



The Arab Spring one year later: voices from North Africa, Middle East and Europe

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The EPC's Programme on Europe in the World

Building EU foreign policy over the past twenty years has been one of the most challenging and difficult aspects of the process of integration and, despite the innovations introduced by the Lisbon Treaty, is still far from meeting the expectations of European citizens and of the rest of the world. At the same time, the EU's role in international politics is challenged politically and economically. The rise of new powers, an increasingly fluid system for global governance, the growing internationalisation of domestic politics and policies, all put the EU under the spotlight to deliver.

The EPC's Europe in the World Programme takes a dual approach. EU capabilities in foreign policy and its political will to play as a global actor are essential to understand the ways in which the Union engages with the world, by analysing the External Action Service, the use of the EU's foreign policy tool box, and political dynamics in Europe.

Through seminars, public events, and special projects, the Programme also examines the EU's 'performance' in certain parts of the world (especially in the Balkans and in the EU's neighbourhood, but also in Asia) while addressing thematic and cross-cutting issues, such as foreign policy and international migration, international justice, and human rights.

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Foreword

In the spring of 2011, in light of events in Tunisia and Egypt, the European Policy Centre (EPC) intensified its work on the unfolding situation in the Southern Mediterranean, both with regard to monitoring the processes of change in our publications and debates and with regard to reviewing the EU's approach to its neighbourhood.

For the past year, actors and experts from the region have been speaking at EPC events, while EPC analysts have joined projects to study the Arab Spring and the EU's response. As events continued to unfold, we felt it was time for a comprehensive assessment that would bring together people engaged in reform policies from all over the Arab world to reflect with European actors and experts on their reform agenda. We also concluded that such a gathering should take place in Brussels to widen access to the debate beyond those in the EU policy community who are professionally engaged with the Arab Spring.

Following a phase of intense preparations, the conference on “**The Arab Spring one year after: Challenges, prospects & strategies for change**” finally took place in Brussels, at the Palais d'Egmont, on 29-30 March 2012, opened by speeches from the Danish Minister for European Affairs and the Foreign Minister of Belgium. The conference gathered more than 200 participants from north and south of the Mediterranean, along with actors and experts from 12 MENA countries ranging from Morocco to Iraq and the Gulf, of whom about 80 also participated in a number of closed-door working sessions.

The EPC would not have been able to successfully conclude such an ambitious project without the cooperation and support of its partners. We would like to extend our sincere thanks to the Danish EU Presidency, the Belgian Ministry of Foreign Affairs, the European Institute of the Mediterranean (IEMed) and EuroMeSCo, the Robert Bosch-Stiftung and the Friedrich-Ebert-Stiftung, Austria's OMV AG and the Gesellschaft für Internationale Zusammenarbeit (GIZ). Their commitment, funding and expertise made this event possible, whether in covering travel and accommodation, providing the excellent facilities of the Palais d'Egmont, or helping to identify and secure highly interesting participants.

This Issue Paper presents a number of analyses written in the context of the working sessions of the conference. They do not claim to be the outcome of think tank research as most of our issue papers are. Rather, the views laid out in the contributions represent a snapshot of a longer process of change, coming from actors and passionate observers – authentic impressions of new governance in the making.

The EPC will build on this conference in its continuing work on the Arab Spring from a European policy perspective. The debates held in March will resonate in future discussions, dialogues and briefings, as well as in on-going projects dealing with the external dimension of European integration.

Special thanks go to Andrea Frontini, Programme Assistant at the EPC, for his skilful coordination of this edition, to Rosa Balfour, EPC's Senior Policy Analyst and Head of the *Europe in the World* Programme, for her thoughtful comments and substantial review and to Andrew Williams, our Communications Executive, for his editorial finish, gently eliminating linguistic flaws without interfering with the authenticity of non-native speakers, many of whom are more devoted to mastering their destinies than to mastering the English language.

by Josef Janning
Director of Studies at the European Policy Centre

INTRODUCTION

Josef Janning

Well over a year into the process the “Arab Spring” still poses a complex puzzle. Large parts of the Arab world seem to have been touched by the winds of change, tangible outcome in terms of consolidated new order, however, remains scarce. Old leaders have been washed away but many of the structural weaknesses and clientele structures prevail for the time being.

Change in the Arab world should be seen as part of a larger phenomenon of adaptation to the parameters of a globalized world. The progressive global integration of markets has reached societies and politics. Access to information, new tools of communication, growing aspirations for a “better life” and the perceptions of change elsewhere raise frustration and discontent with bad governance, over-regulation, corruption and repression in many countries of the world. If this pattern prevails, political crises, popular uprisings and the break-down of regimes are to be expected in many parts of the globe. In global comparison, as indicated by regular assessments such as the Freedom House Index or the Bertelsmann Transformation Index, the Arab world was lagging way behind global change towards better governance, matched only by Central Asia and Africa.

The Arab Spring initiated a departure from this pattern, although it still could not be called a pan-Arabian trend. Algeria and the fragile post-conflict situation in Libya weaken transition in North Africa, the struggle over Syria occupies the momentum for change in the Middle East, and affluent status quo regimes stand in the way of transformation in the Gulf. On the other hand, new political groupings, if not movements, are forming everywhere around the demands for opportunity, social justice, equality under the law, personal dignity and political participation. Many have voiced their claims for more than a decade and have seen too little in response. Most would prefer evolution to revolution; the prevailing mood is not radicalism but the desire to be heard.

A year after the fall of dictators in North Africa, change in the countries of North Africa and the Middle East still offers exciting opportunities to the people of the region to build democratic and more responsive government, to address their fundamental needs and to actively participate in the development of a new political order. On the other hand, the past year has revealed a significant regressive potential. Nowhere in the region have mass demonstrations achieved swift and thorough change. Where previous authoritarian governments have been ousted, new governance is being built slowly. Violence prevails in countries such as Libya and Syria, but also occurs frequently in Egypt and Bahrain. By no means the revolution is over.

Especially in light of the difficulties of building new order, it has become evident that any successful transformation of political order will require organizing politically, to establish and nourish widespread

political dialogue, to prepare for elections and to assume political responsibility. In many countries, constitutional changes or a full constitutional revision will have to be prepared, debated and approved.

Governments arising from such transitions are being immediately confronted with the imperatives to restart the economy, to improve the performance and accountability of the public administration, to act decisively on corruption, and to re-establish security.

All of these crucial challenges need to be confronted by domestic actors. They could at best be supported from outside, while principal ownership lies with the peoples of these countries and their representatives.

As has been demonstrated in the transformation processes of East Central Europe, the establishment of democracy and market economy will take a decade or more. For Europe's southern neighbourhood, this time span could well be longer in light of the lack of a membership perspective. Also, the level of difficulty exceeds that of the last wave of transition in Europe. Demographic pressures are more profound, and social cleavages run deeper compared to the former Eastern block. What is more, in most Arab societies consensus over the goals and outcomes of transformation appears to be weak. Already, new political elites in the most advanced transition countries, Tunisia and Egypt, show deep polarization over process and result of constitution building.

For Europe and the European Union in particular, these developments bear the great potential of a more peaceful, prosperous and responsive neighbourhood. On the other hand, the past year has given indications that ailed transitions could lead to new conflicts if not civil unrest or war, economic recession and increased externalities, ranging from massive flows of refugees to environmental hazards or new security threats. Europeans thus have important reason to support the success of the transitions in the MENA regions where and when they occur. To thoroughly understand current developments and to engage with actors is of immediate need and high relevance to EU policy. After all, constructive engagement of the EU in building peaceful and legitimate order, economic development and social stability in Europe's neighbourhood would greatly contribute to strengthen Europe's role in the world. Likewise, failure and regression in the region would significantly weaken Europe's stance beyond the neighbourhood.

Differentiation and fragmentation: a balance sheet of reform

When demonstrations against the regime began in Tunis, the landscape of governance in Arab countries was rather diverse. As the Arab Spring unfolded, this national and regional differentiation has deepened further. In Tunisia and Egypt, ageing regimes, based on once popular social and national movements, surrendered to the mass protest, the apparent loss of followership among the elites and the military when their lack of internal legitimacy and external support became evident. In Libya with its quasi-federal tribal structures, the regime sought to defend its rule with military force, and collapsed in a civil war only after the rebel forces took control over the country with the help of an international military intervention.

Syria's Assad regime is heading the same way, escalating the violence against its own population and radicalizing the opposition. As in the case of Libya, the regime seems incapable of breaking the resistance while the opposition lacks the means to topple the regime without external intervention. Unlike Libya, the Syrian power struggle could upset the highly fragile equilibrium in the region, in particular regarding the Sunni/Shia divide, with or without an international military intervention. For both Libya and Syria, future transformation seems heavily burdened by the fall-out of civil war, the experience of massacres and manifold destruction, the radicalization of society and a deepening of ethnic or religious cleavages. The impact of war is felt in civil-war stricken neighbours to both countries,

Algeria and Lebanon. While both show demand and potential for change, the process appears to be dominated by the fear of return of civil war-conditions.

Moderate monarchies in the region with a modernization agenda of their own, have responded differently to the pressures of the Arab Spring. In Morocco and Jordan, constitutional changes and reforms have been initiated to channel the demands for more participation, better governance and greater accountability. Similar processes have emerged in the Gulf, mostly in Oman, Qatar and Bahrain, the latter launching a dialogue process only after a military crackdown on the Shiite opposition groups with the help of Saudi forces. Other Gulf monarchies obviously seek to meet demands primarily with ambitious economic programmes.

This sketch does not fully cover the topography of the Arab Spring – its impact also plays out in other countries of the region, each of which shows a unique setting, such as the power struggles in Yemen and Sudan, the impact of change in the region on the rivalling Palestinian actors, or its effects on the highly volatile balance in Iraq.

In sum, while most Arab societies have responded to the Arab Spring, the differences in response and outcome dominate the scene. No one country seems to follow the same process and appears to head in the same direction as others.

