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BRINGING SOCIAL JUSTICE  
AND HUMAN RIGHTS BACK IN

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## BRINGING SOCIAL JUSTICE AND HUMAN RIGHTS BACK IN

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### ABSTRACT

This report contrasts how European institutional and civil society stakeholders “talk and practice” the Mediterranean into being. Based on extensive stakeholder consultations, it tends to confirm the finding of MEDRESET Work Package 1, namely that EU institutions construct the Mediterranean through three discursive practices: the Mediterranean as a space crucial for EU interests, as a dangerous space and as a diverse geopolitical space. In stark difference to this institutional imaginary, European civil society and grassroots actors are constructing the Mediterranean space through three different discursive practices, namely the Mediterranean as a space in which universal values are being violated; as a space that is economically, but not geopolitically or ideationally, dominated by the EU; and as one where civic space is shrinking and xenophobia, authoritarianism and “wall politics” are prevailing. To rebuild an equal Mediterranean space and a flexible, inclusive and responsive EU role in it, European stakeholders suggest two policy alternatives: a policy of social justice and human rights, and a policy of reconciliation.

### INTRODUCTION

MEDRESET Work Packages 1 and 2 have found that the EU and all other powers present in the Mediterranean are securitizing this space. As Ehteshami and Mohammadi (2017: 1-2) pointed out, “security drives policy of all key powers” in the region, while “their definitions of security are incompatible. [...] [T]hese powers do not conceive the Mediterranean as a single space, let alone a shared space”, which “leads to dramatic divergences in their approaches and priority areas”. For the EU, specifically, based on discourse analysis of EU documents, Cebeci (2017a: 1) has argued that the “EU constructs the Mediterranean space mainly through three discursive practices”, namely “the Mediterranean as a space crucial for EU interests”, “the Mediterranean as a dangerous space” and “the Mediterranean as a diverse geopolitical space”.

This finding has been corroborated in the stakeholder consultations pursued in the framework of MEDRESET Work Package 4. A stakeholder representative of EU institutions (Interviewee 8), for example, pointed out that building a Mediterranean space is difficult as there are currently “more and more divergences”, and “shaky alliances and increasing instabilities”, also arguing that the

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region further has an attitude of getting stuck in conflicts, and having conflicts of all kinds prime over humanitarian and social challenges. One example in that sense are Morocco and Tunisia, which still today don't engage in cross-border trade. This attitude means that there is a huge under-exploited potential in the region.

This quote distances the EU and its member states from their own roles in these conflicts and, even more substantially, from its role as the major trade power in the region.

MEDRESET Work Package 4 contrasts how European institutional stakeholders "talk and practice" the Mediterranean into being with how civil society and grassroots stakeholders on all shores of the Mediterranean do so. This paper specifically contrasts the discursive positions of European institutional stakeholders with those of European civil society stakeholders. It finds that in stark difference to the institutional imaginary of the Mediterranean, European civil society and grassroots actors are constructing *the Mediterranean as a space in which all types of universal rights (civil, political and socio-economic rights; the rights of migrants and refugees; the rights of civilians under war and occupation; and the rights of women) are being violated; as a space that is economically, but not geopolitically or ideationally, dominated by the EU; and as a space where civic space is shrinking and xenophobia, authoritarianism and "wall politics" (Interviewee 6) are prevailing*. To rebuild an equal Mediterranean space and a flexible, inclusive and responsive EU role in it, *they suggest two policy alternatives: a policy of social justice and human rights, and a policy of reconciliation*.

## 1. METHODOLOGY

MEDRESET's overall methodology is based on a non-Eurocentric approach (Huber and Paciello 2016). To pursue this, MEDRESET works inductively, without applying predefined concepts on the Mediterranean. Methodologically, MEDRESET aims to move against the marginalization of local perspectives. It pursues recursive multiple stakeholder consultations (RMSCs) in Egypt, Lebanon, Morocco, Tunisia and Europe. RMSCs enable us to reverse the ordinary approach by which perceptions and priorities of Southern shore partners are included in the picture only marginally and/or a posteriori. Instead, MEDRESET pursued its initial round of stakeholder consultations in Egypt, Lebanon, Morocco and Tunisia. Based on a first report which summarized their imaginary of the Mediterranean and EU practices in it, we formulated the questionnaire for the European stakeholder consultations, subsequently posed to European institutional and civil society stakeholders, in such a way as to reflect these discursive positions. Inviting EU-level stakeholders to react and position themselves with reference to structured inputs coming from Mediterranean partners represents an innovative approach that reverses the usual Eurocentric approach.

A total of 40 stakeholders were contacted, resulting in 21 interviews conducted with 8 institutional and 13 civil society representatives (see table 1 below) between January and March 2018 (see anonymized list of interviewees in the Annex). Among the interviewees were 12 males and 9 females representing European, transnational, Danish, Italian, Finnish, Spanish and French organizations. The interviews ranged between 30 minutes and 1.5 hours in duration and were conducted either in person in Brussels or – for those located elsewhere – via Skype and in two cases via email. The interviews were conducted by the authors and Anja Palm, researcher

at IAI. In line with MEDRESET's data management plan, all interviews were anonymous and hence were not recorded, but based on notetaking.

**Table 1** | Overview of interviewees

Type of stakeholder	Country	Male	Female	Total
EU institutions	Tunisia	1		1
	Brussels	4	2	6
	Spain		1	1
<b>Total EU institutions</b>				<b>8</b>
Civil society organizations/ foundations/ activists	Transnational and European	3	3	6
	Danish	1		1
	Italian	1	1	2
	Finnish		1	1
	French	1	1	2
	Spain	1		1
	<b>Total bottom-up actors</b>			
<b>Total</b>		<b>12</b>	<b>9</b>	<b>21</b>

Besides the interviews, we also undertook a contextual analysis of about 30 documents published by European and transnational civil society organizations active in the Mediterranean. This helped us to put the discursive positions of individuals interviewed in their role as representatives of an institution or organization into the context of the collective position of these institutions and organizations. We analyzed both documents and interviews through the concept of frames. Frames are a "way of representing knowledge", as they rely on and develop "interpretative schemas that bound and order a chaotic situation, facilitate interpretation and provide a guide for doing and acting" (Laws and Rein 2003: 173). Following Entman, this paper sees frames as promoting "a particular problem definition, causal interpretation, moral evaluation and/or treatment recommendation" (Entman 1993: 52). Particularly, the following questions were investigated:

- Problem definition: What are recognized as policy issues in the Mediterranean?
- Causal interpretation: What are identified as the reasons for those issues?
- Evaluation: How is the EU response to these issues evaluated in terms of actors, instruments and substance?
- Policy recommendation: Which alternative actions are suggested to be taken in response to these issues?

