

After the Revolution: The EU and the Arab Transition

Timo Behr

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Executive Summary

The ongoing transition processes in the Arab world represent a major challenge for the European Union. The EU responded to this challenge by conducting an ambitious review of its neighbourhood policies. In this review, the EU pledges to refocus its policies on building **deep democracies**, promoting **inclusive growth**, and developing **civil society partnerships** with its neighbours. One year after the Arab revolutions, it is time to assess in how far EU policies have really changed and whether the ENP review still provides an appropriate framework for EU action in a quickly evolving region.

Although the EU introduced some positive changes, the **review failed to alter the underlying format and direction of Euro-Mediterranean relations**. Just as in the past, the EU continues to pursue a **Eurocentric vision of integration** in the Mediterranean that builds on an “enlargement-light” approach. However, this approach does not provide a realistic vision for the future of EU engagement. Instead, the EU will need to find a way to reconcile its own Eurocentric vision with the revival of Pan-Arab and Pan-Islamic trends and the emancipatory outlook of post-revolutionary states.

To meet this challenge, **another review** of the EU's Euro-Mediterranean policies is needed, **focusing on the fundamentals** of that relationship. The starting point for this exercise ought to be an acknowledgment of the EU's diminishing power and ability to dictate the direction of political and economic change in the region. A number of basic principles and elements should be streamlined into EU policies in order to move beyond the enlargement-light logic:

- **Primum non nocere:** The EU has to shirk excessive activism and ready-made solutions, by drawing on domestic impulses and emphasising local ownership.
- **Broad-based Engagement:** This will require the EU to engage “illiberal society” in its neighbourhood that does not share all of its core values, such as gender equality.
- **Articulating Interests:** The EU should be forthright in setting out its own interests and how these concretely relate to the normative goals it puts forward in its strategy.
- **Democracy Partnerships:** When countries reject closer integration, the EU should work closely with regional organizations to provide democracy aid and assistance.
- **Effective More-for-More:** When countries accept closer integration, the EU should inverse the logic of its conditionality and become more demanding and outspoken.
- **Multilateral Partnership:** The EU should explore proposals for a more limited, but broadly-based multilateral framework of regional engagement and scrap the Union for the Mediterranean.
- **Multipolar Mediterranean:** The EU needs to streamline governance and development issues into its strategic partnerships with new and old regional actors.

Adopting these measures will amount to a **downsizing of the EU's grand ambition** of creating a European Mediterranean. But they will go some way in turning the EU into a more effective and respected partner in an increasingly diverse and contested region.

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Introduction: The Arab World in Transition



The popular protests that have swept through North Africa and the Middle East since early 2011 have transformed the EU's southern neighbourhood. In Tunisia and Egypt, peaceful revolutions have led to a toppling of the incumbent regimes and a bottom-up transition process. In Jordan and Morocco, popular protests have initiated a process of managed top-down reforms. In Libya and Syria, civil wars have set in motion national fragmentation processes and a loss of central control that represent a real threat to regional stability in the Sahel and the Levant. Finally, in the case of Israel-Palestine, the changing regional situation has contributed to a collapse of the peace process that may prove beyond repair and revived unity talks between Fatah and Hamas.

Faced with these complex and multifaceted events, experts have differed in their assessment of the situation. While there is much hope that the "Arab Spring" will lead to the creation of stable and prosperous democracies, some analysts have cautioned that a period of regional instability and

an authoritarian backlash are the more likely outcome of what they define as the Arab “winter of discontent”. But beyond meteorological considerations, there is no doubt that the ongoing events have changed the outlook for Arab autocracies. No longer defined by what seemed an immutable and robust authoritarianism, the Arab world today is in the midst of a profound transformation. The question is where this transition will lead and what outsiders can do to aid the process.

Within months of the popular uprisings in Tunisia and Egypt, the EU has undertaken an ambitious review of its neighbourhood policies. In this review, the EU pledged to adopt a new approach to its Arab Mediterranean neighbours. Central to this approach was going to be EU support for the democratic transition processes. One year after the Arab revolutions, this Policy Paper seeks to assess in how far EU policies have really changed and whether the European Neighbourhood Policy (ENP) review still provides an appropriate framework for EU policies in a quickly evolving region. It argues that although there have been some important changes to the EU’s Mediterranean policies, in its current form the ENP fails to provide the EU with the sufficient tools to impact, let alone steer, the multiple transition processes.

1. Impact on Euro-Mediterranean Relations

The changing political realities in the Mediterranean region provide a new context for the formulation of EU foreign policies that is ripe with both challenges and opportunities. While much uncertainty remains over the future shape of regional politics and the outcome of the multiple ongoing transition processes, it is possible to discern a number of developments that will shape EU policies in the region. Inevitably, the EU will find it difficult to formulate an effective foreign policy strategy without taking these changes into account. Some of the most important of these developments include *inter alia*:

- **End of Neoliberal Paradigm:** The Arab Spring has shown the failure of the EU's neoliberal development approach for the southern Mediterranean. Egypt and Tunisia – previously considered economic tigers – have led the revolutionary wave that has been fuelled by high unemployment, growing inequality and faltering education systems. New Arab governments everywhere are now denouncing the economic policies of their predecessors and demand a shift

towards more sustainable development. This is likely to compel the EU to adjust its market friendly approach.

