

# FROM THE EURO-MEDITERRANEAN PARTNERSHIP TO THE UNION FOR THE MEDITERRANEAN

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## Abstract

*The Euro-Mediterranean relations advanced at a relatively slow pace and shallow depth under the Cold War dynamics. After the end of the bipolar structure, European strategists found room to revitalize the relations. These efforts culminated in the Barcelona Process, which fell behind in meeting expectation. The latest attempt, the Union for the Mediterranean, confronts severe setbacks in achieving the goals set by the Barcelona Process. Its future depends on the partners' ability to overcome major weaknesses stemming from the institutional set up and the impact of the Arab-Israeli conflict. Deadlocked by interrupted dialogue, the prospect of cooperation is bleak. The article presents the evolution of the Euro-Mediterranean relations from the Barcelona Process to the Union for the Mediterranean. The first part focuses on the objectives and institutions of the Barcelona Process. Following a brief discussion on the European Union Neighbourhood Policy, the Euro-Mediterranean Partnership- European Union Neighbourhood Policy association and the performance of the former are introduced. Finally, the 2007 Union for the Mediterranean is scrutinized.*

## Key Words

Barcelona Process, Union for the Mediterranean, Euro-Mediterranean Partnership, European Union Neighbourhood Policy, EU institutions.

## Introduction

The EU-Mediterranean relationship started to be of concern to the EU in the 1990s, when the global and regional dynamics urged the formulation of a common European foreign policy. With the fall of communism in 1990, the EU goal to go beyond being just a regional power and the changing perception from threat to security emerged as the primary factors shaping the

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Union's foreign policies. The EU-Mediterranean relationship has been no exception to being affected by these changes. This article covers the evolution of policies and institutions in the EU-Mediterranean relationship. It focuses on the processes formed by the EU to regulate the relations prior to the proposal for the Union for the Mediterranean (hereafter, UfM), namely Barcelona Process (hereafter, BP) – also called the Euro-Mediterranean Partnership (hereafter, EMP) - and European Neighbourhood Policy (hereafter, ENP). From the European point of view, the EMP process fell short of producing the gains that the EU intended. Many reasons lay behind the failure, among which are the lack of political commitment from both sides, the unequal representation of the EU member and non-member countries, the difficulty of the Arab countries to sustain political dialogue among themselves and with Israel are the most essential. On the EU foreign policy-making level, the overlap of the scope of the BP and the ENP presents another point of difficulty. This overlap troubles the relationship between the EU and the EMP. Besides, it diminishes the efficiency of cooperative project formulation and management. The scene is further complicated by the June 2007 UfM proposal. The 2007 proposal was initiated as an attempt to revive Euro-Mediterranean relations through economic, social and cultural cooperation. The novelty is the equal representation of both EU member and non-member partners in all institutions of the UfM. On the other hand, institutional and political obstacles await the UfM. The initiative is likely to inherit the problems that its predecessor experienced. Moreover, there are new challenges growing from its initiation. There is little prospect that these problems will be overcome and the lives of the people in the Mediterranean will change for the better.

## **I. Barcelona Process and the EMP Institutions**

### ***A. Mediterranean on the Agenda***

Euro-Mediterranean relations during the Cold War were shaped by the dynamics of the bipolar political system. Within the limits of the bipolar system, Europe and the Mediterranean countries regulated their relations through bilateral agreements until the mid-1970s. Deciding to initiate a common position regarding relations with the region, the European Community held the 1972 Paris Summit. Nonetheless, relations remained under the umbrella of Cold War politics. Beginning in the 1990s, relations with the Mediterranean climbed higher on the European agenda. Several

reasons account for the rise of these relations as an important issue for Europe – self-perception and security-related developments are the main drives. Self-perception refers to the position that the European officials – or at least most of them – want to see Europe: to become a global power. To go beyond being a regional power, the EU has to be the dominant power in its “backyard” – the Mediterranean, counterbalancing the increasing hegemony of the US in this region. This aspect is part of the Common Foreign and Security Policy (CFSP), which is still controversial in its making and implementation.

The foremost security concerns directing Europe’s attention to the Mediterranean are terrorist attacks, stemming from or connected to the fundamentalists in the southern and eastern Mediterranean, and the implications of immigration from the region to Europe. The September 11 attacks generated concern, but perhaps the bombings in Spain and Britain were more influential in strengthening a security-based approach to these relations. The threat to security was coupled with the increasing flow of immigrants from the region in the last decades. The poverty and political instability that cause the human influx from the region generated problems for both the European societies and the immigrants. Moreover, the improvement of relations with these countries became necessary in terms of European energy security. The energy resources in the region present an alternative to the Russian control over the supply to meet European demand. Nonetheless, the difficulty of formulating and enforcing a common EU policy on this matter reduces the energy factor to a lesser importance compared to the terrorism and immigration factors.

On another level, some scholars argue that the power play between Germany and France in the 1990s turned the attention of the latter towards the region. It should be noted that the Mediterranean became an important agenda issue as a result of Spanish and Italian efforts – or complaints – and the aforementioned reasons, rather than as an initiative by the French to offset the increasing German power. Assuming the southern Mediterranean to be their natural “backyard”, the French made use of the Northern Mediterranean countries’ preoccupation with the south and grabbed onto Spanish attempts to improve relations with the Mediterranean in a formal

context.<sup>1</sup> Besides, none of the southern and the eastern Mediterranean partners – except the ones located on the European continent – were expected to become an EU member in the future. Hence, how the improvement of relations with the Mediterranean would balance the German influence within the EU is not clear. What is clear is the impact of outside-originated conjuncture and the strategic response by the EU officials to build a new structure for the improvement of relations.

### ***B. Objectives***

The Barcelona Conference, held on 27-28 November 1995, is the cornerstone of EU-Mediterranean relations for both EU foreign policy-making and its relationship with the Mediterranean. The parties involved were the (at the time) fifteen member states of the European Union and ten states of the Southern and Eastern Mediterranean region: Morocco, Algeria, Tunisia, Egypt, Israel, Palestinian Authority, Jordan, Lebanon, Syria and Turkey. The participants adopted the Barcelona Declaration, which set the framework for the BP (more frequently called the EMP). Today, there are twenty-seven EU member states and seventeen Mediterranean partners. Six countries added to the original ten partners were Albania, Libya, Bosnia and Herzegovina, Croatia, Monaco, Mauritania and Montenegro. With the decision of the Marseille Conference of November 2008, the League of Arab States gained observer status to become the seventeenth Mediterranean participant in all meetings.

