, the EMP, while theoretically centred on three pillars - economic, security, cultural - in practice put a premium on the former and largely neglected the latter two dimensions. This meant a dominant emphasis on economic ties over and above political, security and cultural cooperation. The results of this approach were wanting. In the early 21st century, the tenth anniversary of the 1995 Barcelona Declaration was fast approaching. Yet its aims - peace, democracy, human rights, cooperation and development - were as distant as ever. The logic underpinning the EMP was cracking. The expectation that higher growth rates and economic development would automatically spark political reform was manifestly not being met, as pointed out by the successive UNDP Arab Human Development Reports. In countries such as Tunisia, economic modernization seemed to proceed apace, but so was a deepening of corruption and an exacerbation of authoritarian rule. Moreover, as detailed below, EU-sponsored economic openness in Tunisia, far from inducing state divestiture, was reinforcing state interference in the private sector (Cassarino 2000; Hibou 2006). In countries such as Egypt, Morocco or Jordan, stagnant economic development coexisted alongside with a restructuring of authoritarianism and persisting violations of human rights and fundamental freedoms (Camau and Geisser 2003; Cavatorta and Volpi 2006). Added to this, the post-9/11 world induced policy-making quarters in Europe to delve deeper into the interconnectedness between acute security threats and the wider political, economic and social contexts from which these derived (Joffé 2007). Hence, growing attention was cast to the links between deficient democracies, human rights violations, escalating conflicts, international law violations, ill-governance and unequal

> **Stagnant economic development coexisted alongside with a restructuring of authoritarianism**

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[1] The Oslo peace process, initially conducted through a secret backchannel in Oslo, Norway, subsequently gave rise to the 1994 Declaration of Principles between Israel and Palestine Liberation Organization (PLO), which set the framework for negotiations between the two.
[2] The second Palestinian intifada erupted in September 2000 in the aftermath of the failed Camp David II negotiations between Israel and the PLO.

development on the one hand, and security threats such as terrorism, weapons proliferation, unauthorized migration, and organized crime on the other. The EMP, as it had evolved over the 1990s, no longer seemed appropriate in a post-9/11 world.

Hence, the ENP, designed for the east, neatly filled the EU's gaps on the south as well. By emphasizing bilateralism and differentiation, it was able to put visibly higher emphasis on democracy and human rights within individual partner countries compared to its predecessor policy. Indeed the need to eradicate the "root causes" of security threats was made explicit not only in the 2003 EU Security Strategy (European Council 2003), but also in the documents founding the basis of the ENP in 2003-4 (European Commission 2003 and 2004). The EU, as a whole, did not therefore buy into the black-and-white neoconservative logic of forceful democratization. Yet at a time in which a rethink of its Med policies was in order, the dominant neoconservative discourse stemming from across the Atlantic did impinge on European thinking too. More precisely, this meant that, while greater emphasis was rhetorically placed on democratization, the focus remained top-down, with little thought being put into what democracy and reform practically meant in these countries.

> **The EU put little thought into what democracy practically meant in these countries**

2.2 Selective engagement with opposition actors in the south

Specifically, the paradigm for Eastern Europe was applied, with little in-depth thinking, to the south. In the east, from the Central and Eastern European countries to the coloured revolutions in Ukraine and Georgia, opposition to authoritarian regimes was largely liberal and pro-Western in nature. The goals of these groups thus easily dovetailed with those of the EU and the US. Hence, the substantial and effective engagement by Western state and non-state actors for opposition forces in these countries. In this respect, we can cite the work carried out by American NGOs such as Freedom House, the National Democratic Institute (NDI) and the International Republican Institute (IRI), the National Endowment for Democracy, and the Open Society Institute as well as by European foundations such as the Friedrich-Ebert Stiftung, the Heinrich-Böll Stiftung, and the Konrad Adenauer Stiftung (Tocci and Mikhelidze 2005). In the Middle East, the same logic was applied, whereby strong support was provided to the few-and-far-between liberal groups in these countries. At the civil society level, financial support was granted either to pro-government groups or, at the very most, to liberal opposition groups. A case in point is the EU's generous support for the Moroccan *Initiative Nationale du Développement Humain* (INDH). This initiative, while supposedly aimed at encouraging human and social development in Morocco's poorest areas, has in practice acted as a covert means for the monarchy to control and co-opt NGOs (Darbouche and Colombo 2011).

The most vocal outbursts of criticism and condemnation by the EU were expressed when liberal groups or personalities were harassed by these regimes. Silence was the norm when "others" suffered from the same attacks. The outspoken EU criticisms of Hosni Mubarak's regime in Egypt in the 2000s in response to the imprisonment of liberal leader and presidential candidate Ayman Nour (European Parliament 2006) and, to a lesser extent, academic and activist Saad Eddin Ibrahim (European Parliament 2002) stand in stark contrast with the EU's silence in the light of the wave of arrests of Egyptian Muslim Brotherhood activists in the aftermath of the 2005 legislative elections.

The same silence bellowed in April 2008 when Tunisian authorities violently repressed protesters in the phosphate mining area of Gafsa, despite the vocal denunciations by numerous human rights groups and trade unions.

The EU's selective engagement with elite liberal actors in the Middle East reflected an inability to fully capture public moods in these countries, which ultimately culminated in the 2011 revolts in the region. When democratic processes produced unexpected and unwanted outcomes, the shallowness of Western support for democracy surfaced. Precisely because of this, EU (and US) policy towards the region U-turned 180 degrees in 2005-6.

2.3 Getting cold feet on democracy and human rights: the UfM and migration/border management

When, in 2005-2006, the marginal increase in political openness in some Middle Eastern countries produced, through electoral processes, unexpected (and undesired by the West) outcomes, the West quickly backtracked. In 2005, the Muslim Brotherhood won a surprising 88 out of 454 seats in the Egyptian parliament, in what had been the most open legislative elections in the country. In Lebanon, after the Syrian withdrawal in 2005, the Lebanese general elections resulted in a strong showing of Hizbollah, which successively entered the coalition government. Most resounding of all, in the Occupied Palestinian Territory, Hamas, having participated in municipal elections in 2004 and 2005 and indicated its willingness to enter the Palestine Liberation Organization (PLO) and accept the Palestinian Authority (PA), unexpectedly won the January 2006 legislative elections. These Islamist inroads through democratic processes triggered the abandonment of what had been a rather superficial and ill-thought out embrace of democracy by the West in the post-9/11 world, reverting back to comfortable notion of cooperation with authoritarian (but pro-Western) regimes.

Islamist inroads through democratic processes triggered the abandonment of democracy by the West

This abandonment had immediate repercussions on EU policy, visible both in Euro-Med and migration policies. Almost diametrically opposed to the logic underpinning the ENP, in 2007, French President Nicolas Sarkozy launched with much fanfare his idea of a Union for the Mediterranean (UfM) (Bicchi and Gillespie 2011). The underlying logic of the UfM was that of compartmentalizing Euro-Med relations, by sidelining political questions and proceeding unabated with economic cooperation through the promotion of specific projects. Sidelined was thus not only the traditional thorn of Euro-Med multilateralism - i.e., the Israeli-Arab conflict - but also democracy and human rights issues within the southern partners. Far from the logic of the ENP, at least theoretically premised on conditional cooperation determined by the domestic reform credentials of the neighbours, the UfM promoted commercially sponsored cooperation between the two shores of the Mediterranean, irrespective of political developments. High amongst the UfM's list of priority projects were energy, infrastructure, transport, environment, research and SME development. This is not the place to review the content, desirability and viability of these projects, many of which are yet to see the light of day. Suffice it to say here that the logic of these projects and of the UfM as a whole was that of promoting cooperation between the two shores of the Mediterranean, without questioning the political context in which such cooperation was embedded.

The initiative was initially met with scepticism both within and outside the EU. Central and northern member states, first and foremost Germany, as well as the Commission, protested against the intergovernmentalization of EU policy that the UfM entailed, shifting EU decision-making to the southern Mediterranean coastal states. Southern member states, notably Spain and Italy, were equally concerned, fearing French designs to supplant their leadership role in the EMP. Outside the EU, Ankara shunned Sarkozy's attempt to relegate Turkey to the Mediterranean - rather than European - Union. Israel also had little sympathy for what appeared to be a re-multilateralization of Euro-Med policies. And the Arab world watched with caution an initiative which purportedly aimed at transforming the much-celebrated "joint ownership" from rhetoric to reality, but which in practice smacked of an all-French affair.