- **Fragmentation of Civil Society:** It is a common truism that the Arab Spring has broken the “wall of fear” and vitalized Arab civil society across in the region. Most analysts have argued that this new dynamism favours a democratic transition. However, Arab civil society has also become increasingly fragmented and sectarian, in some cases leading to a “balkanization” and civil strife. In many countries state weakness, rather than strength, is now a problem. The EU’s focus on western-style civil society organisations (CSOs) will have to adapt to this more fragmented scene.
- **Dominance of Political Islam:** The increasing popularity of Political Islam – albeit of different kinds – in the new Arab democracies is going to present a problem for the EU’s “normative agenda” in the southern Mediterranean. Islamic groups are likely to advocate policies that may, on occasions, clash with EU values and policies on such issues as gender equality, religious freedom and free speech. They may also advocate a foreign policy that is sometimes at odds with the EU. This will force the EU to revisit its commitment to these issues and possibly to strike a new balance between its own values and its respect for the “democratic aspiration of the Arab peoples.”
- **The Rise of Nationalism:** Arab nationalism has been on the rise in the post-revolutionary era, leading to a heightened mistrust of western policies and a greater emphasis on national sovereignty. The Egyptian lawsuits against western NGOs, as well as Egypt’s initial refusal of an IMF loan, have been indicative of this trend.¹ This will make it increasingly difficult for the EU to pursue policies that are seen as intrusive, such as engaging with non-registered NGOs, or applying conditionality in its policies with democratically elected

1. Following a series of police raids in December 2011, the Egyptian authorities initiated legal procedures against a number of local and international NGOs, including the National Democratic Institute, IRI, Freedom House and the Friedrich Ebert Foundation.

governments of the region. It also represents a broader long-term challenge to the Eurocentric logic of the current ENP.

- **A Polarized Region:** The southern Mediterranean has become increasingly polarized as a result of recent events. The Middle East peace process has broken down and is unlikely to be revived in the short run. Looming confrontations over Syria and Iran may stoke the flames of Sunni-Shia competition and lead to greater conflict within and between societies. (Post-)Revolutionary republics and reforming monarchies have different long-term goals. At the same time, there are expectations that sub-regional integration may be revived in the Gulf and the Maghreb. These developments will make it increasingly difficult for the EU to maintain the myth of a cohesive “Euro-Mediterranean” region as the focal point for its policies.

The EU will need to factor in all of these developments when revisiting its strategy for the southern neighbourhood. But has it? Evidence suggests that the EU has been successful in taking some of these elements on board, but ignores others at its own peril.

2. The European Neighbourhood Policy Review

The EU adjusted its policies in the southern Mediterranean in early 2011, following the first phase of the Arab Spring protests that took place in Tunisia and Egypt. After some months of dithering and divisions, EU policy-makers realized that it was futile to try and stem the tide of change. Instead, the EU now sought to realign its position with the demands of the Arab protesters. Commission President José Manuel Barroso announced this shift in March 2011, when he stated that “I think it is our duty to say to the Arab peoples that we are on their side! From Brussels, I want to specifically say this to the young Arabs that are now fighting for freedom and democracy: We are on your side.”² EU High Representative Catherine Ashton, in her turn, highlighted the need for the EU to henceforth focus on the promotion of **sustainable stability** in the neighbourhood.³

2. Barroso, José Manuel, “Statement by President Barroso on the situation in North Africa,” Point Press, Speech 11/137, 2 March 2011.
3. European Union, “Remarks by the EU High Representative Catherine Ashton at the Senior officials’ meeting on Egypt and Tunisia,” Brussels, A 069/11, 23 February 2011.

2.1. Towards a Partnership for Democracy

This realignment has guided the revision of the EU's neighbourhood policies in the southern Mediterranean, as laid out by two Joint Communications from spring 2011. In its proposal for a *Partnership for Democracy and Shared Prosperity with the Southern Mediterranean*,⁴ the Commission outlined a new vision to guide its policies in the region that placed a central focus on the ongoing democratic transition processes. This was followed by *A New Response to a Changing Neighbourhood*,⁵ which reviewed the implications for the EU's Neighbourhood Policy as a whole. Both documents emerged out of an ongoing review process that had been launched in 2010 in reaction to the Lisbon changes and enabled the Commission to react with speed to the developing crisis.

In these documents, the EU sketches out a new approach towards its southern neighbourhood. While in the past the EU consistently prioritized regional stability and security, even if it meant working with authoritarian regimes, the new approach promises to unambiguously support the ongoing democratic transition processes. In order to do so, the EU's new strategy outlines three new strategic priorities for EU action in the region.