The EU's official objective regarding the Partnership was to facilitate the relationship between the EU and the countries of the southern Mediterranean region. The objectives of the EMP were institutionalized along with the establishment of a network of new institutions with the Barcelona Declaration in 1995. These objectives are organized under three chapters. The main goal under the "Political and Security Chapter" is the reinforcement of political and security dialogue for peace, the "Economic and Financial Chapter" foresees the gradual and "partial economic

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<sup>1</sup> Erdem Denk, "Avrupa-Akdeniz Ortaklığı: Artan Refah ve Kurumsallaşan Bağımlılık", *Mülkiye Dergisi*, Vol. XIII, No. 219 (Spring 2008), pp.197, 201.

integration”, and the “Social, Cultural and Human Chapter” aims to promote mutual understanding among cultures and civil societies. The operation of the EMP under these chapters is two-layered, which complement each other.<sup>2</sup>

- a. Bilateral level:** The EU and the Mediterranean partners cooperate through bilateral activities. There are two layers within this level: promoting the relations of the EU as a whole with each state individually and promoting the relations of all partners with each other. The Euro-Mediterranean Association Agreements set the framework for these activities since they determine the general principles directing the EMP, as well as the particular relationship of each partner with the EU.
- b. Regional level:** Regional dialogue consists of regional co-operation on political, economic and cultural issues. Strategic importance at this level of cooperation lies in its coverage of problems common to Mediterranean partners with consideration of each partner’s particularities.<sup>3</sup>

### *C. Institutions*

The EMP organizations, apart from the European Mediterranean Parliamentary Assembly (EMPA), were institutionalized by the Barcelona Declaration. The institutional structure of the EMP is complex and multilayered. Several regular committees, conferences, and summits are organized both at the ministerial and the technical expert levels. The meetings are expected to serve as platforms to improve regional and bilateral relations. However, the multilayered and complex institutionalization of the process works as an obstacle to its effective operation. The primary problem is that the areas of responsibility assigned to different institutions overlap. For instance, the implementation of the work programs falls under both the EMPA and the Conference of Foreign Ministers responsibilities. Such an overlap of responsibilities is likely to bring about a power struggle between the institutions and slow down the decision-making process.

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<sup>2</sup> European Commission External Relations, “Euro-Mediterranean Partnership /Barcelona Process”, European Union Commission website, at [http://ec.europa.eu/external\\_relations/euromed/index.htm](http://ec.europa.eu/external_relations/euromed/index.htm).

<sup>3</sup> Ibid.

Besides the institutional make-up, the process is multilayered due to the encouragement of the participation of civil society organizations in most of these meetings. Despite this official encouragement, civil society engagement is a problematic aspect of the process. It is not realistic to expect fruitful contribution from the civil societies of the Mediterranean countries, where such groups are traditionally and relatively weaker compared to their Western counterparts. To what extent and in what capacity these civil society groups contribute to the process are debatable. The EP Resolution of 19 February 2009 also stated the need to strengthen the mechanisms for the effective participation of civil society and local authorities in the design and monitoring of ENP initiatives.<sup>4</sup>

#### ***a. Euro-Mediterranean Summit***

Every five years, the heads of state from all partner states meet in a Euro-Mediterranean Summit to determine the policy priorities, called the “work plan”, for the following five-year period. The recent work plan priorities for 2006-2009 are political, security and socio-economic cooperation, education, inter-cultural dialogue and migration. These priorities parallel the priorities of the 2005 Barcelona Summit.<sup>5</sup> These areas were chosen with the purpose of contributing to the EU’s security and immigration concerns. The selection of these areas is an affirmation of the security-centred approach of the EU towards its Mediterranean neighbours. In other words, Euro-Mediterranean cooperation operates to primarily achieve the EU foreign policy priorities through the EMP, rather than giving an equal weight to both the EU members’ and Mediterranean partners’ considerations.

#### ***b. Euro-Mediterranean Conference of Foreign Ministers***

Euro-Mediterranean Conference of Foreign Ministers is composed of the partner states’ Foreign Ministers. The Ministers meet regularly to monitor the implementation of the Barcelona Declaration, the five-year work

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<sup>4</sup> European Parliament Resolution, “Review of the European Neighbourhood Policy Instrument”, Reference INI/2008/2236, 19 February 2009.

<sup>5</sup> European Neighbourhood and Partnership Instrument (ENPI) Regional Strategy Paper (2007-2013) and Regional Indicative Program (2207-2010) for Euro-Mediterranean Partnership, p. 3.

program and to define the necessary actions for the fulfilment of partnership objectives.<sup>6</sup> Since the inception of the EMP, there have been thirteen conferences of Foreign Ministers, with the last one being held in Lisbon, in November 2007.<sup>7</sup> The following year, the foreign ministers of forty-three countries met in Marseille to work on the principles of the UfM governance.

### *c. Euro-Med Committee*

Euro-Med Committee members are senior officials from the EU Troika and one delegate from each partner state. The Committee is responsible for the evaluation of the achievements in relation to the work program and preparation of the meeting of foreign ministers. Moreover, partner country ministers meet to take decisions on further policy harmonization in their fields; these are called “Euromed Ministerial Meetings.”<sup>8</sup>

### *d. The Forum / EMPA*

The first meeting of the European Parliament representatives and the delegates from the partner Mediterranean parliaments took place in Strasbourg in March 1997. The outcome of this meeting was the establishment of the Euro-Mediterranean Parliamentary Forum (the Forum). The first Forum met in Brussels in October 1998 and adopted declarations and resolutions on immigration. The second meeting convened in February 2000, followed by the third meeting after the attacks of 11 September 2001 where the security-sensitive approach to cooperation dominated the meeting and the main focus was the establishment of mechanisms to enhance intercultural dialogue. The fourth Forum met in Italy in June 2002. A working party was established to prepare for the establishment of a Euro-Mediterranean Assembly and to draft its rules of procedure. Following the

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<sup>6</sup> Euromed Information Centre, “About the Euro-Med Partnership”, available at <http://www.euromedinfo.eu/site.151.content.en.html>.

<sup>7</sup> European Commission External Relations, “Euro-Mediterranean Foreign Ministers Conferences”, European Commission website, at [http://ec.europa.eu/external\\_relations/euromed/conf/index.htm](http://ec.europa.eu/external_relations/euromed/conf/index.htm).

<sup>8</sup> Euromed Information Centre, “About the Euro-Med Partnership”, at <http://www.euromedinfo.eu/site.151.content.en.html>.

2002 EP resolution, the Forum was replaced by the Euro-Mediterranean Assembly (EMPA) which has been in existence since March 2004.<sup>9</sup>

The EMPA members are selected from EP members, members of EU national parliaments and partner states. The Assembly's primary responsibilities are to provide impetus for further cooperation, implement association agreements and propose recommendations to the Euro-Mediterranean ministerial meetings.<sup>10</sup> Currently, there are 130 members from the EU members and 130 members from the Mediterranean partners. The Assembly might also be assigned a new responsibility to observe the executive bodies of the UfM.<sup>11</sup> If enacted, the EMPA's involvement will also promote more openness and control over the implementation processes. Nonetheless, whether the EMPA will be granted this power within the UfM structure is currently unclear.

### *e. Association Agreements and Action Plans*

The 1995 Barcelona Process initiated the use of bilateral agreements, called Association Agreements, between the EU and the Mediterranean partners. In time, their importance was surpassed by Action Plans, which drew the roadmap for specific actions that each particular partner would take up according to its capabilities and aspirations.<sup>12</sup> In addition to these two tools, there are strategy papers which specify the details of bilateral and regional (multilateral) cooperation. These three tools draw the nature and extent of bilateral relations. Currently, the Association Agreements are the responsibility of the European Commission. This is likely to prove

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<sup>9</sup> European Parliament, "EP Delegation to the Euro-Mediterranean Parliamentary Assembly", European Parliament website, at [http://www.europarl.europa.eu/intcoop/empa/history/forum\\_en.htm](http://www.europarl.europa.eu/intcoop/empa/history/forum_en.htm).

<sup>10</sup> Parliament of Finland, "Euro-Mediterranean Parliamentary Assembly", Parliament of Finland web site, at <http://web.eduskunta.fi/Resource.phx/parliament/internationalorgans/euro-mediterraneanparliamentaryassembly.htx>.

<sup>11</sup> European Parliament, "EMPA Plenary Focuses on Middle East", available at [http://www.europarl.europa.eu/news/expert/infopress\\_page/030-51928-075-03-12-903-20090316IPR51927-16-03-2009-2009-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/030-51928-075-03-12-903-20090316IPR51927-16-03-2009-2009-false/default_en.htm).

