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The Union for the Mediterranean: A Missed Opportunity

The challenges in the region would require a fundamental revision of the existing framework

Daniela Schwarzer and Isabelle Werenfels

French President Nicolas Sarkozy's project of a Mediterranean Union, which would have involved only the countries bordering on the Mediterranean but not the entire European Union, has caused months of tensions, particularly between Germany and France. It was pressure from the German federal government that caused this initiative to be redefined at the March 2008 EU summit as a relaunch of the Barcelona Process and thus as a pan-European project. Yet, what has been missing thus far is a much-needed discussion about the existing and future challenges to EU Mediterranean policy. Evidence abounds that the current co-operation framework requires fundamental revision: Symptoms include the persistent authoritarianism and uncompetitive economies along the southern rim of the Mediterranean, the difficulty to engage in multilateral security co-operation with these countries, new estimates of high environmental and terrorist risks, and of increased pressure from migration. However, there is a danger that the agreement found for the Union for the Mediterranean (UFM) will prove to be nothing more than a shallow compromise aimed at quelling the internal dispute within the EU. Instead, the EU should use this opportunity to make Mediterranean co-operation more coherent, flexible, and effective.

On July 13, 2008, the "Union for the Mediterranean" is to be launched under the French presidency of the Council of the European Union in Paris. What was originally conceived by the French president as a break with existing EU Mediterranean policy was reframed by the European Council on March 12–13, 2008, as a relaunch of the Euro-Mediterranean Partnership (EMP, also known as the Barcelona Process). This new version of the old

initiative was christened with the somewhat unwieldy name of "Barcelona Process: Union for the Mediterranean" upon the wish of the Spanish, who consider themselves the architects of the EMP. What is noteworthy about this undertaking is that it all took place at an EU summit—that is, without the participation of the southern partners in the Barcelona Process and without their prior consultation.

From an internal EU point of view, settling the dispute over the Union for the Mediterranean is an essentially welcome development. The key step in reaching that decision was to make the new Mediterranean policy a task of the EU-27 rather than just of the EU Mediterranean countries, as Sarkozy had originally planned. A parallel initiative to existing EU activities would not only have fundamentally called into question the Barcelona Process—which has been in existence since 1995—it would also have weakened the European Neighbourhood Policy (ENP). Furthermore, particularly the eastern and north-eastern EU member states would probably have embarked on initiatives shaped after the same model in their own neighbourhoods. The internal tensions resulting from these initiatives could have caused a “split” in the EU.

Ongoing disagreement over the French Mediterranean initiative could furthermore have endangered the effectiveness of France’s presidency of the Council of the European Union in the second half of 2008. The tensions could have become so great—not only in Franco-German relations but also in co-operation with the other EU partners—that the French side would have had to reckon with resistance in other policy fields as well.

Road Map for the Union for the Mediterranean

Instead of allowing the French-led project to develop beyond the EU framework, the European Council asked the European Commission in March 2008 to elaborate concrete steps to launch the Union for the Mediterranean by July of this year. The Council’s decision was based on the Franco-German compromise proposal that Berlin and Paris had submitted in March after months of public debate. The following features have emerged as cornerstones of the new Mediterranean policy:

- ▶ The members of the Union for the Mediterranean will be the EU-27, ten southern Mediterranean neighbouring states

(Morocco, Algeria, Tunisia, Egypt, Israel, the Palestinian territories, Lebanon, Syria, Turkey, and Albania), as well as two countries that do not border on the Mediterranean but which are also members of the EMP (Jordan and Mauritania). It is still uncertain whether Libya, which until now has only had observer status in the EMP, will actually take part.

- ▶ In one of the countries bordering on the Mediterranean, a secretariat will be set up. Its two-year presidency will be shared by one Mediterranean country of the EU and one southern partner country. Only when all of the EU’s Mediterranean neighbours have held the presidency for one term will the other EU states be allowed to apply. A political summit will be held once every two years.
- ▶ The main content areas remain unclear. They are to be elaborated by the European Commission in co-operation with the future French Presidency of the Council of the European Union for the July summit in Paris. According to current information, they will include initiatives to combat pollution of the Mediterranean and projects in the area of renewable energies as well as closer scientific co-operation between Europe and its southern neighbours.
- ▶ Presuming that the French side will attempt to influence key features of the project’s design in the run-up to the July summit, the following aspects—which Sarkozy has expounded upon in numerous speeches—could play a role: variable geometry in project implementation, establishment of public-private partnerships, and acquisition of supplementary funding in addition to the EU Barcelona budget. Several EU member states, however, have categorically ruled out any expansion of this budget.