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## 2. CONTEXTUAL AND INTERVIEW ANALYSIS

### 2.1 SECURITY AND STABILITY VERSUS RIGHTS AND NEEDS

Institutional interviewees argued that the EU has abandoned the notion of the Mediterranean since 2008 and instead adopted the terminology of Southern neighbourhood, mainly focused on stabilization (Interviewees 8, 9, 11). Interviewee 8, for example, argued that the European Neighbourhood Policy looked at “establishing good neighbourly relations and at stabilizing these countries”, whereby “policy goals are now defined on the one hand on the basis of EU interests, and on the other hand, on the basis of local specifics”. When asked for the main policy issues in the Mediterranean, *the political, socio-economic and migratory dimensions were repeatedly mentioned and linked to each other by all stakeholders*. Institutional stakeholders tended to address these issues through what Roccu and Voltolini (2018) have called the stability and security master frames, while civil society representatives addressed it through the rights and needs dimension. For example, institutional interviewees highlighted that a key issue is “security, including counterterrorism, but also in terms of demography and socio-economic landscape” (Interviewee 10), the “democratic transition, rule of law, security” (Interviewee 11) and “migration and security” (Interviewee 9). In sum, the 8 institutional interviewees mentioned stability 9 times and security 8 times, while the 13 international/European civil society organizations only referred twice to political (in)stability and one interviewee highlighted the importance of “not interpreting security as stability” (Interviewee 3). Civil society stakeholders, in contrast, addressed these issues through the human rights frame, particularly civil, political and socio-economic rights; the rights of migrants and refugees; the rights of civilians under war and occupation; and the rights of women.

Regarding the socio-economic situation specifically, EU officials frequently referred to the demographic growth or youth bulge in the region. For example, one EU representative argued that this is “worrying” as it “poses major challenges in terms of access to social services and resources, but also regarding the stability of political systems. Furthermore, it poses a challenge to the Northern side of the Mediterranean in terms of migration” (Interviewee 8). Another interviewee stated that “Egypt is such a giant in the region: the demography of the country, the huge growth rate. The country is a ticking time bomb” (Interviewee 16). Thus, EU officials problematized the youth bulge as a security issue for the EU. In stark contrast to this, only one European civil society stakeholder referred to the “impressive number of youth” which he, however, did not securitize but instead called for reducing inequality between the Northern and Southern shores of the Med and the “free movement of people” as a “prerequisite” (Interviewee 20). Grassroots representatives also pointed out that access to basic social services is needed and that stability should be seen as a “humanitarian practice” (Interviewee 19). In this context, groups such as EuroMed Rights have suggested that economic and social rights include “the right to an adequate standard of living (including the rights to food and housing), the right to health and education, as well as workers’ rights to just and favourable working conditions (including fair wages and rights to form and join trade unions, to social security and to family life)” (Zorob 2017: 5).

Regarding migration, EU representatives problematized migration as such, in contrast to civil society stakeholders who problematized the violation of human rights in the EU’s response to migration. Institutional interviewee 8, for example, argued that while migration had been an

issue before, this “is a new situation which arose since 2015, and which has not been like this since 1962. Indeed today we see for the first time a real impact of what happens on the Southern side of the Med also on the Northern domestic scene. One example in that sense is migration” (Interviewee 8). The “strong interdependence between the North and the South” (Interviewee 8) was highlighted in this respect. Civil society organizations converge on identifying migration as a key policy issue, but, in stark contrast with EU discourse and practice, they unanimously present it in terms of serious violation of the rights of refugees, asylum-seekers and migrants on both shores of the Mediterranean (AEDH 2015). Civil society stakeholders argued that migration now dominates EU policies in the Mediterranean, that it is “sucking all the oxygen out” as “everything is viewed through the migration lens instead of conflict resolution lens” (Interviewee 1). The normative impact was highlighted, as well: the “EU cannot be vocal on lack of refugee rights in other countries if it does the same” (Interviewee 12).

Regarding the political situation, institutional representatives focused more on the issue of good governance and the rule of law. Civil society representatives instead tended to concentrate on human rights, the return of authoritarianism and the challenges this poses to the human rights movements in the region, expressing worries on “the shrinking space of civil society in law and practice” (Interviewee 12), including within Europe itself. Organizations such as EuroMed Rights and Amnesty International have highlighted how human rights violation and impunity have reached dramatic levels in Egypt and Algeria (Amnesty International 2014a, 2014b, 2014c, 2017; EuroMed Rights et al. 2017), as well as how repression is also increasingly used by Tunisian and Moroccan authorities (EuroMed Rights 2015a). According to EuroMed Rights, compared to 2011, the overall human rights and democracy situation in the Southern Mediterranean countries has deteriorated (EuroMed Rights 2015b).

Finally, civil society interviewees highlighted gender issues when asked about key issues in the Mediterranean, while institutional representatives – except for one institutional representative who works specifically on gender issues – only referred to them when asked about these issues. Civil society groups see gender issues as crucial (EuroMed Rights 2012, 2014b), and specifically highlight violence against women and children in war and conflict (EuroMed Rights 2015b), women’s socio-economic rights (Semplici 2017), the violation of women’s rights as migrants and refugees, and the high levels of gender inequality in the whole region (EuroMed Rights 2015b). Specifically, one civil society stakeholder pointed out that “violence against women is really an issue and an issue that is truly Euro-Med as it exists on both sides of the Med” (Interviewee 12).

