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Overhauling EU Policy in the Mediterranean. Towards More Inclusive, Responsive and Flexible Policies

by Daniela Huber and Maria Cristina Paciello

ABSTRACT

As the EU is reviewing its European Neighbourhood Policy, this paper calls for an entirely new approach that would give the EU a stake in the region by responding more effectively to key needs on both sides of the Mediterranean. It first outlines three strategic policy options for the EU – defensive, power-projecting and reflexive approaches – and analyses EU policies accordingly. After observing that EU policies in the Mediterranean since the Arab uprisings have oscillated between a defensive and a power-projecting approach, this paper discusses how EU policies could become more inclusive of key actors, more responsive to key challenges and more flexible on both the multilateral and the bilateral level.

European Union | Mediterranean | European Neighbourhood Policy (ENP)



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by Daniela Huber and Maria Cristina Paciello*

Introduction

More than ten years ago, the EU launched its European Neighbourhood Policy (ENP) in a global context where the West still called the shots, in a European environment which was thriving in face of the success story of the enlargement process, and in a neighbourhood which was dominated by what looks in retrospect like a rather stable environment, imposed by autocracies that were backed by the EU. Today, however, this picture has changed decisively. On the global level, the power structure is shifting with external actors such as China and Russia – but also regional powers such as Iran, Turkey, Israel, Saudi Arabia and Qatar – driving increasingly assertive policies in the region. Not only is the West's uni-polar moment ending, but also the EU model has been deeply harmed by the Eurozone crisis and the current refugee crisis, which have put EU solidarity to a critical test. As a result, the EU might be less able today to impose its construction on the region. Furthermore, the EU's neighbourhood is going through profound changes. MENA – a region which includes Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Palestine, Jordan, Syria, Lebanon, Iraq, Iran, Turkey and the Gulf states as well as Western Sahara, Sudan and the Horn of Africa – has experienced internal uprisings, the breakdown of states, the growing presence of Islamism on the political scene, civil war, massive movements of population and an ongoing geopolitical power struggle. Non-state actors are taking on increasing importance in MENA, including social movements, but also networks such as the Islamic State (IS) and sectarian-based groups.

As EU-driven policies in the region have been largely perceived as a failure in the past, they seem even less adept to respond to the new domestic, regional and global challenges MENA is facing today; indeed they look rather irrelevant to emerging needs. The attempt to revitalise Euro-Mediterranean relations launched directly in the wake of the Arab uprisings did not diverge much from old models. As the

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President of the Commission Jean Claude Juncker has made reviewing the ENP a priority for the first year of his mandate, and as the European Commission has recently launched a new initiative to overhaul the European Neighbourhood Policy “to enable the EU to respond better to partners’ differing aspirations, and more quickly to a fast changing neighbourhood and broader global trends,”¹ this paper outlines some key issues which are crucial in this attempt and which relate to several questions raised in the European Commission’s joint consultation paper.² It first outlines three strategic policy options for the EU, namely defensive, power-projecting and reflexive approaches, analysing EU policies accordingly. As the EU response lies between the first two approaches, this paper then discusses how EU policies could become more inclusive of key actors, more responsive to key challenges and more flexible on both the multilateral and the bilateral level.

1. Three strategic policy options

Since the Arab uprisings, EU Mediterranean policies have displayed two tendencies: on one hand, they have sped forward and moved towards deeper engagement with frontrunners such as Tunisia or Morocco; on the other, they have continued in reverse gear, when it comes to securitised issues such as containing migration or terrorism. This section discusses three ideal-type strategic policy options and observes EU policies alongside them: a defensive, a power-projecting and a reflexive approach.