Interestingly however, neither within nor outside the EU was there a strong lobby against the UfM's sidelining of the reform agenda. Despite all the grumblings, the UfM ultimately came into being in the summer of 2008, oddly merging with the EMP and giving rise to the unwieldy UfM-EMP (Aliboni and Ammor 2009). Since then, commitment has been low all around and the UfM has struggled to resolve its institutional problems. Above all, securing the private sector funds needed to materialize its ambitious projects has proved an uphill battle. Its six priority projects - de-pollution of the Mediterranean, maritime and land highways, civil protection, alternative energy and the Mediterranean Solar Plan, higher education and research, and SME support - remain more in the domain of ambition than of reality. What the UfM however did succeed in doing was placing on the backburner EU aims to spur the domestic transformation of its southern Mediterranean partners. Epitomizing this "success" was the very fact that heralded as co-chair of the UfM, alongside French President Sarkozy, was no less than his Egyptian counterpart Hosni Mubarak, certainly not a shining example of a Mediterranean reformer.

Over the last decade, other key domains in which the EU has gradually sidelined democracy and human rights for the benefit of cooperation with southern Mediterranean partners are migration management and the reinforced control of the EU's external borders. This gradual process stems from the combination of two interrelated factors.

First is the empowerment (Cassarino 2010b, 16) of some Mediterranean source countries, which has resulted from their proactive involvement in the reinforced police control of the EU's external borders (Paoletti 2010). Cooperation on border controls has not only allowed these Mediterranean regimes to boast their efficiency in the field of migration and border management, bolstering their international credibility and regime legitimacy. It has also allowed them to acquire strategic leverage in migration and border management talks, which they have capitalized on by resisting EU talk of political reform and by sidelining human rights in migration policy. Hence, countries like Morocco, Algeria, Libya, Tunisia, and Egypt, aware of their acquired power through cooperation over migration and border matters, have used their status to reconfigure and recodify migration and border policy at both EU and bilateral levels. Most importantly, their empowerment has weakened the EU's capacity to exert credible pressure regarding 'democratization and human rights observance' (Joffé 2008, 166). Because of this perceptible empowerment, neither the EU nor its member states have

been able to press for rights-abiding asylum systems in southern Mediterranean countries. In the field of readmission, the EU and its member states have reinforced cooperation with southern Mediterranean countries, regardless of whether the latter respect the rights and dignity of readmitted persons, let alone asylum-seekers' rights.

Second, faced with the empowerment of their southern neighbours, the EU and its member states started to prioritize operable means of cooperation on migration/border management over and above the enforceability of universal norms on human rights and refugee protection. Without this prioritization, based on a subtle denial of universal standards, cooperation on readmission would not have acquired unprecedented importance in Euro-Med relations. To be clear, this 'subtle denial' (Cassarino 2010b, 43) of universal norms relating to the rights of migrants, asylum-seekers and refugees does not stem from ignorance or failure to recognize their value. Rather, it reflects a 'hierarchy of priorities' (Cassarino 2010b, 21), whereby operable and flexible means of cooperation on migration and border matters tower over democracy and human rights. This prioritization and subtle denial have gradually contributed to diluting international norms, once viewed as being sound and secure. Also, it has bolstered the external credentials of autocratic regimes and weakened calls for democratic and human rights reforms in southern partner countries. Above all, it has identified top priorities, leading other issues to regularly drop off the Euro-Med policy agenda.

> **The EU prioritized cooperation on migration over universal norms on human rights**

The cooperation with Libya on the readmission of unauthorized persons epitomizes this trend. In September 2009, Human Rights Watch (2009) reported on the dreadful conditions and ill-treatment of readmitted persons in Libya. This report followed the Italian-Libyan reinforced cooperation on the fight against unauthorized migration. In May 2009, Italy set out to intercept migrants in international waters before they could reach the Italian coasts, so as to force them back to Libya. Hundreds of would-be immigrants and asylum-seekers have been forcibly subjected to these operations. UNHCR vehemently criticized these push-back operations, which questioned Italy's responsibility under the principle of *non-refoulement* enshrined in the 1951 Geneva Convention. In July 2009, then Vice-President of the European Commission responsible for Justice Freedom and Security, Jacques Barrot, reacted against these operations. Notwithstanding, pressed by France and Italy, the EU also recommended to 'intensify the dialogue with Libya on managing migration and responding to illegal immigration, including cooperation at sea, border control and readmission [while underlining] the importance of readmission agreements as a tool for combating illegal immigration' (European Council 2009b, 12). This intensified dialogue made its way into the geographical priorities listed in the December 2009 Stockholm programme (European Council 2009a). At a time when cooperation on readmission has taken on unprecedented importance in the external action of the EU and its member states, the Parliamentary Assembly of the Council of Europe has severely warned against the ensuing sidelining of human rights.[3].

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[3] The Parliamentary Assembly of the Council of Europe (PACE) adopted in June 2010 Resolution 1741(Council of Europe 2010), in which Point 7.1 reads: The Assembly invites the European Union to '*properly* consider the human rights situation and the availability of a well-functioning asylum system in a country prior to entering into negotiations on readmission agreements with that country' [italics added].

3. The revolts and their implications for EU policy: A new 180-degree turn?

In 2011 a tide of change has swept across North Africa and the Middle East. Before the eyes of the world, watching with a quixotic mix of awe and concern, the so-called Arab street, often derided for its apathy and acquiescence, succeeded there where no one else did (or perhaps tried) in just over a month. Through mass protests (and tacit military support), decade-old dictators of the likes of Tunisian President Zine El Abidine Ben Ali and Egyptian President Hosni Mubarak melted away like giants with feet of clay. As their house of cards came tumbling down, the region shook from Morocco and Algeria through to Bahrain and Yemen, making regimes tremble and empowered populations rise in jubilation and despair.

Much is and will be said on the "Arab 1989" (Coates Ulrichesen, Held and Brahimi 2011), on its causes (Paciello 2011), its implications (Walt 2011) and its future prospects (Asseburg and Werenfels 2011; Cassarino 2011; Marzouki 2011). The aim here is not to further this analysis. It is rather to interpret the meaning of these developments for EU policy in the region.

3.1 Acknowledging the need for a shake-up

As recognized by EU leaders themselves, the "Arab spring" inevitably calls into fundamental question EU policy towards the region. As aptly put by Stefan Füle (2011), European Commissioner for Enlargement and the ENP:
"We must show humility about the past. Europe was not vocal enough in defending human rights and local democratic forces in the region. Too many of us fell prey to the assumption that authoritarian regimes were a guarantee of stability in the region. This was not even Realpolitik. It was, at best, short-termism - and the kind of short-termism that makes the long-term ever more difficult to build".

We could not agree more. The revolts in the Arab world have demonstrated the weakness, if not the bankruptcy, of EU policy towards the region, particularly of what such policy had evolved into in recent years, through its lopsided emphasis on economic cooperation and migration management at the expense of democracy and sustainable development. Indeed, the EU had increasingly turned a blind eye to the underlying fragility of the regimes it cooperated with, mistakenly equating their short-term stability with their deeper and long-term sustainability (Colombo 2010), while pursuing its interests in the commercial, energy, migratory or anti-terrorism domains.

> The EU turned a blind eye to the underlying fragility of the regimes it cooperated with

As rightly put by High Representative/Vice President Catherine Ashton (2011a), the EU has an interest in the domestic transformation of its southern neighbours and ought to act upon its interests to promote what she defined as 'sustainable stability', i.e., stability achieved through change, rather than immobilism, towards sustainable political, social and economic development. Recognizing these interests, the Commission (2011) proposed a "Partnership for Democracy and Shared Prosperity", aimed at democratic transformation and institution-building, a stronger partnership with people, and sustainable and inclusive growth.