First, the EU seeks to support a transition towards **deep democracy** amongst the southern partner countries. According to the EU, the establishment of deep democracy requires not only regular elections, but also demands a broader set of preconditions, such as freedom of association and expression, the rule of law, the fight against corruption and democratic control over security forces. Second, the EU pledges to build **people partnerships** that focus on civil society cooperation and development as an essential part of this process. Fostering pluralistic and inclusive civil societies is

4. European Commission, *A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean*, COM(2011) 200 final, 8 March 2011.

5. European Commission, *A New Response to a Changing Neighbourhood*, COM(2011) 303, 25 May 2011.

therefore considered to be a central priority for the new ENP. Finally, the EU seeks to promote **inclusive growth** and development amongst its partner countries, which have been suffering from high levels of unemployment and inequality. Sustainable development and socio-economic equality are seen as key ingredients in order to foster open societies and create deep democracies.

In order to further these goals and pursue the EU's vision of establishing a Partnership for Democracy and Shared Prosperity with its southern neighbours, these documents outline a new approach for the ENP that is based on the following principles:

- **Differentiation:** Realizing the necessity for greater flexibility in light of fast-paced developments, the new approach promotes greater differentiation between and within the eastern and southern dimension of the ENP. Acknowledging that not all countries are able and willing to obtain the same level of integration with the EU at a time, the approach also advocates tailor-made strategies and a focus on bilateral relations.
- **More-for-More:** To incentivize progress with reforms, EU support for its neighbours will become more conditional as a result of the ENP review. A commitment to adequately monitored, free and fair election will be the basic condition. Beyond that, more assistance and closer cooperation will depend on obtaining higher standards of human rights and governance as laid out in yet to be developed benchmarks.
- **Less-for-Less:** Although coercive measures are less well developed in the new ENP strategy, the EU envisages more extensive use of targeted sanctions and restrictive measures to curtail violations of human rights and democracy standards. In some cases this may lead to a reallocation of EU assistance and a strengthening of EU engagement with civil society to substitute for the reduction of bilateral contacts.

- **Joined-Up:** Recognizing the needs for a joined-up effort to address regional developments, the EU is stepping up its efforts to better coordinate assistance with the EU member states and especially the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD). Greater coordination with other international donors is also being pursued through the Deauville Partnership, which serves as a coordination platform for the international financial institutions (IFIs).

2.2. The “Three Ms”: money, market access and mobility

The key leverage that the EU has provided in order to back-up this new approach and promote deep democracy, people partnerships and inclusive growth, has come in form of Catherine Ashton’s “**Three Ms**” – money, market access and mobility. Together these are meant to deliver the resources and incentives that can encourage sustainable change.

In terms of **monetary support**, the EU has made more than €1 billion of extra funding available through its European Neighbourhood and Partnership Instrument (ENPI) for the period 2011-2013.⁶ While these resources are earmarked for the ENP as a whole, the majority of the funding has been allocated to the EU’s nine Mediterranean partner countries through a number of designated programmes. Most importantly, the EU adopted a package of measures in September 2011 to support the transition processes. The centre piece of this package was the **SPRING** (Support to Partnership, Reform and Inclusive Growth) programme that aims to disburse €350 million of assistance during 2011-2013 in accordance with the more-for-more principle.⁷ In addition, the Commission has launched a

6. In December 2011, the EU Commission detailed the funding requirements for the new European Neighbourhood Instrument (ENI) to run from 2014-2020. In this proposal it requested funding of €18.1 billion for the new ENI, representing an overall increase of 40% over the previous funding period.

7. European Union, “[EU response to the Arab Spring: the SPRING Programme](#),” MEMO/11/636, 27 Sept. 2011.

number of smaller pilot projects to support poorer areas, encourage the development of SMEs and invest in higher education. The central element of its people partnerships has been a new **Civil Society Facility** offering €22 million for 2011-2013 to foster the capacity of CSOs and their role in democratic reforms.⁸

In addition to these direct support measures, the EU has also worked with the member states to increase the lending operations of the EIB and to extend the mandate of the EBRD to the southern Mediterranean. On recommendation of the European Parliament, the European Council approved an increase in the EIB's lending envelope for the region by €1 billion per year.⁹ Similarly, the EBRD accepted the membership requests of Tunisia, Jordan, Egypt and Morocco and initiated funding activities in these countries in late 2011. Eventually, the EBRD intends to disburse as much as €2.5 billion per year to those southern and eastern Mediterranean countries that demonstrate commitment to and application of the principles of multiparty democracy, pluralism and market economics. On top of these, the EU is currently considering the disbursement of Macro-Financial Assistance (MFA), most notably in the case of Egypt, in coordination with the IMF.¹⁰

In terms of **market access**, the EU has adopted a number of initiatives that are intended to ease access to the EU's internal market, strengthen trade ties and encourage investment to southern Mediterranean countries. Central to these is the offer to negotiate **Deep and Comprehensive Free Trade Areas** (DCFTAs) that allow for a progressive economic integration into the EU's Internal Market. In December 2011, the Council provided the Commission with a mandate to initiate what are likely to be drawn out negotiations with Tunisia, Jordan, Morocco and Egypt with the aim of con-

8. The initial allocation of €22 million will be split equally between South and East and has been budgeted for 2011. Further allocations for 2012 and 2013 are expected.

9. This will increase the EIB's commitment to Tunisia, Egypt, Morocco and Jordan to a total of US\$7.5 billion for the period 2011-2013. See European Investment Bank, "Marseille G-8 meeting: the EIB strengthens its support for the transition to democracy in the Mediterranean," Press Release, 10 September 2011.