The first strategic policy option would be to put the EU’s current Mediterranean policies into reverse gear and move towards becoming “Fortress Europe.” The associated role is that of a defensive actor with isolationist tendencies whose behaviour would tendentiously respond to some concepts and theories put forward by the defensive version of Realism, as well as the Copenhagen School in the field of Constructivism. Defensive realists like Kenneth Waltz argue that anarchy does not drive states to assume hegemony: “the first concern of states is not to maximize power but to maintain their position in the system.”³ Taking this position to the extreme would mean advocating an isolationist policy.⁴ From a constructivist viewpoint, the role of a defensive actor could be explained as part of a process whereby Mediterranean relations become increasingly securitised on the political, socio-economic and cultural level. As a result, influences from MENA would be increasingly perceived as threatening to the ontological security of Europe, that

¹ European Commission and High Representative of the Union, *Implementation of the European Neighbourhood Policy in 2014* (JOIN/2015/9), 25 March 2015, p. 2, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52015JC0009>.

² European Commission and High Representative of the Union, *Towards a new European Neighborhood Policy* (JOIN/2015/6), 4 March 2015, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52015JC0006>.

³ Kenneth N. Waltz, *Theory of International Politics*, Boston, McGraw-Hill, 1979, p. 126.

⁴ Barry R. Posen and Andrew L. Ross, “Competing Visions for U.S. Grand Strategy”, in *International Security*, Vol. 21, No. 3 (Winter 1996-1997), p. 5-53.

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is the “security not of the body but of the self,”⁵ with Europe closing itself into a fortress.

Faced with growing fragmentation and deepening conflictual dynamics in the region, the EU could choose a defensive attitude and concentrate its efforts on averting spill-over risks. This would imply strengthening the current barriers or erecting new ones and minimising engagement to a restricted number of stakeholders in a limited number of policy areas of immediate security and economic interest, such as migration or trade. The EU would mainly focus on unilateral policies, even driven by single member states according to their security needs, which means that the EU would move away from its bilateral and multilateral regional cooperation schemes. Tendencies of this could be seen before the Arab uprising as the EU not only agreed on a scaled-down version of its multilateral instrument with the Union of the Mediterranean,⁶ but also moved away from normative concerns in the Mediterranean.⁷ EU migration policies have reflected and continue to reflect this policy option.⁸ While this option would give the EU the opportunity to focus its energies on its rather substantial internal challenges, the EU would risk further loss of its stake in MENA, compromising its credibility and ability to influence the future of the region at its doorstep. Political, social and economic problems might exacerbate with unpredictable challenges piling up for the EU in the future. Furthermore, in light of an increasingly multi-polar world, the EU would not only limit its political weight, but also endanger its own economic growth.

The second option would be to speed forward by engaging the neighbours. The associated role is that of a power-projecting actor whereby power can be materialist as well as normative, corresponding respectively to offensive realism as well as to diverse strands of constructivist and critical theory. Offensive realists like John Mearsheimer argue that in anarchy, states strive to maximise their power: “great powers recognize that the best way to ensure their security is to achieve hegemony now, thus eliminating any possibility of a challenge by another great power.”⁹ In the academic debate triggered by Ian Manners’s seminal article portraying the EU as a normative power,¹⁰ Adrian Hyde Price has evoked offensive realist

⁵ Jennifer Mitzen, “Ontological Security in World Politics: State Identity and the Security Dilemma”, in *European Journal of International Relations*, Vol. 12, No. 3 (September 2006), p. 344, <http://dx.doi.org/10.1177/1354066106067346>.

⁶ Timo Behr, Richard Youngs, and Jean-Yves Moissoner, *Union for the Mediterranean: The Way Forward*, Brussels, European Parliament, September 2012, http://www.europarl.europa.eu/thinktank/en/document.html?reference=EXPO-AFET_AT%282012%29433749.

⁷ Daniela Huber, *Democracy Promotion and Foreign Policy. Identity and Interests in US, EU and Non-Western Democracies*, Basingstoke and New York, Palgrave Macmillan, 2015.