## 2.2 A “REGION OF FAILURES” VERSUS “EU HYPOCRISY”

Most stakeholders argued that the Mediterranean project had failed, but differed on explaining that failure. Institutional interviewee 8 pointed out, for example, that the Mediterranean project failed “because unfortunately in the region there are generally more failures than success stories” and that the EU does not “have the keys to change in its hands”. In this respect he argued that “some policy proposals by the EU are simply not taken up by local governments. An example in that sense is the DCFTAs [Deep and Comprehensive Free Trade Agreements] that were offered to numerous countries in 2011, but so far only with Tunisia the negotiations have been launched and there is lack of responsiveness”. Institutional stakeholders pointed out that the EU only proposes models or agreements to the South, but it is up to them to choose or not (Interviewees 9, 11). Furthermore, many institutional stakeholders pointed out

that the Mediterranean project has been replaced by the Neighbourhood project. Virtually all institutional stakeholders rejected the point of view that the EU approach could be read as neo-colonial, with some arguing that this instead pertained to bilateral Member State relations with Mediterranean countries. Interviewee 10 pointed out that also if the EU tries hard, necessarily the relationship cannot be completely equal as it is a donor–recipient relation. Interviewee 8 repeatedly mentioned that funds allocated to the South are by far not enough, even though they have been increased.

In contrast to institutional stakeholders, civil society representatives pointed out that “historically speaking, the Mediterranean identity was destroyed by Europe that imposed the idea of the nation state. The Mediterranean identity was made of a plurality of identities. Today also in Euro-Med relations, the dimension of the Mediterranean has disappeared” (Interviewee 5). She argued that the Euro-Mediterranean space is a neo-colonial space “par excellence”, because it brings in Europe’s North, but not North Africa’s South, and because trade agreements are negotiated bilaterally between the EU as a bloc with single Southern countries that become in consequence “weak and with little bargaining power vis-à-vis the EU, making the relationship highly unfair/unequal”. Other civil society representatives pointed out that neo-colonialism is evident in the “sense of conceptual superiority of the EU” (Interviewee 17).

Institutional and civil society stakeholders largely agreed that there is a strong (inter)dependency of the South on the North in terms of politics (Interviewee 8), the trade balance (Interviewee 2) or the donor–recipient relationship (Interviewee 10). Civil society interviewee 3 argued that the dependency is the “result of an objective asymmetry due to economic differences (in terms of GDP) that have enlarged since independence instead of being reduced”. Civil society has pointed out that free trade agreements between the North and the South of the Mediterranean have been “asymmetrical”, benefiting the companies of the North while generating low-paid and precarious jobs in the South (Semplici 2017). Related to this, in the interviews, some civil society stakeholders pointed out that a kind of patronizing also exists on the civil society level: during the DCFTA negotiations, European NGOs (usually working on TTIP and CETA) “told their Tunisian counterparts not to sign the agreements, while Tunisian CSOs were less certain on the issue” (Interviewee 12). Related to this, Interviewee 14 rejected the “victimization” approach of and towards the South. Several interviewees raised the issue of how migration has impacted on the situation of dependency. Interviewee 6 found that the relation of dependency can also be turned upside down, since oligarchies in the South are allying with the EU and are using migration as an instrument (Interviewee 6). Interviewee 16 pointed out that the “dependency is really mutual. [...] They are very important to us”, while Interviewee 14 also raised the EU’s declining leverage due to the migration issue.

Almost all civil society interviewees were supportive of a human-rights-based foreign policy approach. They criticized that the EU presents these rights as EU rather than universal values. Interviewee 14 for example argued that these “are not European values. They are universal values. The EU should not add geographic boundaries to something that is universal. It should not represent them as values external to the region”. Similarly, Interviewee 19 pointed that “values such as civil and political liberties, equality and justice are not EU values, they are universal values and the EU does not own them” (also expressed by institutional Interviewee 16). Interviewee 1 argued that it is not the EU focus on human rights that is negative, but rather its hypocrisy (also Interviewee 3). The EU is not only violating human rights itself in terms of its approach towards migration (Interviewee 18), but also the gap between the EU’s rhetoric

on human rights and its practice was continually pointed out. With the new ENP (the review of the European Neighbourhood Policy), the EU is seen to have further marginalized human rights in favour of a "stability-based approach" (EuroMed Rights 2015c). The EU has "human rights commitments, but is unwilling to use them" (Interviewee 12) and is "reluctant to use its economic weight to raise human rights issues. [...] The EU is systematically underplaying its cards. [...] [it] is not using tools at its disposal for political reasons" (Interviewee 1). The cases of Egypt and Western Sahara/Morocco were specifically highlighted here. According to Amnesty International, "the EU has so far turned a blind eye to the human rights impunity in Egypt, having as a major priority that of enhancing co-operation on security and migration control, and boost[ing] trade". The 2017 EU-Egypt country report, for example, does not include "any mention of human rights violations such as enforced disappearances, extrajudicial executions, and widespread impunity for the security forces". Moreover, many of EU member states are accused of complicity with the Egyptian regime as they continue to sell arms to its security forces (Amnesty International 2017), an issue also raised by Interviewee 4.

## 2.3 OLD RECIPES VERSUS THE NEED FOR A SHARED NEW MODEL

When it comes to the evaluation of EU response in terms of substance, actors and instruments, institutional stakeholders and a few civil society stakeholders tended to elaborate on how to improve existing recipes, while other civil society stakeholders questioned them altogether and called for a new model.