Barcelona Process: Failed or Not?

To evaluate whether the emerging project can actually lead to successful Mediterranean co-operation, it is useful to analyse the

outcomes and stumbling blocks of the Barcelona Process. In the last few months, whenever Paris has cited reasons for the new Mediterranean initiative, it has always done so with reference to the “failure” of the Euro-Mediterranean Partnership that was launched in 1995. And indeed, the Barcelona Process has produced only modest results in all three of its main fields of activity: security, economics, and culture (see also Muriel Asseburg, “*Barcelona Plus 10*,” SWP Comments 55/2005).

This is true in particular for the field of security and the goal of political transformation. The attempt to use a multi-lateral partnership approach to change existing authoritarian political structures in the southern Mediterranean region and to support security co-operation has proven exceptionally difficult for several reasons:

- ▶ The authoritarian rulers in the southern Mediterranean region naturally have little interest in initiating structural political reforms or in granting increased civil freedoms that would undermine their power.
- ▶ The EU has always had trouble criticising existing authoritarian structures, due both to internal differences in the EU and to concerns regarding Islamic electoral victories. Furthermore, France, Spain, and Italy hesitate to “strain” relations with their immediate geographic neighbours by addressing sensitive issues like human rights.
- ▶ The Western-oriented civil society actors in the Arab countries with whom the EU has co-operated in the Barcelona Process have only had marginal social significance. At the same time, there is no consensus within the EU on co-operation with reform-oriented Islamists who are considerably better entrenched in their respective societies and whose goals regarding good governance and legal certainty correspond largely with those of the EU.
- ▶ The Arab-Israeli conflict paralyses security co-operation at the level of the whole Mediterranean region. Plans for

a Euro-Mediterranean Charter for Peace and Stability have been on hold since 2000.

The achievements of the EMP in the economic realm have also been modest. In Tunisia, the EMP has accelerated and intensified a reform process that was already underway. But Turkey’s economic dynamism is hardly attributable to the EMP but rather to the prospect of EU membership. And Israel already had one of the few internationally competitive economies of the region at the outset of the Barcelona Process.

At the time of writing in early 2008, it can be stated that for the southern partner states as a whole, foreign direct investment—leaving aside the crude oil and natural gas sectors—has fallen short of expectations. This is due, among other things, to the lack of adequate reforms in the financial and banking sectors, as well as in legal frameworks.

Structural reforms and economic growth within the majority of the EU’s southern neighbours have failed (by far) to meet the needs of their growing populations. The prosperity gap between these countries and Europe has not narrowed since 1995 but widened. EU agricultural protectionism has been one important factor in this.

The South-South co-operation that the Barcelona Process was designed to foster has hardly progressed at all. In the Maghreb, particularly the unresolved Western Sahara conflict, is impeding integration efforts. Although the Agadir Agreement established a free trade zone between Egypt, Morocco, Jordan, and Tunisia in 2004, the South-South trade flows have not increased significantly and still lie in the single-digit range of those countries’ foreign trade balances. The EU remains the most important trade partner of nearly all its southern Mediterranean neighbours.

In the cultural area, the co-operation has not inspired the expected dynamics either. This is, first of all, because co-operation has been strongly elite-oriented, and second, because the repressive environment for civil society engagement in the Mediter-

anean partner countries has scarcely changed. Where it has, as in Morocco, the EU funding did fall on fertile ground.

While the socialisation effects accompanying the intense co-operation in the EuroMed region are difficult to measure, they are not to be underestimated. In the innumerable settings where people interact—in committees, forums, project groups, networks, and exchange programmes—trust has emerged and barriers have been dismantled, to some extent even between Israeli and Arab representatives.

Both official and civil society actors from the EMP states have repeatedly lodged criticisms against the operating procedures of the Barcelona Process. They have faulted, among other things, its institutional asymmetries (the process is managed in Brussels without any substantial involvement of representatives from the partner states), as well as its lack of flexibility and slow pace of decision-making (the thirty-nine states of the EMP have to reach agreement at the ministerial meetings). They also criticise the diverse projects for their lack of coherent aims or well-defined objectives, inadequate communication as well as the generally poor visibility of the individual procedures and the overall process.