⁸ Jef Huysmans, “The European Union and the Securitization of Migration”, in *Journal of Common Market Studies*, Vol. 38, No. 5 (December 2000), p. 751-777, <http://dx.doi.org/10.1111/1468-5965.00263>.

⁹ John J. Mearsheimer, *The Tragedy of Great Power Politics*, Updated ed., New York, W.W. Norton & Co., 2014, p. 35.

¹⁰ Ian Manners, “Normative Power Europe: A Contradiction in Terms?”, in *Journal of Common*

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concepts when arguing that the EU has been used by its most powerful member states “as an instrument for collectively exercising hegemonic power,” shaping its neighbourhood in line with their strategic and economic interests.¹¹ For Hyde-Price, second-order normative concerns such as democracy and human rights have been promoted only when they do not endanger first-order security concerns. In a recent contribution to this debate, Raffaella Del Sarto has argued that through the export of its rules and practices, normative empire Europe secures its security and economic interests.¹²

This option entails that the EU would intensify differentiated bilateralism and concentrate its efforts most effectively on frontrunners such as Morocco or Tunisia which would be bound progressively closer to the EU, while the others would increasingly lag behind. Taken to its extreme, this policy option would entail offering membership options to frontrunners in the long term. On the multilateral level, the EU would come forward with a revamped UfM or EMP alongside cooperation, which has been effected mainly in sub-regional forums like 5+5. This has already happened since the Arab uprisings on the bilateral level with the EU intensifying its relations with frontrunners through instruments such as task forces, DCFTAs and mobility partnerships. But while the EU has favoured Morocco and Tunisia in its new approach, this has not been pursued on a reward-and-punish premise and on a one-sided export of norms and rules, but has rather been based on a recognition of the desires of the neighbour states. In other words, the EU is giving more for those who want to be bound closer, but also offers less intensive cooperation to countries which reject deeper intrusion, by engaging them on thematic platforms of common interest. On the positive side, this shift in thinking stems from a recognition of relative weakness, and more humility in Europe, while keeping the neighbourhood engaged in a format where neighbours can pick diverse levels of engagement. On the negative side, this approach as so far failed to respond to two issues. First is the question of how to deal with regimes which do not seek deeper EU engagement but with which the EU nonetheless has to engage and is engaging, notably on the member state level. How, for example, will the EU deal with Egypt? On Egypt's terms? The visit of Egyptian president Al-Sisi to Germany in June 2015 should ring an alarm bell in this respect. Second, regarding frontrunners, how far will the EU be willing to go? As Tobias Schumacher has recently pointed out, the absence of a clear end-goal is problematic.¹³ While the EU now stresses that its partner governments will be involved far more in priority and agenda setting, this does not mean that a new partnership instrument developed in this way will be more responsive to local needs, as governments such as Morocco also pursue their

Market Studies, Vol. 40, No. 2 (June 2002), p. 235-258, <http://dx.doi.org/10.1111/1468-5965.00353>.

¹¹ Adrian Hyde-Price, “‘Normative’ Power Europe: A Realist Critique”, in *Journal of European Public Policy*, Vol. 13, No. 2 (March 2006), p. 226-227, <http://dx.doi.org/10.1080/13501760500451634>.

¹² Raffaella A. Del Sarto, “Normative Empire Europe: The European Union, Its Borderlands, and the ‘Arab Spring’”, in *Journal of Common Market Studies*, 30 June 2015, <http://dx.doi.org/10.1111/jcms.12282>.

¹³ Tobias Schumacher, “How to make the European Neighbourhood Policy fit for purpose”, in *Europe's World*, 25 June 2015, <http://europesworld.org/?p=9252>.

own regime interests.

