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**Democracy or Stability in the Maghreb?
Security Policy of the EU towards the Region**

Rigorózní práce

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Anotace (abstrakt)

Tato rigorózní práce se zabývá analýzou bezpečnostní politiky Evropské unie vůči zemím Maghrebu mezi lety 2005 a 2010. Činí tak se záměrem ověřit, nakolik praktická politika odpovídá úrovni politických deklarací. Pomocí analýzy Evropské politiky sousedství a v jejím rámci realizované podpory demokratizace v regionu Severní Afriky chce zároveň přispět k probíhající diskusi, zda je možné Evropskou unii chápat jako tzv. normativní mocnost (Normative Power). První kapitola stručně představuje koncept normativní mocnosti. Následující oddíl se zabývá Evropskou bezpečnostní strategií, přičemž dochází k závěru, že cíl podpory demokracie zaujímá v rámci tohoto dokumentu centrální místo. Třetí část poskytuje historický přehled evropské politiky vůči Středozeří, v jejímž rámci se vztahy EU a zemí Maghrebu rozvíjely, přičemž největší pozornost je věnována analýze Evropské politiky sousedství. Následující kapitola zkoumá úroveň praktické evropské politiky. Skládá se ze tří samostatných případových studií evropské politiky vůči Tunisku, Maroku a Libyi mezi roky 2005 a 2010. Pátá a závěrečná část kvalitativně analyzuje způsob, jakým čtyři faktory (obchod, energetická spolupráce, migrace a terorismus) přispěly ke strukturování vztahů mezi Tuniskem, Marokem a Libyí na jedné straně a Španělskem, Francií a Itálií na straně druhé. Diplomová práce dochází k závěru, že ačkoli v úrovni politických deklarací se EU snaží působit jako normativní mocnost, její praktická politika je výsledkem kombinace působení několika materiálních zájmů a prosazování jejích hodnotově definovaných cílů je postaveno na druhou kolej.

Abstract

This PhDr. thesis analyses the EU security policy towards the Maghreb between 2005 and 2010. It does so in order to ascertain to what extent the level of practical policy corresponds with the level of declarations. Also, by using the promotion of democratic governance in the Maghreb countries under the ENP as a case study, the thesis means to challenge the proposition that European Union can be described as a 'Normative Power'. First chapter briefly presents the concept of 'Normative Power Europe'. Following section looks at the European Security Strategy and localizes the primary position of the goal of democracy promotion in the document. Third part gives an overview of the European policy towards the Mediterranean under which EU relations with the Maghreb have been framed. Most attention is paid to the European Neighbourhood Policy. Next chapter examines the level of practical EU policy. It consists of three separate case studies of European policy towards Tunisia, Morocco and Libya between 2005 and 2010. The fifth and final part qualitatively analyses the way four factors (trade, energy, migration and terrorism) contributed to the structuring of relations of Tunisia, Morocco and Libya with Spain, France and Italy. The thesis arrives at the conclusion that while at the declaratory level the EU strives to present itself normatively and frames its strategies in this way, at the practical level its policy is shaped by a number of material interests and pursuing of its value-based objectives is relegated to a secondary status.

Klíčová slova

Bezpečnostní politika EU, Evropská politika sousedství, Maghreb, Severní Afrika, Euro-středomořské vztahy, demokratizace, Tunisko, Maroko, Libye.

Keywords

EU Security Policy, European Neighbourhood Policy, the Maghreb, North Africa, Euro-Mediterranean Relations, Normative Power Europe, Democratization, Tunisia, Morocco, Libya.

Prohlášení

1. Prohlašuji, že jsem předkládanou práci zpracoval samostatně a použil jen uvedené prameny a literaturu.
2. Souhlasím s tím, aby práce byla zpřístupněna pro studijní a výzkumné účely.

V Praze dne 10. 9. 2012

Jiří Holík

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Introduction

The whole Maghreb region underwent dramatic changes during the course of the year 2011. Popular uprisings deposed authoritarian rulers of Tunisia and Libya and these countries embarked upon a difficult road that would hopefully lead to a democratic transition. In Morocco and Algeria the incumbents weathered the pressure thanks to widespread concessions and political reforms they were forced to initiate. European Union for its part was caught off guard by the rapid development in its southern neighbourhood at the beginning of the year.

Importantly, since 2005 the EU has had in place its European Neighbourhood Policy whose proclaimed aim has been to bring about creation of “a ring of countries, sharing the EU’s fundamental values and objectives” (Commission 2004a: 5). However, as of the end of 2010 the EU achieved remarkably little as far as the goal of promotion of democratic and liberal reforms within the Maghreb countries was concerned as is evidenced by the yearly classification of the Freedom House (see Table no. 1).

The EU has been described as a ‘Normative Power’ which “being different to pre-existing political forms” is pre-disposed “to act in a normative way” (Manners 2002: 242). That is also the image the Union wants to show to the world. Yet, if this was the case it would inevitably have to be reflected in the European security policy towards the Maghreb which has been implemented mainly through the European Neighbourhood Policy. Did the EU try and “merely” failed to achieve its objectives in the Maghreb or did it resign from promoting change in its neighbourhood? Were the strategic objectives enshrined in the European Security Strategy and ENP strategy documents indeed those which inspired the level of practical policy or did the EU rather pursue other goals? And if that was the case how can we explain it? These are the questions which provide the starting point of this thesis.

Object of the Thesis, Research Question and Hypotheses

The object of this thesis is to examine the security policy of the EU towards the Maghreb in order to ascertain to what extent the level of practical policy corresponds with the level of declarations. This will not only allow us to assess the coherence of the policy but also to make a contribution to the on-going debate whether the EU can be conceptualized as a ‘Normative Power’. In more concrete terms,

the thesis analyses the question whether the EU did indeed employ the tools at its disposal in order to promote its core values such as democracy, rule of law and human rights and fundamental liberties as it declared it would, and – as our main hypothesis presumes – if not, why.

Specifically, this thesis addresses **main research question:** *Why did the security policy of the EU towards the Maghreb not correspond with principles and goals declared in the European strategic documents?*

Corresponding **main hypothesis** assumes that *there are a number of security, economic and political factors (as specified bellow) which shaped the EU policy towards the Maghreb countries in the direction of favouring stability over promotion of democracy.*

Additionally, this thesis aims to verify four **partial hypotheses** that were formulated inductively based on an analysis of the available primary and secondary sources. These hypotheses also introduce factors that presumably influenced the practical EU policy towards the Maghreb. All of them are material in nature and as such they should a good counterweight to and means of evaluation of the assumptions of the value-based proposition of Normative Power Europe.

First, overriding immediate security concerns with issues of terrorism and organized crime on the part of the EU and its member states led to emphasizing stability and cooperation with the incumbent regimes over a push for democratization and improving governance in the region.

Second, preoccupation of the Southern EU member states with the issue of migration induced the member states and the EU to seek cooperation with the incumbents of the Maghreb countries and thus contributed to a policy of status quo towards the region.

Third, unwillingness of the EU member states to jeopardize existing trade patterns with North African countries contributed to a practice of downplaying of the democracy promotion agenda under the ENP.

Fourth, unwillingness of the EU member states to jeopardize stability of supplies of natural resources helps explain why the EU was unwilling to risk promoting change in the region.

Methodology and Structure of the Thesis

The thesis consists of five chapters. First chapter presents an overview of the concept of Normative Power Europe and of its problematic aspects, summarizes the on-going scholarly debate and, discusses some implications for empirical research. Next section aims at localizing the primary position of the goal of promotion of democratic governance within the European Security Strategy.

Third chapter gives an overview of European policy towards the Mediterranean under which the EU relations with the Maghreb have been developed. Specifically, it deals with the Barcelona Process, with the European Neighbourhood Policy and also with the Union for the Mediterranean. Most attention is paid to the ENP. We examine the aims, principles, tools and incentives, as well as the nature of the ENP as an instrument of promotion of EU fundamental values and objectives. The discussion is based on an analysis of EU strategic documents but also rests upon a number of secondary sources. In essence, this chapter investigates the declaratory level of EU policy towards the Maghreb.

In contrast, the following chapter moves on to examining the level of practical EU policy. This part consists of three separate case studies which analyse the European policy towards three selected Maghreb countries – namely Tunisia, Morocco and Libya. These were selected because they differ in their historical, political, security and economic ties to Europe while share a similar culture. Relations with Tunisia and Morocco have been conducted within the ENP framework while Libya has remained outside of it. Time period of analysis is framed by years 2005 when the European Neighbourhood Policy was launched and 2010 which marked the end of an era as far as regional politics was concerned. The general aim of this part is to ascertain – using the three case studies as an empirical base – to which extent the principles and goals of the European Security Strategy were pursued in practical policy.

The fifth chapter aims at answering the main research question which could be here rephrased as “Why did the EU resign on promoting democracy in the Maghreb?” It does so by qualitatively analysing four different factors: trade, energy, migration and terrorism. These factors were specified based on a thorough examination of secondary sources and are in line with the two partial hypotheses. We are interested

specifically in the way these factors structure the relations of Tunisia, Morocco and Libya with Spain, France and Italy. These three European countries were selected because they share historical links with chosen Maghreb countries and also belong to the strongest promoters of the Mediterranean dimension of the European Neighbourhood Policy. The objective is to show the importance these factors play in the relations between selected European and Maghreb countries and, importantly, the way they contributed to the desire of European countries to favour regional stability over push for democratization.

Lastly, the concluding part sums up the findings of the thesis, answers the main research question and evaluates the validity of hypotheses, as well as brings some closing remarks.

State of Research and Used Sources

This thesis makes use of a wealth of both primary and secondary sources. Primary sources took the form of EU strategic documents (Council 2000, 2003 and 2008; Commission 2003a, 2003b, 2004a, 2006a, 2006b etc.), ENP Action Plans (EU/Tunisia Action Plan 2004, EU/Morocco Action Plan 2004) and a number of progress report prepared mostly by the European Commission (Commission 2004b, 2004c, 2008a, 2008b etc.).

As far as relevant secondary sources are concerned their majority focused on various aspects of the European Neighbourhood Policy. Three edited works (Varwick, Lang 2007, Mahncke, Gstöhl 2008 and Whitman, Wolff 2010) were especially helpful since they provided a comprehensive overview of the policy. Information regarding the process which led to the inauguration of the ENP was taken from a fine analysis of Nervi Christensen (2009) while Bicchi's contribution (2007) provided a detailed discussion of European foreign policy toward the Mediterranean.

Additionally, a number of articles published in various academic journals (Journal of Common Market Studies, Mediterranean Politics, European Journal of Migration and Law, European Foreign Affairs Review, Journal of European Public Policy, Democratization and others) covered a broad range of closely related topics including European democracy promotion in the region (Emerson et al. 2005, Kelley 2006, Cavatorta, Chari et al. 2008, Durac, Cavatorta 2009, Kausch 2009, Powell 2009, Morisse-Schilbach 2010), security aspects of the Euro-Maghreb relationship (Joffé

2008), immigration (Moreno Fuentes 2005, Carling 2007, Marthaler 2008, Hamood 2008, Finotelli, Sciortino 2009) or European relations with Libya and the energy aspect (Joffé 2001, Zafar 2009, Zoubir 2009).

Furthermore, numerous internet sources were also consulted including the websites of EU institutions and global news providers (BBC, The Economist, The Guardian, New York Times, Spiegel International, Aljazeera, RIA Novosti).

Finally, theoretical discussion of the concept of Normative Power Europe relies on a series of articles of Ian Manners where his argument was developed (2002, 2006, 2008 and 2009), benefits from an edited work of André Gerrits who was able to gather numerous insightful reflections of the topic, and makes use of several other valuable sources (Forsberg 2011, Hyde-Price 2006, Merlingen 2007, Sjursen 2006).

1 Normative Power Europe

An implicit aim of this thesis is to contribute to the on-going and lively debate whether the European Union can be conceptualized as a 'Normative Power' as was first suggested by Ian Manners (2002). This chapter shall provide an overview of the concept and of its problematic aspects, it will summarize the on-going scholarly debate and, finally, it shall discuss some implications for empirical research.

1.1 *Formulation of the Concept by Ian Manners*

Unsatisfied with conceptualizations of the EU as either a civilian or a military power, "both located in discussion of capabilities", Manners proposed to refocus the analysis on "ideational nature" of what he called EU 'normative power' "characterized by common principles and a willingness to disregard Westphalian conventions" (2002: 239). Conditioned by a "combination of historical context, hybrid polity and legal constitution", the EU has over the years developed "a commitment to placing universal norms and principles at the centre of its relations with its Member States and the world" (241). Importantly, in Manners' perspective the EU "is normatively different to other polities" (241) and "being different to pre-existing political forms" it is pre-disposed "to act in a normative way" (242).

Significantly, the concept of normative power entails the notion that the EU changes what passes for "normal" in world politics and transforms the "normality of international relations." In other words, the EU is a normative power, because "it changes the norms, standards and prescription of world politics away from the bounded expectations of state-centricity" (Manners 2008: 45).

Manners also identified what he termed "normative basis" (2002: 242) or "normative ethics" (2008) of the EU. Arguably, it consists of "a series of normative principles that are generally acknowledged, within the United Nations system, to be universally applicable" (Manners 2008: 46) which the Union upholds and has enshrined into its *acquis* and even "constitutionalized" by the Lisbon Treaty. In 2008, Manners described nine substantive normative principles of the EU, namely sustainable peace, freedom, democracy, human rights, rule of law, equality, social solidarity, sustainable development and good governance (2008: 47-55).

In an effort to analyse the mechanism of functioning of a normative power, Manners described six mechanisms of diffusion of EU norms. In his view, normative principles of the Union are transmitted: first, by contagion, that is unintentionally; second, by informational diffusion that employs strategic communications; third, by procedural diffusion which consists of institutionalization of a relationship between the EU and a third party by an agreement, membership or EU enlargement; fourth, by transference which “may be the result of the exportation of community norms and standards or the ‘carrot and stickism’ of financial rewards and economic sanction”; fifth, by overt diffusion that happens by physical presence of the EU in third states and international organizations; and finally by cultural filter which “is based on the interplay between the construction of knowledge and the creation of social and political identity by the subjects of norm diffusion” (2002: 244-245).