10. The EU is currently considering providing a long term loan of €500 million to Egypt under MFA.

cluding DCFTAs. In the short term, the EU is offering greater market access through the negotiation of industry specific **Agreements on Conformity Assessment and Acceptance** (ACAAs), as well as asymmetric trade concessions and enhanced cooperation on specific sectors in accordance with the more-for-more principle. While the Communications also mentions possible EU support for sub-regional cooperation, no specific measures are spelled out.

When it comes to **mobility**, the main innovation of the ENP review has been to offer so-called **Mobility Partnerships** to its southern Mediterranean partners. The EU's specific approach on this issue, building on its Global Approach to Migration, has been elaborated in another Commission Communication on the *Dialogue for migration, mobility and security with the southern Mediterranean countries*.¹¹ The EU argues that these partnerships will ensure that mobility is well-managed and mutually beneficial, by allowing circular and temporary migration and building border management capacities. The EU's offer for visa facilitation and other flanking measures will be dependent on the willingness of partner countries to accept readmission agreements and curtail third-country migration, rather than on democratic reforms. Additional actions include a considerable extension of **Erasmus Mundus** scholarships and extra funding for the **Tempus** programme as well as an extension of the Regional Protection Programme.

11. European Commission, *A Dialogue for Migration, Mobility and Security with the Southern Mediterranean Countries*, COM(2011) 292 final, 24 May 2011.

2.3. Beefed-up and Joined-up: restrictive measures and organizational reforms

As part of its Arab Spring response, the EU has also increasingly made use of **restrictive measures** to pressure authoritarian Arab regimes. At the most basic, these have included the freezing of personal assets, travel bans, and arms sanctions that the EU enforced during the Tunisian, Egyptian, Libyan and Syrian revolutions.¹² In case of Syria and Iran, however, EU sanctions have become much more comprehensive, including an import ban on crude oil and petroleum products, far-reaching trade measures and a ban on certain financial services. Some of these measures have been unprecedented in the history of the EU. However, the EU's use of restrictive measures has been largely reactive and has been driven by a political logic that is quite independent from its reform goals. The unfreezing of assets has also turned into a major bone of contention with some partner countries.

Finally, in order to pursue a more joined-up and coordinated approach, the EU has implemented several organizational reforms. These are meant to improve the coherence of EU actions, enable it to employ the full range of its policies, and improve coordination with other bilateral and multilateral actors. To this end, the High Representative created a new **Task Force for the Southern Mediterranean** that brings together expertise from different EU institutions and the IFIs under the coordination of a new Special Representative for the southern Mediterranean. The EU has also intensified its contacts with the Arab League (LAS), the Arab Maghreb Union (UMA) and the Organization of Islamic States (OIC) on an *ad hoc* basis. Finally, the EU has sought to revive the ailing **Union for the Mediterranean (UfM)** by assuming the UfM's Co-Presidency from France and launching the first UfM project, a Desalination Facility for the Gaza Strip.

12. European Commission, *European Union: Restrictive measures (sanctions) in force*, updated on 6 March 2012.

Together, these measures represent real change. The EU now appears more committed than ever to helping its neighbours build functioning democratic systems and establish equitable market economies. Importantly, the EU has engaged with a broader set of political actors and has become more willing to pressure autocratic regimes that violate human rights and democracy principles. The EU's new approach further provides for greater flexibility and puts some additional resources at the disposal of its Mediterranean policy. However, despite these rather positive innovations, the ENP review does not represent a paradigm shift in EU foreign policy. Neither the aims nor the methods of EU action have fundamentally changed as a result. Just as in the past, the EU's focus continues to be on exporting its own model via an "enlargement light" policy.¹³ Moreover, considerable problems remain with even those limited changes introduced by the review.

13. Leonard Mark, *Why enlargement-lite will not save the Arab Spring*, ECFR-Blog, 25 October 2011.

3. The ENP Review Reviewed: Delivering Change?

3.1. Conceptual Foundations: A New Strategy?

On a conceptual level, the EU's three new priorities in the neighbourhood – deep democracy, people partnerships and inclusive growth – remain ill-defined and incoherently implemented. While it makes sense for the EU to maintain some flexibility, given the uncertainty over regional developments, this lack of definition makes it difficult to assess in how far EU policies really represent a new beginning. Indeed, the current fuzziness of EU definitions suggests that on a conceptual level little has changed.

This is perhaps most evident when it comes to the EU's new concept of **deep democracy**. The EU has adopted this concept in order to signal a clear break with its previous focus on political stability. However, there has been little real change in the way the EU defines and operationalizes democracy promotion policies in its neighbourhood. Instead, the EU continues to draw on the same conceptually fuzzy and methodologically incoherent toolbox.

Unsurprisingly, one recent study on the nature of EU democracy promotion concludes that “despite the reference to ‘deep democracy’ in the latest reforms, little then has changed in terms of the EU’s conceptual approach: a generically liberal, albeit fuzzy at the edges, democratic capitalist model still forms the core of the efforts to build ‘deep democracy’.”¹⁴ This is a problem in so far as it fails to provide a clear blueprint for EU action and risks inconsistencies in EU policies. Moreover, the extent to which the EU pursues democracy promotion measures remains, as before, highly dependent on the ability and willingness of each country concerned.¹⁵ This makes the success of EU policies highly dependent on the domestic context of each of its partner countries.