This leads us to the third strategic policy option, whose priority is to take on board a variety of concerns of the other and to respond to the overwhelming policy challenges in the region: it would be, firstly, more *inclusive* of all relevant stakeholders, which means diverse regional and global actors, as well as local bottom-up actors. It would be, secondly, more *flexible* in terms of its instruments. And it would be, thirdly, more *responsive* to local trends and to the needs and expectations of the region's citizens on both its Northern and Southern shores. This policy option builds on the associated role of the EU as a reflexive actor which transcends the inward-/outward-looking divide in being self-reflexive and other-regarding. In response to Ian Manners's above-cited seminal article, Thomas Diez has pointed out that the "normative power Europe" paradigm has constructed "an identity of the EU against an image of others in the 'outside world'" and has called for a "greater degree of reflexivity, both in the academic discussion about normative power, and in the political representations of the EU as a normative power."¹⁴ Reflexivity has recently been becoming an important issue in International Relations theory,¹⁵ which is not only in need of contributing more to the world of practitioners, but also of enhancing its ability to analyse an increasingly multi-polar world. A reflexive actor would accept that there are many normative actors, among them emerging powers, in a world driven not only by struggles about power and norms, but also by enormous policy challenges for the solution of which all stakeholders hold responsibility and need to be brought on board. But what would a more inclusive, responsive and flexible approach look like?

2. More inclusive, responsive and flexible policies on the regional level

The concept of the "Mediterranean" has been a construction of the EU which first emerged in the 1970s and was then institutionalised in the 1990s as the result of a political process driven by European economic and security interests,¹⁶ rather than identity concerns.¹⁷ Its narrow geopolitical construction of the Mediterranean has led the EU to engage with a small number of state actors (a group of Southern neighbours) and, with its emphasis on bilateral methods, has limited its own range of action, thus seriously compromising its capacity to deal with policy issues that are strongly interconnected in an increasingly fragmented, multi-polar and

¹⁴ Thomas Diez, "Constructing the Self and Changing Others: Reconsidering 'Normative Power Europe'", in *Millennium*, Vol. 33, No. 3 (June 2005), p. 614 and 615.

¹⁵ Stefano Guzzini, "The Ends of International Relations Theory: Stages of Reflexivity and Modes of Theorizing", in *European Journal of International Relations*, Vol. 19, No. 3 (September 2013), p. 521-541.

¹⁶ Federica Bicchi, *European Foreign Policy Making Toward the Mediterranean*, New York, Palgrave Macmillan, 2007.

¹⁷ Timo Behr, Richard Youngs, and Jean-Yves Moisson, *Union for the Mediterranean...*, cit.

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conflictual regional context,¹⁸ thereby marginalising the multitude of contending perspectives/constructions of regional security and geopolitical views put forward by state actors and civil society groups.

Key issues in Mediterranean relations clearly transcend the geography which the EU has defined. On the geopolitical level, the Iraq invasion and the Arab uprisings have led to instabilities which link Iraq, Iran, the Gulf and key international actors such as the US, Russia and China closely to the region the EU has defined as the Mediterranean. New conflicts in the Mediterranean do not have clear boundaries, spreading into the wider region and also causing a massive movement of population, so that migration and mobility is becoming a cross-regional issue which transits the Gulf-Horn-Libya-Europe link. Furthermore, the Arab uprisings have led to the proliferation of new political ideas from a variety of state and non-state actors that not only challenge domestic and regional structures, but have also led to a growing influence of Gulf countries on regional developments. Fearing the spread of new political ideas in the region, the Gulf countries have largely supported counter-revolutionary and military forces to take power from elected governments as, for example, in Egypt. New political ideas are not only challenging domestic and regional structures, but might also conflict, compete or converge with the EU understanding of issues such as democracy or human rights. Furthermore, a shift in power dynamics combined with the economic crisis in Europe have accelerated a trend already visible in several Southern Mediterranean countries, namely the diversification of trade partners outside the EU and particularly South-South cooperation. While progress in trade negotiations between EU and Southern Mediterranean countries has stalled, with the exception of Morocco, many Arab countries such as Tunisia and Egypt have deepened economic relations with Gulf countries and Turkey. In Tunisia, over the last two years Qatar has become the first foreign investor in the country to supersede France. With Europe facing serious economic hardships, Morocco is also increasingly turning toward Africa in the hope of strengthening economic ties.