In the spring of 2012, four countries have emerged as promising cases of transformation to better governance and higher legitimacy: Tunisia, Egypt, Morocco and Jordan. Much of the European and international support is focused on them.

In spite of their differences, Tunisia and Egypt exemplify the range of issues and challenges that have to be mastered by the transformation. Elections had to be held with little time for the newly emerged opposition groups to form viable political organizations. Process and results in both countries revealed a deep political fragmentation of society and the dominance of (better organized) Islamist parties and groups. Both factors play out in the process of constitutional reform, in debates about the role of Islam in politics and the legal system or in the redefining of public service.

At the same time, the economic agenda is burdened with the left-overs of the previous regimes, over-regulation and under-administration. The revolutions have affected key sectors of the economy, both in industry and services, notably in tourism. While a miracle would be needed on the labour market, the attractiveness of both countries as a business location remains low, not least because of the extremely low intra-regional trade accounting for about 2% of regional GDP only. On the fiscal side, liquidity is short; state budgets have shown a deficit beyond 8% for Tunisia and beyond 10% for Egypt.

Key to improving the economic, social and civic performance will be to overcome the many deficits of public administration – a complex task requiring much more than the change of constitution and legal norms and regulations in order to cut down on patronage, corruption and in-transparency.

The Brussels MENA Conference: Europe and the Arab Spring

To understand the dynamics of change across the Mediterranean, to engage with actors from various Arab countries and to deepen the understanding of the complexities of transformation in the neighbourhood, the European Policy Centre gathered Arab and European experts and actors in Brussels in March 2012.

The conference was designed to focus on priority issues of reform strategies. Six parallel sessions flanked by an opening plenary and a closing review examined the state of play, plans and strategies

covering the electoral and constitutional issues, the role of civil society and the media, the social and economic agenda, and the issues of internal order and security sector reform. In addition, a special session was devoted to evaluate the policy responses by the EU.

The papers presented here should be read as excerpts of these debates. They were written by participants, many of whom are actors in the current transformation rather than scholars who write from the comfort of their studies. The views presented here give evidence to the ongoing debates and struggles in North African countries in particular. They reflect the difficulties of overcoming structural constraints such as the role of the military, policy and the security sector at large, as well as the new conflicts over secular vs. religious order. The contributions by Arab authors also illustrate well the high, if not overly high expectations on sustained and comprehensive support by Europe and the EU. From the European perspective, several papers illustrate the challenges in balancing normative preferences and stability interests as well as the difficulties of a differentiated approach. In all, the views presented in this Issue Paper represent a snapshot in a longer process of change – authentic impressions from new governance in the making. The concluding piece of this edition by Andrea Frontini offers a profound review of the debates at the conference.

The contributions to this paper as well as the debates of the Brussels conference should convey the message that engagement matters: Europe is linked to the Arab world via the Mediterranean Sea and not separated by it. The Arab Spring itself will not be another 1989; the trajectory of transformation is different and less clear; its normative goals are not identical, and the region holds considerable regressive potential. Whatever the outcomes will be, they will affect Europe in political, economic, social terms as well as regarding its values and its security.

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BUILDING POLITICAL AND ECONOMIC GOVERNANCE: CONSTITUTIONAL REFORM, DEMOCRATIC LEGITIMACY AND INCLUSIVE GROWTH

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THE NEW LIBYA: PREPARATIONS FOR THE ELECTIONS, OPPORTUNITIES AND CHALLENGES

Iman Bugaighis

Watching the political scene today, it is clear that Libyans are eager to move forward towards a transition to democracy. The emerging democratic process requires support and assistance from the more experienced international community. Elections to the National Congress, which is responsible for drafting the Constitution, are due to take place before 23 June. The aim of the elections is to engage in a constructive political process leading to both the stabilisation of the country and to fair representation.

This is going to be challenging in a country where all statistics and data, including the population census, were routinely manipulated to match the political objectives of the regime (a census was carried out in 2006). A lack of prior experience with electoral processes represents a further challenge in preparing for the elections. Furthermore, in a country where all political activities were viciously oppressed, political culture is in its very early development phase and parties have only just started forming. The only democratic election to have taken place in Libya since the Libyan Kingdom's rule in the 1950s was the election of local councils over the past few months. Preparations for elections to the Benghazi Council are underway and polls are expected to take place within the next few months.

At national level, preparations for staging the first free elections to the 200-member National Congress have already begun. The latest version of the Electoral Law, issued recently, strikes a compromise between the different proposals suggested by the Libyan people, the National Transitional Council

[NTC] and the United Nations. This electoral law allocates 120 seats to independent candidates, while reserving the remaining 80 seats for party lists. Members of the National Congress will then form an independent committee of 60 members (20 from each region, i.e. West, East and South) to draft the Constitution.

The NTC's mandate will automatically end once the National Congress has been established. However, the NTC's management of the elections and the preparations for them were much criticised. The NTC's lack of transparency and the clumsiness of some of its actions mean that it has steadily been losing people's confidence. The NTC only recently issued laws regarding electoral districts and is yet to announce a law governing political parties. This delay has hindered the work of the Electoral Commission set up to organise the elections. It is also unclear whether the 60-member Committee that will draft the Constitution will be appointed or elected and, in case of the latter, on what basis. Another challenge plaguing the upcoming election is the NTC's failure to disarm the *militias* ahead of the poll, which might negatively impact upon the atmosphere in which the elections take place.

Western analysts might assume that Libya's deep-rooted tribal structure will increasingly divide the country. Libyans are, however, extremely passionate and sensitive about their national identity. When a few voices were raised demanding a federal system of government in the northeastern part of the country, Cyrenaica, to overcome the existing centralisation of government (which is a legacy of Gaddafi's 42 years of rule), hundreds of thousands of Libyans, young and old, took to the streets all over the country, chanting "Long live a united Libya".

Tribes are social entities which are interlinked across the country, rather than isolated entities. Moreover, most Libyans do not view politics through a tribal prism. Libya has a homogenous and mostly moderate Muslim Sunni population and about 10% of the population is of non-Arab origin (Berbers, Twareq and Tabau). Yet all Libyans were similarly oppressed by the old regime. There is a great awareness among Libyans that the existence of a weak entity called for by federalists, containing most of Libya's resources with only two million inhabitants, and surrounded by instability in the rest of the country and in neighbouring countries (whether security-wise, political or economic), will be a threat to the unity of Libya. The creation of an autonomous entity in the northeastern part of Libya will most likely lead to secession, like what took place in Sudan.

The other issue that might be misunderstood by those viewing events from outside is the presence of *militias* in Libya. Firstly, *militias* are not set up on a tribal basis, but were rather formed by cities and towns to carry out the struggle against Gaddafi's regime. They are made up of a broad spectrum of Libyans, most of whom have no prior military experience. They may be old or young, students, engineers, doctors or unqualified youngsters, and therefore reflect many facets of Libyan society which came together to liberate the country. Unfortunately, the absence of a respected and well-organised national army and the lack of a legitimate, democratically-elected government did not set the scene for them to hand over their weapons to the authorities. *Militias* filled the vacuum that resulted from the collapse of the army and the security forces during the revolution. *Militias* are currently guarding the country's vital institutions and banks and are supporting police forces. In most cases, their presence gives Libyans a sense of security. Yet clashes do take place between certain *militias* on some occasions. Until now, this has happened on a very small scale and with only minor political consequences. Generally speaking, armed *militias* have shown a lot of self-restraint.

However, one should not underestimate the risks that Libya might face if *militias* are not dissolved or if a solution is not found to reintegrate unqualified people into a national programme of capacity building. The view held by most Libyans is that the creation of a modern army and the emergence of a democratically-elected government are prerequisites for the dissolution of *militias*. Many fighters want to return to their previous lives and have dreams to fulfill. Others are willing to join the army to

protect their country. Despite the existence of *militias*, criminality – especially in the eastern part of the country – has decreased since the revolution and women, for example, can drive their cars in Benghazi until late at night without feeling threatened.

The presence of an enormous amount of weapons in Libya is endangering the stability of the region and the best example of that is what is happening in Mali. There is also a significant risk of weapons being smuggled to Al-Qaeda in Algeria, if indeed this has not taken place already.

Women played a major role in the Libyan Revolution. On 15 February, ten elderly women courageously protested in front of the main security headquarters in Benghazi, demanding the release of their lawyer and calling on the people of Benghazi to wake up and revolt. On 17 February, less than 50 men and women gathered in front of the Benghazi Northern District Court demanding freedom, justice, equality and a Constitution which would ensure these rights. On 17 February and during the following days, we, the women, called to the men who were watching us from a distance, reluctant to join us in our protest. Slowly but surely, more and more men moved closer and joined the movement. Many of them told us later that they felt ashamed to be afraid and not to participate while we, the women, stood on the front line. From then on, women's presence was effective at all levels. Women's political participation, however, still does not reflect the gains achieved on the ground. The percentage of women in the NTC is 4% and there is not a single female member in the local councils.

Prior to this revolution, Libyan women had been active participants in society for decades. They have never been as marginalised as women in other conservative societies in the region. They received equal pay for equal jobs as well as equal educational and job opportunities. The number of females at Libyan schools and universities exceeded their male counterparts. But women are by no means socially equal, especially in rural and peripheral areas. Also, their participation in political life was limited due to cultural, social and personal obstacles that had evolved during the past four decades.

Emerging female activist committees are becoming increasingly aware of the potential risks of marginalising women from decision-making circles. They are becoming more organised and making their voice heard at national and international level. Women have to make sure that the new Constitution will enshrine and protect women's rights.