In one of his latest contributions to the topic, Manners offered “a five-point conceptualization of normative power as being: ideational; involving principles; actions; and impact; as well as having broader consequences in world politics” (Manners in Gerrits 2009: 11). First, in its ideal form, the concept of normative power is “ideational rather than material or physical” and thus “its use involves normative justification rather than the use of material incentives or physical force” (11). Second, principles promoted must enjoy legitimacy and their promotion must be pursued in a coherent and consistent way if the justification they are invoked to support is to be convincing or attractive (12). Third, actions taken to promote such principles need to be perceived as persuasive and involve “persuasion, argumentation and the conferral of prestige or shame” (12) but they also might include “more extensive use of material incentives, such as positive or negative conditionality and robust sanctions” (13). Fourth, normative power “should ultimately be envisaged as socializing in the impact of the actions to promote such principles” and the impact of normative justification must involve “socialization, partnership and ownership” (13). And fifth, “a belief in, and practice of, normative power has three broader consequences concerning the possibility of more holistic, justifiable and sustainable world politics. The concept of normative power invites more holistic thinking ‘outside the box’ about the purposes of agency, power and policy in world politics” (14).

This brief overview suggests that, although at first the concept of Normative Power Europe (NPE) was introduced as an analytical tool as opposed to conceptualization of military or civilian power, over time, the author has started to emphasize the prescriptive features of the concept going almost as far as presenting normative power as a politico-ethical project for Europe. Indeed, Manners argues that EU's normative power has a role to play "in changing world politics" in mending four catastrophic failures of today's world: the failure of the neo-liberal economic system, failure to keep global warming at bay, failure to reach any of the Millennium Development Goals and failure to develop any meaningful form of global governance (in Gerrits 2009: 9-10).

This shift, at the very least, renders evaluation of the concept as a tool capable of describing and explaining the nature of European power uneasy and it moves NPE "closer to an ideological concept that is linked to a political project" (Aggestam in Gerrits 2009: 26). For Manners the discussion seemed to be over in 2008 when he confidently declared that "the EU has been, is and always will be a normative power in world politics" (46). To those who should hesitate to accept his claim he added that the vision of a Normative Power Europe is a long-term one, since "diffusion of ideas in a normatively sustainable way works like water on stone, not like napalm in the morning" (60).

Bearing this in mind, for the purposes of this thesis, we shall continue to work with the understanding of the concept of normative power in its original formulation as an analytical tool which is also the conception the scholarly community has lively discussed since it was first presented.

1.2 Defining Normative Power

A number of scholars have criticized the concept of normative power for its lack of clarity or its inherent normative bias. To overcome these issues, Helene Sjursen argues, "clear definition of what 'normative' power is, and consequently what it is not" is needed (2006: 236). Importantly, she challenges the idea that promoting norms and values and not only strategic interests in the international system would be enough to distinguish Normative Power Europe. For one thing, the example of the US shows that the EU is not the only one pursuing a policy of norms promotion. To eliminate the normative bias of the concept, Sjursen turns to discourse ethics that is to provide

a “conceptual apparatus that allows us to distinguish what might be normatively acceptable” (241) and, ultimately, also provide explanation for claims about the EU or other actors being normative powers. Solution she proposes is a definition of normative power as “one that seeks to overcome power politics through a strengthening of not only international but cosmopolitan law, emphasizing the rights of individuals not only the rights of states to sovereign equality. It would be a power that is willing to bind itself, and not only others, to common rules” (249). “Based on this standard”, she concludes, “it is not altogether straightforward” to say that the EU is a normative power (249).

1.3 Normative Power as an Ideal-type?

Similarly, Tuomas Forsberg proposed to reconstruct the contested concept of Normative Power Europe (NPE) “in order to save it as a fruitful bridge between theoretical and empirical literature on EU foreign policy” (2011: 1190). In his view, “a good deal of these problems stems from the multiple meanings for the key concepts of normative and power” (1199). With aim of overcoming these misconceptions, he discusses five kinds of criteria for a normative power that have been used: First, as Manners argued, NPE has a normative identity that is derived from its “hybrid polity and its treaty-based legal order”. It is, however, not clear that such an entity should always behave in a non-normative way (1192). Second, it has been claimed that NPE has normative interests. In many cases this might have been the case yet the conduct of EU foreign policy towards China and Russia for example suggests that economic interests rather than normative ones play decisive role in many situations (1192-3). Third, a normative power may be also defined as the one that behaves according to norms. Again, Forsberg concludes, empirical evidence is mixed as far as EU record and in following international norms is concerned (1193-4). Fourth, NPE could be characterized by its reliance on the use of normative, as against military or economic means of power. The case of the EU often employing economic means and declaring its intention to acquire “a full toolbox” of foreign policy instruments does not, however, fit neatly into this category (1194). Finally, normative power can also be defined as “an ability to achieve normative ends”. Nevertheless, the answer to the question whether the EU has been able to deliver is not altogether convincing either (1194).

Additionally, if normative power is really to be differentiated from military or economic power as a distinct means of achieving (normative) goals, analysis should focus on describing how it works in practice. Forsberg, as opposed to Manners whom he criticizes slightly for “leaving the underlying theoretical basis for his typology of norm diffusion unspecified”, proposes “four different mechanisms of normative power” (2011: 1196), that are, however, practically rather close to “six mechanisms of diffusion of EU norms” put forward by Manners (2002: 244-245). These Forsberg’s mechanisms are persuading others, invoking norms, shaping the discourse of what is normal and the power of example (2011: 1196-7).

Unwilling to abandon the concept of normative power in face of criticism that dismiss it as “analytically poor and politically loaded”, Forsberg proposes to comprehend it as an ideal-type instead (2011: 1199). This would allow us “to use the concept of normative power as a shorthand description of what the EU is and as an explanation for what the EU is doing, without necessarily implying that the EU also should be such” (1200).

1.4 Problematic Aspects of the Concept of NPE

Asle Toje mentions three dilemmas with normative power as a tool of analysis: First, “it only captures one potential aspect of EU power; second, it is hard to see how this sort of power can be applied to deliver the intended outcomes; and third, the concept is unknowingly parasitic on traditional power” (in Gerrits 2009: 49). Toje’s critique points to two problems of the concept that are worth discussing in a greater detail, namely to understanding of the component of ‘power’ in the concept of NPE, and to relationship of normative and military power.

Toje rightly invokes Bertrand Russell’s classical definition of power of which states that “power is the production of intended effects” (in Gerrits 2009: 46). Normative power, however, “does not have specific means and ends” (47). Although we have examined the mechanisms of normative diffusion, it would be difficult to understand Manners’ “contagion” or Forsberg’s “power of example” as an instance of “means” in the common understanding of power for the simple reason that the agent does not control the process and the results. Additionally, consequences matter in the sense that it is them, not intentions, which are generally believed to provide evidence of power (Toje in Gerrits 2009: 48).

Equally problematic is the relationship of normative and military power. In Manners' eyes, militarization of the EU that results from development of CSDP capabilities potentially undermines EU normative power in the sense that the EU "could become more tempted to use short-term military responses instead of its traditional reliance on long-term structural conflict prevention and transformation" (2006: 194). However, this danger could be overcome if "EU military capability is acquired, deployed and analysed in a more reflexive manner" and also "on a clear, normative basis" (2006: 194-5). On a similar note, Sjurksen contends that it cannot be said from the outset "that the ability to threaten to use military force would be contrary to a 'civilizing' or 'normative' power" (2006: 238). Toje, on the other hand, brings up a realist notion when he argues that "although (or more accurately because) 'great powers' command military means, they can be expected to rely on non-coercive measures. ... Normative power without hard power to back it up is a velvet glove without an iron fist inside it" (in Gerrits 2009: 48). In this light, Toje argues, the concept of normative power in Manners' understanding is sustainable only in a *sui generis* perspective (in Gerrits 2009: 49).

From the standpoint of structural realism, however, it is another matter completely. According to Adrian Hyde-Price, "the EU has increasingly come to serve as the institutional repository for the 'second-order' concerns of its member states". Shared ethical concerns, that are norms and values, may be promoted using the "vehicle" of the EU, but only "as long as this does not conflict with their [member states'] core national interests" (2006: 223). Additionally,

"It is important to note that, as an instrument of collective milieu-shaping, the EU is far from being a 'normative' power whose influence derives from 'what it is' rather than 'what it does'. On the contrary, whatever 'transformative power' the EU has wielded is based on its economic clout, the fear of exclusion from its markets and the promise of future membership—all very tangible sources of hard power" (Hyde-Price 2008: 31).

For realists, therefore, the crucial step of the concept of Normative Power Europe "beyond self-perception and rhetoric" that is envisioned by Manners (in Gerrits 2009: 18) is hardly acceptable. And they are not alone, for as was noted by Gerrits when he discussed the Euro-centrist nature of the concept, "Normative Power Europe is not easily understood, recognized or appreciated outside of the European Union – to put it mildly" (Gerrits 2009: 6).

Moreover, realist critique touched upon another issue which is the fact that the concept of Normative Power Europe squarely ignores the dimension of the member states. According to Gerrits “the debate on the normative power remains rather virtual when the European member states have no place in the concept (2009: 7). As it is, the concept seems to assume that the EU policy is framed independently at the European level regardless of the fact that the Union is an entity created from 27 different European countries that tend to vary in terms of their policy interests. Arguably, taking this fact into account could significantly alter the picture for “if we accept that member states play a crucial role in the empowering of EU agency at the global level, we also have to recognize that the European integration process is just as much driven by instrumental reasons as a normative ethos” (Aggestam in Gerrits 2009: 34).

Finally, we need once more to return to the discussion of the relationship of normative and material power. Lisbeth Aggestam interprets NPE as purely non-materialist and ideational: “Central claim of NPE is about the power of ideas themselves. Their attraction should be seen as independent from any links to material incentives” (in Gerrits 2009: 29). Importantly, in this understanding, “normative power is not part of a toolbox to be used in foreign policy to achieve European interests” (2009: 31). Ian Manners, however, has not been so clear while formulating his concept. On the one hand, he rejects “the assumption that normative power requires a willingness to use force in an instrumental way” (2002: 242). At the same time, however, he allows space for conditionality or “carrot and stickism of financial rewards and economic sanctions” (2002: 245). Moreover, what he calls the “normative quality” of NPE, that is the notion that the “EU should act to extent its norms into the international system” (252) does certainly suggest a certain necessary degree of instrumentality as far as the willingness to use material power is concerned.

This tension inherent in the concept suggests that we should take note of different implications for empirical examination of Normative Power Europe. If we understand normative power as a model or as an example for others to follow or emulate we indeed might have to accept that it is rather difficult to evaluate its effectiveness as it works over long periods of time like “water on stone”. This does not mean, however, that we should resign on investigating the implications of the concept altogether. It is mainly the claim that Normative Power Europe “being different to pre-existing political forms” is pre-

disposed “to act in a normative way” (Manners 2002: 242) that should be put to the test of empirical research. For how else can we expect to see the EU gradually transform the “normality of international relations” (Manners 2008: 45) by the force of its own example, if the Union itself does not act in an exemplary way?

1.5 European Neighbourhood Policy as an Example of EU Norm Diffusion

Broadly speaking, the European Neighbourhood Policy which shall be the subject of analysis of this thesis provides a good example of EU norm diffusion process in practice. First, its explicit aim is to share “the EU’s fundamental values and objectives” in its neighbourhood (Commission 2004a: 5). Second, the policy consists of a number of features which satisfy the criteria of many diffusion mechanisms introduced by Manners. To give some examples, regular progress reports of the Commission can be seen as informational diffusion, Association Agreements and Action Plans agreed by the EU and the ENP partner countries provide an example of procedural diffusion, while the whole conditionality logic present in the policy design could certainly be perceived as an instance of transference.

Using the ENP as an example of EU norm diffusion the thesis seeks to challenge the crucial proposition of the concept of Normative Power Europe that “the EU is not only constructed on a normative basis, but importantly that this predisposes it to act in a normative way in world politics” (Manners 2002: 252). The main hypothesis presented above, suggests that while at the level of rhetoric the EU strives to act as a Normative Power, at the practical level it shapes its policy rather according to material and security interests of its member states.

2 Promotion of Democracy as the Cornerstone of the European Security Strategy

As a crucial step along the process of development of the Common Security and Foreign Policy and the European Security and Defence Policy, the European Council – under a rather ambitious title “A Secure Europe in a Better World” – adopted the first ever European Security Strategy on 12 December 2003. Drafted by the team led by EU’s High Representative for Foreign and Security Policy Javier Solana, the document expressed the desire of the Union to “make an impact on a global scale” in order to achieve the creation of “a fairer, safer, and more united world” (Council 2003: 14).

Even though some observers have criticized the failure of the document to specify the means to be employed and the conditions under which to do so, which led Toje to declare that “a strategy is it not” (2005: 120), the European Security Strategy has nevertheless provided the Union with a comprehensive list of shared threats and, maybe even more importantly, with a defined set of strategic objectives as a basis for its foreign and security policy.

One of the main objectives defined by the strategy was to build security in EU’s neighbourhood. The EU has set upon itself the task “to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we [the EU] can enjoy close and cooperative relations“ (Council 2003: 8). Moreover, the document declared that

“the best protection for our [European] security is a world of well-governed democratic states. Spreading good governance, supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order” (Concil 2003: 10).

It is thus clear that the idea that democracy and good governance supported by the rule of law bring security and stability stands at the very core of the ESS.

Reflecting upon developments in the preceding five years the Council has adopted the “Report on the Implementation of the European Security Strategy” on 8 December 2008. While this document focused more on other issues it did not signal any change as far as the democracy-security formula enshrined in the ESS was concerned,

especially since the report was meant to “reinforce”, not to “replace” the Strategy (Council 2008: 3).

Building upon these premises we may infer that the cornerstone of the European Security Strategy towards its potentially volatile neighbourhood – as defined in its principle document – is the promotion of widespread reform, good and democratic governance and protecting human rights in the neighbouring countries.

Having established this we will now turn to an examination of the EU policy towards the Mediterranean with a special attention to the question how priorities set by the European Security Strategy have been implemented. What follows is a review of historical development in this area which has so far culminated with launching the Union for the Mediterranean in 2008. Specifically, the text focuses on examining the European Neighbourhood Policy and its tools for promoting reform in the neighbourhood.

