

MASTER IN ADVANCED EUROPEAN AND INTERNATIONAL  
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# **EU FOREIGN POLICY TOWARDS THE SOUTHERN MEDITERRANEAN**

- *The Case of Egypt during the Arab Spring*

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## **ABSTRACT**

The EU has consolidated over time its role as an active international foreign policy actor and is recognized as such, while its credibility, legitimacy, leadership and success remain contested among a broad range of scholars and politicians. An assessment of the role and degree of the European Unions' success in all its foreign policy fields would go beyond the scope of this research, since it would entail a comprehensive and in-depth account and analysis. Rather this paper will follow a gradual approach towards zooming on Egypt as selected microcosm and scrutinizing the EU foreign policy implementation on in Egypt. The EU policy towards Egypt covers a range of issues, albeit the key ones fall under the Euro-Mediterranean Partnership and the European Neighbourhood Policy. But how successful these policies proved to be, especially in reaction to the 2011 Arab Spring uprisings and its aftermath, is a key question that this paper is going to address. More importantly, it will be analysed if these events provided a window of opportunity for the EU to redefine its foreign policy towards the Middle East. In addressing this question, this paper will draw from the theoretical perspective of the EU as international foreign policy actor and examine its policy on Egypt and the Southern neighbourhood. The research will also have a look on the EU's foreign policy architecture – in terms of objectives, institutions and instruments. This overarching approach serves as good basis upon which an analytical and critical evaluation of the EU's foreign policy towards the region and Egypt as a representative study case can be properly conducted. Based on the findings, a deductive approach a deductive approach will follow to assess the potential development of the EU as foreign policy actor by proposing a roadmap with recommendations and by referring to the Global Strategy for 2016.

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## **KEY WORDS:**

Arab Spring –Conditionality – Democracy-Security dilemma – deep democracy – EU Foreign Policy – Euro-Mediterranean relations – Egypt – ENP review – FPA – Global Strategy – hierarchy of priorities – MENA region – national foreign policies- political transition – rhetoric-practice gap

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## LIST OF ABBREVIATIONS

CFSP	Common Foreign and Security Policy
CSO	Civil Society Organization
EBRD	European Bank for Reconstruction and Development
EEAS	European External Action Service
EED	European Endowment for Democracy
EFP	European Foreign Policy
EIB	European Investment Bank
EIDHR	European Instrument for Democracy and Human Rights
EMFTA	Euro-Mediterranean Free Trade Area
EMP	Euro-Mediterranean Partnership
ENI	European Neighbourhood Instrument
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EPC	European Political Community
ESDP	European Security and Defense Policy
ESS	European Security Strategy
EUSR	EU Special Representative(s)
FPA	Foreign Policy Analysis
HR/VP	High Representative / Vice-President
MEDA	Mésures d'accompagnement financières et techniques
MENA	Middle East and North Africa
MEPP	Middle East Peace Process
NIP	National Indicative Programme
RIP	Regional Indicative Programme
SCAF	Supreme Council of the Armed Forces
SEA	Single European Act
SG/HR	Secretariat General/High Representative
SPRING	Support for Partnership, Reforms and Inclusive Growth
TEU	Treaty of the European Union
UfM	Union for the Mediterranean
WTO	World Trade Organization

### 1 Introduction

The European Union's foreign policy towards its Mediterranean neighbours already existed since the 1970s with the conclusion of the first Partnership Agreements, and has witnessed important changes since then. The evolution of the relations is closely linked to the changing environment, marked by the increasing interdependence of states, the rise of international terrorism, uncontrolled proliferation of weapons of mass destruction and increasing migration flows, thus blurring the borders between internal and international security. Despite the external developments, it is also important to assess the EU's capability to act on the global arena.

Upheavals in the Southern Mediterranean region, starting in 2010 in Tunisia, and provoking a revolutionary wave of demonstrations throughout the whole region, came unexpected to the European authorities in Brussels and their member states, both in time and magnitude. The events underlined the shortcomings of the EU foreign policy in this area. Most of the authors agree that the reaction has been very slowly and hesitant, as the EU has been unprepared to cope with this new set of challenges within the existing framework of policies and instruments. For decades, the EU maintained close relationships with authoritarian regimes of the region, assuming they would be guarantors for stability and thus, detaching from its compromise to promote democracy and human rights in the region. This was even recognized by a statement of the European Commissioner of Enlargement and Neighbourhood Policy in a speech about the events in the MENA Region:

*“First, we must show humility about the past. Europe was not vocal enough in defending human rights and local democratic forces in the region. Too many of us fell prey to the assumption that authoritarian regimes were a guarantee of stability in the region. This was not even Realpolitik. It was, at best, short-termism —and the kind of short-termism that makes the long term ever more difficult to build.”* (Füle, 2011)

This confession by Füle keeps with the position of the literature on this topic. Also the response of the EU to the uprisings were criticized by political scientists such as Brattberg (2011), Grant (2011) Entzoni (2001) and members of the European Parliament as being too late and insufficient.

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The failure of this authoritarian stability model revealed the weaknesses and contradictions of the EU's mediterranean policy. As set out in the two joint Communications issued in March and Mai 2011, respectively, the EU recognized that there has to be a new approach towards its Southern neighbourhood. Consequently, the main responses were the substantial increase of its financial aid, the incorporation of a "Partnership of Democracy and Shared Prosperity", and the proposal of the so called 3M's (Money, Markets, Mobility) linked to a new "more for more" approach as new component of the principle of conditionality. However, the application has encountered obstacles and faced serious dilemmas, such as the rhetoric-practice gap, divided responses from the member states, and a fragmented region which does not look for imported models.

With these changes in the MENA region, the efficiency of the existing instruments and strategies of the EU foreign policy are highly questioned: the events unveiled the weaknesses and contradictions of the mediterranean policy of the EU. What also undermined its credibility, was the divided response from the member states: instead of acting as a unified body, individual member states pursued their own agendas. France offered security support for the regime of Ben Ali, occasionally called for change of power in Egypt and supported the no-fly zone in Lybia, whereas Germany was hesitant to engage in Lybia, and didn't want to be stuck in a North-African conflict. The Southern European countries, like Spain, Italy or Greece, with a geographical proximity to the Mediterranean were mainly concerned with risks of massive migration flows towards their coasts and the spread of fundamentalist Islam.

The EU does not possess full sovereignty, which is a precondition for autonomous and coherent international actorness. The negative assessment of democratic transition in Egypt, which has been largely undermined by the Muslim Brotherhood under Morsi and the contrasting positive assessment by the EU of that same regime's foreign and regional policies, proves the persistence of the democracy-stability dilemma in the EU-Egypt relations. Now that the new President Al-Sisi came into office, this could be seen as a new change for EU engagement. The new role of the EU depends, however, of its self-assessment, the adopted strategy, but also the acceptance by the Egyptian civil society.



### 1.1 Objectives

To understand the current situation, it is important to recall how the EU's external action has evolved- in general, in the Mediterranean region, and finally in Egypt itself.

Therefore, my research question will be: How can the response of the European Union to the Arab Spring be explained within the framework of its foreign policy towards the Southern Mediterranean and which are the necessary steps towards a more coherent and efficient strategy?

To address the guiding questions, it is necessary to reveal a number of subordinate questions:

- What are the consequences of the Arab Spring for the EU Foreign policy?
- How shall the EU review its strategy/approach?
- What are the limits of the EU as a transformative power in the Southern Mediterranean?

The thesis aims to assess the impact of the contemporary events on the relations between the European Union and Egypt as a particular study case. This assessment will be drawn from the analysis of the historical course of the relations between EU and Mediterranean and it will highlight the main initiatives and consequences adopted as response to the events in Egypt. Egypt had been selected as case study, because it is the Arab world's center of gravity with a population of about 80 Million and a key for the region's future as well as the prosperity of the new neighbourhood policy of the EU.

Considering the EU foreign policy as a complex multilevel policy network, the role of the national foreign policies and their impact on policy-making in the EU will also be examined more thoroughly, zooming on the German and French foreign policy and their respective relationship with Egypt. This is considered to be particularly important, since the often diverging national policies are undermining its credibility of being a coherent international actor. The invitation of the French President Hollande by Egyptian President Al-Sisi for the inauguration of the new Suez Canal and the recent signing of a \$ 6 arms deal between Cairo and Paris, point to a growing relationship between the two countries. Similar observations can be made regarding the German-Egypt relations with reference to the meetings of Al-Sisi and Merkel ahead of United States General Assembly at the end of September 2015, where both state leaders highlighted and praised the strength of political and economical relations.

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The research thus pretends to obtain a more in-depth view of the EU foreign policy, especially by scrutinizing its implementation in the course of the Arab Spring in Egypt and analyze the used toolbox, in order to respond to the research question and the subordinate questions and to map a new possible strategy.

For my thesis, it is important to clarify what exactly is meant by EU foreign policy, since we can find a whole range of literature to define foreign policy. However, the majority of these definitions presented in academic studies concentrate on the foreign policy of a state, without taking into consideration that non-state actors also play an increasingly important role in the framework of foreign policy.

Actually, EU foreign policy does not differ from foreign policy, as an “area of politics which is directed at the external environment with the objective of influencing that environment” (Keukeleire and MacNaughtan, 2008:19). Yet, EU foreign policy is not simply the sum of collective foreign policies of the EU’s member states, nor simply a single EU foreign policy. As Christopher Hill confirms, it is a “mixture, of organisations and actors that extend beyond the EU family of players” (Hill, 1998 in Carlsnaes, 2004:13). Rather, EU foreign policy goes beyond the narrow focus on any of both, with a growing interrelationship between different sub-systems.

In this dissertation, I understand by foreign policy the activities undertaken by both states as well as non-state actors on the international arena, directed at the achievement of previously defined objectives by employing a set of tools through commonly anchored institutions. Accordingly, we can speak of European Union Foreign Policy, when genuine actors, such as the European Commission, the Council Presidency, but also EU member states act in line with EU values, interests and goals, presupposing the existence of a suited toolbox and proper institutions for exerting influence.

It is also important to note, that EU foreign policy is not coterminous with the territorial and institutional borders of the European Union.

Secondly, in view of the definition of institutions as part of the OIT-approach, I opt for a broader concept of EU institutions. In line with the definition of the OECD Development Center, institutions are understood to be formal and informal laws, social norms and practices that shape or restrict the decisions, choices and behaviours of groups, communities and individuals.

In order to judge on the capability of the EU and explain its influence as a global actor, it is important to link it to both exogenous and endogenous determinants, i.e. external and internal pressures. Endogenous determinants refer to the capacity in terms of material and non-material factors which are covered by the OIT-frame, namely the institutional set-up and the toolbox depending on the strategical and normative objectives for external action. According to Smith (2008:14), besides the intra-EU factors, intra-member states factors also play an important role within the internal stimuli. Even though the means might be appropriate and the objectives reasonable, exogenous factors could hinder the successful achievement of objectives. Exogenous determinants result from the increasing interdependence and an international system characterized by multi-level-governance and other goals apart from military security which become increasingly important. They can also create windows of opportunity for EU action, as transnational problems can make state action ineffective or even irrelevant. As confirmed by the EU Commission, EU action creates politics of scale as “they will carry more weight in certain areas when they act together as a bloc than when they act separately.” Furthermore, the asymmetry of interdependence gives the EU leverage to influence policies of third countries which depend on the EU. EU action may also be considered to be more legitimate (Smith, 2008:13).

### **1.2 Theorizing EU Foreign Policy – adapted FPA framework**

It is considered to be necessary to understand the functioning of the EU foreign policy from a theoretical point of view, before proceeding with empirical studies and the evaluation of decisions within the EU foreign policy frame. Accordingly, this dissertation uses Foreign Policy Analysis as logical theoretical framework in order to assess the EU’s Foreign Policy towards its Southern Mediterranean neighbours and in particular vis à vis Egypt in the course of the Arab Spring.

The literature on EU foreign policy encompasses different theoretical perspectives from European integration theories, comparative politics and IR theories (Manners and Whitman, 2013:393). With the European Union gradually developing its external activities and the creation of the Common Foreign and Security Policy, the research activity of the “EU in the world” was booming (Jorgensen, 2007 in Schunz, 2010). However, the literature has remained somehow inconclusive especially in terms of the actual impact of the EU’s external

policies on the global stage and there has been little found regarding methods for empirically assessing the EU's external effectiveness and efficiency in international politics (Jorgensen, 2007 in Schunz, 2010).

According to Carlsnaes (2004), there are two main approaches which dominate the analysis of EU foreign policy: The first one, also known as "EU-as-actor"-approach, concentrates on the impact of the European Union on the world politics. Scholars try to analyze what kind of actor the EU is, for example whether the EU is more a soft power or military power (Keukeleire, 2008), the EU as normative power (Tocchi, 2008) or even superpower (Mc Cornick in Smith, 2012). This approach made significant contributions to the major understanding of the EU's role in the international stage, both in empirical and conceptual terms. However, the shortcomings of this approach are the focus on the outcomes and the overall impact of the European Union, rather than explaining the process. This was also confirmed by Smith (2007:13) when stating that: "Debates about whether the EU is or is not a civilian power, a normative power, a superpower and so on, are not really leading us anywhere right now. (...) We should instead engage in a debate about what the EU does and why it does it and with what effect, rather than what it is." Consequently, "[m]uch more research needs to be done on the EU's influence in the wider world, and particularly on the EU's impact on the international system (...) Too often, we lapse into assertions that the EU has either considerable or little influence, without the backing of clear, substantial evidence for such influence. 'Proving' the EU has influence (or not, and what sort and why) requires considerable empirical research (...) - but unless we try to get to the bottom of this, we are left with unsubstantiated assertions about the EU's place/role/influence" - and, one needs to add, "power" - in the world (Smith 2007: 12-13).

Furthermore, the European Union is considered to be a single actor, thereby denying the "multiple realities" that constitute the European Union (Jorgensen, 1998). The second approach takes a different perspective and explains the actor behavior as a function international institution and other structures where actors are embedded. The focus of this approach is put on structures rather than actors, which is why they are also known as "structuralist" approaches. The institutionalist cooperation of the European Union as global actor also shows limitations. Firstly, as the systems determine the behavior of actors, this leaves no room for explanation when actors do not behave in accordance with the systemic constraints. This would thus require a different approach, which would be more focused on the actor and

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investigating his particularity. The focus on structural factors leads to a simplified view of policy processes in the absence of the view of the actor behavior.

Both approaches lead to a polarization of either actors or structures, remaining at a high level of aggregation without tackling much of the EU's activities at its core. The European Union Foreign policy operates at a different level of analysis which goes beyond the separation, rather exploring the linkages between both (Carlsnaes, 2004:20).

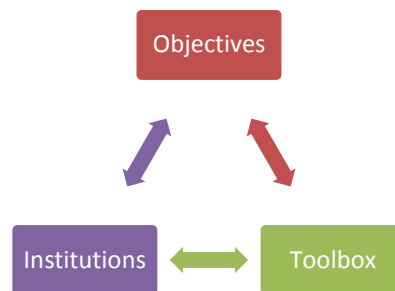
Foreign Policy Analysis appeared as a field of study in the early 1960s in the US, but was rather a niche discipline within International Relations, isolated to a large degree from the mainstream. Since the 1980s, FPA experienced significant growth, basically due to the end of the West-East conflict. It became obvious that this change couldn't be explained exclusively by referring to the existing International Relations theories and their emphasis on structural factors. Traditionally FPA is associated to the authors: Graham Allison, Alexander George, Marton Halperin, James Rosenau, Irving Janis, Richard Snyder, amongst others.

FPA emerged as a reaction to the existing structural approaches, which emphasized external elements of the international system in the foreign policy of a state. It insists on the fact, that the explanatory focal must be the "actors" of foreign policy, instead of structural or systemic variables. Thus, FPA looks at the internal variables inside the state. By opening the "black box", it examines how the different actors in the decision-making process actually influence and finally converge in order to shape foreign policy outputs. FPA as part of the international relations scholarship has been studied traditionally from a state perspective. The traditional state-centric approach is, however, inappropriate when analysing the context of the European Union. Therefore, the creation of the European Union challenges the idea, that FPA can only be applied to states.

There has been an attempt by Brian White to apply FPA on the EU in his contributions to European Foreign Policy system, where he argues that EU foreign policy is encompassing different subsystems, thus going beyond the debate between supranationalism and intergovernmentalism. He applied the revised approach to study the EU Foreign Policy, accepting actors other than states and speaking of governance instead of government. The necessary elements of developing an appropriate framework comprise the actors, processes, instruments, contexts and outputs, whereas the latter is generated as result of interlinkages between the other elements. Thus, a comprehensive analytical framework should answer the

questions: What have been the objectives of EU foreign policy and their actual implementations, the institutions involved and the tools by which they have been implemented (or not). This explains my chosen methodology which is based on the Objectives-Institutions-Toolbox(OIT)-approach reapplying to the chapters of my research.

**Figure 1: Objectives-Institutions-Toolbox (OIT)- approach**



*Source: own elaboration*

In the dissertation, I claim that the FPA approach can equally be adapted from its state-centric approach to be applied to EU foreign policy. The creation of the EU and the establishment of the CFSP challenge the idea that foreign policy analysis can only be applied to the state level. The aim of my dissertation is thus to show, that FPA needs to be reconsidered regarding the state-centric perspective to explain the emergence of new foreign policy actors such as the EU. Most of the analysis focus either on the national foreign policies of the state and view EU foreign policy as a mere collection of individual national foreign policy or they focus exclusively on the common policy, sidelining the member states and their foreign ministries.

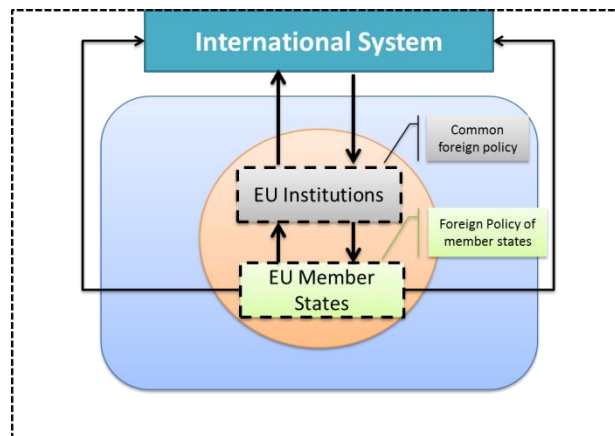
Processes like increasing interdependence among actors and transnationalism have challenged the autonomy of states as the sole actors to influence a foreign policy outcome. The new challenges are clearly illustrated in the European Union and therefore the extension of FPA to the EU sheds a light on a new area of foreign policy activity on the global scale. Furthermore the transfer of the analytical techniques of the state-centred approach to the European level seems to be appropriate since, neither states nor the EU are a unitary actor. Therefore it is necessary to look inside the EU, to open the “black-box” in order to understand the decision-making processes and governance structure of the EU in the field of foreign policy.

Unlike David Allen, who stated that “*the determination to preserve national foreign policies is ultimately at odds with the ambition to create a European foreign policy*” (Allen, 1998: 42 in Carlsnaes et al., 2004: 14), I argue that EU foreign policy is a multi-level system where

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national foreign policies are an integral part and play an important role but are not contradictory to it. The European political system can be considered as the unit of analysis, rather than only the member states or European level as separated fields.

**Figure 2: EU Foreign policy as a multi-level system**



*Source: Own elaboration*

The international system has been shaped by the European states system. The international system has become global and European states system part of this system. European states continue to be very influential actors, since they have the ultimate power to decide whether they will pool their capabilities into a supranational EU or rather pursue their goals on the national level. The graph shows the interdependencies and reciprocal relationships between the different levels.

All EU member states have foreign ministries, diplomats, and a foreign policy process. Although as show the military instruments, member states continue to pursue their perceived national interests, a range of traditional foreign policy instruments has been transferred to the EU foreign policy toolbox and the changed institutional setting has influenced their interests. According to the constructivist theory, interactions at European and international levels have an impact on the formation of identity and interest among national member states.

The institutionalization of the CFSP led to an identifiable corpus of decision-making mechanisms which can be put on an equal footing with national foreign policies. With the creation of the position of the High Representative, the member states have agreed on delegating the implementation of a common position. The position can be compared to a

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foreign minister on the state level. Likewise, the European External Action Service (see Chapter 2.2.2) is the European counterpart to national foreign ministries with over 130 delegations and offices spread all over the world. The EEAS has absorbed all the relevant external action services of the Commission and the Council Secretariat in one institution in order to give the EU a uniform voice in foreign policy. Like national member states, the EU established important relations with external actors through bilateral or multilateral modes of cooperation (see Chapter 3.2). Not less important is the membership of the EU in various international organizations as independent actor, whether in the form of full membership or the form of observer status.<sup>1</sup>

The adapted analytical framework will be applied to test the EU's foreign policy, where the findings will be embedded into the particular case study of Egypt as representative of regional trends and the Arab Spring as selected temporal scope. Based on this analysis, a deductive approach will follow to assess the potential development of the EU as foreign policy actor by proposing a roadmap with recommendations and by referring to the global strategy.

### 1.3 Methodology

The OIT-Approach is used as the overall structural framework for my dissertation and should provide the reader with a coherent route map throughout the paper. This route map is based on a gradualist approach starting with the EU Foreign Policy in general, going over to the EU-Mediterranean Relations and finally the EU-Egypt relations. The readapted Foreign Policy Analysis should thereby serve as springboard to develop the theoretical concept for the dissertation. The zooming on Egypt should serve as representative case study for regional trends and has been selected mainly due to its demographic, political and cultural centrality in the region and its strategic importance for the EU.

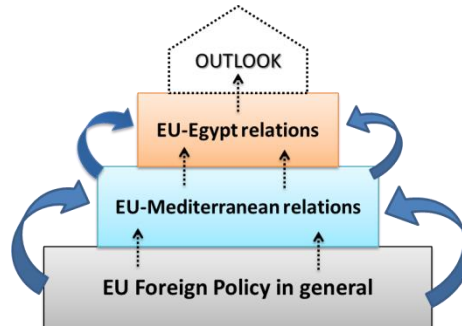
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<sup>1</sup> *full rights member: G8, World Trade Organisation; partner: International Development Association, Pacific Islands Forum; dialogue member: ASEAN Regional Forum, South Asian Association for Regional Cooperation; observer: United Nations, Organization of American States, Council of the Baltic Sea States, Australia Group, European Organization for Nuclear Research, Food and Agriculture Organization, European Bank for Reconstruction and Development, G10, Non-Aligned Movement, Nuclear Suppliers Group, Organisation for Economic Co-operation and Development, United Nations Relief and Works Agency for Palestine Refugees in the Near East, and the Zangger Committee*



The thesis is comprised of four major parts, where the first three parts follow the same logic of the OIT-framework. The institutions and instruments for each level of analysis are not exhaustive, but have been selected according to their relevance for my research.

**Figure 3: Methodological framework**



*Source: Own elaboration*

The first chapter begins with an overview of the EU foreign policy making machinery and is considered to be the basic building block to understand the following chapters. Having analyzed the main objectives, institutions and instruments of the EU foreign policy, the second chapter covers the next level with a regional focus. The third chapter proceeds with analyzing the microcosm Egypt for the country-specific EU foreign policy. This chapter includes an excursion to study the EU foreign policy from the Egyptian lense to complete the picture and enrich my findings.

To conclude, I will sum up the findings of the three analyzed levels in order to give an outlook about possible future developments of the EU foreign policy. In this context, I will also refer briefly to the EU Global Strategy on foreign and security policy.

My research is based on primary and secondary literature, official documents of the EU (including EU Commission proposals and statements and policy strategy papers), journal articles and research papers.

### 1.4 State of Research

EU foreign policy is an extensively covered area of research and most of the authors agree on the short-comings of the current foreign policy. Keukeleire and MacNaughtan (2008), Smith (2008) highlight the capabilities-expectations and the rhetoric-practice gap and question the overall consistency of the EU foreign policy machinery. Paul (2008) and De Vasconcelos (2010) scrutinize the post-Lisbon foreign policy more profoundly, especially with regards to the newly created posts of the High Representative and the External Action Service as the key players. They argue that these major innovations will contribute to a higher visibility, continuity, consistency and efficiency of the EU foreign policy, thereby facing major short-comings of the external representation of the EU. In spite of these important developments, the new provisions are not considered to have contributed to a completely new era of foreign policy, since the decision-making procedure remain to a large extent the same and the national foreign policies still pursue their own goals. Manners and Whitman (2000) and Hill and Wong (2011) elaborate on the national foreign policies. According to these authors, the EU is mainly a platform where member states can download EU concepts when considered necessary and equally upload their capacities for the pursuit of common goals. However, they also identified a trend towards *Europeanization* of national foreign policy, the process in which rules, procedures and norms are diffused from the EU level to member states and vice versa.

The extensive engagement with the EU's southern neighbours makes it an unavoidable field of research. There is a degree of academic consensus regarding the limitation of EU's efforts up to now. The main contributions to this field of study ((Behr, 2013; Bicci, 2009; Kirişci, 2012; Youngs, 2014) emphasize the tensions between its normative pretensions and the material interests of the EU, which reinforces the hypothesis of inconsistency. The EU's success in using enlargement as foreign policy tool has inspired more optimistic arguments regarding the EU's role on the global stage, but the transfer of the principle of conditionality to the ENP is not uncontroversial. Indeed, Achrainier (2014) concludes that the EU is only one actor among many in the region and that the incentives offered to its partners are insufficient for achieving satisfactory results. The incoherent application of conditionality is often considered as the most severe mistake of the EU. Grant (2011) and Youngs (2014) point out that despite of a total lack of political reforms, the EU went ahead and even intensified its economic cooperation with its southern partners. Accordingly, the EU is supposed to keep

relations with these countries despite their behavior and even intensifies them. Even if the appointment of a Special Representative for the region seemed to be quite effective in serving as catalyst for the implementation of Task Forces, the focus on governments while sidelining the Egyptian civil society reveals that the EU seems to care more about its hard interests than its normative promises.

The EU's actions towards Egypt in the aftermath of the upheavals and the consequent ouster of Hosni Mubarak, have been seen by experts both as beneficial and controversial. The EU made itself as impartial mediator (Morillas, 2015; Youngs, 2014), especially through the EU-Egypt Task Force. Within the framework of the new neighbourhood policy, the EU highlighted three priorities regarding the support of democratic transition in Egypt and the other countries: The commitment to "*deep democracy*", the building of "*people partnerships*" and finally "*inclusive growth*" and "*sustainable development*" (EU Commission, 2011).

Richard Young's contribution "*Europe in the New Middle East: Opportunity or Exclusion*" offers a fruitful assessment of how far the EU has changed its policies towards the Southern Mediterranean countries in the aftermath of the Arab Spring in 2011. In line with other authors, he argues that in 2011 "*the EU's enthusiasm for change in the Middle East was bounded*" (p.218). He further provides numerous examples for why "*even the most charitable observer must conclude that European governments failed to rise fully to the scale of challenge that a fundamentally redrawn Middle East presented*" (p. 229). Unlike policy makers in Brussels or the member states, who prided the new "*Partnership for Democracy and Shared Prosperity*", he draws a more nuanced and critical picture of the EU's response to the Arab Spring. The uprisings thus brought into focus a long criticized policy framed around the democracy-stability dilemma (Kupka and Mecklenburg, 2013). The contributions of Khader, 2013; Peters, 2012; Behr, 2013; Kupka and Mecklenburg, 2013 agree that the highly-praised "more for more" approach is also "more of the same", which challenges the alleged repositioning of the ENP. The EU offered to send an EU Election Observation Mission to Egypt, provided 449 million euros financial assistance for the period 2011-2013 and further agreed with the Egyptian government on the establishment of a deep and comprehensive FTA. In spite of these proposals and aid reliefs, experts believe that the EU should review its current relation with Egypt (Ghanmi et al., 2012; Virgili, 2014; Alcardo et al., 2012). Finally, the ineffectiveness of EU policies in Egypt makes a point of agreement amongst most

scholars and observers. While some authors suggest that policies were attempted but failed, others argue that the foreign policy actions of the EU were doomed for failure from its very beginning, mainly due to its long-standing, unresolved inconsistencies and short-comings. Behr (2011, 2012) offers a more analytical perspective and suggests that the EU foreign policy failure in Egypt originated from the individual member states' action, whereas the EU as a whole was more entrenched with handling the financial crisis of 2008. In line with Rosa Balfour, the policy is considered to have benefitted only leading member states in the EU and their own foreign policies.

## 2 EU foreign policy in general

### 2.1 Objectives

According to Smith (2008: 17), there are two possible sources of the European Union's foreign policy objectives: unique EU principles and more universal goals. Regarding the first one, the objectives are considered to be a reflection of the EU internal policy. The output therefore derives directly from the nature of the EU foreign policy system: the institutional structure, decision-making norms and procedures. For example, the focus on peace and development and the creation of cooperative institutional factors are mainly due to the legacy of reconciliation between the former enemies France and Germany, thus reflecting the community's origins and the internal dynamics of the Union. The second source refers to the reflection of the "Zeitgeist" of post-cold war normative globalization and thus the reproduction of international norms on states. The principles are considered to be fairly universal and the EU an agent of globalization. These objectives are shared among states, non-state actors, and international organizations. From this perspective, the member states share a set of goals that reflect international norms and the EU is an appropriate forum to pursue those goals. Hence, the EU acts as a framework to promote universal goals rather than a "distinctive set of principles" (Smith, 2008: 20).

According to Keukeleire (2008), the changing environment and post-war context gave rise to areas of tension including the foreign policy objectives of the European Union. One must take into consideration, that the EFP is not always destined to influence the external environment; the goal could also be in terms of management of internal EU relations. When EU member states do not intervene within the framework of EFP in a specific issue, this could be due to the fear of intensification of mutual tension, internal disagreement or distrust. In these cases of interrelated objectives, the effectiveness is measured against the internal impact. Another category of objectives refers to integration, where member states agree on an EFP initiative in order to strengthen European integration. Finally, the identity objectives emphasize the uniqueness of the EU and largely differ from other actors. The different categories of objectives help in explaining the different expectations on EU foreign policy activity. However, in my research I will focus exclusively on external objectives.

The objectives I am going to analyze correspond to "milieu goals", as opposed to "possession goals", according to Wessels (1962). These milieu goals are aimed at shaping the conditions

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beyond the national boundaries, that is to improve the milieu, whereas possession goals refer to increasing what they hold. However, both are interrelated in the way that, by pursuing milieu goals, the EU helps shaping an environment in a manner conducive to possession goals. As we will see later, the EU supports milieu goals only when they do not clash with possession goals. When there are contradictions between the normative and strategic interest, the EU tends to prioritize possession goals. This so called “hierarchy of priorities” explains already why the EU is more likely to cooperate with authoritarian regimes to guarantee the achievement of possession goals in terms of security. Possession goals include commerce, migration, boarder management and energy security (Tocci, 2008). The core strategic objectives can be found in the European Security Strategy (ESS) of 2003. The level of internal threat is proportionally related to the EU’s tendency to guard possession goals and this level of internal threat is linked to the perception of threat. Thus, where the EU perceives a threat of its security, it tries to protect perceived strategic interests. The EU is able to pursue possession interests in its institutional and instrumental framework, incorporating both normative and strategic interests. The formulation of the World Trade Regime shows, that the EU has succeeded in legalizing commercial interests. Also in view of the increasing international competition, possession goals are considered to be a priority (Tocci, 2008: 61). To be able to understand the EU as foreign policy actor, both objectives as well as their interrelations have to be taken into account.

Until the Treaty of Maastricht of 1993, there has been no official pronouncement of the foreign policy objectives. With the creation of the European Political Community (EPC) in 1970, a separate framework for foreign policy cooperation has been established and member states started considering collective goals. The legal framework of the Single European Act (SEA) indicated towards the common objectives: “to act with consistency and solidarity in order more effectively to protect its common interests and independence [...] so that together they may make their own contribution to the preservation of international peace and security” (Art. 30.2). As result of a new mechanism for foreign policy cooperation – the common foreign and security policy (CFSP) – more progress in setting out objectives has been made. Article 11(1) of the Treaty sets out the following foreign policy objectives:

- To safeguard the common values, fundamental interests, and independence of the Union;
- To strengthen the security of the Union in all ways;
- To preserve peace and strengthen international security;

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- To promote international cooperation and;
- To develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.

Article 10 A (2) of the Lisbon Treaty sets out a new list of foreign policy goals, most of which are “milieu goals” aiming to shape the environment of a state. The five foreign policy objectives are:

- Encouragement of regional cooperation and integration;
- Promotion of Human Rights;
- Promotion of democracy and good governance;
- Prevention of violent conflicts and;
- Fight against international crime.

These objectives were affirmed at the highest level of the EU and are precise enough to guide the policy-making. The pursuit of each of these objectives often clashes with the pursuit of other objectives. Moreover, there is no internal consensus regarding for example the promotion of human rights. There is also a capacity-expectations gap, since the EU does not always have the means to do what it says it wants to do. Implicit geographical priorities also confirm the inconsistency of these objectives. The objectives are also pursued outside the EU, thus being a reflection of the global “Zeitgeist” (Smith, 2008: 231). For example the promotion of democracy is a result of the spread of democracy throughout the world. However, within the EU there is no strong internal Human Rights regime and in certain member states, also a democratic deficit, questioning the legitimacy of the EU. The fight against international crime is clearly motivated by self-interests, namely to ensure an area of freedom, security and justice for EU-citizens. It is the most obvious case, where a milieu goal is a way of achieving possession goals (Smith, 2008: 206). However, there is often a rhetoric practice gap, which undermines the credibility and effectiveness of the EU.

### 2.2 Institutions

#### 2.2.1 Policy-making regime

The distribution of competences is important to explain the complex nature of the foreign policy regime of the EU. Generally speaking, the principle of conferral determines the framework of possible external action of the EU and those competences not conferred remain with the member states. This is important for the evaluation of the EU foreign policy, given the restricted conferred competences, resulting in the capability-expectations gap. With the Lisbon Treaty, a list of three categories which consist of exclusive, shared and supplementary competences has been established, but in general they vary depending on the policy field.

