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The idea of the Southern Mediterranean and its role in shaping the logic behind the Southern Dimension of the ENP

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The idea of the Southern Mediterranean and its role in shaping the logic behind the Southern Dimension of the ENP*

Abstract: Launching the relations between the EU and the Southern Mediterranean region was an outcome of a certain ambitious vision that was aimed at the creation of a common space for dialogue, exchange and cooperation in the name of peace, stability and wealth. However, the mix of challenges with involvement of foreign powers in particular, has made the unification of the Southern Mediterranean region almost impossible and, thus, the cooperation itself with the EU very hard. The aim of this study is to analyse the development of the EU-Southern Mediterranean relations referring to the institutional milestone points: establishment of the EMP, its absorption by the ENP, and finally, its revitalization in the form of the UfM. In the first three parts of the study, the subsequent institutional frameworks are presented and discussed with special attention paid to the bilateralism and regionalism issues. Then, a brief overview of further possible institutional solutions for the EU-Southern Mediterranean relations is considered. The study is concluded with some important remarks.

Keywords: Southern Mediterranean, Euro-Mediterranean Partnership (EMP), European Neighbourhood Policy (ENP), Union for the Mediterranean (UfM), regionalism, bilateralism

Introduction

After more than two decades from the establishment of official relations between the EU and the Southern Mediterranean¹ (SEM) coun-

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1 It means the countries on the Southern and Eastern Mediterranean coast, from West to East, Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Palestine, Jordan, Lebanon and Syria. For brevity, the region will be called the Southern Mediterranean coastal states, omitting the word Eastern, or as the Middle East and North Africa (MENA) countries.

tries, many alterations and changes took place. The dynamics of the relations are illustrated by the changes of SEM countries participation on the revolving-door-basis (see the table below). Secondly, during that time the EU-SEM relations were shaped by three different framework concepts: partnership in the EMP, policy in the ENP, union in the UfM. Thirdly, the vision and priorities have changed, sometimes due to different factors (for example internal EU dynamics, divergent interests and preferences of the EU member states,² security reasons). Last but not least, exactly the uncertainty of continuation of the high-sound heralded initiatives was the greatest complaint of the EU-SEM relations, as both sides were wasting energy on ideas which unexpectedly turned out to be out of date. An initially formulated list of purposes and tasks was fading as it appeared unrealistic to fulfil. The following sections dwell on those issues more precisely.

Table 1. SEM countries' participation in relations with the EU

Country	EMP/Barcelona Process 1995	ENP 2004	UfM 2008
Albania	-	-	√
Algeria	√	currently negotiating an ENP action plan	√
Bosnia and Herzegovina	-	-	√
Egypt	√	√	√
Israel	√	√	√
Jordan	√	√	√
Lebanon	√	√	√
Libya	-	remain outside most of the structures of the ENP	observer
Mauritania	-	-	√
Monaco	-	-	√
Montenegro	-	-	√
Morocco	√	√	√
Palestine (f. Palestinian Autonomy)	√	√	√

- 2 J. Kwiecień, 'Interests and preferences and their constitutive role in the EaP: regional, national and local actors vis-à-vis the ENP's goals and objectives', *Yearbook of the Institute of East-Central Europe*, vol. 13, no. 4, 2015, pp. 103-107.

Country	EMP/Barcelona Process 1995	ENP 2004	UfM 2008
Syria	√	remain outside most of the structures of the ENP	suspended
Tunisia	√	√	√
Turkey	√	–	√
	10 countries fully participating as partners out of 10	7 countries fully participating as partners in the ENP, having agreed on ENP action plans, out of 10	14 full members out of 16

Source: The Author's own arrangement.

1. EU external policy towards Southern neighbours – 'multilateral regionalism'

The official birth of the Euro-Mediterranean Partnership (EMP) dates back to 1995. During the conference in Barcelona, an agreement was concluded by representatives of 15 states of the contemporary EU, Malta, Cyprus (back then outside the EU), and of ten neighbourly states and territories of the South: Morocco, Algeria, Tunisia, Egypt, Israel, the Palestinian Autonomy, Jordan, Lebanon, Syria and Turkey. The EMP, also called the Barcelona Process from the place of its conclusion, was an outcome of a certain ambitious vision that was aimed at the creation of a common space for dialogue, exchange and cooperation in order to jointly achieve peace, stability and wealth. The common historical and cultural heritage of that region was supposed to be an advantage. The existence of the marine tradition, being in the borders of one state (Roman empire, Byzantium, Arabic empire, more contemporarily colonies or French protectorates), Phoenician and Greek settlement, trade traditions, similar culinary customs etc., were treated (and still are) by many as foundation for a common Mediterranean identity.³ Not to mention Pan-Arabism, an ideology of the late 19th century that saw the Arab world united as one state