3 Evolution of the Euro-Mediterranean Relations

According to Federica Bicchì (2007), the Euro-Mediterranean relations can be historically divided into four stages. Disregarding bilateral relations of individual European states, the origins of an institutionalized European framework of relations towards the Mediterranean region date back to the early 1970s when the Global Mediterranean Policy was launched. Thus, before 1972 Bicchì speaks about the first phase characterized by ad hoc policies only, while after 1972 she identifies a period of European activism when EEC member states “invented” the Mediterranean (2007: 63-110). The Global Mediterranean Policy revolved mainly around matters of trade and aid, and while it was soon complemented by the Euro-Arab Dialogue, an enterprise aimed specifically at the Arab countries, by the end of the decade these initiatives ran out of steam. The 1980s ushered in a decade of respite when all energy of the Communities in this geographic area was spent towards enlargement and accession of Greece, Spain and Portugal in 1981 and 1986. It was only the redefinition of international order by the end of the Cold War which brought yet another period of EC/EU “activism” (Bicchì 2007: 129-180). With some natural fluctuations, this dynamic phase appears to have endured up to this day. As most relevant for the topic at hand, we shall now turn to the examination of three successive initiatives: the Barcelona Process, the European Neighbourhood Policy, and the latest innovation of the Union for the Mediterranean.

3.1 *The Barcelona Process*

In November 1995 the dignitaries of fifteen European countries together with the representatives of fourteen Mediterranean partners gathered to sign the Barcelona Declaration which launched the Euro-Mediterranean Partnership, more often referred to as the Barcelona Process. Spearheaded by Spain, France and Italy, the project emerged out of discussions and preparations which lasted almost five years. As Daniele Marchesi argues, the southern European states were “mostly driven by realist motivations” and were concerned about stability and security of the region. Issues such as immigration, terrorism, fundamentalism or energy security came to the fore after the existential threat of the Soviet Union disappeared. Economic interests, on the other hand, were said not to have played much of a role as the levels of trade and foreign direct investment were low (Marchesi in Mahncke, Gstöhl 2008: 189).

Geographically, the process involved all countries lying on the opposite shore of the Mediterranean Sea from Morocco to Syria. Cyprus and Malta were also included but as candidates for EU membership they stood quite apart from the rest of the group and were finally separated in 2004 when both countries acceded to the Union. Relations with Turkey, the remaining Mediterranean country, travelled the bilateral track of prospective accession talks.

The Barcelona Process brought a significant expansion of the Euro-Mediterranean agenda. In the words of the final document, the long-term aim of this initiative was to turn “the Mediterranean basin into an area of dialogue, exchange and cooperation guaranteeing peace, stability and prosperity” (Barcelona Declaration). More specifically, the partnership was to rest on three main pillars: political and security dialogue, economic and financial cooperation and partnership in social, cultural and human affairs. Despite the fact that generalist language prevailed, some concrete goals were set. They were most pronounced in the economic sphere where – notably – the declaration called for establishment of a free-trade area by the year of 2010.

The Partnership was conceived to combine multilateral, bilateral and unilateral components (Bicchi 2007: 169-170). Multilaterally, a new forum was established with the Euro-Mediterranean conference of foreign ministers at the top and various lower-level discussion bodies and contact groups below. Bilaterally, a new generation of agreements with broader scope was negotiated between the EU and the partner countries. These ‘Association Agreements’ created the Association Councils and the Association Committees as bodies to manage the bilateral cooperation. Up to now, seven Euro-Mediterranean Association Agreements have been successfully negotiated and have entered into force. Partnership has officially been established with Tunisia, Morocco, Israel, Jordan, Egypt, Algeria and Lebanon. Libya only acquired observer status in 1999 while negotiations with Syria were concluded but the agreement is yet to be ratified (Europa.eu 2011a). Unilaterally, the EU declared it would channel financial assistance to the partner countries in order to support the attainment of specified goals. To this end, MEDA instrument was launched in 1996 which allocated € 3.4 billion between 1996 and 2000 and € 5.35 billion in the 2000-2006 period (Europa.eu 2011b). Additional funds were made available through loans of the European Investment Bank.

Policy goals of the Barcelona process were reiterated by the Common Strategy on the Mediterranean region adopted by the European Council in June 2000 (Council 2000). Importantly, the Council set for the Union the explicit task “to promote the core values embraced by the EU and its Member States, including human rights, democracy, good governance, transparency and the rule of law” (Art. 7). At the same time, cooperation in the field of justice and home affairs was to be strengthened. The strategy also envisaged a review and reinvigoration of the Barcelona Process. Originally planned for four years, the validity of the Strategy was later prolonged till January 2006.

From its inauguration in 1995 the Barcelona process functioned till 2008 when the Partnership was re-launched in the form of the Union for the Mediterranean. Since 2004, however, the EMP practically worked as a regional and multilateral component of a broader policy framework embodied in the European Neighbourhood Policy. Before turning our attention to these two innovations in the Euro-Mediterranean relations we should, however, evaluate the success of this whole initiative.

Most assessments of the Barcelona process have arrived to the conclusion that it brought mixed results at best. On the bright side, the EMP succeeded in establishing a multilateral framework for structured dialogue and cooperation with the Mediterranean partners and in this regard it was said to be successful “in creating a better climate for the further development of Euro-Mediterranean relations” (Marchetti in Marchetti 2005: 5). On the other hand, if the main goal of the Barcelona Process was indeed to transform the Mediterranean “into an area of dialogue, exchange and cooperation guaranteeing peace, stability and prosperity”, the process clearly did not deliver desired results. Also from the economic perspective, “a compelling case cannot be made that the EMP had a significant economic impact” (Hoeckman 2005: 12). In other words, besides creating a new forum for inter- and intra-regional dialogue the EMP failed to change the general picture.

Where lay the reasons for the disappointing results of the EMP? As Marchesi argued, there were both “intrinsic shortcomings of EU policy” and external factors which contributed to this development (in Mahncke, Gstöhl 2008: 195-202). At the EU level, lack of commitment and coherence resulted in an ambiguous and generally meek approach towards its partner countries. External conditions such as unstable geopolitical situation in the region, outbreak of the second Intifada in 2000 or US policy after the 9/11 were not favourable either. Especially the deterioration of Israeli-

Palestinian relations has played an inhibiting role upon the development of multilateral dialogue which has led some more radical observers to declare the EMP “moribund” already since 1996 (Biscop in Whitman, Wolff 2010: 84). Additionally, diverging views of European countries, Arab states and Israel on terrorism were said to have a strong negative effect on the functioning of the EMP (Bicchi, Martin 2006: 202).

Finally, what arguably proved to be the crucial weakness of the EMP was the inherent tension between its ambitious agenda, broad geographical scope and emphasis placed on multilateralism. Emerson and Noutcheva have listed no fewer than 39 branches of policy embraced by the Barcelona declaration (2005: 4). Considering the fact that the process included such a diverse group of countries comprising also Israel, Syria and Morocco it is no wonder that at the multilateral level the policy achieved little beyond creating a new forum for discussion. In other words, “a common criticism has been that, in an attempt to please all participants, the Barcelona Process has focused too little on content, thus becoming a sort of UN of the Mediterranean” (Bicchi in Whitman, Wolff 2010: 208). It might well have been the sobering experience with multilateralism of the EMP which led the EU to change the way it approached its southern neighbours in 2004.

3.2 European Neighbourhood Policy

The European Neighbourhood Policy – whose implementation in the Mediterranean region is essentially the main object of analysis of this thesis – was not originally conceived with the Mediterranean in mind. Rather it came as a logical successor of the policy of enlargement which culminated in the momentous accession of 10 mostly Eastern European countries in May 2004 that markedly changed the geopolitical map of Europe. While the issue of relations with new Eastern neighbours started the serious debate, the proposal was soon redesigned into a more general framework of relations with all neighbouring countries. It was the desire to keep balance between Eastern and Southern dimensions of EU foreign policy which led to the inclusion of the Mediterranean countries into the new framework.

Fundamentally, the ENP came as an answer to the question how to frame long-term relations with neighbours so that they move in the desired direction without offering them the prospect of full membership as an incentive (Nervi Christensen 2009: 64). In this sense the policy reflected both the changed political landscape in Europe

where the public became uneasy with the notion of ever-continuing enlargement as well as the fear of European countries of instability in the neighbourhood.

Unlike the Barcelona Process which originated with the Southern EU members the idea of a possible neighbourhood policy was officially put on the table by representatives from the North of Europe. First, the British cabinet forwarded a letter to the Spanish Presidency in January 2002 where it called for an offer of “special neighbour status” to Ukraine, Belarus and Moldova. Then in March of the same year the Presidency obtained a similar letter from the government of Sweden which proposed to broaden the geographical scope of the policy by including Mediterranean countries and Russia (Varwick, Lang 2007: 222).

From the beginning, it was mostly the European Commission who – under the supervision of the Council – pushed the project forward. Particularly the efforts of Commission President Romano Prodi were instrumental in including the Mediterranean into the orbit of the policy that was finally decided in December 2002 (Nervi Christensen 2009: 83). In March 2003 the Commission presented a first draft of the policy in its Communication to the Council and European Parliament called “Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours“. Already here many crucial features of the future policy found their place along with the central aim “to avoid drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union“ (Commission 2003a: 4). In June another Commission Communication concerned with the creation of a “new neighbourhood instrument” followed (Commission 2003b). And in May 2004 final shape of the policy was defined by the European Neighbourhood Policy Strategy Paper published again as a Communication of the Commission (Commission 2004a). The Strategy Paper was approved in June 2004 when the Council also took the decision to include the countries of Southern Caucasus into the scope of the ENP.

3.2.1 Aims, Principles, Tools and Incentives of the ENP

At the core of the policy there are two overarching goals that are however hard to reconcile in practical terms. First, the ENP is to “prevent the emergence of new dividing lines between the enlarged EU and its neighbours”. At the same time, though, these neighbours are to be kept at bay since membership perspective was

deliberately taken from the table (Commission 2004a: 3). Second, in the long term a vision of “a ring of countries, sharing the EU’s fundamental values and objectives” is envisaged. This is to “bring enormous gains to all involved in terms of increased stability, security and well-being” (Commission 2004a: 5). Thus, in a direct reference to the European Security Strategy the aim of promotion of core European principles was set at the centre of the neighbourhood policy.

In more concrete terms the objectives of the policy vis-à-vis the neighbourhood are threefold: economic development via trade, political stability through promotion of good governance, and privileged partnership built “on mutual commitment to common values” and “essential aspects of the EU’s external action” (Commission 2004a: 3).

Implementation of the ENP revolves around two main principles: *Joint Ownership* and *Differentiation*. The first one reflects the partnership nature of the relationship where “the EU does not seek to impose priorities or conditions on its partners.” The progress depends “on its [the partner country’s] degree of commitment to common values, as well as its will and capacity to implement agreed priorities” (Commission 2004a: 8). The second one logically accompanies the bilateral nature of the ENP framework. Relations with individual partner countries may develop independently on the others, thus, allowing those more willing to move ahead faster.

As the ENP was conceived as a bilateral framework concrete tools for development of relations with individual neighbour countries take the form of jointly agreed Action Plans valid for a period of three to five years. These “define a set of priorities” which cover “a number of key areas for specific action”. All the Action Plans “draw on a common set of principles” such as respect for human rights, democracy etc. but their concrete content is differentiated. Progress in implementation is monitored both by the European Commission in its regular reports and then jointly by bodies established earlier under the Association Agreements (Commission 2004a: 3). As was pointed out by Nervi Christensen, the Action Plans do not supersede but complement existing framework for relation created in the Mediterranean by the Barcelona Process and, significantly, they are political agreements and therefore do not require ratification (2009: 68).

Since the Union aspires to inspire change within the neighbourhood the success of this undertaking depends upon its ability to influence development in the partner countries. While the concept of ENP was being discussed by the EU Commission Chairman Prodi offered in 2002 to neighbours a bold vision of “sharing with the Union everything but institutions” (2002). The final Strategy Paper, however, took a more cautious approach in this regard. Basically, it allows for three major incentives. First, it promises partner countries “a stake in the EU’s internal market” provided that they move close enough to the Union in terms of legislation and regulation. Second, a gradual opening of certain Community programmes in various fields is envisaged. Third, financial assistance to partner countries is promised. This is implemented using the European Neighbourhood Partnership Instrument established in 2007 which replaced the existing MEDA and TACIS instruments. Additionally, intensified political cooperation and technical and legislative assistance also via the twinning mechanism is offered (Commission 2004a).

3.2.2 ENP as an Instrument of Promotion of EU Fundamental Values and Objectives

While the ENP encompasses a vast array of topics from all kinds of areas, the principle aim of this policy is to promote fundamental values and objectives of the EU in the neighbourhood. The following part will therefore analyse the tools acquired by the ENP and evaluate the potential effectiveness of the policy in this regard.

Many observers have pointed to the fact that the European Neighbourhood Policy shares many similarities with the enlargement process (e. g. Kelley 2006). Four points can be made in this regard. First, both policies share the same transformative and stabilizing objective. Second, since the “big bang” enlargement of 2004 was lauded as one of the biggest foreign policy successes of the Union it is only understandable that the ENP was modelled on its historical predecessor. Third, the ENP was for a large part prepared by the Commission Directorate-General for Enlargement which goes a long way towards explaining the path dependence of the policy (Maier in Mahncke, Gstöhl 2008: 84-85). And finally, the ENP inspired with its predecessor also in applying two central principles of conditionality and socialisation as tools for change in the neighbourhood. As Fröhlich contends, “the ENP’s combination of socialisation and conditionality is an example of institutional learning and strategic adaptation

from enlargement policies (in Varwick, Lang 2007: 75). Starting with socialization, we now turn to examination of these two components in more detail.