Similarly, there have been few changes to the way the EU conceptualizes **civil society** engagement in the southern Mediterranean context. In a recent review of its development policies, the EU acknowledges that it needs to do more to “strengthen its links with civil society organisations, social partners and local authorities” and that it should “support the emergence of organised local civil society”.¹⁶ To this end, the EU is currently preparing a new communication on how to strengthen its engagement with CSOs. In the southern neighbourhood, the EU has repeatedly endorsed a more broad-based engagement, including with Islamic actors and organizations.¹⁷ However, for the time being, the EU’s actions continue to be shaped by western conceptions of civil society that are often at odds with a social context in which religious and tribal based forms of association are playing a key role. That means that on a practical level EU engagement remains firmly focused on liberal youth and women’s rights groups. As a result, the EU’s people partnerships are unlikely to lead to a visible shift in the focus of EU engagement.

14. Kurki Milja, “How the EU can adopt a new type of democracy support,” *FRIDE Working Paper 112*, March 2012.

15. Van Hüllen Vera, “Europeanisation through Cooperation? EU Democracy Promotion in Morocco and Tunisia,” *West European Politics*, 35: 1, 1 January 2012, pp. 117-134.

16. European Commission, *Increasing the Impact of EU Development Policy: an Agenda for Change*, COM(2011) 637 final, 13 October 2011

17. This has been stressed in a recent speech by Commissioner Štefan Füle, who again underlined that “Europe must not be afraid of the electoral successes of political actors inspired by Islam”.

Finally, there is little to suggest that the EU's new concept of **inclusive growth** represents a qualitative shift away from its previous focus on market-oriented reforms. In its Communication on *Increasing the impact of EU Development Policy: an Agenda for Change* from 2011, the EU characterizes inclusive growth as the "people's ability to participate in, and benefit from, wealth and job creation".¹⁸ To foster this ability, the EU has promised to focus its assistance on education, health care and job creation and to prioritize key economic sectors and the development of SMEs. In reality, however, EU development and trade policies remain firmly tied to the Washington consensus. Indeed, the conclusion of DCFTAs and industry-specific ACAAs as well as investor dialogues and an improvement of the business environment remain the central pillars of this approach. While the EU increasingly complements these measures with a new focus on youth employment programmes and micro-credits for SMEs, there is no clear break with its previous approach. Crucially, the EU has shown little willingness to tackle sensitive topics, such as opening its agricultural market and increasing labour mobility.

Overall, the conceptual foundations of the EU's "new" approach remain extremely fuzzy and incoherent. Rather than representing a "fresh start" and "new thinking", they amount to little more than a readjustment of the EU's previous goals and priorities. Is this a problem for Euro-Mediterranean policies? At some level a certain degree of ambiguity in its goals can be an advantage for the EU, as it provides flexibility in what still is a very uncertain and fragile situation. However, without clear goals and the ability to translate these into action, EU policies are likely to remain ineffective. Here the ENP review has failed. Not only are the EU's new priorities extremely vague, but there is also little indication of how they relate to the EU's new more-for-more principle. Will, for example, the EU reward countries for pursuing "inclusive growth" even if they fail to establish

18. European Commission, *Increasing the impact of EU Development Policy: an Agenda for Change*, COM(2011) 637 final, 13 October 2011.

“deep democracy”? And will the EU be able to work with CSOs that do not share some of its liberal ideas? Currently, the ENP review provides little answers to these questions.

3.2. More-for-More in Practice: Relating Progress to Actions?

When it comes to the EU’s celebrated more-for-more principle that is supposed to be at the heart of the EU’s brand-new policy, there is surprisingly little evidence that the EU has been consistent in its application. Apart from the EU’s recently initiated SPRING programme that earmarks €350 million to be directly distributed in accordance with more-for-more, there has been no fundamental shift in the way the EU uses positive conditionality – at least so far. Most pronounced is the application of the more-for-more principle in the case of the reform leader Tunisia. Amongst the countries in the southern neighbourhood Tunisia alone has seen a near doubling of its financial assistance from €240 million to €400 million for 2011-2013. Tunisia has also been the first country with which the EU initiated a new format of cooperation in form of the **EU-Tunisia Task Force** and that has progressed the furthest with a number of market opening and mobility measures that the EU is offering as a reward for reforms.¹⁹ In addition, Tunisia has also benefited from a large boost of lending from the EIB in 2011-2012.

When it comes to the rest of the neighbourhood, the connection between domestic reforms and EU actions appears less clear. The two countries that have arguably received the most support and attention from the EU after Tunisia have been Morocco and Jordan. Both monarchies have seen the adoption of gradualist reform strategies by their sovereigns, as well as a number of constitutional changes. While the EU has been quick to laud

19. European Union, “Co-Chairs Conclusions,” Meeting of the Tunisia-European Union Task Force, 28-29 September 2011, Tunis.

these reforms as an example for the region, questions about their pace and direction continue to linger.²⁰ Despite these uncertainties, the EU has deepened its relationship with both countries and rewarded them with new financial assistance and trade measures. Jordan is the only other country aside from Tunisia that has seen the launching of an EU-Jordanian Task Force and that has initiated negotiations for a DCFTA agreement.²¹ Jordan also saw a slight increase in its financial allocations. Morocco, on the other hand, has for long been the country with the most advanced relationship with the EU in the region and has been the only country that concluded an agreement for preferential trade access for agricultural products in recent months.