When the dust of the revolts settles, the challenges will be daunting. Regimes, or, more accurately, leaders, can fall in days or weeks, but building new orders will take much longer. Setting the foundations for a new start remains the single most pressing challenge. The region's own history stands as a stark reminder of just how real this challenge is. Indeed, the coups carried out by the very Ben Alis, Gheddafis and Nassers of the region were initially heralded as necessary responses to popular demands. The case of Ben Ali highlights how initial promises of democratic change, over little more than one year, slipped back into the crudest forms of authoritarianism and repression, following the 1989 parliamentary elections.

Today, while some leaders have gone, their regimes have not (Kienle 2011), and it will take far more than street protests and an e-savvy youth to ensure they are thoroughly replaced. Militaries, on a whole, did little to suppress the revolts. But particularly in Egypt, the military was part and parcel of the regime and remains solely in power today. Precisely because of the impeccably authoritarian nature of these regimes, political opposition and independent civil societies were weak or non-existent, and are unlikely to be up-and-running in time for the next elections. The risk is thus that upcoming elections, while different from the phoney precedents of the past, will consolidate the power of the few-and-far-between opposition groups that already exist, which represent only part of the population. Finally and no less importantly, the social, economic and political challenges that have given rise to the uprisings have not vanished. Reforms to tackle poverty, inequalities, youth unemployment, corruption, political exclusion and widespread human rights violations remain high on the agenda. Unless and until convincing answers are provided to these, "sustainable stability" remains a distant dream.

Meeting these challenges is first and foremost the duty of the southern Mediterranean countries. However, given the EU's acquiescence to the status quo ante and its geographical proximity and the manifold interests its gives rise to, it is also as much an interest as a responsibility of the EU too.

When it comes to the EU, policies ought to be revised in order to respond to a twofold challenge. On the one hand, the Arab revolts call for EU policies that can sustain a veritable process of change in the southern Mediterranean. On the other hand, assuming that such change is set in motion and that future regimes will be more democratic (or less authoritarian) than those of the past, EU policies must also be adjusted to account for these new realities. Specifically, assuming future regimes will be at least marginally more accountable to their populations, the content and packaging of several EU policies, including the hierarchy of priorities described above, will inevitably have to be reviewed. If, for example, the future Egyptian regime will indeed be more responsive to Egyptian popular demands, then Egyptian foreign policy vis-à-vis the Gaza Strip and Hamas will probably change. The EU, in turn, will be called upon to factor the manifold implications of such change into its own foreign policy towards the region

> The content and packaging of several EU policies will inevitably have to be reviewed

Likewise, in Tunisia, the current interim government is faced with an unprecedented degree of accountability towards its citizens, which was unconceivable under Ben Ali's regime. This radically reconfigured relationship between the Tunisian state and society will have inevitable implications for migration management policies. Under the former regime, cooperation on migration and border management was driven by the search for strategic alliances with the EU and its member states. Today, external legitimacy and support conferred by such alliances remain important for the interim government. But far more critical are domestic political, economic and developmental concerns. These new priorities may no longer dovetail with the security-oriented logic of Euro-Med migration policies, particularly regarding the fight against unauthorized migration and readmission. If the EU wants to keep its promise to listen 'not only to requests for support from partner governments, but also to demands expressed by civil society' (European Commission 2011, 3), it must account for these new domestic drivers.

> **Domestic developmental concerns may no longer dovetail with the security-oriented logic of migration policies**

How can the EU revise its policies both to sustain bottom-up democratic change and development and to factor the implications of such change into its policies?

3.2 The way forward: The good news

The Arab revolts do not call for Europe to reinvent the wheel. Both on paper and in terms of policy instruments, much of what is needed already exists.

In terms of policy instruments, the ENP's hub-and-spoke bilateralism and its roots dug deep into the enlargement logic, has what it takes to support the domestic transformation of the neighbouring south. More so than the EMP, the ENP, in principle, put on the table more funds, more trade and more cooperation for the south. Amongst the most appetizing incentives we can cite trade liberalization, reinforced political dialogue, participation in EU programmes, visa facilitation, and cooperation in infrastructure, energy, information, environment, research and social policy. The ENP also includes a financial instrument - the European Neighbourhood and Partnership Instrument (ENPI), which became operational in 2007, supplanting the former MEDA (for the south) and TACIS (for the east). The ENPI aims at supporting political, social and economic reform, sectoral cooperation, regional and local development, regional integration and participation in EU programmes and agencies. Earmarked funds for 2007-2013 amounted to €11.2 billion. Compared to MEDA, the ENPI represented a step forward. In terms of quality, beyond traditional assistance, the ENPI included funds also for cross-border cooperation, a governance facility aimed at rewarding partners that made progress on governance reforms, twinning[4] and Taiex.[5] As for quantity, the ENPI for 2007-2013 represents an increase of 32%, in real terms, compared to the amount available over 2000-2006 for MEDA and TACIS combined.[6]

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[4] Twinning is aimed at bringing together public sector expertise from EU member states and beneficiary countries with the aim of enhancing cooperation.
[5] Taiex (Technical Assistance and Information Exchange) aims at fostering political and economic cooperation in a number of areas, primarily regarding the approximation, application and enforcement of EU legislation.
[6] See the ENPI website: http://ec.europa.eu/europeaid/how/finance/enpi_en.htm.

Equally important, the ENP, on paper, put far more emphasis on democracy, human rights and sustainable development compared to previous initiatives such as the EMP. In the context of the EMP, the Barcelona Declaration solemnly declared the parties' commitment to international law, the UN Charter, the Universal Declaration of Human Rights (UDHR), democracy and the rule of law. In addition, article 2 of the Euro-Med association agreements defined democratic principles and human rights established under the UDHR as 'essential elements' of the agreements, which could justify their suspension if the violation of these essential elements constituted a material breach (article 79). Yet within the Barcelona Process, the EU never made use of these articles to press upon the Med countries specific reforms. The EMP was grounded on modernization theory (Lipset 1959; Huntington 1968), which had it that economic liberalization would automatically lead to political reform. All the EU had to do was to promote the former and the latter would magically fall into place.

The ENP represented, in theory, a move away from this logic. The ENP's documents and the ensuing Action Plans agreed with seven southern neighbours between 2004 and 2007, highlighted country-specific political, social and economic reform priorities, alongside EU measures of cooperation and assistance to induce and support such reforms. However, this has been truer for some neighbours than for others, not least because the Action Plans are drawn up in agreement between the EU and the neighbouring countries. In the case of the Palestinian Authority, the Action Plan specified detailed reform priorities in the areas of institutions and governance, elections and electoral laws, human rights and fundamental freedoms, and the development of civil society (European Commission 2005, 1). Furthermore, following the agreement on the Action Plans, the Union also established specific human rights sub-committees with southern partners (except Israel) to benchmark and monitor progress in democracy and human rights. The ENP, on paper, indicated a qualitatively different degree of EU attention to reform. It mentioned explicitly changes in the constitutional, electoral, judicial, governance and civil society domains, and established institutional mechanisms to monitor progress in these areas.

In addition, the ENP emphasized the idea of "joint ownership". The notion of joint ownership has been part of the EU lexicon for many years and was a strong rhetorical component of the multilateral EMP. Yet more so than in the EMP, the ENP embedded the notion of partnership in both rhetoric and policy practice. At the declaratory level, the ENP explicitly considered development and reform as the 'sovereign responsibility' of the neighbours (European Commission 2006, 4), believing the EU should not 'impose' but should 'support the region's own reforms' (Ferrero Waldner 2007, 4). At the level of policy procedure, the notion of partnership was entrenched in the process culminating in the publication of the Action Plans, which were the product of negotiations between the Commission and the neighbouring countries, where both parties selected and agreed upon reform priorities.