3 J. Czerep, 'Partnerstwo Wschodnie a współpraca w basenie Morza Śródziemnego' [Eastern Partnership and the cooperation in the Mediterranean Sea basin], Portal Spraw Zagranicznych (PSZ), 26 February 2010, <http://www.psz.pl/127-unia-europejska/jedrzej-czerep-partnerstwo-wschodnie-a-wspolpraca-w-basenie-morza-sroziemnego> [2016-11-20].

playing a leading role in the Islamic world.⁴ However, the mix of challenges, i.e. colonial history, authoritarian rules, conflicts, present in the Southern Mediterranean region for centuries, has made the unification very hard to achieve. Foremost, the involvement of foreign powers had in the past and still has a predominant role in shaping the region.⁵ The Western colonization and then the de-colonization process brought about the enforcement of existing divisions and the appearance of new ones. The authoritarian rulers eager to prove their legitimacy had maintained the existing order and nursed a strong national identity in opposition to other Arab countries.⁶ Thus, cultural and historical heritage was not enough to overcome the challenges and unify the region. As a result, the Arab world is under a continuous process of disintegration.

Back in the mid-1990s, once again the foreign power involved itself in the SEM region, however, this time to restore the mutual relations of that region and set a natural gravity among countries of common fate. Basing on the ideological, cultural and historical heritage, a vision of achievement of a common goal was sketched, and then put into official frames. The strategic importance of the SEM region as a whole and the necessity of joint tackling of the existing and future challenges had been emphasized in the Barcelona Declaration. The idea of deepening contacts of the EU with the SEM countries was labelled as comprehensive cooperation, solidarity, shared responsibility. Hence, the first version of the Barcelona Process was a multilateral project. The institutions and mechanisms established there were supposed to act in concert.

Pillars of the EMP

Originally, the EMP was based on three pillars: political and security, economic and socio-cultural. The political package was aimed at reaching the stability and peace through the political dialogue, peculiarly in the field of security. Meetings of the Ministers of Foreign

- 4 K. Górak-Sosnowska, 'Intra-regional cooperation in the Southern Dimension of the ENP: challenges and opportunities', *Yearbook of the Institute of East-Central Europe*, vol. 13, no. 4, 2015, p. 149.
- 5 Cf. C. Henry, R. Springborg, *Globalization and the Politics of Development in the Middle East*, Cambridge: Cambridge University Press, 2001.
- 6 Górak-Sosnowska, op.cit., pp. 147, 149.

Affairs of each participating country took place regularly. That might have been inspired to a certain extent by the Helsinki process of the Conference for Security and Cooperation in Europe from the 1970s, when the placement of dialogue (without pre-conditions) deepened the political dialogue of the Western world with the Eastern bloc and encouraged the latter to the cooperation in the field of human rights.⁷ Ministerial meetings in the framework of the EMP were one of few forums, where representatives of Israel and the Palestinian Autonomy regularly met, which looked promising at that time. At the end of the day, it turned out otherwise. Not only was the Israeli-Palestinian conflict intensifying, but the conflict about Western Sahara was blocking any political opening between Morocco and Algeria. Moreover, the presence of Israeli representatives in the process made the organization of ministerial meetings in Arab countries impossible.⁸ Since the victory of Hamas in the Palestinian elections in 2006, the diplomatic isolation of the Palestinian Autonomy has caused a total paralysis of the political process.

The economic package was above all about the free trade areas establishment till 2010. This project met with moderate enthusiasm of the SEM countries, as the anxieties prevailed about the impossibility of breaking the protectionism of the EU agricultural market, as well as of withstanding the competition with European companies. Additionally, the intra-regional cooperation of the SEM was hard to achieve. For the time being, in the field of the economic integration, the biggest achievement was the agreement of Agadir from 2004 that created the free trade area encompassing Morocco, Tunisia, Egypt and Jordan. However, those countries have not got common borders, which is crucial for land trade as a driving force behind the development of the commodity exchange.⁹ The Arab League basing on the Agadir agreement decided to build the Greater Arab Free Trade Area (GAFTA) initially planned to encompass 22 countries, which after all

7 Czerep, *op.cit.*

8 All meetings took place in Europe: Malta 1997, Stuttgart 1999, Marseille 2000, Brussels 2001, Valencia 2002, Naples 2003, Luxembourg 2005.