<sup>12</sup> Michael Emerson and Gergena Noutcheva, "From Barcelona Process to Neighbourhood Policy, Assessments and Open Issues", CEPS Working Document, No.220, March 2005, pp.7, 9.

problematic if the UfM is fully activated, since the transfer of this authority might not be desired by the Commission.

### *f. Assessment of the EMP Activities in 2000s*

The primary success of the EMP is that it is the only political institution which managed to continue bringing the Mediterranean states together for specific cooperation schemes.<sup>13</sup> Unfortunately, the complexity of its institutional design, its limited popular legitimacy and visibility seem to hamper its success. In terms of complexity, the scope of the Action Plans has been criticized as being too broad. Among the specific policy areas, the fastest improving field is the trade policy, mostly owing its development to the EU's economic aspirations regarding the region. The adoption of the EuroMed Internal Market Programme in 2002 – targeting market integration – created an impetus for further economic cooperation. Such progress for horizontal functional cooperation on specific sectors of the economy is already at work with partners like Jordan and Israel.<sup>14</sup> Similarly, several projects on culture and education have been implemented. Cooperation in these areas is assumed to gradually remedy the security concerns. Thus, the European priority of securitization will be achieved very slowly, if at all. The pace of achievement is a discouraging factor on the side of the EU, which might end up with an erosion of its political commitment.

Despite the continuous expression of the wish for peaceful settlement in the Mediterranean, the policy headings under the security chapter have made the least progress of all. There has been growing concern with the EU policy makers about the security issues after the September 11 attacks. The impact of this concern transgressed the dialogue on security towards the other areas of cooperation. European anxiety over terrorism and illegal immigration undermined social, human and cultural dialogue<sup>15</sup> but dialogue on security cooperation achieved little. For instance, the conflict prevention and resolution mechanisms proposed in the draft Euro-Mediterranean Charter for Peace and Stability have been delayed *sine die* after the collapse of the

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<sup>13</sup> Ibid, p. 1.

<sup>14</sup> Frank Schimmelfenning and Sandra Lavenex, "Relations with the Wider Europe", *JCMS*, Vol 45, Annual Review (2007), pp. 157, 160.

<sup>15</sup> Martin Ortega, "Some Comments on the European Union's Mediterranean Policy", *Perceptions*, June-August 2003, p. 5.

Middle East Peace Process negotiations in 2000.<sup>16</sup> Rather, the security concerns have been embedded in intercultural dialogue, social and economic cooperation fields. The rationale is to enhance security by promoting cultural rapprochement on both sides and contributing to the improvement of living standards in the southern and eastern Mediterranean region. Unfortunately, these attempts have been hampered by the hostility between the Arab partners and Israel that persists within the EMP institutions. Even with the absence of actual fighting, the tension reveals itself in the fragility of dialogue: denunciations, walk-outs and words at the committee or plenary level meetings. The partners' dialogue, and consequently the achievement of peace and security, falls prey to the "continuation of war by other means".<sup>17</sup>

The EMP was launched with big hopes for conflict resolution, security, peace and economic cooperation. In time, it has been reduced primarily to economic and cultural cooperation. Putting it differently, there is a "gap between capabilities and expectations" for the EMP.<sup>18</sup> Obviously there are certainly other impeding factors than the Arab-Israeli conflict, such as the Mediterranean partners' perception of economic cooperation in terms of benefits. The Mediterranean partners argue that the EMP policies are designed to serve the European economies more, rather than aiming for an equally beneficial outcome for both sides. Not to mention how much the EMP contributes to economic cooperation remains doubtful. The major project of economic cooperation is the free trade zone, which is planned for launch in 2010. The level of progress up to now is considered to be insufficient for the creation of the free trade zone in the required time.<sup>19</sup> The significance of trade goes beyond economic benefits. Most Mediterranean partners' commitment to the EMP runs parallel to the economic benefits they

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<sup>16</sup> Michael Emerson and Gergena Noutcheva, "From Barcelona Process to Neighbourhood Policy, Assessments and Open Issues", CEPS Working Document, No.220, March 2005, p. 4.

<sup>17</sup> Robert Pace, "The Mediterranean Union Risks Being Stillborn", *The Arab World*, Summer 2009, <http://www.europesworld.org/NewEnglish/Home/Article/tabid/191/ArticleType/ArticleView/ArticleID/21435/language/en-US/TheMediterraneanUnionrisksbeingstillborn.aspx>.

<sup>18</sup> Christopher Hill, "Closing the Capabilities-Expectations Gap?" in John Peterson, Helene Sjursen, *A Common Foreign Policy for Europe?*, London, Routledge, 1998, p. 19.

<sup>19</sup> Stephan Stetter, *EU Foreign and Interior Policies and the Social Construction of Sovereignty*, London and New York, Routledge, 2007, p. 120.

expect to receive, even before the completion of the free trade zone.<sup>20</sup> The slow level of progress in this policy area is important for the Mediterranean partners' willingness to make more effort for the EMP.

The abovementioned failures stem from the institutional mechanism of the EMP and the partners' expectations. In addition to offering a platform for the coexistence of the Arab states and Israel, there are two other outcomes of the process. Ortega stresses that the EMP facilitated the acquaintance with the Mediterranean in the EU member states where the region has historically been of little interest. Vice versa, the process also fostered the "visibility" of the EU in the region.<sup>21</sup> However, this aspect requires a cautious approach. Whether this mutual visibility has actually built up – or promoted – the support of the people on the street for the cooperation schemes – or remained within the circles of political elites does not matter. The final factor impeding the progress of the EMP is its relation to the ENP, which will be addressed in the following section.

## **II. The European Neighbourhood Policy (ENP) Framework**

The ENP was launched in 2004 as a geopolitical effort to promote peace and stability, while improving governance, economic modernization, rule of law and respect for human rights in the post-communist countries of neighbouring East and Central Europe.<sup>22</sup> It was upon the insistence of Spain and Italy that its scope be extended to the southern neighbours. The main rationale was to transform the issue of relations with the region from being a sub-regional concern to a major EU concern. By drawing in other EU members to share responsibility, these countries could tackle the major problem of immigration which grew into a serious problem. The core of the ENP was the 2004 Strategy Paper, the guide for the regulation of cooperation with both southern and eastern neighbouring countries. Not taking note of the differences between the Mediterranean and former Soviet countries, the ENP was constituted as a "single, inclusive and coherent

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<sup>20</sup> Jackie Gower and Ian Thomson, *The European Union Handbook*, London, Taylor and Francis, 2002, p. 345.

<sup>21</sup> Martin Ortega, "Some Comments on the European Union's Mediterranean Policy", *Perceptions*, June-August 2003, p. 2.

<sup>22</sup> European Commission European Neighbourhood Policy, "The Policy: What is the European Neighbourhood Policy", European Commission web site, at [http://ec.europa.eu/world/ENP/policy\\_en.htm](http://ec.europa.eu/world/ENP/policy_en.htm).

framework” directed to all neighbours”.<sup>23</sup> This approach influenced the EMP in two ways. First, the economic and financial cooperation under the EMP suffered a major blow. Second, the Commission focused on the ENP rather than the EMP.<sup>24</sup>

In 2006, the Commission recommended strengthening the ENP and adding more incentives for the “privileged partners”. The ENP includes Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Syria, Tunisia and Ukraine as the partners. The most vivid issues regarding the ENP were the gradual opening up of Community institutions and programs to the ENP, free trade, reform of financial institutions, illegal migration and counter-terrorism.<sup>25</sup>

Realizing that the southern and eastern neighbours’ domestic politics and European aspirations were significantly different from each other, it became increasingly necessary to formulate different policies to administer the relationships with these two regions. Regarding the Mediterranean, the ENP-EMP relationship evolved so that the ENP became the roadmap establishing the basic EU approach whereas the EMP became the network carrying out the cooperation. Nonetheless, this relationship is not without its problems. The following part examines the EMP-ENP relationship.

