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THE CHARTER: POLITICAL SUSTAINABILITY

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In their ad hoc meeting in Palermo (June 1998), the Euro-Mediterranean Ministers confirmed the necessity to work out a Charter for Mediterranean Peace and Stability. The Charter would have the task of providing the Euro-Med Partnership with a coherent strategy with respect to the political and security partnership as well as the instruments to achieve such strategy, in particular a reinforced mechanism for carrying on a political dialogue between the Partners.

In the first outline of this paper (which was presented at Rabat in December 1998) I have argued about the models of mechanism for political dialogue that could be adopted. Three such models were indicated:

- a reinforced regular and institutionalised political dialogue aimed at working primarily as a measure to attain broad confidence and transparency in Euro-Mediterranean relations;
- a dialogue aimed at working also as an instrument of conflict prevention and/or crisis management;
- a dialogue giving way to a full-fledged Euro-Mediterranean entity in full command of instruments and procedures to achieve security co-operation and implement the “common area of peace and stability” envisaged by the Barcelona Declaration.

The Rabat paper promised to inquire which political conditions would make these diverse patterns of political dialogue sustainable. This is the question this paper is now tackling in Cairo.

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The long debate on the implementation of the EMP political and security partnership as well as the experience made so far allow for the identification of three principal factors of feasibility and sustainability of the Charter: (1) indivisibility of security in the EMP in the relations among its Partners; (2) globality in the EMP overall approach to security and co-operation; (3) respect of sovereignty and jurisdiction, in particular assurance against interference. An understanding on this three factors or some of them is indispensable for the Charter to be undersigned. Different layers of understanding would allow for more or less inclusive and stringent mechanisms of political dialogue, according to the typology worked out in the Rabat paper.

Indivisibility of security

The common area of peace and stability envisaged by the EMP being a form of co-operative security intended to avoid security dilemmas and attain security by the use of co-operative instruments, the indivisible character of security among its members is an obvious cornerstone or the common area itself. In fact, the security partnership between the European Union (EU) and the non-EU Mediterranean countries within the EMP are

just predicated on the achievement of such notion of security indivisibility, namely on the assurance that security possesses an indivisible character¹.

Broadly speaking, however, actual political conditions prevailing today within the EMP are not easing the attainment of security indivisibility in the area. Three such adverse political conditions deserve special consideration:

(a) the Arab impossibility to come to a satisfactory peace with Israel and to a normalisation of their relations with it, meaning primarily the implementation of the principle of trading peace against territories (then other difficult questions may become more manageable); beside its relevance in terms of international security, the solution of the long-standing conflict with Israel is an essential building-block in terms of domestic stability and political legitimisation;

(b) the return of Israel to a non-co-operative concept of security, i.e. a traditional concept of national security predicated on self-reliance, balance of power calculation and deterrence, as a consequence of adverse security perceptions stirred by a set of mostly internal factors;

(c) the nationalist trend and activism prevailing in Turkey as a consequence of changes stirred by the end of the Cold War with respect to its identity and regional role.

These political conditions are generating fragmentation within the EMP. In fact, there is a renewed tendency to the achievement of exclusionary pan-Arab or inter-Arab relations with respect to Israel and Turkey. There is stronger Israeli tendency to go its own way both politically and economically. There is a renewed tendency of the Maghreb countries to avoid being embroiled in Mashreq's affairs and promote their own relations with the EU. Finally, there is a tendency to the regrouping of the "peripheral" countries, Turkey and Israel, independently of, if not against the Arab countries. These tendencies are furthering divergence among national security agendas already traditionally very different from one another. They are making the attainment of an indivisible security more difficult instead of easing it.

Is the EMP a factor which can contribute to obviating to some or much of such fragmentation or is it a victim of the latter, so that it cannot progress unless different political conditions are restored?

The response is obviously mixed. It is important, though, to distinguish, on one hand, what the EMP can do to restore political conditions fitting with security and political co-operation in the Euro-Mediterranean environment and, on the other hand, which broader policies must be conducted by Partner nations in order to enable the EMP to achieve the ambitious security architecture enshrined in the Barcelona Declaration.