Revolutions require creative teamwork to succeed and that is what has happened in Libya. Immediately after the rapid collapse of the regime in the eastern part of the country, citizens found themselves responsible for running a destroyed country at war while fighting to liberate the rest of their country, without any prior experience in either domain. Amazingly, we succeeded! This shows that Libyans have the potential to build a modern nation for themselves. However, Gaddafi's regime left behind a heavy legacy – a lack of institutions, poor infrastructure and most of all a lack of a sense of citizenship at individual level. Libya has a long road to follow, full of obstacles. Development will not take place overnight, since challenges are interlinked and it is hard to solve any problem without dealing with others at the same time. We do realise that the building process is going to be challenging and long. However, what keep us optimistic are the remarkable achievements which took place last year, despite the lack of institutions and the political void.

After 40 years of destructive dictatorship, Libya lacks the basic and essential components of development. In a country with merely six million inhabitants and vast oil resources, the challenges that Libyans face today include poor infrastructure manifested in a housing crisis, a poor sanitation system, outdated public facilities and airports as well as rundown schools, hospitals, etc. Billions of dollars of national wealth were wasted through corruption and mismanagement. Libya has the resources to regenerate itself, but lacks experienced personnel at all levels. Capacity-building is thus a vital necessity, for which Libya needs help from outside.

Economically, the country's potential is substantial. Oil production is moving towards its pre-war level at 1.6 million barrels a day. Furthermore, there is an enormous national wealth fund estimated to be over 150 billion dollars. These resources will fund the transformation phase for developing a more diversified national economy.

The role of the international community is vital and essential for supporting this transformation process. Indeed, there is a great need for assistance from the international community to lay down a sound foundation for a stable, modern, open and democratic state at all levels, such as administrative and vocational training, capacity-building programmes, women's empowerment and student and academic exchange programmes. The experience of the international community in Libya's transition can be a role model in building up a sound relationship between developing countries and the developed world, based on equality, mutual interests and respect for human rights.

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CONSTITUTIONAL REFORM IN EGYPT IN A LOW-CONSENSUS ENVIRONMENT

Basem Fathy

The bumpy road to the new Egyptian Constitution

After the resignation of Hosni Mubarak in February 2011, the ruling Supreme Council of the Armed Forces (SCAF) in Egypt dissolved parliament, suspended the Constitution and appointed a constitutional committee to review the former 1971 Constitution and draft a provisional Constitution that figures out the steps towards the creation of a new Egyptian Constitution, including articles that regulate political life in the transitional period. In March 2011, the majority of Egyptians voted for nine amended articles drafted by the review committee and issued by the SCAF in the same month. These included some modifications to the content and were accompanied by 54 more articles, together making what has been dubbed the “29 March Constitution”.

This provisional Constitution stipulated that, within six months of their election, the elected members of the People’s Assembly and the Shura Council would appoint a 100-member Constituent Assembly to draft a new Constitution. The Constituent Assembly would complete the draft within six months of its creation. Moreover, within 15 days of the completion of the draft Constitution, the president would have to call a popular referendum on it.

The first shortfall in the drafting process of the new Egyptian Constitution was the severe polarization prevalent in Egyptian society at the time of the March referendum. This polarization divided Islamists and the secular in a dispute centred on whether the Constitution or the parliament should come first. The results of the referendum were considered by the secular elite as the natural result of a tricky process in which religious gut feelings were used as a propaganda tool in order to get a Constitution drafted by an assembly appointed by an Islamist-dominated parliament. These fears came true when the parliament decided to form a Constituent Assembly half of which was composed of MPs, elected by simple majority, and with no clear transparent criteria of choice. Decisions of the Constituent Assembly are to be taken by simple majority as well.

At this point, the secular elite decided to push the whole political situation in Egypt into a crisis, considering that the only way to get out of the trap of having a Constitution drafted by a majority possessing a semi-unified point of view, rather being an Islamist point of view. Most non-Islamist members of the Constituent Assembly resigned successively followed by representatives of institutions, such as Al-Azhar, the Church, and the Supreme Constitutional Court, whose presence in the process is crucial for its legitimacy. Another way to develop such crisis was litigation in front of the Administrative Court and, of course, a media campaign aimed at raising people's awareness of the importance of inclusiveness in constitution drafting and of the hazards of excluding non-Islamist actors.

All of this happened in coordination with and thanks to the support of the other well-organised actor in the Egyptian post-revolutionary scene, the SCAF. Fortunately for the seculars, SCAF abandoned its warm relations with the Muslim Brotherhood. This crisis pushed the Islamist majority in parliament to comply with the Court’s decision and with different forms of pressure, and to decide to recompose the Constituent Assembly under better conditions and with different criteria.

Another Constituent Assembly was composed and convened recently, three months after the dissolution of the first Assembly. This happened under severe political pressure as a result of another

court decision issuing a supplementary declaration by the SCAF (which gives generals the right to appoint a new Constituent Assembly should the existing one fail to perform its duties), and as a result of the presidential election run-off between Mubarak's former prime minister and the Muslim Brotherhood's candidate. The latter, who ultimately succeeded, also had to offer more flexibility towards including non-Islamist political actors.

Due to all these factors, a new Constituent Assembly has been formed, though with vague criteria for membership, fewer criticism and legal risks of being dissolved for the second time.

The role of consensus in Constitution-writing

In Egypt, most people following the controversy over the post-revolution Constitution believe that it should be drafted after generating wide consensus among the various factions and groups in Egyptian society – and even more importantly, among Egyptian citizens – as far as possible. This sense is not based on scientific or historic knowledge, but there is indeed a deep wish among the population to break the link with a long era in which they were forbidden to participate in national political life.

It is a widespread trend for parliaments to play a leading role in drafting constitutions, whether directly through their members or indirectly by appointing a Constituent Assembly. This was highlighted in a study by Jennifer Widner of Princeton University in 2004, regarding a sample of 194 constitutions drafted between 1974 and 2003. However, there is ultimate agreement on the fact that constitutions should be drafted under the highest possible conditions of consensus and inclusiveness, which is not at all the case in Egypt.

One of the most important functions of constitutions drafted after dramatic change is to represent *"a symbolic marker of a great transition in the political life of the nation"*, in the words of Bruce Ackerman from Yale University. Here, we can understand that, in post-revolution countries, new constitutions break relations with narratives and practices of former regimes.

At the historic Conference on Democratic Transition and Consolidation – held in Madrid in 2001 and bringing together Heads and former Heads of State and Government of the countries that underwent democratic transitions in the last quarter of the 20th Century along with dozens of academic experts and politicians – all recommendations made on the issue of constitutional reform emphasized the deep need for inclusiveness. Inclusiveness might result from guaranteeing the fundamental principles of equal citizenship that should pervade the entire constitutional document, stipulating that rights spelled out in the Constitution must apply equally to all citizens, preventing the majority from acting on any temptation to define the nation in sectarian terms and ensuring the rejection of all forms of discrimination against minority groups. Of course, nobody can imagine such principles being achieved on their own without developing an inclusive mechanism for the process of drafting and ratifying the Constitution.

The debatable issues of the new Egyptian Constitution

It goes without saying that a new Constitution drafted in a country that has undergone a dramatic moment of change like Egypt needs to meet the aspirations of the people who created such momentum. In theory, it is very easy to say that the new Constitution should reflect the four main demands called for in the chants of the protesters: bread (i.e. economic welfare), freedom, social justice and human dignity. But in practice, all the contesting political actors will claim that only their own ideology or beliefs will achieve the demanded objectives. A lack of consensus in drafting the

Constitution will result in disputes when addressing the explosive points that will have to be determined in the future constitutional chart.

Firstly, relations between religion and the state are at the heart of the dispute between the secular and Islamists. From this perspective, the fight has reached a lower point, where the secular are fighting to get as many basic freedoms as they can and, on the other side, the Islamists are fighting to implement sharia law as much as they can.

Secondly, the future position of the military in the new Constitution – alongside civilian-military relations – represents another crucial issue to be dealt with. As a matter of fact, for a country seeking democracy after being ruled by the military for around 60 years, the logical debate should be about the new role of the military in democratic countries, issues of military autonomy and the defence budget, the subordination of the armed forces to democratically-elected bodies and constitutional measures which might guarantee the professionalism and political neutrality of the military.

According to Narcis Serra, consensus among political forces is a very important factor in reforming the military and the absence of such a consensus would hugely affect the pace and outcome of the military reform process. Applying this to the Egyptian case, it is very clear that the lack of such consensus would force the military reform debate off the agenda. Moreover, the deep division between the secular and Islamists provides plenty of room for the military to intervene in the political process, thus pushing the political situation into the opposite direction to that in which it should be moving.

A final point spurring further debate will be on the future form of government, i.e. whether it should be presidential, parliamentary or a mix of the two. No-one can imagine that any of the contesting forces will be able to push the system towards a purely presidential one (like the US) or a purely parliamentary system (as in Israel). Instead, what is more likely to emerge is a mixed system with more prerogatives for the president (like France) or with more prerogatives for the parliament, based on the relative influence of existing political forces.

As everything in Egypt changes very rapidly, the country might have a third Constituent Assembly formed by SCAF. This might help non-Islamist forces to counter the Islamist political monopoly, but it would by no means be an achievement for democracy.

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TOWARDS A SUSTAINABLE ECONOMIC DEVELOPMENT IN THE MENA REGION

Ziad Abdel Samad

Reforming economic performance should take into consideration two major elements. Firstly, the failure of past policies during recent decades was not only the result of a lack of democratic practices and good governance, but also – and essentially – the result of economic models based on integration in the global economy. The paradigm adopted by former regimes stressed the imperative need to increase growth as a main engine for development. Growth was seen as the indicator to measure progress. Reality showed that the relatively high growth rates achieved by most of the countries of the region did not improve citizens' living conditions.

It is thus imperative to assess economic performance and rethink implemented models. Growth should be assessed qualitatively rather than quantitatively. Also, previous economic patterns were focused on the financial and real estate sectors, without taking care to develop sounder foundations. This led to the creation of “économies rentières” instead of productive ones, which did not secure stability or prosperity. As a matter of fact, redistribution of growth is an important factor for achieving social justice and sustainable growth. This should lead to the adoption of fair fiscal policies, mainly targeting sectors with high income.