9 T.Gylfason, I. Martínez-Zarzoso, P.M. Wijkman, 'How free trade can help convert the 'Arab Spring' into permanent peace and democracy', *CESifo Working Paper: Trade Policy*, no. 3882, CESifo, July 2012, p. 19.

resulted in the elimination of most tariffs among 17 countries¹⁰ from 1 January 2005.¹¹

For the purpose of financial assistance in the implementation of reforms as well as the development of infrastructure and development projects in the framework of the Barcelona Process, a special EU budget package was assigned: MEDA I (1995-99, budget ca. 6.4 bn euro) and MEDA II (2000-2006, budget ca. 5.3 bn euro). Additionally, loans from the European Investment Bank (EIB) accompanied grants. In practice, the MEDA programmes in the overwhelming majority included bilateral projects (EU – partner country). Unfortunately, the intention of setting an independent Mediterranean Investment Bank fell through. The FEMIP financial instrument (investment facilitation for the Mediterranean region of EIB) functioning from 2002 weathered further the structural turbulence and till 2008 encompassed the projects the value of which is estimated at more than 8 bn euro.¹²

For the time being, social and cultural packages are the only praised ‘child’ of the Barcelona Process. The Anna Lindh Euro-Mediterranean Foundation for the Dialogue Between Cultures with its office in Alexandria acts through a network of domestic institutions in all countries of Europe and Mediterranean partner countries carrying out projects. Many combined academic initiatives have appeared with the participation of universities from the Mediterranean region. In 2008, the Euro-Mediterranean University (EMUNI) was established in Slovenian Portorož. The political summits were accompanied by civil society forums, which enjoyed the huge interest of non-governmental organizations from the entire region for the purpose of exchanging experiences and plans for joint projects.

10 Members of GAFTA are: Algeria, Bahrain, Egypt, Iraq, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates and Yemen. Others are in the process of joining.

11 It thus includes eight Arab League countries which are not members of the Barcelona Process (Bahrain, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, Sudan, United Arab Emirates and Yemen) but does not include Israel which is a member of the BP. It is also called the Pan-Arab Free Trade Area (PAFTA). In this text we refer to it as GAFTA.

12 Czerep, *op.cit.*

Criticisms

The EMP was criticised on many occasions.¹³ Although there was no agreement, which was the most serious flaw of the EMP, most observers gave in that “the EMP did not live up to the expectations the initiative raised when it was launched in November 1995”¹⁴ bringing about rather modest results as far as the economic, social and stability issues were concerned. The EMP has made progress toward its goals, however, it has been more apparent than the real ones.¹⁵ For example, almost every SEM coastal country¹⁶ concluded a bilateral free trade agreement with the EU, “however, most of these agreements are ‘shallow’ ones, eliminating tariffs but leaving many non-tariff barriers in place. Furthermore, the commodity coverage varies among countries, excluding in particular agricultural goods”¹⁷. The regional free trade agreements have also been signed by all but one country¹⁸ thanks to GAFTA, but again the incomplete commodity and country coverage make them inefficient. Furthermore, there is no progress in conflict resolution.¹⁹