3.2.2.1 Socialisation

The idea behind socialisation is to convince the partners using the means of communication and persuasion that they would benefit from adapting the European model of governance, economic policy and regulation. Kelley defined socialisation as a situation “when actors generate behaviour changes by creating reputational pressures through shaming, persuasion and other efforts to socialize state actors” (2006: 39). Unlike with conditionality, incentives and disincentives are not applied here. Rather the EU “stands as an example” (Emerson et al. 2005: 5) and through personal and institutional contacts and joint activities on various levels ranging from government leaders to policy-makers, experts and civil-society the Union strives to communicate the message that implementing European norms and standards would be for partners’ own good.

There are several tools of socialisation which can be identified within the sphere of ENP (Kelley 2006: 39-41, Gstöhl in Mahncke, Gstöhl 2007: 152-154). First, there is the political and economic policy dialogue at various levels. Here, structures such as Association Councils and Association Committees established under the EMP have been used while new subcommittees for various policy domains including human rights and democracy have been established. Second, in order to share best practices, provide short-term technical assistance, exchange expertise on peer-to-peer basis and support approximation of legislation and norms on the ground, participation in the twinning mechanism and the Technical Assistance Information Exchange Office (TAIEX) programme has been offered to the partner countries. Third, progress in implementation of priorities specified by the Action Plans has been monitored and evaluated. This has been done both jointly via the established structure of committees and subcommittees and unilaterally by the European Commission, who has thus through its periodic reports acquired a tool of praising and shaming that should help generate competitiveness among the partner countries (Kelley 2006: 41).

A preliminary assessment of prospects of success of the socialisation component of the ENP in the Mediterranean leads to cautious and sober expectations. For one, it is

clear that the process of normative and legislative approximation can be gradual and evolutionary at best and thus requires time even if successful. Additionally, as was put forward by Gstöhl, “political science research has shown that persuasion is more likely to lead to socialisation and hence to the internalisation of EU norms, when the target country is in a novel and uncertain environment, has few prior ingrained beliefs that are inconsistent with EU norms and wants to belong to the norm community” (in Mahncke, Gstöhl 2008: 288). None of these conditions was fulfilled for countries of the Maghreb at least till the end of 2010. Finally it seems realistic to expect that while the convergence of economic and technical norms and rules might proceed, the approximation of political principles may falter in face of strong opposition from authoritarian governments of the region.

3.2.2.2 Conditionality

Conditionality is the second and probably also the more important component of the ENP transformative strategy. Its possible impact, however, decreased during the process of formulation of the policy. It was clear from the beginning that implementing negative conditionality of sanctions and similar coercive measures was out of the question if the Union wished to sustain the partnership narrative which it embraced at the start. Practical implication of the principle itself, however, was significantly limited by inserting the idea of joint ownership into the policy. Moreover, as was noted by Kelley, emphasis on conditionality gradually lessened in successive policy papers of the ENP (2006: 35-36). This was also the result of pressure from Southern European states including Italy which favoured a more “flexible” interpretation of the principle (Nervi Christensen 2009: 100). The Commission’s Wider Europe Communication of 2003 assumed a clear stance towards conditionality:

“Engagement should therefore be introduced progressively, and be conditional on meeting agreed targets for reform. New benefits should only be offered to reflect the progress made by the partner countries in political and economic reform. In the absence of progress, partners will not be offered these opportunities” (Commission 2003a: 16).

Final version of the policy turned away from applying strict conditionality, though. The rhetoric of the Strategy Paper abandoned ‘benchmarks’ and ‘targets’ in favour of “degree of commitment to common values” that will shape the “pace of development of the EU’s relationship with each partner country“ (Commission 2004a). “Conditionality with clear benchmarks was considered as not entirely

compatible with the principle of joint ownership” (Maier in Mahncke, Gstöhl 2008: 83). And yet, the idea of promoting change in the neighbourhood did not disappear, as it is hard not to read the term ‘common values’ as an effort to repackage the concept of fundamental values of the EU, especially when they are explicitly listed (see Leino, Petrov 2009).

“The privileged relationship with neighbours will build on mutual commitment to common values principally within the fields of the rule of law, good governance, the respect for human rights, including minority rights, the promotion of good neighbourly relations, and the principles of market economy and sustainable development” (Commission 2004a: 3).

This implies a conclusion that *softening* of the employed language does not and, indeed, should not preclude the EU from applying conditionality in practice. Priorities may be set jointly by the Union and the partner country but the EU – which is also the strategy it envisages in its Communications – is free to use incentives it has on offer to induce positive change and to deny such rewards if the progress does not arrive. Deepening of economic relations may well be conditioned by progress in the political field. Essentially, there is no other way if the EU’s principled position towards democracy it has assumed over time is to remain credible.

What is needed in this regard is the presence of clear and attractive incentives and coherence in application. Unfortunately, as we will see, both commodities have been in short supply on the part of the EU.

Many observers have expressed their doubts concerning the attractiveness of the incentives offered by the ENP. Crucially, unlike enlargement the ENP deliberately lacks what has proved to be the essential incentive for change in the neighbourhood in the past – the membership perspective. Instead, three inducements of ‘a stake in the EU’s internal market’, participation in certain Community programmes and financial assistance were presented by the Strategy Paper. While falling short of promised ‘everything but institutions’ they may still hold significant potential. In reality, however, as the Union has remained generally vague concerning what these catchphrases practically entail their attractiveness has been undermined. The case of clear incentives was indeed not strengthened by the fact that the 2003 Communication mentioned an offer of “the prospect of a stake in the EU’s Internal Market and further integration and liberalisation to promote the free movement of – persons, goods, services and capital (four freedoms)” (Commission 2003a: 4)

whereas the final Strategy Paper did not go beyond proposing the general idea. Jointly elaborated Action Plans which were added later do not change the picture either:

“Significantly, the benefits on offer from the ENP are only vaguely summarized at the start of the action plans, and they are not directly connected to fulfilment of the huge number of objectives or even the most important priorities. It is hard to see how these action plans provide a ‘real incentive for reform’” (Smith 2005: 764).

Deliberate vagueness on the part of the EU cannot conceal the substantial fact that the Union is unwilling to grant its partners incentives which would be most attractive from their perspective. As Marchesi pointed out, agricultural and textile liberalisation, free movement of persons and visa facilitation were “either taken out of the initial package or seriously downgraded.” The result was that “this move negatively affected the authority of the ENP” (in Mahncke, Gstöhl 2005: 197).

Similar can be said about possible participation of partners in certain Community programmes or the prospect of financial assistance. Without doubt the newly established ENPI along with additional funding available from the European Initiative for Democracy and Human Rights or from the European Investment Bank has brought additional resources for spending on and in the neighbourhood. Compared to previous financial period the ENPI was given about €12 billion for the years 2007-2013, an increase of more than 30 per cent (Commission 2011c). On top of that, the Mediterranean countries were allocated a rough two-thirds majority of the funds. At the same time, though, as was argued by Nervi Christensen and others these resources “neither match the importance attributed to the ENP by the EU, nor do they meet the needs in the region and will for sure not be seen as incentive enough to actually comply with the Action Plan” (2009: 70-71). The broad picture was not changed when two new facilities (Governance Facility and Neighbourhood Investment Fund) were created with the rough endowment of € 1 billion in 2007 (Commission 2006d: 12-13).

While the case for EU funds to function as strong incentives for change in the neighbourhood is weak, it is certainly true that these funds can positively benefit long-term reform prospects in the partner countries if employed prudently. Two important caveats apply, however. First, as ENP thematically covers almost practically all policy areas it is the prioritization which matters. Considering the fact that only a small fraction of funds was devoted to the promotion of democracy, human rights

and good governance in the Mediterranean till the end of 2010, one might well get the impression that promotion of change in the neighbourhood is not of such importance for the EU after all (see Commission 2006a, 2006c). Second, the practice of implementing the financial assistance almost exclusively through governments of partner countries (a practice inherited from the MEDA instrument) may be seen as highly problematic especially when the government of the country in question is not democratic (Bicchi, Martin 2006: 198).

3.2.3 A Weak Case for ENP Success

At the end of the day, the success of the ENP hinges on finding the right answer to one crucial question: How can the elites of authoritarian regimes be induced to reform if their powers ultimately depend upon not reforming? As of the end of 2010, the ENP did not find the right answer. As Vincentz argued

“reluctant reformers will hardly be convinced to change their policy because of the ENP. Nevertheless, they will try to capture the offered benefits, if monitoring and conditionality of EU do not restrain them. It will be primarily the ‘enlightened self-interest’ of the ENP partner that will drive the reform process” (in Varwick, Lang 2007: 127).

On a similar note, our analysis of the ENP showed that widespread ambitions of the policy were not matched with appropriate tools and resources. Prospects for the success of socialisation are weak, conditionality was deliberately toned down, and incentives are vague or ineffective. It was coherence and resolution on the part of the EU that might have helped compensate for the inherent weakness of the ENP, at least in part. Before turning to the inspection of this issue, though, we shall first finish our short review of history of Euro-Mediterranean relations by briefly examining the creation of the Union for the Mediterranean.

3.3 *Union for the Mediterranean*

After ten years the Barcelona Process was largely perceived as having run out of steam not only by the external observers but also by a large majority of participants from the region. This was amply demonstrated by the outcome of the anniversary summit in Barcelona in 2005 – which was referred to as “a fiasco on a scale unprecedented in the EMP”. From partner countries the gathering was attended only by the Palestinian leader Mahmud Abbas and the Turkish Prime Minister Recep Erdogan. Additionally, the conference even failed to produce a common

statement, whilst the adopted document ‘Euro-Mediterranean Code of Conduct on Countering Terrorism’ “was notable for the little it said” (Bicchi, Martin 2006: 202).

While the bilateral component of the Barcelona Process was given a new impulse by the European Neighbourhood Policy, multilateral and region-building efforts of the EU in the Mediterranean were left in a state of slumber. This began to change during election campaign in 2007 when French would-be-president Nicolas Sarkozy proposed a national project of Mediterranean Union. This initiative would “revitalise and strengthen cooperation across the Mediterranean basin, but outside the EU framework” and naturally, France would be at the helm. Unsurprisingly, the idea encountered opposition both from the European Commission and from other European countries, most notably from Germany. Soon, the proposal was reframed in the form of a common Franco-German proposal for a “Barcelona Process Plus”, this time integrated into EU framework (Whitman, Wolff in Whitman Wolff 2010: 10). The European Commission prepared the details in its Communication ‘Barcelona Process: Union for the Mediterranean’ (Commission 2008) and on 13 July 2008 the Union for the Mediterranean was officially launched in Paris.

Presented as a re-launch of the Barcelona Process, this initiative aspires to bring new impulses in three ways: “by upgrading the political level of the EU’s relationship with its Mediterranean partners”, “by providing more co-ownership to our multilateral relations”, and “by making these relations more concrete and visible through additional regional and sub-regional projects, relevant for the citizens of the region” (Commission 2008: 5). Most visibly, a system of co-presidency with one of the co-presidents from the EU, and the other from the Mediterranean partner countries, and a permanent joint secretariat were established.

Since from the perspective of this thesis the Union for Mediterranean offers little of relevance, we shall not plunge deeper into the matter. The initiative has focused mostly on practical matters such as reducing pollution of the Mediterranean, civil protection or energy, transport and business cooperation (EU External Action 2011). Also, much of what has been said about the Barcelona Process remains valid since some initial assessments noted a “significant degree of continuity” in security matters as the UfM still “remains hostage to the Arab-Israeli conflict” (Soler i Lecha, García 2009).

4 European Policy towards the Maghreb between 2005 and 2010

In this part, three case studies analysing the European policy towards three selected countries of the Maghreb will be conducted. The aim here is to ascertain to what extent the principles of the European Security Strategy were pursued in practical policy.

4.1 Tunisia

European policy towards Tunisia presents a fine example of incoherencies which can be found in the practical implementation of the European Neighbourhood Policy. Economically, the partnership could be presented as a success story. In 2008 Tunisia became the first Mediterranean country to establish a free trade area of industrial goods with the EU. Politically, however, the policy failed to inspire any change whatsoever within the Tunisian polity. Moreover, evidence suggests that the EU resigned on applying conditionality towards its partner and thus seemed to have accepted the status quo despite its pro-democracy rhetoric.

4.1.1 Policy Framework

Tunisia has for a long time occupied an important position among EU's Mediterranean partner countries. It was the first country to sign the Association Agreement under the Barcelona Process and it was among the first to negotiate the Action Plan required by the ENP. Also, it attracted a disproportionate share of EU funds which over the period of 1995 and 2006 exceeded the amount of € 1 billion; most of the funds were allocated under the heading of the MEDA financial instrument. Similarly, over the same period the European Investment Bank granted Tunisia loans totalling nearly € 2 billion (Commission 2006a: 10). Also, Tunisia's economy became highly integrated into the EU market capitalizing on the progress towards creating a Euro-Mediterranean free trade area which was inaugurated by the Barcelona Declaration. In 2005, 69 per cent of Tunisia's imports came from the EU while 80 per cent of country's exports were aimed at the EU (Institut National de la Statistique 2005: 232). Similarly high proportions were registered both in preceding and following years.

Given the high level of economic cooperation it is not surprising that Tunisia, as well as Morocco, welcomed the bilateral emphasis brought by the European

Neighbourhood Policy. Unlike the Barcelona Process, the ENP allowed progress in relationship without regard to other countries of the region (Marchesi in Mahncke, Gstöhl 2008: 206).

In May 2004 Commission staff finalized a Country Report which contained an analysis of EU-Tunisia relations, as well as of the political, economic and social situation of the country. Free of the joint-ownership burden the Commission presented a comprehensive and fairly critical review which became a traditional exercise of sorts in later Progress Reports. Especially unfavourable were the sections on democracy, the rule of law, human rights and fundamental freedoms. On the other hand, the Commission praised positive progress achieved on the front of liberalization of trade in goods (Commission 2004b).

At the end of the year, the EU-Tunisia Association Council adopted the Action Plan which was to form the basis of cooperation under the ENP banner. Envisaged for a period of three to five years it laid down some eighty more or less concrete actions to be taken in areas ranging from political dialogue and reform to economic and social reform and to development and trade, market and regulatory reform. Five actions belonged into the domain of democracy, the rule of law and respect for human rights and fundamental freedoms (EU/Tunisia Action Plan 2004: 4-5):

- 1) Strengthen institutions guaranteeing democracy and the rule of law,
- 2) Consolidate the independence and efficiency of the judiciary and improve prison conditions,
- 3) Respect for human rights and fundamental freedoms pursuant to international conventions,
- 4) Respect for the freedom of association, freedom of expression and for media pluralism in accordance with the UN International Covenant on Civil and Political Rights,
- 5) Promotion and protection of the rights of women and children.