Furthermore, the Barcelona Process itself is only one of a multitude of initiatives and projects that link the EU member states with their southern Mediterranean neighbours. These include:

- ▶ the multi-bilateral European Neighbourhood Policy (ENP), in which the EU and its partner countries develop concrete action plans for reform;
- ▶ the 5+5 Security Initiative, in which the five Maghreb countries (Libya, Tunisia, Algeria, Morocco, and Mauritania) are co-operating with five southern European countries (France, Italy, Malta, Portugal, and Spain) on civil defence and maritime surveillance;
- ▶ the NATO Mediterranean Dialogue, which involves Mauritania, Morocco, Algeria, Tunisia, Egypt, Israel, and Jordan;

- ▶ the Mediterranean Contact Group of the Organization for Security and Co-operation in Europe (OSCE), which allows Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia to participate as observers in OSCE activities and promotes exchange on security and ecological issues, etc.;
- ▶ the Mediterranean Forum, which includes eleven of the EU's Mediterranean neighbours and is conceived as an informal, complementary forum to the EMP for exchanging ideas.

Dubious Response to the Deficits of the EMP

The Union for the Mediterranean appears to address the deficits of the Barcelona Process only partially, at best. This is true of the framework, the institutions, and even the earmarked projects. Many of the plans currently under discussion are not fundamentally new, respond only partially to the structural problems and developments in the Mediterranean region, and fail to systematically take into consideration the interests of all parties.

For example, setting up a secretariat with a rotating double (North-South) chair would essentially be a positive institutional reform to improve the continuity and coordination of the different projects and processes. Yet a similar proposal had already been floated in the framework of the Barcelona Process by a number of member states, but was not met with broad acceptance, mainly because an Israeli presidency would be unacceptable to nearly all of the EU's southern Mediterranean neighbours. The chances for a successful implementation of this idea are thus rather slim.

Furthermore, most of the issue areas identified for deepened co-operation are not new. In all of the project fields currently under discussion, initiatives already exist in the EuroMed framework but are virtually unknown to the public. This, in fact, is the explanation why Sarkozy's proposal initiated a discussion of projects that in large part already exist in similar

form. A prime example is his idea to make the Mediterranean the cleanest sea in the world—an endeavour already pursued by the European Commission's initiative "Horizon 2020," albeit with less publicity-seeking rhetoric.

A similar case is the proposal to strengthen co-operation in science where numerous projects already exist. In fact, far-reaching resolutions have just recently been passed in this area: The EuroMed Educational Minister Meeting of June 2007 in Cairo agreed on the "Creation of a Euro-Mediterranean Research Space." The integration of the Mediterranean countries into the "European Research Area" is planned. Furthermore, concrete co-operation is already underway in the Euro-Mediterranean Study Commission, a network of foreign policy research institutes, and in the Euro-Mediterranean Forum of Economic Institutes, a network of economic research institutes in the EuroMed region.

What is new in the approach to a "Union for the Mediterranean" is the French attempt to strengthen the co-operation institutionally through the creation of new agencies and offices. Here—as with the idea of a secretariat—it must be carefully assessed whether the new institutions are actually creating added value, or whether they are exacerbating the existing problem of bureaucratic overcomplexity of Mediterranean policy. This question has recently taken on even greater urgency, first, with the EU resolution just passed in 2007 to open a series of existing agencies to the southern Mediterranean neighbours; second, there is no evidence that the southern dimension of European Neighbourhood Policy will be brought under the same overarching framework as the Union for the Mediterranean. This would perpetuate the fundamental problems of the previous Mediterranean policy, enabling institutional dualities to persist and allowing a bilateral alternative to undermine, in a certain sense, the multilateral approach.

Partnership with Whom?

A basic problem of the Barcelona Process is the lack of engagement of the EU's southern neighbours, but also failure of the EU member states to actively involve the South in the process. The proposal put forward by Nicolas Sarkozy reacts to this by pointing out its partnership approach, which is supposed to guarantee "joint ownership" by all partners. However, this is indeed a formal part of the Barcelona Process, yet promoted to date with little success. By the July summit, it will become apparent whether the UFM will be developed in a way that southern neighbours themselves are able to and desire to participate as full partners.

An ongoing problem will be "who owns the process" and who the EU's co-operation partners are in the South: Will they be authoritarian governments and their closely affiliated economic actors? Or rather civil society groups and small and medium-sized businesses? In several countries of the southern Mediterranean region, the one will exclude the other. Thus, contradictions and conflicts can emerge between the political leadership and secretariat on the one hand (which are staffed by official agencies), and the partners involved at the project level on the other.