The idea of partnership could, in principle, be a value-added to a reform-minded EU policy. As rightly suggested by HR/VP Ashton (2011b), the EU has to be careful not to be accused of 'political imperialism'. Political change must be home-grown and cannot be imposed from outside. The colonial legacy of several EU member states in the southern Mediterranean has discredited their legitimacy in 'imposing' reforms. Doing so would be perceived as a revival of the European '*mission civilisatrice*', which

proclaimed the virtues of free trade, Christianity and science that would bring peace, order, and civilization to the rest of the world. Avoiding these historical traps, the ENP Action Plans thus carefully selected those reform priorities identified by the neighbours themselves. Hence, Jordan's Action Plan mentioned reforms in governance, the judiciary and the public sector; and Morocco's Action Plan referred to reforms in the fields of decentralization, modernization of the prison system, and family law. In negotiating reform priorities, the relevant question was and remains "negotiations with whom?" Is agreement sought only with (authoritarian) regimes or also with broader sectors of society? In this respect, the EU proved far more effective in the east than in the south. In the former, and particularly in relatively more open countries like Georgia, Ukraine and Moldova, the EU sought extensive civil society involvement in the debate over the Action Plans. The final word, inevitably, rested with the authorities; but the process engaged broader sectors of society as well. In the south, negotiations essentially involved, exclusively, officials from both sides. As such, the notion of "joint ownership", which theoretically allowed for a home-grown and externally supported reform process, in practice simply meant papering over any impulse for political change. The lesson drawn is that "joint ownership" can and should remain a key pillar underpinning EU-neighbourhood relations. Yet the actors "owning" the process should not simply involve officials. The ENP should spur the political reforms that resonate within the official circles, the private sectors and the civil societies of the neighbouring countries too.

3.3 The way forward: The challenges

This is not to say that the EU should comfortably pat itself on the back and recast its energies on the ENP, sadly cast aside when the West got cold feet about democracy and human rights in the Arab world. Whereas part of the original logic and instruments of the ENP were sound, the revolts in the Arab world call for a rethink of the EU's hierarchy of policy priorities and of the manner in which such policies have been carried out. Below some suggestions of what such rethink might entail.

The revolts in the Arab world call for a rethink of the EU's hierarchy of policy priorities

3.3.1 Put the money where the mouth is
Beginning with assistance, the ENPI has been heralded as a step forward, not only by rationalizing EU assistance, but also by raising the scope of eligible activities and the absolute levels of EU funds. However, unlike pre-accession aid, the ENPI has lacked a substantial cohesion component, focusing instead on infrastructure and (neo)liberal economic projects which have, however, failed to induce equitable development and to generate employment. The socio-economic problems in countries such as Tunisia and Egypt, which played such a critical role in triggering the revolts, testify to the need to rethink the manner in which EU assistance is used (Paciello 2011).

As for the quantity of EU assistance, delving into the details, the significance of the ENPI pales, standing at an average of €10 per capita per year for the entire neighbourhood. A further issue concerns the distribution of assistance between east and south (see Table 1). When all ENP countries with official ties to the EU are considered, we note that the south fares relatively well, receiving on average €13.9 per capita per year compared to the east's €6.9. However, if we remove the Occupied Palestinian Territory from these calculations, to which EU assistance per year stands at

an astounding €350 million, the picture changes, and the average funds per capita per year to the south fall to €5.2. If we exclude two further outliers - Lebanon (where EU assistance in 2007-2010 reflects the consequences of the 2006 Lebanon war) and Israel (which receives disproportionately low amounts of EU funds in view of its status as a developed economy) - the balance tilts further away from the south. Average per capita assistance per year to the south (excluding the OPT, Lebanon and Israel) stands at €4.1, compared to €6.9 to the east.

Table 1: ENPI funds (2007-2010)

	Indicative amount 2007-2010 (€m)	Average per year 2007-2010 (€m)	Population (m)	Average per year / per capita (€)
Algeria	220.0	55.0	33.0	1.7
Israel	14.0	3.5	6.3	0.6
Lebanon	187.0	46.8	3.9	12.0
Egypt	558.0	139.5	77.6	1.8
OPT	(only 2009) 353.0	353.0	4.2	84.0
Jordan	265.0	66.3	5.8	11.4
Syria	130.0	32.5	18.5	1.8
Tunisia	300.0	75.0	10.1	7.4
Morocco	654.0	163.5	32.8	5.0
Average south	**416.0**	**104.0**	**(total) 192.2**	**13.9**
Average south (except OPT)	**291.0**	**72.8**	**(total) 188.0**	**5.2**
Average south (except OPT, Lebanon, Israel)	**354.5**	**88.6**	**142.7**	**4.1**
Armenia	98.0	24.5	3.2	7.7
Azerbaijan	92.0	23.0	8.6	2.7
Georgia	120.0	30.0	4.4	6.8
Ukraine	494.0	123.5	46.2	2.7
Moldova	210.0	52.5	3.6	14.6
Average east	**203.0**	**50.8**	**(total) 66.0**	**6.9**

Source: ENPI, http://www.enpi-programming.eu/wcm; DataMarket, http://datamarket.com/data/set/18e2/enp-countries-population-demography#display=charts

This is not to argue that the EU ought to divert its funds from Eastern Europe to the southern Mediterranean. It is rather to state that if the EU aims at influencing the domestic developments in the south through financial assistance, then it ought to reconsider the overall amount of funds made available to the region. It is precisely in this vein that when HR/VP Ashton announced an emergency increase of €17 million to support Tunisia's democratic transition, her Tunisian interlocutors sneeringly dubbed the increase as 'ridiculous': evidence of the EU's failure to capture the scale of historical change in the region.[7] Considering that Tunisians fare relatively well in terms of EU assistance compared to most of their neighbours, one can only imagine what the reaction to such modest increases in funds would be elsewhere.

The EU ought to reconsider the overall amount of funds made available to the region

In view of the EU's current economic situation, it is difficult to imagine a radical up-scaling of EU assistance. This said, considering that 2007-13 EU assistance to African-Caribbean-Pacific (ACP) countries stands at €23 billion, an increase from the current

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[7] See "Tunisian minister ridicules EU aid effort", *EurActiv*, 18 February 2011, http://www.euractiv.com/en/global-europe/tunisian-minister-ridicules-eu-aid-effort-news-502285.

€11.2 billion for the entire neighbourhood in the next budgetary cycle (2014-2020) would be in order.

Alongside any increase in ENPI funds, called for by the extraordinary developments taking place at the EU's borders, exploring additional funding channels is imperative. Alongside the ENPI, the EU has also made available a Neighbourhood Investment Facility, with €700m in 2007-13, used to leverage EIB and other IFI loans to the region. Furthermore, the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD) have also been used to channel funds to the neighbourhood. To date, these additional funding mechanisms have been more operational in the east than in the south. The Commission (2011) has proposed a €1 billion increase in the EIB's lending ceiling to North Africa, allowing for a further €6 billion of EIB loans to the region. This is certainly a step in the right direction. Alongside this, an urgent revision in the EBRD's statutes would be necessary in order to activate this funding mechanism in the southern Mediterranean as well (Grant 2011, 7). Such additional mechanisms to the south could focus their grants and loans on job creation (EIB), and support for transition in economic governance (EBRD).

3.3.2 Make good on the offer of "everything but institutions"
More interesting than assistance, the ENP held on offer "everything but institutions". This was particularly appealing to the south, which has no ambitions to enter the EU. Yet the offer has remained on paper. Southern Mediterranean countries would value highly the liberalization of the four freedoms (i.e., the free movement of persons, goods, services and capital), and in particular the free movement of persons and visa facilitation into the EU. Yet the EU has been highly reluctant to extend these internal market freedoms to the south. Indeed, as soon as then Commission President Romano Prodi had aired his "all but institutions" slogan, member states jumped to clarify that at most the ENP could offer three of the four freedoms (i.e., excluding the free movement of persons). The fear of terrorism, political Islam, smuggling and organized crime, unauthorized migration and the wider spillover effects of instability, has induced most Europeans, leaders and publics alike, to deepen a policy of containment in recent years. This policy has been particularly strong when it comes to the south.

The EU has acknowledged the imperative of reviewing its offers to the south. In its recent communication, the Commission (2011) envisaged liberalization measures in the domains of trade and the movement of persons and trade. Yet far more should be done to put valuable new incentives on the table.