### **III. EMP-ENP Relationship**

#### ***A. The EMP As An EU Foreign Policy Issue***

Relations with the EMP’s Middle Eastern partners have a strong impact on the development of EU foreign policy towards the Mediterranean countries in general. Although the region was of primary concern for European foreign relations before 1993, the Maastricht Treaty is considered to be the turning point. Before the Treaty, there were “multiple policy

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<sup>23</sup> Ibid.

<sup>24</sup> Robert Aliboni, “Southern European Perspectives” in *Putting the Mediterranean Union in Perspective*, Ahmed Driss, Tobias Schumacher, Albert Toviás, EuroMesCo Paper, No.68, June 2008, p. 8.

<sup>25</sup> GAERC Presidency Progress Report, “Strengthening The European Neighbourhood Policy”, June 2007, p. 4-7.

networks towards the region”.<sup>26</sup> The significance of Maastricht is the provisions which provide institutional conditions for the unification of these networks into a single European foreign policy. In this respect, 1993-1996 is considered to be a period when cross-pillar foreign policies were initiated by the EU regarding relations with the Mediterranean countries.

The core areas of Euro-Mediterranean cooperation are politics, economy and security. They are intertwined as a result of both globalization and the method the EU adopted to approach the Mediterranean. In general, the EU foreign policy outlook emphasizes the interconnectivity of political and economic development in a fragile security environment. In particular, relations with the Mediterranean countries target extensive economic and cultural cooperation, which are assumed to enhance cooperation on security. The Association Agreements reflect the cross-pillar nature of cooperation.<sup>27</sup> However, this nature of Euro-Mediterranean cooperation complicates the relationships, since the lack of physical security is a blow to economic cooperation. In this respect, whether the UfM initiatives will achieve what the EMP could not is the crucial point. Success will depend on the political climate between the Arab states and Israel, which may become highly tense due to the occasional exacerbation of the conflict. As the tensions intensify, the political will to cooperate on both the Arab and Israeli sides will diminish. The consequence will be the difficulty to implement economic, social and cultural projects which are expected to promote peace.

It is not only this “technical” factor but also the aspect of priority that produces the lack of political will and commitment from all partners. Both the EU and the Mediterranean partners are preoccupied with priorities of domestic nature, not regional cooperation schemes. The EU members clearly do not prioritize Euro-Mediterranean relations but are rather overwhelmed by issues such as the EU institutional structure or implications of enlargement. With particular reference to Euro-Mediterranean relations, some EU members have expressed reservations about further EU involvement in the difficult political and security problems – such as the Arab-Israeli conflict – that affect the region. Similarly domestic problems instead of cooperation with the EU dominate the Mediterranean countries’

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<sup>26</sup> Stephan Stetter, *EU Foreign and Interior Policies and the Social Construction of Sovereignty*, London and New York, Routledge, 2007, p.115.

<sup>27</sup> *Ibid*, p. 116-117.

agenda. Besides, the EU and Mediterranean partners diverge on their incentives; the former are motivated by security concerns while the latter are motivated by financial ones. This divergence generates a gap between the expectations from, and the outcomes of, particular cooperation schemes. Thus, the EMP achievements failed to meet expectations for a number of reasons, behind which there was the insufficient predisposition of political will. To some, the institutional mechanisms of the UfM, particularly the Co-Presidency, is the potential remedy. Equal weight for the EU and Mediterranean partners in UfM institutions will surely facilitate participation and dialogue. However, this novelty is of limited use, since any worsening of the Arab-Israeli conflict or the perceived failure to gain tangible benefits from cooperation will deteriorate the partners' commitments to the Partnership.

The Arab-Israeli conflict is central to Euro-Mediterranean relations, for it has influenced all cooperation schemes, lately the drafting of a security charter concerning the region. It is even a subject of potential conflict for EU foreign policy-making, proven by the introduction of qualified majority voting (QMV) for Council decisions. The Common Strategy of the EU, initiated in June 2000, allowed QMV for Council's subsequent decisions on foreign policy issues—with the exception of policies about the Middle East. The voting procedure regarding these policies is unanimity, which requires the agreement of all members for any decision.<sup>28</sup> Rather than seeking the majority approval, each member's consent on the content of the cooperation is required. Any EU member can utilize its veto power to block a cooperation prospect. Adoption of this voting procedure confirms the reservations of the EU partners regarding relations with the Mediterranean countries.

Political will and commitment foremost require prioritization of relations on both sides so that any joint project can succeed. In the case of relations with the Mediterranean, an additional prerequisite exists – the solution of the Arab-Israeli conflict. The EMP structure is the only structure besides the UN where Israel and Arab countries come together. It is an important success regarding the history of relations. Recalling Jacques Delor's comment regarding CFSP, not only political will but also realistic objectives, effective decision-making and implementation powers are needed

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<sup>28</sup> Ibid, p. 121.

for success. This comment also holds true for Euro-Mediterranean relations. The success of cooperation will remain limited until the conflict is resolved since the sensitive political balances concerning the conflict slow down the cooperation. Besides the conflict, the institutional setbacks and the expectation-capabilities gap damage the prospects for the implementation of projects. If these setbacks are not ameliorated, the projects are unlikely to complete their basic mission of reaching the societies and leave a positive impact on the lives of the targeted people. In other words, the visibility of the Euro-Mediterranean partnership within the communities on a daily basis is – and will remain – missing.

### ***B. EMP-ENP Association***

The Commission communication on the “The ENP-Strategy Paper” underlines that the “acquis” of the EMP is the basis of all regional and sub-regional cooperation in the Mediterranean region. In this sense, the ENP provides the general goals and strategies, which must not contradict with the EMP decisions.<sup>29</sup> The ENP was devised to enhance the content of the Association Agreements and their implementation.<sup>30</sup> Nonetheless, the complementarities of the two structures is a subject of debate due to their differences. Broadly speaking, the ENP has a more political focus than the EMP, which carries out the operationalization of the three chapters. Hence, the EMP brings forth a practical/functional dimension within the broader European foreign policy-making (ENP), which is political and intergovernmental.

A much debated difference is the ENP’s scope of bilateral relations versus EMP schemes stimulating both bilateral and more so regional cooperation.<sup>31</sup> Consequently, the goal of “wider Europe” based on bilateral relations with the neighbours departs from the EU’s Mediterranean policies

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<sup>29</sup> EUROPA, Activities of the EU, Summary of Legislation, “Neighbourhood Policy – Strategy Paper”, at <http://europa.eu/scadplus/leg/en/lvb/r17007.htm>.

<sup>30</sup> Michael Emerson and Gergena Noutcheva, “From Barcelona Process to Neighbourhood Policy, Assessments and Open Issues”, CEPS Working Document, No.220, March 2005, p. 3.