While these five actions occupied prominent places at the beginning of the list, sheer number of assorted priorities implied that progress in the field of democratic governance might not be the first and only benchmark of success of the partnership. In line with the final version of the ENP Strategy Paper the Action Plan declared –

distantly echoing the principle of conditionality – that “the level of ambition of the future relationship will depend on the degree of commitment of both parties to common values and their capacity to implement undertakings made.” To put it in even less binding terms, “the rate of progress of the relationship” was said to “acknowledge fully the efforts and concrete achievements in meeting jointly agreed priorities” (EU/Tunisia Action Plan 2004: 1). The principle of joint ownership has taken its toll.

Importantly also, beyond stating that implementation will be monitored by joint bodies established under the Association agreement and that initial review will be conducted within two years (EU/Tunisia Action Plan 2004: 29-30), the Action Plan failed to specify any concrete mechanisms of evaluation, timeframe for implementation of individual targets and – most notably – also did set the priorities in very broad terms only. In this context one could easily interpret the document as an assorted list of wishes rather than a coherent plan for action.

Not unlike the Action Plan, the ENPI Strategy Paper for 2007-2013 and National Indicative Programme for 2007-2010 for Tunisia which defined the allocation of funds for the coming years suggested that among the priorities of the Tunisia Action Plan the political ones would not make it to the very top of agenda. This reflected also the experience with implementation of the MEDA programme for the document declared that “the areas where Community cooperation is most effective are education, economic reforms and support to the private sector.” On the other hand, the document noted, “implementation of the so-called 3rd generation programmes (democracy and human rights, rule of law, good governance) has proven difficult” (Commission 2006a: 12).

Setting the pro-democracy agenda aside, the EU therefore chose to “focus on strengthening the rule of law by improving the mechanisms of good economic governance” in the period of 2007-2010 by the means of financial assistance (Commission 2006a: 13). € 300 million were allocated for Tunisia in this period to be spent on programmes supporting economic governance, competitiveness, education and research and development, contributing money for energy and environment and facilitating trade (Commission 2006a: 22-24).

4.1.2 Policy Implementation and Evaluation

Till the end of 2010 most of the progress was achieved in the economic sphere while in political and security issues it was close to none. On 1 January 2008 Tunisia became the first Mediterranean country which achieved reciprocal opening of trade of industrial goods with the EU. Given the high level of commerce between Tunisia and the EU the free trade agreement reflected interests of both sides. Immediate results were not delivered, though, as both tariff and non-tariff barriers to trade were already low and since the opening of markets coincided with a global economic slowdown in 2008 and 2009. In 2008 mutual trade rose only slightly while in 2009 it registered a marked slump. In 2010 the picture improved but significantly, most of the increase in trade was captured by the European exports to Tunisia (DG Trade 20011b). Negotiations on continuation of gradual liberalization of trade in agricultural products, liberalization of trade in services and the right of establishment continued without conclusion in the reference period.

On the other hand, the dialogue in the spheres of democratic governance and justice and home affairs cooperation proved difficult. The subcommittee on Human Rights and Democracy met without periodicity. The initial meeting was held in 2007 after discussing the rules of procedure for several years (Commission 2008a: 3) when it “came as a deal for concessions on other fronts, including negotiations on agriculture and pharmaceuticals” (Bicchi in Whitman, Wolff 2010: 215). After meeting in 2008 the subcommittee assembled again only in February 2010. In its periodic reports the Commission repeatedly mentioned “the need to strengthen dialogue and cooperation in this area between Tunisia and the EU” (Commission 2010a: 2) reflecting the lack of progress in this regard.

Although Tunisia cooperates bilaterally in the matters of migration, border control or counter-terrorism with several EU member states including France and Italy the progress on the ENP level was scarce. Discussions of the subcommittee on Justice and Security were initiated only in April 2008. Second meeting was held in June 2009 when Tunisia “expressed its willingness to strengthen cooperation with the EU on security” (Commission 2010a: 12). European visa policy is one of the issues at stake here. While Tunisia would like to see the requirements of the Schengen countries relaxed, the EU conditions progress in this regard by a Tunisian commitment to readmit illegal migrants coming into the EU from the territory of Tunisia. In any case,

by the end of 2010 “the level of judicial and police cooperation was still insufficient to meet the objectives of the Action Plan” according to the Commission (Commission 2011: 14).

Generally, Tunisia has proved unwilling to accept any interference of the EU into its internal politics beyond discussing the governance issues in the established fora at occasional meetings. Tunisian government has objected to any EU funding for civil society actors and human rights NGOs which would be independent on the state (Morisse-Schilbach 2010: 551-552). In the end, the Union supported only Tunisian NGOs “with links to the government, such as the Union Nationale de la Femme Tunisienne (National Union of Tunisian Women) and the Bin Ali Chair for the dialogue between cultures and civilisations” (Powel 2009: 204). Also, projects funded by the European Instrument for Democracy and Human Rights “never got off the ground”. As Bicchi remarked, “Tunisia prefers to do without the help of the EU if that entails a degree of political influence on its domestic affairs” (in Whitman, Wolff 2010: 216). Even though the Tunisian government did at times show a measure of goodwill such as in late 2007 when it unblocked a set of non-governmental organization projects, it was meant as an immediate political concession only without any commitments in the long term.

In November 2008 Tunisia asked to strengthen the partnership by moving it to the ‘Advanced Status’ and thus to replicate the progress achieved by Morocco. Such an upgrade would entail deepening of relations in all areas. The Union for its part “has called for a rapprochement with EU accompanied by stronger commitments from Tunisia, particularly in the areas of policy and governance” (Commission 2011a: 3). In this light the validity of the original Action Plans was extended beyond its intended date of expiration in July 2010 until a new plan is jointly agreed upon (Comission 2011a: 2).

Till the end of 2010 the EU activity under the ENP banner did not bring any tangible results as far as democratic governance in Tunisia was concerned. In fact, as documented by the Freedom House reports the political situation in the country worsened over the reference period (see Table no. 1). Tentative conclusion which can be drawn from the analysis of European policy towards Tunisia is thus rather unfavourable regarding coherence of this policy.

Importantly, it appears that despite what was proclaimed as the overarching goal of the ENP, other matters were prioritized over promotion of democracy in the EU-Tunisia partnership between 2005 and 2010. Allocating funds exclusively to improving economic governance and competitiveness is a case in point. Moreover, it can be argued that progress in trade liberalization was made at the expense of democracy promotion. Within the ENP strategy the “stake in the internal market” was conceived as the principal incentive for change. By decoupling progress in commercial relations from the field of democracy the EU has resigned on applying conditionality in its relation with Tunisia. This is all the more striking considering the “strong hand of the EU vis-à-vis Tunisia” in terms of clear orientation of Tunisian economy to the European common market (Durac, Cavatorta 2009: 16). How did the EU wish to influence the situation in its neighbourhood if it granted the most precious reward it had on offer without second thoughts?

4.2 Morocco

Even though both the EU and Morocco have portrayed their relationship in superlative terms and despite the fact that significant progress was achieved in a number of policy areas, from the perspective of democracy and human rights promotion this narrative of success becomes problematic at best.

4.2.1 Policy Framework

Already under the Euro-Mediterranean Partnership Morocco belonged to the focus countries of the EU in the region. This was reflected also by the significant amount of financial assistance it was given: Between 1995 and 2006 the country became the principal beneficiary of the MEDA programme having been allocated nearly 17 per cent of all funds under the instrument (€ 1.47 billion). Additionally, the European Investment Bank granted the country € 887 million of loans over the same period (Commission 2006b: 17).

The framework for cooperation under the Barcelona Process was laid down by the Association Agreement which entered in force in March 2000 and replaced the 1976 Co-Operation Agreement. This new agreement established the Association Council and the Association Committee as well as a system of thematic subcommittees to jointly discuss, decide and monitor EU-Morocco cooperation.

Besides other goals adopted in line with the priorities of the Barcelona Process the agreement envisaged creating a free trade area. Before 2005 progress in this regard was made especially in the field of industrial products, where the EU already granted free access to its market and Morocco started the process of gradual dismantling of tariffs. Some mutual concessions were made also concerning trade with agricultural products (Commission 2004c: 4). Emphasis on trade liberalization reflected the considerable level of integration of the Moroccan economy into the European market: In 2006 the EU accounted for 57.7 per cent of Moroccan imports and for 62.3 per cent of country's exports (DG Trade 2011a).

Move of the EU towards a bilateral approach embodied in the ENP was welcomed by Morocco because it allowed the country to pursue its goal of closer approximation to the Union – which it signalled already in 1987 by its membership bid – without being circumscribed in its ambition by any regional considerations (Marchesi in Mahncke, Gstöhl 2008: 206).

The tone which the Commission would use in its later Communications on Morocco was present already in the Country Report of May 2004. Especially regarding the political issues the document put forward a generally encouraging evaluation focusing mostly on progress achieved or awaited. The Report was most critical on the issue of press freedom while towards other topics including democracy and the rule of law it took rather a 'matter-of-fact' approach (Commission 2004c).

The Action Plan adopted by the EU-Morocco Association Council in December 2004 established the framework for implementation of the ENP goals vis-à-vis Morocco. Areas covered by the Action Plan included political dialogue and reform, economic and social reform and development and trade, market and regulatory reform. The ultimate goal of promoting democratic governance and human rights was reflected in 6 out of 85 actions specified by the document (EU-Morocco Action Plan 2004: 4-6). Specifically, they included:

- 1) Consolidate the administrative bodies responsible for reinforcing respect for democracy and the rule of law,
- 2) Step up efforts to facilitate access to justice and the law,
- 3) Cooperation in tackling corruption,
- 4) Ensure the protection of human rights and fundamental freedoms according to international standards,

- 5) Freedoms of association and expression,
- 6) Further promote and protect the rights of women and children.

Like with similar documents concerning Tunisia priorities not connected to political reform and human rights were in an overwhelming majority. What is more, “the Action Plan failed to specify timeframes, actors, implementation and evaluation mechanisms that define how and when the envisaged objectives are to be achieved. The latter has been widely criticized, including by the European Parliament” (Kausch 2009: 171). Again, we can only repeat that one could easily interpret the document more than an assorted list of wishes rather than a coherent plan for action.

Later documents specifying the allocation of funds of the ENPI for Morocco revealed that at least as far as financial support of the Union was concerned, the goal of democracy and human rights promotion was not among the top priorities. This might have reflected relative satisfaction that the EU had showed regarding the political situation in Morocco. In any case, from the overall portion of € 654 million allocated to Morocco for the period 2007-2010 only 4.28 per cent (€ 28 million) was assigned to the Governance/Human Rights Priority. Social Priority, on the other hand, was allotted 45.26 per cent (€ 296 million) while the Economy Priority 36.7 per cent (€ 240 million) (Commission 2006c: 44). Despite initial signs that financial assistance under ENPI could be employed as an incentive or at least as a reward for progress, neither of the respective documents for Morocco (Commission 2006b, Commission 2006c) did allow for this interpretation.

4.2.2 Policy Implementation and Evaluation

Generally, Morocco has been presented as an example of ENP’s success. Contrasting the performances of Tunisia and Morocco under the ENP Bicchi has described the former as “the bad” while attributing the label of “the good” to the latter (in Whitman, Wolff 2010: 206). It is certainly true that Morocco collaborated more enthusiastically with the EU – a fact which the Union was quick to point to. Although it is undeniable that Morocco moved closer to the EU in a number of fields in the first six years of the ENP, the impact of the policy in the sphere of democracy and human rights promotion remains highly doubtful. Still, the Union must have been satisfied with the overall progress since in 2008 it rewarded Morocco by moving their relationship to the next level by granting it the ‘Advanced Status’ under the ENP.

Dialogue between Morocco and the EU was sustained and constructive in the reference period. Altogether, 10 subcommittees including those on Justice and Security and Human Rights, Democracy and Governance were established and met with reasonable periodicity. These closed fora allowed the EU representatives to go beyond official discourse and be more explicit and outspoken about the need of deepening reforms and reportedly also increased mutual trust between the partners (Kausch 2009: 174).

Significant progress was achieved in trade liberalization and market approximation. After several years of negotiations agreement on trade liberalization in agricultural products, processed agricultural, fish and fishery products was signed in 2010. If ratified the document would complement the on-going process of liberalization of trade with industrial goods. Given the high importance of agriculture in the Moroccan economy – this sector accounts for 15 per cent of the GDP and employs more than 40 per cent of the workforce (World Bank 2011) – it is clear that liberalization of trade of agricultural products is a top priority for Moroccan government. The agreement provides for “immediate liberalisation of 55 per cent of imports from Morocco” and “for immediate liberalisation of 45 per cent of the value of EU exports and 70 per cent in ten years” (Enpi-info.eu 2010). Discussions concerning liberalisation of trade in services and the right of establishment are yet to be concluded. Another example of successful integration of Moroccan economy into the Single Market is the Aviation Agreement of 2006 which opened up the air transport markets and also aimed at legislative approximation of both parties. The agreement has had an instant practical effect in terms of increasing air travel and has significantly boosted the tourist industry in Morocco (Bicchi in Whitman, Wolff 2010: 211).

Cooperation in the matters of CFSP and ESDP also strengthened. In 2005 Morocco became the first Mediterranean country to join an EU-led military operation when it agreed to contribute 130 troops to the Operation Althea in Bosnia and Herzegovina. This was a significant step for Morocco as it meant “sharing the costs, receiving classified information and putting its troops under the operational command of the EU” (Bicchi in Whitman, Wolff 2010: 212). In 2010 – suggesting what the ‘Advanced Status’ granted two years earlier would entail in practice – political dialogue was reinforced also on the highest level. In March the first EU-Morocco summit was held

in Granada while in May the Joint Parliamentary Committee EU-Morocco met for the first time (Commission 2011b: 2).