Somewhat surprising is the lack of new EU support measures when it comes to Egypt, one of the initially most promising cases of the Arab Spring. While this can be partly explained by the military's continuing hold on power and the considerable obstacles the reform process has encountered in Egypt over the past year, the EU's failure to make much progress when it comes to any of its "three Ms" seems odd. Libya, similarly, has seen relatively little progress in its relationship with the EU. Algeria, on the other hand, which has been a relative reform laggard, has been able to advance its relationship with the EU of late with its acceptance of an EU election observer mission.²² Finally, despite all the talk about more-for-more, the EU has been much more committed in its determination to implement a less-for-less approach. Indeed in the case of Syria, the EU has adopted an unprecedented and crushing sanctions regime, with the overt purpose of inducing regime change. The same applies to the none-ENP country Iran. The EU's willingness to use these comprehensive sanctions for political ends is clearly one of the most surprising and perhaps under-appreciated developments of the Arab Spring.

20. European Union, "Joint statement by EU High Representative Catherine Ashton and Commissioner Füle on Morocco's future constitutional reforms," A 100/11, 10 March 2011.

21. European Union, "Co-Chairs Conclusions," Meeting of the EU-Jordan Task Force, A 74/12, 22 February 2012, Amman.

22. European Union, "L'UE observera les élections législatives en Algérie," A 154/12, 30 March 2012.

TABLE 1: EU POLICY RESPONSES TO ARAB REFORMS

| REFORMS | ALGERIA | EGYPT | JORDAN | LIBYA | MOROCCO | TUNISIA |
|-----------------------------------|-----------------------|------------------|--------------|------------------|----------------|-------------------|
| REGIME CHANGE | No | Yes | No | Yes | No | Yes |
| CONSTITUTIONAL AMENDMENTS | Planned | New Constitution | Yes | New Constitution | Yes | New Constitution |
| PARLIAMENTARY ELECTIONS | Planned | Yes | No | Planned | Yes | Yes |
| EU ELECTION OBSERVERS | Yes | No | N/A | N/A | Yes | Yes |
| HUMAN RIGHTS RECORD | Mixed | Negative | Positive | Negative | Positive | Positive |
| EU ACTIONS | | | | | | |
| EU JOINT ACTION PLAN (JAP) | Discussions initiated | Yes | Yes | No | Yes | New JAP discussed |
| ADVANCED STATUS | No | No | Yes | No | Yes | Talks in progress |
| EU TASK FORCE | No | Planned | Yes | No | No | Yes |
| ENPI PLANNED (2011-2013) | €172 million | €449 million | €223 million | €60 million | €580.5 million | €240 million |
| ENPI REVISED (2011-2013) | Unchanged | Unchanged | €293 million | Unchanged | Unchanged | €400 million |
| ECHO (2011-2013) | €10 million | N/A | €107 million | €155 million | N/A | N/A |
| EIB CONTRACTS (2011-2012) | None | €50 million | €86 million | None | €245 million | €303 million |
| EBRD MEMBERSHIP | No | Yes | Yes | No | Yes | Yes |
| DCFTA NEGOTIATIONS | No | Planned | Initiated | No | Planned | Initiated |
| ACAA NEGOTIATIONS | Planned | Planned | Planned | No | Planned | Initiated |
| MOBILITY DIALOGUE | Planned | Planned | Ongoing | No | Ongoing | Ongoing |
| AGRICULTURE NEGOTIATIONS | No | No | No | No | Concluded | Initiated |

Overall, there is therefore little evidence for a sea-change in the EU's use of positive conditionality. The pattern is clear. Those countries that are willing and able to pursue closer ties with the EU will be rewarded, by obtaining new contractual relations and funding. Unsurprisingly, the countries with the closest and most developed trade and aid relationship with the EU after the Arab Spring are the same than before the Arab Spring. This tendency to equivilate the closeness of a country's ties with the EU as a signal of its reform willingness is worrisome. In the past it has been this logic which has steered the EU's close ties with Ben Ali's Tunisia and Mubarak's Egypt. There is little sign that this has really been changed by more-for-more. Indeed, political and geopolitical considerations clearly continue to play a major role for the EU when it comes to assessing the level of aid and trade access the EU grants to specific partner countries.

3.3. Regional Architecture: Differentiation or Fragmentation?

When it comes to the goal of introducing greater differentiation and flexibility into the relationship with its partners, the ENP review has been a relative success. With the launching of the bilateral task forces for Tunisia and Jordan, the EU has introduced a new tool for cooperation that complements the already existing advanced status agreements. Initial evidence suggests that these task forces are an effective additional channel for dialogue and cooperation and might serve as a further carrot in the EU's toolbox of incentives. Moreover, the EU has been increasingly determined to punish the worst democracy offenders, as in the case of Syria. As a result, the EU's relationship with the Arab Mediterranean countries has become much more varied and flexible. In place of its previous "one-size-fits-all" approach, the EU now adjusts its relationships more carefully to the needs of each of the countries in question. While this approach has certain advantages, there are also some negatives connected with this emphasis on bilateralism.

