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EVALUATING THE ENP'S SOUTHERN DIMENSION

Introductory remarks by Roberto Aliboni

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According to official information from the European Commission, the “state of play” regarding the ENP Action Plans (APs) in the Policy’s Southern dimension contemplates:

1. Seven agreed APs with Egypt, Israel, Jordan, Lebanon, Morocco, the Palestinian Authority, Tunisia;
2. Three APs on “stand-by” – with Algeria, Libya, Syria.

All the seven countries having agreed an AP with the Commission are also part to a contractual relation with the EU, in the shape of Association Agreements (an Interim Association Agreement in the case of the Palestinian Authority). Furthermore - it is worth noting – these countries adopted their respective APs already, so that the latter are either operational or about to be set in motion. Out of the three countries having their APs on stand-by, only Algeria is part to an Association Agreement. Longstanding negotiations with Syria have failed to generate any such agreement so far. As for Libya, broad talks have just began less on its role within the ENP than on the general profile of what will be this country’s relations with the EU.

The existence of working Association Agreements has clearly facilitated the shift from the policies of economic cooperation carried out within the framework of the EMP’s second pillar and the new ENP policies. This - a barely noted success - was made possible by the firm contractual relations built up during the EMP decade. Lebanon, a late-comer, agreed the Association Agreement in April 2006 and very quickly adopted its AP in January 2007, a rush probably due to the incumbent government’s willingness to stay close to its Western supporters while fighting internal opposition. Were the political settings to change in that country, a re-negotiation may be expected.

As noted, the seven more willing Mediterranean Partners have not only agreed APs, but have also adopted them, thus rendering APs operational. However, five APs (Israel, Jordan, Morocco, the Palestinian Authority, and Tunisia) were set in motion in 2005, while Lebanon and Egypt adopted their APs in 2007. Thus, APs are working since a very brief while only or have just been inaugurated. While an evaluation of how APs are working may be premature and, in any case, it would rest on little information (essentially that stemming from the Commission), what is possible is a broad assessment of ENP finalities, their potentials and possible pitfalls in the Southern dimension - although, more often than not, it would be based on speculation. This is the aim of the present introductory remarks.

ENP and reforms

Like the EMP, the ENP aims at influencing the political and economic state of affairs in neighbouring countries in order to enhance EU security. To that purpose, it promotes mutually reinforcing political and economic reforms in the countries concerned. The

2003 EU Security Strategy has only confirmed a longstanding EU strategic thinking by asserting the importance of neighbourhood for EU security and the need to promote “a ring of well-governed countries to the East of the EU and the borders of the Mediterranean”. For these countries to be well-governed, according to EU thinking, they need to reform both their political and economic systems by introducing democracy and free market. EU cooperation is intended to assist these countries in implementing reforms.

The leverage of such policy is the expected strong interest of the countries concerned in obtaining assistance and resources from the EU as well as significant diplomatic and political relations with it. Based on this assumption, the leverage is exercised by means of negative and/or positive conditionality, i.e. either threatening to withdraw resources in case reforms are not implemented or upgrading the stakes of neighbours' relations with the EU to such levels that reforms become highly convenient and desirable.

In the EMP framework, the use of negative conditionality was threatened, yet not actually implemented. The ENP shifted to positive conditionality by upgrading the stakes: deeper economic integration in the European space; financial bonuses to the countries introducing reforms; partnership and joint ownership in implementing the Policy. It did so also by assuming, beside the strong Southern Partners' interest in the EU, the existence of “shared values” on both banks of the Mediterranean Sea, in particular democracy and respect for human rights. In the Barcelona Declaration, the existence of a common ground was not an assumption but a Partners' political commitment whose implementation had to be negotiated (in fact, it was so between 1996 and 2000, to no avail though).

As a result, in the ENP the Parties have apparently no need to negotiate on common ground. In contrast, they start from an assumed common ground (“shared values”) to negotiate sets of reforms tailored on individual countries by means of a process of bilateral negotiation. This process generates a common work programme - the Action Plan - which reflects reforms and policies co-owned by the parties. These reforms are not unilaterally stemming from the EU any more. So, they are not “imposed from outside”. Reforms are envisaged not because somebody is insisting on the Mediterranean Partners to proceed to reforms, but because the Mediterranean Partners want to proceed by their own impulse.