On migration, on the other hand, progress was scarce as of the end of 2010. On-going negotiations on readmission agreement did not produce any positive results. Naturally, EU visa policy for Moroccan citizens did not change either since its relaxations hinges upon successful conclusion of a readmission agreement. Lack of progress on the readmission/visa issue did not, however, preclude the EU from seeking closer border-management cooperation with Morocco. In 2005-6 following an earlier project which in the end did not materialize, Morocco was allocated € 67 million from MEDA to develop a “migration strategy” by building up relevant structures within the Interior Ministry. Importantly, in contrast to an earlier attempt this time Morocco was given freedom in terms of project implementation (Wunderlich 2010: 264-265).

Overall, the EU was satisfied with the progress Morocco achieved under the ENP and demonstrated this fact most notably in two ways: First, by allocating additional funds under the Governance Facility and, second, by agreeing to award the ‘Advanced Status’ to the country.

Along with Ukraine Morocco was rewarded with additional funds which were made available through the Governance Facility. Doing so the Commission implicitly acknowledged Morocco as being the partner country who “made most progress in implementing the agreed reform agenda set out in the Action Plan” (Commission 2006d: 12). Importantly, while assessing the progress of partner countries the Commission approached the issue in relative rather than absolute terms and thus evaluated Morocco’s performance in the regional context (Commission 2008c: 8). Under the Governance Facility Morocco was given an additional sum of € 50 million for the period of 2007-2010 which it was free to use in line with priorities agreed in the Action Plan (Bicchi in Whitman, Wolff 2010: 213). While the aim of the Commission was both to reward progress and to send a signal across the region that cooperation with the EU pays off, it is doubtful whether this relatively limited amount of money may have succeeded in doing so.

Additionally, in 2008 the Union decided to reward Morocco even more and in response to its request the EU granted the country the ‘Advanced Status’

envisaged in the ENP strategy documents. So far it appears, however, that beyond intensified political contacts signified mainly by the EU-Morocco summit of 2010, the prestige of being singled out as the most cooperative partner in the Mediterranean has not been translated into concrete substance that would step outside what was agreed in the Action Plan. Indeed, despite proclamations made about strengthening the political and strategic dialogue, establishing a Common Economic Area in the medium term or gradual adherence of Morocco to the conventions of the Council of Europe (Martín 2009: 239-240), much was left for later discussions that should eventually lead to a revised Action Plan document and also to an Association Agreement of second generation.

To put the fruits of ENP policy in Morocco in context we need to assess the progress of the country in terms of democratic governance. Relatively, political conditions in Morocco may have been the most advanced in the region. In absolute terms, however, not much changed over the first six years of the ENP. Despite liberalizing reforms instituted by King Mohammed VI as of the end of 2010 it could be asserted that “formally democratic structures and institutions veil an informal shadow governance structure” which is ultimately controlled by the King. Moreover, “the powers are distinguished in law and discourse, but in practice there is neither separation nor balance of powers”. “Political parties have so far been too weak to provide meaningful political alternatives” and the judiciary was said to be “highly corrupt” and without independence (Kausch 2009: 168). Also the yearly ratings of the Freedom House did not document any change between 2005 and 2010 in terms of political rights and civil liberties and characterized Morocco as being “partly free” only (see Table no. 1). Even the European Commission itself assessed the efforts of the Moroccan government in this regard without much enthusiasm stating that “reforms on democracy and human rights remain relatively unambitious” in 2008 and 2009, (Commission 2008b: 2, Commission 2009b: 2), while in 2010 and 2011 that “in terms of democracy and protection of fundamental freedoms, the picture is mixed” (Commission 2010b: 2, Commission 2011b: 2). In short, the nature of the Moroccan regime did not change by the end of 2010 and thus remained nondemocratic.

As was the case with Tunisia, practical policy of the Union towards Morocco raises important questions regarding the true priorities of the ENP. We have seen that besides leading an institutionalized dialogue and contributing a small amount of financial assistance, the EU-Moroccan cooperation under the ENP between 2005 and 2010 did not revolve much around the issue of democracy and human rights promotion. On the other hand, other areas of cooperation including trade liberalization and foreign and security policy dialogue were considerably strengthened. Significantly, Morocco's efforts were praised and rewarded both by granting the 'Advanced Status' and by awarding the country a bonus financial allocation under the Governance facility.

Deepening relations and rewarding progress in a situation of absence of meaningful progress on the governance front suggest that also in relations to Morocco the European Union resigned on applying conditionality and trying to use the "stake in the internal market" or its financial assistance as incentives for political change. Instead of conditioning progress in trade liberalization by political and governance reforms, these policy fields appear to have been separated from one another. The incentives offered by the Union might have not been strong enough to lure the government of Morocco into significant reforms; evidence shows, however, that the EU did not even try such an approach.

4.3 Libya

In contrast to both Tunisia and Morocco, Libya remained outside the framework of the Barcelona Process and the European Neighbourhood Policy over the whole reference period. Since 2005 when EU-Libya cooperation began at an ad hoc basis the relationship evolved towards a structured and institutionalised form broadly similar to that with other countries of the region. Possibility of the Union to promote reform within Libya was hampered by the lack of any contractual basis. However, readiness of the EU and of the European governments to closely cooperate on border management and migration with authoritarian Libya appears to be in conflict with the declared normative and strategic stance of the Union towards promotion of democracy and human rights.

At the political level Euro-Libyan relations were practically non-existent from the late 1980s till the late 1990s due to Libya's international isolation after its

terrorist activity aimed at various Western targets. That began to change in April 1999 when the United Nations Security Council suspended its sanctions against Libya after the country made important concessions concerning the investigation of its terrorist record. In a conciliatory move, the German Presidency of the European Union invited a Libyan representative to attend the third Euro-Mediterranean Conference later the same year. At the Conference Libya was granted an observer status in the Barcelona Process. Also, the country was invited to join the EMP after it accepts the Barcelona *acquis* and the UN sanctions are definitely lifted (Zoubir 2009: 406).

While relations with individual member states evolved separately and at more speed since 1999, position of the whole EU towards Libya definitely changed only in the context of Libyan atonement and its readmission to the international community. Two events were instrumental in this regard: Final lifting of UN sanctions after Libya agreed to compensate victims of its terrorist activity and the country's decision to abandon its nuclear programme in late 2003. Symbolically, the EU-Libyan rapprochement was affirmed by the warm reception that Libyan leader Colonel Muammar Gaddafi was given during his historic visit to Brussels in April 2004 (BBC 2004). In October following the historic UN Security Council resolution and a similar US move, the Union through a GAERC decision withdrew its sanctions against Libya including the arms sales embargo which was in place since 1986. Additionally, the EU repeated its invitation for Libya to join the Barcelona Process and decided to send a technical mission to the country to discuss measures to combat illegal immigration (The Guardian 2004).

European countries were motivated to improve their relationship with Libya by both economic and security reasons. Importantly, economic and particularly energetic cooperation between individual EU members and the North African country have always been strong despite political tensions at times. In the 1990s when the sanction regime was in place, Germany, Italy and Spain alone accounted for 80 per cent of Libyan exports (mainly oil) while the EU as a whole generated 75 per cent of the country's imports. The picture was similar in preceding decades (Joffé 2001: 79). As an important oil producer close to European shores Libya has naturally assumed the role of a significant oil exporter to a number of European countries including also Ireland or Austria besides those mentioned above. From the security perspective, Libya has become the central transit country for illegal

immigration from Africa to Europe. Bearing the brunt of most of this migratory flow, Italy was especially keen to cooperate with Tripoli on this matter. In 2004 Italian government specifically linked withdrawing the EU arms embargo with the immigration issue stating it needs the collaboration of Libya which, however, lacks the necessary equipment due to sanctions regime in place (Mail & Guardian 2004). Euro-Libyan rapprochement thus enabled the member states to pursue cooperation in both areas without hindrance.

Within the ENP framework Libya was from the beginning recognized as one of the prospective partners based on the condition that it enters into the Barcelona Process and accepts relevant commitments including those to values of democracy and human rights. Despite some partial progress and several rounds of negotiation, however, as of the end of 2010 Libya proved unwilling to accept these requirements and stayed out of bounds of both EMP and ENP. Therefore, the EU-Libya cooperation focused mainly on sectoral issues of migration and health issues.

In June 2005 the Council announced initiation of ‘an ad hoc dialogue’ and cooperation with Libya on migration issues, which would be guided by respect for human rights and the need to prevent loss of life at sea. Specifically, the Council called for initiating concrete operational actions at sea, strengthening the legal and administrative framework with a view to improving migration management, and preventing smuggling and human trafficking (Hamood 2008: 20, 33). In practical terms, cooperation on migration was pursued mainly by the member states and most notably by Italy (see chapter 5.3), while the action taken at the EU level took indeed an ‘ad hoc’ form. In July 2005 the Union allocated € 2 million to “support operational activities to address the emergencies caused by illegal immigration” in Libya through action in four areas – external borders, visas, asylum and immigration (Hamood 2008: 29). In 2009 a ‘support package’ of € 20 million on strengthening border control was offered to the Libyan government by the EU external relations commissioner (New York Times 2009). Before the end of 2010 progress in this regard culminated in signing an agreement on migration cooperation in October 2010 which included “concrete steps on border surveillance system, mobility-related issues, smuggling and trafficking in human beings, and dialogue on refugees and international protection” (Europa.eu 2010).

Cooperation on health issues ensued from resolving a thorny case of six medical workers (a Palestinian doctor and five Bulgarian nurses) of the paediatric hospital in Benghazi who were sentenced to death in 2004 after being accused of deliberately infecting more than 400 children with HIV. Libya agreed on releasing them only in July 2007 when a fund for compensation of families of the victims was set up. Additionally, in order to secure the release of its citizens Bulgaria had to agree to write off Libyan debt of US\$ 56.6 million from the Cold War era. Subsequently, the EU allocated € 11.5 million to modernize the Benghazi hospital where the infections broke out in the 1990s and to treat the infected children. Highest representatives of both the EU and France were deeply involved in acquiring the deal which removed this unpleasant issue from the table (BBC 2007, New York Times 2009, Zafar 2009: 137-138, Zoubir 2009: 407-408).

Closing the case of the Bulgarian nurses in 2007 opened the way for intensification of EU-Libya dialogue. In July 2007 both sides signed a Memorandum of Understanding which touched upon “areas of common interest such as trade, migration, education, public health and culture, among others” (Europa.eu 2009). The following year negotiations of an EU-Libya Framework Agreement officially started and ten rounds of negotiations took place until February 2011. The agreement was to provide institutional structure for dialogue and cooperation in political, security and economic matters similar to that established by Association Agreements with other Mediterranean partner countries (Commission 2010c: 5). To sum up, as of the end of 2010 the EU-Libya cooperation was on an upward track envisaging opening of an EU office in Tripoli or increasing financial support for Libya’s reforms amounting to a total of € 60 million for the period 2011-2013.

In the period between 2005 and 2010 the EU-Libyan relations moved from ad hoc dialogue towards a structured and institutionalized form of cooperation. As far as the promotion of democratic governance is concerned, given the unwillingness of the Libyan leadership to commit themselves even to minimal obligations laid down by the Barcelona Process the EU lacked the necessary base for the democracy promotion agenda. On the other hand, readiness on the part of the Union and its member states to cooperate closely with the deeply authoritarian regime of Colonel Gaddafi in matters of immigration and border management (see below) signalled a lukewarm

commitment of Europe at best to the values and strategic principles it set out to promote.

Close cooperation on migration and border management has been framed in terms of humanitarian concerns and human rights principles. The very fact, however, that Libya is not a signatory of the 1951 Refugee Convention and its 1967 Protocol, or the virtual non-acceptance of refugee-status by the North African state seriously undermine any humanitarian aspirations of the EU. That is more so if one considers that the cooperation has taken the form of periodic deportations of migrants from Italy back to Libya. As Briens neatly put it, “the absence of any contractual framework allowed the EU to bypass human rights conditionality” (in Mahncke, Gstöhl 2008: 231).

4.4 Recapitulation of the EU Policy towards the Maghreb

We have seen that promotion of democracy did not dominate the agenda of European policy towards the Maghreb between 2005 and 2010. This would be understandable in relation to Libya where the EU lacked any contractual basis but surprisingly also under the ENP framework the EU appeared not to be promoting political reform with much vigour. That is beyond discussing the issues on relevant bilateral fora established under the Association Agreements. The cases of both Tunisia and Morocco clearly illustrated that the EU effectively resigned from applying conditionality under the ENP. Decoupling economic cooperation from political reform is the most striking case in point. Additionally, only negligible amount of funds allocated to democracy and human rights issues shows that other priorities took precedence. The fact that Morocco was rewarded for its cooperative behaviour in many spheres while lacking progress on the front of democratic governance does also not seem like an example of a principled EU policy. As far as the case of Libya is concerned, readiness on the part of the Union and its member states to cooperate closely with the deeply authoritarian regime of Colonel Gaddafi in matters of immigration and border management signalled a lukewarm commitment of Europe at best to the values and strategic principles it set out to promote.

Ultimately, this chapter has shown that the European policy towards the Maghreb lacked coherency in the sense that it did not correspond with the principles and objectives specified within the European Security Strategy and within the ENP

strategy documents. Instead of promoting core values of the Union cooperation in economic, social and security matters was sought.

5 Why Did the EU Resign on Promoting Democracy?

In this section we shall analyse four factors which should help us clarify the reasons why did the EU resign on promoting democratic reforms in the Maghreb between 2005 and 2010. Specifically we will devote our attention to trade, energy, migration and terrorism.

5.1 Trade

Within the ENP strategic documents “stake in the internal market” was conceived as an incentive or reward for progress in implementing reforms. The analysis of practical policy towards three Maghreb countries has, however, revealed that the EU has abandoned this logic of conditionality and has opted rather for decoupling economic and political spheres from one another. In this part we will show that instead of using their economic strength as leverage over the Maghreb countries European states sought to benefit economically from their partnership with Morocco, Tunisia and Libya.