### 2.3.1 SUBSTANCE

Several institutional representatives highlighted that the EU invests in areas necessary for social justice, including education, health and employment, with a growing focus on youth (Interviewees 1, 8, 10). In terms of the *political and socio-economic model* the EU represents and advocates, Interviewee 16 pointed out that in its approach to rights, "there is a tendency in the EU to focus on civil and political rights, the economic and social rights are not recognized at the same level. In principle they are included, but not in practice. [...] Priorities are reform of the judiciary, and respect for the rule of law". Interviewee 10 made the point that according "to the EU 'model' the state does play a central role in social justice, but it also gives space to private actors. [...] If the question is if the state should always be in charge of providing these services, the EU's answer is mixed: it promotes privatization but also lots of state involvement". Interviewee 8 stated that it "is not possible to impose social justice from above. IMF programmes are an excellent instrument, as they bring more balance to macro-economic indicators". The EU uses "budget support" to "incentivize" states to move into this direction. Interviewee 15 also highlighted the need for a "structural economic policy" and the "setting up of a rule-based market economy", which was seen as specifically important to enable SMEs to move out of the grey economy and to attract foreign investment. Resilience was in this respect presented as an overall approach to these established EU policies, defined as the "stabilization of societies" (Interviewee 8) or as a "strategy for stability" (Interviewee 16). Only institutional Interviewee 21 was more critical, pointing out that "if the projects developed under this slogan are mainly micro-projects at the local level, this creates a lack of high-level policy dialogue concerning the causes of the issues".

Civil society stakeholders saw the EU's approach highly critically. They called for a strengthening of socio-economic rights and solving the situation of inequality between the North and the

South, as well as within the countries. Interviewee 12 argued that the EU "states that it wants to develop economic and social conditions, but usually does not mention them as rights; they are only on paper as a commitment". Some interviewees argued that "social rights are becoming more important, but they are less political and thus easier to pursue" and that "social and political rights [are] closely related, you need to be able to hold politicians accountable for your social rights" (Interviewee 13). It was highlighted that the MENA region is witnessing high levels of poverty and that it is one of the most unequal regions in the world, lacking fair taxation and access to basic social services. In addition, "the region is the one with the lowest employment rates among the vulnerable categories [youth and women]" (Interviewee 21). Several civil society stakeholders suggested that current economic policies in the Southern countries have not improved that situation. In the post-uprising, EU policies have remained firmly rooted in free market prescriptions, and have continued to neglect negative employment effects (Semplici 2017; Hibou et al. 2011). Moreover, pressure by the EU on Southern Mediterranean countries to further enlarge trade agreements is also limiting the ability of post-uprising countries such as Tunisia to rethink their own social and economic policies in ways that favour social justice and fair redistribution (EuroMed Rights 2015b). Specifically, it was highlighted that "to cut down on the public sector [...] works against the goal of achieving greater social justice" (Interviewee 7). Interviewee 6 argued that "recipes are always the same [...] free market and structural adjustment", which "creates a vicious circle between economic and politics from which it is difficult to exit". Interviewee 5 stated that the EU "is pressing the country Tunisia together with the IMF to cut spending and has not cancelled the high levels of Tunisian debt". This issue has also been raised by the European Trade Union Confederation (ETUC), which stressed that addressing economic problems in the country should be the key priority for the success of its democratic experience (ETUC 2015). Therefore, debt relief by the international community is seen as a necessary action to develop and sustain democracy in Tunisia (ETUC and UGTT 2015).

The economic model was problematized not only in relation to the Southern Mediterranean. "The EU itself is adopting an economic model [...] which does not take care of social issues, and is worsening the situation of European populations" (Interviewee 5). This was echoed by other interviewees who argued that the EU cannot "anymore claim to transfer its development model to the South of the Mediterranean as its model is in crisis, and does not succeed to respond to problems of work, of education" (Interviewee 17). Similarly, Interviewee 6 argued that

the European policies are a model in crisis. It is therefore necessary to change this model first of all in Europe, but unfortunately in this moment no clear proposal on how such a new model could look like is emerging. [...] This situation of uncertainty on which model to follow could also be a moment of a more equilibrated partnership: The EU could turn to the South of the Mediterranean saying that it is rethinking a new model [...] and] to try to understand together which model we could adopt, always tailored to the local context.

Resilience was seen by non-institutional stakeholders "as a new slogan" (Interviewee 12), "jargon" (Interviewee 14), a "choice of words that could be as vague as possible" (Interviewee 14) or a "very broad concept" which "justifies the fact that they are stepping back and focus on the economy only" (Interviewee 12).

Finally, in terms of gender equality, EU officials mainly focused on the issue of what they referred to as “violence against women” (Interviewee 15) and “women as victims of violence” (Interviewee 2). As has been pointed out elsewhere (Huber 2017), this makes women, rather than violent men, the problem which has to be addressed. Regarding the marginalization of women in the market economy, awareness on the issue varied among institutional stakeholders. While Interviewee 9 found that the new approach to focus more on women in employment and training (rather than education and health) “has worked a lot on women’s inclusion”, Interviewee 10 stated that the “marginalization of women [...] is mainly determined by the market situation and by demographic reasons”. Interviewee 21, however, a gender expert, highlighted that the EU should have done more on the way women have been included in the labour market:

When trade negotiations with the EU neighbourhood countries were ongoing, CSOs asked the EU to include a focus on social rights, particularly concerning youth and women, in the negotiations – as a sort of positive conditionality. The impact assessment of these agreements nevertheless led to the finding that the EU had not put this issue as one of the priorities of the negotiations. CSOs had raised that the opening of the EU market would impact certain sectors in the Southern Med countries’ markets, carrying more flexibility and consequently the social rights setting. One example is the textile sector in Morocco, which is a sector that traditionally recruits many women and already presents many aspects of flexibility – i.e., precarious contracts and a lack of social protection. The EU could clearly have done more to put this issue on the table, particularly as it was asked to do so by CSOs.

Civil society stakeholders pointed out that the “EU discourse including on gender is very superficial” and that “there is rather a ghettoization of women than their real integration on the same level as men” (Interviewee 1). Several interviewees referred to the “check-box ticking approach”. Interviewee 12 pointed out that “women are treated as a minority when in reality they are half of the population”. Three interviewees also referred to the need to “redefine labour rights as a major priority also outside the EU territory [...] and stop advertising the South Mediterranean as an area of cheap labour to European companies” (Interviewee 7), while Interviewee 17 pointed out that “precarious labour, badly paid, and the discrimination [against] women in the labour market are the same problems which we have in the EU”. Similar to this, Interviewee 12 stated that what she also referred to as “violence against women” is a problem that is truly Mediterranean as it happens on all sides of the region. Interviewee 4, in fact, pointed out that the discourse that women in the South are worse off than women in other regions “is a power discourse that goes to the disadvantage of women”.