While the ENP is certainly politically correct, one may wonder whether it will work. Will it generate reforms? The “shared values” assumption is completely invented. The Southern Mediterranean regimes do not share democracy and respect for human rights neither ideologically nor politically. They have opposed reforms within the EMP framework and will continue to do so in the ENP. As the general situation in the region has become tenser because of the conflicts unleashed by the US intervention in Iraq, as of today, the regimes are opposing reforms even more firmly (at the same time, as witnessed by the very ENP, pressure from the West are clearly dwindling, when not disappearing).

On this lingering backdrop of - today as yesterday - unshared political values, the Southern Mediterranean regimes' response to EU initiatives of governance and cooperation in its Southern approaches has always been ambivalent and continues to be

so. EU initiatives have never been accepted by the Southern Mediterranean regimes with a view to being implemented but only to being managed, so as to maximising assets and minimising liabilities.

As of today, the ENP facilitates such Southern management thanks to co-ownership. While values are shared, the APs and their implementation is subjected to any exception the Southern regimes may advance in the name of ownership. Three kinds of Southern management seem to emerge from the brief experience we have with the APs: (a) gradualism and incrementalism; (b) adaptation of reforms' contents and orientations to different cultural and moral environments (this is particularly the case with human rights); (c) the inclusion in the APs of specific reforms being initiated by the regimes (an obvious enforcement of ownership).

The latter kind of management fits well with the much-currently-analysed regimes' ability to restructure their authoritarianism to respond to international pressure on reforms. In this perspective, reforms, unless embedded in a coherent strategy of substantive social and political change, are functional to stability and may even reinforce the latter rather than work as a vehicle of change. In the next few years, benchmarks (both co-owned and unilateral) will tell us where the ENP is actually going from here. If they will suggest that reforms are being avoided, there will not be much to do, unless accepting the differentiation on which the ENP has seated itself.

All in all, there are few reasons to believe that the ENP will be more conducive to reforms than the EMP. Reforms have not to be ruled out, yet their implementation will essentially depend on the Southern regimes. The ENP will be able to assist but only if and where reforms will be owned. No doubt, very few regimes will do that.

ENP in a less intense normative perspective

Democracy and respect for human rights are not for tomorrow in the Southern dimension of the ENP. The current American administration's policy, initiated with the aim of fostering democracy in the Middle East, has aggravated conflicts and tensions in the region and made things more complicated than before. Ironically, it has contributed to put off democratisation, probably for a long while to come.

After the Hamas' victory in the election of 2006, the United States has silently yet practically dropped democracy promotion – not only as a paramount, ambitious goal, but also as an obvious day-to-day diplomacy. Europe has kept democracy promotion in its rhetoric, but as a matter of fact democracy is being played quietly down. The ENP and its “à la carte” approach are on a reverse track with respect to the EMP and can be regarded as a form of adaptation to difficult times. Mild reactions from both the US and the EU to President Mubarak's recent constitutional manipulations tell that democracy promotion has entered an era of decline, to say the least.

In this gloomy arising political environment, ENP's likely ineffectiveness to generate democracy and other paramount political changes should not hide the opportunities ENP can provide to assist economic development and reform as well as innovative social and legal frameworks, if the Policy is carried out in a less ambitious normative perspective. Social and economic progress may definitely help Southern Mediterranean

polities to introduce democracy and modern polities in the middle-long run. Systemic equity, a less unequal structure of individual income, reduction of poverty, more diffuse and high-quality education, an advancement of women and, most of all, improvements and reinforcements in the legal systems do not precisely correspond to a democracy, but are indispensable conditions to make democracy attainable one day. Furthermore, if the ENP contributed to economic development and made it sustainable, social reforms would become easier and domestic political conflict would decrease, giving political reform more chances to be enforced.

Since 2003, economic developments in the countries of the ENP Southern dimension have markedly improved. Since then, the nine early members of the EMP are showing real annual rates of growth of 4,5-5%, with a clear positive impact on individual incomes and employment. In 2003-06, direct investment from abroad raised from 3,5% to 6,1% of GDP. Flows from the GCC countries are contributing considerably to such direct investment from abroad. In 2006 they resulted higher than those coming from Europe. The ENP's primary task should be perhaps that of consolidating these developments.