Policies should thus take into consideration the role of small and medium-sized enterprises (SMEs) as a major generator of jobs and as a sustainable source of income for the middle class and the poorest.

Agriculture should be perceived as a sector with a very important social dimension. It is consequently vital to develop and empower the agricultural sector, as well as to consider agriculture as a main factor in guaranteeing sustainable food security.

Secondly, past bilateral agreements between Mediterranean countries and the EU, whether bilateral or multilateral, should be promptly assessed before pursuing negotiations for Deep and Comprehensive Free Trade Agreements (DCFTA), as suggested most recently by the European Commission. Assessment should take into consideration the ability of local productive sectors to develop within a fairly competitive environment. Free trade agreements should not limit the “policy space” of local governments, and especially not their ability to protect the human rights of their citizens. The EU tasked the University of Manchester with assessing the sustainability impact of free-trade agreements in Mediterranean countries. The results – published in November 2007 – revealed negative impacts on employment and recommended that a series of measures be undertaken, which have never been taken into consideration. The same exercise is crucially important today before enhancing DCFTAs with the Southern and Eastern Mediterranean countries.

Free-trade agreements should be rights-based. As a consequence, foreign investments should respect human rights and the principles of sustainable development. These include labour and development-related rights, such as access to food and clean water. They should also respect the right to health and education, as well as to transportation and access to communication facilities.

Open market economies should take into consideration the important role of the state in regulating and protecting citizens' rights. The ability of local governments to monitor performance and impose regulatory frameworks can help to ensure the respect of citizens' rights, which is one of the main principles of the EU and one of the core conditions highlighted in the Association Agreements within the

framework of the European Neighbourhood Policy (ENP). Unfortunately, the EU compromised on these principles with former regimes, which must not be the case with the emerging ones.

However, human rights violations can also derive from pursuing wrong economic and social policies. Consequently, emerging regimes in the region should be given the necessary support, space and time to be able to define and adopt the most relevant economic and social policies in a democratic manner. This should be the result of national consultations led by legitimate regimes elected within clear constitutional frameworks.

Negotiations between the EU and partner governments should be transparent and the process should be open to various stockholders, including trade and labour unions and civil society organisations, in addition to the different components of the private sector (i.e. the productive sectors, agriculture and the agro-industry, the pharmaceutical industry, manufacturing and craft, SMEs and professional sectors such as physicians, lawyers, engineers, etc.).

It is worth noting that political leaders in the region are under tremendous pressure amid high expectations from their citizens. Uprisings resulted in social and regional exclusion and the deterioration of socio-economic conditions. The complexity of the on-going transitional period triggered more difficulties, due to reductions in available job opportunities and public and private income. However, this pressing situation should not push regimes to precipitate strategic decisions that might negatively affect the lives and future of their citizens. This rather requires major partners – including the EU – to support local governments by enabling them to respond to citizens' immediate needs. Social and economic stability are essential for security, which is a common objective for all countries in the Mediterranean region.

In conclusion, it must also be highlighted that economic reforms are to be embedded in a wider governance-building effort. As a matter of fact, there is a need for a process of continual transformation that results in a complete change of political system, without limiting the process to some reforms only. Moreover, democratisation should not be limited to elections, but must also be accompanied by a series of structural and systemic changes, including separation of power and judicial reform; the adoption of regional administrative decentralisation and the empowerment of elected regional and local authorities; securing political and civic freedoms, including rights of association and assembly, freedom of expression and the right to access information and resources. These reforms are inspired by the EU's 'more for more' approach, which was put in place in response to the Arab Spring. However, there should also be coherence in EU relations with neighbouring countries: indeed, efforts to encourage them to enact more political and administrative reforms should be accompanied by measures to support their economic and social restructuring as well. Future constitutions to be adopted by new regimes should be based on respect of the United Nations Universal Declaration of Human Rights and also protect cultural rights.

Last but not least, the Civil Society Facility recently proposed by the EU should serve as a tool to effectively engage local civic actors, being continuous and unrestricted rather than occasional and ad hoc. It should not solely be based on the implementation role of civil society organisations (CSOs): the consultation process should also take into consideration participation in the decision-making process, both at national and regional levels. A 'Euro-Mediterranean Economic and Social Council' and/or a 'CSO Advisory Group' should be created to enhance the consultation process with CSOs. There is also a pressing need to facilitate CSO access to EU funding by reforming related processes and procedures.

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REBUILDING ORDER: INTERNAL SECURITY AND SECURITY SECTOR REFORM

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SECURITY SECTOR REFORM IN EGYPT AND THE EUROPEAN UNION' ROLE: AN EGYPTIAN VIEW

Ahmed Kandil

It is important for Egypt to steadily strengthen security cooperation with the EU and other partner countries, while at the same time maintaining security-sector reform as the main responsibility of the Egyptian people. In an article published on 2 February 2012, Catherine Ashton, the High Representative of the European Union for Foreign Affairs and Security Policy, emphasised that the EU would support the Arab awakening in light of the fact that democracy, in its initial stages, can be messy, turbulent and bring short-term upsets. She dismissed scepticism expressed by some observers who argue that Europeans should not trust new political groups inspired from various strands of Islamism. Instead, she believes that Europeans have "a moral duty" as well as "a practical need" to help Egypt and other countries involved in the Arab Spring to secure democracy and prosperity.

Some advantages

Security-sector reform serves as a significant area to test the credibility of Ashton's views and EU's commitment to support the Arab Awakening. As for Egypt, such reform has various advantages. It is very clear that the process of establishing real democracy in Egypt cannot succeed without a transformation of the institutions and forces that constitute the security sector. Egypt has three main security institutions: the armed forces (the military), internal forces (the police), and intelligence, which could be divided into external and internal branches. These three institutions must be reformed and refocused if we are really willing to live in a democratic society. In other words, successful security-sector reform will require the creation of security institutions under a democratically-elected civilian leadership, which is subject to parliamentary oversight with real authority, particularly regarding the budget, resources and performance.

Moreover, security-sector reform is also the shortest route to development and prosperity for the Egyptian people. If the reform is not taken seriously, we will not be able to develop our country. Foreign investment inflows, trade exchanges and tourism will not flourish in Egypt without stability and a solid security situation.

In addition, security-sector reform is also a fundamental prerequisite for improving everyday life of Egyptians themselves. Inappropriate security structures and mechanisms can lead to weak governance, violent conflict and human rights abuses.

Furthermore, without powerful security institutions in Egypt, our neighbours in Europe may face a variety of dangers ranging from "a significant rise of Islamic militants who will take a harder line towards the EU" to "Egypt becoming a symbol of change for others to follow in the Gulf oil rich countries and, consequently, affect negatively the world's energy supplies".

Challenges ahead

At Al-Ahram Center for Political and Strategic Studies (ACPSS), we have listed a number of challenges to be discussed in order to achieve security sector reform in Egypt. Four of them should be dealt with in the short run.

The *first* real challenge is the future relationship between security-sector institutions and the newly-elected parliament. The first democratically-elected Egyptian parliament in 60 years held its first historic session in January 2012. Its members were elected in a fair and free election. We think that, in a democratic society, citizens should have the right to hold a certain degree of accountability over security institutions. In other words, civilians must be given oversight of these institutions and, if possible, there should be a role for civil society itself. The question here is: how will the security institutions, especially the military, deal with such parliamentary and civilian oversight? Will the security elite accept oversight after more than 60 years of independence from any significant civilian control? Another important question is: how should we deal with the old security elite in the three security institutions? For years, Hosni Mubarak's regime used state security institutions, especially the police and internal intelligence, as instruments for reinforcing the political *status quo*. Rather than playing a neutral role in maintaining public order and protecting civilians, most of the high-ranking security elite was highly politicised and repressed opponents of Mubarak's ousted regime. Therefore, the significant challenge now is: how can we depoliticise internal forces by replacing members of the elite who are still loyal to the old regime with new personnel without undermining the security apparatus?

Moreover, in a more democratic society, the relationship between security institutions and the media is an important issue. At many levels, secrecy was always there in Egypt: as a matter of fact, journalists were sometimes arrested for criticising the military. More transparency and openness are needed in the media to discuss the most effective ways to reform Egypt's security sector. For example, we have an intense debate about the future economic role of the military and whether undertakings run by the military should be subject to taxation or rather downsize their activities. Such topics must be discussed openly and freely in the media if we are to be serious about reforming the security sector.

The *second* challenge to address in reforming the Egyptian security sector concerns the lack of equipment and facilities, especially those related to the police. As a matter of fact, at the beginning of the revolution of 25 January, police forces lost many capabilities: 125 police stations out of 353 were burned; more than 2,000 police vehicles were damaged; around 8,000 police pistols and guns were stolen; several jails were attacked and destroyed, allowing over 40,000 prisoners to escape during the

first few days of the revolution, of whom only 8,000 were caught: the others are still at large. Such terrible situations should be seriously tackled as soon as possible.

The *third* significant challenge is linked to the following question: how to increase the accountability of police officers without decreasing their ability to pursue criminals? Many ideas have been suggested to deal with this complex situation, but none have been implemented so far. Some observers recommend reforming the legal system to increase the accountability of police officers. They argue that a legal framework for evidence-based convictions must be established, in order to prevent security personnel from relying on torture techniques for extracting forced confessions. Other specialists also recommended creating committees of parliamentarians, lawyers and local council members, to inspect police departments and document evidence of torture-based methods. In addition, many observers also believe that oversight by civil society groups and independent media represents an important safeguard against human rights abuses. However, all these ideas still need to be put into practical and operational forms.