### 2.3.2 ACTORS

The EU has been accelerating its efforts to support local organizations through new, more flexible instruments such as co-financing or sub-granting. Institutional stakeholders showed an awareness that even more flexibility is needed, specifically in relation to non-registered CSOs in an increasingly shrinking civic space, and those not in the capital (Interviewees 10, 16). Nonetheless, the EU approach remains largely technocratic, related also to perceptions of civil society as service providers to the EU. Institutional Interviewee 8, for example, pointed out that for the EU, CSOs are “fundamental for a plural society and can also be important social services actors”. In fact, he highlighted that one of the key criteria for working with a group is that they “provide good services”. Interviewee 21, instead, highlighted that “CSOs tend

to engage in activities which should be those of the state. [...] This can be due to the lack of government engagement [...] or to CSOs wanting to engage in these activities" (Interviewee 21). As for the religious orientation of a group, institutional stakeholders pointed out that is not an exclusionary criterion (Interviewees 2, 8). Interviewee 10 stated that the EU works with religious groups "but always on the basis of the services they can provide". Interviewee 11 stated that groups funded by the EU need to recognize human rights standards and that Islamic groups are involved in inter-faith dialogues funded by the EU, while Interviewee 9 argued that Islamic groups "should be included more in the dialogues". Interviewees 8 and 11 made a link between religious groups and terrorism, arguing that "there is the need to make sure that there is no financing of terrorism involved" (Interviewee 11).

As for the view of international and European civil society stakeholders on the issue, the perception is that the EU should do more to live up to its initial promises and commitment to strengthen local civil society actors in the post-uprising states. The involvement of civil society actors in EU–Mediterranean dialogues and partnerships (consultations) has continued to be limited (Zorob 2017). The civil society from both the South and the North of the Mediterranean has been left out of decision-making processes regarding crucial issues such as migration policies and free trade agreements (AEDH 2015). The new ENP is said to further neglect civil society's contribution to EU–Southern Mediterranean relations (EuroMed Rights 2015c).

Many stakeholders were impressed by the level of resilience of civil society in a climate of shrinking civil space. Besides the issue of difficulty of getting funding which the institutional stakeholders were aware of, the issue of the EU "taking the easiest way and working with the big partners" (Interviewee 12) in line with its own interests and objectives (Interviewee 4), instead of fostering diversity and working with new and small partners (Interviewee 17) came across. As for Islamic groups, Interviewee 5 pointed out that there "is a huge debate in civil society on how to deal with Islamist groups". Interviewee 18 argued that Islamist groups are heterogeneous, and that "we need to look at the content of their action and if they respect human rights". Human rights were also raised as the priority by Interviewee 13, who highlighted that "there is a change in rhetoric of these groups" and that the "Arab Spring had a huge impact on how these organizations perceive themselves". Interviewees 14 and 19 pointed out that the EU works with some Islamic or faith-based groups (for example to monitor violations of law or work for prisoners), and that "with rising xenophobia in Europe, this good practice should not suffer" (Interviewee 19). Interviewee 3 suggested that while it is important to work with Islamic groups, they "are not the only relevant political actors to be considered. [...] The EU needs to acknowledge the variety and heterogeneity of political actors to be involved". Finally, and on the case of Egypt and the Muslim Brotherhood specifically, Interviewee 1 pointed out that it is "shocking" that "not only has the EU accepted the coup, but some member states endorse the Egyptian regime's position on the Muslim Brotherhood", while the "EU stopped the official engagement with the MB" two years ago and only engages in indirect meetings. This, Interviewee 1 argued, "contributes to isolation and radicalization of elements in the group" while the "EU displays disturbing willingness to echo talking points of the regime".

### 2.3.3 EXTERNAL POWERS

Institutional interviewees pointed to a "more complex and competitive scenario" in the region, with a "dramatic increase of intervention of foreign players" (Interviewee 8). In this scenario, the EU was perceived as strong in trade, but less so in security and financial flows (Interviewee 8).

The US was still seen as the closest partner, particularly at the operational level (Interviewee 10), US and EU policies are "quite aligned" (Interviewee 9), but it was also mentioned that the US is "stepping back" which was, however, also seen as "a possibility for the EU as it gives it more space" (Interviewee 10). Other players which were explicitly not seen as competitors – "we are supportive of them" (Interviewee 15) – were the African Union, ECOWAS and – specifically for Libya and Syria – the United Nations. Turkey and China were mentioned in passing as important or increasingly present players, while it was mainly Russia and in some respects also the Gulf countries which were seen as problematic. Russia was framed as "mainly interested in security-related questions and energy" (Interviewee 10), or as "just pursuing their self-interest" (Interviewee 15). One interviewee stated that

we are really concerned to see the influence of Russia which becomes a normative power, a point of reference. We think that we are a normative power. Egypt, Algeria, Israel are all looking to Russia as an example in terms of laws and standards to prevent a civic space. (Interviewee 14)

Beyond Russia, the Gulf states, particularly Qatar, the UAE and Saudi Arabia, were mentioned as important in terms of financial flows, associated with a "lack of transparency on the destination of the funding" (Interviewee 9). The proxy war between Iran, Saudi Arabia and Israel in the Eastern Mediterranean was mentioned as well (Interviewee 11).