As for trade, the EU has demonstrated its entrenched reluctance to move towards a liberalization of its highly protectionist agriculture markets to the south. Hence, the actual value of the ENP to the southern neighbours has remained far more virtual than real. EU policy-makers have moved towards a recognition that the bargain on offer to the south was simply insufficient. Trade Commissioner Karel De Gucht in March 2011 admitted that 'we have to be willing to open our markets'.[8] Such willingness should translate into practice in the agricultural realm, entailing an EU-wide resolve to win over the predictable resistance stemming from EU agricultural lobbies, particularly from

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[8] See "EU trade chief urges closer ties with North Africa", *Reuters*, 3 March 2011, http://af.reuters.com/article/libyaNews/idAFLDE72229620110303.

southern and Eastern Europe in times of crisis. The EU is currently negotiating liberalization measures on agricultural and fisheries products with Tunisia and Morocco, and has already reached agriculture agreements with Israel. Only if the EU overcomes its inbuilt resistance to move in this direction with all southern Mediterranean countries, facilitating access to their fruit, vegetable, oil and wine, it stands a chance of inducing its southern partners to scale down their exceptionally high tariff barriers. Reducing such barriers vis-à-vis WTO members is critical to dismantling the monopolistic privileges enjoyed by ruling elites and their entourages.

Turning to the movement of people, to obtain the prize of visa liberalization, the EU states that several preconditions first have to be met. Effective cooperation on readmission and reinforced border controls remains a major precondition. In a similar vein, the Commission set forth the prospect of mobility partnerships for the south.

Mobility partnerships and their rationale form an integral part of the Global Approach to Migration. They are tailor-made and encompass a broad range of issues ranging from development aid to temporary entry visa facilitation and circular migration schemes (Triandafyllidou 2010). In return, the EU requests cooperation on illegal migration and 'effective mechanisms for readmission'.[9] The attempt to couple mobility partnerships with cooperation on readmission reflects how, although the Commission appears to be willing to review its offers, its underlying hierarchy of priorities underpinning immigration policy has remained unchanged. This conditional link is not new, in fact, and was already enshrined in the European Pact on Immigration and Asylum, sponsored by France and endorsed by the EU in October 2008. Moreover, the relative value of mobility partnerships for the southern Mediterranean countries is questionable. In practice, only three mobility partnerships have been concluded so far with Cape Verde, Georgia and Moldova. One is still being negotiated with Senegal. Senegal, however, remains reluctant to conclude an EU mobility partnership, and links its willingness to do so with the revision of its Economic Partnership Agreement (EPA), which, Senegal argues, has detrimental effects on its tariff revenues. Senegal's attitude is indicative of a broader phenomenon. Mobility partnerships are in many respects of greater value to the EU than to the southern Mediterranean countries. This is not only because they reflect the EU's attempt to elevate readmission as the guiding principle of interaction, but also because their scope is limited to specific types of professional figures that respond to the labour needs of the EU, rather than the development prerogatives of third countries. Moreover, member states are already free to engage in mobility partnerships through their external bilateral relations. Offering such partnerships at EU level would not fundamentally alter the incentives underpinning the ENP.

If the EU is genuinely willing to offer more appealing incentives to the southern neighbours, readmission and reinforced border controls should no longer be the main (and often only) priorities guiding cooperation on temporary labour migration schemes. New instruments will need to be devised to respond to skills portability,[10] vocational training, and

> **Readmission and reinforced border controls should no longer guide cooperation on temporary labour migration schemes**

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[9] Mobility partnerships 'would be agreed with those third countries committed to fighting illegal immigration and that have effective mechanisms for readmission' (European Commission 2007, 19).
[10] Skills portability means the *transferability* and *recognition* of skills acquired by migrants, in the context of the global economy.

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reintegration back home. Such issues have been overlooked in current EU migration policies. Rather than conditioning the adoption and implementation of circular migration schemes to cooperation on readmission and border control, the EU ought to condition these schemes to putting in place effective legal and institutional mechanisms to foster the (temporary or permanent) reintegration of labour migrants in countries of origin.

Giving circular migrants a concrete opportunity to go back and forth between their countries of destination and of origin will depend on the extent to which third countries will be able to adopt adequate legal and institutional mechanisms aimed at supporting the social and professional reintegration of circular migrants.[11] To date, no southern Mediterranean country has been institutionally sensitive to the question of reintegration, owing to the externalized vision of migration flows. More than finding incentives to make countries of origin more cooperative on readmission, southern Mediterranean countries should be encouraged to adopt legal provisions and institutional reforms sustaining development *and* the reintegration of their nationals. For example, temporary tax exemptions for entrepreneur-returnees, skills portability programmes, facilitated portability of migrants' social rights, support for the education of returnees' children, and vocational training programmes addressed to circular migrants, constitute some of the prerequisites of effective circular migration schemes. Such basic preconditions, once fulfilled, would allow migration and development to be re-coupled.

More broadly, genuinely new incentives in the field of migration would see the EU diverting its focus away from short-term measures aimed at expelling irregular migrants, towards measures aimed at allowing third countries to realize the potential development contribution of their nationals living abroad. Opening channels of consultation with policy-makers, migrant associations, civil society organizations, employers' associations and trade unions in the southern Mediterranean would support this much-needed initiative.

The EU should help third countries realize the potential development contribution of their nationals living abroad

3.3.3 Effective conditionality
The discussion above suggests that re-thinking the benefits on offer is necessarily the starting point of an overhaul of the ENP. Yet just as important is a re-think of the way in which such benefits and policy instruments are used and conditioned. The underlying logic of such policy instruments is twofold. The EU ought to rethink carefully the mix between the two.

On the one hand, the EU can rely on the logic of capacity-building. The underlying concept here is that deficiencies in development, democracy and governance of the southern neighbours are due to problems of capability and implementation, rather than of intent and ideology. Hence, the southern partners' commitment to sustainable development ought to be bolstered through political support, economic aid and technical assistance. This logic has some validity. Particularly post-1/11, both new regimes in-the-making and old regimes who are weathering the storm of change recognize that the status quo ante was unsustainable. Hence, across the Mediterranean there is likely to be greater willingness to embrace reform with the

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[11] For a thorough analysis of circular migration, see the METOIKOS research project: http://metoikos.eui.eu.

support of external actors such as the EU. Specific policy instruments could be tailored to enhance the capacities of southern Mediterranean governance structures. A case in point is twinning, which represents an important EU means to support public administration in the neighbourhood. Twinning projects must be proposed by southern Mediterranean authorities. But the EU, and particularly EU delegations in the region, can encourage authorities to propose particular projects. An interesting example to draw on is the ongoing twinning project in Israel to support the Equal Employment Opportunities Commission (EEOC), a recently established Israeli body aimed at enhancing employment opportunities amongst disadvantaged groups, including the Arab minority (Tocci 2011a). In the southern Mediterranean, twinning projects could be focused on strengthening local administrations and curbing regional inequalities.

On the other hand, the knee-jerk reaction of southern Mediterranean authorities, including both those that have seen a toppling of entrenched rulers and those that have not, is likely to tilt towards conservatism. In order to minimize this risk, the EU ought to make good on its original logic of conditionality. While part of the ENP's letter and spirit, the EU had almost immediately abandoned the idea of conditionality towards the neighbourhood, particularly towards the south. While former Commission President Prodi (2002) initially spoke of the 'Copenhagen proximity criteria' to engage in serious conditionality towards the neighbourhood, by the time the Action Plans were drawn-up in 2004-2007, most reform priorities and benchmarks were either vaguely mentioned or omitted altogether. In most cases, the Action Plans limited themselves to calling open-endedly for the 'freedom of the press', 'the involvement of political parties' or 'the development of civil society', without defining specific reforms, benchmarks and timelines for implementation (Del Sarto *et. al.* 2007; Del Sarto and Schumacher 2011). Furthermore, these vague priorities were unconnected to the delivery of EU benefits on offer, voiding the ENP of its potential to induce reform through conditionality. The allocation per country of ENPI funds, for example, was agreed at the beginning of the seven-year budget cycle. The neighbours thus knew that earmarked EU funds would be channeled to them regardless of their conduct (Grant 2011, 10). Furthermore, the governance facility, aimed at rewarding reforming states, amounted to a mere €300 million out of the €11.2 billion ENPI funds. Beyond the non-conditioning of aid, the starkest evidence, however, of the EU's abandonment of conditionality was the negotiation of an advanced status agreement with Ben Ali's Tunisia, despite the latter's deepening of repressive policies, and of a Framework Agreement with Gheddafi's Libya in 2010.