Democracy promotion as a target of the EU Mediterranean policy should be de-emphasised, not only as a rhetoric but also as a substantive finality. While the EMP will keep alive a political dialogue by means of diplomatic instruments, the ENP should improve current social and economic conditions in the Southern Mediterranean countries to open the way to possible political changes.

ENP should be the instruments of a kind of soft "change" which would in turn make transition to political reform possible. It would not antagonise incumbent regimes by being explicitly reform-oriented; at the same time, by assisting development and fostering social and economic reforms, it would render the political fabric flexible and malleable so as to allow for consensus and reform.

Political and strategic developments

The ENP and other EU Mediterranean policy should also be taken into consideration from a wider strategic and political perspective. In these introductory remarks three points are just alluded to.

1. The strategic risk of fragmentation - The concept of differentiation makes the notion of ENP's success somehow elusive. If in the next five years we will have a situation in which a couple of "willing" countries are offset by a majority of "hesitating" or *de facto* "marginalized" countries, would this differentiation be regarded as success or a failure? As differentiation is an expected outcome, this would be considered less a failure than a missed opportunity. However, it is clear that this would not be a success. What would it mean from a strategic point of view for the EU security?

The risk differentiation may bring about is fragmentation. A fragmented "ring of friends" would hardly allow for regional governance and bring in the security the EU is seeking for. Clearly, security makes sense only in a regional framework, otherwise all we have to do with would be a state of affairs and such state of affairs would entail high costs as it would not benefit from the economies of scale a regional approach would. A pronounced differentiation would be a strategic failure, although such failure could be

attenuated in the near future by parallel diplomatic success in the EMP framework (an event that needs to be conceptualized by envisaging an EMP reform).

2. What kind of democratic developments do we expect in the Mediterranean? – EU democratic promotion towards the EMP/ENP Partners has been halted two times: because of the Islamic Salvation Front's victory in the Algerian elections of 1991 and the Hamas' victory in the Palestinian election of 2006. Between the two events, the European governments – unlike the US neoconservatives – got aware of a significant difference between Wahhabism/Salafism and al-Qaida, on one hand, and Political Islamism and the Muslim Brotherhoods/Islamic political parties, on the other. Unlike al-Qaida and Wahhabism/Salafism, Islamist parties, particularly in the South of the Mediterranean, are pursuing a political struggle in a national environment with a view to establishing more democratic polities. Nonetheless, EU's – not to talk US' – reactions to the victory of Hamas has made it clear that the European countries are not ready as yet to accept the rise of democracies if they bring about substantive political differences with them. So, the question is less with democracy than security and political finalities. No doubt, after Hamas victory, while rhetoric has remained unchanged, what is concerning the EU is Arab regimes' stability – also because of the threats coming to these “moderate” Sunni regimes from “revolutionary” Shia.

ENP/EMP should be run in a more neutral way: as a genuine support to countries and peoples rather than regimes. To make this aim credible, first, the European should be clearer about the political and institutional conditions they would be prepared to accept on the other side of the Mediterranean; second, they should find the way to couple present inter-governmental policies with (more effective) policies towards people and civil societies, including the Islamist parties. Admittedly, this would not be an easy task.

3. Linking the Mediterranean and the Gulf – There are strong links between countries and conflicts in the South of the Mediterranean (North Africa and the Levant) and countries and conflict in the Gulf (and even beyond: Pakistan, Afghanistan and Central Asia). Leaving apart the Greater Middle East notion, no EU Mediterranean policy can succeed by compartmentalising the Mediterranean and the Gulf. While there are stringent reasons for the EU to have a Mediterranean policy as distinct from other policies, there must be effective policies towards the Gulf as well, and instruments to make the connections between the two frameworks work. The recent considerable inflow of direct investment from the Gulf in the Mediterranean countries should make the EU reflect. The Israeli-Palestinian conflict is already involving the EU and the GCC countries in cooperative efforts. More in general the governance in the Mediterranean cannot work unless similar governance is there in the GCC-EU relations. Unfortunately, EU relations with the GCC and the other Gulf countries are seriously lagging behind. Strategically, this is not a plus for the Mediterranean policy, the ENP, the EMP as well as other policies apparently in the making.