The EU pursues a “multi-pillar” foreign policy due to the three-pillar system provided by the Maastricht Treaty:

- European Community policies including the internal market, common agricultural foreign policy, trade and development policies;
- CFSP intergovernmental pillar;
- Justice and home affairs provisions.

In the intergovernmental mode the member states retain control through the dominant position of the Council of Ministers and unanimity decision-making, whereas the community mode is based on an institutional equilibrium and mainly majority voting (Keukeleire, 2008: 29-31).

The two different policy-making regimes are made explicit through the pillar-system: In the community mode, the Commission has a key role in defining and defending the common interest and the Council of Ministers decides by Qualitative Majority Voting (QMV). This decision-making mode applies to trade, development cooperation and humanitarian aid. In the intergovernmental mode, the national governments retain control over the policy-making. It mainly applies to the Common Foreign and Security Policy and the European Security and Defense Policy (ESDP) as well as police and judicial cooperation in criminal matters. Foreign policy decisions are not strictly divided, but cross-pillar with blurred borders (Keukeleire, 2008: 67). As foreign policy is pillar-transcending, policy-makers use the whole range of instruments on the EU menu. Even if on paper the second pillar seems to be the locus for EU foreign policy, in practice there is a greater availability of instruments and budget lines in the first pillar. According to Keukeleire (2008: 110-111), EU foreign policy is conceived as



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multi-pillar, multi-level and multi-locational. The foreign policy-making process encompasses several layers of governance (multi-level) and is embedded in a wider set of network such as the UN or the WTO. The complex system of competences, decision-making procedures and policy-making mechanism led to problems regarding consistency. The lack of consistency, however, undermines the credibility of the EU as global actor and its ability to achieve specific foreign policy goals. The fact that policies are formulated across the EU's policy-making machine and develop throughout various pillars account for the horizontal inconsistency; the divergence of policies agreed on the EU level and those pursued by member states nationally lead to vertical inconsistency. Interstate inconsistency can arise between member states with different national foreign policies (Keukeleire, 2008: 121-122). Although, the principle of consistency was enshrined in Article 3 (1) TEU, inconsistency in different policies still remain, as for example with regards to the treatment of third countries which register similar Human Rights and democratic records. Members states tend to block the use of negative measures when commercial interests are at stake, when a country is strategically or politically important or when there are general doubts about the effectiveness of negative measures. Consequently, the result of foreign policy decisions is the "lowest common denominator" (Smith, 2008: 138). There are cases where violations of democratic principles are tolerated, mainly due to concerns for security and stability. Undemocratic practices are tolerated in the face of possible threats by Islamic parties in democratic elected governments. These concerns are reflected in the EU acquiescence and acceptance of undemocratic practices in Egypt, besides other foreign policy concerns, mainly the role of Egypt in the Arab-Israeli peace process (Smith, 2008: 166). After the Lisbon Treaty, decision-making in CFSP affairs remains unchanged, resting primarily with the member states as opposed to the community mode. In order to increase the coherence of the Union's external action, Article 26 TEU set up the new post of the High Representative. It should address the incoherence and ineffectiveness of the EU associated with the pillar-structure and the fragmented external representation. In this sense, the double hat and the double role for the High Representative reflects the unity of the supranational (Commission) and intergovernmental (Council) logic of the Union.

Three dynamics provide the steering to act in the foreign policy field:

Firstly, foreign policy is Commission-steered, as it is very dynamic and mainly the locus of foreign policy making. Furthermore, an extensive toolbox is available through the first pillar and the Commission enjoys a high degree of autonomy. Secondly, it is Council Secretariat-

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steered, reinforcing the CFSP actors which are increasingly able to become active in the common foreign policy. Lastly, foreign policy is also core-groups-steered, where a group of member states is embedded in the EU framework or loosely connected, such as the EU Core Group on Somalia or EU3 on Iran. The three motors regularly clash with each other but their relationship can also be mutually reinforcing and complementary (Keukeleire, 2008: 112-114).

### *2.2.2 The European External Action Service (EEAS)*

The Treaty of Lisbon brought about some fundamental changes in the internal and external set-up of the EU. There are two major key innovations, namely the establishment of the Foreign Affairs High Representative and the External Action Service (Paul, 2008:5). The EEAS was formed on January 1<sup>st</sup> 2011 through the merger of the Commission's foreign policy affairs apparatus with that of the Council of the European Union under the new High Representative for Foreign Affairs and Security policy and Vice-President of the European Commission (HR/VP) and is considered to be a major milestone in the development of the EU's role in the world. The three objectives for the foundation of the EEAS are according to Hug (2013:8):

1. Building an effective new diplomatic service;
2. Strengthening the EU's influence in its neighborhood and;
3. Developing relations with strategic partners.

Together with the new office of the High Representative, the EEAS shall increase the visibility, continuity, consistency and efficiency of EU external action as well as enhance diplomatic professionalism and mitigate the structural lack of leadership of the EU. The key feature is the inter-pillar nature bearing responsibilities both in CFSP and Community matters. The EEAS was considered to be a necessary step to ensure the capacity of the High Representative to perform all his functions. As set out in Article 13a of the Treaty, the scope of the EEAS should allow the HR to fully carry out his mandate, that is coordination, planning, agenda-setting, monitoring, intelligence gathering, analysis, crisis management, representing and negotiating (Paul, 2008). The institution is supposed to play a unique role, the "service of a sui generis nature", separate from the Commission and the Council Secretariat, contributing to both horizontal and vertical coherence through close collaboration with the President of the European Council, the President of the Commission and the member states. The service is composed of geographical and thematic desks. This allocation of all

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issue areas to one institution allows for an increasing coherence of the EU external relations. Yet, the duality of the supranational and intergovernmental mode remains. The EEAS is the diplomatic arm of the EU, but not considered as EU institution. However, the portfolio covers more than the established expectations about diplomatic services. It shall help the EU to appear stronger on the global stage, give it more profile and enable it to project its interests and values more efficiently. Additionally, the EEAS helps to make the EU Foreign Policy grow as “contributor to peace”, “responsible neighbor”, “development partner”, “human rights defender” and “partner to the United Nations” (Denopra, 2015:4).

In an interview on the 4<sup>th</sup> October 2013 to EurActiv, Pierre Vimont, the executive secretary general of the EEAS said:

*“I don’t pretend that we are doing as much as we’d like, but we’re as active as possible, at least in our neighborhood”* and he continues that *“we shouldn’t be ashamed of what we’ve done so far. We shouldn’t underestimate the EU’s efforts.”*

He claims that despite lacking a power broker capability, Europe should be proud of its diplomatic achievements in response to the Arab Spring.

He argues that *“it is frustrating from time to time when people argue that Europe is absent in Egypt. Egypt is the perfect example where Europe is in fact clearly involved.”* He mentions the presence of Catherine Ashton, former EEAS HR and considers the EU as the only player able to discuss with everyone. According to Vimont, the EU is trying to push for a solution and he agrees that they haven’t succeeded in bringing the two sides together but try to do all they can. Moreover, he considers the way they are working to be the right attitude: not lecturing, not patronizing, but listening and trying to work out a solution that is supported by the Egyptians themselves. In the EEAS performance assessment carried out by the European Court of Auditors, there is a tug-of-war of internal differences between projects of the Commission, the Council and the member states. In the performance observation, it was emphasized that

*«Overall, coordination between the EEAS and the Commission was only partly effective, mainly due to the absence of effective coordination mechanisms at top level and a rigid financial and administrative framework at delegations, which takes resources away from political tasks. The coordination with Member States improved although it can be further developed to exploit synergies such as information sharing or co-location, to improve consular services, including consular protection of EU*

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*citizens, and to facilitate a more strategic role for the Council and its preparatory bodies.*“ (Denopra, 2015: 6)

Consequently, the EEAS still is of premature nature due to its several shortcomings and imperfections but, nevertheless, remains a crucial institutional instrument and coordinating body to represent the EU and carry out the objectives (Denopra, 2015:7).

### ***2.2.3 EU Special Representatives (EUSR)***

The EU Special Representatives (EUSR) are deployed since 1996 to contribute to the European Union's crisis management in various crisis areas. The EUSR-model was inaugurated by Aldo Ajello for the African Great Lakes and Miguel Angel Moratinos for the Middle East peace process alongside the creation of the post of the High Representative/Secretary General for the Council.

Since then, the EUSR increased in number and expanded their remit to the extent that they have pioneered the CFSP as sort of «avant-garde» and helped to enhance the Union's profile (Grevi, 2007:7). However, the EUSR are not considered as part of the formal hierarchy of the EEAS, but more as “free electrons”, being a rather flexible instrument at the disposal of the member states. They operate beyond the existing institutional hierarchies of the EU foreign policy and enjoy a high degree of autonomy from the EEAS and the EU Parliament. According to Article 33 of the TEU, they are appointed “with a mandate in relation to a specific policy issue.”

Since 1999, they have operated under the responsibility of the CFSP High Representative, Javier Solana. The EUSR are appointed by the Council of Foreign Minister for a variety of mandate areas. Currently, 9 EUSR are covering the following countries or regions: Central Asia, Middle East Peace Process, Afghanistan, Bosnia and Herzegovina, Kosovo, the South Caucasus and the crisis in Georgia, Horn of Africa, Human Rights and the Sahel.

Their task is to promote the EU's policies and interests in crisis regions and countries and play an active role in consolidating peace, stability and the rule of law. Furthermore they should support the work of the High Representative of the Union for Foreign Affairs and Security Policy. Thus, they play an important role in the EU's efforts to become a more

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effective, more coherent and more capable actor on the world stage. They act as a «voice», seeking to put across a single message, and as a «face», enhancing the visibility of the EU and its policies. Therefore, they are at the same time the «eyes» and «ears» of the EU, providing a regular flow of information and analysis due to extensive networking and in-depth knowledge of the ground (Grevi, 2007: 13). The EUSR represent the EU in areas in which they are willing to play a role as international actor, mainly crisis prevention, conflict settlement and post-conflict stabilization. They work in very close coordination with diplomats, including special representatives of international organizations from the UN, NATO, OSCE, amongst others. Prior to the Lisbon Treaty, the EUSR were appointed by the Council whenever considered necessary. Now, it is the sole competence of the High Representative to propose a EUSR to carry out the EU mandate.

Originally, the number of EUSR was to be reduced but due to the developments in North-Africa, new posts were created. In response to the Arab Spring, the foreign ministers appointed an EUSR for the Southern Mediterranean region in 2011. New appointments followed due to the overload of the External Action Service. As the EUSRs expenditures are financed by the CFSP budget, they are more flexible compared to the administration of funds of the normal EU budget (Tolksdorf, 2012).

EUSRs are at the crossroads of four critical dimensions: Brussels-based policy-making, national diplomatic initiatives, relations with third states and parties and the coordination with other international organizations. They were originally appointed for a renewable period for 6 months to allow for more flexibility in terminating them once the objectives have been achieved. In 2005, the period was extended to one year. The EUSRs have to submit comprehensive and regular reports on the implementation of their political mandate to the Council through the SG/HR. The rapid expansion of the network of EUSR from initially two in 1999 to nine in 2005 and their development ran in parallel to the broadening geographical and functional scope of the EU foreign and security policy. Shortly, the function of the EUSR developed in ad-hoc fashion over the years in response to emerging crisis. When the first EUSR was created in 1996, the position of the SG/HR was still not in place. Thus, the EUSRs operated in an institutional void. The buildup since 1999 has set the institutional environment for the position of the EUSR to operate more effectively.

Even though the functions of the EUSRs do not necessarily differ from those of national diplomats and special envoys in unstable regions or countries, they actually have a distinctive

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role when putting them into the CFSP framework, namely as a tool in an expanding toolbox. They have three main tasks in the service of the EU foreign policy:

1. Representation: According to Javier Solana, the EUSRs are the visible expression of EU's growing engagement in some of the world's most troubled countries and regions (Grevi, 2007:47);
2. Information: EUSRs collect information in the field and feed it back to Brussels through different channels and,
3. Coordination and coherence between the different actors and institutions.

Grevi (2007) identified four sets of constraints to the role of EUSRs:

Firstly, the design of the post sometimes entails a mismatch between the breadth of mandates and the available resources. Secondly, the division of competences and tasks between EU actors in Brussels and the field can prove dysfunctional. Third, as there is no clearly defined foreign policy framework, the Special Representatives act as «substitute for policy». Fourth, politics on the ground and broader dynamics often involve competing interests of major powers. Taking into consideration that EUSR are not envoys of classic international organizations, but are representing a collective international actor, the measure of their success is a key indicator of the EU's success as an international actor (Grevi, 2007:156).

### 2.2.4 Values and Principles

Values and principles which guideline the external action of the European Union are important in order to assess, whether they will translate into concrete action but also because the way the EU preserves the values and principles it stands for, are shaping the self-perception and the perception of external actors. Article 21 of the TEU reaffirms that EU foreign policy is guided by:

*«the principles that have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and International law.»*

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These principles have already applied to the relations between the member states since the Treaty of Rome. However, the Lisbon Treaty emphasizes that they also have to be applied on external action vis-à-vis third countries. Since the European Security Strategy, which was adopted by the European Council in 2003, human security is a guiding principle. Additionally, multilateralism is considered to be crucial regarding the conduct of international action. The own model of integration is the most advanced form of multilateralism and there is a large commitment by the member states, regional organizations and the civil society based on the conviction that the different citizens share common interests. It emerged as an alternative to the balance of power system based on antagonism and confrontation and which undermined the Union to act coherently (De Vasconcelos, 2010:18). However, the Iraq-war in 2003 and the intervention in Libya prove that divisions among member states continue to exist.

The nine values and principles identified by Manners (2007: 41) are put into four categories:

Democracy, liberty and equality are found in the common practices of EU member states. Peace belongs to the supranational practices of the EU. Human rights, sustainable development and social solidarity can be considered as cosmopolitan hybrid and finally, the rule of law and good governance are a sort of combination of the three.

The constitutionalisation of the normative principles in the Lisbon Treaty clearly marks the crystallization and culmination of norms and principles which have evolved over the past years. The nine principles are substantiated in EU law and policies and the EU seeks to promote them in the world politics, as they are those the member states, institutions and citizens are willing to stand up for.

### *2.2.5 National Foreign Policies: Germany and France*

*«The European Union isn't the problem. The member states are the problem. They are pursuing interests that are sometimes widely divergent. The EU does what it can. But why exactly, are all the EU foreign Ministers travelling to the region, and, on top of that, saying different things?» (Martin Schulz, President of the European Parliament in a Spiegel Online interview in 2011)*



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The statement of the President of the EU Parliament in response to the Libyan crisis outlines a major problem existing within the European Union, namely the divergent interests of the member states which are stumbling blocks for the full implementation of the EU's external action. The EU foreign policy has to be understood as a complex multilevel policy network.

The member states interaction is not only a simple two-level game; both policies are interconnected and mutually influencing. In order to understand the EU foreign policy, it is therefore also important to examine national foreign policies and their impact on policy-making in the EU. The constitutional design of the national foreign policies influences the foreign policy process in the EU as it determines the nature of government, the relationship between the Heads of State or Government and other governmental actors, the role of political parties, parliaments and subnational entities. In coalition governments, the Heads of States or Government and Foreign Ministers might belong to different parties, thus policy making is even more complex. As they might have diverging views on foreign policy and are also in continuous competition vis-à-vis party political rivals, it has a negative effect on national foreign policy-making and hence the position and consistency of the member state in the EU framework (Keukeleire, 2008:125).

Member states like France or Great Britain are characterized by strong hierarchical patterns. Especially the strong leadership of the president or prime minister reigning over foreign policy and a strong horizontal coordination between and within ministries, extensive foreign policy instruments and capabilities, explain their key role in the EU foreign policy process. In the French presidential system, the president exercises a hierarchical form of authority and dominates foreign policy. There is a close and permanent interaction between all relevant foreign policy actors:

*«Foreign policy is defined and conducted in almost permanent symbiosis between the Elysée and the Quai d'Orsay [the residence of the President and the Minister of Foreign Affairs]. It is not accurate to see the Presidency, the Prime Minister's Office, the Quai d'Orsay, the Ministry of Defense, the Ministry of Finance, as separate entities...In practice, the leaders of these institutions – ministers, secretaries general, directeurs de cabinet, counselors, in all twenty or thirty people – are in uninterrupted contact between themselves.»* (Blunden, 2008: 28 in Keukeleire, 2008: 126-127)

This allows France to be always among the first member states to define a detailed position in EU negotiations. This pattern of a highly centralized system and a tightly focused horizontal



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coordination distinguishes France and Great Britain from other member states, including Germany.

German foreign and security policy is characterized by a fragmented, less hierarchical system. The foreign ministers are normally from another political party and enjoy a higher autonomy, which explains why they appear less organized in EU meetings and tend to adopt a more legalistic approach. The constitutional set-up also determines the role of other actors in EU foreign policy-making, such as subnational governments and parliaments.

Major differences in the structure of foreign policy-making bureaucracies across member states lead to cleavages in decision-making, levels of efficiency, the role of presidential or ministerial staff and horizontal coordination. Divisions within foreign ministries between «Europe», «bilateral relations» and «multilateral relations» departments affect the input in the EU foreign policy system and not necessarily facilitate a coherent and consistent policy at EU level. Due to the quantitative and organizational differences between member states, often only the diplomatic services of the largest member states are able to face the complexity of documents to fill and to prepare amendments to the texts. This reinforces the segmentation in EU foreign policy-making (Keukeleire, 2008: 127–130).

Furthermore, differences in power and capabilities lead to a different status in the world, different foreign policy interests, objectives and ambitions in the EU, different routes of intervention, different responsibilities and expectations. Larger member states interest in maintaining and maximizing their power makes it difficult to develop a common EU policy. However, the EU sometimes relies on the greater power of larger states to act on the international scene. Smaller member states can offer specific assets, such as privileged contacts with specific countries or reputation and credibility in negotiations. For example, Finland and Sweden offer important immaterial power assets for the EU (Keukeleire, 2008:130-135).

Already prior to the Arab Spring, the divergence of the member states in foreign policy was obvious. In July 2007, the foreign ministers of the ten Mediterranean member states wrote an open letter to the Quartet Representative Tony Blair, declaring the failure of the roadmap and thereby breaking the official EU-line, which argues that the roadmap is a key instrument for guiding the Middle East peace process (O'Donnell, 2010: 74). EU efforts are often hampered by the lack of political agreement amongst the member states and the reluctance to let the EU speak on their behalf. Instead, the member states have been keen maintaining bilateral

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relations, often in contradiction with the EU official position. The lack of political will is one of the main obstacles for an effective and active EU foreign policy (Keukeleire, 2008: 140-141).

Europeanization is becoming an increasingly prominent analytical concept and refers to the process in which foreign policy is increasingly pursued at EU level and not only the national level. However, EU foreign policy is only part of a broader multi-location foreign policy, in a way that the foreign policy structures and mechanisms are not only adapted to the EU level but also to other international organizations and fora, such as the NATO, OSCE, UN, G-7 or G-8 (Keukeleire, 2008: 144-145).

### France

Together with Great Britain and Germany, France is one of the most influential countries in the EU's foreign policy. French foreign policy is characterized by the vision of providing its partners with a homemade world view which would inspire the EU foreign policy, with a strong support of Germany. This was made explicit in a speech by Nicolas Sarkozy to the French Ambassadors in 2009:

*«All the States in Europe are equal in terms of rights; they aren't all equal in terms of duties. When a crisis erupts and a solution has to be found, France and Germany have greater duties than other countries because France and Germany are the two largest European Union countries. Each State's responsibilities are directly proportionate to its weight. The stronger it is in Europe, the more responsibilities it has. This doesn't require the establishment of any particular structure. It simply implies and approach, a commitment which, now more than ever, it seems to me, are the hallmarks of Franco-German understanding.»* (Sarkozy, 2009)

However, with an EU of 28 member states and a collective decision-making process, France lost a great part of its centrality. Its preferences are no longer automatically accepted and its decisions are not taken for granted, especially concerning issues related to the US, the Mediterranean region or Sub-Saharan Africa (Charillon and Wong in Hill and Wong, 2011). France is inspired by the idea of Europe as a political and economic force by means of a special Franco-German relationship since the 1960s, often referred to as *Europe puissance*. The strategic motive behind is closely related to the aspirations of the presidents, from de

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Gaulle to Chirac, that France should have an important, influential position, always a seat at the top table and make its voice heard in all relevant topics and plans. This became particularly evident in a multilateral diplomatic environment during the 1980 – 90s. It was of strategic importance for France to hold key executive posts within European organizations (EU Commission, EIB, OECD) as well as multilateral organizations (IMF-Directorate). After the end of the Cold War and with the eastern enlargement, France position has been weakened. Also, the expanded role of American-dominated NATO has been a serious setback to French influence and interest. The whole process of globalization including the liberalization of trade and capital movements, communication across borders, and the dominance of English are in detriment to French values, culture and mission. France's goal of foreign policy is it to protect and project these values and their own world view.

Like the US, France is a mission country which wants to be the carrier of its world view, trying to establish a model of civilization for the entire world. Therefore, French foreign policy exists in competitive relationship with the US. France considered the construction of Europe as effective multiplier of French power, and the EU as only international organization capable of counterbalancing rampant globalization. Thus, the political construction of the Union is seen as extender or amplifier of French power. Successive ministers like Alain Juppé or Hubert Vedrine share the view that France must work through Europe in order to strengthen its own security and secure the recognition for its own values and principles. France had for centuries conducted nationalist, imperialist, global and antagonistic foreign policies and still sees itself as a country of world influence just behind the US. According to President Mitterrand, in serving Europe, the French were serving France.

The isolation of French military and defense communities dating from its withdrawal from the NATO in 1966 with the empty chair crisis began to break down in the late 1980s. The creation of the Council of Franco-German Defense and Security, the Franco-German brigade and the Eurocorps had been favorable for foreign policy convergence. Moreover, the collaborative operations between French and British forces in Bosnia and Yugoslavia had an impact in building mutual respect across the foreign policies. The degree of collaboration between France and the European partners varies considerably, the closest being Germany, followed by the bigger Western partners and to a lesser extent with the smaller member states of Eastern and Central Europe.

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In order to understand French foreign policy, it is also necessary to take into account domestic factors, such as the outstanding role of the president and his hierarchical form of authority and strong influence, especially in those areas of French vital interest. The habits of collaboration foster the shared view of the world and allow for consistency across governments and presidents. Due to the strong constitutional position of the president, it is less necessary than elsewhere to play a two-level game domestically and nationally. Attempts to harmonize EU foreign policies have sometimes constricted France national policies. When no vital French interests are perceived to be at stake, they allow solidarity with European partners to the expense of their own policy. However, where special interests are identified or special relationships outside the EU are concerned, restrictions on their own policies are not tolerated.

The Euro-Mediterranean Partnership initiative, launched in 1995 by the Barcelona conference is an example, where France exploited the EU level for its own strategic perspectives, policies and interests. It is in French interest that this partnership succeeds in order to maintain influence, to balance the German dominance in Easter and Central Europe, and to reestablish the link between the Maghreb and Mashreq. Working within European structures is convenient for France as it allows to burry its reputation for protectionism whilst promoting at the same time its own interest. France has promoted EU international activity as vehicle for support and supplement to French efforts at a national level, particularly in areas where French influence is still weak, American hegemony strong and where the scale of economic aid and investment required goes beyond the national capabilities. In other areas of the world, France sought to retain its «*domain privé*», particularly in francophone Africa. Today, French foreign policy is on a defensive, which weakens its prestige, authority and reduces its freedom of maneuver in favor of the American ascendancy (Manners and Whitman, 2000: 19-42).

### Germany

Due to a strong congruence between German and European institutions, interests and identities, Germany is considered as a europeanized state. Europeanization is a twofold process: the member states engage in uploading their policy preferences onto the EU and download policy inputs from the EU onto their domestic politics. The two processes are in constant flux which can lead to a tendency towards convergence between national identities and interests and European identity. Being a founding member of the European Community, the Federal Republic of Germany almost developed a symbiotic relationship with the EC,

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which at the same time served as a vehicle to regain international credibility. The Federal Republic of Germany developed a europeanized state identity from 1950 onwards, as it had no consolidated international identity to fall back on. International commitments were adopted in line with the European Community's evolving normative framework for policy making (Hill and Wrong, 2011). Post-war West German identity is defined in opposition to the *Third Reich*, as firmly belonging to Europe and the West, based on democratic institutions and policies, the reconciliation with former enemies and the non-use of military force as core of West German identity.

The idea of «European Germany» was first formulated by Thomas Mann as powerful normative idea for German foreign policy after the Second World War. Post-war Germany sought to break with the history of militarism and authoritarianism, emphasizing multilateralism and European integration as central axioms for the West German foreign policy. The primary anchors for pursuing foreign policy were provided by the two international organizations, the EU and the NATO. Whereas the hard core in terms of security policy has been largely accommodated by the NATO, peace policy has been channeled primarily through the EU institutions. Having been conceived predominantly as civilian power together with the EC, this notion has been challenged by the end of the bipolar system. With the reunification in 1990, the formal sovereignty in foreign and security policy was restored and thus, the «logic of the nation-state» has permeated «the logic of European integration». From a normative perspective, the CFSP is a central component of the German thinking of the EU as a political union. From the instrumental perspective, the European Union is not considered to be the most important framework to exercise the foreign policy interests. Germany's central geographical position in the middle of Europe has implications for its identity as well its foreign policy orientation.

Under the premise «*Geeintes Vaterland – Verreinigtes Europa*», the reunification of Germany should take place hand in hand with European unification. This view was confirmed by Helmut Kohl when stating, that the European integration process must both be deepened and widened in the new Europe to guarantee peace in the next century. There was a broad-based consensus, that Germany should take an active part in promoting European unity. Consequently, the formulation of the German and European foreign policy interests became blurred. The long tradition of federal practices with a constitutional anchoring of the principles of subsidiarity and power-sharing is considered to be an important contribution to

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the EU. Due to its size, resources and its geostrategic position in the core of Europe, Germany will remain highly influential in the EU's foreign policy.

### 2.3 Toolbox

According to Smith (2008), what the EU does is less unique than how it does it. In other words, the EU is more unique in the configuration of the external policy instruments. The literature on the European Union's soft power focuses on economic and diplomatic instruments as opposed to military instruments. The emphasis is put on persuasion and positive incentives rather than coercion. The EU is said to be unique due to the wide variety of instruments in comparison to other actors.

Many instruments are distinctive, such as legal agreements with other actors, the support for international agreements and conventions, institutionalized dialogue and the conditional promise for membership as preferential policy instruments. Imperatives of compromise, which require unanimity, tend to rule out coercion. Although the Lisbon Treaty reformed the old EU structure by abolishing the distinction between the three pillars, this merging does not affect the decision-making procedure in the CFSP-pillar. The pillar division is responsible for the internal or horizontal inconsistency in the use of instruments for example regarding the response to human rights violations. Also between national and EU policy, the instruments could potentially conflict, leading to vertical inconsistency. Two settings of foreign policy following the three-pillar-logic of Maastricht have to be distinguished: The Common Foreign and Security Policy since 1991 which is based on intergovernmental commitment even though it has been absorbed in the first pillar with the Lisbon Treaty. The second setting refers to foreign policy as part of the EC-pillar, where the Commission and the EU Parliament have a say in areas of common policy such as trade or economic agreements. The promotion of democracy and human rights is pursued through both tracks, often leading to a doubling of competences. The same applies for electoral observation.

In order to pursue its objectives, the EU disposes a broad variety of instruments in its toolbox. They could be divided into three categories: economic, diplomatic and military instruments. An additional sub-category within the economic instruments is the financial instruments at the disposal of the EU.

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### Economic instruments

Most of the economic instruments are available within the EC-pillar, the most important ones being international agreements and the provision of financial assistance to third countries. There are three main types of agreement, namely trade, (development) cooperation and association. Agreements incorporate the «human rights clause» since Maastricht, which allows for the suspension or denouncement of an agreement if a third country has violated human rights or democratic principles. Relations with third countries are often subject to political and economic conditionality, both positive and negative. Positive conditionality refers to incentives, promising benefits like an agreement if the third country fulfills certain political or economic conditions. Negative conditionality means reducing, suspending or terminating certain benefits if the conditions are violated (Smith, 2008: 54-58). As will be further discussed in the second chapter, conditionality is a central element in the pursuit of the EU's foreign policy objectives.

### Financial instruments

The funding of EU foreign policy is characterized by a complex system of competences, procedures and processes. The financial composition explains some of the restrictions of the EU as a global actor and provides insight into the nature, scope and priorities of its foreign policy, closely related to the inter-institutional and inter-pillar tensions. As part of a complex multilevel and multi-location system, the funding not only occurs through the EU budget, but also through national budgets of the member states, common arrangements outside the EU budget as well as other international organizations. In terms of financial aid, the EU is the largest donor in the world and yet the funds are not enough to face its ambitious goals. Aids to third countries are, at least on paper, supposed to be conditional on respect for human rights and democracy. The distribution of aid reveals the hierarchy of preferred partners and is increasingly linked to security issues in order to achieve its possession goals. However, this shift undermines the objective of reducing poverty.

The financial framework indicates that the budgetary power lies in the first pillar. The financial basis of the EU's structural foreign policy mainly consists of:

- **Instrument of Pre-Accession (IPA):** it provides candidate and potential candidate countries with wide-ranging economic and financial assistance. In the Balkan, for



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example, the support of confidence-building programs, stabilization, regional cooperation and institution-building.

- **European Neighborhood and Partnership Instrument (ENPI):** countries of the ENP receive backing for activities under the EC's bilateral agreements and the implementation of the ENP Action Plans. Since 2007, the ENPI replaces the Technical Assistance to the Commonwealth of Independent States (TACIS) and the MEDA instrument for the implementation of the Euro-Mediterranean Partnership.
- **Development Cooperation Instrument (DCI):** available for developing countries which are not eligible under the two others, it supports development cooperation, economic and financial cooperation, poverty reduction as well as the fight against poverty-related diseases (Keukeleire, 2008: 115-118).

Besides these main instruments, there are other funding initiatives and programs to provide additional support to the existing instruments. One important instrument is the European Endowment for Democracy (EED), which has been in place since 2013 and since then has been supporting a wide range of projects across all countries of the EU's eastern and southern neighborhoods. However, it is not part of the EU institutions but a private foundation funded by EU member states, the European Commission and Switzerland. It draws on the EU's transition experiences and is inspired by the Arab Spring. Its main objectives are the support for opposition groups and the civil society in transition countries, dialogue with activists, journalists and NGOs with special focus on the European Neighborhood.

### Diplomatic Instruments

The majority of the diplomatic instruments require unanimity amongst the member states, except for EU membership, sending electoral observers and civilian experts. This means, the EU does not have the exclusive competences to use these instruments. The member states jointly dispose economic sanctions, such as withdrawing their ambassadors, expelling military personnel, suspending high-level contracts or implementing travel or visa bans on particular individuals (Smith, 2008: 64). The engagement in political dialogues is also one of the diplomatic tools. The meetings can cover issues relating to foreign and security policy and provide an opportunity to express support, concern or condemnation.

The toolbox also includes helping to resolve conflicts and disputes through peace proposals, sending envoys to participate in a peace-making process, EU mediators to foster peace,



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special envoys and the sponsoring of multilateral conferences. By sending electoral observers, the EU aims to reinforce the peaceful transition to democracy. The EU also provides civilian crisis management capabilities in areas of police, rule of law, civilian administration and civil protection. The offer of EU-membership proved to be the most powerful instrument for Central and East European countries, encouraging them to undertake economic and political reforms under the principle of conditionality. The lack of a specific mechanism for EU conditionality after the EU accession caused its deadlock.

### Cultural Diplomacy

According to the HR Frederica Mogherini, cultural diplomacy is an integral part of the foreign policy toolbox of the European Union and enhances the EU's engagement with its partners around the world. Cultural diplomacy refers to interactions based on values, traditions, ideas and other aspects related to culture or identity. The objective is to strengthen relationships, enhance socio-cultural cooperation and promote national interests and beyond. Due to the process of globalization and the consequent complex and increasing interdependences, cultural diplomacy has gained more and more importance and tries to fulfill the need of co-operation on a new level. Against this background, it has established itself as autonomous academic field of research. Cultural diplomacy, practiced by either the public sector, the private sector or the civil society, can influence the Global Public Opinion and thereby foster global peace and stability, the protection of human rights, as well as justice, equality and the respect of cultural diversity on a global scale.

It is an integral part of soft power, understood by Joseph S.Nye as

*"The ability to persuade through culture, values and ideas, as opposed to 'hard power', which conquers or coerces through military might".*

Being primarily a national foreign policy tool, cultural diplomacy has been forged mainly through autonomous institutions and cultural civil societies as for example, the German Goethe-Institut with activities of exchange in different areas of cultural and intellectual expression. However, as mentioned in the *Preparatory Action "Culture in EU's external relations"* of the European Parliament, the EU's cultural engagement with third countries in the context of a multipolar world is considered to be indispensable intrinsic added-value for intercultural dialogue and global solidarity. The preparatory action has been carried out

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between 2013 and 2014 by a consortium of cultural institutes and organizations led by the Goethe-Institute. At the centerpiece has been a sixteen-month inquiry covering 54 countries.<sup>2</sup>

Based on the European Parliament's recommendation of the Preparatory Action, in March of this year a *Cultural Diplomacy Platform* was launched as main device to navigate cultural diplomacy activities, support and advice EU institutions and delegations and strengthen the overall ability of the EU to engage with the world. Together with the *EU Global Strategy on Foreign and Security Policy* (see Chapter 5), it is a major contribution to the understanding and redefinition of the European Union on the global scene. To raise the awareness and visibility of Europe's culture and heritage, the EU Commission supports a variety of actions, amongst others the European Capitals for Culture, the EU Prize for Cultural Heritage, the European Border Breakers Awards or the EU Prize for Literature (European Commission, 2016).