The time has come to reconsider the effective use of conditionality. The Commission (2011, 5) has recognized the need to move towards an 'incentive-based approach'. This would mean conditioning the broad upgrade of EU-Med relations through new Action Plans and advanced status agreements to important steps forward in these countries' transitions. However, it would also and above all mean conditioning specific benefits outlined in new or existing Action Plans to equally specific reforms jointly agreed by the EU and the neighbours. EU actors have acknowledged the importance to focus explicitly on political reforms. Commission President Barroso (2011) has called for a "Pact for Democracy and Shared Prosperity", in which the remaining €4 billion of ENPI funds available until 2013 would be targeted to: democracy, the rule of law and fundamental rights; inclusive social development; and civil society.

In particular, EU conditionality would do well to focus its attention on the manifold dimensions of the rule of law. Concentrating conditionality on the rule on law has three sets of benefits. First, as opposed to explicitly political elements of reform, focusing conditionality on the rule of law would shield the EU from accusations of 'political imperialism', rightly warned against by HR/VP Ashton. Second, the EU, whose cooperation with southern Mediterranean countries spans across a variety of sectors and policy areas, is well placed to induce rule of law reform in a deep and comprehensive manner. Third and related, rule of law reform is critical to ensure veritable transition, i.e., transition that pertains not exclusively to the strictly-defined political and institutional realms, but also to the private sector and civil society. Indeed, in most of the southern Mediterranean, the problem is that authoritarianism spans well beyond the political sphere, and its tentacles dive deep into the private and social realms too. The Tunisian case is critical in this respect, whereby Ben Ali's regime and its system of patronage and corruption was deeply present in the private sector (Cassarino 2011). Ensuring a veritable transition in Tunisia, as elsewhere, means therefore not only ensuring that free and fair elections are held but also that the remnants of authoritarianism are eradicated from the private sector. Ensuring respect for the rule of law is not the be-all-and-end-all of democracy. Yet the "thick" elements of democracy are for the countries of the region to decide. The EU, for its part, can and should help foster the ground for substantive democracy through its contribution to the rule of law. This, in addition to a greater engagement with civil society, discussed below, would allow the EU to positively influence the political transformation of its southern neighbours.

> **Time has come to reconsider the effective use of conditionality by concentrating on the rule on law**

Effective conditionality requires not only setting rules and conditions, but also putting in place adequate monitoring mechanisms to ensure that such rules and conditions are respected and fulfilled. Such effective monitoring mechanisms are key to buttressing the credibility of the EU and its financial assistance. They are also critical in countering unintended consequences. The EU-sponsored *Programme de Mise à Niveau* (PMN), aimed at upgrading and restructuring the Tunisian private sector equipping it to face greater exposure to international competition through gradual tariff dismantling, is emblematic of such unintended consequences. The PMN was officially expected to buttress the competitiveness of Tunisian private enterprises. Far from doing so, the PMN actually contributed to reinforcing the interference of the Tunisian state and former ruling party into the private sector. It did so by allowing the regime to selectively allocate financial and informational resources to a number of entrepreneurs (close to it), with a view to modernizing their (and only their) production lines, and to sustaining their (and only their) export capacities. Moreover, the PMN co-opted the Tunisian employers' union, by promoting Tunisian corporate groups through opaque mergers, takeovers and the promotion of corporate venture capital, and by channelling FDI in order to monitor economic openness. By doing so, the PMN contributed to building a pyramidal private sector, where entrepreneurs deeply embedded in the regime rested at the top (Cassarino 2000; Hibou 2006). Had effective EU benchmarks and monitoring mechanisms been put in place and implemented with the support of Tunisian civil society actors, an initiative such as the PMN, officially aimed at promoting an independent and competitive private sector in Tunisia, would not have unintendedly contributed the reverse.

3.3.4 Broaden the spectrum of partners inside and outside
A final dimension of a revised ENP regards the EU's partners in the process of change in the Mediterranean. Beyond engaging with the authorities of the southern Mediterranean countries, developing a strategy to engage both with local civil, political and private sector actors, as well as with external actors outside the region is crucial.

In a context of transition from authoritarian rule, engaging with the broadest possible spectrum of societal actors is of the essence. One of the characteristics of authoritarian regimes is precisely the scarcity of a genuine political opposition. Often the political opposition is either banned, harassed and repressed, or, alternatively, it is co-opted by regime, whereby co-option is viewed as the only strategy for political survival. Islamist parties across the Middle East have treaded the path of repression. Most other opposition groups have generally been weaved into the regimes' power web. This distinction is not black-and-white. Interestingly and often ignored by the Western media, is the fact that even Islamist parties had been increasingly tempted to pursue the strategy of co-option. This has been the case not only of parties such as the Moroccan Justice and Development Party, which has essentially been inserted within the formal political system, accepting the rules of the (authoritarian) game. It has also been the case also of the Egyptian Muslim Brotherhood, that, having suffered since 2005 a renewed wave of repression, has increasingly displayed features of acceptance of and acquiescence to the regime (Pioppi 2011). Not only, in fact, had the Muslim Brotherhood rejected Mohammed el Baradei's call for a boycott of the 2010 legislative elections in Egypt, signalling a degree of acquiescence to Mubarak's regime. But also, the Brotherhood, and in particular its older generations, were certainly not amongst the first lines of protest on Tahrir square in January 2011. All this is to say that the EU should engage with all existing political actors. It can certainly not afford to ignore any existing organized political voice, including mass Islamist parties. It is essential for the EU to overcome its reluctance to engage with Islamist parties, a reluctance borne out of the fear that these could open the gates to extremists, failing instead to acknowledge both their complexity and the divide between them and al Qaeda-like "global jihadists".

However, engaging only with existing political forces is insufficient. The social characteristic of the Arab revolts was precisely their spontaneous and unorganized nature. This highlights how mainstream public moods, demands and desires have not been channelled yet into organized political voices. In such a vacuum, new political forces are bound to emerge, and their roots may well originate in the civil, social and economic spheres, including workers, youth and student movements, trade unions and associations. Mapping the existing civil society sphere in the southern Mediterranean is thus of the essence. Equally important is then engaging with such actors through all means available - dialogue, funding and training (Tocci 2011b; Marchetti and Tocci 2011). Targeting EU financial instruments such as the European Instrument for Democracy and Human Rights as well as the future Civil Society neighbourhood Facility (European Commission 2011, 6) to identify and support civil society actors that may develop into political forces in future is thus important. Doing so in cooperation with European foundations (e.g., the German Stiftungen) involved in political party support is equally important. More broadly however, engaging in dialogue with all such actors, including local and European civil society groups of all political persuasions, is critical to keeping an accurate EU pulse on the evolving

> **New political forces are bound to emerge and their roots may originate in the civil, social and economic spheres**

situation. In this respect, it remains to be seen whether the UfM-sponsored Mediterranean Social Dialogue Forum will facilitate effective exchanges between EU and Mediterranean social actors.

Finally, and no less importantly, an effective ENP strategy to support transformation in the southern Mediterranean also means cooperating with other external actors deeply enmeshed in this process. Two key partners in this respect are the United States and Turkey. The US, as the dominant external actor in the Middle East, has a critical role to play. Particularly in the Gulf, in Jordan and, of course, in Egypt, the US through its military presence and/or assistance represents the single most important external game changer in the region. This is not the place to explore what the synergies between EU and US policies might be, and how the two could coordinate their actions in order to further reform. Suffice it to say here that, particularly in Egypt, where the military remains firmly in charge, an effective ENP strategy towards supporting genuine transition must account for the intimate American-Egyptian dynamics at play.

In different respects, another key actor for the EU to partner with is Turkey. Turkey, on the one hand, is an EU candidate, with whom the EU seeks to develop a strategic foreign policy dialogue. On the other hand, Turkey has been heralded as a model for the transition of the Arab world. The idea of Turkey as a model had been originally flagged by the American neoconservative right, in the pre-Iraq war years of the Bush administration. The idea had been tacitly cast aside following the Turkish rebuke of US demands in the context of the 2003 attack on Iraq. The idea of the Turkish model has however become part of the lexicon, not only of the US, the EU and Turkey, but also of the Arab world. A 2009 survey conducted by the Turkish NGO TESEV revealed that no less than 61% of respondents in Arab countries considered Turkey to be a model for the Arab world (Akgün, Perçinoğlu and Senyücel Gündoğar 2009, 21-22). Post-1/11, the notion of the Turkish model has acquired new resonance. Despite the ups and downs of Turkey's democratic transition, of which there are many, what is clear is that the Turkey of the 21st century is far more open politically, economically and socially than that of the 1980s and 1990s. Notwithstanding, the idea of the Turkish model remains a rather abstract notion with few practical policy implications. In view of the complementarities between Turkey's and the EU's neighbourhood policies (Kirişçi 2011), exploring what the Turkish model might mean for the southern Mediterranean may be an important exercise for the EU, Turkey and the southern Mediterranean to conduct together.