The *fourth* real challenge is: how to raise public awareness and persuade people to cooperate with security forces to guarantee public order? It is obvious that police forces alone cannot guarantee public order; as a consequence, they must earn the cooperation and trust of the population. However, public trust in security forces has become very unstable after a long history of suspicion resulting from past human rights abuses. To deal with this challenge, civil society and NGOs should play a significant role in raising public awareness of maintaining public order.

The role of the EU

The EU could play a significant role in dealing with these serious challenges by sharing best practices and providing training and technical and financial assistance to the Egyptian government, as well as to civil society.

Since the revolution of 25 January, however, we have heard only promises from the EU that it will provide support to the Egyptian people but, in practice, we have not noticed any significant change compared to its previous policies and programmes. Therefore, many Egyptians would very much appreciate EU participation in security-sector reform in Egypt in three possible areas.

Firstly, we are confident that the EU can provide valuable training and technical assistance on a government-to-government level. As for training, Egyptian police and security officers can participate in training programmes in the EU, where they can observe their European counterparts in on-field exercises. They also can attend training programmes, including on managing security during elections and promoting transparency and accountability in developing security institutions. Moreover, European security experts could also visit the country in order to explain to their Egyptian counterparts how they could deal with common challenges to public order, including peaceful demonstrations, marches, acts of civil disobedience and strikes.

Regarding technical assistance, one possible area of cooperation between the EU and Egypt is the establishment of a DNA database of citizens and connecting this database to the existing national numerical database. This would play a significant role in solving several of the security problems currently facing Egypt, such as robbery, kidnapping, car thefts and others.

Secondly, the EU could also play a crucial role in supporting and helping civil society in general and NGOs in particular with several projects, such as establishing a system of standardised jails, re-integrating former prisoners into society, raising public awareness of security issues and creating popular committees to monitor the police.

Thirdly, we also need advice from the EU on how to deal with members of the security elite who are still loyal to the former regime and how to gradually replace them with a new generation of public servants, without having a negative impact on the security situation.

In conclusion, there is no doubt that security-sector reform in Egypt is one of the most important priorities to achieve the aims of the revolution of 25 January 2011, especially those of prosperity and democracy. Security-sector reform is a hard and long process, but it is essential to turn Egypt from an autocratic and backward state into a more democratic and developed one.

It is also an area of paramount importance to consolidate cooperation between Egypt and the EU in the future. We hope that the EU will support us in this process, if it is serious about securing democracy and prosperity not only in Egypt but also in other Middle Eastern and North African countries affected by what happens in our country. Such support will really put to the test Ashton's view that Europeans have "a moral duty" as well as "a practical need" to help Egypt to become a real and stable democracy.

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THE CASSANDRA SYNDROME: REFLECTIONS ON THE ISSUE OF SECURITY IN TUNISIA. A PLEA FOR AN ADVANCED STATUS OF TUNISIA TO THE EUROPEAN UNION AND NATO

Hana K. Missaoui

In Greek mythology, Cassandra, daughter of King Priam of Troy, was given by Apollo the gift of prophecy. However, after she rejected him, he cursed her so that no-one would ever believe her. Hence, she embodied the very tragedy and irony of humankind.

Events in Tunisia, since the elections of 23 October 2011, can be seen as a Cassandra-like prediction that nobody wanted to challenge. After the Jasmine Revolution and the events in Libya, two main threats came into play in Tunisia: a threat from the inside and a threat from the outside. Both threats are intimately intertwined, as the internal security threat increases the external one, and vice-versa.

When the Ennahdha movement won the elections, Tunisians and the international community wanted to give a chance to a brand-new movement on the political scene. Nevertheless, many observers still recalled controversial actions committed by earlier Ennahdha members, which did not constitute a good omen. As a matter of fact, it is well known – though voluntarily forgotten – that certain members of the Ennahdha movement are reputed to have taken part in criminal actions in the 1980-1990s. The movement, though, recognised its past errors. This could have been a salutary development for the movement, if only it were followed by concrete acts of repentance. Ettahrir, a non-recognised Islamist political party¹ extolling the virtues of a Caliphate regime and the application of Sharia law, is alleged to push the current government towards radical application of Sharia. Besides, certain observers and civilians affirm the existence of a very violent *militia*, which is frequently displayed when journalists or students take part in demonstrations against the government.

The picture: the dual nature of threats in Tunisia

As a matter of fact, the Cassandra Syndrome has been perfectly expressed by Professor Yadh Ben Achour who, in a recent statement at a press conference organised by the Destourna network, warned about the risk of the current government drifting towards a religious dictatorship. Whereas the Libyan National Transitional Council passed a bill on 24 April 2012 prohibiting the creation of religious or tribe-based political parties, Tunisia is marked by a tough debate over the status of the Ennahdha movement. Mustapha Landi, a member of the Libyan Transitional Council, commented that political parties should neither receive funds from other countries nor represent mere extensions of foreign political parties. Ennahdha, however, is thought to have received funds from Gulf countries, which would explain – according to some – the suppression of visas needed to travel to those countries, as well as the recent loan granted by Qatar. However, it can be more realistically described as a consequence of governmental support for pan-Arabism.

The internal threats: blurred governmental action

The demonstrations of 9 April, celebrated as the Day of Martyrs, produced violent clashes between demonstrators, the police and – according to some – a *militia* supposedly supported – or at least

¹ The Tunisian Hizb Ut-Tahrir (Liberation Party), created in the 1980s, is a branch of an international movement created in the 1950s by Taqiuddin al-Nabhani, a Sunni *shafi'i* lawyer born in Haifa.

tolerated – by the government itself. The violence perpetrated against Tunisian journalists by the government was witnessed by foreign journalists, who were attacked as well. The Home Affairs Minister had previously prohibited demonstrations on Habib Bourguiba Avenue in Tunis. Challenging the ban, members of the National Constituent Assembly, activists, lawyers and ordinary Tunisian citizens went on the Avenue to vent their discontent. The government's response was to violently suppress the demonstrations, as it had done two days earlier with unemployed graduate Tunisians who were demonstrating for better living conditions. The government and the President expressed mitigated positions on the repression of demonstrators, increasing the anger of many Tunisians.

The external threats: border security and the fight against terrorism

Besides, very little has been said about threats on Tunisian borders. Controversies over the National Constituent Assembly and the Ennahdha movement captured the attention of observers, making it easy to forget that another revolution was taking place in southern Tunisia.

The Tunisian-Libyan border, during the Libyan uprising, was a laboratory for a rare and spontaneous phenomenon of generosity, witnessing the ancient and deep-rooted relationship between Tunisians and Libyans. Thousands of Libyans and immigrants found refuge on the border. Some were eventually hosted by Tunisians in their homes. An incredible impulse of fraternity burst out among Tunisians, who sent food to Libyans in such quantities that they experienced scarcity themselves.

Nevertheless, cross-border movements – essentially from Libya, but to a lesser extent also from Algeria – have been reported, especially since the Libyan uprising. Small Tunisia, blocked between two giant petroleum-exporting countries known for their political instability, is under threat. The victory of Islamist movement Ennahdha seems to have given some foreigners confidence to invest in a country where the role of the military has always been modest. Despite its undisputable role during the Jasmine Revolution, the Tunisian army is in fact a very small one.

In February 2012, a group of terrorists were arrested in Bir Ali Ben Khalifa. The group is supposed to have links with another terrorist group in Libya. General Ben Nasser eventually affirmed that the weapons seized came from Libya. This confirms that the existing Libyan *militias* represent a serious threat to Tunisia. The fact that these *militias* do not respond to the Libyan National Transitional Council stokes further fear in the country.

Moreover, the proclamation of autonomy by the Azawad region in northern Mali can be considered as a dangerous threat for the Maghreb and Sahel regions. As a matter of fact, it is feared that the region may serve as a rear operating base for “Al-Qaida au Maghreb Islamique” (AQMI). As a reaction to this, Algeria and other Sahel countries developed military cooperation to monitor AQMI's movements in the region. Also, on 23 April, General Carter H. Ham, Head of the U.S. Africa Command, visited Tunisia.

The challenge: a cooperative approach to security

The EU and Tunisia's advanced status: time to plan for long-term stability

The EU's mechanism for granting advanced status to non-European states constitutes an important step further in the co-operation scheme. More than an association, and less than full membership²,

² See Jaidi, L. and Martin, I. (2010), “Comment faire avancer le statut avancé U.E.-Maroc?”, IEMed Document n. 5, available at: www.iemed.org/publicacions/papers5_ma.pdf (last accessed on: 15 July 2012).

the advanced status covers a wide range of cooperation domains, from justice and the economy to security.

It is important to recall that Tunisia was the first Mediterranean country to sign an Association Agreement with the European Union in July 1995. This agreement constitutes to this day the legal basis of EU-Tunisia relations. Under the current cooperation framework, i.e. the European Neighbourhood Policy (ENP), Tunisia was one of the first countries for which a mutually-agreed Action Plan entered into force on the 4th of July 2005 and the first one to establish a Free-Trade Area for industrial products with the European Union on 1 January 2008, two years ahead of schedule. Recently, on 19 March 2010, Tunisia presented a document with its proposals regarding advanced status. The pillars have been built and it is now time to deliver.

The advanced status, by creating deeper cooperation with Tunisia, would generate greater stability in the region, as it would provide Tunisia with tools to achieve development and security. This would represent a quality solution in the long run, with a greater impact than sporadic funding.

Among financial support recently granted by the European Commission, an open call for proposals was launched, for a budget of €1,000,000 in Tunisia in the framework of the European Instrument for Democracy and Human Rights (EIDHR) and the Neighbourhood Civil Society Facility. The overall objective of this call is to support civil society initiatives that promote Tunisian citizen's action and guarantee human rights in the context of democratic transition, especially in disadvantaged areas. But to make such efforts concrete with positive impacts, managing structures should be constructed. Otherwise, the funding would be like trains without tracks.