A more active and independent policy of the EU towards the Middle East is the essential ingredient in whichever measure intended to restore the minimum preliminary political conditions for security indivisibility as well as the EMP common area of peace and stability to become feasible. Another necessary EU policy concerns Turkey. Towards this country a more inclusive EU policy is badly needed. Further to these EU policy developments, changes are also needed in non-EU Partners' policies, like for instance a non exclusionary inter-Arab policy of economic co-operation.

¹ Incidentally, it must be pointed out that the notion of security indivisibility is less territorial or regional than functional. Functionally, the indivisibility of security rests on the fact that EMP policies must affect common security without worsening, or basically changing, or neglecting the security of EMP individual members with respect to that of other members. If this rule of thumb is respected, specific local or sub-regional security policies may be feasible.

All these policies cannot be implemented by the EMP, but the EMP can bring about an important contribution to their eventual success by instituting a Charter and a first mechanism of political dialogue with it. Political conditions cannot sustain an ambitious and structured political dialogue, but allow for the establishment of a reinforced regular and institutionalised political dialogue of the first type described in the above, that is a mechanism primarily aimed at working as a measure to improve confidence and transparency in Euro-Mediterranean relations. This improvement of transparency and confidence in the Euro-Mediterranean collective relations would help the implementation of collective and bilateral policies geared to restore better political conditions with a view to make the EMP and its security architecture advance.

A global approach to Euro-Med co-operation

If a concept of comprehensive security is upheld (in tune with the basic “thinking” on which Euro-Mediterranean relations have been predicated by the Barcelona declaration), the security indivisibility criterion means also that purposes of different nature, i.e. of political, social, economic and cultural character, must be attained simultaneously. More precisely, aims of different nature must combine collectively, according to given priorities, so as to satisfy diverse and even competing national or groups’ requirements. The experience made so far within the EMP is that the Partners didn’t manage to single out common priorities or to compromise about priorities: they clearly assign very different importance to economic development vs. security or to democratisation vs. stability, etc. Most of these opposition are in the shape of different notions with respect to key targets, like human rights, democracy, globalisation, cultural values, etc.

For the EMP to survive and grow up, a compromise to balance different visions and priorities is badly in order. A simple balance-sheet of the three years of experience with the EMP makes it possible to identify the basic oppositions within the individual “pillars” or across the latter . This in turn would make it possible to achieve a better balance between different approaches within the frame of a shared global approach to co-operation.

A first balancing act is required with respect to the opposition between European concerns for human rights and democratisation, on one hand, and non-EU Mediterranean concerns for jurisdiction and legitimacy, on the other. In this context, terrorism requires some mutual conceptual adjustment and more concrete police co-operation (inside the EU and between the EU and its Mediterranean Partners).

A second balancing act is required with respect to the opposition between some European temptations towards globalistic absolutism and some non-EU Mediterranean attempts at disguising protectionism and statalism under the need to preserve cultural authenticity. Experience has shown that pragmatism and flexibility are in order. In fact, the EU Commission had to recognise, for example, that the exchange policy adopted by Egypt, though not in line with the Euro-Med policy of trade liberalisation in the short run, is a positive factor in the longer term thanks to its effect of recalling capitals in the country. Still, non-EU Mediterranean Partners must be convinced that multilateral liberalisation within the EMP is a strategic target that cannot be escaped. All in all, a better balance between liberalisation and its modes and rhythm must be found out.

A third balancing act should concern respect for human rights and minorities in the non-EU Mediterranean Partners vs. a concrete and effective policy towards immigration in the EU countries.

Other examples could be quoted. What matters, however, is that a new course of action begins by which the Partnership's goals, rather unilaterally worked out by the EU in Barcelona, would be thought out again by all the Partners. In other words, the Charter is an opportunity to re-write the Declaration together so as to redistribute emphases according to a shared comprehensive and global approach.