<sup>31</sup> Karen E. Smith, “The Outsiders: the European Neighbourhood Policy”, *International Affairs*, Vol. 81, No. 4 (2005), p. 771.

of regional focus set out by the BP.<sup>32</sup> In other words, the ENP focus on bilateral schemes is at odds with the EMP focus on regional cooperation. These opposite approaches are far from complementing each other and offering a united approach to the cooperation on the EU side. Third, the ENP introduces a new tool: “differentiated bilateralism”. It has been argued that differentiated bilateralism might prove more beneficial for both parties.<sup>33</sup> This term refers to the improvement of relations with countries which carry on the political and economic reforms proposed by the EU. Thus, it is a conditional offer for further cooperation. The notion of conditionality presents a point of controversy for potentially limited benefits in a region where the difficulty of political and economic reform has been persistent. Partners unwilling to undertake the recommended reforms will lack incentives to engage in Euro-Mediterranean cooperation projects. Moreover, the opponents of positive conditionality suppose that preoccupation with bilateralism and the pacing improvement of EU-Israel relations will reduce the chances of the EU being a fair negotiator in the peace process. Contrarily, the proponents of differentiated bilateralism expect that such positive conditionality will stimulate the relations. It is assumed that the partners who are willing to pursue EU-supported reforms are likely to benefit from this approach. Unfortunately the number of these partners will be few. At best, some countries might accept implementation of EU-supported reforms on certain topics.

In terms of the motivation for cooperation, the EMP and the ENP are founded on different starting points. The EMP both emphasized the interests and the “shared values” while the ENP approach is centred largely on EU’s interests. While the former emphasis on “shared values” was intended to stimulate region building, the latter defines common interests as goals to be pursued. Still, the Commission underlined the importance of commitment to shared values – like democracy, rule of law, human rights – and the EU’s self-tailored role to be the normative power in the region.<sup>34</sup> Finally, with the ENP the position of the southern and eastern Mediterranean partners relative

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<sup>32</sup> Feride Doğaner Gönel, “Avrupa Birliği’nin Akdeniz Bölgesine Yönelik Yeni Politikasını Türkiye İçin Anlamı”, *Mülkiye Dergisi*, XXIX, No: 248, Güz 2005, pp. 35-53, available at <http://www.mulkiyedergi.org>.

<sup>33</sup> Raffaella A. Del Sarto and Toviass Schumacher, “From EMP to ENP: What’s at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?”, *European Foreign Affairs Review*, Vol. 10 (2005), p. 28.

<sup>34</sup> *Ibid*, pp.22-23.

to the EU member partners has arguably deteriorated. Some scholars state that the EMP encouraged cooperation both between the EU members and Mediterranean partners as well as within the latter group. This was replaced with a centre-periphery approach, set out in the ENP, which implies that the EU is the centre and the partners are the periphery.<sup>35</sup> Overall, the new approach by the ENP sounds disheartening for the non-EU member partners.

In terms of institutions, the ENP and the EMP operate through different channels. The former predominantly utilizes the Community agencies, such as the Council working groups and the Commission. The latter has created its own institutions. Action Plans are the common tools of the EMP and the ENP structures, which set goals of domestic political and economic reform. Thus, there are different institutions from both structures working on the same policy issue, carrying the risk of overlapping areas of responsibility. The relationship between the ENP and the EMP needs to be redesigned in a way that would officially assign the EU-South relations to the EMP structures only. The UfM structure might serve as an opportunity for this purpose.<sup>36</sup>

#### **IV. “Union for the Mediterranean”**

##### ***A. The Proposal***

In this section, the initial proposal itself, the EU institutional responses to the proposal, the developments unfolding with the Paris Summit of July 2008 and the Marseille Ministerial Conference of November 2008 will be analyzed.

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<sup>35</sup> Ibid, p. 27.

<sup>36</sup> Michael Emerson and Natalie Tocci, “A Little Clarification, please, on the “Union of the Mediterranean”, CEPS Commentary, 2007, p. 2, at <http://www.euractiv.com/en/enlargement/sarkozy-unclear-proposal-mediterranean-union/article-164757>.

The UfM proposal was initiated by French President Sarkozy, first mentioned during his presidential campaign speech in February 2007. Months later, it was taken up as a matter of debate. The proposal depicted the shortcomings pertaining to the design of the institutional structure, the participants and the ability to bring about real improvement to relations plagued by the Arab-Israeli conflict.

In terms of normative objectives, the proposal enclosed an underlying claim that the creation of a union among the Mediterranean states would surpass the EMP in accomplishing the transformation of southern and Middle Eastern partners into more democratic and prosperous countries in line with the EU norms and standards. Overall, it was -and still is – dubious as to how this objective would be achieved. Likewise, the proposal is ambiguous about the Union’s competencies and its relations to the relevant EU policies and mechanisms already at work. It initially offered a new structure, as opposed to the existing EMP and ENP networks. This structure was composed of a permanent council similar to the Council of Europe, a central investment bank modelled on the European Investment Bank, a nuclear energy agency in which France would play the key role, an institution to monitor water issues, a common audiovisual space and a cultural exchange program for universities.<sup>37</sup> The foci of the new structure were energy security, organized crime, terrorism, sustainable development and illegal immigration. These issue areas were largely EU priorities. Even sustainable development, seeming more likely to dominate the non-EU partners’ agenda, eventually and indirectly aimed at improving the living conditions and reducing immigration to the EU. By November 2007, both the idea of a permanent Council and a central bank were abandoned, the former in favour of a “light secretariat”.<sup>38</sup> Such a wide scope of action, a total replacement of existing structure, would pave the way for French control over the shaping of relations with the Mediterranean. The EU decision was in favour of EMP-UfM coexistence. Nonetheless, the

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<sup>37</sup> Katrin Bennhold, “Sarkozy, in Morocco, Will Push a Regional Union”, *International Herald Tribune*, 22 October 2007, available at <http://www.iht.com/articles/2007/10/22/sports/sarkozy.php>.

<sup>38</sup> Euractiv, “Union of the Mediterranean Proposal ‘to Focus on Projects’”, 12 November 2007, at <http://www.euractiv.com/en/enlargement/mediterranean-union-proposal-focus-projects/article-168301>.

duplication of similar institutions and potential for inter-institutional competition could present serious obstacles for efficient Euro-Mediterranean cooperation. Ergo, the harmonization of inter-institutional relations became an essential matter.

The problems were not limited to the institutional structure but extended to a disagreement in French diplomatic circles about the appropriate participants in this new structure. The core of the problem was whether to include Israel and the Palestinian Authority, due to the negative impact of the conflict on regional cooperation. Moreover, there were different reports in the news sources about the suggested partners and their attested degree of involvement.<sup>39</sup> These ambiguities raised the basic question of whether the intention was to replace the 5+5 Western Mediterranean Forum, (a 1990 French initiative to increase dialogue between five northern and five southern coastal states) with the exclusion of other EMP members or whether it would include all members of the EMP. In the former case, the proposal would equate renewing a limited form of dialogue scheme. The final decision was to include all EMP members at the expense of duplication.