According to the EU Parliament resolution, the activities are supposed to be evaluated and the results reported upon by 2017/2018. The report on the preparatory action concludes that the EU has a considerable potential of culture and thus should leverage this opportunity to share Europe's cultural richness with partners around the world.

### Military instruments

The European Security and Defense Policy (ESDP) military missions started in 1999 with the Helsinki European Council decisions. The missions largely surpass the material, institutional and procedural capabilities, leading to a capability-expectations gap. In May 2004, a new "Headline Goal 2010" was established under the revision of the existing Helsinki headline goal. It should allow for a faster action and improve the interoperability of the member states military forces, besides lifting the deployability of the EU troop's capacities. Funded by the «Athena mechanism», the missions rely on contributions from the member states according to the relative GDP or their contribution in terms of troops. The lack of collective capabilities to

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<sup>2</sup> The initiative covered the 28 EU Member States, the Neighbouring countries of the EU: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria, Tunisia, Ukraine and the 10 strategic partners of the EU: Brazil, Canada, China, India, Japan, Mexico, Russia, South Africa, South Korea and the United States of America.

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match the expectations of a coherent and effective international actor becomes most obvious in the military field. According to Robert Cooper, a European Union without strong military capabilities will always be dependent on the US to ensure the international order and protect common interests (Smith, 2008: 27).

The military interventions of the European Union revealed furthermore, that a uniform multilateral intervention only seems to be feasible if no vital national interests are at stake. The purpose of these interventions is not at the core of the so-called “Grand Strategies”. Rather, the military operations aim to maintain the order of the international system. The EU is also more willing to deploy its military capabilities when the threshold of the conflict was not set too high and thus manageable for the EU. The solo run of France in Libya in 2011 and the German Army deployment in Syria 2015 demonstrate, that national interests and hard-power capabilities remain the driving force for military interventions, thereby sidelining the EU’s military power.

This chapter outlined the different categories of objectives which are the driving forces of the EU foreign policy activity and explain the different expectations towards the EU. Moreover, a distinction was made between milieu and possession goals. The EU foreign policy is often criticized of its “capacity-expectations gap”, the “rhetoric-practice gap” and the lack of an internal human rights regime, which weaken and undermined the credibility and legitimacy of the EU as effective foreign policy actor on the world stage. The multi-pillar foreign policy regime of the EU accounts for the complexity of decision-making procedures and finding a common position and is often made responsible for its inability in achieving specific foreign policy goals. The European External Action Service and the post of the High Representative have been major innovations of the Lisbon Treaty in the foreign policy aiming to enhance the EU’s visibility and credibility in its external relations. France and Germany served as representative examples for national foreign policies. National foreign policies are a key component for determining and understanding EU foreign policy behavior, since diverging views of the member states challenge the consistency of the EU. The EU is considered by some authors as unique actor mainly due to its extensive foreign policy toolbox. The instruments can be pooled in three categories, namely economic, diplomatic and military instruments. With regards to the use of these instruments, the emphasis is put on soft power and positive incentives rather than coercive power, which is closely linked to the lack of collective military capabilities. Now that the overall structure and functioning of the EU foreign policy machinery have become clear, the next chapter goes a step further and applies them to a selected geopolitical area.

## 3 Euro-Mediterranean Relations

### 3.1 Objectives

The main objectives driving EU policies towards the Arab region are the access to the oil market, market penetration and security interests. Energy, Market, and Security are the leading objectives, even though they are embedded in different policies, under different umbrellas and have different denominations. Other objectives include conflict resolution, human rights and democracy promotion. They are mentioned in EU official documents, namely the Commission communications, the Council declarations and EU Parliament resolutions, but find almost no application in practice, which reflects the rhetoric practice gap mentioned in the first chapter. Events since 2000 have revealed, that the real objectives were to protect itself from potential insecurities. Thus, economic modernization and liberalization have not been pursued as objectives, but were instrumental for reducing threats from illegal migration, radical Islamists and for achieving a less turbulent environment. Consequently, Arab civil society was never taken seriously as a dialogue partner (Khader, 2013).

The favorable economic situation in the southern Mediterranean countries between 2000 and 2010, with unprecedented average growth rates of 4.5 to 6 per cent annually led to a prevailing optimistic sentiment among the European countries, that there was an Arab “third way”, which allowed for autocratic leaders to deliver prosperity and stability in a liberal market. However, due to the experience of the Iraq invasion of 2003, where a brisk regime change and elections resulted in chaos, violence and anti-Western sentiment, gradual change in the region was preferred among the Europeans. After 9/11, autocratic leaders in the Middle East were perceived as key allies in winning the “war on terror” and thus, security co-operation with those regimes was considered to be vital to domestic security and long-term stability. The asserted goal of democracy promotion has proved to be no more than lip service, with funding of the European Instrument of Democracy and Human Rights (EIDHR) for four southern neighbours not extending 15% in 2009. Prior to the Arab Spring, the ambitions to reform the Middle Eastern region were predominantly confined in the economic sphere. The assumption was that market liberalization would lead to increased prosperity and higher education, and this, in turn, would lead to a peaceful political evolution in the region. The autocrats would then be constrained by a more representative commercial and professional class, which would assume more influence over the government policy (Burke, 2013).

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When explaining and understanding the Euro-Mediterranean relations, one has to refer to security as a central concept and as engine for setting up the relations with the Southern neighbours. The institutions and toolboxes of the European Mediterranean Partnership of 1995, later the European Neighbourhood Policy of 2004, and the Union for the Mediterranean in 2008, have a clear security-focus. This long maintained approach led to the exposure of the limits of the EU's foreign policy normative dimension, the reinforcement of the status quo of authoritarian regimes and strongly weakened the EU's position of influencing the Arab Spring events. The first attempt of the liberal project of security through trade was to be found in the Global Mediterranean Policy of 1972, whereby the belief was, that by creating favourable economic conditions, the MENA region could be developed and a free trade zone created, leading to peace and prosperity. However, this first attempt proved to be of limited success, limited political importance and even led to an increase of the trade deficits in the region. Of special concern was the Maghreb region regarding migration issues, as confirmed by the former French President Chirac: "If we don't help North Africa, North Africa will come to us." (European Voice, 1995 in Barrinha, 2013). Consequently, the 5+5 initiative or Western European Union Mediterranean Dialogue, were established to deal with this concern.

The Oslo Accords of 1995, often interpreted as success by Europe, opened up a new opportunity for EU engagement in the Maghreb, Mashreq and Israel. The underlying logic of the establishment of the European Mediterranean Partnership (EMP) in the same year was, that free trade, private investment, and macro-economic reform would stimulate socio-economic development and industrial modernization; in short, economic stimulation as answer to security concerns. This so called *securitization* resulted in a stability partnership convenient to both partners (Barrinha, 2013). The process of *securitization* consists of the fear of Islamist parties coming into power and the resulting shift of European priorities from democracy promotion to securing stability of the regimes. Thus, the regimes were seen as bulwarks against international terrorism, gate-keepers against irregular migration and overall security providers (Khader, 2013). It was in the European interest, to promote a ring of well governed countries in order to enjoy close and cooperative relations. Although the 9/11-attack reinforced the security discourse towards the Mediterranean, its key features have already been defined in the early 1990s. However, as reaction to the changing security landscape, the *European Security Strategy* was adopted in 2003. It defined the main axis of the EU's external relations from a security standpoint and highlighted security as one of the main strategic objectives (Barrinha, 2013: 204-206).

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“Soft security issues”, such as economic disparities, population growth and illegal migration were the main threats perceived by Europe, refuting Samuel Huntington’s thesis of a “clash of civilizations”.<sup>3</sup> Instead, institutional practices in the Euro-Mediterranean Partnership, the European Neighbourhood Policy and the Union of the Mediterranean aimed at the convergence of civilizations.

The EU Council between 1992 and 1996 set the ground for the future Euro-Mediterranean cooperation. The Mediterranean Forum, also known as Forum for Dialogue and Cooperation was launched in July 1994 from the Egyptian initiative with eleven states of the Mediterranean region as testing lab of the Euro-Mediterranean debate. The Barcelona Conference on 27<sup>th</sup> and 28<sup>th</sup> of November finally gave birth to the Barcelona Process or the Euro-Mediterranean Partnership with 12 EU Member States and 12 Mediterranean countries. The objective of this project was to create an area of peace, stability and shared prosperity. From the European perspective, the Mediterranean region was seen as unity, where the problems can only be solved together. The aspired economic and political reforms, as well as democratic and constitutional reforms can be summarized under the *Barcelona acquis*. The Euro-Med Committee was set up as institutional basis, consisting of the member states of the Barcelona Process and the EU Troika, namely the European Council president, the Commission president and the High Representative. A Euro-Mediterranean ministerial conference was established as forum on the government level. It decided on the establishment of the Euro-Mediterranean Parliamentary Assembly as the parliamentary component. Finally, a Euro-Mediterranean Civic Forum was launched as forum for non-state actors. These institutional innovations constitute big steps towards multilateral approaches. Nevertheless, national solo runs in the form of bilateral relations remained in parallel. Financing was provided through MEDA-funds with MEDA I (1995-1999) providing around € 3.5 bn., MEDA II (2000-2006) around € 5.4 bn. and FEMIP (Facility for the Euro-Mediterranean Investment and Partnership) loans of the European Investment Bank. Around 90% of the financial aid is based on bilateral association agreements. However, the EMP is a multilateral project (Heese, 2009: 21-24).

Prior to the upheavals in 2011, the EU claimed to pursue to support democratic reform and establish a collective security community between Middle East and the European states since

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<sup>3</sup> The „Clash of Civilizations“ refers to an article published in 1993 by Samuel P. Huntington in the journal *Foreign Affairs*. He forecasts that future conflicts will arise along cultural lines instead of economy or ideology and that this clash of civilizations would occur especially between the Western and the Islamic world.

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the Euro-Mediterranean Partnership of 1995. With the European Neighbourhood Policy of 2004, the focus was put on bilateral action plans. There has been a turn away of the strategic attention from the MENA region towards rising powers, in particular Asia. The space of terrorism was still not present in the region and there were few investment opportunities in the Middle East. As challenge for energy security, the focus was also turned to Russia. Consequently, the Middle East descended the ladder of EU foreign policy priorities. The terrorist attacks of 2001 in the US, 2004 in Madrid and 2005 in London led governments tighten immigration rules and accept fewer asylum applications. Through these events, the conditioned nature of foreign policy approached to counter-terrorism. The focus on internal security trumped long-term foreign policy making: increased surveillance at borders, control of migration, police cooperation and provision of equipment and armament to the Arab regimes.

Some authors state that there has been a shift of paradigm of the EU Mediterranean Policy since 9/11, from the paradigm of democratic peace to the security paradigm. Jünemann (2013) for example claims that, in successive stages of the EU-Mediterranean Policy from the Barcelona Process to the European Neighbourhood Policy to the Union for the Mediterranean, external democratization policy has been more and more marginalized and finally only remained as rhetorical cover. The UfM is then seen as a final stage in this gradual process, solely focusing on functional and technical projects without any participation of civil society. Generally spoken, it can be concluded that, when the long-term goal of democratization was incompatible with short-term security interests, the theorem of democratic peace lost importance. *Securitization* of international terrorism became the guiding principle since 9/11 and determined the logic of action of the main actors, finally leading to a tighter cooperation with autocratic regimes in the region. This is closely linked with the *securitization* of illegal migration, which also resulted in the closer relationship with autocrats (Jünemann, 2013: 25-28).

There has been no European engagement with Islamist political movements in North Africa due to the predominance of counter-terrorist concerns and the perceived radicalization. From the very beginning of the Euro-Mediterranean relation, Islamist organizations have been deliberately excluded from any European funding sources. The security-dominated approach of EU Foreign Policy towards the Mediterranean was reflected in the institutional initiatives and the low degree of pressure exerted on Arab regimes to carry out political or economic reforms. Besides the general political unwillingness to apply conditionality, there have been



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no indicators and benchmarks especially after the completion of the Eastern accession round. In addition, there has been scarce funding for modernization and the implementation of reforms (Youngs, 2014: 48-52).

The creation of the Euro-Mediterranean Free Trade Area has not been achieved, as the depth of economic interpenetration remained limited. In 2008, investment flows fell by a half. The deepening of intra-Arab economic integration has neither been achieved, since in 2010 only 3% of the trade was intra-regional. Improvements of social and economic indicators in the region advanced little as show high unemployment and illiteracy rates in most of the countries. The inability of the European and Arab region to face the Israel-Palestine conflict diluted the Euro-Mediterranean relations and its aim of creating a zone of shared governance and collective security (Youngs, 2014: 54).

A special section should be dedicated to human rights and democracy promotion, as they are at the core of the European integration process. All members share a set of common values based on civil, political and social rights. Both constitute founding values as stated in Article 6 of the TEU:

*«The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States».*

Accordingly, Article 7 defines the institutional mechanisms to punish serious and persistent violations of human rights and democracy by member states. Additionally, they are the cornerstones of the Copenhagen criteria: a potential candidate must possess stable institutions guaranteeing the protection and promotion of human rights and democracy. However, when assessing rhetoric against practice, inconsistencies and double standards can be detected. The goal of promoting democracy and human rights was often side-lined due to other interests such as economic advantages, commercial gains or regional stability. For example, to guarantee energy security, the EU didn't question the abuse of human rights or the manipulation of democratic processes in the Eurasian region (Peters, 2012: 21-23).

Peters (2012) identified three main factors, which contributed to the gradual side-lining of democratization and respect for human rights in the Arab countries: Firstly, the reinforced cooperation and increased border controls have become an issue of high politics in Euro-Mediterranean relations. Their operability and flexibility has been prioritized in detriment to

calls for democratic and human rights reforms. The second factor refers to the consolidation of the security paradigm with the adoption of measures prioritizing security threats, namely terrorism, migration and Islamic fundamentalism. And thirdly, the predominant search for stability over democracy. This context has important implications for the meaning of the ENP conditionality in the field of human rights, where some policy options have been gradually prioritized over others, leading to a gradual consolidation of a hierarchy of priorities (Peters, 2012: 5-6).

Pursuing effective interregional partnerships in a variety of strategy fields took precedence over questions regarding human rights and democracy. The strategies of the EU were guided for a long time by the hierarchy of priorities, with stability on the top. Reversing this hierarchy of priorities after the Arab Spring is considered to be a major step with a new paradigm based on the primacy of individuals. Peters (2012:18) also underlines the need for a shift from democracy “promoter” to democracy “facilitator”.

The EU has often imposed its own notion of civil society, focusing on elite-based liberally minded civic organizations, whereas a variety of grassroots popular movements and non-state actors were considered illegitimate by the EU and thus were excluded from the institutional dialogue. By refusing to engage with the diverse universe of civil societies, the EU lost touch with the “real people” and thus, failed to capture the public mood. This type of relationship strengthened the autocrat regimes of the Arab countries (Peters, 2012: 23-24).

The literature often emphasizes the democracy-stability dilemma of the EU policy towards their southern Arab neighbours. It refers to the existing dilemma between two objectives: the promotion of democracy and the guarantee of stability. Authoritarian regimes were considered to be important partners and guarantors of security and stability by the suppression of political Islam and partners in the fight against terrorism and illegal migration. Short-term stability at the dispense of long-term democratization was the status quo strategy. The Arab Spring unpacked the misconception of the EU regarding the cooperation with dictators and the toleration of their human rights infringements. This nourished the increasing dissatisfaction in the region, leading to the upheavals. The situation developed contrary to the EU objectives of peace and prosperity in the region. As acknowledged by the former EU-Council President Herman van Rompuy, it is a difficult choice between the values of the EU such as democracy and human rights on the one hand, and the interests of stability in the Middle East (Kupka and Mecklenburg, 2013: 2016-2017)

## 3.2 Institutions

### 3.2.1 *Euro-Mediterranean Partnership (EMP)*

The Euro-Mediterranean Partnership (EMP) was launched in Barcelona during the Barcelona Conference on 27<sup>th</sup> and 28<sup>th</sup> November 1995. The Declaration has been signed by 15 member states of the EU and 12 Mediterranean countries, namely Morocco, Algeria, Tunis, Egypt, Jordan, Palestine Territories, Lebanon, Syria, Israel, Malta, Cyprus and Turkey. The conference was organized in an atmosphere of high hopes, at a time of optimism of the Oslo accords signed in 1993. It was the first multilateral framework for cooperation between the EU and the Mediterranean region. The motivation behind this partnership was mainly the creation of a region of peace, security and shared prosperity and it should be guided by the principles of joint ownership, dialogue and co-operation. In the declaration, the common objective was formulated as “turning the Mediterranean basin into an area of dialogue, exchange and cooperation, guaranteeing peace, stability and prosperity.”

The partnership was also meant to serve as peace facilitator in bringing together Arabs and Israelis (Khader, 2013). Under this rubric, a wide range of cooperation was launched, including regular meetings and common initiatives in the economic, social, cultural, environmental and political sphere. Through this EMP, the southern Mediterranean states incorporated EU rules and regulations in different areas excluding policy fields which might compromise their own power. The EU stressed the centrality of these rules showing thereby that the model of external governance is central to Euro-Mediterranean relations (Youngs, 2014: 57).

The EMP is structured in three baskets:

#### *1. The Political and Security Partnership*

This basket mainly deals with democratization and creation of plural societies, the prevention of natural catastrophes, civil protection, crisis and conflict prevention, crisis management, migration management, the fight against organized criminality and terrorism and the non-proliferation of weapons of mass-destruction. However, very limited concrete results have been achieved, while problematic issues were neglected. There has been no common definition of terrorism and no common solution to the conflict in the Middle East. Likewise,

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the Mediterranean third countries did not want to act as firewall for the EU and within the EU itself, the north-south divide led to inconsistent engagement. The adoption of a Charter for Peace and Security in 2000 failed due to the lack of a common language, perceptions and priorities. The tensions between Israel and Palestine with the rise of the new *intifada* prevented any new attempt. Due to different perceptions of security based on different political-historical backgrounds, no integral cooperation was possible.

#### 2. *Economic and Finance Partnership*

Due to the missing political and legal framework for safe investments, the creativity of entrepreneurship, infrastructure investments and the promotion of small and medium-sized enterprises were only partially addressed by the Mediterranean third countries, resulting in poor economic performance. At the same time, rapid population growth, increasing unemployment and thus poverty, stimulate a vicious cycle. As there is no EU-accession perspective for the partner countries, the biggest remaining carrot is a possible tighter relation with the EU internal market and a Euro-Mediterranean free trade area (EMFTA) perspective until 2010. The Agadir free trade agreement between Egypt, Jordan, Morocco and Tunisia, which entered in to force in 2007, formally only exists on paper. However, in praxis it lacks concrete steps of integration. The aim of this partnership was to achieve, through various little part integration of internal markets, a spill-over to a common regional market in the long-term.

#### 3. *Social, cultural and human partnership*

The necessity of this partnership goes back to the Middle East conflict, Iraq and the fight against terrorism. Exchange and dialogue within this platform should create a Euro-Mediterranean identity. Besides the possibility to meet and exchange in fora, it also promotes NGO. However, this partnership has very little influence in public due to the dominant bureaucratic structure to push for a better political and socio-economic situation. The society support of the EU is very elite-oriented and does not incorporate moderate Islamists. Although it provides for some general rules, no common identifiable set of accepted norms has been developed. The overall ambitions of this basket have not been fulfilled, which then led to the creation of the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures (Khader, 2013).

#### *4. Migration, Social integration, Justice and Security*

The fourth basket was included at the 10<sup>th</sup> anniversary of the Barcelona Process, in 2005, in response to the increasing migration flows, the demographic development in Europe and the Mediterranean, aiming at the promotion of legal migration and integration. Due to the attacks of 9/11 and the attacks in Madrid and London, there has been a shift in priorities towards security at the expense of democracy and human rights (Heese, 2009).

All four baskets aimed at establishing an extensive partnership between the EU and the 12 Mediterranean countries. The aims of the parties are, however, very different: The EU verbally emphasizes the realization of human rights, democracy and the rule of law, in the core it wanted to build a free trade zone in the region. From the beginning the balance of power between the north (EU) and the south (Mediterranean) has been asymmetrical, leading to contradictory practices. Whereas neoliberal principles were applied for the south, protectionist policies concerning the agricultural market were applied in the north. This inconsistency can also be found in the European Neighbourhood Policy. The predominance of EU interests led to the aggravation of social antagonisms in the Mediterranean countries as small and medium-sized enterprises could not withstand the competition of industrial goods from the north. The commitment to the promotion of human rights, democracy and the rule of law was sacrificed for the aspect of security. Thus, authoritarian regimes were seen as important bulwarks against real or potential Islamist threats (Ruf, 2013).

Under the so called “twin liberalization scheme”, the EU assumed that economic liberalization would lead to political reform. The concentration on the second basket was used as technique leading to political reform. The improvement of living conditions would avoid emigration and a turn away from radical Islam, initiating a virtuous cycle from economic growth to political stability. The embodiment of the liberal vision lies in the interlinkage mechanism between the three baskets. The mechanism of interaction between the three areas of intervention is the main driver of the Barcelona Process. It is based on the assumption of an organic linkage between economic liberalization, political reform, strategic stability, cultural dialogue and understanding. The association of economic liberalism with liberal political regimes was made especially since 1989 with the evidence of eastern European countries. However, in practice this causal connection between economic and political liberalism is

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challenged. Asian economies are a prominent example where political control is a prerequisite for the management of economic issues (Schmid, 2003).

Euro-Mediterranean Association Agreements between the EU and the Mediterranean Partners should provide for the gradual implementation of bilateral free trade and finally, to the establishment of a Euro-Mediterranean Free Trade Area (EMFTA) by 2010. In the core, the Association Agreements are free trade agreements, but with a wider scope. Although they vary from partner to partner, they contain certain common features. With regards to political provisions, these are based on regular dialogue and are conditioned to human rights and democratic principles. In case of violation of these conditions, the agreement might be suspended. Economic provisions include the harmonization between the EU and the partners, the protection of intellectual property rights, the liberalization of public procurement and capital movements and economic cooperation. The agreements also foresee financial and sociocultural cooperation, as well as institutional provisions. They are very heterogeneous, but are all structured around the three baskets, which are at the core of the Euro-Mediterranean Partnership. Despite being mentioned in the agreements, trade liberalization of agriculture and services didn't make any significant advances (Estruch, 2007).

The primary and, according to some authors also only success of the EMP is, that it is the only political institution which brought the Mediterranean states together to deal with regional issues collectively on a common platform as well as a definition of a neighbourhood and the contribution to the awareness of the region throughout the EU. This was especially important for non-riparian member states or member states without historical links to the Mediterranean. The extensive trade liberalization as direct consequence of this EMP had important economic and legal implications. However, the main problems of the Barcelona Process were the divergent interests between and within the EU and the Mediterranean countries. Whereas the priority of the EU was to ensure stability in the neighbourhood by export of EU values and models, which would underpin stability, for the Mediterranean partners, the priority was mainly to receive development aid to have access to the European market (Knoops, 2011).

Multilateralism and south-south relations between the southern Mediterranean countries showed little success, similarly progress in human rights. There was no solution for the Middle East conflict possible: The fact that Israelis and Palestinians were sitting on one table hindered any progress. The European partners faced the dilemma of non-intervention and the support of local proactive NGOs (Heese, 2009). The failure of the peace negotiations between

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Palestine and Israel in July 2000, the outbreak of the *Al Aqsa Intifada* in October 2000, 9/11, the Afghanistan invasion in 2001 and the American invasion of Iraq in 2003 revealed the ambiguity of the Barcelona Process. The events showed that the real objective for the EU was to promote order and stability, which meant to protect itself from potential instability (Khader, 2013).

The Euro-Mediterranean Partnership failed to reduce the gap in development between the countries of the Northern Mediterranean and those of the South, provoking migratory tensions. The Mediterranean is the region with the lowest inter-regional trade in the world. The European Union is the most important partner for the Southern Mediterranean; both in terms of exports and imports. Furthermore, the Southern Mediterranean countries are at risk of being affected by global warming. The Agadir Agreement signed by Morocco, Tunisia, Egypt and Jordan in 2004 aimed at creating an Arab free-trade area, but the overall results were not positive.

The failure to fix the problems stated in 1995 is also due to insufficient funding. The MEDA programme was introduced with the Barcelona Process as the basic financial instrument for cooperation between the EU and the Mediterranean countries and as substitute for the existing bilateral financial aid programmes. However, compared to the financial support of € 40 bn. for candidate countries, the overall budget of € 5 to 6 bn. is negligible. The French argue that the contrast between funds allocated to central and Eastern Europe and those allocated to the Mediterranean region clearly show the priorities. Although, on the one hand, efforts towards the East seemed to be logical due to the policy challenges of reunification of the continent and the enlargement to Central and Eastern Europe, on the other hand, the Southern coast presented a broader challenge for the future and thus, more attention would have been appropriate (Liberti, 2008: 93 – 97).

The main critics of the EMP include the asymmetrical relationship between the partners, the absence of Euro-Mediterranean institutions, and the fact that the EMP was mainly negotiated in Brussels; slow, bureaucratic and inflexible decision-making processes and the lack of a clear objective in the association agreements. The first basket registered the least development due to the Middle East conflict and the prioritization of security and stability over democracy and human rights. The missing incentives for accession to the EU internal market, insufficient funding, and the lack of FDI resulted in the widening of the north-south gap of prosperity since the Barcelona Process. The lack of reform can be attributed to the nature of authoritarian



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regime, fearing an intervention in the internal affairs. Thus, little financial and legal reforms have been undertaken and the south-south partnerships of the *Agadir* free trade agreement remained in their infancy. The reserved attitude of the EU to criticism towards authoritarian regimes and infringement of human rights was due to the fear of a takeover of fundamentalist actors as consequence of democratization. This resulted in the refusal to collaborate with moderate Islamists, who have a good anchor in the population and in some areas even share the same objectives as the EU. Instead, they concentrated mainly on elites (Heese, 2009).

As the EMP failed to deliver convincing tangible results, it cannot be regarded as success. The MENA region was often seen through the limited prism of war, terrorism and the lack of democracy, while neglecting opportunities in terms of important economic and political developments for the EU in the future. The EMP delivered disappointing results in terms of creating a political framework, economic liberalization and social change, better management of employment and migration and the creation of conditions for democracy and civil society. The collapse of the Middle East peace process in 2000 pointed to one basic problem of the EU, namely the dominance of national member states interests over EU collective action. This holds particularly true for France and the UK, which sought to exploit own traditional relationships in the Arab world. Former French President Jacques Chirac hoped France to serve as principle architect of the bridge between the shores of the Mediterranean. The overall ambiguity of ambitions and the duality of purposes weakened the impact of the EU in the region. The emphasis on stability and good governance devoid of democracy promotion and the securitization of the relationship intensified the contradictions and dilemmas of the EMP. The attempt to build a sense of region based on a partnership between EU and the Mediterranean reinforced the awareness of asymmetries. Amr Hamzawy, an Egyptian political scientist, human rights activist and public intellectual, coined the term “Reverse conditionality” for the Egyptian government, due to its ability to win EU support despite of its lack of reform and far-reaching human rights violations (Edwards, 2008: 50-60).

The logic of economic cooperation produced unexpected counter-effects and thus, undermined the liberal rationale behind the Barcelona Process. Little political liberalization has been achieved, despite undergoing significant economic liberalization. The bilateral relationship with the EU rather reinforced the original distribution of power in the political systems, instead of eroding it. Therefore, little political change can be attributed to the EMP. The Euro-Mediterranean Human Rights Network concluded that the Barcelona Declaration did not keep up with what it promised in 1995 regarding human rights and democracy



promotion, but actually led to a deterioration of records in most of the cases. The failure of the original concept put into question the initial liberal rational of the EMP. As Richard Youngs (Schmid, 2003: 11) observed:

*«The EU's more critical deficiency was its adherence to an overly vague assumption that economic reform would eventually filter through to political change in the absence of any detailed engagement capable of analysing or effecting such spill-over.»*

The question also arose as to the compatibility between the Euro-Mediterranean Partnership (EMP) and the European Neighbourhood Policy (ENP), since the latter seemed to undercut the ambitious region-building goals of the EMP. The initially used term “wider Europe” was replaced by “European neighbourhood” to prevent people from interpreting the ENP as pre-enlargement strategy.

The accession perspective is the number one incentive for reform and stability and as one of the most efficient foreign policy tools, the EU was eager to transfer the assets of this policy into another policy as alternative to enlargement. It was an attempt to consolidate an existing mechanism without taking new risks. The exclusion of enlargement and the aim of enhancing incentives for the partners were undermined by the inherent conflict and the divergent positions of the member states.

There are similarities between the ENP and the EMP regarding the goals and the set of incentives, but there is an important difference in the logic of functioning. Whereas in the EMP multilateralism is the prevalent approach with an emphasis on the regional dimension and the promotion of regional integration, the ENP is governed by the principle of differentiation and thus focuses on bilateral cooperation. The bilateral logic is embedded in the ENP, where each partner decides on the degree of association with the EU based on its capabilities. As the nature and the scope of relationship is conditional upon the level of political and institutional capacity of each partner, the ENP is a policy with variable geometry. With the shift from the logic of policy-change to policy-level, the EU recognizes the importance of domestic capabilities to bring about policy change. This, in turn, reduces the expectations about the capabilities in influencing other states domestic policies, thereby shrinking the expectations-capabilities gap (Moschella, 2008).

Whereas the EMP focused on trade as motor for growth, the ENP put the emphasis more on economic reform. The ENP has an experimental character testing methods to cope with both

neighbour's expectations and its own weaknesses. The willingness to promote partnership through co-ownership and at the same time carrying out asymmetrical negotiations for the Action Plans are evidence for the EU remaining an ambivalent actor with both soft and dominant power. Another ambivalent element of the EU's action in its neighbourhood is both its reliance upon its own experience and at the same time experimenting new solutions before defining the *finalité*. Being perceived as a block by its partner countries but at the same time torn by its member state divergent preferences creates a field of tension between a monolithic and a fragmented actor. The last field of tension refers to the EU being at the same time an inclusive and Eurocentric actor with discourse based on joint co-ownership and exporting or imposing its own norms. The overall picture points towards an open-ended integration process with internal challenges and contradictions but also successes (Delcour, 2008: 523).

#### *3.2.2 The European Neighbourhood Policy (ENP)*

*«We are also committed to developing ever deeper ties and bridges of cooperation with our neighbours and to share the future of this community of values with others beyond our shores».* (European Council 2003)

The European Neighbourhood Policy was launched in 2004 as answer to the biggest enlargement of the EU. The enlargements led to additional 11 languages and an increased population, reaching 500 million inhabitants. As consequence, the territory has been enlarged by 40 per cent. The land borders have been extended to 6,000 km and the maritime borders to 85,000 km. It was initially proposed by the United Kingdom and Sweden during a General Affairs and External Relations session in November 2002 and during the Copenhagen Summit in December. The EU Commission Communication of March 2003 entitled "Wider Europe – Neighborhood: A New Framework for Relations with our Eastern and Southern Neighbors" set out the basis for the new neighborhood policy and culminated in the European Neighborhood Policy Strategy Paper in 2004. As stated by the European Commission, the goal was the creation of security and stability in Europe and to prevent new dividing lines as consequence of the Eastern enlargement (Kempe, 2008: 74).

Core elements of the ENP were the "ring of friends" and "all but institutions". The so-called "ring of friends" refers to the policy of the good fence and the promotion of a good neighbourhood with prosperous and well-governed states. The well performance will then be

rewarded by increased access to the single market, so the members can get all except taking part in the institutional decision-making process. Therefore, the ENP is more a functional rather than institutional cooperation. As Romano Prodi, former prime minister of Italy, stated, the ENP includes everything but sharing institutions, which makes it a more functional rather than institutional cooperation (Kempe, 2008:75). Just as the EMP, the neighbourhood policy is supply-driven. The strategic response of the EU to changes in the geopolitical landscape of Europe is part of its inside-out policy and should prevent outside-in risks, namely the import of external instabilities and risks. Engagement and ownership are the two cornerstones of this policy. In seeking to distance itself from the culturist discourse of Samuel Huntington, the EU wanted to spell out its own vision of security. With the publication of two important documents in 2003 and 2004: “Strengthening the EU’s relations with the Arab World” and the “Interim Report on the EU Strategic Partnership with the Mediterranean and the Middle East”, the EU insisted on the importance of preserving its soft power, the promotion of multilateralism and the commitment to democratic reform. However, the ENP overall philosophy and architecture largely contradicts its intentions. The security discourse came to the forefront with the attacks in Madrid and London in 2004 and 2005 and the resulting migratory flow (Khader, 2013).

Incentives to economic and social reforms, the facilitation of structural reforms and institutional modernization, the reduction of barriers, the promotion of further liberalization, network integration and FDI and incentives to sub-regional integration were the expected economic effects of the ENP in the partner countries. The policies should be tailored to the specific requirements of each country and based on regularly published country reports, bilateral Action Plans were developed which define the political and economic reform agenda. With the negotiation and implementation of Action Plans, the southern neighbours should move closer to the EU by adopting reform measures in political dialogue, justice and home affairs, energy transport, information society, environment, research and innovation, social policy and people-to-people contacts. Due to the imposed conditions, the ENP is not a real partnership but rather a relationship based on dependence. From its very beginning, it showed only limited success in triggering sustainable development in the region. Indeed, the neighbourhood policy is a further evidence of the primacy of security over normative concerns in the EU’s objectives. This centrality of the security discourse is responsible for the establishment of friendly relations with dictatorial regimes in the neighbourhood. The division between high-priority and low-priority areas is reflected in the action plans with the tendency

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to over-emphasize security-related issues and the use of democracy and governance to a very limited extent.