- 13 Cf. A. Juenemann, ‘Die EU und der Barcelona-Prozess – Bewertung und Perspektiven’ [The EU and the Barcelona Process – assessment and prospects], *Integration*, vol. 24, no. 1, 2001, pp. 42-57; F. Attina, S. Stavridis (eds), *The Barcelona Process and Euro-Mediterranean Issues from Stuttgart to Marseille*, Milan: Giuffrè, 2001; B. Huldt, M. Engman, E. Davidsson (eds), *Strategic Yearbook 2003: Euro-Mediterranean Security and the Barcelona Process*, Stockholm: Elanders, 2002.
- 14 R.A. Del Sarto, T. Schumacher, ‘From EMP to ENP: What’s at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?’, *European Foreign Affairs Review*, vol. 10, no. 1, 2005, p. 17.
- 15 Gylfason et al., *op.cit.*, p. 5.
- 16 The exception is Qaddafi’s Libya and Assad’s Syria, where the agreement concluded in 2004 was put on hold several times for political reasons.
- 17 Gylfason et al., *op.cit.*, p. 5.
- 18 They are Morocco, Algeria, Tunisia, Libya, Egypt, Jordan, Occupied Palestinian territories, Lebanon and Syria. The missing country is Israel.
- 19 When it started in 1995, the Barcelona Process was fuelled by optimism generated by the Madrid Conference of 1991, the Oslo Accords of 1993 between Israel and the PLO and the Israel-Jordan Peace Treaty of 1994. However, Israel and the Palestinian Authority failed to reach a final settlement at the Camp David Summit in 2000. Nor has the Barcelona process made progress toward resolving the conflict over Western Sahara (between Morocco and Polisario supported by Algeria).

2. Introducing the European Neighbourhood Policy – ‘differentiated bilateralism’²⁰

The EU enlargement to the East in 2004 redefined the EU relations with the neighbourhood. The European Neighbourhood Policy (ENP) absorbed the Barcelona Process that was based on a regional approach. Taking its origin from internal changes of the EU, the ENP initially designed for the Eastern partner countries was shaped according to the enlargement logic with the dominating position of the EU in the solely bilateral relations. In the spotlight were association agreements (AAs). The idea back then was to combine the Eastern and Southern dimension of EU external policy into one policy framework (according to the ‘one-size-fits-all’ approach) and at the same time to maintain the balance between them, as stated by the Southern EU members vitally interested in doing so. Turkey as the EU candidate country was not included in the ENP.

Two important issues for the Euro-Southern-Mediterranean space are worth mentioning. Firstly, since that moment, the fully multilateral partnership based on dialogue and conciliation guaranteed by the Barcelona Process has transformed to an asymmetrical cooperation with the EU’s position of a patron and exporter of shared values and interests.²¹ This asymmetry had already existed before, however the luring power of arguments (the EU’s economic and political power, lack of comparable alternatives) became somewhat weaker in the circumstances of imposing an outside ‘carrot and stick’ policy.²² Secondly, ostensibly ‘shared values and interests’ the ENP was based on were in fact values and interests shared by the EU member states (democracy, liberty, rule of law, respect for human rights and human dignity). Instead of democratisation processes, the partner countries would prefer to cooperate on readmission agreements or migration management.²³ The direction of the changes was hard to accept by the partner countries and caused irritation, distrust (Algeria) and even lack of interest

²⁰ Del Sarto, Schumacher, *op.cit.*, p. 21.

²¹ R. Mouhoub, A. Debbihi, ‘The European Neighbourhood policy: one policy, two neighbourhoods’, *Management Intercultural*, vol. XVIII, no. 2 (36), 2016, pp. 158-159.

²² M. Grącik-Zajczkowski, ‘Ideas in ENP: conflicting visions and interests of the ENP: the partner-countries’, *Yearbook of the Institute of East-Central Europe*, vol. 13, no. 4, 2015, p. 113.

²³ *Ibid.*, p. 118.

(Syria, Libya). The post-colonial history makes the Southern countries very susceptible to the interferences in their sovereignty. Ultimately, most of them agreed to the new rules, among others to the conditionality principle, which conditions the EU financial assistance and economic cooperation from the progress made in the field of rule of law and respecting of human rights.

The ENP's toolkit

The ENP employs two sets of tools designed to foster the implementation of the ENP's goals and objectives. It foresees financial and technical assistance, the development of infrastructure, preferential trade agreements as well as the perspective of participating in the EU internal market, actions aimed at increasing the convergence of the legal systems, trade facilitation, etc. These instruments were designed to alleviate the cost of economic transformation that respective countries included in the ENP were undergoing. In December 2006, the European Commission (EC) decided to extend the toolkit of the ENP by introducing the AA. An important component of the AA was the prospect of a Deep and Comprehensive Free Trade Area (DCFTA) as well as visa facilitation, readmission agreements and the development of initiatives aimed at promoting student exchanges.²⁴

The second type of tools that the ENP employs consists of a wide range of policy tools. Apart from typical instruments, such as common strategies, joint actions or positions in the ENP framework, there are less common ones like freezing of funds, flight bans. Furthermore, several diplomatic instruments are used in the context of the ENP.²⁵ Last but not least, the EU has at its disposal the instruments in the field of the Common Security and Defence Policy (CSDP) for civilian and military management of conflicts.²⁶

24 European Commission, *Communication from the Commission to the Council and the European Parliament on Strengthening the European Neighbourhood Policy*, COM (2006) 726, Brussels, 4 December 2006.