Now, with respect to the problem of setting up a congruous mechanism of dialogue, the attainment of a more shared global approach can sustain a more advanced type of mechanism. For example, a more shared approach could give the Partners the assurances they would need to proceed to set up a mechanism including common prevention and even the management of conflict. On the other hand, this author thinks that the EMP has not to wait the attainment of a shared global approach to establish a more advanced mechanism of dialogue. A less advanced mechanism of dialogue, of the first type stated in the above, should be established as soon as possible and given the task, among other things, to work out the global approach we have just talked about.

Sovereignty and interference

Security co-operation in the military or military-related realm has proved more difficult to be achieved than it was maybe thought in European circles at the time the Barcelona process was initiated. In fact, on this point political conditions remains really backward with respect to EU expectations and very distant from allowing for the beginning of a structured co-operation. This failure was reflected in the conclusion pointed out in Palermo by the then Presidency of the EU that in the Barcelona process Confidence Building Measures have to be replaced by Partnership Building Measures. Partly, this decision was a consequence of the standstill in the Middle East peace process. Partly, however, the decision came from Arab basic uneasiness with the terms put forward by the Europeans with respect to security co-operation.

On military and military-related co-operation, Israel has objected (more strongly than the Arabs) to the strategic congruity of the EMP format with respect to its security agenda and space (a space which includes the Gulf as well). Though, it would not have opposed in principle the development of some CBMs or CSBMs. For this development might have been in tune with Israel long-standing request to start the discourse about regional and national security from confidence-building (whereas Arab countries would rather start from political conditions and arms limitation).

As for Turkey, this country kept a low profile. In fact, Turkey being a member of NATO and an associate member of the WEU, it is not clear on which side of the EMP security partnership it would seat. Furthermore, its security posture towards Europe is affected by its dispute with a member of the EU which is rather unique in the EMP framework. These circumstances single out Turkey and make it dubious whether the EMP security co-operation may have something to do with it (or the other way round).

All in all, on the theme of North-South security co-operation the actual counterpart to the EU are the Arab countries and their uneasiness with the way security co-operation is put forward by the Europeans. In fact, there are two problems in this respect: (a) European unilateralism; (b) sovereignty and risks of interference.

The European unilateralism is part of the wider Western unilateralism in dealing with international security in the post-Cold War context. It is expressed by the fact that Europe and the US make available their own security instruments and institutions to manage or prevent crises, whereas in a security co-operation perspective it is the creation of common instruments and institutions to do the job that should come up first. This point has clearly emerged in the little diplomatic crisis raised by the creation of Euroforces. To be sure, these forces are not directed against the Arabs, but they cannot be sold as an element of Euro-Mediterranean security co-operation.

This unilateralism reinforces the second and most important objection (or perplexity) the Arab countries do have with respect to European (and Western) proposals of co-operation. This objection or perplexity concerns the tendency of Europe (and the West) to change the foundations of sovereignty by introducing a new concept of legitimacy predicated on moral factors rather than on recognised jurisdiction. Whenever this tendency fails to be framed by a shared international institution like the UN, the alternative may simply become that of either staying on the “right side” (like Turkey) or facing the risk of gross interference. This dilemma is, thus, strongly linked to the “double standard” which according to Arab feelings is practised by the West and Europe (especially with regard to Israel).

Unless these objections aren't superseded, any security co-operation within the EMP can hardly be achieved, even if and when peace will be made in the Middle East. This means, in the opinion of this author, that an EMP mechanism of dialogue including co-operation on conflict management is presently out of question.

Is conflict prevention out of question as well? I don't think so, contingent however to the notion of conflict prevention which would be adopted by the EMP Partners. If they adopt a narrow operational notion (preventive diplomacy), they will easily fail to have a dialogue on common preventative measures. If they adopt a wider notion, including systemic as well as structural conflict prevention, things would be easier and would perhaps allow for the beginning of a discourse on this realm of co-operation.

To conclude, it may be that the introduction of a higher level of dialogue, i.e. including conflict prevention, would result premature. Again, however, it is important to understand that the introduction of the lower layer of dialogue envisaged by this paper, i.e. a dialogue aiming at confidence at transparency, could well bring about spontaneously shared decisions to institute instruments of preventative actions or to take action to prevent crises or conflict.