The European Council approved the proposal in principle on 14 March 2008 and called the Commission to present the details of the “Barcelona Process: The Union for the Mediterranean”. The Commission prepared a Communication on 20 May 2008 which cleared up the confusion about the status of the proposal with the ENP and EMP structures, at least with regard to the principles. The Communication emphasized the achievements of the EMP and the instances of its insufficiencies, and thus the need for improvement. Consequently, the Commission introduced the initiative as a framework to bring about more engagement by the Mediterranean partners, enhance investment and enhance employment

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<sup>39</sup> Katrin Bennhold, “Sarkozy, in Morocco, Will Push a Regional Union“, *International Herald Tribune*, 22 October, 2007, at <http://www.ihf.com/articles/2007/10/22/sports/sarkozy.php>; Euractiv, “Sarkozy Sounds Out Basis for Union of the Mediterranean”, 16 July, 2007, at <http://www.euractiv.com/en/enlargement/sarkozy-sounds-basis-mediterranean-union/article-165541>; Honor Mahony, “Merkel Criticizes Sarkozy’s Union of the Mediterranean Plans”, 6 December 2007, at <http://euobserver.com/9/2528>.

opportunities that would contribute to public ownership of the process.<sup>40</sup> In Articles 15 and 16, it is explicitly stated that the initiative is built on the “successful elements of the existing Barcelona Process” and will work alongside the current structures of the Barcelona Process. The Commission reaffirmed that the EMP constitutes the foundation of the Euro-Mediterranean relationship, with its goals and areas of cooperation still being accepted as valid. Furthermore, Article 18 defined the relationship of the initiative to be a complementary structure to the ENP and the EU enlargement processes. The Commission Communication highlighted the importance of, and the expectations from, the first UfM Summit which was held on 13 July 2008. It expressed the need for “establishing the structure, the functioning and the goals” of the Barcelona Process: The Union for the Mediterranean, as well as a “political declaration” and a list of “concrete regional projects”.<sup>41</sup>

## ***B. Paris Summit and Marseille Declaration: The Institutional Set-up of the UfM and Its Work Areas***

### ***a. Paris Summit***

The Paris Summit of 13 July 2008 represented a turning point for the future of the Barcelona Process: The Union for the Mediterranean. The Summit brought together forty-three heads of states from European and Mediterranean countries, as well as leaders from regional organizations and EU institutions. All EU member states, the twelve Mediterranean partners in the EMP and four neighbouring Mediterranean states were represented at the highest level. This wide participation of sixteen Mediterranean countries was indicative of the importance attached to the initiative.

The Joint Declaration clarified the institutional structure in line with the Commission Communication and prioritized six areas for the initiation of new projects. The new structure was composed of a co-presidency, a joint secretariat, a strengthened EMPA, and ministerial and expertise meetings to

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<sup>40</sup> European Commission External Relations, “Communication from the Commission to the European Parliament and the Council. Barcelona Process: Union for the Mediterranean”, available at [http://ec.europa.eu/external\\_relations/euromed/docs/com08\\_319\\_en.pdf](http://ec.europa.eu/external_relations/euromed/docs/com08_319_en.pdf).

<sup>41</sup> Ibid.

be supported by the EU institutions whenever possible.<sup>42</sup> The new setting was intended to become operational by the end of 2008 but has not been attained yet. Even the decision about the location of the UfM Secretariat took four months. In November 2008, Spanish diplomats succeeded in convincing the partners to choose Barcelona, beating the other candidates Tunis and Malta, after bargaining over the post of secretary-general.<sup>43</sup>

The new structure addresses criticisms that the EU members are predominantly leading the process, preventing the Mediterranean partners from embracing the EMP structures as desired. The remedy being proposed is to secure the active involvement of the Mediterranean officials in the decision-making process as an institutional requirement. In this institutional structure, the UfM Secretariat and Co-presidency play the central role. They are set up to encourage equal participation of European and Mediterranean partners.

The Secretariat is responsible with launching economic and social projects, providing information and directives to the G-Med – the group of UfM members – and monitoring the implementation of UfM Work Program, formed by the G-Med. The Secretariat and the Commission share the same task of providing input to the G-Med. Sharing the same responsibility with the Commission, which has been an active part of the BP since 1995, might generate an atmosphere of competition between the two institutions. To prevent stalemate over the creation of the work programs, these institutions need to operate in harmony. The members of the Secretariat will be representatives from both the EU and the Mediterranean partners to foster equal representation of EU and non-EU partners.

The person to occupy the post of Secretary-General has already been difficult to agree upon. A Secretary-General has not been appointed as of seven months after the Marseille Meeting. Diplomatic sources communicated that during the bargaining over the location of the Secretariat, Tunisian representatives withdrew the candidacy of Tunis in return for the

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<sup>42</sup> EU 2008 Council Presidency webpage, at [http://www.ue2008.fr/webdav/site/PFUE/shared/import/07/0713\\_declaration\\_de\\_paris/Joint\\_declaration\\_of\\_the\\_Paris\\_summit\\_for\\_the\\_Mediterranean-EN.pdf](http://www.ue2008.fr/webdav/site/PFUE/shared/import/07/0713_declaration_de_paris/Joint_declaration_of_the_Paris_summit_for_the_Mediterranean-EN.pdf).

<sup>43</sup> Euractiv, “Spain Strikes Diplomatic Victory with MedUnion seat”, 6 November, 2008, at <http://www.euractiv.com/en/enlargement/spain-strikes-diplomatic-victory-medunion-seat/article-176947>.

appointment of the Secretary from an Arab country.<sup>44</sup> Additionally, the appointment of the Deputy-Generals by the Co-Presidents is also subject to bargaining, under which there is the mark of the Arab-Israeli conflict. The Secretary-General is expected to be assisted by five or six Deputy-Generals possibly from Greece, Italy, Malta, Israel, the Palestinian Authority and Turkey. Accepting the participation of the Arab League with observer status, Israel will be given its first position of Deputy-General in an international organization.<sup>45</sup>

The Co-Presidency will be occupied by two representatives, one from EU member states and the other from Mediterranean partners. The duties of the Co-Presidency are supervision, coordination and promotion of UfM activities.<sup>46</sup> Beginning in 2009, Egypt and France will share the Co-Presidency for two and a half years. At the end of each term, new Co-Presidents will be elected by the UfM members. The significance (and potential weakness) of this system is that it requires the consent of all the members. The weakness springs from the Arab-Israeli conflict once again: both sides have to consent to the other's Co-Presidency. Over and above, the Co-Presidency is a locus of tension even among the Arab countries. Dominique Baudis, the Director of the Arab World Institution, stated that during the first Co-Presidency elections "all the countries on the southern coast of the Mediterranean agreed to give it up provided that their neighbour didn't get it."<sup>47</sup>

In addition to the institutional structure, six areas of cooperation for the new projects were specified in the Paris Declaration. These were depollution of the Mediterranean; maritime and land highways; civil protection; alternative energies (Mediterranean Solar Plan); higher education and research, Euro-Mediterranean University; and the Mediterranean Business Development Initiative. The selection of these areas demonstrates

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<sup>44</sup>Euractiv, "Spain Strikes Diplomatic Victory with MedUnion Seat", 6 November 2008, at <http://www.euractiv.com/en/enlargement/spain-strikes-diplomatic-victory-medunion-seat/article-176947>.

<sup>45</sup>Ibid.

<sup>46</sup>Roberto Aliboni, Fouad M. Ammor, "Under the Shadow of 'Barcelona': From the EMP to the Union for the Mediterranean", EuroMesCo Paper, January 2009, No.77, p. 6.

<sup>47</sup>Euractiv, "France Attempts to Revitalise Union for the Mediterranean", 26 June 2009 at [http://www.euractiv.com/en/enlargement/france-attempts-revitalise-union-mediterranean/article-183525?\\_print](http://www.euractiv.com/en/enlargement/france-attempts-revitalise-union-mediterranean/article-183525?_print).

the intention of the member states representatives to implement projects which promote the daily lives of the people in the region. Hence, such a deliberate decision might serve the visibility of the UfM projects within the societies they target and contribute to confidence-building among the societies. Further decisions about concrete projects were left to the Foreign Affairs Ministerial Meeting in November 2008.

### ***b. Marseille Declaration***

The Foreign Affairs Ministerial Meeting took place in Marseille on 3-4 November 2008. The Ministers reviewed the six areas and decided to assess the implementation of specific regional projects during the 2009 Ministerial Meeting. Other outcomes of the meeting pertained to the institutional structure, the importance adhered to regional dialogue and the 2009 program of work for the UfM.<sup>48</sup> In this meeting, the name of the initiative was changed from the "Barcelona Process: Union for the Mediterranean" to just "Union for the Mediterranean".