To ensure security and stability both in Tunisia and in the wider region, the European Union must turn to the Mediterranean. The advantage of advanced status undeniably lies in establishing the right framework for stable governance, respecting human rights and achieving security both in Tunisia and at the doors of the European Union. This would be a credible solution to allow security, good governance and the development of the Tunisian economy in the long run, rather than punctual financial help that would be useful only in the short term.

NATO as a safeguard

NATO can represent an important safeguard. Being part of a cooperative security process represents a serious guarantee of stability for Tunisia and the region. Following decisions taken at the NATO Lisbon Summit in 2010, a new Partnership Policy was endorsed by NATO Foreign Ministers at their meeting in Berlin in April 2011. NATO's Strategic Concept adopted at the Lisbon Summit highlights cooperative security as one of NATO's three essential core tasks. NATO appears to be more and more engaged in coordinated and multilateral action, which is a key tool to ensure security. As a matter of fact, the notion of security is a complex one and the security of NATO members is ultimately intertwined with the security of partners.

Conclusion

The Arab Spring has shed light on the fact that ensuring stability in the Mediterranean is a long-term objective. The launch of punctual and sporadic financial aid is at best insufficient, as stability requires deeper actions.

Stability and security in the MENA region are strongly linked to the security of Europe, its natural and historical partner. The European Union and NATO do have a role to play as partners in achieving stability in the Mediterranean. Besides, the Arab Spring has revealed how troubles in neighbouring

countries represent a dangerous threat to other countries: the case of Tunisia *vis-à-vis* instability in Libya is a prominent example.

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INCENTIVISING PEACE AND SUPPORTING CIVIL SOCIETY INVOLVEMENT IN SECURITY SECTOR REFORM IN THE MENA REGION

Josephine Liebl and Catherine Woollard

The demand for greater freedom and political change in North Africa and the Middle East has highlighted some of the shortcomings of the EU's approach towards its neighbourhood. This has led to a welcome period of reflection and a review of its policies, culminating in an important conceptual shift as set out in its recent Joint Communications, 'A new response to a changing Neighbourhood',¹ and 'A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean'².

The European Peacebuilding Liaison Office (EPLO) welcomes the EU's acceptance of the shortcomings of previous policies and the change in direction set out in the Communications. Above all, it is important that the strategy of supporting repressive regimes in the interest of stability is recognised as flawed. Supporting stability is a central part of responding to conflict, but that alone is not sufficient, and there will always be a risk of conflict when undemocratic regimes are allowed to prosper.

In addition, the emphasis on civil society at the heart of the EU's new approach is very positive. Even a cursory analysis of EU funding flows into two of the countries in the MENA region, Egypt and Tunisia, shows that this was not the case previously. Between 2007 and 2010, the vast majority of funding went to the governments of the two countries and to the private sector, with a very small proportion reaching civil society organisations³. Civil society organisations play a role in delivering programmes, but more importantly they should be able to contribute to the formulation of economic and social policies that have a strong impact on daily life in their societies.

Involvement of civil society in the reform of the security sector and law enforcement agencies

The Communications – and public statements by EU policymakers – demonstrate a strong commitment to supporting civil society in the neighbourhood region. This is further demonstrated by the creation of two new funding programmes as set out in the most recent Communication: "*We will*

- *establish partnerships in each neighbouring country and make EU support more accessible to civil society organisations through a dedicated Civil Society Facility;*
- *support the establishment of a European Endowment for Democracy to help political parties, non-registered NGOs and trade unions and other social partners."*

EPLO believes that the EU could go a step further and build accountability to civil society into all support that it provides for the region. Thus, in order to build legitimate institutions, all support for governments should include mechanisms that allow oversight by or accountability to civil society.

¹ Joint Communication from the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy (COM(2011)303), "A New Response to a Changing Neighbourhood", 25 May 2011.

² Joint Communication from the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy (COM(2011)200 final), "A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean", 8 March 2011.

³ See Annex 1 in EPLO's statement, "Using More for More: Incentivising Peace in the EU's Neighbourhood Policy", 2011.

Without those mechanisms, there is a risk of the EU supporting the creation of unresponsive – or even corrupt – institutions⁴.

For example, part 3.2 of the Communication includes sections on comprehensive institution-building and on partnership with societies. Both are extremely important. However, they should not be implemented entirely separately. Rather, accountability involves bringing together the two strands.

Partnership with civil society could be part of building institutions through the use of accountability mechanisms, including participatory budgeting, expenditure tracking, budget transparency, civil society oversight committees for projects and government departments, community consultation in planning, transparent procurement procedures, participatory processes and involvement of representative groups of civil society in state-building processes, such as in the development of constitutions.

Involvement of civil society in institutional reform is especially pertinent regarding the reform of law enforcement agencies and the security sector, which is one of the benchmarks against which the EU's new approach of positive conditionality (called 'more for more', see below) will be assessed. Involvement of civil society is likely to lead to a more democratic, transparent and accountable reform process which supports the establishment of a relationship of trust between the justice and security sector and the intended beneficiaries of reform, as well as the population more generally.

Civil society can perform a variety of different roles in the reform of law enforcement agencies and the security sector: such as representing public opinion in reform processes and informing the public about reform, building trust between the public and security forces, supporting state justice provision, providing legal services, and monitoring and evaluating the reform and governance of the security sector and law enforcement agencies⁵.

As well as accountability to civil society, other accountability mechanisms are of course essential and should be supported – including competent and independent audit commissions, parliamentary committees and independent media – in order to ensure that they are able to fulfil their oversight function.

Peace conditionality and incentivising peace

There are conflicts throughout the EU's neighbourhood⁶, including active conflicts in some countries of the Southern Neighbourhood; a high risk of conflict in other Southern Neighbourhood countries; the protracted conflicts of the Eastern neighbourhood, with high incidences of violence in some cases and the risk of violent conflict developing in others; and post-conflict transition taking place in other countries. It is therefore vital that the EU's new policy towards its neighbourhood is conflict-sensitive in itself and that it supports the EU's overall objectives to 'promote peace, its values and the well-being of its peoples' (Art. 3.1) and to 'preserve peace, prevent conflicts and strengthen international security' (Art. 21.2(c)) as stated in the Lisbon Treaty.

⁴ The World Development Report 2011 argues definitively that building legitimate institutions to deliver citizens security, justice and jobs has to be at the heart of external assistance to fragile and conflict-affected countries. Building these legitimate institutions requires accountability – oversight – at every stage.

⁵ For more information regarding civil society's role in the reform of the security sector and law enforcement agencies, please refer to "*Civil Society and Institutional Reform*" by Laura Davis, which was prepared for the Civil Society Dialogue Network (CSDN) meeting on "*Middle East and North Africa: The Role of Civil Society in Institutional Reform*", which took place on 1 December 2011 in Brussels.

⁶ In EU policy, European Neighbourhood covers Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, the Republic of Moldova, Morocco, the Occupied Palestinian Territories, Syria, Tunisia, and Ukraine.

The ‘more for more’ approach, one of the pillars of the new Neighbourhood Policy, is based on positive conditionality: **if** partner countries introduce more reforms **then** they will receive more benefits (more funds and more integration).

EPLO believes that peaceful engagement by governments should be rewarded under the ‘more for more’ approach. The EU should incentivise peaceful actions by recognising and supporting them.

Under the neighbourhood policy, there will be a set of benchmarks to demonstrate progress. As benchmarks are met, more funds and more integration will be offered by the EU. Below is a non-exhaustive list of benchmark types:

- free and fair elections;
- freedom of association, expression and assembly and a free press and media;
- the rule of law administered by an independent judiciary and the right to a fair trial;
- fighting against corruption;
- reforming the security and law enforcement sectors (including the police) and establishing democratic control over armed and security forces.

The EU should analyse the impact on peace and stability of reaching these benchmarks.

In the more detailed agreements concluded with particular countries, the following types of peaceful action could be rewarded:

- Genuine engagement across the conflict divide, for instance engaging in dialogue with neighbouring countries, breakaway regions, civil society movements and other relevant groups, and reducing militaristic rhetoric;
- Introducing and implementing legislation to protect the rights of minority communities;
- Demilitarisation (e.g. of border areas);
- Participation of women in peace negotiations and post-conflict policymaking;
- Reduction in military expenditure;
- Implementation of peace agreements;
- Respect for international law, including international humanitarian law, and rulings relating to conflict;
- Return of persons displaced by conflict and integration of IDPs (focusing on improving their living conditions and ensuring political participation);
- Support for reconciliation processes and truth commissions;
- Delivery of justice for victims of conflict;
- Cross-border cooperation that fosters peacebuilding in conflict-affected border regions;
- Desegregation of education systems.

Of course, these are suggested as examples: specific actions that promote peace or can be taken as a sign of peaceful engagement will vary from country to country and should be determined by detailed analysis of conflicts there.

Using the EU’s economic leverage

The EU’s real leverage lies not in its development assistance but in its overall economic power, including its trade relations. Even within development assistance, the bulk of EU support is not in regional funding instruments but in investment funds managed by the European Investment Bank

(EIB)⁷. One of the first reactions of the EU to the changing situation in its southern neighbourhood was to increase EIB lending to the region and the current proposal foresees that the EIB could provide almost €6 billion to the Mediterranean countries between 2011-2013.

In addition, the Foreign Affairs Council approved the negotiation of Deep and Comprehensive Free Trade Agreements with Egypt, Jordan, Morocco and Tunisia. Both of these measures have the potential to increase social equality, improve living conditions and support inclusive economic growth in the countries concerned. However, investment and free trade *per se* do not necessarily lead to these outcomes and may even have a negative impact. Therefore, the impact on social, environmental and conflict dynamics must be assessed properly before decisions about EIB loans are made and free trade areas or agreements are negotiated.

In light of this, the EIB should disclose information regarding the projects that are currently being screened in neighbourhood countries to enable affected individuals and communities to be involved at an early stage and to ensure that projects that are supported by the EIB contribute to equitable growth and social justice by subjecting their approval to democratic decision-making.

More for more AND less for less?

