
The Arab Spring, the changing Mediterranean, and the EU: tools as a substitute for strategy?

Rosa Balfour

BACKGROUND

Tunisian fruit seller Mohammed Bouazizi did not expect his tragic gesture in December 2010 to open a Pandora's box of discontent, and trigger such widespread change. It inaugurated an age of hope for empowerment and freedom across the Arab world, which is inspiring social mobilisation elsewhere including in Europe. Myths about the incompatibility of democracy and Islam, and fears about the rise of Islamic fundamentalism, have been dispelled, challenging many of the deeply engrained assumptions of EU and US policy towards the region. Dictatorships and authoritarian regimes around the world have started to tremble at the unexpected outcomes of citizens' indignation and alternative forms of mobilisation.

While the future shape of the Mediterranean, which includes Europe, is still in the making, with many risks attached to the extraordinary transformations, after a bad start some features of EU action there are becoming evident.

The EU has gradually displayed a wide-range of different tools, from military might to humanitarian aid, from targeted sanctions to measures in the management of migration, and some rethinking of the longer term programmatic policies. It has also demonstrated some flexibility in using different policy and institutional formats by strengthening existing policies and using multilateral frameworks to back its engagement, from NATO to the UN and the Middle East Quartet. And it has cooperated with the African Union, the Arab League, the Organisation of the Islamic Conference in the Cairo Group, as well as the international organisations on the ground.

If the response of the EU to the Tunisian and Egyptian overthrow of their rulers revealed all the weaknesses of short-term crisis management, some of the pieces of the European contribution to reshaping the Mediterranean are now coming together. What remains scarcely visible is the thread holding them together.

STATE OF PLAY

Putting the EU's foreign policy toolbox to use: better late than never

The military engagement in Libya gave the opposition to Gaddafi's regime the chance to not be decimated, but the outcome is still to be seen. The impact on the European side, however, shows that important differences exist within the Union on the use of force and its justification based on the principles of the "Responsibility to Protect" – which conversely was not invoked for Syria's state violence against its citizens – on the assessment of the risks of state failure in Libya, the role of NATO and of Common Security and Defence Policy (see Erik Brattberg's

EPC Policy Brief *Opportunities lost, opportunities seized: the Libya crisis as Europe's perfect storm*).

However controversial, in the Libyan case French and British activism made decision-making relatively fast. Approving the various targeted sanctions packages towards the other countries was in many ways lengthier. Freezing the assets of Zine El Abidine Ben Ali and Hosni Mubarak and their associates took place several weeks after they had left their presidencies and fled their respective countries (presumably not empty handed); agreeing on targeted sanctions against the Syrian regime was even lengthier, with Washington and European

capitals seemingly debating whether Bashar al-Assad is a reformer or a blood shedder. Apart from the constraints of the institutional machinery in finding unanimity at the level of the Foreign Affairs Council, in each of these cases the EU followed the suit of other actors and the UN Security Council rather than take the lead and act swiftly.

Changes within the newly created European External Action Service (EEAS) also came about slowly, with the Arab Spring spreading across the region while key officials had not yet been appointed. In June the final important post was filled by Christian Berger as Director for North Africa, Middle East, Arabian Peninsula, Iran and Iraq in the EEAS, and the European Council approved a much needed Special Representative (SR), to be nominated by the Member States (the name proposed is Bernardino Leon) but supported by a task force comprising officials from the EEAS, the Commission, the Member States, the European Bank for Reconstruction and Development, and the European Investment Bank.

This positive decision should ensure engagement through shuttle diplomacy, which the HR alone cannot carry out, and will create a unit in Brussels in charge of coordinating the various policy tools available and, it is hoped, support the development of more strategic thinking towards the region. The scope and mandate of the SR remain to be decided.

The EEAS and the Commission have produced two Communications (*A partnership for democracy and shared prosperity* in March and *A new response to the changing neighbourhood* in May), which rethink aspects of the longer-term programmatic policies and introduce a few innovations (discussed below). The latter was discussed at length within the EU institutions and is likely to represent the highest level of engagement that is politically feasible at the moment. A Communication on migration was also published in May, a field which needs to be included to understand the EU's response to the Arab Spring.

In addition to the the €5.7 billion available for 2011-2013, the Member States have also approved an additional financial package to of €1.242 billion (put together from existing resources) to address the new challenges up to 2013, and will welcome further suggestions to improve the procedures governing the neighbourhood policy's (ENP) financial instrument and make it more flexible for the next financial framework period (2014-2020). This too is a welcome development, as it has taken six months to put together commitments from the international community (the World Bank, the G8 and now the Commission).