Finally, institutional Interviewee 21 pointed out that there is a lack of intra-regional integration and that the

EU lacks a real strategy and policy towards the Mediterranean space [...] and it seems to not have the will nor the capacity to tackle the challenges. The most blatant example concerns the security dimension. [...] It seems like there is a complete lack of vision (even regarding key situations such as the Syrian conflict). [...] It is a pity that the EU is not investing more in its role, as it could derive more power from its proximity to the region. (Interviewee 21)

Like the institutional stakeholders, civil society also saw Russia as "increasingly competing with the EU in the region" (Interviewee 4) including in the area of selling weapons to authoritarian regimes. Interviewee 18 pointed out that the EU model "appears to Southern Mediterranean countries as a failure. The EU is no longer in the position to propose its development model". Interviewee 6 stated that "Europe is divided and weak, and in the EU itself authoritarian tendencies are growing and the civil space is shrinking". However, civil society actors pointed out that the reference to external actors "can also be used by the EU as a scapegoat. It becomes ridiculous. We should recognize certain threats and show our teeth" (Interviewee 14). This was also argued by Interviewee 1, who stated that the EU

is strategically underplaying, not only compared to the US, but also Russia. [...] Even in place like Tunisia, the EU is not standing up to the UAE [...] which [is] pushing for polarization. The EU is a legitimate player here, it should signal to the Gulf that this is its Southern Flank. In Libya, it should confront UAE on breach of the arms embargo. This is in Europe's interest for stability. Same applies for Egypt and its support to Haftar. There is an unwillingness on the side of the EU to become more politically involved. (Interviewee 1)

Relating to the Gulf countries, Interviewee 14 pointed out that the EU should broaden what it conceives of as the “neighbourhood”, asking “what is the EU doing in the Gulf, in Saudi Arabia, Yemen and Bahrain? The neighbourhood does not stop in Jordan. Where do they draw the line?” China and its investments in the region were also mentioned, which the EU is “underestimating” (Interviewee 18). Furthermore, civil society actors mentioned the “African approach” whereby North African countries, Morocco specifically, are “looking elsewhere, the EU is not their only option” (Interviewee 14). Other external actors mentioned were the IMF, the World Bank, the Council of Europe and the United Nations.

#### 2.3.4 INSTRUMENTS

Institutional stakeholders saw the EU as a “supporter” of the Tunisian transition (Interviewee 2 and 9), also in order to foster a success story on the Southern shore of the Med. It was pointed out that “EU policies are effective in Tunisia, because Tunisia wants [to do this] and because there was an already ongoing process” (Interviewee 9). Tunisia was indeed highlighted as a “forward-looking country”, and “our darling” where there is a “meta discourse of love and affection” (Interviewee 15).

This was contrasted with Egypt, the locus for much of the discussion on EU instruments in the region. Institutional stakeholders justified the decision to continue engaging Egypt on partnership priorities with several sets of arguments. Firstly, it was argued that the “ability of the EU to change the region fundamentally should also not be overestimated” (Interviewee 10) and that it is “unrealistic to think that this [suspension of the association agreement] would reverse the government’s actions” (Interviewee 10). Secondly, it was argued that some cooperation with authoritarian regimes is often better than closing all doors: if “one wants to be involved in change one needs to be an insider or communicate with the system” (Interviewee 10; also Interviewee 11 made a similar point) with the addition that that for “them usually human rights come after the question of stability, but for the EU it is the opposite” (Interviewee 10). Interviewee 8 also pointed out that an interruption of relations with authoritarian regimes would often push towards even greater instability and a decrease in services. Thirdly, “the EU’s interest in the stability of the country also in the view of a protection of the EU itself” (Interviewee 10) was repeatedly mentioned as a key reason. Interviewee 10 stated that

it is not an option to completely interrupt it, both because Egypt plays a strategic role and because it is an important commercial and counter-terrorism partner. Therefore, Egypt’s stability is very important, and interrupting the relations would certainly not contribute to make it better, as there would be a decrease in services and an increase in instability. (Interviewee 10)

Finally, both institutional (Interviewee 16) and CSO (Interviewee 19) stakeholders argued that “suspending the association agreement would mean that we cannot deliver basic services anymore. This is a nuclear option. First victims would be the weak population” (Interviewee 16).

Civil society was highly critical of the EU approach. Firstly, it was highlighted that due to its economic power, the EU does have leverage (Interviewees 1, 19). Secondly, civil society did not focus on the suspension of the association agreement, which could harm the Egyptian population at large, but instead argued for the “do no harm” principle (Interviewee 19)

whereby the EU should refrain from legitimizing authoritarian regimes and from strengthening authoritarian regimes for the sake of stability (Interviewees 13, 17, 18). "Now, the EU works on stabilization in favour of EU interests, but stability can also be seen as a humanitarian practice" (Interviewee 19), whereby the EU does not necessarily need to work with authoritarian governments. The EU's double discourse was highlighted again, with the assertion that the EU should take "more clear positions/stances in its practice to avoid incoherence with its rhetoric" and that "there must be coherence in the practice toward these regimes between the EU and the European member states" (Interviewee 3).

## 2.4 ALTERNATIVES

Two related proposals for alternative EU policies came across in the interviews, through which the EU would not only regain a political standing in the region, but potentially be able to reverse these trends within the Mediterranean and the EU itself: a policy of social justice and human rights, and a policy of reconciliation.

### 2.4.1 A POLICY OF SOCIAL JUSTICE AND HUMAN RIGHTS

*In terms of substance*, civil society representatives urged the EU to observe human rights and international humanitarian law as the basis for all EU action. In the area of civil and political rights, the EU should bridge the discourse–practice gap and make sure that the governments do not undermine the constitution. It was once more highlighted here that the EU should not represent itself as superior in terms of values, but stress the dimension of shared values (Interviewee 6). Furthermore, the EU should assume its role in providing for security in the Mediterranean (Interviewee 1).

It was suggested that economic and social rights should be acknowledged as central for all shores of the Mediterranean. Furthermore, the EU should start to rethink its own development model and carry out a deep analysis of the unfairness of trade agreements between the EU and Southern Med countries. Free trade agreements should not jeopardize access to economic and social rights such as health, education, social protection and water as well as labour rights (Solidar 2014). Trade agreements therefore need to be accompanied by a systematic human rights impact assessment and should include respect for labour rights (such as for example containing the basic ILO conventions concerning trade union rights, labour standards and child and forced labour) (Semplici 2017). Concretely, EuroMed Rights proposes to set up a regional observatory responsible for assessing the human rights impact of trade agreements and EU financial support to projects in Southern Mediterranean countries. Moreover, the EU should "stop engaging in economic agreements with countries seriously hampering, or even preventing, their citizens to defend their economic and social rights" (EuroMed Rights 2015b: 2). More in general, according to ETUC, EuroMed Rights and SOLIDAR, economic and social policies in the Southern Mediterranean need to be rethought. The neoliberal paradigm has proved a failure in bringing about social justice and democracy, and therefore an alternative model – "a new model of sustainable development" – should be elaborated (Semplici 2017: 7). While the concrete form this model should take is not clear, a few proposals are made. In order to redress unfair economic policies, taxation should be reformed toward the adoption of a progressive tax system; the role of the state should be central in providing social protection; the education systems in Southern and Eastern Mediterranean (SEM) countries should "equip the youth with free thinking and discernment capacities" and disseminate "the culture [...] of

human rights" (ITUC 2015).