In both the Paris Summit and the Marseille Ministerial Meeting, the concern for regional security and the support for all peace initiatives regarding the Israeli-Palestinian Peace Process were reasserted. The declarations thereof articulated the necessity of political and security cooperation, in particular on measures regarding weapons of mass destruction and counter-terrorism. However, the relevant clauses contained demands of an unrealistic nature. The Marseille Declaration encouraged the members to cooperate in the security realm by taking "practical steps to prevent the ... excessive accumulation of conventional arms... refrain from developing military capacity beyond their legitimate defence requirements". The applicability of such cooperation is lacking for practical reasons. The authority to decide whether a nation-state accumulates "*excessive*" amounts of conventional weapons and develops its "*military capacity beyond their legitimate defence requirements*" is non-existent. None of the EU institutions or any international body is authorized to decide and enforce action on such

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<sup>48</sup> Ministry of Foreign Affairs webpage, "Union for the Mediterranean: A New Impetus to the Relations between Europe and the Mediterranean", at [http://www.diplomatie.gouv.fr/en/european-union\\_157/eu-in-the-world\\_1491/union-for-the-mediterranean\\_6417/union-for-the-mediterranean-ministerial-conference-03-04.11.08\\_12127.html](http://www.diplomatie.gouv.fr/en/european-union_157/eu-in-the-world_1491/union-for-the-mediterranean_6417/union-for-the-mediterranean-ministerial-conference-03-04.11.08_12127.html).

matter. This clause damages the cogency of the goals set under the security chapter. Moreover, such an approach casts doubts on how realistic and applicable the programs that the UfM may instigate in this realm could be.

Concerning the Israeli-Palestinian Peace Process, the Marseille Declaration specified the UfM position as a contributor to the initiatives in operation.<sup>49</sup> Hence, it will not take an active role in the peace process but rather observe the developments. It is easy to be critical about adopting a passive position while emphasizing peace and security in the region. Likewise, the prospect of UfM involvement in the Peace Process is likely to bear fruitful results. Not only that its involvement might not be desired by the conflicting parties, but also such involvement without relevant experience might prove inefficient at best. Moreover, the role of the EMP in the Middle East Peace Process (MEPP) is not welcomed by the US. The idea that the EMP might take on the traditional role of the US in the MEPP and the US perception that the EU position is “relatively pro-Arab” generate US reluctance to “share influence” with the EMP.<sup>50</sup> Besides, the need to coordinate with the operative peace initiatives might pose problems, for it might generate conflicts of authority. This leaves the objectives of the UfM pertaining to regional security and political dialogue, just like the previous EMP, vulnerable to the course of events. A recent example of this fact was the freezing of the UfM process for six months after the Israeli invasion of Gaza in 2009. In the words of the Arab League director of the diplomatic representation and the observer to the UfM, Nassif Hitti, “it is difficult to abstract anything from the Israeli-Palestinian conflict. The identity questions need to be settled before we make the Union for the Mediterranean... We cannot allow the process to be taken hostage. But we cannot abstract it from its context...”<sup>51</sup>

### *c. The UfM and the EMP: Cohesion or Coexistence?*

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<sup>49</sup> Ibid.

<sup>50</sup> Fatih Tayfur, “Security and Cooperation in the Mediterranean”, *Perceptions*, September-November 2000, p.5.

<sup>51</sup> “France Attempts to Revitalise Union for the Mediterranean”, 26 June 2009, at [http://www.euractiv.com/en/enlargement/france-attempts-revitalise-union-mediterranean/article-183525?\\_print](http://www.euractiv.com/en/enlargement/france-attempts-revitalise-union-mediterranean/article-183525?_print).

The UfM was one of the two proposals aimed to upgrade the Euro-Mediterranean partnership, the other being the Euro-Mediterranean Union (EMU). The initiative is expected to advance the current processes at three levels: by strengthening the political dialogue among the parties, co-ownership of the processes through the institutional design of the initiative and the concrete regional and sub-regional projects which relate to the people in the Mediterranean.

In terms of institutional setting, Mediterranean states seem to be accepted as partners on an equal footing – called the “ownership” aspect – and would be thus empowered compared to their previous positions. This novelty might encourage them to dedicate more effort for more effective cooperation. More important, though, is the intergovernmental approach adopted by the UfM.<sup>52</sup> Although the EMP has grown more intergovernmental in time, still the partners agreed on the need for a strictly intergovernmentalist framework for cooperation. This framework is required since the major reason for the failure of the EMP lies in a false expectation that the process could promote human rights and reform in the Mediterranean partner states. Accompanying the adoption of a new intergovernmental approach, the UfM agenda is intentionally clear of such a goal. Thus, it is a more realistic project in terms of its goals and expectations. Thus, this feature is more likely to be the glue of the new structure than the ownership aspect.<sup>53</sup>

More crucial is whether all or some of the EMP institutions will be adopted by the UfM. In this respect, the status of the EMPA and the Euro-Mediterranean Committee necessitates clarification. Apart from the danger of duplicating the EMP institutions, unsuccessful harmonization represents a point of potential conflict between the UfM and the Commission. The role of the Commission vis-a-vis the UfM has to be redefined. The association agreements – and thus bilateral relations – will continue to be the responsibilities of the Commission, but will also affect the UfM. The Commission has traditionally been the secretariat and the fund provider for the EMP. The funding of the UfM has been another important aspect under

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<sup>52</sup> Robert Aliboni, “Southern European Perspectives” in *Putting the Mediterranean Union in Perspective*, Ahmed Driss, Tobias Schumacher, Albert Tovias, EuroMesCo Paper, No. 68, June 2008, p. 11.

<sup>53</sup> Ibid.

scrutiny. Projects will be funded from both the EU and non-EU finances. Lacking an independent budget, the UfM will be more dependent on, and accountable to, the EU.<sup>54</sup> Therefore, harmonization of duties and responsibilities with the UfM Secretariat will be essential.

***d. First Pillar EU Institutions and the Transition from the Euro-Mediterranean Partnership (EMP) to the Union for the Mediterranean (UfM) Institutions***

The Commission, particularly the Directorate-General for External Relations and the Directorate-General for Trade, carries out the preparation and follow-up work of the Euro-Mediterranean conferences, the general programming and project management. Their role in the achievements of the partnership projects has been significant. The Commission has already initiated a number of important partnership programs. These are the Civil Protection Bridge Programme and EuroMeSCo.<sup>55</sup> However, the designers of the UFM support the idea that the UFM Secretariat take on the responsibilities of the Commission, thus replacing it. If accomplished, such a development would be a big step towards the autonomy of the UfM. The Commission does object to this idea, as conveyed in its 20 May 2008 Communication. Since the EMP and UFM are to be merged, the role of the Commission needs to be redefined. This redefinition requires the Commission to acquire the status of observer if the UFM will work as an autonomous institution. Otherwise, competition and dualism are likely to grow between the two institutions. Realizing the potential for distress, the European Council issued a directive calling for the harmonization of the UfM Secretariat and the Commission operations based on complementarity and continuity, which is necessary for the success of the UfM.<sup>56</sup>

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<sup>54</sup> Roberto Aliboni, Fouad M. Ammor, "Under the Shadow of 'Barcelona': From the EMP to the Union for the Mediterranean", EuroMesCo Paper, January 2009, No. 77, p. 11.