If more reforms lead to more benefits, then a failure to implement reforms should mean less money and less integration. In particular, in cases of human rights abuses, undemocratic changes or serious high-level corruption, or where a state has systematically failed to ensure that aid reaches communities, the EU should be prepared to suspend agreements and introduce other punitive measures (while being aware of the risks of doing so). In countries where the impact of withdrawing financial support is limited – for example, because of other sources of revenue – then the EU should review its use of other types of incentive, such as visa liberalisation, high-level meetings and visits (which give legitimacy to governments) and other forms of cooperation.

While it has always been clear that the EU is less inclined to apply ‘less for less’, a recent communication from the European External Action Service and the European Commission revealed that the EU does not intend to make use of it at all⁸, meaning that the worsening of the human rights situation in a particular country will at best result in no increase in support and/or integration (as opposed to a decrease or halt of support and/or integration processes).

Considering this serious limitation, it is all the more important that what remains of the ‘more for more’ approach, which is the positive part of the governance conditionality, is based on mutual accountability. Therefore, concrete mechanisms need to be put in place to monitor the performance of neighbouring countries. In this respect, it is important to ensure that implementation and not just adoption of reforms is monitored. The annual progress report is a useful mechanism for this monitoring; reviewing the benchmarks and the process of drawing up the report should be transparent and include civil society. Similarly, the EU and its member states should be subject to monitoring to ensure that the commitments regarding ‘more for more’ are met.

⁷ In the period from 2007 to 2010, the EIB provided loans worth €1.4 billion to Egypt, compared with EUR €558 million of assistance under the European Neighbourhood and Partnership Instrument (ENPI). Similarly, in Tunisia the EIB provided EUR €1.3 billion compared to EUR 300 million provided by the ENPI.

⁸ A letter by High Representative/Vice-President Ashton and Commissioner Füle to all EU Foreign Ministers dated 3 February 2012 outlines the implementation of the ‘more for more’ approach and states that “partners that have not embarked upon or undertaken significant reforms designed to build and/or consolidate democracy since the review of the ENP should not benefit from an increased offer but should also not be negatively affected in their relations with the EU”.

The EU needs to retain its identity as a normative foreign policy actor. It should not allow its own trade, economic and narrowly conceived security interests to trump ethical considerations. In the medium- and long-term, these interests are not served by providing support to undemocratic and conflict-generating regimes because it results in instability, economic development is unlikely, and the EU's credibility (and thus its influence) is damaged.

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POLICY REVIEW OF AND OPTIONS FOR EUROPE'S RESPONSE TO THE ARAB SPRING

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THE ARAB SPRING – WHY, POSSIBLE IMPLICATIO, WHAT CAN EUROPE DO?

Peter Frisch

The new Mediterranean

What are the reasons behind the social protests ('Arab democratic wave', 'Arab Spring') in the Middle East and North Africa (MENA) region? What are the possible implications for the societal systems of these countries and what should the EU do or avoid doing? The focus of this contribution is on North Africa.

In the wake of Ben Ali, Mubarak and Gaddafi's ousting, autocratic Arab leaders in the MENA region are reacting to nascent or ongoing demonstrations in their countries. Armed conflict in Libya, protests in Algeria, Egypt, Syria and Tunisia, and some unrest in Morocco all hint at profound socio-economic dissatisfaction.

The region is witnessing an increasing number of people living in poverty as there is high inequality in national income distribution; the poverty headcount ratio (\$2 a day, PPP, % population) is around 25 in Central Maghreb countries. A large proportion of the population lives close to the poverty threshold, which makes them vulnerable to poverty (through small reductions in income or small increases in the price of basic goods). The sustained level of unemployment across the region is one of the reasons for the persistently high proportion of people living in poverty. With a third of the region's population less than 15 years old, up to 30 million people will join the labour market by the middle of the next decade! Today, almost two thirds of the working age population is unemployed, underemployed or inactive. Youth unemployment, including among graduates, is particularly high, ranging from 18 (Morocco) to +/- 30 % (Algeria). The economic growth of the past decade was 'jobless' growth, with most jobs created in the informal sector (poor quality subsistence jobs with no social security).

The indicators of economic participation, educational attainment, health and political participation point to a significant gender gap. None of the countries in the region make it to the top hundred in the 2011 World Economic Forum Global Gender Gap report, which examined 135 countries. Education levels of women have improved substantially and young women are more likely to be better educated than their mothers. However, increased education has not led to higher activity and employment rates for women: only one in four women participate in the labour market.

The coexistence of economic insecurity, enhanced expectations and unaccountable governance has widened the gap between ruling elites and society, leading to protests. But the fall of the Arab regimes cannot be predicted systematically. There is no guarantee that the will of the people will overcome the well-practiced ability of some regimes to resist change.

Whatever the outcome of this social unrest, it seems to reflect an in-depth change of societal systems. Today, autocratic regimes are no longer shields against Islamism, but a third, democratic values-oriented path seems to be emerging (secular parties and moderate Islamists).

What role for the EU?

The failure of the authoritarian model calls for an overhaul of the European Neighbourhood Policy, which has been in place since 2004 (cf. Communications 8.3.2011 and 25.5.2011). Based on the principles of differentiation and mutual accountability, the EU is committed to offering more support to those countries that make greater commitments and greater progress towards democratic reform ('more for more'). Political reforms have been reinstated as a major priority in order to assist pro-democratic forces. It is true that all important cooperation areas are listed in the initial European Neighbourhood Policy documents. However, there has been a lack of focus and/or implementation problems in the past.

- (1) The EU needs to deal, as a matter of priority, with the socio-economic situation, which was at the root of the Arab spring (economic cooperation should prioritise a model and an approach to trade relations that favours job creation, social cohesion and social justice).
- (2) It is essential to bear in mind that the (new) leaderships and the people in the region are masters of their own destinies, even if we are defending universal values. The EU should offer to make available its 'know-how' on all critical areas of the democratisation process.
- (3) The EU should certainly make attractive offers, though these should be tied to strict conditions. In this respect, the three 'Ms' are mentioned by the EU institutions: 'market, money, mobility'.
- (4) Regarding 'money', it should attach realistic and jointly agreed conditions, to be called benchmarks ('more for more'), to its financial cooperation assistance.
- (5) The EU should make an effort regarding public diplomacy and reaching out to its partner countries, including civil society, explaining its policies and cooperation instruments.
- (6) It might be appropriate for the EU to offer its advice during reviews of national economic policies in partner countries, if the countries decide to do so. Choices made under autocratic regimes might need to be reviewed against the background of the world economic crisis (cf. fragility and volatility of economies or diversification needs), increasing unemployment trends, the concept of inclusive growth and the foreseeable shift in societal systems.

- (7) The EU and its partner countries should actively draw on the experience of the European Bank for Reconstruction and Development (*EBRD*) in Central and Eastern Europe in the 1990s.
- (8) Today, we accept the role of political Islam in the democratic processes of the respective countries and have an open-minded attitude towards parties who comply with the rules of constitutional politics (this also applies to accepting the results of elections). Also, the EU should follow closely the groups taking responsibility in the new governments after fair elections to make sure that they are inclusive and representative in decision-making, as opposed to the former autocratic regimes.
- (9) It is essential to monitor external impacts of the Arab Spring (migration flows, security in the Sahel) and to enhance political dialogue with partner countries.
- (10) Maghreb integration is a key objective in the region, considering that the 'costs of the Non-Maghreb' (1-2% less GDP growth) are too high. The EU has interesting experience to share in this respect.

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Disclaimer: ideas expressed in this paper don't necessarily represent the official view of the EEAS.

BILATERALISM, MULTILATERALISM AND THE EURO-MEDITERRANEAN REGIONAL PROJECT AFTER THE ARAB SPRING

Pol Morillas

More than a year after the Arab Spring, it has become commonplace to argue that Europe has failed to provide a strategic response and a change of paradigm in its relations with the southern Mediterranean. Some argue that this is due to a long history of flawed approaches and policies towards the MENA region, while others stress that the machinery of Euro-Mediterranean relations is too complex for straightforward responses.

One can also argue that, in addition, the EU has avoided thorough discussions about the prospects of bilateralism and multilateralism of Euro-Mediterranean relations in light of the Arab Spring. The European Commission and the European External Action Service (EEAS) have focused on revamping bilateral instruments (above all the European Neighbourhood Policy) to engage with revolutionary and reformist states. Yet no such clear guidelines have been provided on the future of the multilateral and regional perspectives of Euro-Mediterranean relations, first embodied by the Euro-Mediterranean Partnership (EMP) and today by the Union for the Mediterranean (UfM).

The reasons for this are manifold. They include: a) internal challenges in the EU, which limit its response to the Arab Spring; b) Europe's waning regional influence and the challenge posed by increased diplomatic activity and funds of other external powers; and c) a lack of perspective on the regional project of Euro-Mediterranean relations compared to bilateral relations.

Internal challenges downsizing EU engagement

Europe's very first reactions to the Arab Spring were reminiscent of previous mishaps in the MENA region. French Minister of Foreign Affairs Michèle Alliot-Marie expressing support for maintaining the status quo in Tunisia and subsequent debates on the closure of the Schengen space speak for an unfortunate first reaction to tectonic changes in the EU's immediate neighbourhood. However, these initial fearful and inward-looking reactions were soon replaced with the desire to put forward progressive engagements with nascent democracies. The EU turned on its listening mode and reacted to needs on the ground with a series of new instruments and a revision of policy frameworks which has focused on important aspects of democracy-building.

Besides the two Communications of the European Commission and the High Representative/Vice-President Catherine Ashton published in March and May 2011, the EU has created new programmes in support of Arab democracies, such as the SPRING programme (Support for Partnership, Reform and Inclusive Growth), the Civil Society Facility and the European Endowment for Democracy, among others¹. The EU has also promised to deliver on the so-called 3Ms – money, market access and mobility partnerships – under the leadership of the European Commission, which has taken the driving seat in responding to the Arab Spring by revising the instruments under its control. The role of multilateral initiatives such as the UfM was only mentioned *en passant* in the EU communications.