These brief examples highlight the importance of a broad regional focus that acknowledges the influence of a multitude of actors in diverse policy areas which are key in Euro-Mediterranean relations. In order to enhance the relevance of EU policies in a divided, multi-power and conflictual Mediterranean, the geometry needs to become more inclusive of a variety of relevant partners. European policies in the Mediterranean therefore need to acknowledge that the Mediterranean widely defined includes besides the EU member states, its accession candidates, and the current ENP partner states, also those countries which have frequently been referred to as the neighbours of the neighbours – Iraq, Iran, the Gulf states, the Horn of Africa, Sudan and the Sahel – as well as important global actors such as the US, China and Russia. Furthermore, these examples also highlight that the current focus on bilateral instruments is not sustainable. While the EU has sought to revise

¹⁸ Timo Behr, "After the Revolution: The EU and the Arab Transition", in *Notre Europe Policy Papers*, No. 54 (April 2012), <http://www.delorsinstitute.eu/011-3221>.

its bilateral instrument since the Arab uprisings, a new regional initiative has not been forthcoming, which has partially led to an enhanced importance of sub-regional forums such as the 5+5. However, many policy issues which are currently treated mainly in a bilateral way, such as migration, would urgently necessitate a larger regional dimension as well. For this purpose, intra-regional cooperation with the Arab League should be strengthened. Working in conjunction, the League and the EU could establish a range of working groups which would involve diverse clusters of partners depending on the issue area discussed. Such a multilateral instrument would therefore have to be highly flexible and in fact could be more conceived of as a dialogue, rather than a project. It would be able to bring in extra-regional key actors such as the US, Russia or China, as well as other IOs such as the Organisation of the Islamic Conference, the Gulf Cooperation Council (GCC) or the African Union. It would also include a civil society consultation mechanism.

3. More inclusive, flexible and responsive policies on the domestic level

In line with the limited geographic focus considered by the EU, issue priorities also have traditionally been defined largely from an EU perspective instead of through an approach which also includes the perspectives of regional states and people. The EU has exported its own values, norms and rules to the neighbourhood in a one-way approach rather than responding to needs from the South.¹⁹ The developmental model pursued by the EU remains firmly rooted in the liberal approach,²⁰ which continues to neglect the multiple perspectives/voices of bottom-up actors which might have understandings of political freedom and socio-economic development that differ from the EU understanding. While not necessarily questioning democracy and human rights, these actors can have different views concerning the role of the state in the economy, the role of religion within the state, and the framework for rights, freedoms and citizenship.²¹ While the EU has pursued free trade and economic liberalisation in the region as a key to sustainable economic development and job creation, the Arab uprisings have pointed out the urgent need to pay more attention to existing social inequalities and the unsuitability of a purely market approach in relation to the needs of local people. Besides this resilient liberal approach, EU policies in the region have also favoured a rather artificially sectoral

¹⁹ Kalypso Nicolaïdis and Robert Howse, "This is my EUtopia ...: Narrative as Power", in *Journal of Common Market Studies*, Vol. 40, No. 4 (November 2002), p. 767-792; Federica Bicchì, "Our Size Fits All: Normative Power Europe and the Mediterranean", in *Journal of European Public Policy*, Vol. 13, No. 2 (March 2006), p. 286-303; Michelle Pace, "Norm Shifting from EMP to ENP: The EU as a Norm Entrepreneur in the South?", in *Cambridge Review of International Affairs*, Vol. 20, No. 4 (December 2007), p. 659-675; Raffaella A. Del Sarto, "Normative Empire Europe...", cit.