As for women's rights and gender equality, only a few recommendations were made. Firstly, the issue of combating violence against women was raised. This would entail both political measures and financial support by the EU; EU ratification of the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence; and its ratification by Southern governments as a part of the Advanced Status package (EuroMed Rights 2015b). Secondly, it was argued that women's socio-economic rights need to be better protected. The question should be dealt with "in a systematic and transversal manner". Attention should be given to the gender impact of free trade agreements, the gap between women's education and the employment market; and the situation of rural women (Semplici 2017).

*In terms of instruments*, it was argued that the EU should give the region more financial support and that human rights objectives should be streamlined through all EU aid. In bilateral relations, the respect for human rights needs to be prioritized in the EU's negotiations with Southern Mediterranean countries concerning Action Plans and Partnership Priorities (Arab Trade Union Confederation et al. 2016; EuroMed Rights 2014a, 2018, EuroMed Rights et al. 2018). In terms of the documentation of human rights violations, the country reports were seen as too soft, following a factual and minimal approach. The EU should be more vocal on breaches of human rights and the repressive legislative environment. In the case of Egypt, for example, Amnesty International (2017) stated:

The leaders of EU member states must start by publicly condemning the government's gross violation of human rights. They must make it abundantly clear to the Egyptian government that protecting rights and fundamental freedoms remain core values of this partnership. And they must take concrete action to suspend transfers to Egypt of the types of arms that can facilitate human rights violations, to send a clear signal that security forces must be reined in, perpetrators must be brought to justice, and that counter-terrorism should not be used as an excuse to justify crushing civil society and jailing human rights defenders.

Finally, it was pointed out that the EU should use its instruments more coherently, should be honest, and should define its objectives before upgrading relationships with regimes such as for example Morocco and Jordan. This also means supporting with a substantial programme of investment those countries like Tunisia that are more promising in terms of political developments (ETUC and UGTT 2015).

On the multilateral dimension, the EU should pursue "a regional Human Rights strategy for the Mediterranean" that should include "an enabling environment for civil society, the rule of law, a human-rights-oriented migration policy, gender equality, respect for minorities (including LGBTI people) and human rights education to counter radicalism and discrimination, and promote freedom of conscience in the North and in the South" (EuroMed Rights 2015b: 5).

*In terms of actors*, the EU should adopt a more participatory approach which means "developing a genuine dialogue" and a long-term partnership with civil society actors, based on "transparency" and "access to information", offering "space for real political input and not just information-sharing" (EuroMed Rights 2015b: 6). So, civil society actors should be involved more "systematically" and as institutionalized partners in the political reform process as well as

in negotiations on trade agreements (EuroMed Rights 2015b; Solidar 2015). The EU should give more priority to "independent civil society players" (EuroMed Rights 2012), specifically also independent trade unions, which continue to be neglected by the EU (ETUC 2016).

While civil society (including trade unions) has been included in the DCFTA negotiations on the consultation level, this should serve as a first step to better involve civil society in all stages of the policy-making process (Interviewee 17). For example, independent trade unions should be included in trade negotiations, decisions and agreements (Interviewee 18). The tripartite dialogue with Tunisia was highlighted as a good practice. It was further suggested that the EU could seek to foster social dialogue in the region by trying to organize round tables between employers and trade unions, discussing employment and environment issues. This was seen "as an important tool for promoting stability in the region". The EU could also go further here, and "organize synergies between trade unions in Europe and the Southern Mediterranean to discuss issues of climate change, investment, education and jobs in order to elaborate a global strategy" (Interviewee 18). According to the ETUC, the EU should be more committed in supporting "social dialogue", but this would require a favourable legal and political framework, which means "the setting up of an enabling and democratic institutional and legal framework at national, regional and local level, allowing for proper and timely involvement of social partners in policy-making on matters which have a direct and/or indirect impact on employment" (ETUC 2016).

This inclusionary approach towards civil society was also seen as crucial for resilience. Resilience was understood to mean "how solidarity movements can create practices that are sustainable", distinguishing clearly between "resistance and resilience, meaning how people accommodate to a specific context/policy or resist to it" (Interviewee 7). Interviewee 19 suggested that a "process-oriented approach based on the inclusion of civil society should be key here. To make sure they are consulted, including local groups in the peripheries".

#### 2.4.2 A POLICY OF RECONCILIATION

As for the idea of a Mediterranean reconciliation process, which had come across as an idea for a new policy instrument in the first rounds of interviews, there was doubt, but also curiosity and reflection on the idea. A number of institutional actors saw this as a very broad and therefore not very well defined concept, and wondered what it meant in concrete terms (e.g., Interviewees 8, 9, 10). Interviewee 10 particularly mentioned that reconciliation is a post-conflict process, whereas there is no conflict in place here. Interviewee 1 argued that "there are more important lingering issues" and that the EU as such "is not responsible for that", while most interviewees reflected about what this could mean in Euro-Mediterranean relations.