One of the main reasons for the lack of success of the Barcelona Process is the degree of conflict in the region, which has worsened dramatically, especially in the Middle East. Against this backdrop, multilateral co-operation within the region is currently almost inconceivable. Sarkozy's idea of variable geometry could thus turn out to be a promising element of the Union for the Mediterranean, but only if employed consistently—of which the Franco-German compromise paper gives little indication. Variable geometry entails a numerically reduced and flexible multilateral framework that does not require all of the partners to always come together around one table. The Middle East conflict could be excluded from affecting co-operation, at least on particular projects, without having

to resort to the bilateral ENP track. In the framework of the EMP, co-operation which only involves a selection of the Mediterranean partners is de facto already underway, for example, in the field of civil protection (EuroMed Civil Protection Bridge).

Outside of the Barcelona Process, security co-operation in a small multilateral format has existed for several years within the framework of the so-called 5+5 Security Initiative. This format is considered highly promising since it brings together neighbouring countries with similar interests within a fairly informal, non-bureaucratic structure. Furthermore, the peer pressure that arises in this small-scale format appears to foster co-operation. However, co-operation in formats of variable geometry—which are driven by the immediate interests of all participants and which focus on very specific issues—is likely to push broader concerns like the promotion of human rights into the background.

Moreover, the danger exists that the Middle East conflict will paralyse even variable geometry modes of co-operation—even if Israel does not participate. The political impact of the Middle East conflict was seen, for example, in March 2008, when the Arab participants in the monthly diplomatic-level EuroMed meeting in Brussels refused to discuss any topic other than the situation in the Gaza Strip. If all Arab partners and Israel take part in the summit on July 13—which is highly unlikely at present—this in itself would constitute a success.

A further open point is what priority the EU will assign to reforms in the region and whether the instrument of political conditionality will be employed effectively. In Sarkozy's original approach, the objective of political conditionality was jettisoned with the declaration of an explicit break with the Barcelona Process. But since the March summit, it appears that the UFM will remain as closely connected to the Barcelona Process as possible. Thus we can assume that the Declaration of 1995, which called explicitly for the promotion of

human rights and democracy, will remain one of the pillars of co-operation. At least on paper, the EU has at its disposal the instrument of negative conditionality, that is, the suspension of particular parts of the Association Agreement. This measure has not, however, been implemented to date.

As the EMP achieved little political progress in the southern Mediterranean countries, the European Neighbourhood Policy created new incentives in the form of positive conditionality with increased financial aid to "good performers." At the same time, the ENP action plans contain concretely formulated goals and benchmarks to promote freedom of opinion and adherence to international human rights conventions. It is still too early to judge whether this instrument will prove more effective than its predecessor.

The reactions of the southern partner states to both the EMP and the ENP still confront the EU with problems that can not be solved by the changes currently proposed for the revamped Barcelona Process. In general, it is the "model reformers" in the region—particularly Morocco (which is currently negotiating a so-called *statut avancé* with the EU) and Mauritania—that are most amenable to the EMP and ENP. The states that are more critical of these initiatives, on the other hand, are also among the most authoritarian in the region, and the ones that, from an EU perspective, most urgently need political reforms. Some states perceive these initiatives as a kind of straitjacket and have refused to participate—for example Libya, which is currently negotiating a framework agreement with the EU outside the EMP and ENP, and Algeria, which rejects the ENP outright and is seeking to conclude bilateral agreements with individual EU member states. Both find themselves in a strong negotiating position given their increasingly important role in ensuring Europe's energy security. Other states like Tunisia are attempting to ease the pressure to carry out political reforms by demonstrating exemplary economic and socio-

political structural reforms and by taking strong measures against Islamists.

New Priorities on the EU Side

In parallel to these developments in the southern Mediterranean countries, the EU has shifted its priorities for the Mediterranean region. Even though this may not yet have been expressed in explicit terms, stability and security have clearly risen in importance from the EU perspective, while questions of democratisation and human rights have taken a subordinate role.

With the September 11 attacks in New York and subsequent attacks in Madrid and London, and with the increasing public perception of illegal migration to Europe as a threat, the fight against terrorism and the containment of migration have become issues of central importance. The “securitisation” of Mediterranean co-operation is reflected not least in a new and fourth domain announced at the tenth anniversary summit in 2005: “Migration, Social Integration, Justice, and Security.”

A strategy paper on climate change and security risks presented to the European Council in March 2008 by Javier Solana, High Representative for the Common Foreign and Security Policy, and approved by the Council, shows the urgency of this security-oriented debate. Also the issue of securing the energy supply has increased in importance.