**Table 1: Security and Democracy in the EU-Egypt Action Plan and Country Reports**

	Security	Democracy
EU-Egypt Action Plan 2007	36x	4x
2008 Country Report	13x	4x
2009 Country Report	15x	3x
2010 Country Report	13x	4x

*Source: Barrinha, 2013:207*

The example of Egypt clearly shows that the concept of security is disproportionality more present than democracy (Barrinha, 2013:207).

The ENP aimed to construct a “ring of friends”, while at the same time offering country-specific strategies. The national Action Plans exemplify regional differences between the southern and eastern agendas of the ENP with a diverse set of goals and interests. While the Eastern agenda aimed to avoid negative effects from the Eastern enlargement, support the transition processes in the post-Soviet countries and serve as alternative to a membership perspective, the Southern agenda mainly focused on political dialogue, the Middle East Peace Process, and the prevention of migration. It short, it concentrated largely on domestic EU member states interests. The strategic priorities of EU relations with its Mediterranean neighbours and its Eastern neighbours are significantly different and yet, they were placed within a single policy framework. The “ring of friends” was very difficult to reach in highly diverse countries, especially with regards to history and identity (Kempe, 2008: 78-84).

The question arises whether the use of the “commitment to shared values” is part of a common policy strategy or only political rhetoric to legitimize a policy. To recall the values discussed more in detail, these include democracy, liberty, equality, peace, human rights, sustainable development, social solidarity, the rule of law and good governance. They can be used as benchmarks to assess if the rhetoric commitment matches political action and to which extent these values are actually institutionalized in the ENP framework and toolbox. Even though the Action Plans commence by referring to the commitment to shared values, the actions to be undertaken in practice remain very vague and the section on those values are kept shorter with the partner states in the Mediterranean.

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There is no EU-level wide coherent discourse of values both in terms of content and significance. The intergovernmental nature of the Action Plan negotiations reinforces the lack of democratic values in the Mediterranean as they exclude a large part of the wider civil society and NGOs. The prioritizations of security interests of the European member states potentially harm the “shared values” and in particular basic human rights. The Action Plans, country report and indicative programs demonstrate that the EU has not institutionalized the values consistently but reflect the member states interests in stability or short-term measures against migration and terrorism. The lack of consensus within the EU regarding the substance of political values or the set of suitable policy instruments made it almost impossible for the partner countries to identify and share them and also difficult to legitimize (Bosse, 2008: 43-54).

With the fundamental principle of differentiation, the ENP pretends to be not a one-size-fits-all policy and claims that there are as many variations of the ENP as there are partners. This becomes evident in the own analysis of the first six years by the Commission:

*«The pace of progress is determined by the degree to which partners have been willing to undertake the necessary reforms, and more has been achieved in the economic sphere, notably trade and regulatory approximation, than in the area of democratic governance. However, the pace of progress also depends on the benefits that partners can expect within a reasonable time frame. Here the extent to which the EU has been willing to engage itself with the partnership has also had, and will continue to have, a significant effect. »* (European Commission, 2010)

Even if the EU enjoys complete free trade with neighbours like Egypt, it still puts tariffs on some goods (Grant, 2011:4). The resistance to open the market to agricultural imports and the bias towards energy trade explains the larger share of Maghreb countries in the EU trade compared to the Mashreq region. It did not meet the goal set in 1995 to establish a Euro-Mediterranean free trade area (EFTA) by 2010. Despite the increased trade between individual partner countries and the EU, intra-regional trade still remains very low due to the inability to implement the EU *acquis* on the internal market and insufficient incentives to induce reforms. The following figures show, that there has been no impressive trade integration when compared to the Eastern neighbours: Trade between the EU and the Southern neighbours increased by 50% in the period 2004-2011, and with the Eastern neighbours by 156% during the same period. During 1995-2011, trade with the Mediterranean

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registered a threefold increase, whereas with the Eastern countries the increase was twelvefold.

**Table 2: Trade between the EU and its Southern and Eastern neighbours**

EU	1995		2004		2008		2011		% of inc. 1995-2011	% of inc. 2004-2011
	Total Foreign Trade	% of Tot.	Total Foreign Trade	% of Tot.	Total Foreign Trade	% of Tot.	Total Foreign Trade	% of Tot.		
Israel	14.321	1,47%	21.366	1,07%	25.296	0,88%	29.518	0,90%	106%	38%
Maghreb	33.902	3,49%	71.653	3,58%	126.769	4,41%	102.207	3,13%	201%	43%
Mashreq	14.084	1,45%	22.170	1,11%	35.589	1,24%	38.830	1,19%	176%	75%
Arab Total	47.986	4,94%	93.823	4,69%	162.358	5,65%	141.037	4,32%	194%	50%
European ENP	5.938	0,61%	27.882	1,39%	68.720	2,39%	71.314	2,18%	1101%	156%
Total	68.245	7,02%	143.071	7,15%	256.374	8,92%	241.869	7,40%	254%	69%
EU Total*	972.104	100%	2.001.661	100%	2.874.764	100%	3.267.467	100%	236%	63%

\*Belgium and Luxembourg not included in 1995 EU Total due to lack of data

*Source: Kirisci, 2012: 8*

Trade and movement of people are key components for increasing the integration between the EU and the Southern neighbours. They are, however, conditional on the fulfilment of a set of requirements, namely the need to adopt EU rules for access to the internal market, border control, and fight against corruption, terrorism and illegal migration, progress on democracy, human rights and good governance reforms. The Arab Spring revealed that the EU had fallen behind meeting its goals and standards. Regarding the movement of people, nationals of the Southern neighbours have more difficulties in obtaining a visa compared to the Eastern nationals. The number of Schengen visas issued between 2003 and 2011 increased from 1.5 million to 2.8 million for all ENP partners: For the Eastern neighbours the increase was 241%, for the Mashreq region 20% and the Maghreb region even registered a fall.

**Table 3: Schengen visas issues for nationals of Southern Mediterranean and Eastern neighbours**

EU	2003		2009		2011		% of Inc. 2003-2011	% of Inc. 2009-2011
	Total	% of G.Total	Total	% of G.Total	Total	% of G.Total		
Algeria	233.572	2,99%	189.155	1,76%	259.004	2,00%	11%	37%
Libya	34.588	0,44%	46.465	0,43%	12.432	0,10%	-64%	-73%
Morocco	317.536	4,07%	345.130	3,21%	313.633	2,42%	-1%	-9%
Tunisia	102.809	1,32%	108.366	1,01%	102.454	0,79%	-0,35%	-5%
MAGHREB	688.505	8,82%	689.116	6,40%	687.523	5,30%	-0,14%	-0,23%
Egypt	78.836	1,01%	107.918	1,00%	110.322	0,85%	40%	2%
Jordan	26.517	0,34%	29.095	0,27%	34.791	0,27%	31%	20%
Lebanon	66.423	0,85%	60.905	0,57%	77.575	0,60%	17%	27%
Syria	35.543	0,46%	38.826	0,36%	26.952	0,21%	-24%	-31%
MASHREQ	207.319	2,66%	236.744	2,20%	249.640	1,93%	20%	5%
Armenia	14.927	0,19%	29.039	0,27%	33.543	0,26%	125%	16%
Azerbaijan	13.255	0,17%	27.302	0,25%	43.099	0,33%	225%	58%
Belarus	169.739	2,18%	424.267	3,94%	589.291	4,55%	247%	39%
Georgia	14.558	0,19%	49.412	0,46%	59.667	0,46%	310%	21%
Moldova	16.796	0,22%	53.641	0,50%	50.323	0,39%	200%	-6%
Ukraine	324.547	4,16%	1.011.243	9,39%	1.112.154	8,58%	243%	10%
EX-SOVIETS	553.822	7,10%	1.594.904	14,82%	1.888.077	14,57%	241%	18%
TOTAL	1.449.646	18,58%	2.520.764	23,42%	2.825.240	21,80%	95%	12%
GRAND TOTAL	7.803.460	100%	10.764.935	100%	12.961.527	100%	66%	20%

Source: Kirisci, 2012: 8

The results of trade and peoples movement illustrate very well the “rhetoric-practice gap” of the EU foreign policy. This discrepancy risks aggravating problems of irregular migration, terrorism, ill-governance, and fails to «*prevent the emergence of new dividing lines between the enlarged EU and its neighbours*». (Kirisci, 2012)

It is often claimed that the EU continued its “business as usual” with its neighbours. The permanent dilemma between staying loyal to its values and press for real democratic reform, and on the other hand, the defence of immediate interests entertained the EU’s friendly relations with autocracies in the neighbourhood. Despite its rhetoric of a single policy framework, the EU adopted distinct attitudes towards the East and South, both in terms of policy focus and financial commitments. Eastwards, its neighbourhood policy was directed towards democratic transformation and institutional reform, whereas the ENP approach towards the South largely ignored these principles and instead focused more on issues of security and stability. This explains the incoherence and inconsistency of policies, adversely affecting the EU’s credibility in the region (Khader, 2013).



#### *3.2.3 The Union for the Mediterranean (UfM)*

The Union for the Mediterranean was an initiative of the French President Nicolas Sarkozy, launched on the 13<sup>th</sup> of July 2008. Originally, it was conceived as framework only for countries with Mediterranean coast in order to engage in areas of joint cooperation, such as business development, transport and urban development, solar energy and education. The ambition of France was to free Euro-Arab relations from the bureaucracy and immobility of the Commission-led Euro-Mediterranean Partnership and the European Neighborhood Policy. However, the new institutional framework finally became open to all EU member states and was officially folded into the framework of the Barcelona Process. It further includes Bosnia and Herzegovina, Croatia, Montenegro and Monaco, leading to a total of 43 countries.

The objective of the UfM was to liberate pragmatic cooperation from political differences by adopting a functional approach comparable with the European integration in the early years. The introduction of co-ownership and joint decision-making should give Arab regimes a greater say in the distribution of resources (Youngs, 2014: 55-56). However, the Union failed to gather momentum mainly due to the differences within the EU regarding the Arab-Israeli conflict. The logic behind the UfM was that regional integration could only be promoted through regional, visible and important projects. The general philosophy is hence based on the principles of equality, ownership, gradualism, co-responsibility and multilateralism (Khader, 2013). The shared sense of ownership is one of the UfM's largest assets, with the North-South co-presidency and a permanent secretariat as main features. France and Egypt were the first countries to hold this co-presidency, followed by the EU for the North and Jordan for the South from 2012 on.

The architecture differs from the baskets of the EMP and the Action Plans of the ENP in that it focuses on six priority projects to promote regional integration:

- de-pollution of the Mediterranean Sea;
- maritime and land highways;
- civil protection initiatives to combat natural and man-made disasters;
- alternative energies and Mediterranean solar energy plan;
- Euro-Mediterranean University in Slovenia; and
- Mediterranean Business Development Initiative focusing on micro, small and medium-sized enterprises.



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However, due to the unresolved Israel-Palestinian conflict, they were rather neglected and thus registered only sluggish progress. Furthermore, the projects have been criticized for their incompleteness: whereas the construction of land highways seems to be positive, it should be accompanied by open land borders between countries to achieve the desired result. Likewise, the projects related to education and research, are confronted with a strengthening of the visa policy and EU entry requirements. With the rotating co-presidency, institutionalized meetings at the top level of Heads of State or Government and a permanent Secretariat, a set of novelties has been introduced.

The Parliamentary Assembly of the Union for the Mediterranean (PA-UfM) is the main parliamentary dimension of the Union for the Mediterranean, replacing the former Euro-Mediterranean Parliamentary Assembly in 2010. Providing a framework for multilateral cooperation among representatives of both the EU and the Southern Mediterranean neighbours, it contributes to enhancing the visibility and transparency as well as democratic legitimacy of the UfM, even though the resolutions and recommendations are not legally binding. The 280 members are equally distributed between the northern and southern shores, and hold in this constellation at least one plenary session per year:

**Table 4: Distribution of the UfM members**

<b>Northern Partners</b>	EU	EU national parliaments (28)	83	140
		European Parliament	49	
	Non-EU	Albania, Bosnia-Herzegovina, Monaco, Montenegro	8	
<b>Southern Partners</b>	Founding partners	Algeria Egypt Jordan Israel Lebanon Morocco Palestine Syria Tunisia Turkey	130	140
	New partner	Mauritania	10	

Source: own elaboration based on PA UfM Homepage: <http://www.paufm.org/>

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The UfM puts emphasis on the partnership between public and private sectors and promotes functional projects among bordering countries. This should lead to a recalibration of the balance after the big-bang approach of the EMP. Despite being established in a thick institutional context, the UfM embodies dynamics of its own. Thus, it encompasses both elements of continuity and change. The motivational factors go back to the 1970s, with security, migration, energy, development and the Arab-Israeli conflict remaining the top priorities for all countries involved and reflecting the agenda of the EMP.

Much of the fundamental structure regarding the organizational setting remained the same, despite of the above mentioned set of novelties. However, changes have taken place due to the different context of Euro-Mediterranean relations since the EMP, namely the biggest enlargement, the nature of the European integration, the EU agenda itself, the shift of emphasis in the governance structure for cooperation and the increase in bilateral relations. As already mentioned earlier, the original structure was different from the launched structure of 2008 regarding the membership (Bicchi, 2011). At the evening of his election victory in May 2007, Sarkozy announced his intention to realize the idea of a Union for the Mediterranean as a forum for exchange for countries bordering on the Mediterranean. The UfM was not intended to be a new institution but rather a union of projects and agency for development for small and medium-sized enterprises.

The reactions to the project were rather negative, other members criticizing the campaign's maneuver. While Spain was concerned, that it's Barcelona Process would be overplayed by a French solo, Algeria feared a restoration of colonial hegemony. Within the EU, there has been resistance towards a solo run and instead the insistence to incorporate all 27 member countries. The reactions of the directly affected in the North and the South remained limited due to the fact that the project was delivered diplomatically unprepared and was considered to be a separatist project of France. The planned follow-up conferences after the founding assembly on July 13<sup>th</sup> 2008 have been adjourned again and again. A decisive obstacle has been the Middle East conflict, which destroyed the basis for political cooperation in the new frame.

From the beginning, Sarkozy tried to exclude the EU from his projects, but involve it in the financing. However, his attempt did not succeed due to resistance from Algeria and the EU (Ruf, 2013: 93-96). The nostalgic attempt of the French president to revamp his position was soon counterbalanced by the EU and even let the EU-Mediterranean policy become a stronger

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focus of the EU. The veto to the project by Merkel resulted in the agreement of a new union to take place within the existing European institutional framework and open to all member states. The meetings should be co-presided by the representatives of the North and the South, likewise in the secretary. The principle of co-governance between the Northern and Southern region was to create a new “North-South” dynamic and avoid a dominance of the North (Liberti, 2008).

There has been little interest in using the UfM Secretariat during crisis, no Euro-Mediterranean Summit took place after 2008 and no agreement between the member states governments has been reached with regards to the functioning of the UfM. Moreover, the Secretariat-General lacks of a proper budget and the North-South co-presidency never rotated. There was almost no engagement during the Arab Spring and only little interest in foreign minister meetings and summits (Youngs, 2014: 92). The Union for the Mediterranean can be seen as prime example for the return of European foreign policy in predominantly interstate structures. Since the ouster of Mubarak in 2011, it stands symbolically for the tight cooperation between the EU and the autocratic regimes (Jünemann, 2013: 31).

Regarding the institutional logics, there has been a twofold shift of emphasis: from regionalization towards bilateralism and from functionalism towards politicization. Regionalism roots in the Euro-Mediterranean Partnership with the establishment of a multilateral framework on a broad agenda. The security issues were addressed by region-building through regional dialogue with the final goal of creating a common Euro-Mediterranean region. Contrary to the EMP’s multilateral dimension, the European Neighbourhood Policy refocused on bilateralism with an emphasis on bilateral relations that could not be addressed at the multilateral level. The Union for the Mediterranean was a further step towards bilateralism and away from regionalization with the variable geometry as characteristic feature, promoting projects among willing countries. It can therefore be considered as a shift of pragmatism towards attracting rather than coercion into cooperation. This coalition of willing is based on functional complementarities different from the multilateral all-inclusive setting. It stresses the need for sub-regional co-operation, given the increase in number of participants, which makes a multilateral approach more difficult. The principle of variable geometry thus helps to bypass blockages of co-operations and allows for sub-regional initiatives in specific issues.

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The UfM exemplifies intra-European relations, the member states weight in EU decisions and institution-building within the EU. Main decisions are taken at the national level, leading to intergovernmental discussions among member states. This intergovernmental approach contributes, at least to some extent, to the fragmentation of the multilateral logic of the Euro-Mediterranean Partnership. De facto, the UfM is a continuation of the structures and the agenda of the EMP, but scaling back the multilateral component. Hence, the cooperation is no longer bloc-to-bloc – the EU and the Mediterranean – like in the EMP or bloc-to-country – the EU and a single Mediterranean country – like in the ENP, but rather more single country to single country.

The second shift of emphasis was from functionalism to politicization. Initially, the Union for the Mediterranean was marketed as relaunch of the functional logic similar to that of the EU integration. The term “Union of projects” has been attributed to the UfM, leading to the creation of specialized technical agencies to underline the functional element of the new institution. However, the projects mostly occurred in areas of already existing activities set by the EMP. In the shift from a more regionalist to a more bilateral approach due to the inability to resist national interests, the level of politicization of technical dossiers remained high. Project proposals came mostly from France and were then modified and reduced based on negotiations with the member states. To explain the high level of politicization at the regional level, although different from the EMP, three main drivers were identified:

#### *1. The Arab-Israeli conflict*

It is the most prominent driver of politicization in the Euro-Mediterranean relations, given the direct involvement of several Mediterranean countries in the conflict and the fact, that it remains a “hot” rather than a frozen conflict. When the UfM was found, no significant progress could be recorded in the diplomatic peace-making effort between Israel and the Arab countries. The Arab-Israeli conflict is considered to be the major stumbling block for the UfM ministerial meetings, including sectorial meetings. Since its creation in 2008, the calendar of meetings has hardly worked without any disruption. Thus, the new initiative was not capable of disentangle the close linkage between the Union for the Mediterranean and Arab-Israeli conflict, thereby escaping its politicization. Instead, it led to an overlapping of agendas.

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#### 2. *National interests*

Regional conflicts, such as the tensions between Cyprus, Greece and Turkey affect the activity of the UfM, leading to horse-trading techniques in the choice of deputy secretary-generals. These trade-offs regarding the definition of institutional details reflect this politicization process within the Union for the Mediterranean.

#### 3. *Good Governance and Human Rights*

The third driver works in the opposite direction. It refers to the depoliticization of human rights and good governance, both important pillars of the Euro-Mediterranean relations. The high politicization of the Arab-Israeli relations is instrumental to the depoliticization of the agenda for domestic change, leading transformative projects of domestic context slipping down the political agenda.

The overall complex picture of the UfM in terms of institutional logics thus points towards a downscaling of regionalism in favour of intergovernmental and bilateral relations, and a symbiosis of the relationship between the UfM and the Arab-Israeli conflict, which can be described as contradictory and overlapping.

The figure below shows the trajectory from the Euro-Mediterranean Partnership to the Union for the Mediterranean, based on the assumption that institutions embody actors' preferences at specific moments in times and that specific events shape and drive the institutionalization process.

**Table 5: Trajectory from EMP to UfM**

	<i>Functionalism</i>	<i>Politicization</i>
<i>Regionalism</i>		<b>EMP (1995)</b>
<i>Bilateralism</i>	<b>ENP (2004)</b>	<b>UfM (2008)</b>

*Source: own elaboration based on Bicchi, 2011: 15*

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The Euro-Mediterranean Partnership (EMP) launched in 1995 was the masterpiece of the post-Cold War context as response to newly perceived security threats with a highly political and innovative project and a regional framework. Even the economic projects, namely the free trade agreements and the Euro-Mediterranean Association Agreements were to some extent politicized basically due to their scope and breath.

The European Neighbourhood Policy in turn was launched with a very different institutional setting, with emphasis on bilateral relations and reference to specific projects and technical agreements. Here, the value of political developments is rather limited and not connected to other negotiations. The Union for the Mediterranean launched in 2008 can be considered as a further development. The original formulation of the project only involved countries bordering the Mediterranean Sea and with a focus away from highly contentious and politicized issues to more technical and specific projects. In this constellation, the UfM would have fit best into the category “bilateralism + functionalism”. However, the context in which it has been finally created pushed it into the category of “bilateralism + politicization”.

One of the major criticisms of the UfM is that it has been created in a time, when no common discourse of the Mediterranean existed, leading to the “congealment” of its set of preferences (Bicchi, 2011).

As concluded by Kausch and Youngs, 2009:

*« [...] the UMed is expressly designed to push the focus of relations between Europe and North Africa away from the most sensitive political areas...The UfM rolls back the Euro-Mediterranean Partnership's aquis on democracy and human rights...The EU has moved further and further away from seeking a 'ring of well governed states' on its southern edge and towards seeking a 'ring of firmly governed states'... The EU's 'ring of friends' is in truth a 'ring of citadels' ...It underestimates the fragility of the relationship between populations and regimes. »*

As for the future of the Union for the Mediterranean, four broad options will be presented in the following for how to reconstitute multilateral relations with the Mediterranean after the Arab Spring:

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#### *1. Zero-Option*

This option would imply the dismantlement of the UfM and the refocus on bilateral engagement. It would free both time and resources for bilateral relations and allows for more flexible, project driven engagement without having to pass by the co-decision procedure of the UfM and its complex institutional framework. Thus, more flexibility and differentiation would be guaranteed. However, the downside of this option would be firstly the difficulty to rebuild a multilateral framework in the future and secondly a sign of weakness of the EU, reinforcing the hub-and-spoke relationship.

#### *2. Development Agency Option*

The second option focuses on the strengthening of economic and project-oriented components, whilst giving up on the political aspects. As such, the UfM would represent a more traditional development agency and a sub-agency for the EU. The more technocratic institution should reduce the exposure to potentially negative spill-over effects. Whereas it is almost impossible to fully insulate the UfM from political crisis, it can be made less vulnerable. Furthermore, this option would imply a clear separation of political and security related issues. However, the UfM so far showed how difficult the clear differentiation of high politics and low politics is.

#### *3. Political Union Option*

This option is supposed to revive the political vision of the Union for the Mediterranean and lessen the potential of political blockage. A greater role should be assigned to civil society. To avoid deadlocks in the political organization, decisions should be adopted by qualitative majority voting or double majority. However, the suspension of the consensus rule would hardly be acceptable for all members. An agile and engaged co-presidency with broad support should avoid contentious issues from the agenda, which have blocking potential. A more decentralized cooperation and more involvement of the civil society would boost the legitimacy of the UfM. However, without a radical overhaul of institutional structures, the UfM risks being the prisoner of political crisis.

#### 4. *The Diplomatic Conference Option*

The fourth option foresees a separation of political and economic tracks of the UfM. The multilateral diplomatic conference would involve a broad set of actors and focus on rebuilding confidence among the partners. Even though, this approach would downsize the high ambitions of the UfM, a simple structure for dialogue and addressing divisive issues can be successful in building bridges across deep regional divides. Finally, it would allow for a continuation of both the political and economic tracks without depending on each other.

According to Behr et al. (2012), the development agency option is most likely. Due to existing uncertainties and challenges, it is unlikely for the UfM to experiment with new initiatives or to fundamentally overhaul existing structures. Thus, the UfM is more likely to take small steps. The focus on economic developments is unlikely to prove optimal in the long term, as it increases the dependency of funding from the EU, while at the same time undermining its legitimacy. Even if a political dialogue seems to be particularly important at that time, a political union would risk negative spill-over effects, which in turn, would suggest a strict separation of the economic and political track of the UfM. However, a step back from the original project is politically difficult and thus rather unlikely.

In summary, it can be said, that the Union for the Mediterranean has been constructed with a birth defect, largely neglecting evolving regional realities in the Mediterranean. Therefore the UfM faces the choice between moving forward and stepping back in the Euro-Mediterranean integration (Behr et al., 2012: 4-8).

### 3.3 Toolbox

#### *3.3.1 Conditionality or the principle of “sticks and carrots”*

The principle of conditionality plays an important role in EU foreign policy, as relations with most of the countries are by now based on this concept. Conditionality refers to the ability to link political demands to economic incentives in an attractive and credible way, thus the ability to coordinate and deliver incentives. It is basically founded on a contract between donor and recipient, which in turn is based on a balance of power usually in favour of the donor. The relative balance on power between the stakeholders determines the effectiveness of the conditionality mechanism. The configuration allows the donor to influence the result by



threatening to suspend cooperation in case of not meeting the established criteria. The interference of many factors, such as technical restraints, bureaucracies or uncertain timelines, can lead to the delusion of the ideal scheme, thereby avoiding the imposition of sanctions. Likewise, donor and recipient might implicitly agree to ease up conditions, which however remain undeclared in the public discourse. Concessions are often inspired by political considerations and the term and execution of conditions depend on the concrete balance of power as well as available material resources to actually enforce conditionality. Due to the lack of efficient means of coercion within the Barcelona framework, the applicability of the conditions depends on their legitimacy and the motivation towards their compliance. However, compliance with conditionality might undermine the legitimacy of the countries governments, especially when European intervention in the internal affairs of the partner countries is perceived as suspect without really reflecting a sense of local ownership by the civil societies (Schmid, 2003).

The concept of conditionality was developed originally in the field of applied economics by leading international financial institutions, namely the International Monetary Fund (IMF) and the World Bank. Based on the Washington Consensus<sup>4</sup>, they set up the structural conditions for beneficiary countries to receive funding.

Political conditionality began to develop as foreign policy tool especially after the end of the cold war and the resulting rapid spread of democratic norms into Eastern European countries of the former Soviet bloc. Political conditionality implies the mobilization of two complementary elements: norms and instruments. Conditionality proved to be crucial for the Eastern European relations and especially to foster their rapid integration into the EU with the ultimate goal of ensuring stability and security. The European Association Agreements with Central and Eastern European Countries established five principles to activate the reform process, namely the rule of law, human rights, multi-party system, free and fair elections and market economy. Later, those agreements were linked to a so called “essential element clause”, providing that relations shall be based on democratic principles and human rights and the “non-execution clause”, which would allow for the suspension of the agreements if the principles were not respected. However, in practice, positive measures are favoured and sanctions are only applied as last resort. The preference of positive conditionality over

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<sup>4</sup> The term “Washington Consensus”, was coined in 1989 by US economist John Williamson and refers to a set of 10 neoliberal economic policy prescription, such as liberalization, deregularization and privatization, considered necessary to promote economic growth.

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negative conditionality can be explained by moral and pragmatic considerations, including the institutional weakness of the EU, scepticism over the effectiveness of sanctions and the fact that sanctions may result counterproductive (Schmid, 2003).

Conditionality acquired new salience with the enlargement process and turned out to be very successful, if not the most successful foreign policy tool. The EMP Association Agreements of 1995 contained the “essential element clause”, thus allowing the EU to use a series of negative measures like aid suspension or even the cutting of relations in case of breaches. As already mentioned, the EU hardly resorted to negative measures in order to maintain tight relations with authoritarian regimes which were considered as guarantors for stability. The European Neighbourhood Policy launched in 2004 imported the logic of the enlargement policy regarding conditionality, however in absence of the ultimate incentive of accession. The controversial application of conditionality in the Mediterranean neighbourhood becomes more obvious with the example of Tunisia as one of the first countries to sign an Association Agreement and agree on an ENP Action Plan thanks to its advances in economic liberalization. At the same time, the regime of Ben Ali increasingly restricted freedoms, but has been least criticized for its human rights record. Thus, progress in the negotiation of agreements depended mostly on economic reforms but barely on political reforms.

From a general point of view, strategic and security related issues such as the Middle East conflict, migration control, the fight against international terrorism and energy security, have always dominated the priority agenda in the EU's relations with the MENA region. Those aspects fell under the member states control and collectively under the Common Foreign and Security Policy (CFSP) umbrella, which made the EU foreign policy toolbox less relevant. One major problem was, that the EU assumed, that conditionality, which was developed under different circumstances in the context of enlargement, could easily be exported to its neighbourhood policy, disregarding the fact that the policies would fall into the traditional foreign policy domain of the member states. Hence, the use of conditionality is means but with exquisitely political aims, making its use exposed to a set of dilemmas, namely engagement vs. isolation, “one size fits all” vs. differentiation and the implementation of the package of incentives.

The first dilemma arises from the question whether to engage with countries which are far from the political standards desired by the EU or whether to condemn them with negative conditionality. The developments during the Arab Spring brought this dilemma to the

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forefront of the EU's foreign policy debate. The EU preference for engagement showed limited results and had little impact in terms of increasing its influence over autocratic regimes. The criticism of European governments' response to the upheavals in Egypt and Tunisia showed that the preference for engagement can entail internal costs. However, the option of isolation or condemnation can also be detrimental to the initial objectives, as proved by the interruption of relations with Hamas, thereby undermining the EU's influence in Palestine. No apparent benefits from both approaches can be identified, as the mixture of international sanctions and the offer to talk to the Iranian government didn't permit conclusive answers on the impact of engagement or isolation.

The second dilemma refers to the tension between the "one size fits all" approach and the principle of differentiation. The latter was the explicit principle of the European Neighbourhood Policy, again prompted due to the increasing diversity of the MENA countries since the Arab Spring. The difficulty lies in finding the balance between addressing concrete specificities of the countries and applying the universal principles embedded in the principle of conditionality. The differentiation between countries can lead to the accusation of double standards, undermining the EU's credibility.

The third dilemma concerns the implementation of the package of incentives. As stated earlier, the absence of the final carrot is one of the major weaknesses of the simple transference of the conditionality principle from the enlargement policy to the ENP. Countries from the Mediterranean neighbourhood have limited access to the internal market of the EU due to protectionist measures against certain goods from the MENA region, mainly industrial and agricultural products. Another factor is the limited impact of assistance packages due to competition with other available donors and the increasing dependency of the region regarding energy security, illegal migration or the fight against international terrorism. The challenge of balancing transformative and stability aims became evident not least with the outbreak of the Arab Spring (Balfour, 2012: 15-19).

The most visible evidence of EU conditionality has been in response to the Hamas victory in the Palestinian elections in 2006, leading to aid suspension to the Palestinian Authority. Democratic elections were only supported as long as the outcome was acceptable for the West. After the Arab Spring, the "more for more" dimension has been applied to a relatively limited extent. This becomes evident as the most reformist states didn't receive the most generous aid allocations: In 2011, both Morocco and the Palestinian Territories were the

highest recipients of ENPI funds. Commitments to positive conditionality can be identified in formal policy documents, but barely find any practical implementation. The German proposal to use 50% of the European Neighbourhood Policy Instrument (ENPI) was not welcomed by most of the member states, fearing that this would retain resources from other areas of higher national priority. Since no agreement for a checklist of the criteria for reward-based funding allocations has been reached, the EU failed to provide sufficient incentives to make conditionality effective. Hence, the non-availability of the membership perspective can be considered as deep cut into the principle of conditionality.

Policies of conditionality are only effective if the third country is committed and willing to carry out reform processes and actually shows interest in incentives. For example, Tunisia is more forthcoming than Egypt in accepting EU involvement, which explains why the EU invests much attention to Tunisia and lesser in Egypt's dynamics. Accordingly, the demands for reforms in Egypt under the Supreme Council of the Armed Forces were weaker than in the past under Mubarak's regime. The EU's renewed conditionality under the "more for more" approach are confronted with the problem of delivering the incentives, since the member states are the ultimate decision-makers regarding all three fields. This, in turn leads to a credibility problem, since the endorsement of the members states is indispensable in delivering the incentives. However, the MENA region has always been an area of division between the member states be it in relation to the Israel-Palestine conflict or the perception of priorities. The disagreement regarding the intervention in Libya in 2011 is representative for this logic of diversity.

Furthermore, the offered incentives are not for all countries interesting to the same extent. Trade relations for example are only beneficial for net exporting countries towards the EU, whereas others remain reluctant or simply uninterested in stronger engagement with the EU. The new notion of "mutual accountability" would imply putting both sides on an equal footing. However, it has limited impact as the Mediterranean partners have no mechanisms to hold the EU accountable for delivering its promises. As for the relevance of the principle of conditionality in the Arab world, it should be noted that sovereignty has always been an important principle in the post-colonial time, as part of national identity. Accordingly, with the exception of Tunisia, the Arab countries are not likely to be represented in the International Criminal Court (ICC), as they would not accept the external judicial interference (Balfour, 2012: 25-26). As response to the Arab Spring, the EU emphasized, at least

rhetorically, its modest position. This is reflected by the High Representative Catherine Ashton, stating that the response of the EU

*« [...] is built on the need to acknowledge past mistakes and listen without imposing. We are doing exactly that and it requires perseverance and sustained commitment. Success should translate into what I have called 'deep democracy.' » (Ashton, 2011)*

The counterpart of the “more for more” principle, the “less for less” approach was applied even more selectively. For example, Italian diplomats did not believe in the “less for less” approach, and therefore favored the support of even partial reforms. The member states did not believe that conditionality would have the potential to trigger desired responses and the EU generally was reluctant to impose punitive sanctions. There has been no critical pressure on Saudi Arabia for its active support of the Egyptian army’s coup in June 2013. Even the legislative way through restricting companies doing business with the regimes, has been met with refusal by the member states.

Due to this low level of attractiveness, there have been attempts to improve the system of instruments and incentives within the policy, but with mixed results. The security-related dimension of the ENP and viable incentives are inversely correlated: With increasing security concerns, the incentives gradually lost weight as was shown by the four freedoms being replaced by a mere stake in the internal market. Moreover, the intergovernmental mode when it comes to the conclusion of EU Neighbourhood Agreements can lead to the blockade of incentives offered, mainly due to the different positions of the member states regarding the ENP’s direction. The member states can thus block the conclusion either at the level of the Council or during national ratifications.