Exploring the Turkish model in a policy relevant manner entails two critical steps. The first step regards the southern Mediterranean countries, which would need to be asked what, precisely, they find interesting in Turkey's experience. Is it the changing meaning of Turkish secularism and of civil-military relations? Is it Turkey's understanding of the rule of law? Is it its relationship with the West and/or Turkey's drive for a more independent foreign policy? Or is it Turkey's economic experience which appeals to the southern Mediterranean countries? Having identified the attractive features of the Turkish model, the second step would be for Turkey and the EU, together, to extrapolate these features and translate them into practical policies. This would require establishing the necessary institutional mechanisms to engage in structured dialogue on these questions. In this respect, it is as lamentable as it is paradoxical that, having championed the idea of a strategic dialogue with Turkey in 2010, HR/VP Ashton has

been reluctant to consider Turkey' proposals for institutionalized foreign policy dialogue.[12] It is only if the EU garners the will to break out of its institutional rigidities, that any talk of cooperation with Turkey outside the confines of the accession process can acquire tangible meaning. There can be no better occasion to do so than a rethink of EU policies towards the Arab Mediterranean.

4. Conclusions

Reviewing the ENP by revamping the benefits on offer, reconsidering the effective use of conditionality, establishing adequate monitoring mechanisms and engaging with a plethora of partners both within and beyond the region is imperative. Such a review is contingent on the recognition of a reversed hierarchy of priorities, induced by the force of historical events unfolding in the region.

To reverse policy priorities is no small feat, considering the entrenched logic that has sustained Euro-Med policies so far. Nonetheless, various dynamics press for a new way of thinking. First, among EU institutions and various member states, there is growing awareness that prioritizing stability over the respect for human rights has rendered the Union and its member states more lenient on the repression exerted by authoritarian regimes (Camau 2011), without accomplishing long-term stability. This awareness is questioning the logic of the "lesser evil", which has underpinned EU policies towards the south. This logic, premised on short-termism and short-sightedness, no longer resonates in policy and public discourse. Second, the European Parliament seems to be more intent on exerting its legislative, budgetary and political powers to reconsider the hierarchy of priorities that has so far sustained Euro-Med policies. The use of such powers, enshrined in the Treaty of Lisbon, may positively impact on the EU's will and capacity to respond effectively to the unprecedented transformations in North Africa and the Middle East. Finally, if the transformation of southern Mediterranean societies proceeds, the EU may have little choice but to adapt and revise its policy logic. Particularly Egypt and Tunisia are now faced with an unprecedented level of public accountability, which they can no longer shy away from. Their citizens are well aware that rights and freedoms determine the contours of their changing relationship with the state, and will shape future social and political developments in their respective countries. Southern Mediterranean governments are facing new accountabilities in pursuing their domestic policies and reforms. Neither the EU nor its member states can dismiss such realities offhand. Old bargains and ways of thinking may thus no longer be politically feasible, let alone desirable, in the southern Mediterranean. The proposals contained in this study constitute concrete steps to rethink the EU's Mediterranean policies in line with the fundamental rights and principles which the Union seeks to advance in its external action.

Updated: 22 March 2011

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[12] Remarks by Sinan Ülgen at the Istituto Affari Internazionali, Rome, 14 March 2011.

References

Akgün, M., Perçinoğlu, G. and Senyücel Gündoğar, S. (2009) "Orta Doğu'da Türkiye Algısı", *Dış Politika Analiz Serisi*, No. 10, http://www.tesev.org.tr/UD_OBJS/PDF/DPT/OD/YYN/OD%20Algisi_Rapor%20TR_200 9.pdf.

Aliboni, R. and Ammor, F.M. (2009) "Under the Shadow of Barcelona: From the EMP to the Union for the Mediterranean", *EuroMeSCO paper*, No 77, http://www.euromesco.net/images/paper77eng.pdf.

Ashton, C. (2011a) "Remarks at the senior officials' meeting on Egypt and Tunisia", *Speech* 11/122, 23/02/2011, http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/122.

Ashton, C. (2011b) "A world built on cooperation, sovereignty, democracy and stability", *Speech* 11/126, 25/02/2011, http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/126.

Asseburg, M. and Werenfels, I. (2011) "The Toppling of Ben Ali: Isolated Development or First Domino?", *SWP Comments*, No. 2011/C 05, February, http://www.swp-berlin.org/fileadmin/contents/products/comments/2011C05_ass_wrf_ks.pdf.

Barroso, J.M. (2011) "Statement by President Barroso on the Situation in North Africa", *Speech* 11/137, 02/03/2011, http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/137.

Bicchi, F. and Gillespie, R. (2011) "The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?", Special Issue, *Mediterranean Politics*, Vol. 16, No. 1.

Camau, M. (2011) "C'est à l'ombre de l'Europe que l'autoritarisme a perduré en Tunisie", *Le Monde*, 20 January, http://www.lemonde.fr/idees/article/2011/01/19/c-est-a-l-ombre-de-l-europe-que-l-autoritarisme-a-perdure-en-tunisie_1467714_3232.html.

Camau, M. and Geisser, V (2003) *Le Syndrome autoritaire: Politique en Tunisie de Bourguiba à Ben Ali*, Paris, Presses de Sciences Po.

Cassarino, J-P. (2011) "Confidence-building in Tunisia after the Popular Uprising: Strategies and Dilemmas of the Interim Government", *IAI Working Papers*, No. 1104, http://www.iai.it/pdf/DocIAI/iaiwp1104.pdf.

Cassarino, J-P. (2010a) *Readmission Policy in the European Union*, Directorate General for Internal Policies, Policy Department C: Citizens' Rights and Constitutional Affairs, Civil Liberties, Justice and Home Affairs, Brussels, European Parliament, http://cadmus.eui.eu/handle/1814/14957.

Cassarino, J-P. (2010b) (ed.) *Unbalanced Reciprocities: Cooperation on Readmission in the Euro-Mediterranean Area*, Washington D.C.: The Middle East Institute, http://www.mei.edu/LinkClick.aspx?fileticket=y0UGbA6b01A%3D&tabid=541.

Cassarino, J-P. (2000) *Tunisian New Entrepreneurs and their past Experiences of Migration in Europe: Resource mobilization, networks, and hidden disaffection*, Aldershot, Ashgate.

Cavatorta, F. and Volpi, F. (2006) "Forgetting Democratization? Recasting power and authority in a plural Muslim world", *Democratization*, Vol. 13, No. 3, pp. 363-372, http://doras.dcu.ie/476/1/democrat_13_3_2006.pdf.

Coates Ulrichesen, K., Held, D., and Brahimi, A. (2011) "The Arab 1989", *Open Democracy*, 11 February, http://www.opendemocracy.net/kristian-coates-ulrichsen-david-held-alia-brahimi/arab-1989.

Colombo, S. (2010) "The Southern Mediterranean. Between Changes and Challenges to its Sustainability", *MEDPRO Technical Paper*, No. 1, November, http://www.iai.it/pdf/mediterraneo/MedPro/MedPro-technical-paper_01.pdf.

Comelli, M (2004) "The Challenges of the European Neighbourhood Policy", *The International Spectator*, Vol. 39, No. 3, pp. 97-110.

Council of Europe (2010), *Readmission agreements: a mechanism for returning irregular migrants*, Strasbourg, PACE, Resolution 1741 (2010), http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta10/ERES1741.htm.

Darbouche, H. and Colombo, S. (2011) "The EU, Civil Society and Conflict Transformation in Western Sahara: The Failure of Disengagement", in N. Tocci (ed.) *The EU, Civil Society and Conflict*, London, Routledge.