While European economic preponderance would seem to give the EU a significant amount of influence over its partner countries the Union has displayed a surprising degree of unwillingness to use it in practice. Level of mutual trade was already high before launching the ENP also because boosting commerce and ultimately creating a free trade area belonged among the top goals of the Barcelona Process. In 2006 trade with Libya amounted to € 27.8 billion, volume of EU-Morocco trade was € 17.7 billion while trade with Tunisia was worth € 16.3 billion. Naturally, as the EU was by far the biggest trading partner for any of these countries mutual commerce was vital for the Maghreb states while each of them accounted only for less than one per cent of EU’s exports and imports. Only Libya’s share of EU’s imports amounted to almost two per cent (DG Trade 2011a-c). The case of Libya, however, stands apart given the fact that most of the country’s exports are made up by oil and natural gas. For this reason we will consider it separately in the next section. In any case, the vast disproportion between the dependence of the North African countries on the European market and the relatively little fraction they occupied in the volume of EU trade would seem to empower the EU with enormous leverage (see Durac, Cavatorta 2009 in relation to Tunisia).

This was also probably the original idea in the minds of EU policy makers framing the ENP. Yet ultimately, this strategy could have been successful only if European countries would have been willing to forgo the benefits of further liberalization of their trade with the Maghreb, or even to restrict access to the common market and to accept possible retaliatory measures of the same kind. In other words, member states of the EU would ultimately have to be prepared to make economic sacrifices in the form of damaging prospects of their exporters. Nothing of the available evidence which was put forward in the preceding chapter suggests, however, that this was the case.

Importantly, trade statistics for the period of 2006 and 2010 show that the countries of the EU benefited significantly from the economic partnership they maintained with the three selected North African countries. Exports of the EU increased markedly over the reference period. European exports to Tunisia rose by 26 per cent, exports to Morocco increased by 31 per cent while those to Libya soared by no less than 83 per cent. On the other hand, only Tunisian exporters enjoyed a pronounced increase in exports to the EU – they rose by one quarter. Imports from Libya grew only by 10 per cent while imports from Morocco remain on the same level in 2010 as in 2006. Additionally, with the exception of Libya where oil imports dramatically transform the situation the EU enjoyed a surplus of the trade balance with both Tunisia and Morocco over the years. In 2010 the surplus amounted to € 1.5 billion with the former and € 5.9 billion with the latter (DG Trade 2011a-c). Especially the reluctance of the EU to move ahead with liberalization of trade in agriculture goods goes a long way towards explaining the high margin the Union enjoyed with Morocco. There were no signs that the EU would be willing to jeopardize this convenient trend by linking it to political reform.

Moreover, data for European arms trade with Libya shows that European countries were keen to make business even if that implied supplying weapons to a country with a very low human rights record indeed. In the first five years after the arms embargo on Libya was lifted in October 2004, the EU granted export licenses for € 834.5 million worth of arms exports to the country. In the year of 2009 alone European arms exports to Libya amounted to € 343.7 million. It is unsurprising that Italy was the biggest weapons supplier to Libya (with trade worth € 276.7 million) given the level of security cooperation between both countries (see below). It was followed by France (€ 210.2 million), the United Kingdom (€ 119.4 million), Germany

(€ 83.5 million) and Malta (€ 79.7 million) (The Guardian 2011). The supplies ranged from ammunition, small arms, automatic weapons, tear gas, to electronic equipment including radar devices and jamming devices, anti-tank missiles or to helicopters and military planes (Aljazeera 2011, Spiegel 2011, The Guardian 2011). It seems rather difficult to reconcile the practice of supplying arms to a given country with the commitment to promote democratic reforms in the same state.

European rapprochement with Libya was followed by a number of business deals also in other fields besides the arms market. France and Italy were especially active in this regard. In December 2007 France and Libya announced signing a number of contracts which included purchase of 21 Airbus airplanes worth € 3.2 billion or a nuclear cooperation agreement (Zoubir 2009). In 2009 Italy and Libya signed a Treaty of Friendship which was accompanied by Italian commitment to provide US\$ 5 billion in investments mainly in infrastructure over the next 20 years (Carbonne 2009: 433). Libya, on the other hand, has invested resources of its sovereign funds in Unicredit bank or energy company ENI and has sought investments also in other sectors such as telecommunications, construction or insurance (Varvelli 2010: 127). These examples well show that up to the end of 2010 Libya of Colonel Gaddafi was perceived by many European governments more as an important trading partner than as a country in the need of democratic reform.

To conclude this section, it appears that if the dilemma was between immediate economic benefits and uncertain long-term prospect of promoting democratization and bearing the necessary costs the member states of the European Union favoured the former in its policy towards Maghreb between 2005 and 2010.

5.2 Energy

Setting aside Morocco's importance as a transit country for Algerian natural gas or the production of phosphates in Tunisia, in this section we will focus on Libya's role of an important provider of energy resources to a number of European countries which it has played for several decades. The aim is to demonstrate that it was in the interest of Italy and other European states to maintain good relations with Colonel Gaddafi rather than to promote democratization in this North African country.

Libya is endowed with significant amounts of both oil and natural gas. In 2010 it was with 1 659 thousand barrels per day the fourth largest producer of oil in Africa

(after Nigeria, Angola and Algeria). Importantly for the future, with 46.4 million barrels of proven reserves the country held the largest amount of proven reserves on the continent (BP 2011: 6, 8). In terms of natural gas Libya holds 1.5 trillion cubic metres of proven reserves (fourth largest reserves in Africa after Nigeria, Algeria and Egypt) and produced 15.8 billion cubic metres in 2010 (BP 2011: 20, 22). An overwhelming majority of production of both resources is exported.

Given the geographical proximity to Europe Libya has naturally assumed the role of the key energy supplier of many European countries. Europe as a whole accounts for vast majority of Libyan oil exports (77 per cent in 2009). The single biggest importer of Libyan oil is Italy buying 32 per cent of Libyan exports. It is followed by Germany (13.4 per cent), China (10 per cent), France (10 per cent), Spain (8.6 per cent) and other European countries (13 per cent) (data for 2009; RIA Novosti 2011). Importance of Libya for securing the energy needs of many European countries is best documented by the proportion of oil imports these countries buy from Libya: Again, Italy is at the top with 26.7 per cent of its oil imports sourced from Libya. Other EU member states with a significant extent of reliance on Libyan oil exports are Ireland (19.2 per cent), Austria (14.9 per cent), Greece (13 per cent), Spain (9.6 per cent), France (8.9 per cent), Portugal (8.7 per cent) and Germany (8.5 per cent) (data for 2009; Eurostat 2011).

Concerning natural gas, the way for large scale imports of this energy resource to Italy opened when Greenstream underwater pipeline from Melitah in Libya to Gela in Sicily came online in 2004. In 2009 the country bought 13.2 per cent of its natural gas imports from Libya (Eurostat 2011). Libya also exports a limited amount of liquefied natural gas from its facility in Marsa El Brega. All of it was exported to Spain in 2009 (EIA 2011).

These figures demonstrate that it was in the interest of both Libya and many European countries to maintain a strong and stable partnership. Mutual interdependence was strongest with Italy whose leadership – well aware of the fact that Libya was its biggest provider of oil and third biggest provider of natural gas – sought to establish and maintain a “special relationship” with Colonel Gaddafi which was attested by the Treaty of Friendship of 2008. Other concerns especially migration were also at play (see below). Faced with a dilemma between stability and democratization Italian foreign policy before the end of 2010 always favoured the former, because

as the events of 2011 have shown the latter would have required the removal of Colonel Gaddafi regime by a violent action – a situation which is hardly compatible with the stability of oil and gas supplies (see Carbone, Coralluzzo 2009 and Varvelli 2010). In return, the main Italian energy company ENI was given an extension of its contracts in Libya till 2042 for oil and till 2047 for natural gas in 2008 (Varvelli 2010: 126).

5.3 Migration

This section will argue that any help of Morocco and Libya in relieving the migratory pressure on Europe originating in North Africa depended on the goodwill of their governments and that such goodwill would hardly be conceivable in the context of vigorous European pressure on political change and democratic reform in the region.

We have already reviewed the activities of the European Union in the area of migration which have mainly consisted of financial support of partner countries in border and migration management and asylum-seeker treatment. Here we shall turn our attention to the level of member states and their cooperation with the Maghreb countries as well as to the issue of migration from North Africa to Europe as such.

5.3.1 Migration from North Africa to Spain, France and Italy

Whereas France has a long and historically based tradition of immigration Spain and Italy transformed into immigration target countries only during the course of the 1980s. Since that time a dramatic number of immigrants to all three countries either directly originated in North Africa or transited the Maghreb countries of Morocco and Libya on their way to Europe. Today, there is a sizeable presence of immigrants of North African origins in all three countries of the EU on which we focus here.

In the last years Spain completed the transformation from a traditional emigrant country when it became the main point of entry for immigration into Europe (Enríquez in Triandafyllidou, Gropas 2008: 324). Significantly, immigrants from North Africa belong among the most numerous groups. The number of African residents increased from some four thousand in 1980 to more than five hundred thousand in 2003. Moroccans constitute one of the largest foreign communities in Spain. In fact, for many years they were the largest one but due to a massive influx of immigrants from Latin America and most notably from Ecuador in the last decade they became the second

most numerous group accounting for 14.2 per cent of all foreign population of more than 2.5 million (Moreno Fuentes 2005: 112).

In France the portion of immigrants in the population has remained relatively stable since the mid-1970s. In 2006 there were about 4.9 million foreign residents in the country (Marthaler 2008: 383) while additional 200 000 to 500 000 were estimated to live there illegally. Those born in Algeria, Tunisia and Morocco represented roughly 30 per cent of all the migrants in the country. Interestingly, the number of immigrants from Sub-Saharan Africa has been on the rise lately (Schuerkens in Triandafyllidou, Gropas 2008: 113).

In Italy the number of immigrants living in the country increased almost four times between 1992 and 2007 to 2.9 million of foreign residents. Additionally, about half a million individuals resided in the country without proper documents as of the end of 2008 (Finotelli, Sciortino 2009: 122 and 130). Although the migrant population of Italy is rather diverse in terms of countries of origin, also here Moroccans constitute the second largest group with a portion of 10.4 per cent while there is also a significant proportion of Tunisians and other people of North African origins (Kosic, Triandafyllidou in Triandafyllidou, Gropas 2008: 190)

The inflow of immigrants from North Africa to Europe has been sustained by a number of factors which include geographical proximity, wish for a better life in more affluent European societies, motive of family reunification or the constant demand of European economies for workers with low qualifications and low costs. Indeed, in all three countries migrants from the Maghreb states have assumed an important role in the labour markets occupying various poorly paid jobs in agriculture, construction, manufacturing or in the service sector which the respective European country's nationals have been reluctant to accept (Moreno Fuentes 2005: 111, Finotelli, Sciortino 2009: 122).

5.3.2 Politicization and Securitization of Migration

Over the course of the last three decades the issue of immigration has also taken on a political dimension. In France and Italy far right parties such as *Front National* and *Lega Nord* have attracted a significant proportion of the electorate with an anti-immigration agenda they have embraced. Immigration has been portrayed as a threat to employment, law and order or national identity (Marthaler 2008: 383). Their success

has directly or indirectly, but in any case significantly influenced national immigration regimes. While in Spain the distrust towards North African immigrants lacks an institutional expression in the form of a political party its presence was nonetheless measured by several studies (Moreno Fuentes 2005: 129).

Growing uneasiness with the migratory influx especially in the Italian and French society as well as implementation of rules of the emerging Schengen area have been reflected in the gradual strengthening of immigration regimes. In Italy successive laws from 1998, 2002 and 2008 were targeted at reducing the volume of unwanted inflows by introducing quotas for issuing work-related residence permits, implementing measures to make clandestine entries more difficult and repatriation easier or by criminalizing unauthorized entry (Finotelli, Sciortino 2009: 123-126). Similarly, two French laws from 2003 and 2006 were designed to restrict illegal immigration, reduce the number of asylum-seekers and to make immigration 'selective' by tailoring it to France's economic requirements (Marthaler 2008: 387-391). In Spain, on the other hand, measures aimed at regulating migration were complemented with laws opening state welfare services to foreign residents and also to undocumented migrants (Moreno Fuentes 2005: 120).

While majority of irregular immigrants have entered European countries on valid documents but overstayed their visas, most attractive for the media and also politically most salient is the issue of unauthorized or "clandestine" migration. Having assumed positions of key entry points to Europe both Spain and Italy have since the early 1990s witnessed a marked increase in the extent of this phenomenon. On the other side of the Mediterranean, Morocco and Libya have served as principle countries of departure for the last phase of illicit immigration journey from countries of North and Sub-Saharan Africa, but also from Asia. Morocco, additionally, also plays the role of one of the key countries of origin for immigration into Spain, Italy and France. Among the key target destinations for unauthorized migration from Africa belong the island of Lampedusa near Sicily for migrants making their over-sea journey from Libya and Tunisia (Hamood 2008: 19), and three endpoints in Spain for those coming from Morocco: strip of Spanish coast to the West and East of Gibraltar, enclaves of Ceuta and Melilla and the Canary Islands (Carling 2007: 16).

As far as Spain's reaction is concerned, during the course of the late 1990s advanced surveillance and border control mechanisms were placed in the most

problematic sectors along the Spanish coast which helped stabilize the inflow of unwanted migrants (Carling 2007: 20-21). Additionally, closer cooperation with Morocco was sought by the government in Madrid which went further of collaborating with Moroccan authorities on expelling illegal migrants from Spain based on a readmission agreement successfully negotiated at the start of the 1990s. To give just one example, Spain and Morocco have been deploying joint sea patrols since 2004 (Moreno Fuentes 2005: 122).

From the perspective of European countries, cooperative governments on the other side of the Mediterranean have been instrumental in helping to reduce the migratory pressure. Improved policing of the border being one aspect, another important facet have been the readmission agreements in which the Maghreb countries have agreed to readmit immigrants who illegally arrived to Europe. Whereas the EU as a whole has so far failed to achieve this goal, Spain has managed to sign such an agreement with Morocco, while Italy and France have achieved doing that with all three countries of the region on which we focus here (MIREM 2010). While readmission falls short of ultimate solution in any case it helps ease the burden. For illustration, between 1999 and 2006 a total of more than 86 thousand of unwanted migrants were readmitted from Italy by various partner countries (Finotelli, Sciortino 2009: 130). Practical implementation, however, hinges upon both the willingness of the partner country to cooperate and on the ability and readiness of the European country to finance and exercise the expulsions.