New approaches? Rethinking the European Neighbourhood Policy

One important shift in the paradigms behind EU engagement is the recognition that past policies rested on the assumption that authoritarianism was the bulwark against terrorism, Islamic fundamentalism, and for the containment of migration. The democracy-and-stability paradigm which littered EU declarations and intentions was far from being translated into practice. If this starting point were to be carried out it could lead to significant changes in diplomatic relations with countries on the Southern shore.

One first consequence is a stronger commitment in the new documents to supporting political reform, pluralism, and processes that may lead to democratisation, through the introduction of more focused objectives and benchmarks jointly negotiated with the partner governments.

In response to the need to engage with the civil society actors that are emerging anew in the South Mediterranean (and as part of the year-long review of the ENP), the EU also proposes to pay much more attention to non-governmental actors through a new Civil Society Facility (a tool used in the Balkan countries) and by creating a new Endowment for Democracy. This would be a grant-making body for non-registered NGOs and political parties, and could have been achieved without creating a new budget line but simply by changing the regulation of the existing European Initiative for Democracy and Human Rights (EIDHR).

Nonetheless, it is noticeable that directly supporting political parties represents a departure from what has hitherto been an official position of non-partisanship in domestic politics of third countries and suggests that the EU might become more involved in the internal politics of third countries. In the unlikely case that the Endowment were to become operative very soon, it could, for instance, offer support to the many parties that are mushrooming in Egypt and Tunisia but are unprepared to compete with parties such as Mubarak's old National Democratic Party or the Muslim Brotherhood in upcoming elections. It is likely that the Endowment received Member States' backing also because of the opportunities it could offer to support non-Islamist political parties. Making the Endowment operative will require a more thorough debate of the EU's democratisation objectives.

With these aims established, the two Communications also sharpen the ways in which these may be achieved. Differentiation, 'more for more', and ownership are the buzz words of this renewed approach. The Arab

Spring has created far more heterogeneity in the region, from Tunisia and Egypt, which have overthrown the old regime and are in the process of creating new constitutional and institutional structures which could lead to a process of democratisation, to some of the monarchies which are engineering reform from above, so far receiving the EU's praise, as in the case of Morocco. A few regimes have so far managed to maintain the status quo and weather the protest

movements, while other countries have descended into war and violence with uncertain prospects. The difference between each situation requires a deeper knowledge of developments in each country as well as stronger and more targeted bilateral policies. These would support reform efforts and reward those making most progress with the renewed incentives of the "3 Ms" (another buzz word used by Catherine Ashton): money, market access, and mobility partnerships.

PROSPECTS

The trouble with incentives

Incentives need to be credible, tangible, and to make a difference. The "3 Ms" are notoriously hard to deliver due to traditional Member State protectionism. Of the resources mobilised so far, little comes from the Member States and the March Communication is littered with appeals to them to replenish funds and budget lines. In parallel, a creeping narrative of aid effectiveness is detectable in the speeches and documents of the EU institutions and leaders (to do "more with less resources"), focusing on better identification of the objectives of external assistance, monitoring, and synergy with political aims. This exercise is healthy, as too much aid has been spent propping up debatable regimes, but it needs to be acknowledged that in the age of austerity the "Marshall Plans" called for by European leaders are unlikely to materialise. By contrast, countries from the Gulf and Asia are investing far more heavily in North Africa and the Middle East than Europe's meagre resources.

Market access could be an area in which Member States might shed old protectionism of agricultural products, especially in view of the Deep and Comprehensive Free Trade Area (DCFTA) now on offer to all the countries in the EU's neighbourhood. Trade with the EU is crucial for all its surrounding countries (over 40% of North African and Middle Eastern trade is with Europe), but the lengthy and cumbersome process of negotiating and reaching a DCFTA can diminish its attraction as an incentive in the short term. However, the past 15 years have seen slow but steady progress in lifting trade barriers between the EU and some South Mediterranean countries without significant consequences on the most important challenges in North Africa of economic growth and unemployment. Also with certain standards raising in Europe, for instance on food security, South Mediterranean products might be yet again left out of the European market.

Mobility Partnerships could be the most attractive incentive, especially for citizens, but will be the

most difficult to deliver. Indeed, strings were attached to Mobility Partnerships three days after they were proposed, making them conditional on cooperation in combating irregular migration. Morocco, Tunisia and Egypt are the three countries of the South Mediterranean that will be offered the package first.