*In terms of substance*, reconciliation was connected to two levels, national and regional. At the national level, the need for reconciliation in Syria, Israel/Palestine, in Egypt, or in Lebanon (Interviewees 1, 8, 14) was highlighted, along with the potential role the EU should and could play in fostering such reconciliation. At the regional level, the colonial baggage in Mediterranean relations, and the need to build a truly equal and non-xenophobic Mediterranean space came across. Interviewee 19 highlighted that a broad reconciliation process could work both against xenophobia in Europe and against the nationalist, exclusive discourse of authoritarian governments, while at the same time this very discourse made interviewees sceptical whether a reconciliation process could actually work: to "rebuild a new Mediterranean area is very

difficult; at the level of the EU, the attention is directed toward East Europe, while reactionary/ racist tendencies (which are anti-Mediterranean) are becoming strong" (Interviewee 5). The question of migration and borders was highlighted as central in this context as it "has increasingly created a feeling of division between the North and the South of the Med" (Interviewee 11). Interviewee 3 pointed out that we need to rethink the idea of neighbourhood "that goes beyond the idea of putting limits to the borders in order to secure them. It is important to build a common shared history – '*histoire partagée*' – and representation of neighbourhood" (Interviewee 3). Similarly, Interviewee 17 argued that better than speaking about reconciliation would be to speak about the "reconfiguration of the Mediterranean space, giving back sense to this Mediterranean space, giving it again some life, to construct exchanges, common ideas and common practices. The first condition of this is liberty of movement" (Interviewee 17).

*In terms of instruments*, on the national level, the EU–Tunisia partnership was highlighted as a good practice in terms of "an equal relation" (Interviewee 2), while Interviewee 10 expressed doubts on how the unequal distribution of wealth can be remedied, which "is not clear except for humanitarian and development assistance" (Interviewee 10). In terms of a multilateral platform, it was pointed out that there are already certain dialogues taking place, "which demonstrates that there is the recognition to have a regional dialogue" (Interviewee 9). A major new conference of the peoples of the Mediterranean was suggested, "with elements of collective participation and representatives of civil society and states" (Interviewee 20). The EU, it was argued, should reassume its role in supporting regional integration and help to build capacities for cooperation among states in the region, including at the state level, not only at the level of civil society. Promoting regional integration and reinforcing regional institutions was highlighted as important to ensure cooperation on peace and to reduce conflict, and also for the EU to reclaim a strategic role in the region.

Finally, *in terms of actors*, it was highlighted that the EU might consider enlarging the scope of such measures to the Gulf countries, in light of their activities in the Eastern Mediterranean, even though that was seen as difficult.

As for civil society, the idea was that in order to build a truly post-colonial *bottom-up* space, civil society itself should become active and launch an action in the Mediterranean. Major difficulties were seen in this respect, however:

At the level of civil society, priority is given to the national dimension [...] civil society is fragmented. For example, when there was the Greek crisis, there was no united clear response coming from European civil society organizations to condemn austerity measures. So, we need to create a common awareness, a democratic alliance (transversal) between civil society organizations, academics, from both shores of the Mediterranean as well as European parliamentarians more sensitive to Mediterranean issues. It is useless dealing with EU institutions at the top levels. We need a concrete project/vision for the Mediterranean, we need to create a network on the question of development in the Mediterranean. (Interviewee 4)

## CONCLUSIONS

This paper aimed at evaluating the effectiveness of EU policies on democracy promotion and human rights in the Southern and Eastern Mediterranean region from the perspective of European institutional and bottom-up actors' interests, needs, perceptions and expectations, with the purpose of identifying inclusive, responsive and flexible policy actions to reinvigorate Euro-Mediterranean relations. It confirmed that institutional stakeholders construct the Mediterranean through three discursive practices: the Mediterranean as a space crucial for EU interests, as a dangerous space and as a diverse geopolitical space (Cebeci 2017a, 2017b), while it found that European civil society and grassroots actors are applying three different discursive practices, namely *the Mediterranean as a space in which universal values are being violated; as a space which is economically, but not geopolitically or ideationally, dominated by the EU; and as a space where civic space is shrinking and xenophobia, authoritarianism and "wall politics" are prevailing*. To rebuild an equal Mediterranean space and a flexible, inclusive and responsive EU role in it, European stakeholders suggest two policy alternatives: a policy of social justice and human rights, and a policy of reconciliation.

In MEDRESET Work Package 1, Cebeci (2017b: 12) has argued that "[a]ll the three discourses discussed above help the EU construct the secure, stable and peaceful European inside vis-à-vis a dangerous, unstable and conflictual outside. This pertains to drawing boundaries and accentuating them", and legitimizes EU policies in the region. These discursive practices are, however, strongly resisted by bottom-up actors, some of which are actually sustained substantially by EU funding. Bottom-up actors challenge the EU's construction of its identity as an "ideal power" (Cebeci 2012), the boundaries the EU draws with this discourse, and the policies it seeks to legitimize with it.

Civil society and grassroots actors have not only pointed out the many instances in which the EU and its member states do not *behave* or *act* as an ideal power, they have also argued that the EU *is* no ideal power. For example, the EU is not only seen as acting too softly towards authoritarian regimes, but as itself a violator of the rights of migrants. Bottom-up actors thus also tear down the boundaries the EU has sought to erect between the self and the other. It is not only the Mediterranean space in which human security is in danger, the same also applies to the EU. Gendered violence, for example, was highlighted to exist on all sides of the Mediterranean, and civic space is also shrinking and authoritarian trends growing in some EU member states. Furthermore, the values which the EU proclaims for itself are seen as borderless: they are universal values. At the same time, the EU "model" is contested not only in the Mediterranean, but within the EU itself. Geographically speaking, civil society also sees the geography of the Mediterranean as an extended one which can stretch to the Gulf, as well as Africa. This impacts on the EU policies which civil society sees as legitimate or not. If it is not the Mediterranean as such which is dangerous but the practices of various actors in it which violate universal rights, then the policy response does not place security, but human rights and social justice upfront. By the same logic, bottom-up actors reject the securitizing trend in the region and suggest that a policy of reconciliation could work against such trends, prioritizing an "ethics of care" (Robinson 2011) for each other.

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## ANNEX: LIST OF INTERVIEWEES

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Interviewee 19. Global civil society network, female representative, 9 March 2018, via Skype, by Daniela Huber

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Interviewee 21. Euro-Mediterranean institution, female representative, 27 March 2018, via Skype, by Anja Palm

# MED RESET

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