Most evident amongst these is the fact that it reinforces the inbuilt “hub-and-spoke” nature of Euro-Mediterranean relations.²³ With Euro-Mediterranean cooperation at a regional level largely dysfunctional, given the uncertain political outlook and the failure of the peace process, bilateral relations are now effectively the only game in town. To some extent that cannot be avoided. However, this inevitably affects the power-relations between the EU and the Mediterranean countries at a time when the latter are touchy about any greater intrusion in their internal affairs. In contrast with its previous emphasis on co-ownership and equity, EU policies have become more goal-oriented and pragmatic and less sensitive about curtailing the sovereignty of its partner countries. Moreover, despite all the talk of tailor-made strategies and flexibility, most of the incentives contained in the ENP review are formulated in a “take it or leave it” fashion. Most notably, this is the case for the DCFTAs and the Mobility Partnerships. While the review acknowledges that not all countries are equally willing or able to integrate further with the EU, crucially it fails to suggest a way forwards for those that do not fit the box.

The ENP review also offers no new visions for the regional architecture of Euro-Mediterranean relations. While it pays lip service to the importance of regional and sub-regional integration, it suggests little about the way forward, beyond its insistence on the centrality of the Union for the Mediterranean. But the Arab Spring has raised serious questions about the continuing relevance and feasibility of the Euro-Med framework for cooperation. Neither its geographic focus, nor its current organizational shape are convincing after the Arab Spring. Recent months have seen a revival of sub-regional integration efforts in the Maghreb and the Gulf and have given new impetus to the Arab League. The Arab Spring has forcefully demonstrated the continuing relevance of Pan-Arab and Pan-Islamic ideas. In contrast, the EU remains bound to a Eurocentric vision for the future of

23. Behr Timo, “Regional Integration in the Mediterranean: Moving out of the Deadlock?,” *Studies & Research No. 77, Notre Europe*, May 2010.

the Mediterranean. In order to avoid a clash between these two visions, more needs to be done by the EU to reform the regional architecture of its relations.

The EU's introduction of greater differentiation serves a clear purpose in the current political situation in the Mediterranean and provides a pragmatic way forward for different countries to refashion their relationship with the EU. However, to be effective in the long run, the ENP requires a regional dimension to compliment the hotchpotch of bilateral relations that emerge from the current process. Here the ENP review has failed to provide a new vision for the way forward. In the meantime, the EU's recent attempts to revive the still ailing UfM, by taking over as its co-chair from France and initiating its first project, are unlikely to provide this missing link in Euro-Mediterranean relations.

4. Revisiting the Fundamentals: Towards a New Partnership

The ENP review has introduced some important changes into the EU's relationship with its southern Mediterranean neighbours. However, the review has failed to alter the underlying format or the direction of this relationship. Instead, the EU continues to pursue a **Eurocentric vision of integration** in the Mediterranean that continues to be based on an "enlargement-light" approach. The ENP review has only slightly modified this approach by setting some new, but ill-defined, priorities and adding a few insubstantial incentives. Moreover, the review has been shaped by the idealistic context of the first few months of the Arab Spring. One year on, it has become clear that the Arab Spring is not the 1989 of the Arab world. Not only are the ongoing transition processes more fragile and protracted than in Eastern Europe, but many Arab countries are no longer willing to buy into the EU's vision of a Mediterranean region that is politically and culturally rooted in Europe, but demand a break with the post-colonial paradigm.

This suggests that the EU should take another look at its Euro-Mediterranean policies that focuses on the **fundamentals of that relationship**. The starting point for this exercise ought to be an acknowledgment of the EU's diminishing ability to dictate the direction of political and economic development processes amongst its Mediterranean partner countries. Instead, the EU needs to find a way to reconcile its own Eurocentric vision with the revival of Pan-Arab and Pan-Islamic tendencies and the emancipatory outlook of post-revolutionary states. This represents a double challenge: First, while the EU should continue to pursue closer ties with countries like Morocco and Jordan that are both able and willing to implement existing reform proposals, it needs to do so without unintentionally strengthening their autocratic leaders. Second, the EU needs to find a new formula for cooperation with countries like Egypt and Libya that are reluctant to pursue closer ties with the EU or that, like Syria, have become impregnable to EU pressure.

