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THE CHARTER FOR PEACE AND STABILITY IN THE MEDITERRANEAN

by Roberto Aliboni

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After three years of existence, the balance sheet of the Euro-Mediterranean Partnership (EMP) with respect to the political and security partnership is rather disappointing. The third chapter of the Declaration, related in many respects to soft security, has not seen any significant progress. With regard to the first chapter, only a few CBMs have been approved, whereas talks on the Charter, the instrument that is meant to regulate political and security and relations, have proved inconclusive.

Why have Partners failed to approve the Charter despite long and dedicated negotiations? The argument developed in this paper is that they have failed because (1) the priorities and contents assumed by the political and security partnership are incongruous with respect to objective political conditions; and (2) the organisational and institutional structure of the Partnership is unbalanced, thus preventing non-EU Partners from being fully and more actively involved. The paper makes some suggestions to reset priorities and contents, on the one hand, and to reform structures, on the other.

The Charter is intended to establish a set of principles and instruments that would enable Partners to make and implement common decisions. However, while the EU and its Partners want to attain the highest possible level of commonality during enlargement towards the European East, in the EMP, the Euro-Mediterranean Partners seem unable to identify the desired and congruous level of commonality. This difficulty is due to significant differences in the Euro-Mediterranean Partners' agendas and their respective rationales for participating in the endeavour.

Furthermore, whereas it makes sense in a perspective of integration for Eastern Europeans to be pegged to a mechanism operated by other countries, the same may not be true or fully comfortable for the Mediterranean countries which are not nor want to be in an integrative perspective with respect to the Union.

For the Charter to become acceptable, the security and political dimension of EMP must take these differences into consideration and be re-set accordingly. This would concern two main aspects: the structure of political dialogue and decision-making, and the objectives or contents of the Partnership.

In comparison with the ample literature on the objectives and contents of the Partnership, structural/institutional analyses of its decision-making have been very few. Those that have been made come to an important conclusion, however: The name "Partnership" does not reflect the substance of the actual relationship. It is in fact not really a partnership (i.e. a relationship between equal parties), but the aggregation of the non-EU Mediterranean Partners to the Union's institutions of political co-operation in a satellite status.

The EMP cannot be regarded as a distinctive organisation in which the EU participates. Rather it has to be seen as a multilateral and holistic extension of the Union's longstanding

pluri-bilateral Mediterranean policy. In the Partnership, the Union gives non-EU Mediterranean countries nothing more than a limited co-management of its Mediterranean policy. In practice, all the non-EU Partners can do is either corroborate or oppose EU decisions. Their initiative is limited in that it is strongly conditioned by EU mechanisms for reaching consensus or otherwise making decisions in the framework of its CFSP.

In the beginning, Partners (like Algeria) sought unsuccessfully to contain and limit this trend, trying to direct the role of the Euro-Med Committee more toward that of a common political body rather than that of a notary which it has today. To correct this situation, some European governments are now proposing to reinforce the Euro-Med Committee by giving it full competence over initiatives and policies related to all three pillars of the EMP, in particular, the initiatives pertaining to the security and political partnership, presently rather secluded in the Senior Officials Committee. This would bring more consistency to the work of the Euro-Med Committee and the role of the non-EU Partners in it. In addition, there is the concern of making EU decision-making with respect to the EMP more flexible and rational by establishing "common actions" in the general affairs Council pursuant to the European constitution.

These reforms look very helpful and may even prove enough of a balancing act. The central knot, however, is that unless the EMP is provided with more relevant political autonomy, it will not be able to proceed to the establishment of a reinforced mechanism for political dialogue (the Charter itself) and materialise the collective political set down in the Barcelona Declaration. By limiting the political impact and role of the non-EU Mediterranean Partners, the current version of the EMP makes them reluctant to take part in decisions to which, in the end, they are only secondary parties. For the Charter to be accepted, the essential condition is a more balanced partnership.

All this does not imply a revolution in EMP structures. Along with the reforms pointed out above, however, some pivotal changes seem in order:

(a) there should be one institutional layer under the Conference of Ministers (the Euro-Med Committee) in which the substance of the Partnership is secured by giving all Partners similar capacities of initiative, decision and control; to that purpose, the work of the Euro-Med Committee should be more regular and extensive - similarly to the OSCE's Permanent Committee - and should be supported by a Secretariat of its own, as light as it may be;

(b) the chair of the Senior Officials Committee should revolve among all Partners;

(c) there should be areas related to the political and security partnership in which the EMP is able to implement its own decisions (e.g. CBMs, conciliation procedures, etc.); or, were this prove unfeasible, to retain a collegial possibility of directing and monitoring implementation by EU bodies;

(d) some measures (such as those just mentioned), should be financed by making the necessary MEDA funds available to the EMP's (or Senior Officials') Presidency and the latter accountable to the Commission for their use.

The reinforced mechanism of common political co-operation the Charter is expected to introduce should include these reforms.

Whether or not the structure of the Partnership changes, reform would only work if the priorities and contents of the political and security partnership were significantly shared

by all Partners. These priorities should be stressed by the Charter (as in fact is planned by the various projects worked out so far). What could these priorities be?

To single them out realistically, the rationale for the priorities should be less that of the minimum common denominator than that of minimum respective interests. Accordingly, it seems that the following priorities should be retained (and enshrined) in the Charter:

The EMP must principally have the openly declared task of preventing conflict in the middle term. This principal task must be assumed by the EMP without prejudice to the possibility of taking action to prevent conflict in the shorter term, manage conflict or engage in other kinds of joint intervention. The possibility of setting up “round tables” to deal with specific crises, as envisaged by the early Malta project for the Charter, should be retained.

Consequently, by going back to its more authentic inspiration, the EMP must primarily pursue sustainable socio-economic development in southern areas; it must contribute to reducing income gaps between North and South; it must help the various sides of the Euro-Mediterranean area to deepen cultural dialogue.

The EMP, though ready to accept and monitor alternative paths to liberalisation and development, must remain unequivocally predicated on the implementation of the model of open regionalism clearly adopted by the Barcelona Declaration.

The EMP must confirm in the Charter its strategic objective of democratic reform and respect for human rights. There is a need for more flexibility and less one-sided attitudes on the part of the EU on this point. More attention should be devoted to anti-terrorist co-operation and to the movement of people throughout the area. However, this aim must be fully stated by the Charter as it is the heart of European security concerns and purposes.

Finally, given the clearly soft security profile it would assume by adopting the priorities pointed out above, the EMP should eliminate the incongruities which the Euro-Mediterranean format otherwise generates from the point of view of hard security. Consequently, it should strengthen the geopolitical rationale of the Mediterranean area and make it viable and legitimate, for instance, independently of policies towards the Middle East or South-eastern Europe.