²⁰ Andrea Teti, Darcy Thompson, and Christopher Noble, "EU Democracy Assistance Discourse in Its New Response to a Changing Neighbourhood", in *Democracy and Security*, Vol. 9, No. 1-2 (January 2013), p. 61-79, <http://www.international-alert.org/node/12352>.

²¹ Halit Mustafa Tagma, Elif Kalaycioglu, and Emel Akcali, "'Taming' Arab Social Movements: Exporting Neoliberal Governmentality", in *Security Dialogue*, Vol. 44, No. 5-6 (October-December 2013), p. 375-392, <http://cens.ceu.edu/node/38023>.

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approach, preventing the EU from dealing coherently and effectively with policy challenges that are strongly interconnected and, therefore, need comprehensive integrated responses. For example, Euro-Mediterranean cooperation has tended to treat areas such as political reform, agriculture, energy, trade or migration in separate ways, even though all these issues are deeply connected. Their intersectionality became clear during the Arab uprisings which linked economic marginalisation, food security or migrants' rights to the issue of just governance. However, the EU has retained a confined sectoral approach which has been further aggravated by EU securitised policies in the area of migration or counter-terrorism.

These EU-centric policies have frequently been characterised as monologues which have marginalised the perspective of the other. Indeed, the policy-making process has been almost entirely driven by the European side, an approach which the Commission now seems committed to change. However, it is critical to involve civil society in the negotiation and consultation process with its partners. While the EU has consulted civil society and has increased its financial assistance through the Civil Society Facility and the European Endowment for Democracy since the Arab uprisings, a more substantial consultation in the process of agenda/priority setting is now required, as is giving more space to civil society in policy execution and potentially even a role in monitoring. Furthermore, instead of engaging only with those civil society actors which are in line with its liberal model of development and democratisation, the EU should become more inclusive of a variety of civil society actors.²² Thus, instead of aiming at democracy as a goal only, such an approach would make the process itself more participatory and democratic.

Such a policy would necessarily have to be based on a large degree of flexibility. As on the multilateral level, on the bilateral level also the EU could make policies more flexible through a process which involves diverse groups of stakeholders from governments to CSOs. This could be achieved through substantiating and institutionalising forums such as task forces – whose composition might vary depending on the policy issue discussed – to arrive at tailor-made policies which are responsive to local needs in a specific country. In cases where a regime is less interested in deeper engagement with the EU and where gross human rights violations occur, as in the case of Egypt, the EU should move more forcefully into engaging civil society and opposition platforms. While the EU is already taking this approach in the case of Egypt, this should be institutionalised and could eventually constitute a platform for track-two diplomacy.

²² Ibid.

Conclusions

On the positive side, such a pragmatic, but also highly ambitious approach would not only enhance the EU's positive image and strategic weight in the region, the EU would also be a policy entrepreneur providing a vehicle to bring other external and regional actors on board. As Richard Youngs has put it, in an increasingly plural region, rather than seeing other powers as competitors and swimming against the tide, the EU could frame them as partners, swimming with the tide.²³ Without an EU vehicle these actors might be pushed to move more forcefully into the region to protect their interests, driven by a fear of negative spill-overs from accelerating conflicts. On the negative side, such an initiative looks like a Herculean task in face of the enormous challenges the region is facing, as well as the need of the EU to tackle its internal challenges. However, this also means that the EU will be less able to impose its ideas and hegemony on the region – which makes it necessary, in turn, to come forward with new policies which guarantee a stake for the EU in an increasingly conflictual, multi-polar and fragmented region. The EU could in this way reinvent itself and its role in the region as a reflexive power that takes on board the concerns of the other, engages in more co-ownership and equal-footing partnerships, is thereby able to respond faster and more flexibly to the real policy challenges on the ground, acknowledges the interconnectedness of the variety of policy issues it deals with in its neighbourhood policies, and is flexible in working with clusters of partners depending on the issues discussed.

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²³ Timo Behr, Richard Youngs, and Jean-Yves Moissoner, *Union for the Mediterranean...*, cit.

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