Del Sarto, R. and Schumacher, T. (2005) "From EMP to ENP: What's at stake with the European neighbourhood policy towards the southern Mediterranean?", *European Foreign Affairs Review*, Vol. 10, No. 1, pp. 17-38.

Del Sarto, R., Schumacher, T., Lannon, E. with Driss, A. (2007) "Benchmarking Democratic Development in the Euro-Mediterranean Area: Conceptualising Ends, Means and Strategies", *EuroMeSCOAnnual Report 2006*, http://www.euromesco.net/images/04.pdf

Del Sarto, R. and Schumacher, T. (2011) "From Brussels with Love: Leverage, Benchmarking, and the Action Plans in the EU's Democratisation Policy", *Democratization,* Vol. 18, No. 2, forthcoming.

European Commission (2003) *Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*, Communication from the Commission, COM(2003) 104 final, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0104:FIN:EN:PDF .

European Commission (2004) *European Neighbourhood Policy. Strategy Paper*, Communication from the Commission, COM(2004) 373 final, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2004:0795:FIN:EN:PDF.

European Commission (2005) *EU-PA Action Plan*, http://ec.europa.eu/world/enp/pdf/action_plans/pa_enp_ap_final_en.pdf.

European Commission (2006) *Communication from the Commission to the Council and the European Parliament on Strengthening the European Neighbourhood Policy*, COM(2006) 726 final, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0726:FIN:EN:PDF.

European Commission (2007) *Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union*, COM(2007) 247 final, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0247:FIN:EN:PDF.

European Commission (2011) *Joint Communication to the European Council, the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region: A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean*, COM(2011) 200 final, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0200:FIN:En:PDF.

European Council (2009a) *The Stockholm Programme - An open and secure Europe serving and protecting the citizens*, 2 December, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:EN:PDF.

European Council (2009b) *Brussels European Council October 29-30, 2009 Presidency Conclusions*, 15265/1/09 REV 1, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/110889.pdf.

European Council (2003) *A secure Europe in a better world. European Security Strategy*, Brussels, 12 December, http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf.

European Parliament (2002) *European Parliament resolution on Egypt*, P5_TA(2002)0410, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2003:272E:0485:0486:EN:PDF.

European Parliament (2006) *European Parliament resolution on Egypt: the Ayman Nour affair*, P6_TA(2006)0144, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2006:293E:0325:0327:EN:PDF

Ferrero-Waldner, B. (2007) *'Madrid: Fifteen Years Later' Conference*, Speech 07/7, http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/7.

Fukuyama, F. (1992) *End of History and the Last Man*, New York, Free Press.

Füle, S. (2011) "Speech on the recent events in North Africa", *Speech* 11/130, 28/02/2011, http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/130.

Grant, C. (2011) "A new neighbourhood policy for the EU", *Centre for European Reform Policy Brief*, March, http://www.cer.org.uk/pdf/pb_grant_neighbourhood_11march11.pdf.

Guazzone, L. and Pioppi, D. (2004) "Democratisation in the Arab World Revisited", *The International Spectator*, Vol. 39, No. 4, pp. 89-100.

Hibou, B. (2006) *La Force de l'obéissance: Economie politique de la répression en Tunisie*, Paris, La Découverte.

Human Rights Watch (2009) *Pushed Back Pushed Around: Italy's Forced Return of Boat Migrants and Asylum Seekers, Libya's Mistreatment of Migrants and Asylum Seekers*, New York, Human Rights Watch, http://www.hrw.org/en/reports/2009/09/21/pushed-back-pushed-around-0.

Huntington, S. (1993) "The Clash of Civilizations", *Foreign Affairs*, Vol. 73, No. 3, pp. 22-49.

Huntington, S. (1968) *Political Order in Changing Societies*, Yale, Yale University Press.

Ish-Shalom, I. (2007) "The Civilization of Clashes: Misapplying the Democratic Peace in the Middle East", *Political Science Quarterly*, Vol. 122, No. 4, pp. 533-554.

Joffé, G. (2008) "The European Union, Democracy and Counter-Terrorism in the Maghreb", *Journal of Common Market Studies*, Vol. 46, No.1, pp. 147-171.

Joffé, G. (2007) "Political Spillover from North Africa into Migrant Communities in Europe", *The International Spectator,* Vol. 42, No. 2. pp. 5-25.

Kelley, J. (2006) "New Wine in Old Wineskins: Promoting Political Reforms through the New European Neighbourhood Policy", *Journal of Common Market Studies*, Vol. 44, No. 1, pp. 29-55.

Kienle, E. (2011) "Opposition groups in Egypt must now rise to the challenge of negotiating a good transition", *Open Democracy,* 14 March, http://www.opendemocracy.net/eberhard-kienle/opposition-groups-in-egypt-must-now-rise-to-challenge-of-negotiating-good-transition

Kirişçi, K. (2011) "Comparing the neighbourhood policies of Turkey and the EU in the Mediterranean", in N. Tocci (ed.) *Turkey: Reluctant Mediterranean Power*, *GMF-IAI Mediterranean Paper Series*, February, http://www.iai.it/pdf/mediterraneo/GMF-IAI/Mediterranean-paper_10.pdf.

Lipset, S. M. (1959) "Some Social Requisites of Democracy" *American Political Science Review*, Vol. 53, No. 1, pp. 69-105.

Marchetti, R. and Tocci, N. (eds) (2011) *Civil Society, Conflict and the Politicization of Human Rights,* Tokyo, Uited Nations University Press.

Marzouki, N. (2011) "Tunisia's Wall Has Fallen", *MERIP*, 19 January, http://www.merip.org/mero/mero011911.

Owen, R. (2009) 'Edward Said and the Two Critiques of Orientalism', in *Middle East Viewpoints: Orientalism's Wake: The Ongoing Politics of a Polemic*, pp. 12-15, http://www.mei.edu/Portals/0/Publications/Orientalism.pdf.

Paciello, M. (2011) "Egypt: Changes and Challenges of Political Transition", *MEDPRO Technical Paper*, forthcoming.

Paoletti, E. (2010) "Relations among Unequals? Readmission between Italy and Libya", in J-P. Cassarino (ed.) *Unbalanced Reciprocities: Cooperation on Readmission in the Euro-Mediterranean Area*, Washington D.C.: The Middle East Institute, pp. 54-76, http://www.mei.edu/LinkClick.aspx?fileticket=y0UGbA6b01A%3D&tabid=541.

Pioppi, D. (2011) "Is There an Islamist Alternative in Egypt?", *IAI Working Papers*, No. 1103, February, http://www.iai.it/pdf/DocIAI/iaiwp1103.pdf.

Prodi, R. (2002) *A Wider Europe - A Proximity Policy as the key to stability*, Speech 02/619, 06/12/2002, http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/02/619.

Schlumberger, O. (2007) *Debating Arab Authoritarianism: Dynamics and Durability in Nondemocratic Regimes* Stanford, CA: Stanford University Press.

Spencer, C. (2009) "North Africa: The Hidden Risks to Regional Stability", *Chatham House Briefing Paper*, April, http://www.chathamhouse.org.uk/publications/papers/view/-/id/732/.

Tocci, N. (2011) (ed.) *The EU and the Palestinian Arab Minority in Israel*, Brussels, Euro-Mediterranean Human Rights Network (EMHRN), February, http://www.euromedrights.org/files.php?force&file=2011_EMHRN_Adalah_HRA_Report___EU___Arab_minority_in_Israel_415492201.pdf.

Tocci, N. (ed) (2011b) *The EU, Civil Society and Conflict*, London, Routledge.

Tocci, N. and Mikhelidze, N. (2008) 'How to engage with political Islam: Lessons from Europe', *The International Spectator*, Vol. 43, No. 3., pp. 67-83.

Triandafyllidou, A. (2010), 'Towards a Better Understanding of Circular Migration', *METOIKOS project*, Fiesole, European University Institute Robert Schuman Centre for Advanced Studies,

http://www.eui.eu/Projects/METOIKOS/Documents/ConceptPaper/METOIKOSConcept
Paper1July2010.pdf.

Walt, S.M. (2011) 'Winners and Losers in the Egyptian Uprising', *Foreign Policy*, 14
February,
http://www.foreignpolicy.com/articles/2011/02/14/winners_and_losers_of_the_revolutio
n.

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