25 Those include: demarché, public statements, and visits at the highest level as well as the appeal of ambassadors, political consultations, support for other international organizations' activities, and elections' observations.

26 S. Gstöhl, 'The EU as a Norm Exporter?', in: D. Mahncke, S. Gstöhl (eds), *Europe's Near Abroad. Promises and Prospects of the EU's Neighbourhood Policy*, Brussels: P.I.E. Peter Lang, 2008, pp. 282-283.

State vs. community approach

Through the ENP, the EU tried to combine its own interests with the interests of some EU member states in the SEM region. At the same time, the EU imposed its hegemony and influence as the regional power in order to face Russia on the East. Thus, in the ENP framework, two different approaches emerged: state approach and community approach.²⁷ The SEM region is subject to the state approach, where the EU delegates its competences in conflict and crisis resolution to particular member states, while the Eastern neighbourhood is approached by community interest towards Russia. The lack of a regional power in the SEM caused the EU abstention from the governance in favour of some of the EU member states.

Differences to EMP

Among the main differences between the EMP and the ENP, one should mention the 'differentiated bilateralism' which replaced the 'regionalism'²⁸ principle of the EMP. From that moment on, the regional dimension of the EMP is treated only as a complementary element limited to the promotion of intra-regional trade and sub-regional cooperation in the SEM region.²⁹ Hand in hand with the differentiation principle goes the positive conditionality one (as opposed to the negative conditionality of the EMP) inducing the EU's active engagement. In other words, only those partner countries were to gain from the ENP which would share the EU's values in political and economic fields and make commitment of reforms. Thirdly, as opposed to the EMP where the issue of interests was treated much more carefully, within the ENP framework the EU has clearly stated its genuine interests (like providing security and welfare to EU citizens, a greater role in crisis management and conflict prevention) acting as a normative power in an assertive way. Fourthly, in contrast to the EMP where the development of the EU-Israel relations was correlated with the progress in the Middle East peace process, the ENP has represented a soften position

27 Mouhoub, Debbihi, *op.cit.*, p. 160.

28 *Ibid.*

29 Del Sarto, Schumacher, *op.cit.*, p. 21.

of the EU where the disconnection of SEM bilateral relations from the Middle East peace process was not excluded.³⁰

Critics and conclusions

As the ENP resulted from the EU's internal dynamics without taking into account the external factors,³¹ its idea was not designed to resolve the socio-economic problems of the EU's Southern periphery in the first place. However, the ENP was perceived as to correct some shortcomings of the EMP, as, rather unintentionally than deliberately, a side effect of the policy change. In a nutshell, the 'differentiated bilateralism' was supposed to mitigate the inconvenience of being in the same group of the Southern dimension with rivals or foes (Israel and Palestine, Morocco and Algeria) by voicing the country-specific priorities and concerns in bilateral Action Plans. The positive conditionality assumed that at least showing the willingness of reform would be praised with 'carrot' in contrast to the reform-reluctance that would neither deserve a 'carrot' nor a 'stick'.³²

However, already at the moment of the ENP's establishment, the toolkit was assessed as

ill-defined and inadequate for reaching the explicit and implicit policy objectives. (...) Thus, it is unlikely that the ENP will contribute consistently to the socio-economic development of the southern Mediterranean or be helpful in connecting the EU's neighbours to the centre in a sustainable way.³³

In fact, ten years later, the preliminary assessment turned out to be true. The ENP has failed to respond to the challenges of the 21st century and the transformations of the partner countries. It painfully occurred that 'one size cannot fit all'. Thus, the ENP needs to undergo radical changes, but the question is whether the EC review of 2014 has given appropriate motivation to do so. The ENP is supposed to be

³⁰ *Ibid.*, p. 24.

³¹ Creating a 'circle of friends' might have been read as an attempt to buffer and blur the EU's external borders. *Ibid.*, p. 28.

³² *Ibid.*, pp. 28-30.