If one is to measure the emerging initiatives against these important strategic interests, it becomes clear that the Union for the Mediterranean does not adequately address the security and stability policy concerns—and in some cases does not seem to consider them at all. The main focal points of the UFM appear to be only partially delineated when evaluated against the various risk-scenarios under debate within the EU, concerning both risks to the region and risks to the EU from outside the region.

Success Factors for an Effective Mediterranean Policy

The French initiative has given EU co-operation with the Mediterranean region the attention it deserves but which it has not received for the past thirteen years. Yet the formal adaptation to the existing EuroMed framework also entails the danger that the mistakes of the past in conceptualisation and implementation will be reproduced. To prevent this, the new Mediterranean policy should strive for the following:

- ▶ The currently high level of public interest should be utilised to fundamentally revise the political orientation and co-operation framework, in close co-ordination with the EU’s southern neighbours.
- ▶ The revamped initiative offers the chance to unify the southern dimension of neighbourhood policy and Mediterranean policy into a more coherent framework, the “Union for the Mediterranean.” This would correct the ENP’s previous, widely criticised approach of uniting the southern and eastern dimensions into a unified framework.
- ▶ In preparations for the July summit, efforts should be made to reach agreement on a clearly formulated and politically mobilising set of common objectives, on the main features of the institutional structure, as well as on initial projects. Wherever the limited time frame makes this impossible, the European Commission and the new secretariat should be asked to elaborate proposals, rather than simply making empty political declarations and creating new institutions without any clear mandate or procedure.
- ▶ The new initiative should enable—depending on the specific policy area and projects—both bilateral and multilateral co-operation and variable geometry within the same overarching framework. What is important is that these diverse projects are inserted in a coherent way into the overarching structure of the Union for the Mediterranean which requires clear priorities for each policy

field. Variable geometry would enable co-operation without requiring that all of the partners in the region come together around one table when conflicts make co-operation impossible. Co-operation in smaller groups would preclude the need for all 27 EU member states to be present, thereby making the processes less cumbersome and complex.

- ▶ The Euro-Mediterranean Parliamentary Assembly (EMPA), which has been politically irrelevant up to now, should receive clearer mandates and be granted more authority, particularly in monitoring the implementation of the agreement.
- ▶ In the re-launched Mediterranean co-operation, specific and explicit attention should be paid to initiatives proposed by the South. In so doing, the EU should also consult with civil society actors in the southern Mediterranean states, not only governments. Given their strong social and political influence, reform-oriented Islamists should also be involved.
- ▶ Wherever possible, tangible goals for common initiatives should be formulated and publicised. Increasing the visibility of Mediterranean policy in the region and in the EU-27 would fulfil one of the preconditions for achieving more active engagement of all those involved.
- ▶ The EU must enter into a serious discussion of the costs it is willing to shoulder for Mediterranean policy, above and beyond the EU budget. To stimulate the economic development of the region—which is a precondition for a more stable political and social situation—common educational and infrastructural projects are not enough. Sensitive issues such as opening up the EU agricultural market should be discussed as well.
- ▶ The EU member states must come to agreement on which importance they want to attribute to political reforms in the region and on whether they want to use conditionality to put reform pressure on their southern partners. When taking this decision, they have to acknowledge that security and stability in the region in the long run can not be guaranteed by authoritarian regimes, as they depend crucially on the political and economic prospects of the region's populations.
- ▶ Instead of clinging to the highly ambitious and currently illusory goal of democratisation, the EU should insist on creating the preconditions for democracy—legal certainty and constitutional rule, as well as respect for international human rights standards—and should set related benchmarks. With these less lofty, more concrete goals, more emphasis should be placed on ensuring that the goals are in fact attained. Legal certainty is, not least of all, an indispensable precondition for increasing foreign direct investment in the region.
- ▶ The co-operation within the framework of precise projects offers the chance to convey criteria for good governance and thus to transform the prevailing institutional understanding in these countries, assuming that high standards are set for transparency, accountability, efficiency.
- ▶ The approach to public-private partnerships advocated by President Sarkozy should be adopted. These may trigger “spin-off” projects which are independent of EU funds and hence relieve the burden on the UFM budget. They would also create incentives for the most active participants in the Mediterranean process to act as innovators and pioneers in their region.
- ▶ The Middle East conflict is one of the main structural barriers to multilateral co-operation, development, and ultimately democratisation in the region. Even the most ingenious and sophisticated co-operation framework will only produce limited success as long as the Middle East conflict is not brought to an equitable resolution for all those involved. If the EU wants to steer the new “Union for the Mediterranean” towards success, it will have to work harder—and in the eyes of the regional actors, more convincingly—than in the past for a resolution to this conflict.

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