To address these issues the EU should streamline a number of principles into its policies:

- **Primum non nocere:** Most academic studies show that democratization policies can have unintended consequences, by providing authoritarian regimes with added leverage or undermining local ownership. To avoid these, the EU needs to strictly adhere to the principle of “first do no harm” in its relationship with its neighbours. Above all, this means that the EU has to shirk excessive activism and ready-made solutions, but use domestic impulses for reform and apply “effective aid” principles.²⁴
- **Broad-based Engagement:** Engaging with a broad set of actors across the political and social spectrum is more important for the EU than ever before. Despite constant assurances of impartiality, current EU policies tend to favour western-style CSOs and promote

24. Echagüe Ana, “[The role of external actors in the Arab transitions](#),” *FRIDE Policy Brief 122*, April 2012.

a particular liberal vision of civil society. However, any EU engagement will be ineffective unless it focuses on a much broader set of civil society actors, including some that espouse partially illiberal ideas. This will require of the EU to focus on some core values and draw a difficult line between different kinds of illiberalism.²⁵

- **Articulating Interests:** The ENP review shuns any detailed discussion of EU interests. This is a mistake. To pretend that a stable regional environment, access to resources, illegal immigration or terrorism have become any less important to the EU is make believe. To avoid the same disappointments and misunderstandings that characterized the Barcelona Process or its previous ENP approach, the EU should be more forthright in setting out its own interests in relationship with its neighbours and how these concretely relate to the normative goals it put forward in its recent strategy.
- **Democracy Partnerships:** In order for the EU to avoid a clash of its Eurocentric vision of the Mediterranean with other Pan-Arab and Pan-Islamic vision that are circulating, the EU ought to strengthen its institutional relations with other regional organization such as the LAS, UMA and OIC. When and where countries are reluctant to integrate closer with the EU, such as in the case of Egypt or Libya, the EU could promote a greater role for these organizations and consider how it may be able to channel its support and assistance through these organizations as appropriate.
- **Effective More-for-More:** In its current form, the EU's "new" more-for-more approach represents old wine in new bottles. EU aid and assistance are still largely a function of a countries willingness to integrate. To make more-for-more effective, the EU needs to reverse the basic logic of this relationship. Instead of giving countries like Morocco and Jordan a free pass, the EU should become the more outspoken on domestic political developments the more a country

25. Etzioni Amitai, "Should We Support Illiberal Religious Democracies?," *The Political Quarterly*, 82: 4, October-December 2011.

integrates with the EU. After all, the closer a country's engagement, the more likely it is to accept EU criticism.

- **Multilateral Framework:** The multilateral dimension of EU policies requires additional attention. The UfM continues to be an anachronism in the current regional climate and it is far from clear that the current Euro-Med membership and its holistic approach provide an optimal framing for EU policies. Instead, the EU should explore recent proposals for a more limited, but broadly-based multilateral framework of regional engagement that focuses on confidence building and conflict prevention.²⁶
- **Multipolar Mediterranean:** The EU is no longer the only game in town in a Mediterranean flush with old and new actors that include not only the US, but also the BRICS countries, Qatar and Turkey. While the power of some of these has been exaggerated, any new approach to the EU's southern neighbourhood needs to take this into account. Doing so requires streamlining governance and development issues in the Mediterranean into the EU's Strategic Partnerships with some of these players.

26. Aliboni Roberto, "EU multilateral relations with southern partners: reflection on future prospects," *EU ISS Opinion*, 2 April 2012.

Conclusion: Aligning Principles and Power

The Arab Spring has presented the EU with a number of challenges to its Euro-Mediterranean policies. The EU's revision of the European Neighbourhood Policy, last year, has provided a useful starting point for the EU to address some of these challenges and refocus its engagement. However, the ENP review has arguably failed to resolve the most fundamental questions the EU faces following the Arab Spring. How can the EU preserve its interests and influence in an increasingly more pluralistic, but fragmented and emancipatory region, while conducting a more principled and coherent foreign policy?

In its attempt to square the circle, the EU has sought to bolster its existing Euro-Mediterranean vision with some added incentives and a greater focus on democracy building. However, this approach is unlikely to succeed. Crucially, it fails to provide the EU with the means to engage a growing number of countries that are reluctant to pursue an ever closer partnership with the EU. Nor does it represent a fundamental break with the way the EU

employs (positive) conditionality. To tackle these challenges will require a hard look at the underlying format and direction of Euro-Mediterranean relations. For this to happen, however, the EU will have to accept that its vision of a European Mediterranean no longer reflects the emerging political realities of a changing region.

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*Notre Europe also receives the financial support of the French Government,
the Compagnia di San Paolo, the Macif and the Grand Duchy of Luxembourg.*

Dépôt legal

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Europe and World Governance

After the Revolution: The EU and the Arab Transition

One year after the Arab revolutions, this Policy Paper seeks to assess in how far EU policies have changed and whether the ENP review still provides an appropriate framework for EU action in a quickly evolving region.

Timo Behr argues that although the EU introduced some positive changes, the review failed to alter the underlying format and direction of Euro-Mediterranean relations. The EU continues to pursue a Eurocentric vision of integration that builds on an “enlargement-light” approach. However, this approach does not provide a realistic vision for the future of EU engagement. Instead, the EU will need to find a way to reconcile its own Eurocentric vision with the revival of Pan-Arab and Pan-Islamic trends and the emancipatory outlook of post-revolutionary states.

To meet this challenge, the author calls for another review of the EU’s Euro-Mediterranean policies, focusing on the fundamentals of that relationship. The starting point ought to be an acknowledgment of the EU’s diminishing power and ability to dictate the direction of political and economic change in the region. He concludes by outlining a number of basic principles and elements that could be streamlined into EU policies that seek to move beyond the “enlargement-light” logic.

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