³³ *Ibid.*, pp. 19-20.

more flexible and react swiftly to the events in the neighbourhood. In doing so, the 'interests versus values' dilemma can be troublesome.³⁴

3. Union for the Mediterranean – re-launch of regionalism

A few years of the ENP's functioning brought about the problem of an imbalance between the regional and bilateral approaches that the EU has employed towards its partner countries. The bilateral instruments led to the diversification of the relationship between the EU and specific neighbour-countries. To counterbalance those developments, emphasis was placed on developing regional initiatives. A raw model of a multilateral forum for dialogue among countries in the SEM region was the EMP. Trying to revive the regionalism initiative in the Middle East and North African (MENA) partner-countries, the Union for the Mediterranean (UfM) was initiated in 2008. Turkey agreed to participate in the ENP after receiving guarantees that this would not be an alternative to its candidate country status. It was obvious that among EU member states, particularly interested in enhancing the cooperation with MENA countries, there were those of strong position in the EU, from the South, mainly France, Italy, Spain and Portugal. The original initiative of French president Sarkozy of 2007 was even supposed to limit the EU representatives to vitally interested countries. However, it encountered the backlash of Germany ('nothing about us without us') and ultimately the UfM like its predecessor has encompassed all EU countries. It is necessary however to note that at the Euro-Mediterranean ministerial meetings the unproductive presence of all EU countries' representatives, who, generally speaking, were neither prepared nor interested in the Mediterranean dimension from the beginning, caused frustration of the UfM initiators, who really cared about making relations with MENA more operational. It is obvious that the idea of diversifying the EU states access to partner countries could not evoke enthusiasm of the ones potentially moved aside.

³⁴ T. Stępniewski, 'ENP or ENPs? The curious web of the European Neighbourhood Policy: the Southern and Eastern Dimensions revisited', *Yearbook of the Institute of East-Central Europe*, vol. 13, no. 4, 2015, p. 40.

Sarkozy built his original idea on the need of increasing the efficiency of the whole cooperation by boosting the partnership with new regional and sub-regional projects. Additionally, the political level of the strategic relations between the EU and its Southern partners was to be upgraded. Building on the *acquis* of the Barcelona Process, the UfM offered a more balanced system of administration and greater transparency for citizens than the EMP had. The most important changes introduced by the UfM concerned a rotating co-presidency of the EU member state's representative and a representative of the MENA countries and the establishment of the UfM General Secretariat based in Barcelona (EU contribution amounts to more than 50% of its budget).³⁵ The Secretariat is responsible for identifying and promoting projects of regional, sub-regional and transnational scope across different sectors.³⁶ In contrast to the EMP, the projects address the following areas: ecology (especially a fight against pollution of the Mediterranean Sea), transport (development of shipping and road transport to facilitate movement of people and goods), energy (development of alternative energy sources like the Tafila wind farm in Jordan and the Mediterranean Solar plan), entrepreneurship (support of small and medium-sized enterprises within the Mediterranean Business Development Initiative by assessing their needs, providing technical assistance and access to finance), cooperation in the field of immigration, civil protection (programme on prevention, preparation and response to natural and man-made disasters), education and social affairs (the Euro-Mediterranean University, inaugurated in Slovenia in June 2008, and one in Fez set to start in 2015/2016).³⁷ The common judicial area was supposed to facilitate the fight against corruption, smuggling of people, terrorism and organized crime. In January 2010, the first meeting of the Euro-Mediterranean Regional and Local Assembly (ARLEM) was held in Barcelona. This new institution consisting of local bodies is led by a rotating presidency as well. Many similarities of ARLEM with existing institutions have induced

35 Official European External Action Service website: https://eeas.europa.eu/diplomatic-network/union-mediterranean-ufm/329/union-for-the-mediterranean-ufm_en.

36 Official European Commission website: ec.europa.eu.

37 Official European External Action Service website: https://eeas.europa.eu/diplomatic-network/union-mediterranean-ufm/329/union-for-the-mediterranean-ufm_en.

the risk of tasks duplicating and competences overlapping, which induced short-term controversies over the entire project.³⁸

Although the Southern dimension of the ENP is the domain of the EU, so far the EU has been giving the priority in setting the tone for the Southern neighbourhood politics to the most interested EU member states (state approach). The Arab Spring of 2011 changed the picture of EU engagement in the MENA region pushing the EU itself to being more active (community approach) and giving more political guidance to the UfM. In 2012, the Council of the EU³⁹ decided that the rotating co-presidency on the EU side would be taken over by EU institutions from EU member states according to the following scheme: Foreign Ministers' Meetings – High Representative of the EU; Ministerial Meetings about the areas of exclusive EU competence – EC; Senior Official Meetings – EEAS. On the MENA side, according to the Arab Group proposal, Jordan took over the co-presidency from Egypt and the first meeting (Senior Official format) was held in Brussels in September 2012.