Bilateral partnership between Italy and Libya provides a good example of how far the cooperation between a European democratic country and an autocratic one can progress when interests intersect. Having already discussed the economic and energy aspects of this relationship we shall now turn to examination of the collaboration in the field of migration. Its origins lie already in the general agreement to fight terrorism, organized crime and illegal migration from 2000. This contractual base was strengthened in the following years and especially in 2008 with the Treaty of Friendship whose objectives were summed up by Italian Prime Minister Berlusconi as “fewer illegal immigrants and more oil” (Carbone 2009: 433). As of 2009 the “Italian-Libyan partnership extended to include readmission agreement, training for Libyan police officers and border guards, and Italian-funded detention and repatriation programmes for irregular migrants in Libya” (Andrijasevic 2009: 150). In contrast to Morocco

which has been unwilling to accept any migrants besides its nationals, Libya has been ready to readmit thousands of undocumented migrants returned to Africa on Italian planes. And Italy, for its part, has been shipping migrants back to Libya which has failed to sign the 1951 Refugee Convention or its 1967 Protocol with striking frivolity. Finally, using electronic equipment and frigates delivered from Europe Libya has also patrolled its coastline to stop the migratory flow before reaching the shores of Europe (Carbone, Coralluzzo 2009: 434).

Significantly, although the Italian authorities appeared content with the results of cooperation with Libya and declared a massive drop in the number of landings of illegal immigrants in Sicily (Varvelli 2010: 128), on the whole the efforts that the European countries have invested into reducing the flow of illegal immigration have brought only limited success. Already cited numbers of irregular foreign residents or the necessity to resort to periodic regularizations are good examples. In face of massive numbers of undocumented migrants living in Italy and Spain both governments have been repeatedly forced to solve this situation by giving out residence permits indiscriminately. In Italy five rounds of regularization process between 1986 and 2002 provided 1.4 million migrants with proper documentation (Finotelli, Sciortino 2009: 132). In Spain hundreds of thousands of migrants received their permits in several processes between 1986 and 2005 (Moreno Fuentes 2005: 117).

To conclude, in the sphere of migration the member states we analysed and also the EU as a whole have essentially pursued a policy of externalization aimed at turning the Maghreb countries (Morocco and Libya especially) into “buffer zones” which would relieve Europe of the migratory pressure. Readmission agreements in place (member states) or under negotiation (EU), Italian policy of expelling undocumented migrants, practical cooperation with and financial support of North African governments in border management and policing or an unrealized proposal to set up refugee processing centres in North Africa are all cases in point.

Up to the end of 2010 Morocco and Libya were cooperating rather closely with their European neighbours in terms of border and migration management, exercising joint naval patrols and admitting illegal immigrants from Spain and Italy and thus reducing the migratory pressure on the South European states. Ultimately, however, this cooperation depended upon the goodwill of incumbent governments

of these two partner countries. Applying conditionality and vigorously pushing for political reforms from the part of the EU would have probably caused that the willingness of Tripoli and Rabat to collaborate in sorting out the European problem with migration would evaporate rather quickly. In other words, also from the perspective of migration a number of important European countries shared an interest in maintaining stability and not promoting change in the region.

5.4 Terrorism

Terrorism as a threat shared by the governments across the Mediterranean is the last factor we shall examine here. In face of this threat European countries have sought cooperation from their southern neighbours who have readily come to their assistance since it implied that instead of being objects of democracy promotion efforts the North African states have become vital security partners.

In the last decade – following the terrorist attacks of 2001 in New York and Washington, D.C., 2004 in Madrid and 2005 in London – the issue of terrorism moved high in the European security agenda. Relations with the Maghreb countries were no exception. It could hardly have been otherwise as according to EUROPOL data from 2009, “the majority of terrorist suspects arrested in Europe came from North Africa, most notably Algeria, Morocco and Tunisia” in several consecutive years (Allani et al. 2011).

At the EU level “cooperation in the fight against terrorism” became one of the Priority Actions under the Action Plans with both Tunisia and Morocco (EU/Tunisia Action Plan 2004, EU/Morocco Action Plan 2004). Practically, though, deepening of the security cooperation has been pursued especially at the level of member states and partner countries of the region. Information sharing, security and intelligence services coordination and cooperation, as well as cooperation in criminal matters and in management of migration have been strengthened significantly. France, Spain, Great Britain and Italy have been especially active in this regard (Joffé 2008: 165-166).

Security agenda has permeated the relations with the Maghreb countries to such an extent that “the normative objectives of the Euro-Mediterranean Partnership have become securitized in that co-operation to achieve economic and political

development between South Mediterranean states has been effectively replaced by cooperation to combat a shared threat: transnational terrorism” (Joffé 2008: 147).

Importantly, the issue of terrorism has grown to be perceived as a threat common to both democratic countries of Europe and authoritarian regimes of North Africa. Joint action was thus necessary in order to fight this threat which transcends national boundaries. Common fight against terrorism has, however, inevitably contributed to the legitimization of repressive measures employed by the incumbent regimes in the Maghreb countries since pursuing terrorists in Tunisia or Libya could easily be presented as being also in the European security interest.

Fight against terrorism was also closely linked with already discussed cooperation on migration whose aim was also to prevent terrorists from entering European soil. European countries have invested significant efforts into strengthening the security forces and law enforcement capabilities of the Maghreb states to enable them better control their borders. However, especially in cases of Libya and Tunisia this could be interpreted as “considerable contribution to delaying democratization” for the simple reason that efficient security apparatuses were exactly what these regimes ultimately rested upon (Kahl in Varwick, Lang 2007: 68-69).

To conclude this section, we should point out that common perception of salience of the terrorist threat on both shores of the Mediterranean has led to intensification of security cooperation especially on the state level. The Maghreb countries have readily assisted in this regard as it in effect attested their transformation from being an “object to which policy had originally been directed” (democratization) to “partner in policy articulation” (Joffé 2008: 155).

5.5 Interplay of Four Factors in Favour of Stability

In this chapter we have analysed four factors which should help us clarify the reasons why did the EU resign on promoting democratic reforms in the Maghreb between 2005 and 2010. Together, they provide four kinds of explanation that are to different extent relevant at the level of individual EU member states. The discussion of trade and business cooperation has shown that if the EU were indeed to push for political change in the Maghreb area and use the “stake in the internal market” as a tool in that regard, such a policy would have entailed a measure of economic costs in terms of lost trade and business deals. The energy section applies most to the Italian-

Libyan relationship and has showed that this Maghreb country has been vital for ensuring stable energy supplies of Italy, but to a lesser extent also of other European countries. Promoting democratization in the Libyan Jamahiriya would have endangered this stability and thus Italian leadership opted rather for strengthening ties with the regime of Colonel Gaddafi. The section on migration has analysed the strong migratory flow from North Africa to Italy, Spain and France and examined the policy reaction of these European countries. We have seen that both Spain and Italy collaborated closely on border and migration management with Morocco and Libya. Importantly, this cooperation would have not been possible in the absence of goodwill of these two North African countries. Migration being perceived as a multifaceted problem with political, economic, social and security costs, it was in the common interest of governments of Paris, Madrid and Rome to cultivate good relations with the rulers of the Maghreb states. Promoting political reform through Union action would hardly be helpful in this regard. Lastly, commonly shared fear of terrorism provided yet another strong reason for cooperation with the incumbent regimes in the region.

Finally, we should not underestimate the factor of stability which relate to all four other factors. Promoting democratic reform would mean accepting a necessary period of instability and uncertainty in the North African region. Importantly, political instability would not help the burgeoning trade and energy cooperation but would endanger it, and, at the same time, it would probably also result in a worsening of security conditions and in an increase in immigration.

We may thus conclude that for both economic and security reasons, it was not in the short-term interest of France, Spain and Italy to take the risk of instability by promoting democratization in the Maghreb region. Original intentions and proclamations notwithstanding also the practice of European Neighbourhood Policy could not but to reflect this situation. Clearly, in the domain of foreign policy it is the member states who exercise the final authority.

Conclusions

This thesis analysed the European security policy towards the Maghreb between 2005 and 2010. It did so in order to ascertain to what extent the level of practical policy corresponded with the level of declarations. Also, by using the promotion of democratic governance in the Maghreb countries under the ENP as a case study, the thesis meant to challenge the proposition that European Union can be described as a 'Normative Power'.

First chapter presented the concept of Normative Power Europe which was put forward by Ian Mannners (2002) and its problematic aspects, summarized the on-going scholarly debate and, discussed some implications for empirical research. The following section looked at the European Security Strategy and localized the primary position of the goal of democracy promotion in the document. Third part gave an overview of European policy towards the Mediterranean under which the EU relations with the Maghreb have been framed. Most attention was paid to the European Neighbourhood Policy, its aims, principles, tools and incentives. The analysis contended that widespread ambitions of the policy were not matched with appropriate tools and resources; case for success of socialisation was weak, conditionality was deliberately toned down, and incentives were vague or ineffective. Inherent weaknesses of the ENP, the chapter argued, might have been compensated, at least to some extent, only by coherence and resolution on the part of the EU.

Next chapter went on to examine the level of practical EU policy. It consisted of three separate case studies of European policy towards Tunisia, Morocco and Libya between 2005 and 2010. These have shown that promotion of democracy did not dominate the EU agenda in this region. Significantly, the cases of both Tunisia and Morocco clearly illustrated that the EU effectively resigned from applying conditionality under the ENP. Decoupling economic cooperation from political reform is the most striking case in point. Additionally, the fact that only negligible amount of funds was allocated to democracy and human rights issues shows that other priorities took precedence. As far as the case of Libya is concerned, readiness on the part of the Union and its member states to cooperate closely with the deeply authoritarian regime of Colonel Gaddafi in matters of immigration and border management signalled a lukewarm commitment of Europe at best to the values and strategic principles it set out to promote. Finally, this chapter has shown that the European policy towards

the Maghreb lacked coherency in the sense that it did not correspond with the principles and objectives specified within the European Security Strategy and within the ENP strategy documents.

The purpose of the fifth and final chapter was to look for an answer to the main research question: “Why did the security policy of the EU towards the Maghreb not correspond with principles and goals declared in the European strategic documents?” Four factors (trade, energy, migration and terrorism) were qualitatively analysed. Specifically, the section focused on the way these factors contributed to the structuring of relations of Tunisia, Morocco and Libya with Spain, France and Italy. We have found that all of these factors contributed in their specific way to the result that these European countries favoured stability over democratization. Promoting political reform by principled and conditionality-based EU policy would have probably entailed economic losses in terms of drop of mutual trade and it might have endangered stability of energy supplies. Additionally, such a policy would have probably caused that European countries would have had to do without the cooperation of their Maghreb partners in migration and security issues which were both of high importance. Destabilizing situation in the region that would likely result from the fall of incumbent, undemocratic regimes would have probably also increased the migratory pressure to the North as well as worsened the security situation.

The last chapter has thus demonstrated that France, Spain and Italy shared several immediate material interests that shaped their policies in favour of promoting the short-term priority of stability. As the relations with the Maghreb countries are vital for the Mediterranean countries of the EU and since the EU member states wield the final authority in foreign affairs, inevitably, the EU policy implemented through the ENP had to comply. This thesis would argue, however, that promoting stability over democracy in the Maghreb was a short-sighted policy for the EU and its member states for it sacrificed their long-term interests for short-term benefits.

The results of research conducted in this thesis essentially confirm the assumptions formulated in the hypotheses. The thesis has indeed found a number of security, economic and political factors which shaped the EU policy towards the Maghreb countries towards favouring stability over promotion of democracy. Also the expectations of the four partial hypotheses proved to be tenable. Only organized crime has not showed to play the role of an important factor. Otherwise, we might move

closer to the conclusion by stating that overriding immediate security concerns with terrorism, as well as preoccupation of the EU and its member states with the issue of migration led to a policy emphasizing stability over democratization and improving governance in the Maghreb, as well as the unwillingness to jeopardize trade and the stability of supplies of natural resources helps explain why the EU was unwilling to risk promoting change in the region.

Finally, findings of this thesis also implicitly challenge the proposition that the EU can be described as a Normative Power “predisposed to act in a normative way in world politics” (Manners 2002: 252). We have seen that while at the declaratory level the EU strives to present itself normatively and frames its strategies in this way, at the practical level its policy is shaped rather by a number of material interests and pursuing of its value-based objectives is relegated to a secondary status.

21 889 words, 118 166 characters (without spaces), 139 956 characters (including spaces).

Summary

This PhDr. thesis analyses the EU security policy towards the Maghreb between 2005 and 2010. It does so in order to ascertain to what extent the level of practical policy corresponds with the level of declarations. Also, by using the promotion of democratic governance in the Maghreb countries under the ENP as a case study, the thesis means to challenge the proposition that European Union can be described as a Normative Power. First chapter presents the concept of Normative Power Europe. Following section looks at the European Security Strategy and localizes the primary position of the goal of democracy promotion in the document. Third part gives an overview of the European policy towards the Mediterranean under which EU relations with the Maghreb have been framed. Most attention is paid to the European Neighbourhood Policy. Next chapter examines the level of practical EU policy. It consists of three separate case studies of European policy towards Tunisia, Morocco and Libya between 2005 and 2010. The fifth and final part qualitatively analyses the way four factors (trade, energy, migration and terrorism) contributed to the structuring of relations of Tunisia, Morocco and Libya with Spain, France and Italy. The thesis arrives at the conclusion that while at the declaratory level the EU strives to present itself normatively and frames its strategies in this way, at the practical level its policy is shaped by a number of material interests and pursuing of its value-based objectives is relegated to a secondary status.

Appendices

Table no. 1: Freedom House Rating of Political Rights and Civil Liberties in Tunisia, Morocco and Libya in 2005 and 2010

Country	2005			2010		
	Political Rights	Civil Liberties	Status	Political Rights	Civil Liberties	Status
Tunisia	6	5	Not Free	7	5	Not Free
Morocco	5	4	Partly Free	5	4	Partly Free
Libya	7	7	Not Free	7	7	Not Free

Source: Freedom in the World Editions 2006 and 2011, www.freedomhouse.org.

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