The inability of the EU to deliver on its own promises, also called involuntary defection together with the increased securitization of the foreign policy agenda, hinders the EU from moving towards a better set of incentives for its ENP partners and thereby limits the capacity to meet the expectations generated by its offer. Value-based conditionality proved to be dysfunctional, both theoretically and practically, where adherence to the values of democracy and rule of law requires regime change (Kochenov, 2008: 105-120).

The logic of conditionality is that the EU should serve as a model to which the neighbouring countries try to adapt in order to profit from the promised incentives. However, the incentives for the Southern neighbours are too little and not comparable with the membership

perspective. Thus, the only incentives remaining are financial aid, integration into the EU domestic market and liberalization of visa, in short the three M's: money, market and mobility, core elements of the document "Communication for a Partnership for Democracy and Shared Prosperity with the Southern Mediterranean" of March 2011 in response to the Arab Spring. Regarding the accession to the domestic market, the EU has concluded several free trade agreements which are conditional on the adaptation of their laws to the EU law.

However, the EU only partly opens its market, excluding the agricultural sector due to fear of competition. Besides high competition from the EU, the adaption to EU law involves high financial and political costs. Financial aid is very limited when compared to aid from the US and the Gulf countries. For example, in July 2013, Saudi Arabia, Kuwait, the United Arab Emirates granted within a few days loans of € 9 billion to Egypt. Furthermore, EU funds often served as budget support for authoritarian regimes instead of benefiting the civil society. Besides missing incentives, the second component for the functioning of conditionality is also missing, namely the fact that the EU is seen to a very limited extent as a model by its Southern neighbours. With the demand for the rule of law, the abolishment of torture and competition of parties as central elements, the Arab societies claimed for the development of an own form of democracy according to local, cultural and religious specificities rather than following the European model. Additionally, the EU is only one of many actors in the Southern neighbourhood, mainly regarded as economic but not political partner.

To sum this chapter up, it can be concluded that the principle of conditionality in the Southern neighborhood does not work, basically due to:

- Insufficient incentives,
- Limited model character,
- Limited dependency and,
- Competition with other actors (Achraimer, 2014).

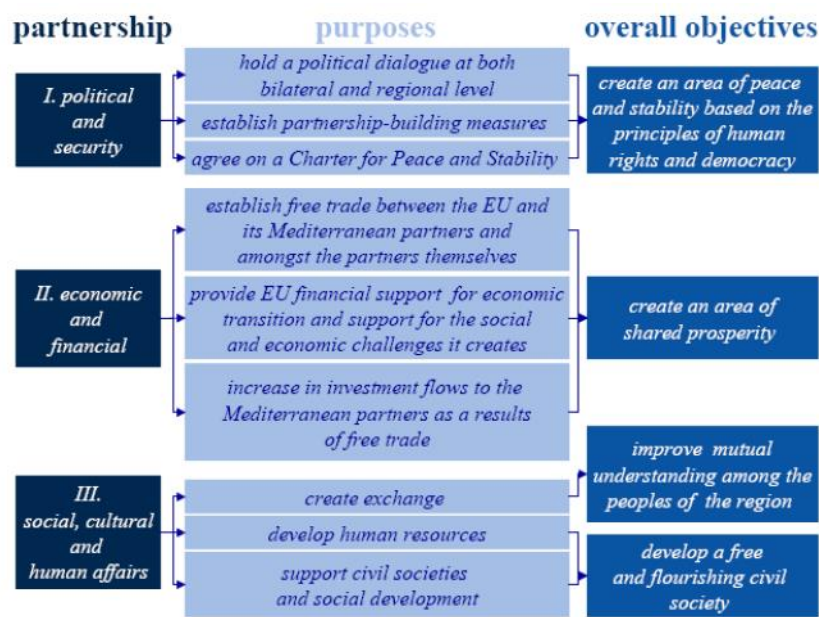
Through the intersection with other power's role in the Middle East, a multilateralisation of the ENP has taken place, which has been reinforced by the changing power dynamics in the region with Turkey, Saudi Arabia, Qatar, China and Japan playing a major role. The EU's influence is not comparable to the accession-related donor-beneficiary relationship, as this would require asymmetry of leverage and influence in favor of the EU. The limited success of positive conditionality can also be attributed to problems of delivery and implementation and

the fact that, the attraction and influence of the EU varies widely between the countries of the region.

#### 3.3.2 Financial Instruments: MEDA and ENPI

The MEDA programme was the main financial instrument of the Euro-Mediterranean Partnership and stands for '*Mesures D'Accompagnement*' (French for accompanying measures). After PHARE<sup>5</sup>, it was the second largest programme for external financial assistance with a budget of € 8.789 million. The programme was divided into MEDA I (from 1995 to 1999) and MEDA II (from 2000 to 2006) and aimed to provide technical and financial support for the Mediterranean partner countries and to accompany economic and social reforms.

**Figure 2: MEDA Objectives**



Source: Estruch, 2007:10

The figure above shows the objectives of the MEDA programme in accordance with the three pillars of the Euro-Mediterranean Partnership (EMP), with the role of the European Commission to support economic transition and modernization of partner countries as well as to provide financial and technical assistance. The European Commission financed or co-

<sup>5</sup> PHARE stands for „Poland and Hungary: Aid for Restructuring of the Economies” and is one of the pre-accession instruments for Eastern and Central European applicant countries



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financed activities, projects or programs, which were contributing to the MEDA objectives. The MEDA operated in the three categories: budget support, project support and regional support. Financial assistance was mainly directed towards economic reform programs within the framework of structural adjustment programs. Institutional twinning is one of the main tools of knowledge transfer and capacity building between the public administrations of both partners. The instrument foresees that the EU member states send experts in order to help boosting the institutional capacity of the Mediterranean. Although it is largely project-based, twinning also contributes to long-term relationships. Egypt signed two twinning projects in February 2007 in the postal and service sector and in February of this year in the transport sector. The project support includes technical assistance, training, capacity- and institution-building, where the projects are divided into four types of operation: services, works, supplies and donations. The instrument applies for states, local and regional authorities, public entities, institutions for commercial promotion or private sector development, private entities, cooperatives, associations, foundations and NGOs.

The programme evolved over time, as the aim was to ensure a direct linkage to the EMP policy. After the first years of implementation, a reassessment took place with an amended regulation for the MEDA II program. The new program should have a more strategic approach and the decision-making processes should be streamlined in order to increase the efficiency of its implementation. The programming process was modified with the introduction of standardized programming documents, which allowed for a more comprehensive overview of projects. Whereas MEDA I operated through a single series of programming papers, the so-called indicative programmes, the MEDA II introduced three types of strategic papers, namely long-term strategic papers (six years), medium-term indicative programmes (three years) and annual financing plans. This new system of programming should ultimately contribute to an improved performance and an increased sense of ownership

The procedure of the MEDA programming follows three steps:

1. Establishment of a strategy paper at national and regional level, covering a four years period.
2. Drawing-up of three years national indicative programmes (NIC) for the bilateral channel and regional indicative programmes (RIP) covering multilateral activities.
3. Annual financing plans are derived from the NIP and RIP.



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MEDA operates both at the bilateral and regional level. 86% of the resources are allocated for bilateral co-operation, which covers all three baskets of the EMP. The priorities at the bilateral level are determined according to the stage of development of each country's economy and society, and its institutions capacity. They include support to economic transition and the strengthening of the socio-economic balance. Regional cooperation to reinforce the bilateral approach also covers the three pillars. It is open to participation for all partners and thus allows for a flexible implementation, including sub-regional or cluster approaches (Estruch, 2007).

Regarding economic and financial cooperation on the regional level, a multitude of programmes have been adopted under the regional component of MEDA II:

- Euro-Mediterranean SME's cooperation to strengthen the private sector in the region,
- FEMISE (Euro-Mediterranean Forum of Economic Institutes),
- Euro-Mediterranean Cooperation in the energy sector,
- Education and training for employment,
- EUMEDIS (Euro-Mediterranean Information Society Initiative)
- Euro-Mediterranean Regional Transport Programme.

Even though MEDA II programming includes civil society, human rights and governance issues in terms of democracy and rule of law, it can be said that generally more emphasis has been put on economic goals at the expense of civil-society based initiatives. Thus, the focus of MEDA on the second basket of the Euro-Mediterranean Partnership was in line with the prioritization of security issues over democracy and human rights.

From MEDA I to MEDA II, the commitments to payments show that there have been improvements. Total commitments from the period 1995 to 2004 have been € 6.156 Million, with payments of € 3.261 Million. Of these, € 2.386 Million corresponded to MEDA II, and € 875 Million to MEDA I. Taking into consideration that MEDA II was only in place since 2000, the total amount of payments were more than double than the total amount of MEDA I. Likewise, the Payments-to-commitments ration, an indicator to value the performance of the programme and its efficiency, increased from 29% in MEDA I to 77% in MEDA II.

**Table 6: MEDA I vs. MEDA II, Commitments and Payments**

Year	Commitments Million Euro	Payments Million Euro	P/C %
1995	173	50	29
1996	370	155	42
1997	911	208	23
1998	809	222	27
1999	797	240	30
<b>Total MEDA I</b>	<b>3.060</b>	<b>875</b>	<b>29</b>
2000	569	315	55
2001	603	318	53
2002	612	454	74
2003	615	498	81
2004	697.6	801.1	115
<b>Total MEDA II</b>	<b>3.096</b>	<b>2.386</b>	<b>77</b>

*Source: Estruch, 2007:17-18*

The regional activities commitment increased from MEDA I to MEDA II for some countries, but decreased for other, in the case of Egypt for example. The evolution of payments to commitments has improved for all countries, but especially for Egypt, Lebanon, Jordan and Tunisia. There has been an overall improvement in the financial efficiency of MEDA, as shown by the Payments-to-commitment ratio. The improvements can be attributed on the one hand to the amendments in the MEDA regulation and on the other hand, to changes in the management of EU external cooperation and structural reforms on the institutional level with the creation of EuropeAid in 2001.

Despite of considerable improvements in the MEDA programme, funding levels have still been low when compared to the initial ambitions of the Euro-Mediterranean Partnership. The quality of programming, the feasibility of programme formulation and the absorption capacity of funding varied from country to country. Finally in 2007, the European Neighbourhood Policy Instrument (ENPI) substituted the MEDA programme (Estruch, 2007).

From 2004 to 2006, the MEDA Neighbourhood Programme prepared the grounds for the launch of the ENPI in 2007. As a successor of MEDA and TACIS, the new financial programme was meant to support the European Neighbourhood Policy and its Action Plans. The main purpose was to create an area of shared values, stability and prosperity, enhanced cooperation and deeper economic integration. The more innovative instrument should provide for more coherence and simplicity and should be tailored to the needs of cross-border cooperation, covering assistance to partners and technical assistance to institutional capacity building. The ENPI comprised a set of four instruments: bilateral and regional programmes, a thematic programme, and a cross-border programme. Based on continuous dialogue between

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the EU and each partner, they should favour the sustainable development of neighbours and at the same time encourage their convergence to EU policies and regulations. Co-ownership and partnership are essential elements for ensuring the adaptation of the programmes to the needs of the partner countries. Governance Facility has been introduced as part of the incentive structure and implied, that partners with the most significant progress in the implementation of the government priorities of the ENP Action Plan received additional funding. From the € 13.4 billion of funding commitments, € 9.8 billion were disbursed.

The example of Egypt shall illustrate the ENPI bilateral assistance during the period 2007-2013. The priorities in Egypt, confirmed by the Country Strategy Paper of 2010, have been political reform, good governance, competitiveness, productivity and socio-economic sustainability. With the outbreak of the Arab Spring a readjustment of the cooperation has taken place, addressing the most vulnerable groups of the society. The Council Conclusions of 2013 stressed the importance to undertake fundamental economic reforms to ensure stability, investment, an improved business environment and better access to education. Since 2012, no disbursement has been approved for budget support and since 2011, no operation has taken place.

**Table 7: ENPI bilateral assistance for Egypt**

ENPI bilateral assistance committed for Egypt totals **EUR 1,007 million**.

<b>National Indicative Programme (NIP) Egypt 2007-2010</b>	<b>Programmed</b>	<b>Committed</b>
Support for reform in democracy, human rights and justice	7.2%	6.3%
Developing competitiveness and productivity of the Egyptian economy	39.4%	44.8%
Ensuring sustainability of the development process with better management of human and natural resources	53.4%	48.9%
<b>Total NIP 2007-2010</b>	<b>EUR 558 M</b>	<b>EUR 618 M</b>
<b>National Indicative Programme (NIP) Egypt and SPRING 2011-2013</b>	<b>Programmed</b>	<b>Committed</b>
Support for reform in democracy, human rights and justice	11.1%	0%
Developing competitiveness and productivity of the Egyptian economy	42.1%	33.2%
Ensuring sustainability of the development process with better management of human and natural resources	46.8%	43.6%
SPRING - Democratic transformation and institution building	n/a	2.6%
SPRING - Sustainable and inclusive growth and economic development	n/a	20.6%
<b>Total NIP 2011-2013</b>	<b>EUR 449 M</b>	<b>EUR 299 M</b>
<b>SPRING</b>	<b>n/a</b>	<b>EUR 90 M</b>
<b>Grand total Egypt 2007-2013</b>	<b>EUR 1,007 M</b>	<b>EUR 1,007 M</b>

*Source: European Commission, 2014: 21*

The new approach of the ENI, launched after the Arab Spring with two joint communications, enshrined the two principles of the incentive-based approach and the differentiated treatment. Countries undertaking political reforms towards democracy and rule of law should receive additional support from the EU. The financial allocations of the National Indicative

Programmes (NIP) implied a new SPRING programme (Support for Partnership, Reforms and Inclusive Growth) with about € 540 Million allocated to the Southern neighbours.

Major innovations introduced through the ENPI include the Neighbourhood Investment Facility, Technical Assistance and Information Exchange (TAIEX), Support for Improvement in Governance and Management (SIGMA), and Cross-border Cooperation Programmes (CBC). These regional cooperation programmes have a strong added value, but only limited links to other EU interventions. Moreover, the sometimes diverging priorities from the country-level and the regional-level led to weak support from some countries. The lack of political will and weak institutional and human capacities did not always ensure flexibility in the choice of local partners. Therefore, enhanced complementarity is needed between country programmes, regional as well as neighbourhood-wide activities. Nevertheless, the ENPI has expanded cooperation with its partners beyond the previous MEDA programmes, in terms of scope, ambitions and financial impact. With the creation of the SPRING umbrella programme, the ENPI managed to adapt to rapidly changing environments and political needs. The European Neighbourhood Instrument (ENI) replaced the ENPI for 2014-2020, building on the achievements of the ENPI and the incentive-based approach through multi-country umbrella programmes (European Commission, 2014).

#### *3.3.3 Thematic instrument: European Instrument for Democracy and Human Rights (EIDHR)*

The promotion of democracy and human rights belong to the EU's foreign policy tools. As guiding principles, they are legally enshrined in the Maastricht Treaty and in Article 21 of the Lisbon Treaty. The European Instrument for Democracy and Human Rights (EIDHR) is one of the EU's key instruments to fulfill this task. Evidence shows, that there is a temporal lag between definition and implementation of the democracy promotion policy. The activities mentioned in the Barcelona Process in 1995 regarding the promotion of democracy and human rights have been implemented roughly a decade later. Due to the inter-institutional dynamics and an increasing complexity of the institutional structure, the actual implementation of democracy assistance has been more restrictive than originally foreseen. The far-reaching outcome depicted in the discourse and the more modest output confirmed the rhetoric-practice gap in EU foreign policy.

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Articles referring to democracy and the respect for human rights have been included as essential elements of the Association Agreements with the neighbouring countries, allowing for suspension in case of breach. The year 1996 is the date of birth of democracy assistance in the Mediterranean region, but still without any legal basis. The EIDHR budget was then expanded to include a line for the Mediterranean countries, under the name “MEDA Democracy Programme”. In 1999, the Council provided a legal basis for the spending on democracy assistance and by 2001 the framework for democracy assistance was finally complete and operational.

Democracy assistance took place first through the MEDA Democracy Programme and later was replaced by the EIDHR. The former was a geographical and thematic budget line under the EU Commission, addressing primarily non-state actors. However, due to problems of coordination, the geographical distinction within the EIDHR has been abandoned in 2001 in favour of thematic budget lines and target countries. Consequently, the MEDA Democracy programme has been dissolved into the broader framework of the EIDHR. Under the global EIDHR annual appropriations doubled, and the number of non-state actors increased especially since the introduction of the micro-project scheme. Over the last decade, a steady growth of EIDHR funds have been registered, with the 2004 enlargement freeing up funds allocated to candidate countries. A characteristic feature of the EIDHR is its independence of action, which allows it to directly address non-governmental actors without consent of the host government. Priorities and calls are defined and managed by the EU Commission, without the need to establish a financing convention with the governments, as in case of the MEDA/ENPI. In theory, it is the most effective instrument to undermine authoritarian regimes. However, the EU’s independence has been largely constrained by the tight grip of the dictators over their domestic actors, making it difficult to transfer funds to local actors. Difficulties also arose from the definition of non-governmental organizations, as it depends on the formal consent of the government body and might include semi-governmental NGO’s. These obstacles have limited the impact of the EIDHR programme on Arab regimes.

After having abolished the geographical principles, the EIDHR 2002-2006 focussed on key thematic priorities and targeted so-called “focus-countries”. Therefore, three types of instruments were implemented: targeted projects, macro-projects and micro-projects. The objectives of the “targeted projects” were defined by the EU Commission. They were targeted towards international or regional organizations and implemented on a non-competitive basis. For example, election monitoring activities were funded through this channel. Calls for

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macro-projects principally were open to all types of NGOs addressing EIDHR priorities. However, due to the large amount of money involved, they mainly went to international or EU-based organizations. The micro-projects were managed by delegations in third countries with the main responsibility to oversee the complete project. In contrast to the macro-projects, the calls for micro-projects were open only for civil society organizations of non-member countries and generally smaller in size.

Theoretically, delegations could choose their partners according to the principle of “independence of action”. However, the case of Egypt exemplifies the difficulties this choice implied: Egyptian NGO’s are obliged to register with the state to obtain authorization. The adoption of the restrictive 1999 law made it very difficult to get this authorization. In response to this limitation, the delegation increased calls to all “civil companies”, meaning all organization with the status of a company but non-profit oriented. This was the only way for Egyptian NGO’s to bypass the registration procedure.

budget, a more international focus and emphasis on non-governmental actors. The principle of “independence of action” was maintained to guarantee the visibility of EU democracy assistance. It should enhance the respect for human rights and fundamental freedoms in countries and regions where they are most at risks and strengthen the role of civil society in the promotion of democracy and human rights. Micro-projects were relabelled “country-based support schemes”, with resources allocated for training and spreading of information of local organizations. There are two main improvements from EIDHR I to EIDHR II: first of all, social actors including individuals are also considered for funding. This widens the range of actors and is a way to bypass the required authorization for NGOs, thereby paving the way to fund organizations which are not legally recognized by the government. Furthermore, it increases the flexibility and potential reach of the initiative. The new EIDHR distinguished between authoritarian and transition countries with need for consolidation and support for progress. The “call for proposals” mechanism applies for both categories. However in the case of authoritarian and semi-authoritarian countries, Brussels is responsible for the management and issue of calls. In the case of local projects or transition countries, the responsibility lies with the Delegation as they suppose a lesser burden. The actions of Brussels are more tailored and less prone to ambiguities. This distinction is in line with the literature, according to which international anchoring works best in transition cases. The reorganization of the EIDHR led to another temporal leg, with the new EIDHR de facto starting in 2008.

The project “Providing disabled children in Egypt grow up” of 2010 is a success story of the EIDHR. The initiative was targeted at disabled children and youth in Egypt from families with low income and poor living conditions. It aimed to improve access to vocational and professional training and to raise the awareness of economic and social rights of disabled children and youth with their families, local communities, schools, local governments and businesses. Moreover, NGO’s were helped to encourage rural administrations to put law into practice at the local level. At the end of the 18 months, up to 800 children and young people between 10 and 23 with different forms of disabilities benefitted from the project.

The EIDHR micro-projects in the Mediterranean over the period 2002-2006 revealed the rhetoric-practice gap, with more funding for politically less controversial human rights than for the promotion of democracy. Furthermore, the EU has been more active in comparatively easier countries with the promotion of politically less relevant goals (Bicchi, 2009).

The level of democracy assistance depends on the willingness and the capacity of the target country to actively engage in external democracy promotion efforts. Democracy promotion efforts can be conceived as a process of interaction and cooperation between the EU and the targeted regime. Decisions about cooperation are made consciously by actors, who base their choices on a fixed set of preferences and cost-benefit calculations. The EU and Arab authoritarian regimes have different sets of preferences in their bilateral relations, which in turn shape their strategy regarding cooperation or non-cooperation. Cost-benefit calculations for cooperation or non-cooperation are influenced by three factors, namely (economic) interdependence, the degree of political liberalisation and the statehood in the targeted country. Asymmetric interdependence affects the bargaining power directly. Cooperation is more likely if the asymmetric interdependence favours the EU, as it increases the member states vulnerability of welfare losses. The degree of political liberalisation indicates the openness for pluralistic politics. A higher degree of liberalisation increases the chances for a gradual regime transformation through reforms. Finally, cooperation is more likely with a high level of statehood, as it decreases the partner’s risk of domestic power losses and instability. The findings show, that cooperation is most difficult to achieve in countries where it is most needed (Van Hüllen, 2009).

In December 2011, a new policy approach has been adopted in response to the developing global challenges. The Joint Communication of the European Commission and the EU High Representative “*Human Rights and Democracy at the heart of EU External Action – towards*



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*a more effective approach*” emphasized the need for coherence. Consequently, as part of a comprehensive package, a strategic framework and Action Plan on human rights and democracy has been adopted in June 2012. The new EIDHR strategy was embedded in core policy documents, where democracy and human rights form an essential pillar. As reactive and tailor-made instrument, it builds on the following operative principles:

- Flexible tools : direct support to human right defenders, ad-hoc grants, eligibility of non-registered CSOs and natural persons;
- Ability to act in a confidential manner;
- Balanced instrument: comprehensive and coherent implementation involving civil society , international and regional organizations, support of immediate cases + long term changes;
- Untied: no restrictions of nationality or origin, eligibility of projects based on balance between relevance, quality and cost.

These principles should be the basis for the achievement of five strategic objectives:

1. Support of human rights and HR defenders in situations where they are most at risk;
2. Support to other EU human rights priorities with focus on the protection of human dignity : abolition of death penalty, torture and ill treatment, protection and promotion of children rights , empowerment of women, fight against discrimination, impunity, promotion of economic, social and cultural rights, promotion of respect of international humanitarian law
3. Support to democracy: addressing all aspects of democratization, focus to contribute to making democracy work for citizens , capacity-building of local or regional CSO;
4. EU Election Observation: actions to ensure, that election observation is fully part of wider promotion and support to democratic processes as described in objective 3, includes wider democratic cycle approach and;
5. Support to targeted key actors and processes, including international and human rights instruments and mechanisms: to strengthen international and regional frameworks for protection and promotion of HR , justice, rule of law, democracy in accordance with EU priorities ; support to implementation of universal and regional HR instruments, international criminal justice mechanisms, regional networks for the training for HR specialists , HR dialogues (EU Commission, Concept Paper EIDHR Programming).



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To conclude, the performance of democracy assistance and promotion of human rights highly depends on the one hand on the targeted country's economic, political and social situation and its willingness to engage with external actors, and on the other hand on the EU's flexibility and capacity to deal with different cultural settings and a different understanding of democracy and human rights.

The principle of conditionality has been exported from the EU enlargement policy but had limited success in the context of the EU-Mediterranean relations, mainly due to the lack of efficient means of coercion. The chapter has shown that the MENA region has always been an area of division between the member states, especially regarding the Israel-Palestina conflict and the perception of priorities. The main financial instruments presented were MENA I and II and its successor the ENPI, in line with the three pillars of the Euro-Mediterranean Partnership. Despite of improvements from MEDA I to MEDA II, the main focus of the programmes was put on the second basket of economic goals, in accordance with the prioritization of security issues over democracy and human rights. The EIDHR is the key instrument for the promotion of democracy and human rights. The far-reaching outcome foreseen originally in the public discourse and the eventual more modest output confirmed the rhetoric-practice gap outlined in the first chapter. The characteristic of the EIDHR is its ability to directly address civil society actors without the necessity of obtaining the governments consent. Having gone one step further to cover the Euro-Mediterranean policy and its main foreign policy setting, the next chapter will now zoom on Egypt as selected case-study and the Arab Spring as temporal frame for the analysis.

### 4 EU-Egypt Relations

#### 4.1 Objectives

Since 1995, Egypt has always been one of the main partners in the EU-Mediterranean policy. Egypt's informal coordination role of the Arab Mediterranean third countries has been accepted by the EU due to the instrumentalization of its intermediary role in the Arab-Israeli conflict and the Gaza-conflict between Fatah and Hamas. The core elements of EU-Egypt relations under Mubarak refer to the inviolability of the national sovereignty or the so called non-intervention clause in the Barcelona Declaration of 1995. The non-intervention applies in particular to politically delicate topics of democracy, human rights or the rule of law. Egypt requested the transfer of payments in order to launch cooperative relations. The Egyptian regime soon learned to estimate how far the EU goes in its adherence to strict conditionality of the cooperation and how to deal with the different actors and their policy formulations. According to Carothers, the EU in this context is a "non-confrontational actor." Egypt was successful in establishing EU-Egypt cooperation acceptable for the regime and in creating a minimum of trust in the political cooperation, so as to receive funding.

Regarding politically controversial issues like the promotion of democracy, the Egyptian regime reacted with legal restrictions for the civil society partners (NGO-law 84) to ensure control and co-optation through the regime over civil society. The allocation of EU-transfer payments took place predominantly in areas of economic and development cooperation, with up to 90% between 1995 and 2007 within the framework of the EU-Mediterranean policy. This proves that there has been a common consensus of interest from both sides (Demmelhuber, 2013: 61ff).

The events of the Arab Spring could not be predicted precisely, but there existed indicators. For decades, the EU viewed the region through the lens of "Arab exceptionalism", which stems from the assumption of static Arab politics, whose authoritarianism is persistent and resilient, quasi-genetic and inherent. Until the revolutions, there has been an over-emphasis on the "politics of the elite", a top-down approach at the expense of politics from below. The protest movements were a prime manifestation of the contentious politics. In Egypt, various forms of mobilization over the past decade cumulatively paved the way for the uprising, amongst them the protest movements against the wars on Iraq 2003 and Gaza 2008, the rise of the pro-democracy movement of Kefaya in 2004 and 2005, labour protests in 2006 and anti-

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sectarian protests after the church bombing in Alexandria in early 2011. Thus, the 2011 uprisings had deeper roots and can be seen as culmination of a decade of first gradually, than rapidly increasing public disgust and intense mobilization amongst workers, students, youth and professional associations (Youngs, 2014: 55).

In order to understand the situation, it is considered to be important here to make a short reference to Egypt's political system and social structures. Egypt has an authoritarian, neo-patrimonial system with informal influence, bargaining and strong leaders being central structural features. There is a high concentration of political power. Indeed, former president Hosni Mubarak was surrounded by elite groups: the military, police, businessmen, which received privileges from the ruler. The distance between civil society and elite was kept up by strict control and complex and hierarchical bureaucracies. Behind the logic of persistence was the suppression of alternative political movements and oppositions. The analysis of EU policy towards Egypt is approached in accordance with the logic of the EU system itself: the mix of policy motives and interests developed incrementally with the process of dialogue with Egypt in a way, that the actual EU foreign policy must be understood as result of preceding problem-solving and learning process (Bauer, 2013).

In order to carry out a more precise analysis of the EU-Egypt relations in the course of the Arab Spring, it is necessary to recall the underlying causes for the regime breakdown, which are mainly related to two questions, namely:

1. Why did the protests turn into a mass movement?
2. Why did they lead to the fall of Mubarak?

To begin with the economic reasons, it is important to mention that Egypt has been identified as semi-rentier state, depending to a great extent on non-tax income. The rentier revenues from oil, the Suez Canal and foreign aid as legacy of President Anwar Sadat have restored the health of a fiscal system, which was weakened by low income from taxation. In 1980, they represented half of the public income and thus allowed the regime to maintain high levels of public spending with more than 50% of the GDP. By the late 1980s, foreign aid declined due to the fiscal crisis in major industrial nations and Eastern Europe's growing need for financial resources in the 1990s. Added to this was the collapse of oil prices affecting the yield from Suez Canal transit fees and the population boom (Korany, 2012: 43-44). Those factors made the model unworkable and thus, under Mubarak, there has been a shift away from rent to mobilize more resources from taxation, leading to a conflict between state and society. Tax

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strikes took place and major state services were deteriorating. Public-sector workers also showed their discontent as result of the state fiscal crisis, forced contraction and the reorganization of state expenditures. Resources concentrated increasingly on security, whilst social spending decreased, thus limiting the regime's "political purchasing power" (Korany, 2012: 62). The end of the rentier state and the contraction of the public sector paved the way to the rise of the Egyptian bourgeoisie. The regime co-opted business magnates within its rent to empower itself and contain the business class. This re-orientation created discontent among the middle class and intellectuals. The army also had its reservations about the increasing political power of business elites, which is proven by the undermining of the Mubarak regime in January 2011.

However, in explaining the mass uprisings, this is not only a question of economic developments and lack of civil rights and liberties. The particular regime type, the age of incumbent leaders and choices made by military establishments are decisive for the process and outcome of the uprisings. In its recent history, Egypt has experienced a significant degree of popular protests but they never turned into the revolutionary form and extent of 2011. The diagnosis of Stefan Füle, then EU Commissioner for Enlargement, was based on economic reasons, namely money, market and mobility. Economic indicators certainly had an impact on the uprisings but are not sufficient in order to explain the sustained mass uprisings.

**Table 8: Comparative analysis of MENA countries**

	HDI rank	HDI value	GNI/capita (PPP 2008 \$)	FH: rights	FH: liberties	BTI: status	BTI: management
Bahrain	39	0.801	26,664	6	5	6.05	4.36
Libya	53	0.755	17,068	7	7	4.49	3.05
Iran	70	0.702	11,764	6	6	3.65	2.31
Tunisia	81	0.683	7,979	7	5	4.98	4.30
Egypt	101	0.620	5,889	6	5	4.82	4.30
Syria	111	0.589	4,760	7	6	3.88	2.77
Yemen	133	0.439	2,387	6	5	4.08	4.04

*Source: own elaboration based on Korany, 2012: 255*

The above table shows a comparative analysis of the MENA countries, where the uprisings are a common denominator. The state of socio-economic development is represented by the Human Development Index (HDI), the gross national income per capita and the Bertelsmann

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Transformation Index (BTI) for management. The state of political reforms and degree of liberties is represented by the Freedom House Index<sup>6</sup> and the BTI status<sup>7</sup>. The table shows that all countries are politically “not free” and “limited” regarding the political and economic transformation. But there is a significant variance in the state of development (HDI, GNI) between the “more developed” Bahrain and Lybia and the “less developed” Egypt, Syria and Yemen and the others in between. From this analysis, it can be concluded, that mass protests can turn into a systemic challenge in both developed and less developed economies.

It is also not correct to think, that the call for democracy and political liberty are the main drivers for the mass protests. A comparative perspective with countries, where no mass uprisings have taken place (at least not to the extent that they turned into systemic threat), shows that both, rich or more developed and poor or less developed countries could avoid large-scale protests.

**Table 9: Comparative analysis Arab Spring and non-Arab Spring countries**

	HDI rank	HDI value	GNI/capita (PPP 2008 \$)	FH: rights	FH: liberties	BTI: status	BTI: management
UAE	32	0.815	58,006	6	5	5.83	5.47
Oman	n/a	n/a	n/a	6	5	5.53	4.58
Qatar	38	0.803	79,426	6	5	6.06	5.59
Kuwait	47	0.771	55,719	4	5	5.91	4.30
Saudi Arabia	55	0.752	24,726	7	6	4.63	3.94
Jordan	82	0.681	5,956	6	5	5.15	4.46
Algeria	84	0.677	8,320	6	5	4.86	3.92
Morocco	114	0.567	4,628	5	4	4.47	4.02

*Source: own elaboration based on Kourany, 2012: 256*

The Freedom House Index shows that these countries are “not free” regimes, except for Morocco and Kuwait which are “partly free”. The most significant difference between non-Arab Spring and Arab Spring countries can be found in the BTI Management Index.

<sup>6</sup> The countries are rated on a scale of 1 to 7 regarding political rights and civil liberties, with 1 indicating the highest degree of freedom and 7 the lowest. Countries rating between 1.0 and 2.5 are considered “free”, 3.0 to 5.0 “partly free”, and 5.5 to 7 “not free”

<sup>7</sup> The BTI status ranks the countries according to political and economic transformation from 1 (worst) to 10 (best); 1-4: failed or non-existent, 4-5.5: very limited, 5.5-7: limited, 7-8.5: advanced, 8.5-10: very advanced

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However, the within-sample variance and cross-sample similarities shows, that there is no clear pattern in the MENA region and no general applicable assumption, that socioeconomic factors or the degree of liberties explain the uprisings. Thus in explaining the uprisings, one has to be cautious. The internal dynamics within authoritarian regimes are a key variable in explaining the course and result. Republics lost legitimacy as people opposed the “hereditary republic” of the dynastic model: The Kefaya movement of 2004 aimed at avoiding the backward and erosion of the achievements of the modern Egyptian state. With the protests, people wanted to express their fear of the widening gap between daily concerns and the elite class. The regime arrogance towards the people and the distance between rules and ruled have been shown in the 2010 parliamentary elections. The social heterogeneity of the crowds indicates that it was not specific social and economic interest, but more the conviction that Mubarak had to leave office irrespective of political and economic change. The mass movement could only be sustained with participants from all strata of the society. However, the strong position of the military in Egypt prevented the complete breakdown of the ancient regime (Korany, 2012: 254 ff).