Apparently, the UfM has become a key forum for regional dialogue, as the frequency and scope of recent ministerial meetings illustrate: Women – September 2013; Transport – October 2013; Energy – December 2013; Industry in February 2014; Environment and Climate Change – May 2014; Digital Economy – September 2014, Blue Economy – November 2015.⁴⁰ Furthermore, the meeting of Ministers of Foreign Affairs (an informal meeting, the first of its kind since 2008) co-chaired by Federica Mogherini, High Representative of the EU, and H.E. Mr Nasser Judeh, Deputy-Prime Minister and Minister of Foreign Affairs and Expatriates of the Hashemite Kingdom of Jordan took place in Barcelona on 26 November 2015.⁴¹ For the time being, the format of Senior Officials/Ambassadors' meetings twice a month is unique, especially as far as the participation of Israel and Palestine, Turkey and Cyprus, Balkan countries is concerned.

38 Czerep, *op.cit.*

39 FAC Conclusions of February 2012.

40 Official European External Action Service website: https://eeas.europa.eu/diplomatic-network/union-mediterranean-ufm/329/union-for-the-mediterranean-ufm_en.

41 *Ibid.*

4. Waiting for or creating the future?

The post-Arab-Spring Mediterranean region needs more than ever a concrete vision of a credible promise of prosperity that would create an incentive to follow the ENP's 'more for more' logic. One of the ideas is "legally binding sectoral multilateralism"⁴² which builds on treaty-based integration with the EU and the partner countries themselves in the sectors where the integration is clearly beneficial like transport and energy. Good examples of legally binding multilateral frameworks could be the Energy Community Treaty, a draft of the Transport Community Treaty or the European Common Aviation Area Agreement. A legally binding framework could help partner countries overcome political turmoil to work on gaining benefits from the cooperation with the EU and aligning to the *acquis*.

Another option (complementary to the latter) is setting the Euro-Mediterranean Economic Area (EMEA)⁴³ by 2030, drawing inspiration from the European Economic Area.⁴⁴ The EMEA idea builds on mutual benefits in exchange for concessions: on the EU side – revision and deepening of DCFTA by introducing free movement of services, capital and goods with concessions in the agricultural sector, introduction of a 'Blue Card' system⁴⁵ and mechanisms to favour circular migration; on the SEM side – gradual implementation of EU economic legislation, as well as social and environmental policies. Additionally, the economic benefits of intra-regional trade between contiguous countries are likely to be significant,⁴⁶ however unrealistic without any incentives for conflict resolution. An economic incentive could be DCFTA with the EU correlated with having deep comprehensive agreements with other neighbourhood states which already have a DCFTA with the EU. The trade helps to avoid conflict contagion, but has to be complemented by conflict resolution supported by

42 S. Blockmans, B. Van Vooren, 'Strengthening the strategic choice offered to the EU's southern Mediterranean neighbours', *CEPS Commentary*, Centre for European Policy Studies (CEPS), 1 February 2013.

43 A. Sapir, G. Zachmann, 'A European Mediterranean Economic Area to Kick-Start Economic Development', in: S. Biscop, R. Balfour, M. Emerson (eds), 'An Arab Springboard for EU Foreign Policy?', *Egmont Paper*, no. 54, January 2012, pp. 37-44.

44 The European Economic Area links the EU to Norway, Iceland and Liechtenstein.

45 Granting temporary work permits to highly-skilled workers.

46 Gylfason et al., *op.cit.*, p. 19.

greater incentives (both carrots and sticks) like assistance to refugees, financial assistance to projects of common interest, cooperation on increase of water resources.⁴⁷ A political incentive could be the prospect of a European Neighbourhood Community, encompassing the EU and willing SEM countries.