<sup>55</sup> Civil Protection Bridge Programme is one of the EMP cooperation schemes which aim to prevent and manage natural and man-made disasters. EuroMeSCo: Euro-Mediterranean Study Commission. Initiated as Mediterranean Study Commission MeSCo in 1994, it was renamed after BP took its start in 1995. EuroMeSCo provides communications to a network of institutions working on Euro-Mediterranean relations.

<sup>56</sup> Roberto Aliboni and Fouad M.Ammor, "Under the Shadow of 'Barcelona': From the EMP to the Union for the Mediterranean", EuroMesCo Paper, January 2009, No. 77, p. 25.

In addition to the division of labour and responsibility, there is a significant difference of opinion between the UfM and the Commission officials on some essential matters. The disagreement over the relationship between the UfM and the accession process of candidate UfM partners is one example. The Commission Communication of May 2008 asserted that the initiative “will also be complementary to the regional dimension of the EU enlargement policy, which includes the accession negotiations and the pre-accession process”.<sup>57</sup> Hence, the Commission links the gains from the initiative with the course of accession. This position is challenged by both the European Parliament and the UfM proponents. Both EP Resolution 2231 and Article 13 of the Paris Summit Declaration assert that the UfM “will be independent from the EU enlargement policy, accession negotiations and the pre-accession process”.<sup>58</sup> Divergence among the institutions on this crucial matter is likely to generate tensions, affecting relations with third parties. Turkey’s future gains with the Euro-Mediterranean cooperation and its accession process is a relevant case. The UfM proponents stand against the arrangement that achievements gained by Turkey in Euro-Mediterranean cooperation schemes be linked to and utilized in favour of its accession. Through this clause, French diplomacy has incorporated its opposition to Turkey’s accession into the UfM principles.

The European Council traditionally has an important impact on directing the future of the relationships, not only for its political guidance but also for the finances of Euro-Mediterranean programs.<sup>59</sup> With the transition from the EMP to the UfM, the Council will continue its political guidance. The UfM will undertake functions to bring about the *acquis* of relations determined by the Council into life. There are ongoing discussions about the UfM budget, related to the potential autonomy of the UfM and its ability to control

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<sup>57</sup> European Commission External Relations, “Communication from the Commission to the European Parliament and the Council. Barcelona Process: Union for the Mediterranean”, at [http://ec.europa.eu/external\\_relations/euromed/docs/com08\\_319\\_en.pdf](http://ec.europa.eu/external_relations/euromed/docs/com08_319_en.pdf), accessed November 2008.

<sup>58</sup> EU 2008 Council Presidency webpage, at [http://www.ue2008.fr/webdav/site/PFUE/shared/import/07/0713\\_declaration\\_de\\_paris/Joint\\_declaration\\_of\\_the\\_Paris\\_summit\\_for\\_the\\_Mediterranean-EN.pdf](http://www.ue2008.fr/webdav/site/PFUE/shared/import/07/0713_declaration_de_paris/Joint_declaration_of_the_Paris_summit_for_the_Mediterranean-EN.pdf); European Parliament Resolution, 19 February 2009, “Review of the European Neighbourhood Policy Instrument”, Reference INI/2008/2231.

<sup>59</sup> European Commission External Relations, “The EU’s Mediterranean and Middle East Policy”, at [http://ec.europa.eu/external\\_relations/med\\_mideast/intro/index.htm](http://ec.europa.eu/external_relations/med_mideast/intro/index.htm).

financial resources. Since 1995, the Council has allocated sixteen billion Euros from the Commission budget to the EMP and will continue to decide the amount of loans to be granted to the UfM.<sup>60</sup> The discussions revolve around the ability of the UfM to exert more control about its financing. If the UfM is designed to be an autonomous institutional framework, it is expected to play a more powerful role on that account. In this respect, the European Parliament (EP) support for a Euro-Mediterranean Investment Bank for the financing of UfM to projects is remarkable.<sup>61</sup>

The EP retains its overall consultative status, mostly reviewing the developments and encouraging further cooperation. It issued two recent resolutions regarding the UfM in 2009. In a February 2009 resolution, the EP emphasized the necessity of the UfM to complement the BP.<sup>62</sup> The resolution drew attention to the amounts of funding for the programs and the need for transparency of finances through the oversight of the EP. Resolution 2231 is of significance for its position on several aspects of the UfM. In addition to the comments on the UfM finances, its comments concerning the legitimacy and political value of the organization are important. The resolution calls for more parliamentary, civil society and local authority involvement besides the engagement of Partnership mechanisms for this purpose. It also stresses the impact of the Arab-Israeli conflict on the previous cooperation schemes and the hope that the Partnership will be revitalized after the intensification of the conflict in late 2008. Recently, Egypt, which holds the UfM Co-Presidency together with France, froze all UfM activities following the December 2008 Israeli attack on Gaza.

## **Conclusion**

The UfM performance has to overcome serious challenges in order to meet the expectation that it will not only revive but also advance Euro-Mediterranean relations. These challenges are associated with the troubles of formulating a common foreign policy and implementing the cooperation projects together with non-European states. The EMP is deemed to have

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<sup>60</sup> EMWIS, "Mediterranean Union", 19 February 2009, at <http://www.emwis.net/initiatives/mediterranean-union>.

<sup>61</sup> European Parliament Resolution, "Review of the European Neighbourhood Policy Instrument", Reference INI/2008/2231.

<sup>62</sup> European Parliament Resolution, 19 February 2009 "Review of the European Neighbourhood Policy Instrument", Reference INI/2008/2236.

failed in yielding the expected outcomes. This belief gives rise to frustration, magnifying the need to improve Euro-Mediterranean relations. More effort has to be invested in the UfM than has been invested in the EMP. It is an essential opportunity for all partners to enhance security and economic activity. The surfacing of non-state forms of threats to security resulted in changing threat perceptions after the end of the Cold War. These threats, such as organized crime, immigration and related security problems demand more effective regional cooperation. Hence, relations with the Mediterranean countries are an important part of meeting the Union's foreign and security objectives. Besides the external factors, the EU supranationalism faces challenges from European societies, as seen in the referenda for the adoption of the Lisbon Treaty. In this atmosphere of suspicion towards deeper integration, the CFSP, along other supranational mechanisms, has to prove itself a success. It also reflects on the relationships with the Mediterranean and the EMP. All these factors generate pressure on the EU decision-makers to design a blueprint for Euro-Mediterranean relations that is manageable and will produce successful results. The UfM is far from being that blueprint at the moment, although it is an opportunity.

The UfM members have to overcome three important obstacles to turn the opportunity into a blueprint. These are the shortcomings of its institutional design, the division of labour among the EMP, UfM and the first pillar EU institutions, and the Arab-Israeli conflict. The first two setbacks might be remedied by institutional measures. The institutional design of the UfM is more egalitarian compared to the EMP structure but whether it will facilitate efficient decision-making is yet to be seen. Similarly, the overlapping of responsibilities and the divergence of opinions between the UfM and first pillar institutions might be gradually worked out. However, remedying the impact of Arab-Israeli conflict is beyond the capacity of the UfM. The Arab-Israel conflict remains the most difficult obstacle to continuous and fruitful dialogue among the partners, since its resolution depends on complicated external dynamics and actors outside the UfM. Without sustainable dialogue, neither the formation nor the implementation of projects to improve the lives of the people is possible. The EMP's achievement was to bring these conflicting sides together around the table. Now, the UfM has to surpass the EMP in this respect, since the conflict was a primal obstacle on the way to the EMP's success. Serious challenges await the UfM members, but their resolution – if ever attained– will surely contribute to Euro-Mediterranean relations.