According to EUSR for the Southern Mediterranean, Mr Bernardino León,

*“Egypt is a key partner, probably the most important in the Mediterranean. It is absolutely important, not only for Egypt, but for the whole region and for Europe foreign relations to be engaged constructively in Egypt.”*

The importance of Egypt for EU foreign policy is due to its central geostrategic location with broad regional and political influence, military weight, a high potential to impact Arab politics and its role in the Israel-Palestinian conflict. Moreover, Egypt is the most populous country in the MENA with a significant youth bulge, and thus a domestic strength with political and economic opportunities. The European Union has been actively seeking to enhance security in the Mediterranean region and therefore to engage with Egypt on mobility, migration and security. Egypt is also strategically important to Europe in terms of energy, especially regarding natural gas reserves, which make Egypt one of the richest African countries of natural gas. In 2010, 51% of liquefied natural gas (LNG) exports went to Europe. Egypt plays a vital role in the international energy and trade markets through the operation of the Suez Canal and Suez-Mediterranean pipeline (Isaac, 2014). To Egypt’s relative global and regional importance one has to add its historic strategic importance, being at crossroads between Europe, Asia and Africa and thereby linking the Mediterranean to the Indian Ocean. The

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politics of its geographical location played a greater role in shaping its importance in the world than its relative economic importance. As formulated by former Egyptian President Mubarak, Egypt is always at the center of things, whether it likes it or not.

Due to its pivotal role in the Israeli-Palestinian conflict, Egypt became a cornerstone of the politics of Western States, including the EU, towards the Middle East. However, the long history of economic and human interdependence between the two shores of the Mediterranean did not translate into a stronger role of Europe, especially if compared to the US. The special interests of some member states in certain Mediterranean countries due to the legacy of colonial ties led to a slow development of a collective EU policy.

Key interests of the EU in Egypt have been political dialogue on security issues, trade, access to energy and security. In terms of motivation, economic and commercial interests of the member states are not considered as prime aim. Rather, the level of development and the growing population in combination with the discontent of authoritarian regimes, fuelled perceptions of mass migration flows towards Europe and the revival of Islamist fundamentalism. Indeed, Egypt is home to the oldest and one of the largest Islamist parties in the MENA. Whereas Southern European countries are directly exposed to the threats, Northern member states remained focussed on more traditional security concerns, such as the proliferation of nuclear weapons. The convergence between the member states over the need to cooperate on the Mediterranean was mainly driven by different interpretations and perceptions of security concerns. The UK, France and Germany saw Egypt as important partner for key regional and global security concerns and as most important local facilitator of dialogue between Israeli and Palestinian authorities. Countries have different priorities with regard to Egypt and their engagement depends largely on the issue at stake. However, it does not enjoy sponsorship of any particular member state comparable to France and the countries of the Maghreb. Thus, Egypt's role vis-à-vis others ensured its perceived importance in the EU as key partner (Balfour, 2012).

Contextual factors and regional crisis played an important role in developing the Euro-Mediterranean Partnership towards Egypt and constraining its importance. The EMP was intended to be kept separate from problems of the Middle East Peace Process (MEPP), but they eventually split into all issues of EMP. The direct involvement and hegemonic presence of the US in the Israeli-Palestinian conflict put constraints to the EU's role in the Middle East. This in turn fed into relations of the EU with Egypt, as it is an important partner in the MEPP.

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The importance of the partnership was recognized by all member states, but still individual states pursued individual interests and relations. Hence, the collective policy towards the Mediterranean, and in particular Egypt, is driven by the logics of “politics of scale”, where especially Southern member states seek political and financial support to deal with problems they are directly exposed to. The Southern European member states have seen Egypt as important member of the Euro-Mediterranean Partnership, however with few historical ties. This means, when dealing with issues of political stability, terrorism, illegal migration, economic relations, they have been least interested in the promotion of democracy and human rights, which were even considered to be harmful towards maintaining stability of relations with the regimes. The Egyptian case study confirms the problems of coordination between collective and bilateral policies of EU member states and the lack of unitary views on Egypt. Thus, it can be summarized that the logic of diversity is guiding EU relations with Egypt (Balfour, 2008).

Over the past decades, policies of the EU and member states predicated upon the need to uphold the status quo in order to maintain stability in the region. The geographical proximity and interlinkages made the European continent vulnerable to spill-over effects from trade and energy disruption, illegal migration and international terrorism.

Democracy promotion efforts of the EU in Egypt and in general the Southern Mediterranean are an important component of the EU security strategy. The EU has been entrapped for decades in the dilemma of two contradictory security requirements: the need to promote good governance as part of a long-term solution to soft security threats and the need to preserve political stability of authoritarian regimes due to their strategic and geopolitical significance. Since stability and democracy are by their very nature incompatible goals, the latter has been increasingly sacrificed, whereas security and strategic considerations were given priority. That the so-called democracy-stability dilemma continued after the overthrow of Mubarak becomes evident with the one year presidency of Morsi. No serious commitment and progress in democracy and human rights has taken place and despite the general negative assessment of the EU, it praised Egypt’s cooperation in foreign and security policy and especially regional conflict prevention and crisis management. The negative EU assessment of democratic transition and the simultaneous positive assessment of the regimes foreign and regional policy suggests that the democracy-stability dilemma still persists in the EU-Egypt relations (Isaac, 2013).



### 4.2 Institutions

#### 4.2.1 Pre-Arab Spring Institutional Framework

##### *EU-Egypt Association Agreement*

The Association Agreement as part of the Euro-Mediterranean Partnership has been implemented within the Barcelona Process in 1995. The political and institutional bonds between the EU and Egypt are much weaker than the economic ones. The protracted and difficult negotiations on the agreement already started in 1994. However, the agreement was signed in 1999 and eventually entered into force in 2004. Reasons for the delay are the EU's trade protectionism in certain goods, the search for greater concessions on agricultural exports from Egypt, the concern about the social impact of trade liberalisation and competition with EU products. Nevertheless, the agreement presented a strong economic incentive for the Egypt, given the volume of trade with the EU (Balfour, 2008).

The initially positive impact on Egypt's economic development was rendered evident by the increased competitiveness of the manufacturing sector, lower investment costs and the accumulation of capital via foreign direct investment. From the very beginning, the EU has been reluctant to accept the necessity of the EU interfering within its domestic affairs. The greatest mutual success was registered in the field of economic co-operation: between 2004 and 2012, bilateral trade more than doubled from € 11.8 billion to € 23.9 billion. In two statements about the EU-Egypt relations, it was affirmed that

*“What distinguishes us from other states willing to trade with us is that we already signed the agreement, we already are their partners there”* and

*“We need to be in Egypt, whatever it takes, even at the price of making concessions in the field of conditionality.”* (Przybylska-Maszner, 2015a: 28)

The EU is Egypt's main trading partner – both in terms of imports and exports, with 39% and 46% respectively. The neighbouring Mediterranean countries import only 14% of the Egyptian goods. Exports to the EU are diversified and include textile, oil, equipment goods and agricultural products. The EU and the rest of the world are competing in Egypt for most of the products, in particular equipment goods, which account for one third of the imports. One of the goals of the Euro-Mediterranean Partnership was to establish a free trade area by 2010 through the Association Agreements. However, this goal was not achieved as the

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addition of agricultural and fishery goods to the free trade zone, was blocked. Improvements without the elimination of non-tariff barriers have been achieved in the field of free movement of people, liberalization of the service sector and assurances for companies of the EU investing in Egypt.

According to reports of the EU Commission of 2012, since the signing of the Association Agreement in 2004, real trade between the EU and Egypt had more than doubled. However, the asymmetry of relations led to the removal of trade barriers for those products of competitive advantage for the EU. The negotiation on trade liberalization has been in favour of EU interests with the prioritization of manufactured goods and the neglect of agriculture as the EU benefitted from the former and was highly protectionist of the latter sector. Even when it slowly lowered tariffs on agricultural products, the EU benefitted more than Egypt, as Egypt imports more products from the EU than it exports to the EU. Annual EU agricultural exports more than doubled from € 621 million to € 1.3 billion between 2002 and 2012 and in the same period, exports from Egypt to the EU increased from € 344 million to € 727 million. The lowering of tariffs to encourage food import caused deep resentment among Egyptian farmers. Even though the economic figures seemed positive, in reality they masked deep political and social discomfort. One third of Egyptian graduates were unemployed prior to the Arab Spring, few private sector jobs were created and access to credit was restricted with 40% of the loans going to 30 companies, many owned by families close to the government. Thus, economic liberalization reinforced the corrupt and unreformed cycle of nepotist patronage. The combination of liberalisation and the absence of political and judicial reform strongly benefitted the elite close to the regime instead of the population (Burke, 2013).

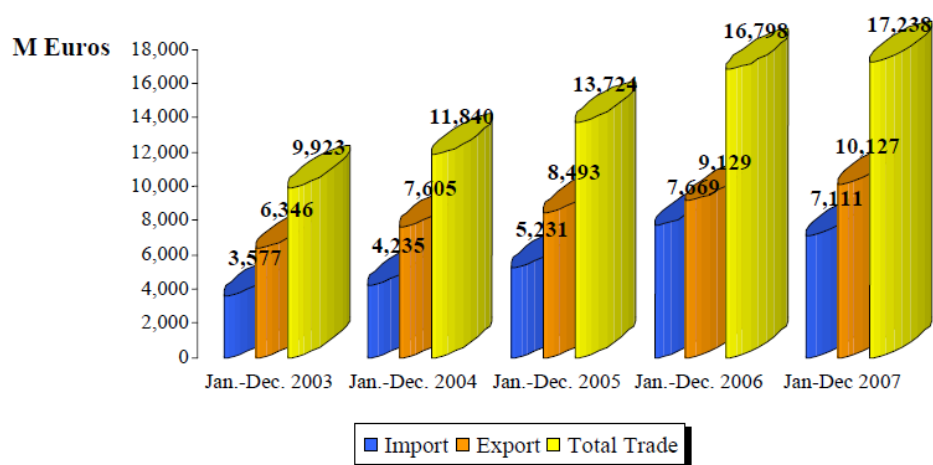
The Association Agreement of 2004 provided the legal basis for the relations: Article 2 stipulated the respect for human rights and democracy as essential element of EU-Egypt relations. However, the EU never questioned the violation of this Article due to its preference for continuing the economic, political and social partnership with the authoritarian government. On the day of concluding the Association Agreement with Egypt, the People's Assembly adopted a new law which severely restricted the freedom of association. According to Law 153, the government has the power to object to whatever it deemed as contradictory to Egyptian law in the statute of association. Moreover, it bans NGO participation in political or trade union activities and prohibits organizations from accepting foreign funding (Peters, 2012: 52). This means, that Egypt breached its commitment to upholding human rights already at the very first day of the agreement.

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The “political dialogue” section in Article 4 of the Association Agreement stipulates that political dialogue shall cover all subjects of common interest and in particular, peace, security, democracy and regional development. The democracy component was only mentioned in the context of mutual political dialogue between Egypt and the EU, but this dialogue tool was not complemented by measures outlining how democracy should be attained. The fact that democracy is referred to with other competing notions such as peace, security and regional development, is a major shortcoming in the EU discourse. Moreover, it shows the reluctance in the European discourse to discuss the achievement of democracy in a genuine way (Khaled el Molla, 2009).

The EU-Egypt Association Agreement is the first regional agreement of this kind to involve north-south-south developing and developed countries. The main challenges in this context comprised social and political stability, increasing employment, economic transition and the consolidation of external relationships with Europe and regional neighbours. The strong growth of exports and FDI inflows under the EMP did not translate into similarly strong economic and social progress. Since the EMP, Egyptian GDP growth has been unstable. Total employment has been the same since 1995 and the unemployment rate decreasing at a very low level. Trade integration in the world economy was lagging behind other Southern Mediterranean partner countries. Egypt showed the weakest performance amongst its competitors in terms of trade integration and the worst development of exports regarding the ratio to GDP.

**Figure 3: EU-27 – Egypt trade 2003-2007**



*Source: Saleh, 2013*

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The figure above shows the evolution of EU27-Egypt trade under the Association Agreement: both imports and exports are steadily increasing. However, the positive development of trade relations was in contrast to the disappointing outcome of the EMP regarding key macroeconomic variables and social indicators. The unstable GDP growth under the EMP already mentioned before did not help to narrow the gap between the Egyptian GDP per capita and that of other member countries. The average post-EMP GDP growth rate has been at 4.5% annually between 1995 and 2007. The income gap with the EU remained as wide as prior to the EMP with a slight increase of the ration from 7% in 1995 to 8% in 2008. The increased share of exports in GDP and the higher FDI inflows as percentage of GDP did not translate into an increased share of gross capital fixed income in GDP. There has been no accelerated change in the structure of production on the Egyptian economy since 1995. The EMP has not contributed to long run determined growth policies to create a sufficient number of jobs and short run active employment policies to guarantee the right to work. Rather, employment and the right to work were considered as by-products of trade liberalization and structural reform. No project has been designed to strengthen and support national employment policies. The EMP failed to stem migration from Egypt to the EU, particularly illegal migration, since there has been no improvement of the standard of living and employment opportunities of Egyptian people and no narrowing of the wage gaps with the EU.

In summary, despite having registered a significant expansion of trade and FDI inflows and relative macroeconomic stabilization, Egypt was not able to establish a dynamic process of industrialization and structural change. In spite of privileged access to one of the largest and most dynamic markets in the industrial world and large FDI inflows, results in terms of growth and development were disappointing. The Egyptian experience confirms, that in order to strengthen capital accumulation to expand productive capacities, technological upgrading, and growth of domestic value added in manufacturing, regional cooperation should not be limited to trade liberalization and FDI inflows, but be combined with appropriate policies (Saleh, 2013).

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##### *EU-Egypt Action Plan*

The European Neighbourhood Policy of 2004 gave rise to new hope for changes in the EU-Egypt relations, especially in the political dimension and with the principle of conditionality as main feature. The first EU-Egypt Action Plan has been approved and formally adopted at the EU-Egypt Association Council in March 2007 and covers six main areas:

1. Enhanced political dialogue, economic and social development and reform;
2. Trade, market and regulatory reform;
3. Transport, energy and environment;
4. Migration, social integration, justice and security;
5. Science and technology, R&D and;
6. People-to-people contacts.

The Action Plan provides the central objectives for exclusively bilaterally organized relations between the EU and Egypt and is formulated for a period of 3 to 5 years.

These objectives include political reform and good governance, competitiveness and productivity of the economy and socio-economic sustainability of the development process. They are defined on the basis of the core principles of the ENP: the principle of joint ownership, which offers the partner countries the option to negotiate their own interests and thus serves as an instrument to reach concrete solutions, common interests, reciprocal commitments, differentiation, shared values, implementation of national plans and reform programmes.

The content of the Action Plan can be summarized in three sections:

1. “Barcelona aquis”: human rights protection, political dialogue, conflict resolution, democratization, economic integration, people-to-people contacts;
2. Economic development: industrial development, approximation to EU standards, poverty reduction;
3. Political fields: EU interests such as management of migration, cooperation on organized crime, cooperation in the energy sector.

The sections are significant and instructing in different perspectives and indicate the direction and development of the EU-Egyptian interest. The content reflects the common denominators in their bilateral relation. The denomination of the first section indicates that the human rights

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and democracy rhetoric and the general idea of economic integration stem from the Barcelona Process. The three sections also reflect the bargaining structure between the EU and Egypt. Whereas economic development and access to the European market can be identified as clear priorities of Egypt, soft security issues including migration, organized crime and energy, are priority areas of the EU.

The deepening of the EU-Egypt relationship through the Action Plan was mainly directed towards the economic sphere in order to ensure stability and security. The assumption behind that was that economic development will automatically lead to political change. Thus, the Action Plan was very vague about what the EU wants to achieve in the protection of human rights and fundamental freedoms:

*“The Action Plan aims to support such efforts and priorities as reflected in the National Development Plan 2002-2007, President Mubarak’s Electoral Platform for 2005 and the Government’s statement to the parliament in January 2006.”* (EU-Egypt Action Plan, 2007)

In 2008, the Mediterranean policy was resuscitated through the Union for the Mediterranean (UfM). The increasing securitization of the Mediterranean overshadowed principled issues of human rights and the promotion of democracy (Bauer, 2011).

The package of the EU-Egypt Action Plan reflects general and long-lasting problems: the constitution of the authoritarian state, the need for breaching the development gap, economic cooperation and need for cooperation with a strategically important country. Typical forms of EU governance in the framework of the Action Plan are monitoring and evaluation of agreements, consultation and publication of results, inclusion of non-state actors in the process of implementation and public-private partnerships. However, the Egyptian administration has never been receptive for such an approach, mainly due to its hierarchical system and the concentration of European politics control and overview. The Foreign Ministry filters the information for the other ministries and institutions and has a strong connection to state-controlled NGO’s. Thus, the Foreign Ministry acts as a distributor for the implementation of ENP task to other ministries, which are practically downgraded to desk officers lacking knowledge about their tasks. There are almost no political entrepreneurs to be able to acquire an independent and informed position. All those mentioned elements taken together account for limited circumstances for the effective implementation of the Action Plan. Despite having started a process of transition, central features of authoritarian statehood

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including the hierarchical organization, the pooling and filtering of information and the restricted space of independent action remained central features even in the aftermath of the revolutions and are supposed to change only in a long-term learning process.

The Action Plan serves as basis for the annual progress reports, which report on the progress or the stagnation in areas covered by the Action Plan. The progress reports supervise the actions taken by the EU or Egypt and are organized along the Action Plan structure of 2007. They give a clear overview of all fields of EU-Egypt relations and emphasize recent developments and backlashes. The report also makes a qualification of progress fields, non-progress or slight progress areas. The main points of the 2010 progress report can be summarized as following:

- Concerns regarding the implementation of reforms in democratization and human rights,
- Important trading partner, free trade agreement of agricultural goods adopted in 2009 leading to optimism regarding economic recovery and the creation of new opportunities,
- Strong commitment to social, economic and sectorial reforms, and to a lesser extent political reform.

The report is an instrument of permanent communication with the Egyptian authorities and an evaluative tool which evokes the deficiencies and shortcomings. The persisting state of emergency since 1981 has been highlighted as major cause of concern in the field of rule of law, human rights and fundamental freedoms. The strength of the annual progress report is the permanent evaluation and publication of the EU-Egypt relations. However, the lack of sanctions with Egyptian authorities refusing external interference in domestic affairs can be regarded as major weakness.

The Country Strategy Paper establishes the linkage between the Action Plan and financial aid and gives priority objectives for the National Indicative Programme (NIP). The NIP is formulated in accordance with Egyptian national plans and instructs the allocation of the European Neighbourhood Policy Instrument (ENPI) funding, whereby the continuation of funding is conditional on progress.

The National Indicative Programme based on the Country Strategy Paper was the central document to outline the strategic framework for the period 2007-2013. It contains an analysis

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of Egypt's current situation and the past financial assistance by the EU. Taking the Egyptian policy aims into consideration, it focussed on a limited number of priority areas. The reduction of objectives compared to the priorities set in the Action Plan was due to the limited capacity of Egyptian authorities to implement the Action Plan. The three main objectives included:

1. Support of Egypt reforms in areas of democracy and human rights, good governance and justice;
2. Developing competitiveness and productivity of the Egyptian economy;
3. Ensuring sustainability of the development process and better management of resources.

**Table 10: National Indicative Programmes for Egypt, 2007-13: Financial resources**

Priorities	2007-10				2011-13	
	2007	2008	2009	2010	Total NIP	% Budget
<b>I. Supporting Egypt's reforms in the areas of democracy, human rights, justice</b>					<b>40</b>	<b>7.2%</b>
1. Support for political development, decentralization and promotion of good governance	–	13	–	–	13	2.3%
2. Promotion and protection of human rights	–	17	–	–	17	3.0%
3. Support for modernization of administration of justice	–	–	–	10	10	1.8%
4. Upgrading of regulatory, institutional and legislative environment						
						20 4.3%
<b>II. Developing the competitiveness and productivity of the Egyptian economy</b>					<b>220</b>	<b>39.4%</b>
Support for implementation of the Action Plan Programme (SAPP)	17	80	20	103	220	39.4%
Technical support	17	–	20	33	70	12.5%
Targeted support for sector reforms	–	80	–	70	150	26.9%
Transport sector reform						85 18.3%
Energy sector reform						64 14.3%
Trade enhancement						20 4.3%
<b>III. Ensuring the sustainability of the development process with better management of human and natural resources</b>					<b>298</b>	<b>53.4%</b>
Support for reform of education	120	–	–	–	120	21.5%
Support for public health reform	–	–	120	–	120	21.5%
Support for investment in the transport, energy and environment sectors (interest-rate subsidies)	–	29	–	29	58	10.4%
Education and TVET reform						105 22.5%
Water sector reform						50 10.8%
Solid waste management						20 4.3%
Local community development						10 2.2%
Demining (El Alamein)						10 2.2%
Family planning						10 2.2%
<b>Total</b>	<b>137</b>	<b>139</b>	<b>140</b>	<b>142</b>	<b>558</b>	<b>100%</b>
					<b>464</b>	<b>100%</b>

*Source: Bauer, 2011*

The objectives funded by the ENPI were managed under the NIP for 2007-2010 and 2011-2013, with an allocation of € 558 million and € 449 million respectively. Two third of the funding has been applied as budget support. The more project-oriented smaller parts went mainly to technical assistance, capacity building and twinning projects. The comparison between the funding periods shows a slight increase and a rearrangement of funding objectives with a rise of support for reforms in democracy, human rights and justice (Bauer, 2011).



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The negotiations of the EU-Egypt Action Plan were extremely long compared to other ENP countries. The biggest hurdles were political matters, and in particular human rights with opposition from Cairo to set up a subcommittee on human rights. Depending on the way the ENP is considered, different results regarding the evaluation of the EU-Egypt Action Plan can be identified. Viewed as a joint partnership between actors, the result is slightly positive. However, if it is considered to be a transformative policy to transform neighbouring countries, the result is negative especially in the political field. Egypt views the ENP as partnership between equals and thus rejects any attempts of interference in internal affairs. Under the Action Plan, trade cooperation between the two partners increased, whereas sub-regional trade was lagging behind. Egypt trade with Agadir countries accounts for less than 2% of its total trade. Regarding the free movement of people, the Action Plan is not very ambitious, limiting itself to a very generic objective, with no clear goal or timeframe. The Action Plan merely states that the goal is to

*“enhance cooperation to facilitate the legal movement of people between Egypt and the EU through strengthening of the concerned institutions dealing with the promotion of employment, capacity building, as well as providing information about employment opportunities for labour migrants in the EU.”* (ENP Action Plan EU-Egypt, 2007)

Regarding the political and economic sector, the Action Plan established a list of prescribed actions:

1. Enhance political dialogue and co-operation, based on shared values;
2. Enhance the effectiveness of the institutions entrusted with strengthening democracy and the rule of law and consolidate the independent and effective administration of justice;
3. Promote the protection of human rights in all its aspects;
4. Increase economic integration with the EU;
5. Improving macroeconomic governance, reforming the financial sector, strengthening the role of the private sector, enhancing the business climate;
6. Boost industrial development and enterprise capabilities and competitiveness through improved skills, better access to finance, promotion of new technologies;
7. Deepen and enhance the existing economic dialogue and identify areas suitable for gradual regulatory upgrading and approximation with EU technical legislation;
8. Proceed in reforming the tax system, improving public finance management;

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9. Promote south-south trade, through encouraging FDI participation in regional projects and;
10. Strengthen cooperation on poverty reduction through employment and social development.

The list shows, that the economic sector gets the majority of action points (4 to 10), while the political only gets the first three points. Key issue areas are improving economic governance and financial management, the opening up for trade, foreign direct investment and deeper economic integration with the EU. It seems contradictory, taking into consideration that the Action Plan was written during the era of Mubarak, where political reform would have been at least as important as economic reforms. It reveals once again the pragmatic approach of the EU with the hidden support of autocratic stability.

In the latest progress report, issued after the revolution, political and economic developments have been criticized, democratic standards were found unsatisfactory and the economic performance of the interim government did not meet the expectations of the EU:

*“During the transition period the military’s respect for basic human rights and democratic standards has not been satisfactory. Police and military personnel who resorted to excessive use of force during the demonstrations, notably against women, have yet to be investigated. Thousands of activists were arbitrarily detained. Military courts were used to try activists and bloggers. Reports of the use of torture and degrading treatment in detention and prison have continued. “*

*“Ongoing political and economic uncertainty meant that progress on the structural reforms outlined in Egypt's Action Plan was limited. On the positive side, the work to overcome technical barriers to exports advanced when Egypt became an associate member in the European cooperation for accreditation, the process for creating a business was simplified and a competition authority was set up. Following the 2011 events the need for thorough social and economic reform has become more evident than ever. The interim authorities have been unable to engage in achieving long-term objectives. This is something that they prefer to leave to a democratically elected government when it takes office. For this reason, few advances were made during the reporting period, although some progress was registered on health reform including further rolling out of the Egyptian ‘family health model’. No progress was achieved on trade-related issues or on market and regulatory reform. The EU adopted on 14*

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*December negotiating directives for a Deep and Comprehensive Free Trade Area (DCFTA). However, the interim Egyptian authorities are not ready to engage, given their limited mandate. Similarly, they have declined the offer made by the EU to start a dialogue on Mobility, Migration and Security, in order to conclude a Mobility Partnership.”*

The statements show, that the EU did not recognize that Egypt had more important domestic issues to handle during the transition than the implementation of the Action Plan. Yet, a year later things turned up-side down, with the EU seeking close cooperation with the new elected president Morsi. The new assessment is the exact opposite of the progress reports, as it gives credit for the new president for democratization and the EU for supporting the process:

*“Since the first protests erupted in Tahrir square two years ago, the EU has consistently supported the movement for democracy and human rights in Egypt, calling for a peaceful and inclusive transition. A succession of high-level visits to Egypt has been made to underline and highlight this support, by inter alia European Commission President Barroso and European Council President Van Rompuy, by HR/VP Ashton and Commissioner for Neighborhood Policy Füle. One of the first foreign visits undertaken by the newly-elected President Morsi of Egypt was in Brussels which resulted in agreement to resume bilateral contacts through the structures of the EU-Egypt Association Agreement and a restart of negotiations on a new ENP Action Plan. At the invitation of the government, the EEAS sent two electoral experts to assess the conduct of the Presidential elections in May-June 2012. The technical mission concluded that the elections had been fair and were held in a peaceful environment. Ahead of the parliamentary elections planned for the first semester of 2013, the EU has reiterated its offer to deploy, upon invitation of the Egyptian authorities, a fully-fledged EU Election Observation Mission (EOM). ”*

Just as the EU-Egypt Association Agreement, the Action Plan reveals the value confrontation between short term stability and long term democratization. Originally, the EU-Egypt Action Plan was mainly concerned with economic issues and they keep playing the central role between both actors. The political sphere became more relevant during the revolutions. It thus shows that the EU first preferred the status quo and the support of autocratic stability rather than the volatile transition process and only later accepted that the wrongly assumed autocratic stability was gone and offered economic assistance (Gugan, 2013).

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To summarize the pre-institutional framework of EU-Egypt relations, it can be noted that theoretically both – the Association Agreement and the Action Plan – included points concerning human rights, democratization and the rule of law. However, they were too many and not concrete enough, lacking a solid system of prioritization and evaluation. During the era of Mubarak, the EU was unable to achieve any progress in the framework of the European Neighbourhood Policy dialogue or the ENPI project, mainly due to the authoritarian statehood and the logic of hierarchical interaction, which remained in the post-Mubarak era as major determinant of the EU-Egypt relations. Additionally, the budget support from the EU Commission to the Egyptian government did not establish a link between the human rights violation criticism of the progress reports and the option of suspending EU aid according to the human rights clauses of the Association Agreement. The principle of conditionality was rarely exercised and if it was, the criteria were not very clear. The major problem of positive conditionality is that the country might not be willing or able to follow EU standards. In Egypt, the EU Commission promotes an economic model not compatible with the Egyptian view of national economic planning and autonomy. The lack of the final carrot as core incentive weakens the EU's bargaining position. However, Egypt has been successful in balancing the survival of central features to the system and at the same time giving its consent to external requests of democratization and good governance. For the EU, this translated into a credibility problem.

Egypt mirrors the ambivalent objectives and ideas of the EU's role in the Southern Mediterranean. The change from the Euro-Mediterranean Partnership to the European Neighbourhood Policy was assumed to imply a reorientation of EU foreign policy goals from normative long-term oriented democratization to strategic short-term stabilization auf authoritarian systems. In the first days of the Egyptian revolution, the EU was very careful in pronouncing itself to the subject of the ousting of Mubarak, revealing the democracy-stability dilemma. Shortly after the ousting and the takeover of power of by the Supreme Council of the Armed Forces (SCAF), the EU joined the Egyptian civil society. The events shed a new light on the discussion about the democratic power of the EU (Bauer, 2011).

### *4.2.2 Revised ENP in the course of the Arab Spring*

Several factors had a problematic impact on the results of the European Neighbourhood Policy towards Egypt, amongst them the gap of Egypt both in democratic and economic development, which was a difficult starting point for the tools of the ENP. Egypt has so far reacted in a sensitive way to external interferences in the internal affairs. Since there was no final carrot such as the membership perspective, the means for mitigation were limited to financial aid and economic preferences. In this difficult context, the EU provided a filtering system, concentrating its efforts and funding in certain areas in Egypt. Thus, the objectives were applied in limited sectors in Egypt, but the configuration tried to cover all aspects of the dialogue, from democracy promotion to trade facilitation to sustainable development. The concentration within the framework of financial aid and simultaneously permanent dialogue on democratization was based on the importance and achievements of the Barcelona Process. The ENP can therefore be considered as multi-faceted policy, composed of different incrementally evolved layers. However from the Egyptian perception it was considered to be inconvenient due to the demand of concrete action which was touching on the internal affairs of Egypt. The switch from partnership in the EMP to a neighbourhood relation has been noticed as degradation of bilateral relations. Its view on the EU has to do with the self-perception of Egypt with a special and highlighted role as leader in the Arab world due to its strong population, location, cultural and military power.

Before the outbreak of the Arab Spring, the EU's and the member states policies towards Egypt focussed on the relation with Egypt's government to confirm the framework of economic co-operation without any socio-political dialogue and incorporation of NGOs into the dialogue. Governments most interested in the cooperation with Egypt have been France, the UK, Germany, and to a smaller extent, Italy and Spain, due to their historical experience of mutual relations. The government of Egypt was seen as desirable ally to fight terrorism, maintain stability in the region and combat illegal migration. The a-priori assumption was, that due to the lack of historical and social foundations for building democracy, close collaboration with the autocratic regime was necessary in order to maintain stability (Przybylska-Maszner, 2015a).

The ENP is an example of the growing influence of the EU Commission on EU foreign policy. The design of the ENP within the competences of the Commission organizes policy-making along the lines and experiences of preceding policies. However, the path dependency

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characterized by the incremental process of adaptation and learning was strongly influenced by the authoritarian statehood of Egypt. Consequently, the challenge of the Commission is how to influence a reluctant environment (Bauer, 2011).

The EU was taken by surprise by the events in the Middle East and by that time was much more concerned with its own financial crisis. Thus, the first stage of protests showed a paralysis of EU institutions. It was the member states, who took the initiative to define the EU standpoint as confirms the joint declaration of Merkel, Sarkozy and Cameron on January, 20<sup>th</sup> of 2011 and another one including Berlusconi and Zapatero on February, 3<sup>rd</sup>. This intergovernmental commitment reveals the significant power of individual member states to shape relations with Egypt. The early reactions revealed the intimate relationship with the dictators, when for example the French Foreign Minister Alliot-Marie offered President Ben Ali expertise on crowd control after signs of unrest. A look at the initial EU statements shows no demand of the ousting of Mubarak, only the call to cease violence against peaceful protesters and undertake necessary reforms. Italian Prime Minister Silvio Berlusconi even praised Mubarak on February 4<sup>th</sup>, hoping that in Egypt there can be a transition towards a more democratic system without a break from President Mubarak, who in the West and the US is considered as the wisest man and a precise reference point. Thus, the EU has been quite hesitant in siding with the protestors in January 2011 and there has been no immediate support of the public demands. The 2010 EU progress report on Egypt shows that Cairo was closely working with the EU on security-related issues before the fall of Mubarak. In the first months of the Arab Spring, the EU had the same security mind-set. EU Commissioner Stefan Füle acknowledged the past mistakes, where the EU focussed too much on stability at the expense of other objectives and values, thereby highlighting the mismatch between values and the ways of fulfilling interests (Barrinha, 2013). In his speech he claimed that the EU

*“[...] must show humility about the past. Europe was not vocal enough in defending human rights and local democratic forces in the region. Too many of us fell prey to the assumption, that authoritarian regimes were a guarantee of stability in the region. This was not even Realpolitik. It was, at best, short-termism – and the kind of short-termism that makes the long-term even more difficult to build.”* (Füle, 2011)

The statement shows the EU's willingness to admit the failures of previous strategies in the region and the need for new funds and initiatives to empower reformers.

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There has been a rhetoric turn in EU foreign policy towards the Mediterranean, emphasizing the promotion of democratic transition but the substantial content and procedures still relied on ENP programmes and tools. The realistic approach adopted pre-crisis has been abandoned and the ethical dimension has come to the fore with the focus put on three main principles: democratic transformation, civil society, growth and economic development. It presents a clear departure from the previous logic of the ENP, which until then was mainly driven by the economic logic, assuming that economic liberalization would lead to enhanced political and economic interdependence and consequently to more security and stability. The logic of the ENP – economic cooperation leading to democracy - has been reversed in the aftermath of the Arab Spring and policy priorities were reordered in favour of deep democracy. Accordingly, the conditionality for closer cooperation and association to the EU was clearly linked to democratization instead of economic reform. The acknowledgement of prior shortcomings and the commitments to a more differentiated approach lead to the so-called “more for more” approach: those who went further and faster with the reforms counted on greater support from the EU. This system of incentives was based on the 3M – Money, Markets, and Mobility: offering financial assistance, easier access to the EU market, and mobility partnerships to a different degree depending on the compliance with EU requirements.