Finally, the most advanced and complex option would be a vision of the North-South regionalism⁴⁸ resulting in one major world region – a wider Euro-Southern-Mediterranean region. Accordingly, the ENP could be used as the key policy complementing the Strategy 2020 and enhancing the European territorial policies which would imply two following innovations. Firstly, the implementation of four freedoms (services, goods, capital, people) would be accompanied by four principles:

solidarity with the southern shore of the Mediterranean (and over a longer time span with Sub-Saharan Africa); creation of meshing networks over the greater regional territory (banking services connecting the two shores, integrated transport and electricity networks, compatible patterns of higher education's degrees in order to promote mobility); economic complementary (a better sharing of the value chain in agriculture, manufacturing and services); common policies for regional public goods (air and sea pollution namely).⁴⁹

Secondly, the ENP would use tools of the European Regional Policy,

in order to develop efficient territories, to tackle the many social issues in the South which cannot be met without taking the local territories into account, to enhance local actors as a key way for democratisation, and in order to coordinate the various European actions in this neighbourhood through a Euromed Spatial Development Perspective.⁵⁰

47 The EU started with the Coal and Steel Community, which placed strategic resources under common control. Water is a strategic resource in the Middle East. A Jordan River Valley Authority to increase the water resources shared by the four states could play a similar key role. Economic integration in this broad sense as part of the Barcelona Process can be an important part of conflict resolution.

48 This idea occurs between the US and Mexico, or between Japan and its emerging peripheries.

49 P. Beckouche, C. Grasland, 'North-South Regionalism: A Challenge for Europe in a Changing World', *ESPON Working Paper 2007*, p. 2, <https://halshs.archives-ouvertes.fr/halshs-00138851v3> [2016-30-11].

50 *Ibid.*

Taking into consideration the above options, it is necessary to remember that the option chosen should refer to the entire Arab region, stretching from the West Mediterranean to the Middle East.⁵¹

Conclusions

The analysis of the EU-SEM relations' development referring to the following institutional frameworks: EMP, ENP, and finally, UfM, can be best summarized by the subsequent conclusions. Firstly, the mix of challenges (i.e. colonial history, authoritarian rules, conflicts, involvement of foreign powers) present in the SEM region for centuries and disturbing its unification requires special treatment: shaping the regional cooperation by bilateral relations. The results of bilateral relations with particular countries can be put together as pieces of a regional puzzle. For instance, the establishment of DCFTA with the EU by one partner country should be dependent on having deep comprehensive agreements with other neighbourhood states which already have a DCFTA with the EU. As a result, not only the intra-regional trade is enhanced, but the regional conflict contagion is avoided. Secondly, as in the cooperation with the SEM region, particularly EU countries from the South (France, Italy, Spain and Portugal) were vitally interested, the region naturally has become the subject to the state approach where the EU delegates its competences in governance as well as conflict and crisis resolution to particular member states. The Arab Spring of 2011 changed the picture of EU engagement in the MENA region pushing the EU itself to being more active (community approach) and giving more political guidance to the UfM. Finally, the state approach started to be complemented by the community approach and the region has evoked an appropriate interest of the whole EU. Thirdly, the rising imbalance between the EU's regional and bilateral approaches resulted in the chiefly bilateral ENP being complemented by regional and multilateral UfM. Still, for the ENP to play a catalytic role, the efficiency, leadership and resourc-

51 S.K. Isaac, 'Europe and the Arab Revolutions. From a Weak to a Proactive Response to a Changing Neighbourhood', *KFG Working Paper Series*, no. 39, 2012, Kolleg-Forschergruppe (KFG) "The Transformative Power of Europe", Berlin: Freie Universität Berlin, 2012, p. 24.

es have to be improved. As it goes for the UfM, the UfM Secretariat should be “a driving force for change”⁵² through bringing interested parties together in projects, focusing on several projects of strategic importance (budget constraints) and using assistance of professional experts. Fourthly, witnessing the constant evolution of the EU-SEM relations and their institutional frameworks for the last two decades, the process of re-defining and fine-tuning can be expected to continue. Fifthly, the role of other powers like Turkey or the Arabic Emirates has to be recognized and used in favour of the regional development.

From the historical point of view, the EU-SEM relations are full of up and downs. The changes in the framework of cooperation strained the patience of partners, unrealistic aims did not stand the test of time, and a political project of the EU-SEM area was given up. Simultaneously, a lot has been achieved in the field of the scientific cooperation, the activation of civil society and using the EU's experience in the local scale.

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52 Gylfason et al., op.cit., p. 22.

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