Morocco's regime has been meeting European requests to contain migration patterns, but it will be much harder for Tunisia and Egypt to satisfy these conditions as their security forces will require radical overhaul to ensure that the democratic reform of the state is irreversible. Cooperation to support third countries to help them meet requirements in border control, migration management, security and readmission will also take up an increasing chunk of EU funds without raising the overall budgetary envelope.

The search for new paradigms for EU-South Mediterranean relations

Beyond the added value of the new proposals, there remain some deeper issues that would need to be addressed if the EU wants to seize the opportunities of the Arab Spring and contribute to shaping a new environment. The revolutionaries have introduced new paradigms; so should the EU.

The substance of the revised ENP rests on a more detailed definition of political conditionality and democratic expectations. The application of such conditionality, however, is notoriously full of dilemmas. Conditionality can have a degree of impact if the incentives are credible and deliverable and if the receiving country is sensitive and committed to the principles upon which conditionality is based. This means that the EU could find inroads with the countries embarking on forms of reform but will hardly shift regimes that have weaker ties to Europe – as has been the case so far with Algeria, Syria, and Libya. It also requires a degree of equality in treatment between various countries, finding a balance between pragmatism and consistency.

In turn, this means that the Member States will have to shed some of their privileged relations with individual countries if the EU is to stick by its principles. Hitherto, the EU's Mediterranean policies have been hijacked by diverse interests of Member States, each cultivating their post-colonial relations, which helps explain why over the past decade Tunisia, for instance, made progress in economic relations with the EU without incurring much criticism for its worsening human rights standards.

The "more for more" and "less for less" mantra needs further specifications: what are the starting points for both the offering of positive incentives and negative measures? Are Tunisia and Egypt going to receive "more" for the transformations achieved so far or, as many signals indicate, is political conditionality, never applied so far, kicking in now that they are most vulnerable? How to entice a country like Algeria into agreeing to the ENP packages if it can continue its level of engagement with the EU as before? There will be a need to find a careful balance between general principles and credibility of EU commitments with the pragmatism advocated by differentiation and the emphasis on bilateral relations.

The recognition that the democracy and stability paradigm was not translated into practice is a welcome first step, but the reasons for this also ought to be understood. The Member States need to address the underlying reasons for the EU's poor performance: the fears of Islamic fundamentalism, uncontrolled migration, and terrorism remain the chief concerns in European capitals. Recognising that hitherto Europeans have passively accepted the arguments provided by the regimes would be a first step to finding new ways to understand these phenomena, the degree to which they are grounded in reality, and novel assessments of the risks that exist in the region.

Who might lead this exercise in understanding the problems that have so far made all EU Mediterranean initiatives lame is not clear. The countries that have traditionally pushed for EU involvement in the region are also those that have most acutely felt the dilemmas between democracy and stability, and it remains to be seen whether the High Representative flanked

by the EEAS and the new task force might be able to steer a process leading to an overall strategic rethink of the Mediterranean.

A difficult task will be redesigning a new overarching architecture for relations across the Mediterranean. The definition of the region itself is problematic, increasingly so with the greater diversity between countries and the recognition of the role of other regional and international actors there. The existing framework of the Union for the Mediterranean has proved it has been without consequence, with its intergovernmental structure that excludes civil society and sub-state institutions, and its focus on projects as an attempt to depoliticise some contentious issues. Yet, in the absence of new initiatives on strengthening multilateral relations in the region, the June European Council confirmed the validity of this framework.

Whatever the outcomes, the starting point needs to be a more thorough analysis of the stumbling blocks that have made EU policy towards the region one of the most divisive and contentious foreign policy issues, as well as a fresh understanding of the political dynamics in the South Mediterranean. The potential 'democracies in the making' need to rethink their notions of sovereignty, and reconcile national identity with interdependence with Europe. Tunisia's ratification of the Rome statute of the International Criminal Court is a crucial step, showing a commitment towards not going back, and making any reversal of the transition process subject to international law and scrutiny.

If the EU wants to go beyond refining and rebranding existing policies, however well that exercise is carried out, and make use of the broad range of tools it has at its disposal, it needs its policies to be driven by a broader and shared vision which addresses the political misgivings that have blocked strategic thinking. EU foreign policy should be more than the sum of its parts. One starting point would be to see the Mediterranean basin as space in which Europe belongs – rather than one from which it needs to protect itself.

Rosa Balfour is a Senior Policy Analyst at the European Policy Centre.



European Policy Centre ■ Résidence Palace, 155 rue de la Loi, 1040 Brussels, Belgium
Tel: +32 (0)2 231 03 40 ■ Fax: +32 (0)2 231 07 04 ■ Email: info@epc.eu ■ Website: www.epc.eu



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