Regarding the first of the three “M” – Money – EU funding increased but did not match the magnitude of the MENA region’s challenges. For the period 2011-2013, the EU earmarked € 449 for three priority areas, namely: supporting Egypt’s reforms in the areas of democracy, human rights and justice; developing the competitiveness and productivity of the Egyptian economy; and ensuring sustainability of the Egyptian development with better management of human and natural resources (Ghanmi et al., 2012). However, no member state committed sizeable new sums out of its own national budgets in a way, that the magnitude of funding did not reach the scale of funds transferred to either Southern or Eastern Europe during their transitions. Compared to other states, EU financial assistance to Egypt was rather negligible: Between 2007 and 2013, the EU allocated \$ 207 million annually, and in the same period the US allocated \$ 1.6 billion and Qatar even \$ 7.5 billion. After 2013, Saudi Arabia, Kuwait, and the United Arab Emirates allocated \$ 14 billion without linking aid to conditions.

Although the EU offered a gradual path of development and intensification of trade relations, this did not translate into a more efficient implementation of political reforms in Egypt and the situation even deteriorated in some fields. Both the Euro-Mediterranean Partnership and the European Neighbourhood Policy failed to correctly evaluate the specific nature of Egypt



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in terms of its population, economic and political potential and its priorities. Some financial instruments turned out to be rather inefficient already prior to 2011, but the EU did not draw the conclusions as for the allocation of financial aid in response to the uprisings. Furthermore, the political elites in Egypt were not sufficiently committed to the programmes implemented, mainly due to corruption, inefficiency of the system and the authorities' reluctance to accept instruments for the development of the civil society. Despite being Egypt's most important trade partner, EU foreign investment in the MENA region was at a low level already prior to the Arab Spring, accounting for only 1% of total EU investment in developing countries in 2010. A common criticism is that the EU did not change the qualitative nature of its reform support and largely maintained a government-to-government basis for cooperation. Funding was based on transition templates with no resonance in the Middle East and aid was instrument- rather than demand-driven. Assessed from the regions perspective, the MENA-countries claim that they could not be bought off with mere monetary rewards, but want to be treated as strategic equals. It is thus considered to be more efficient to offer more flexible support, especially in fields with actual potential for progress (Fiedler, 2015a: 51-52).

As for the field of Markets, no generous trade offers by the EU were seen in the region and no comparable offers of trade preferences like those offered previously in the Balkan region in Eastern Europe. Some member states were sceptical towards market opening, as shows the statement by one Spanish official: "Arab states won't get democracy by exporting tomatoes."

The key concept of a new pro-reform spirit and a firmer support for reforms was made explicit in the documents of the European Commission and the High Representative. In March 2011, they launched the "Communication on a partnership for democracy and shared prosperity with the Southern Mediterranean", two months later "A new response to a changing neighbourhood" and in May 2012 "Delivering a new European Neighbourhood Policy". This new set of strategic priorities focuses on building "deep democracy", which entails the respect for the rule of law, freedom of speech, respect for human rights, independent judiciary and impartial administration. Moreover, it emphasizes "people partnership" to promote pluralistic civil societies and engage with a new spectrum of civilian actors and finally inclusive growth which implies sustainable development and greater socio-economic equality. Incentives-based conditionality should serve as political *Leitmotiv*, based on a more engaged, nuanced and reflexive set of policies. Rhetorically, this new set of priorities points towards the need for a switch from "old stability" to "sustainable stability" (Behr and Fernández, 2013). The fact, that the need for support was closely related to security



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issues was also confirmed by the British Prime Minister David Cameron at the May 2011 G-8 Summit:

*“We should be in no doubt that if we get this wrong, if we fail to support these countries, we risk giving oxygen to the extremists who prey on the frustrations and aspirations of young people [...], if we fail more terrorism, more immigration and more instability coming from Europe’s southern borders.”*

Sarcozy affirmed that “stability can no longer be the alpha and omega of French diplomacy.” Reassessments took also place from other Southern member states like Italy, advocating a Euro-Mediterranean stability pact as equivalent of a Marshall-Plan for North Africa. At the June 2011 EU Council, Herman von Rompuy said “There was an Arab Spring without the EU, but without us there will be no Arab summer.”

In the June 2011 European Neighbourhood Policy review, € 1.2 billion were allocated on top of the existing € 5.7 billion for the period 2011-13, out of which two thirds were earmarked for the Southern Mediterranean. Additional sources were bound to strict conditions based on a dual logic of positive and negative measures: sanctions and the increase of support to civil society simultaneously. In late September 2011, the SPRING (Support for Partnership, Reform and Inclusive Growth) Programme was allocated additional € 350 million for 2011-2012 to support the “more-for-more” approach, but was limited in size and unclear in its criteria for disbursement. In several Southern Mediterranean countries task forces were created in order to unite the different parts of the policy-making machinery, including the External Action Service, the EU Commission, the EIB and the EBRD, and to make use of all political and economic policy levers. To reinforce the institutional co-operation framework and to strengthen and complement human rights activities, in June 2011 a Special Representative for the Southern Mediterranean region has been appointed.

As result of the Arab revolts, EU member states increasingly focussed on the control of migration flows. However, against expectations, no huge flows of migrants were registered. This means that the events did not increase nor diminish the number of citizens intended to emigrate from North Africa to the EU. The incentive for mobility was nevertheless outweighed by a stricter control of migration. Indeed, EU cooperation with North African countries on migration has been more extensive than support for democracy and accordingly, the extension of FRONTEX was given priority over the Partnership for Democracy. By 2014, mobility partnerships still remained at an early stage of discussion. Egypt showed very little

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interest in an exploratory dialogue, so that only one meeting in Cairo took place with the focus on new controls and stiff digital visa requirements. The EU's asylum policies and immigration measures undercut their leverage and credibility in Egypt and the region as a whole (Youngs, 2014: 106-118).

However, in terms of credibility and delivery, the new policy which reiterated old concepts was impaired from the very beginning by past failures when the EU collaborated tightly with autocrat regimes focussing on economy and security issues while disregarding its own proclaimed values (Virgili, 2014). Furthermore, the "more funds for more reform" approach does not give any detail on how the transition and the EU will ensure mutual accountability and doesn't mention how the EU will support the development of "deep democracy". Although Egypt's reluctance of external assistance, the EU allocated € 449 million, offered advice to the electoral commission and training of over 1000 local and independent electoral observers. In a meeting of the EU and Egyptian officials in 2012, the EU, the European Investment Bank and European Bank for Reconstruction and Development announced a number of programmes to provide loans to smaller businesses (Burke, 2013).

The strategic shift of the ENP was largely rhetorically but not in practice. The definition of "deep democracy" varies throughout the speeches and is ambivalent regarding relations with a faith-based civil society. There have been no clear benchmark criteria and no clear allocation of responsibilities for setting the benchmarks and making the performance assistance. In the communications, the EU made no direct reference to the Arab Spring, but only mentioned the "Southern neighbourhood". Among the three M's, Money has been the easiest to deliver. The second M, Markets, has been rather difficult to deliver due to resistance from the EU to lift barriers to agricultural products. With regards to Mobility, the EU found itself in the dilemma between the opposed public opinion to migrations and the need of markets for migration flows (Khader, 2013).

To the revolutions in Egypt the EU did not react until the European Council adopted a "Declaration on Egypt and the region" on 4<sup>th</sup> of February 2011, where the EU stated its concern about the situation, putting emphasis on the right of freedom and expression and the right to peaceful protest as part of the human rights international law. It called the authorities for political reform in order to "meet the aspirations of the Egyptian people", which are in accordance with the values of the EU and that the "transition process must start now." This transition should take place through political reform and dialogue, taking into consideration

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the fundamental rights and freedoms. In the declaration, the EU made reference to the principles of the EU-Association Agreement as basis for the relationship between both and confirmed the need to give a new direction to the ENP to support states who wanted to undertake political and economic reforms. The EU expressed itself to support the transition process “towards democratic governance, pluralism, improved opportunities for economic prosperity and social inclusion, and strengthened regional stability.” (European Council, 2011:14-15)

Egypt is an exemplary case for the necessity to establish a new network of relations. Between 2012 and 2013, Egypt experienced a post-revolutionary political crisis. In the 2013 elections, the EU provided technical assistance, support of civil society organizations and sent an EU Election Observation Mission. This was complemented by visits of EU representatives, including the President of the EU Commission Manuel Barroso, the President of the EU Council Herman van Rompuy, and the EU Commissioner for European Neighbourhood Policy and Enlargement Johannes Hahn. In 2012, the new President Mohammed Morsi visited Brussels for bilateral contacts, new ENP Action Plan negotiations and the setup of a task force. However, the political road of Egypt took a direction far away from “deep democracy”. In the new Constitutional Declaration adopted in November 2012, Morsi expanded his powers considerably, leading to new social protests from the opposition and an internal political polarization between Islamist forces the secular and liberal opposition. The draft Constitution in the Islamist-dominated Assembly was permeated by the Sharia-law in key aspects and ran in counter to human rights and the rule of law. It would have been the moment for the EU to show that “deep democracy” is not an empty slogan, but the response was very weak, almost non-existing. The High Representative did not say a word against the constitutional declaration and only two weeks later she released a statement, where she expressed concern about the clashes between demonstrators, asking for inclusive dialogue from all sides. No clear side was taken and the causes of the clashes and demonstrations have not been addressed. Only in the 2012 review of the ENP in Egypt, Morsi’s politics were criticized as having taken the country into a deep political crisis and a deep polarization and that key issues regarding human rights experiences serious drawbacks (Virgili, 2014). The European conduct was defended as the High Representative’s deliberate choice not to interfere with the internal affairs of Egypt. However, this deliberate action violates EU regulations, strictly speaking the Lisbon Treaty, ENPI and ENI general regulations which call for EU assistance in terms of respect of democracy and human rights.

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The second anniversary of the revolution, with new demonstrations calling for the down-step of Morsi and the suspension of the Constitution, marked the collapse of the EU policy towards Egypt including all its efforts. In March 2013, the EU Commission issued the communication “European Neighbourhood Policy: Working towards a Stronger Partnership”, where it acknowledged the complexity of the democratic transition and the difficulty to predict outcomes. The intensification of the political polarisation by spring 2013 culminated in mass demonstrations and finally the ousting of Morsi on July, 3<sup>rd</sup> of 2013. The need for transformation which encompasses all political groups, as well as free and fair elections has been emphasized by EU Special Representative for the Southern Mediterranean and for Human Rights. However, in conditions of instability and intensified violence, chances for a democratization process in the country were smaller than before, letting the EU policy remain a “policy on paper”. As already mentioned, Egypt is an extremely important partner for the EU and ally to protect the EU’s interests in the region. The application of EU instruments was hampered by an inefficient reaction mechanism of the EU, discrepancies regarding member states interests, finding a common standpoint and the interaction with civil society in Egypt (Przybylska-Maszner, 2015a: 25-39).

The ENP did not address the problems at the heart of the EU’s foreign policy towards the region. Due to the varying priorities of its member states, the EU does not have a strategic vision. Whereas countries, such as France or the UK have a strong focus on mobility and migration, others like Sweden, the Netherlands, or Poland are more committed to democratic transition. The underlying assumption of the initial ENP policy was that the EU has leverage and attraction vis-à-vis its Arab neighbours and that a combination of trade liberalization, development, closer political relations and a stronger emphasis on political reform towards greater democracy and good governance are the receipts for keeping the region stable. The limitations of the EU’s approach towards Egypt are a result of technical and bureaucratic complications in terms of assistance delivery, incompatibility between intended policies and the actual situation, divisions among member states on priorities to be addressed and the persistence of the democracy-stability dilemma. To this came the difficulties in negotiating common objectives due to the insufficient administrative capacity, a changing political context and insufficient progress in areas of specific concern to the EU (Greenfield et al., 2013)

In summary, the EU has been partly unwilling, partly unable to promote and enforce deep democracy in Egypt. It has been a mixture of deliberate choices and objective difficulties. The

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EU and its member states were not able to have a credible impact on the human rights situation, neither before nor after the Arab Spring and they failed to develop a coherent and long-lasting policy vis-à-vis Egypt. The question arises, how serious the EU is in promoting or enforcing its values. Brussels claims, that human rights, democracy, and rule of law are core values of the EU with its promotion and defence both inside and outside its borders. The Egyptian case suggests that the EU does not hesitate to maintain the negotiation process even at a time of serious internal political de-liberalization. Regarding the ethical dimension, the EU has to be more precise in what it wants to promote and who for, what it means with democratization, human rights, rule of law and how to achieve these goals.

##### *4.2.3 National foreign policies towards Egypt: France and Germany*

###### *Egypt-France relations*

In the French self-perception, foreign policy has a high ranking. France conducts an intensive Middle East policy, in particular in the Maghreb region with close ties between the French president and the leaders of the partner countries, also known as “*politique arabe*”. Sarkozy’s initiative of the Union for the Mediterranean proves the ambitions in France’s Mediterranean policy and stands symbolically for the French ambitions to adopt a leading role in the Mediterranean region and shape the Mediterranean policy actively.

Thus, all the more surprising seemed the initial paralyses of France regarding the upheavals and the resulting fall of Mubarak in Egypt. The renouncement of any official statement to the developments went in contradiction to the traditional action pattern of French presidents in foreign policy and the interventionist style of Sarkozy especially in a region of priority for the country. The question therefore arises, how this contradictory action has to be explained against the background of France as leading actor in the region and the traditional design of foreign policy decision processes. The long cooperation with authoritarian regimes in issues of stability and control of illegal migration and the consideration of those regimes as important trading partners shows that contradictions existed already prior to the revolutions, namely between France’s self-image as advocate for human rights in a global frame and its cooperation with the authoritarian regimes. The paralysis was also of structural nature: The relationship of France with its former colonies is based on a permanent reference to the past, from which it derives its responsibility and particular role in the region. The return to its

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traditional foreign policy role, the so-called U-turn, took place with the intervention in Libya in 2011, which can be interpreted as compensation of the passivity of its initial reaction to the Arab Spring. Against this background, the reaction to the upheavals in Egypt can be considered as a temporary deviation of the traditional foreign policy concept as global actor and advocacy of human rights (Sold, 2014).

Sarcozy has proved willing to collaborate with autocrats when it coincided with his own interests but equally abandoned the cooperation when it corresponded to wider regional changes of popular demand. Many in the Arab world have linked French policy in the region to the personality and idiosyncracies of the president. Sarcozys *Realpolitik* in the Southern Mediterranean became unsustainable with the ousting of Tunisia's Ben Ali and shortly afterwards, Egypt's Mubarak, both sensitive cases for France. Indeed, Mubarak ranked among the country's closest allies, which also explains the lack of French solidarity with protestors during the demonstrations against Mubarak.

Nowadays, the relationship between France and Egypt is closer than ever. A \$6 billion arms deal between Cairo and Paris has been signed on February 16<sup>th</sup> of 2015, making Egypt the first foreign country to purchase a French-made Rafale multipurpose jet fighter. This is a clear sign that the Egypt-France relations are back to normal. The interest of Egypt in the Rafale jet was already evoked shortly after the Arab Spring in 2011 by the Supreme Council of the Armed Forces (SCAF), but not taken serious by France. This perception changed with the former army chief, Abdel-Fattah Al-Sisi coming into power. The Rafale deal forms the latest development in the long-standing military relationship between France and Egypt, which goes back to the sale of Mirage jets after the Arab-Israeli war in 1967. Mubarak was appointed the co-president of the Union for the Mediterranean, alongside Sarcozy, who considered the former to be a guarantor for stability in the region. Sarcozy and his government initially reacted hesitantly towards the uprisings in 2011 and the following ousting of Mubarak, claiming that they did not want to interfere in the domestic issues of another country and thus limited themselves to saying that they stood on the side of the Egyptian people and their democratic aspirations. Egypt is considered a key player in the Syrian and Libyan relations as well as the Israeli-Palestine conflict. According to France, Egypt's economic weakness is responsible for the discontent and the revolutions of 2011. Under Morsi, France claimed to be concerned about the respect for the rights of minorities, freedom of press, human rights and opposition. However, no serious condemnations about the violations committed by the new regime have been expressed, despite repression being at the highest level for 30 years,

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according to Amnesty International. To summarize, France relations with Egypt went back to “business as usual”, considering the country under the new president being on the path to democracy and important ally to lead the war against terrorism (Mohamed, 2015).

##### *Egypt-Germany relations*

Egypt has no traditional priority for German foreign policy, but interests in the region have gradually increased, especially regarding the limitation and the control of migration, energy security, the fight against Islamist terrorism, the promotion of democracy and human rights and overall stability. Egypt is a key country for Germany due to strategic reasons and a lucrative market for German arms exports. Germany perceived Egypt as authoritarian and stable and the restrictions on the freedom of speech and association, the brutality against citizens, as well as a poor human rights record never influenced Germany’s stance on Egypt. As long as the dictator guaranteed for stability, Germany was ready to cooperate. This preference of stability over democracy is at the core of the democracy-stability dilemma, which also is a key element in German foreign policy towards Egypt. The Arab Spring reversed the hierarchy of priorities, as the promotion of democracy and human rights gained importance and Germany recognized the mistake to long for stability at the detriment of democracy and human rights. The frame of reference in the German perception of the uprisings was rather European than German. The EU was considered to be a preferable platform for action in the Southern Mediterranean, but with deficiencies.

The initial reaction of the EU to the Arab Spring was criticized in Germany. There was unanimity among politicians, journalists and experts, that the EU must revise its Mediterranean policy. Despite the framing of challenges, interests and policy options in European terms, Germany was conceived as distinct foreign policy actor. In accordance with this distinction of Germany from other European actors, the responsibility for the failed Mediterranean policy of the EU was passed to the Southern European countries. After initial hesitation, German discourse was marked by its willingness to actively support the Arab world, mainly via the EU. Like other European states, Germany was initially hesitant to turn away from authoritarian regimes. State-sponsored violence has been condemned and the authoritarian rules encouraged listening to their people, but no demand for departure was launched. The renunciation to a clear statement towards regime change became clear at the Munich Security Conference in February 2011, where Chancellor Angela Merkel and Foreign



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Minister Westerwelle insisted on the demand for democracy and human rights in Egypt without definitely breaking ties with Mubarak. It shows the typical balancing act of Germany without taking a clear position. Only after the ousting of Mubarak, Germany clearly positioned itself on the side of the democracy movement and announced its support in the form of transformative partnerships (Sold, 2013).

It was not a representative of the European Union, but Guido Westerwelle, then German Foreign Minister, who first visited post-Mubarak Cairo on 24 February 2011. Germany soon allocated more funding to its political foundations, the Konrad-Adenauer and the Friedrich-Ebert foundation, development aid and foreign cultural policy. The Ministry for Cooperation and Development launched a special fund for North Africa with € 30m for democracy promotion, education, economic assistance and additional € 100m through the foreign office budget for 2012 and 2013 for civil society projects in Egypt and Tunisia. Already prior to the Arab Spring, Germany has been the second largest donor in the MENA region with an allocation of € 400m annually for development aid in the region. Germany was able to present itself as credible partner for Southern Mediterranean states in transition by building on assets and experiences in social, political and economic transformation processes, mainly due to its lack of a colonial past in the Arab world and being Europe's leading economy. The need to strengthen civil society and increase development cooperation closely matches the traditional German low-politics approach in foreign and development policy. For decades, German political foundations and institutions like the German Academy for International Cooperation (GIZ) or Germany Trade and Invest, have been working with local partners on concrete development and society building projects in Egypt. Since 1951, the German-Arab Chamber of Commerce and Industry is serving as dialogue partner for both governments.

Germany not only enacted measures on the national level, but was also active at the European level. In a letter to High Representative Catherine Ashton in February 2011, German Foreign Minister Westerwelle asked for a radical reform of the Mediterranean policy and demanded for more conditionality, more cooperation with civil society, cooperation on migration issues and the opening of the domestic market for agricultural products.

Germany was partially successful in presenting itself as substantial foreign policy player at the beginning of the transformation processes in Egypt. However, the escalation of violence in Libya demonstrated that Germany's claimed leadership position in the Southern Mediterranean was fragile and only temporary. Still, the conditions for Germany to play an



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important and beneficial role in the region were advantageous due to its lack of a colonial past, the relative distance compared to other European powers, its economic strength, and the proven state- and society-building instruments of its foreign and development policy. The Foreign Office and Ministry for Development reacted quickly and adapted foreign, development and cultural policies to the region together with the allocation of additional funds. Furthermore, it developed new concepts for the reform of the Euro-Mediterranean policy. Nevertheless, the European reaction as a whole was too weak to make a significant difference, its impact on development in Egypt and other countries of the region being rather limited. Despite its positive achievements in the region, Germany was not decisive in ramping up the diplomatic infrastructure in the region. It is considered to be difficult to implement large-scale projects without regional expertise and diplomatic presence, in a country where democratic and accountable state structures are under development. Due to its passive Libyan policy, the gap between rhetoric support and the actual means willing to employ led to a loss of trust among European and Western allies and a general loss of visibility.

When Morsi and the Muslim Brotherhood came into power in 2012, Germany was ready to cooperate with the new government despite its doubts regarding its claims of power during the revolutions. The presidential decree, which was issued by Morsi and awarded him almost absolute power has been a major step back in the democratization process but was not heavily criticized. Instead, Westerwelle called the Muslim Brotherhood “moderate Islamic party”, hoping for a future democratic party. The military coup in July 2013 was perceived as major setback of democracy and led to a suspension of the arms delivery to Egypt. Germany underlined the need for democracy and asked for a return to the constitutional order, since it considered that the military took away power from a democratically elected president. Westerwelle was the first foreign minister to visit Egypt after the fall of Morsi, expressing the willingness of his country to support Egypt on the way to democracy and prosperity. Despite of anti-democratic regulations and severe human rights violations, he pushed for the release of Morsi and the need to reinstate the constitutional order. This emphasis on stability in spite of the undemocratic Muslim Brotherhood, demonstrates the persistence of the democracy-stability dilemma after the fall of Mubarak (Libront, 2015).

The German response to the Arab Spring reveals the ambitions, cleavages and contradictions in its foreign policy and put the typical two-track approach to the front, with response at both national and European level. National traditions, identity patterns, specific interests and situational context factors within Germany are crucial in the formulation of national answers

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to EU-wide problems. Germany adopted a case-by-case pragmatism, which reflects the specific nationally defined interests in the respective foreign policy fields. The claim of a leadership role in the Mediterranean policy on the one hand, and its reticence in the Libyan case on the other hand, demonstrate that Germany is oscillating between inconsistent activism on the international scene and old habits (Ratka, 2012).

The role concepts based on the foreign policy culture have shaped the action of states in the international arena and are underlying the reaction to the Arab Spring. At the same time, the Arab Spring revealed the fragility of these role concepts in the face of new geopolitical challenges. If one of the main driving forces for European integration loses its reputation as reliable international partner, deprives from multilateral structures and does not adapt its role concept to the changing global framework, this is a clear setback for the EU foreign policy and the whole process of integration in the long run (Sold, 2013: 78-88).

### 4.3 Toolbox

#### *4.3.1 EU Mediation Policy: EU-Egypt Task Force*

Prior to the Lisbon Treaty, mediation was not used as formal EU foreign policy tool. Nevertheless, regarding the EU as supranational peace-building project, conflict resolution has become one of the most strategic foreign policy orientations of the EU, with mediation playing an essential role in this strategy. The EU considers that external action has to be guided by principles that have inspired its own creation, development and enlargement. The Arab Spring has clearly shown that the “carrot and stick” policy does not work in new emerging conflicts which concern internal divisions. Thus, mediation is a tool to deal with common concerns and to exercise its economic soft power. Mediation is actually the only foreign policy field which does not overshadow national foreign policies, thereby being able to achieve a certain degree of coherence.

Egypt was one of the first priorities of the High Representative Catherine Ashton and EU Special Representative for the Southern Mediterranean Bernardino León, and during Morsi’s presidency, EU officials and met several times with the Muslim Brotherhood government. However, since the new president Al-Sisi took over the office, a deterioration of the mediation process could be noted. Despite of the EU’s statements to continue its mediation

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efforts, in practice there has been no visit to Egypt since Mogherini has been appointed High Representative in 2014.

The importance of the Muslim Brotherhood in the mediation process has been largely underestimated by EU officials. Egypt has rejected most of the mediation mechanisms of the EU, mainly because of its own ambitions of seeking to be the leader of the Middle East and being recognized at the international stage as mediation and crisis management frontrunner. Due to this self-perception, Egypt has always been reluctant towards external interference (Bisard, 2015a).

Egypt is considered as a case of zero-sum process of political transition in the aftermath of the Arab Spring. The “winner takes it all”-approach prevailed in all phases – from the ousting of Mubarak to the Muslim Brotherhood rule and up to the current president. A high level of polarisation inside the country hindered the implementation of inclusive policy-making processes. The failure of an internal dialogue held back the democratization process and justified the return to authoritarian dynamics. The EU response to the developments in Egypt went along the lines of the EU’s overall response to the Arab Spring, namely the revised European Neighbourhood Policy analysed in the Institutions-subchapter, and the step up of mediation efforts on the part of Brussels. New commitments were added to the pre-existing ENP assistance and the Country Strategy Paper for the period 2007-2013.

For the implementation of mediation activities, a new EU-Egypt Task Force was set up on the 13<sup>th</sup> and 14<sup>th</sup> November 2012. It was the largest-ever meeting between the EU and Egypt, mobilizing different sections of the EU’s policy-making machinery and more than 500 socio-economic partners from different public, private and non-governmental sectors. As dialogue platform, the Task Force is an innovative form of European diplomacy for states in transition and an effective tool to mobilize additional support and stimulate investment from the private sector. Headed by the High Representative Catherine Ashton, the EU-Egypt Task Force aimed to increase the EU commitment through the mobilization of EU assets and the coordination with public and private sector. Future investment has been coordinated among EU institutions, member states, the EIB, EBRD and international financial institutions. This combined effort led to the commitment to a financial package of € 5 bn.

The EU-Egypt Task Force was considered to be the most successful in bringing together different political and economic actors and in terms of commitment to financial and economic aid assistance. The meeting confirmed that a

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*“[...] new area in the relationship between the EU and Egypt has started. As equal partners, with common aspirations and values, we are willing to work as closest allies.”* (EU-Egypt Task Force, 2012)

An agreement on starting a high-level dialogue on agriculture and the doubling of Egyptian participation in Erasmus Mundus and Tempus programmes have been major achievements of the first EU-Egypt Task Force meeting (Ghanmi et al., 2012).

The Task Force was composed of three main phases:

1. The possibility of cancelling Egypt's debt that refers to the exchange for a programme of benchmarked reform;
2. A European endowment for democratic transition that supports institution-building and democracy;
3. A long-term vision of constructive relations between the northern and southern shore of the Mediterranean.

The first chief executive of the European Defence Agency in Brussels stated that Egypt's new government may rapidly become an independent, regional actor with whom the EU had to engage actively (Demiral, 2013). The Task Force was the basis for EUSR Bernardino León's efforts to facilitate internal dialogue between secular forces and the Muslim Brotherhood. Due to a deeper polarisation and intensification of the internal conflict, the High Representative and the EUSR continued to visit Egypt after the first meeting of the Task Force. The first important visit by León took place in February 2013, where he met with the Egyptian Foreign Minister Mohamed Kamel Amr, stressing the need for reconciliation among the Egyptian society and political representatives. The meeting went hand in hand with talks about a EU aid package and the conditionality on the implementation of reforms. On the 7<sup>th</sup> of April 2013, HR Ashton met with Morsi and leading opposition figures to insist on the importance of inclusiveness in the transition. The EU offered Morsi to remain in office, but to replace the prime minister and form a technocratic national unity cabinet. However, the deal was rejected by the Muslim Brotherhood under the reference to Morsi's legitimacy of power. Another attempt to call for dialogue and inclusiveness took place in June 2013.

After the military coup of Morsi on 3<sup>rd</sup> July 2013, Ashton tried to break a new deal between the military and the Muslim Brotherhood in a meeting with the interim President Adli Mansour, leaders from the *Tamarod* movement and representatives from the Freedom and

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Justice Party. A second visit in July to state the EU's commitment to play a mediation role for a political solution was followed by visits in August, September, and October of the same year to ask for dialogue and inclusiveness. However, the efforts came to an end with the return of a military-led regime, followed by a constitutional referendum in January 2014 and the victory of Al-Sisi as new president.

Traditionally, the EU was perceived as being less involved than other external actors in Egyptian politics and therefore more able to act as an "honest broker". The absence of deep engagement of the EU acted as positive factor to potentiate its role as external mediator. EU authorities in the country were traditionally perceived as "less evil" when compared to the US. Accordingly, civil society organizations and political actors were more prone to meet with EU authorities.

The EU had equipped itself with a series of institutional capabilities to upgrade its role as international mediator. These include, amongst others, the higher political profile of the High Representative, the responsibilities of the EUSR for the Southern Mediterranean, facilitating mediation and informal talks with local actors. In the Egyptian scenario, the EU saw the opportunity to strengthen its political profile after the revolutions and portray itself as the only international actor capable to talk to all parties.

However, despite of the positive elements mentioned, a series of negative factors hindered the active role of the EU as mediator. The restoration of the military-led regime went hand in hand with the exclusion of the Muslim Brotherhood from the political scene, followed by its marginalisation and prosecution as political movement. Thus, the Egyptian politics took an alternative route difficult to alter by an external broker. European engagement and commitment could not influence the most radical drift of the Muslim Brotherhood's government in opposition to EU values (Virgili, 2014).

Additionally, the ties between the EU and Egypt have never been strong enough for the EU to play a decisive role. The EU's leverage in terms of trade relations, official development assistance and energy dependence are limited in Egypt when compared to other Mediterranean countries, such as Morocco or Tunisia. Egypt has always been reluctant to accept the conditionality imposed by the ENP and the loans of the International Monetary Fund. Considering itself as central regional power, suspicious of external interference, diminished the chances for the success of the EU's mediation policy. Different actors in power believed that there was no need for a deal in favour of inclusiveness or external

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mediation. According to some experts, the EU placed too much emphasis on the centrality of the Muslim Brotherhood in the Egyptian political scene since it aimed at overhauling relations with political Islam after the initial marginalisation. The current government under Al-Sisi considers that the EU lost centrality as relevant interlocutor due to the over-biased policy in favour of the Muslim Brotherhood. However, the Muslim Brotherhood claims that the EU was betraying the principle of inclusiveness and dialogue by accepting the return of the military-led regime. In short, the results showed limited success of the EU as mediator in Egypt in terms of bringing the military and the Muslim Brotherhood closer to a political deal and in favour of an inclusive transition.

Egyptian local actors were confronted with the difficulty to differentiate between the intention of the EU to act as impartial mediator and the member states national interests. Member states have adopted a more pragmatic approach vis-à-vis Al-Sisi's government, which reveals the prioritization of the own national interest. Also EU policy has evolved over time from an impartial mediator towards taking a more pragmatic approach. In fact, the Egyptian scenario has confronted the EU with the traditional dilemma between maintaining interests and conserving its values, which makes the consolidation of the role as an impartial mediator difficult. The case of Egypt showed that EU politics and policies have to go hand in hand and that mediation needs to be streamlined alongside the rest of foreign policy instruments which have to be made conditional on the partner's willingness to talk and to make serious concessions (Morillas, 2015).

Defining the question for Egypt's and the whole region's future relies on the relationship between mediation efforts and reform initiatives. Mediation should be pursued as complement and not as alternative to support for political liberalization. The lack of consensus on basic political rules lies at the origin of the failure. Consensus is a necessary precondition for democratic reform and the cultivation of national citizenship that prevails over sectarian identities a prerequisite to sustainable political reform. International actors primarily concerned with mediation risk being inactive and may come closer to the preference of semi-democracy. Democratic changes require a certain degree of prior consensus which in turn requires a certain degree of political liberalization to set the conditions for a successful mediation. A certain level of political liberalization is necessary to ensure the inclusion of all relevant actors in the consensus-building mediation process. In Egypt, the EU has striven to encourage dialogue, but the increasingly repressive conditions excluded key forces and did not provide all actors with equal access to an inclusive dialogue. The tightening of the

political space gave some actors more power than others. In order to make dialogue and consensus seeking legitimate, a multi-level playing field is required. Hence, the challenge is to find a mutually sustaining equilibrium of consensual dialogue and pluralism – consensual dialogue that supports reform but also enough reform progress for the seeds of consensus to germinate (Youngs, 2014).

##### *4.3.2 Civil Society Facility and European Endowment for Democracy (EED)*

The support of the civil society in Egypt was one of the objectives of both the Euro-Mediterranean Partnership and the European Neighbourhood Policy. The ENP Action Plan comprised 19 priorities for Egypt, out of which 3 were dedicated to human rights, civil society and democratization. Between 2007 and 2013, around € 1 billion were allocated to Egypt and of these, 60% went to the Egyptian government whereas only small resources went directly to civil society organizations. Aid was primarily provided by the European Initiative for Democracy and Human Rights (EIDHR) and targeted to organizations related to government authorities. The biggest obstacle was the resistance by the Egyptian central administration and their prevention of civil society from receiving funding. Between 2007 and 2013 around € 4.3 million annually was earmarked for civil society institutions and NGOs, compared to \$ 13.5 million annually provided by the US. During the Arab Spring revolutions the EU did not redefine aid development of civil society in Egypt. The main problem was not only the scarce financial resources, but also the deterioration of human rights and democracy records. In absence of the promotion of the Egyptian civil society, two new initiatives have been launched: The Civil Society Facility and the European Endowment for Democracy with the main goal of supporting unregistered civil society organization. The main issue consists in the thematic overlapping of both innovations.

Egypt has a highly restrictive legislation of civil society organizations. Under Law 32/1962, the Ministry of Social Affairs had been granted wide-ranging powers to intervene in the work of NGOs. This provision was used as extension of the state, for example the dissolution of the Arab Women's Solidarity Association. Law 84/2002 stipulates the supervision of civil society organizations by the Ministry of Social Affairs and established the need to obtain approval of the Ministry of Finance for external financing. If a civil society organization tries to circumvent the application for the Ministry's approval, a penalty will be imposed. The Arab Spring did not improve the situation of the Egyptian civil society, but rather was deteriorated



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through increasing restrictions and repressions. NGO's like Freedom House, Konrad Adenauer Stiftung, the National Democratic Institute, and other have been accused for illegal operation. A total of 43 NGO's were sentenced to imprisonment or ordered to pay a fine for operating without the required authorization. Via the EIDHR, the Civil Society Facility and the European Endowment for Democracy, the EU adopted a more flexible financing scheme.

However, the dilemma emerged whether this aid would be sufficient to overcome the crisis. Furthermore, the multitude of initiatives could lead to the overlapping of the scope of activities. After 2011, a repressive legislation to combat NGOs has been launched, largely undermining human rights and the promotion of civil society (Fiedler, 2015b).

The European Endowment for Democracy was an initiative of the Polish president of the Council to complement other forms of activities and to give support EU institutions and member states against the background of the events in the Southern and Eastern neighbourhood.

The Arab Spring revolutions and the protests in Belarus and Ukraine unveiled the inadequacy and inefficiency of the existing instruments. Initiated at the beginning of 2013, the EED is considered one element in the long-term process of reforming external instruments of democracy promotion. It offers subsidies to individuals and entities with restricted access to EU resources with the aim of fostering democratic transformation. As mentioned in the EU Commission communication "A new Response to a Changing Neighbourhood", the new tool was supposed to support democratic processes in authoritarian countries and those undergoing a political transformation, thereby filling a gap in the pre-existing EU foreign policy toolbox. It is a direct response to the slow pace of the allocation of resources and inflexible operation procedures within EU institutions which complicated the support of civil society organizations and entities in those countries. As private law entity with own procedural regulations and financed by contributions of the EU and the member states, it allows for a more rapid access to resources, facilitates short-term aid, less bureaucratic and more flexible. Its complementarity to the EIDHR and other tools for democratization was stressed by the European Parliament's recommendation.

Areas of particular importance for the EED include freedom of speech and association, free media and rule of law. In these areas, the EED provides tailored financial support for individual and the civil society in a process of democratic transformation, including also informal groups with a short period of activities. In accordance with the principle of "support



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the unsupported”, aid is mainly offered to groups with limited chances of receiving funding from other resources since they do not fall within their scope. Therefore, the EED is short-term oriented in order to prepare the civil society for being able to apply for instruments with long-term support. The EED is funding concrete projects but also bridges grants to allow for the consolidation, identification of objectives, the development of an action plan and the construction of projects which then fall under the framework of other sources. In an open financing cycle, applications are accepted for an unlimited period of time and without a typical procedural system. It is based on an hybrid budget, combining EU contribution for the administrative part and intergovernmental contribution for the operative part. However, only 14 out of the 28 member states are actually contributing to the EED budget and, mainly larger member states, still prefer the allocation of resources through national programmes. Moreover, the indication of the goal and the geographical area makes it particularly difficult to manage the budget. Managed by the board of governors and an executive committee, the EED is an autonomous institution largely independent of the EU, which imparts an apolitical character on the tool.

Initially, Egypt turned out to be primarily negative about the new foreign policy tool, mainly due to its belief that the EU cannot export democracy to other countries. This was followed by the accusation of intervention in internal affairs. However, together with the Ukraine, Egypt submitted 520 applications for the EED. By the end of June 2013, 70 applications came from Egypt. Hence, Egyptian projects received € 750,000, the largest support offered to the South. The majority of projects were related to the training of local leaders and media. The focus was mainly put on the grassroot organisations and initiatives, which were deprived from being officially registered.

An example of one project is the “Express yourself through video” initiative for the promotion of the right of freedom of expression. In a mobile studio provided by the People Marketing Campaign (PMC), citizens from rural communities could express their ideas, suggestions and problems regarding society and political developments and thus had the chance to share their concerns and opinions with a wide range of the Egyptian population. This very popular project was broadcasted in the Egyptian national TV station Nile TV.

To conclude this chapter, the new innovative tools represented a first step in the shift from a state-centred to a society-centred cooperation of the EU with Egypt and other Mediterranean countries. The assistance and training of groups which provide legal assistance to pro-

democracy and in issues of human rights, creates a network of collaborating organisations. Nevertheless, the politically unstable environment brought Egypt in a highly risky and complex situation of radical changes. There was a risk of supporting controversial non-state actors due to the difficulty to accurately verify the beneficiaries of the aid (Przybylska-Maszner, 2015b).

### 4.4 Excursion: Egyptian perception of EU strategies

The Egyptian response to the EU after the 2011 revolutions has been very different from other countries, for example Tunisia. After the fall of Mubarak, Egypt showed reluctance to any kind of external assistance to the interim government. Accordingly, the offer of the EU to send an observer mission for parliamentary and presidential elections was turned down (Burke, 2013).

Within the Euro-Mediterranean Partnership, spending on democracy assistance has been minor when compared to other sectors. The MEDA funds were mostly directed towards economic, trade and education reform, rather than political reform and democracy-building. According to Egypt, the following factors hindered progress in the political and the security sphere: The partnership is considered to be a European initiative, where the Mediterranean partners served mainly as recipients rather than partners. Furthermore, the Arab-Israeli conflict is a major obstacle to achieving solid cooperation in the region. Security objectives have not been achieved and the democracy component has been largely undermined in relation to other components. Although the Association Agreement included a human rights clause, in practise serious human rights abuses have been committed without suspension of agreements or withholding of aid by the EU.

Regarding the European Neighbourhood Policy, it is considered that the major obstacle was that it is targeting two different kinds of beneficiaries with different historical, political and cultural contexts. However, in comparison to the EMP, the notion of democracy has been upgraded. There are two trends concerning the Egyptian perception of the ENP and its Action Plan:

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##### *Opposition Trend*

Main representants of this position are grassroots and civil society activists. They regard the ENP as elitist policy and the Action Plan drafted and negotiated by the official elite. Moreover, they are criticizing the lack of a debate in the society over the policy and the Action Plan. The EU-Egypt Action Plan has been signed just three years after the joint Association Agreement entered into force, which did not allow for a critical assessment. The Action Plan is considered to be too generic, vague and not specifying which incentives will be offered by the EU and for which reforms. They argue that the progress reports to report the annual progress were drafted unilaterally by the EU Commission and not negotiated jointly with the partner countries. The ENPI allocated a total budget € 558 million, but only 7% were allocated to achieve progress in terms of political reform and democracy-building.

##### *Supportive Trend*

This trend favours the European Neighbourhood Policy and its advocates are mainly public officials. They argue that the policy and the Action Plan demonstrated the co-ownership between both parties and offered many tools and incentives that support reform. In their view, the Action Plan was negotiated jointly by the EU and Egypt and the policy offers an innovative set of incentives and rewards, including institutional capacity-building instruments. These instruments allow for the exposure of Egyptian public organizations to European best practise and standards. In the view of the advocates of this trend, the Action Plan is a detailed executive plan for reform, relying entirely on national and home-grown priorities. It relies on three basic documents, namely the presidential platform of 2005, the cabinet statement of 2006 and the five-year plan for the Egyptian government for 2002-2007.

According to the Egyptian perception, the EU must identify its priorities: long-term democratization process which might be accompanied by political disorder or short-term stability accompanied by authoritarian regimes.

The EU understanding of democracy is a Western understanding and the EU mainly tries to promote Western-style democracy. However, in the eyes of Egypt and other Mediterranean countries, this is not a “one size fits all” model. They consider that democracy should be home-grown and fulfill the aspirations of their citizens. The absence of a unified and common Euro-Mediterranean definition of democracy manifests itself in the design of policies and the discourse towards the Mediterranean. From the Egyptian perception, it would be important to

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distinguish between enlargement and foreign policy, since enlargement justifies and legalizes the role of the EU as democracy promoter given the final carrot of the membership perspective it offers. In contrast, EU foreign policy has an entirely different rationale. The incentives do not constitute real carrots taking into consideration that they did neither offer full access to the single market nor free movement of labour, but introduced a full range of restrictions. Thus, it is considered that the EU has to think of innovative and attractive carrots with respect to market opening and the free movement of people. The spending pattern, with political reform and democratization at the bottom of the list reflects the EU's interests and affects its credibility and image as democracy promoter in the region (Khaled el Molla, 2009).

Key dimensions in understanding the Egyptian perception of the EU include concerns related to pragmatic interests, the belief in the potential of entertaining a partnership with the EU and the rejection of paternalistic interference. The Egyptian government tends to perceive the EU primarily as trade and economic partner and, in some cases, able to play a supportive political role. This is mainly reflected in the emphasis of the government to strengthen the economic and financial basket of the Barcelona Process and the ENP Action Plan through increasing investment flows from the EU to Egypt. This contribution to the economic and social development and modernization of the country was expected to result in the creation of new jobs. The EU-Egypt partnership was seen from the very beginning as strategic asset and strengthening the relationship constituted a fundamental pillar of Egypt's foreign policy with the Euro-Mediterranean policy as cornerstone. The government affirmed the commitment to cooperate with the EU and its member states to achieve the objectives and principles of the Barcelona Process. Accordingly, the government welcomed the ENP to deepen the Euro-Mediterranean Partnership in order to foster the benefits which Egypt can achieve with this partnership. Considering the Barcelona Process as unique framework for dialogue and cooperation, with further representing added value, the Egyptian government also felt responsible in the maintenance and the development of relations with the EU.

Official criticisms of the EU's role in Egypt exist regarding the EU's main objective on reducing the sources of instability, preventing negative consequences rather than reaping the fruits of cooperation. The EU's security and political goals are considered to dominate in the dealing with Southern Mediterranean partners to avoid importing their problems. However, in the Egyptian perception, the EU does not help the countries to solve their internal problems but to keep these problems within their borders and avoid exporting them to the EU.

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The experience of the European integration is seen as exemplary experience of integration and a model for pan-Arab projects. Egypt considers that the Arab world can draw lessons from the European integration experience where nations were devastated by several wars. However, it prevails the impression that there is a lack of real mutual understanding in the EU-Egypt relations. The EU is considered to present a take-it or leave-it ready-made model, a European recipe for economic and political development, dealing with Egypt as economic developing and politically undemocratic state. From a political point of view, the EU is considered to have the issues which are important for Egypt to anti-terrorism and illegal migration, whilst neglecting other aspects such as the resolution of the Arab-Israeli conflict, sustainable development, or the increasing scientific gap between the Southern and Northern Mediterranean.

EU foreign policy from the Egyptian perspective is seen as reaction policy, not developing according to prior strategic plans but resulting from the interaction amongst immediate variables, European internal interactions and contradictions. There are several objective factors which hinder the efficiency of the EU foreign policy towards Egypt, according to Egypt. Although the EU was considered to have a more balanced stance, successive American administrations have monopolized the management of the Arab-Israeli conflict, leading to the marginalization of the EU's role. There is the belief that a closer EU-Egypt cooperation could promote a peaceful settlement to the Arab-Israeli conflict, since it is a central element of instability in the Mediterranean and reason for major political, economic and security concerns for both, the EU and Egypt. From the Egypt civil society perspective, the EU was considered as potential partner in the process of democratization of the Egyptian political scene through the strengthening of the civil society autonomy. They see the EU as important financier but criticize the lack of civil society participation. Egypt is considered not to form part of the priority agenda of the EU compared to other internal and more significant foreign affairs. The insufficient awareness among the European public opinion and the civil society towards the EU-Mediterranean policy led to the lack of a supportive base and internal pressure to push forward the partnership. Thus, in the negotiation of the Action Plan, civil societies should have been included as well as obligations for the government regarding political reform and the respect for human rights.

The Muslim Brotherhood is another dimension of Egypt's EU perception, marked by the discontentment of foreign interference in internal affairs. They further criticized the EU's

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position towards the democratic election of Hamas, since the latter traces its roots back to the Muslim Brotherhood.

This chapter has shown the complexity of EU's images in Egyptian eyes, depending on the stakes of the parties in question. Whereas governmental stances were mainly motivated by pragmatic concerns, Egyptian civil society was more attracted by the normative power of the EU as a potential promoter of human rights, democracy and rule of law (Bayoumi, 2007).

Egypt is a key partner for the EU and over the years, the country has succeeded in establishing a EU-Egypt cooperation acceptable for the regime and for the EU as to receive funding. The importance of Egypt for the EU derives from its central geo-strategic location, its military weight and the high potential to influence Arab politics and its pivot role in the Israel-Palestine conflict. The EU-Egypt Association Agreement and later the Action Plan provided the legal basis for the relations. Through the prism of "Arab exceptionalism", the Mubarak regime has been viewed as persistent and resilient, thereby justifying the top-down approach followed until the outbreak of the Arab Spring. EU member states have developed different priorities with regards to Egypt and their engagement largely depends on the issue at stake. The case of Egypt revealed the ambivalent ideas and objectives of the EU's role in the Southern Mediterranean and encouraged the discussion about the democratic power of the EU. Even if the mistakes of the neighbourhood policy have been acknowledged by the EU and the policy priorities reordered in favor of democracy, the rhetorical reorientation of EU foreign policy towards Egypt was considered to merely cover old concepts under new names. The EU-Egypt Task Force was set up as main tool for the mediation policy of the EU, but has been undermined by a high level of polarization within the Egyptian society and the failure of an internal dialogue. Moreover, two initiatives for the support of the Egyptian civil society have been launched in response to the Arab Spring: the Civil Society Facility and the European Endowment for Democracy. All together, the revamped foreign policy toolbox has been a major shift from state-centered to society-centered cooperation. The last sub-chapter has offered a different perspective on the EU foreign policy from the standpoint of Egypt. The opposition trend and the supportive trend have been identified as main perceptions amongst different groups of actors.

### 5 Conclusion

From my research and the results presented so far in this paper, we can conclude that the EU's new resources and a political will to exert pressure for reform are still subject to certain limits. Despite its rhetorical commitment to a new approach to the Southern Mediterranean, the Arab Spring revolutions have not fundamentally reversed the EU's view of the Arab world, which explains at least in part, why pre-Arab Spring shortcomings were not sufficiently corrected. There is still a high uncertainty regarding the Middle East's new political configuration and how this will affect the security and economic interests of the EU. This uncertainty is reflected in its hesitance of reaction in order to minimize political turmoil and unfavourable impacts on European interests. In reaction to the Egyptian revolution, High Representative Catherine Ashton warned not to expect of her any dramatic performances and emphasized that the EU should not try to rush ahead of the events, but instead address them as soon as they become reality (Youngs, 2014: 90).

Later, concerns arose that the Commission and the External Action Service were increasingly lacking behind the fast-moving events in Egypt and the rest of the Arab world. As for the criticism of the EU's slow response, the Spanish Foreign Minister Trinidad Jimenez argued, that an earlier reaction would have been considered as "unacceptable interference". Criticism was not limited to external actors, but also arose within the EU itself. Southern member states criticized the Northern members of offering programmes and structures with only limited tangible support since they were less affected by possible spill-over effects. The EEAS on the other hand, accused the member states of masking their own failure to follow the pro-democracy commitment on the national level. EU Commissioner for Enlargement and Neighbourhood Policy, Stefan Füle, criticised the member states for their lack to "buy-in" to the upgraded ENP commitments. Frustrations were also present within the European institutions, since the historic moment of opportunity failed to overcome the obstacles for a reform of EU policy areas. Instead, they largely remained caught behind the curve of change driven within the Arab states. As shown in the last chapter of the Egyptian perception, by the end of 2011, Arab citizens were still not convinced of the EU's democracy promotion. A further issue was the insufficient capacity in the midst of the Eurozone crisis, which did not allow for quick instruments. After 2008, no Euro-Mediterranean summit took place.



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The Arab Spring has clearly changed the framework conditions for the EU-Mediterranean Policy. Until the revolutions, all Arab partners were governed autocratically for more than decades. Nowadays, the Mediterranean region is characterised by heterogeneous countries with considerable differences regarding the desired form of government. The EU's loss of credibility and the reproach of neoliberal intervention make it particularly difficult to engage with the civil societies of these countries. More important than the direct support of single civil society groups would be the support of structures, which enable the engagement of civil society. To regain the lost credibility, a first step would go towards confidence-building in the region (Jünemann, 2013:33).

“New tools, old toolbox” is the major criticism of the authors, referring to the limited effectiveness of the newly created instruments, which were based on the EU's enlargement policy (Behr and Fernández, 2013). One of the key changes has been the “more for more” principle encapsulated in the “3 M's” – Money, Markets, and Mobility. In the previous chapter I concluded that the objective of making conditionality more objective and efficient has not been met. The three “M's” have fallen short of the required support for the region. New initiatives included amongst other the SPRING programme, mobility partnership and Deep and Comprehensive Free Trade Agreements (DCFTA's). However, their limited size undermines the potential of leverage for reforms, taking into consideration the available funds from the Gulf as alternative source of financing. Apart from the limited financial resources, money itself does not alleviate the regions problems since it does not address the root causes. Little progress has been achieved on mobility and the EU remained reluctant to open the agricultural sector to competition. With the “more for more” approach, the EU did not gain additional leverage. There has been little interest from the region for the liberal growth model of the Europe and the liberal economic prescriptions were rather unpopular (Burke, 2013).

The EU tried to reshape relations with the region by playing with the existing toolbox instead of rethinking its nature. The relations are historically constrained by the Middle East conflict, the EU support of authoritarian regimes during a long time, the divergence of member states objectives and priorities, the limited role compared to other actors and the heterogeneity of the region itself. Today, both the EU and the United States are no longer privileged interlocutors in the region (Balfour, 2012).

Furthermore, the absence of negative conditionality led to the paralysis of the EU in the course of the Egyptian constitutional crisis. Besides the “more for more”-approach, another



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guiding principle of the revised Neighbourhood Policy was the so-called “mutual accountability”. From a rhetorical standpoint, it seems to be promising. However, in practice, the Southern neighbours did not dispose any tools to hold the EU accountable for its shortcomings on questions of mobility, rising Islamophobia, double standards, a lack of consensus, inconsistency, etc. Both principles – more for more and mutual accountability – were very one-sided since they have not been discussed with Egyptian stakeholders. The lack of input from the Arab side questioned the legitimacy of the principles. The revised tools and the amended policy framework remained highly unbalanced with a vertical relationship between Brussels and its Mediterranean neighbours, underfunded compared to other investors, and even more complex and difficult to understand.

In the official communications by the EU Commission and the High Representative, it was acknowledged that the EU’s stability-first approach relied too much on a top-down approach while ignoring bottom-up channels directed at organic civil society groups. In the ENP review, the EU promised more of the same old strategies but without explaining *how* to go deeper in its engagement with sub-state actors and *how* to make them accountable to the country’s citizens. Thus, the future lies in how to navigate the two key interests stability and democratic transition (Peters, 2012: 58-60).

The EU lacks an overarching strategy for foreign policy towards the Middle East and mainly failed to recognize how the Arab Spring undermined the European influence. Thus its impact in shaping the new Middle East is relatively marginal. Its support for democracy would have to be more “balanced” than in Eastern Europe since the benefits of the reforms were less certain. Furthermore, the EU started from a lower base of influence than in other parts of the world, as shown by the example of Egypt. Moreover, there was no strong correlation between the EU’s structural influence and a country’s degree of reform. Egypt’s dependency on the EU was lower but initially made more reforms than other smaller North African states. From the Mediterranean perspective, the incentives offered in return for reform progress were negligible and did not correlate with the degree of reforms undertaken. The EU offers have been of circumscribed reach and not commonly well attuned to the specificities and domestic preferences of the countries. The Mediterranean is until now treated as something from which the EU has to protect itself, instead of a positive shared space. The EU has only partly learned from the past that external actors should not adopt a preferential setting or template of change for particular states but instead, should make greater efforts to encourage a pan-regional security dialogue (Youngs, 2014: 118-124).

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With the accumulation of different systems – the Barcelona Process in 1995, followed by the Neighbourhood Policy in 2004 and the Union for the Mediterranean in 2008- three Euro-Mediterranean policies with different underlying philosophies were coexisting and created confusion in the objectives, institutions and toolboxes of the EU's foreign policy. With regional harmonisation for the EMP, differentiated integration for the ENP and “Union of Projects” for the UfM, the EU pursued different aims. They revealed the disagreement between the member states regarding priorities and goals and developed a gradually increasing democratic deficit: While in the Barcelona Process the agreements were still voted by the parliaments of the signatory countries, the Action Plans only had to be approved by Association Councils and the projects of the UfM were merely a result of the bargaining of governments. In short, the Arab Spring can be considered as wake-up call of the failed EU foreign policy towards the Mediterranean and the persisting democratization-securitization dilemma (Khader, 2013).

## 6 Outlook: EU Foreign Policy – quo vadis?

### 6.1 Towards a new roadmap for EU foreign policy

*“[i]f the EU is to preserve its influence in the MENA over the coming decade, it must come up with something qualitatively new.” (Kauch, 2012 in Barrinha, 2013: 210);*

*“it will have to support ‘the broader goal of popular empowerment’ while avoid assessing it from a ‘fixed European political model’” (Dennison and Dworkin, 2011 in Barrinha, 2013: 210).*

In this subchapter, I will propose a possible roadmap for the foreign policy of the EU towards its Southern region based on the results outlined in this research. I will also make reference to the EU Global Strategy for foreign and security policy which is going to be published by June 2016.

The diversity of interests, multilateral and bilateral approaches should be perceived as a chance rather than an obstacle. Thus, complementary and coordination rather than concurrence, should guide the EU’s foreign policy strategy. The countries’ differences and the member states own network relations should be used as advantages. They should complement each other in order to reach a global approach instead of a variety of approaches, which largely undermines the EU’s credibility. The complementarity requires a precise coordination between all participants and dialogue on all levels. Following the principle of complementarity allows for a more coherent and efficient Mediterranean policy also with regards to the use of existing instruments. Both, the multilateral and the bilateral approaches should complement each other instead of creating competition.

In the short-term, the development of infrastructures and the support for SMEs should be at the top of the agenda. Sustainable socio-economic growth should be guaranteed as it constitutes a pre-condition for political stability. Also against the background of the current migration crisis, the development of a common EU migration policy is considered to be important. To make use of the window of opportunity presented to the EU with the Arab Spring, platforms and fora for international dialogue from civil society have to be considered as crucial contributors for shaping the future of the region and re-establish the Euro-Mediterranean relations. Their contributions are decisive regarding cultural and religious issues and in resolving possible misunderstandings. They also provide European NGOs and

experts the opportunity to apply their competencies to support the building of democratic institutions. Other useful formats for cooperation include training courses for journalists, Erasmus programs for students in the Euro-Mediterranean region or a “Mediterranean Youth Office” similar to the Franco-German Youth Office of 1963 (Sandschneier, 2011:73).

The EU has to provide for alternative instruments, which go beyond the *aquis* approach, distinguishing clearly between the neighbourhood countries and potential candidates for membership of the EU. The ENP is largely based on the enlargement policy with a strong focus on the *aquis*, showing a certain path-dependency. The window of opportunity needs to be used to rethink the underlying rationale of the EU’s external relations with its Southern Mediterranean neighbours. Sandschneider (2011: 79) proposes to further develop the 2005 European Commission concept of Consolidation, Conditionality and Communication into a new concept for the neighbourhood based on the three C’s of Conception, Communication and Cooperation.

Regarding the first C – Conception, the EU has to come up with a strategic answer to the Arab Spring, of the similar depth as when it came up with the enlargement policy in response to the end of the Cold War. The geographical proximity suggests a closer cooperation between the EU and the Mediterranean, although in view of the current political and economic crisis, nationalist and Eurosceptic forces are on the rise. Based on the principle of *variable geometry*, the EU could offer partnerships of selective functional and regional integration. Besides giving the partners access to the EU’s respective funds and instruments, its market and institutions, agreements could be made conditional upon stronger regional cooperation in the region. Different sub-types of intensified multilateral cooperation with a group of selected partner countries could give new impetus to the EU-Mediterranean and help to overcome the paralysis of its institutions.

Communication, the second “C”, has to be enhanced and ensured to take place on all levels of cooperation. This means, inside the EU, on a horizontal level with the member states, among the member states and also with third parties, i.e. non-EU countries. The asymmetrical relationship between the EU and its neighbours has proved to be a serious challenge. Communication also refers to the EU’s promises and expectations which have to be clear enough to restore the EU’s credibility and leverage in the region. Communication after the Arab Spring is particularly important with stakeholders of the transition country’s societies about their interest and expectations from the EU and what they think the EU can contribute

to the transition process. Communication would have been essential with regards to the Israel-Palestine conflict within the framework of the Union for the Mediterranean, since it blocked progress in other areas such as the multilateral dimension of the ENP.

The third of the three “C’s” refers to cooperation, which proved to be a challenging concept for the whole package of neighbourhood policies towards the Mediterranean. Relations with the neighbouring countries largely depend on their willingness to engage with the EU, but also the ability to meet its expectations. The asymmetry of relations biased towards the EU made the principle of “mutual accountability” of the Commission’s May 2011 ENP review almost obsolete, since the partners were not provided with the necessary tools to hold the EU accountable for compliance with its promises and commitments. In the field of cooperation the Arab Spring also opened a window of opportunity for the EU, namely in the cooperation with civil society. Their increasing impact on internal political developments in light of the Arab Spring should increase the EU’s engagement with the group of actors. In some of its policies, such as the Union for the Mediterranean, state executives have been the major partners at the detriment of the civil society. Religious groups are key actors for social and economic change in the region and a unique channel to penetrate the civil society, which is why the EU should try to understand and establish relations with them. Finally, cooperation has to be understood as a value itself and a new approach to cooperation should involve the willingness to learn about its partners, acknowledge their views and keeping up channels of communication, even with more challenging actors (Sandschneider, 2011: 79-84).

According to Behr and Fernández (2013), a comprehensive regional strategy should go beyond the transitional paradigm and include discussions on strategic regional issues and rethink its relationships with new regional actors such as Qatar or Turkey or emerging actors such as China. The logics of action and underlying discourses in the Euro-Mediterranean relations are characterized by high tenacity. The so-called *Arabellions* made the contradiction of past approaches like the strategic cooperation with authoritarian regimes, visible. However, a fundamental political change of the EU towards the Southern Mediterranean is only possible if the logics of actions themselves are changed. The adaptation and reformulation of the approach has to be directed towards all three levels of cooperation: structures, actors and contents.

Old structures were established in cooperation with authoritarian regimes and reflect short-term stability oriented individual interests. Yet, the reaction of the EU to the Arab Spring

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points towards an adherence to old mechanisms by referring to marginally adapted terminologies as new maxim of action. Apart from a structural reorientation, the multiplication of actors should be taken into consideration. The identification of new groups and constellations of actors is necessary to create room for strategic debates and long-term transformation partnerships. As for the prioritization of contents, the reinforcement of the socioeconomic dimension of the cooperation based on short and medium term incentives is considered to be important. The support for the implementation of a democratic system is only possible if simultaneous improvement for segments of the Egyptian society takes place, where still around 40% continue living under the poverty line. The opening of the political system remains an open process, since the case of Egypt showed that it does not follow historical models like in Eastern Europe or in Turkey, mainly due to the lack of geopolitical proximity of democracy and the EU membership incentive. Consequently, regarding the direction of political change, the EU's influence is limited considering also the increasing nationalism within the countries where external aid and its conditionality are only selectively desired (Demmelhuber, 2013: 55-65).

The unsatisfactory results of the EU-Mediterranean policy are, besides the lack of appropriate incentives, also partly due to the overload of the agenda. Thus, it is considered to be necessary to limit the priorities to a few central objectives. Together with its partners, the EU should identify a small number of future-oriented projects in areas of common interest. For example, projects including the transfer of environmental technology, the support for education and training and the creation of a skilled workforce are in the economic and environmental interest of both sides and would further improve the competitiveness of the Arab countries (Möller, 2008: 26-28).

In view of the shifts in the international power constellation, the EU should rely to a lesser extent on its own institutional framework and, instead, consider a multilateralisation of its foreign policy efforts. The diminishing EU presence is countered by the increasing role of democracy support of non-Western rising democracies, in particular Turkey, India, Brazil and Indonesia. Since transition experiences are in demand, the turn towards non-Western powers becomes more and more likely. Consequently, the EU should put its efforts on joint initiatives with other Middle Eastern regional powers and international actors from outside. Arab States have to be treated like partners in facing global challenges, rather than mere components of the neighbourhood policy. The different geostrategic panorama compared to 1995 has institutional implications suggests to link the EU's own initiatives to policies of other actors

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and create a broader strategic platform which goes beyond the existing frameworks. A geostrategic forum is considered to be a guiding force for opening a structured dialogue on challenges with other regional and international actors (Youngs in Behr et al., 2012).

More attractive incentives could go beyond monetary means and market access to the integration into EU policies. The best performing neighbours could be invited to join EU policies. For example, the convergence of the Southern Mediterranean partners' energy policies with the EU energy policy could facilitate cooperation on renewable resources of energy and gas and electricity transit corridors. The EU could invite its partners to join EU agencies and promote trans-European networks, offering more benefits and at the same time balancing interests and values (Grant, 2011).

Finally, the Arab Spring has opened a window of opportunity for the EU to show the ability and willingness to reassess its policy and to assert itself as coherent, consistent and credible actor on the global stage. With vital stakes in the Arab world, both regions largely complement rather than compete with each other (Khader, 2013).

### 6.2 A Global Strategy on Foreign and Security Policy

*"More than a decade after the 2003 European Security Strategy, the world has changed dramatically. And we have changed as well. For this reason I have launched a period of strategic reflection on the EU's way ahead in the world. It will lead to an EU Global Strategy on Foreign and Security Policy. This process gives us the opportunity to forge a stronger and more effective EU foreign policy and engage the public on debates about foreign policy. In today's world foreign policy is not just a question for experts – it affects all of us: from the food we eat and the clothes we wear to our daily security and the future prosperity of our children. This is why I believe it is important to involve all of you in our strategic reflection – to hear many voices and get different perspectives. Through this website I would like to have a broad conversation on the EU's foreign policy interests, goals and means to achieve them. I look forward to engaging with you in the months ahead."* (Frederica Mogherini, 2016)

In the strategic report *"The EU in a changing global environment. A more connected, contested and complex world."* submitted to the Council in June 2015, the High Representative Frederica Mogherini set the foundations for an overarching EU Global Strategy. This first conceptual contribution should report the Council on the existing



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challenges and opportunities within and outside the EU's borders, leading to a different strategic environment.

In an increasingly interconnected world, primarily driven by the phenomenon of globalization, engagement is considered to be an indispensable part of the new Global Strategy. The rise of the Islamic State, the refugee crisis, the conflicts in Eastern Europe, the changing environment in the Middle East in the aftermath of the Arab Spring, just to name some of the recent international events, call for pro-active engagement through deeper integration. In a fragile global environment, where both the European project and the international world order are increasingly contested, the EU foreign policy should consider a multidimensional approach, with an integral dialogue on all levels and a pragmatic, clearly defined strategy for the global affairs. Such a long-term strategy should serve as basic conceptual framework and help the EU to navigate in a complex and increasingly dangerous international environment. Globalisation not only resulted in a more connected, but also an increasingly complex world, where there is an increasing need of building strong and solid partnerships at the regional, bilateral and multilateral level. It should acknowledge the changing global dynamics of the present era with a shift of the power balance in favour of the Asian-Pacific-region and with the relative decline of Europe. The strategy also has to prioritize among the competing challenges and opportunities and make trade-offs its values and interests. It should be flexible enough to be able to adapt to a constantly evolving international environment, whilst keeping internal coherence and consistency.

In the strategic assessment, Morgherini highlights five sets of challenges and opportunities in the different geographical areas and derives five key issues to be addressed accordingly. The first set concerns the European neighbours, and mainly the Eastern partners and Turkey. The support of reform processes in the Western Balkan, engagement with Turkey on issues of common interest and the involvement of Russia in a new security architecture is emphasized. Another set is identified in the MENA region, where especially the root-causes of the internal crisis have to be addressed with tailor-made response. In the third geographical area, Africa, the EU should engage in the development of migration and mobility policies and foster regional and international cooperation platforms. The fourth set refers to the Atlantic Partnerships, where a closer cooperation between the EU and the NATO and a deepening of relations with Latin America and the Caribbean is considered necessary. Finally, the fifth set is related to the Asian-Pacific region, where the various developments should be seized as opportunity to actively engage and at the same time foster regional cooperation efforts.



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In accordance with the five sets of challenges and opportunities, there are five key issues that need to be addressed: Direction, flexibility, leverage, coordination and capabilities.

A clear sense of direction, a clear definition of the priorities, goals and means and a continuous assessment mechanism should be essential components of a comprehensive approach of the EU foreign policy.

The Global Strategy should give structure to the EU's foreign policy with an integrated set of principles and priorities that serve as a guideline for its actions. Communication and connection with the EU-citizens who are affected by foreign policy decisions should be an essential pillar of the new strategy, in particular the communication of the EU value added and their connection with the demands and desires of the EU citizens. The member states foreign policy and the EU foreign policy should not be competing against or standing in each other's way, but rather be mutually complementing and reinforcing.

How common, comprehensive and consistent the new strategy will be in managing the outlined issues and guide the European Union's global actions in the future will be seen in the *EU Global Strategy on Foreign and Security*, presented by June 2016.

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