¹ A comprehensive analysis of EU instruments after the Arab Spring can be found at Lannon, E. (2012), "L'Union Européenne et la nouvelle donne géopolitique en Méditerranée. Bilan des Premières Réponses de l'UE et Perspectives dans un Contexte en Mutation", IEMed Paper n. 15, available at: www.iemed.org/publicacions-en/historic-de-publicacions/papersiemed-euromesco/15.-l2019union-europeenne-et-la-nouvelle-donne-geopolitique-en-mediterranee?set_language=en (last accessed on: 15 July 2012).

The focus on new policy instruments and facilities by European institutions has translated into an instrument-based response to the Arab Spring. Thorough discussions among European actors and decision-makers on the implementation of the instruments and mechanisms devised have also reinforced the bilateral dimension of the European response to the Arab Spring. Both trends respond to a series of circumstances².

First, the Arab Spring has come at a time when Europe is tackling its worst internal crisis in decades. The economic and financial downturn and the euro crisis have forced leaders to focus on safeguarding the European project and pay less attention to foreign affairs discussions and relations with the southern neighbourhood. Resources available have also been limited and although the amount and diversity of funds committed are remarkable for a time of economic crisis, they have fallen short compared to original calls for a “Marshall Plan” for the Mediterranean.

Second, with the exception of the Syrian and Libyan cases, member states have played a reactive role compared to the policy formulation of the EEAS and the Commission. They have not acted as promoters of policy formulation as they did with the initiatives of the EMP and the UfM. Southern EU countries such as Italy and Spain have lost credibility in the eyes of European peers as a consequence of the euro crisis and their economic recessions, and their new governments are not in a position to exercise leadership on the Mediterranean dossier. The electoral process in France has also opened a parenthesis on France’s policy towards the UfM. The new French President, François Hollande, has not yet expressed clear views on his plans for this intergovernmental body and may not be willing to do so until the euro crisis is over.

Third, the revolutions in Arab countries came when the EEAS was just being set up. A very young institutional framework has not been able to provide a comprehensive and coordinated response to the Arab Spring that can contribute to outlining a new vision of Euro-Mediterranean relations. The EEAS has started to reflect on the revitalisation of sub-regional initiatives such as the Maghreb Union or the Agadir Process. However, a revamped regional policy would also require bringing together the new instruments in place, coordinating them with EU foreign policy, the ENP and member states’ capacity to deliver, as well as the response of other regional and international organisations.

A multipolar region where Europe’s leverage diminishes

The Middle East and North Africa region is becoming a more competitive chessboard, where multilateral and regional frameworks of cooperation with Europe may lose their appeal. Although half of trade from the region still goes to European markets, economic relations do not necessarily translate into direct political leverage at a time when other external powers are reinforcing their diplomatic activity there. Actors and experts in Euro-Mediterranean relations believe that as a consequence of the Arab Spring, the EU will have less impact on regional development than Turkey and Saudi Arabia and almost as much as the Arab League, according to a recent poll conducted by IEMed³.

Other external powers with a less impressive historical record of relations with the region, such as China, are considered likely to be more influential than the EU in future by almost 40% of respondents. If we add to these figures the influence of the United States (which will be more influential than the

² Some of these arguments are explored in further detail in Morillas, P. and Soler i Lecha, E. (2012), “*EU and the Arab Spring, One Year After: A View from the North*”, EuroMeSCo Brief n. 39, available at: www.euromesco.net/images/briefs/euromescobrief39.pdf (last accessed on: 15 July 2012).

³ The results of the EuroMed Survey will be released soon at: www.iemed.org/publicacions-en/historic-de-publicacions/enquesta-euromed/euromed-survey-of-experts-and-actors-2011
Previous editions of the survey are available here: www.iemed.org/publicacions-en/historic-de-publicacions/enquesta-euromed

EU, according to 59% of respondents), it can be argued that the Arab Spring has configured a multipolar region, where the influence of European money, foreign policy initiatives and instruments will be challenged⁴.

With their eyes turned to the influence of other powers in the region, emerging leaderships are more hesitant to build regional projects based on traditional concepts of EU involvement in the region. The focus on conditionality in recent EU communications is an example of the lack of adaptation by the EU to the new regional scenario and risks broadening a political dialogue gap between both shores of the Mediterranean. In addition, it reveals how Europe is “twiddling with the tools rather than rethinking the nature of the relations” between the EU and its Mediterranean partners⁵, making a scenario of “EU exported governance” hard to accept for newly-elected democratic regimes⁶.

Finally, the Arab Spring has reinforced the centrality of national political landscapes and “national dignity” despite the demonstration effect of the revolutions across the region. If nation states are the most powerful framework of reference, the assertiveness of new political elites is likely to have a negative impact on the EU’s leverage to shape events. Also, the perception of interference of external powers is likely to increase depending on the policies proposed, which partly accounts for the EU’s “listening mode” and the priority given to bilateral assistance upon local demand. All in all, future leaders of the region may not pay as much attention to the EU as before. This is due to the existence of a more competitive chessboard in the Mediterranean and the new elites speaking different languages regarding the involvement of external powers in the region.

No clear views on the future of the Euro-Mediterranean project

The Arab Spring has generated a more fragmented region, in which different paths and speeds of democratisation can be identified. Whereas the pre-Arab Spring region remained quite monolithic in terms of the nature of regimes, the new Mediterranean is likely to witness the co-existence of democratic and non-democratic regimes, hybrid political systems and diverging speeds of political and socio-economic development. As a consequence, a growing chorus of voices in the EU is demanding that Europe focuses its policies on a series of “showcases”, in particular Tunisia.

According to these views the crisis in the EU and the limitation of Europe’s leverage require a more modest contribution to the processes of democratic transition, focusing on those areas and countries where the EU’s expertise can provide more added value – such as constitutional, security-sector or judicial reform. In a sense, the focus of EU communications on “differentiation” and the “more for more” principle (more assistance and resources to those countries that make more progress on democratic reform) embodies this “limited” action of EU policies towards the region. A consequence of this approach would be to strengthen bilateral policies towards specific countries and sectors at the expense of the Euro-Mediterranean regional perspective.

In addition to debates on the appropriateness of a regional approach, Euro-Mediterranean relations as such have recently followed diverging dynamics as well. While the ENP has consolidated the bilateral

⁴ More on this concept can be found in Leonard, M. (2011), “*Europe’s Multipolar Neighbourhood*”, Carnegie Europe, available at: <http://carnegieeurope.eu/publications/?fa=45650> (last accessed on: 15 July 2012).

⁵ A comprehensive study on this issue can be found in Balfour, R. (2012), “*EU Conditionality after the Arab Spring*”, EuroMeSCo Paper n. 16, available at: www.euromesco.net/images/papers/paperseuromesco16.pdf (last accessed on: 15 July 2012).

⁶ A relevant analysis on the likelihood of this scenario is provided in Youngs, R. (2012), “*When Gravity Fails... Five Futures of Euro-Mediterranean Relations*”, FRIDE, available at: www.fride.org/publication/1010/when-gravity-fails...five-futures-for-euro-mediterranean-relations (last accessed on: 15 July 2012).

track, the multilateral one embodied by the UfM struggles to succeed despite recent advancements on the co-presidency (now exercised jointly by the EEAS and the European Commission to the north and possibly Jordan soon to the south). The regional perspective has progressively eroded since the launch of the Euro-Mediterranean Partnership in 1995 and a fatigue of Euro-Mediterranean relations can be identified both among some EU member states and southern political leaders and experts.

Both debates (i.e. the focus on “showcases” of transition and the fatigue of the regional perspective of the Euro-Mediterranean process) require in-depth debates in the EU and between the EU and its Mediterranean partners. As of today, thorough discussions about the new neighbourhood instruments and the advancement of the bilateral agenda have not been matched with debates about the future of the regional and multilateral dimension of the Euro-Mediterranean project. For that matter, more debates will be needed on the role of 5+5 dialogue frameworks, the extension of the Mediterranean agenda to the Gulf region, the role of Turkey and the contribution to future sustainable Arab-Israeli relations, to name a few of the key challenges ahead.

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THE ARAB SPRING AND THE FUTURE OF EURO-ARAB RELATIONS: A PALESTINIAN PERSPECTIVE

Omar Shaban

It is needless to say that the Palestinian people welcomed warmly, like the other Arab nations, what has been called the “Arab Spring”. The Palestinians – who suffered the Israeli occupation and the intra-Palestinian division – have looked at the Arab Spring as a new window of opportunity which might alleviate their suffering by helping to re-gain the unity between Hamas and Fattah as well as by persuading the international community to push Israel to end its occupation and to resume the peace talks.

As a matter of fact, although the Arab Spring focussed on internal issues by calling for democracy, justice and social equality, very little was said in relation to freeing Palestine. The Palestinian people realized that there is a direct correlation between the democratic regimes rising after the Arab Spring and the possibility of a stronger support to the Palestinian cause. This link proved to be true in light of the fundamental improvements at the Rafah Crossing and of the Egyptian efforts to prevent Israeli aggression to Gaza on several occasions.

The Arab Spring was welcomed by all sectors of Palestinian society and politics, though for various and different reasons. The Palestinian people followed with great enthusiasm – and even some jealousy – the events in Tunisia and Egypt, as they hoped that they could emulate those experiences by demonstrating against their own leadership. As a matter of fact, since the Palestinian political leaders were divided, they were perceived by Palestinian people as deepening their sufferings due to Israeli occupation. The Palestinian people wished that the new Arab regimes would be more democratic and, thus, also more supportive of their national cause. Palestinians also believed that the new leadership would take a more independent stand *vis-à-vis* the US position, unlike the two ousted regimes in Tunisia and Egypt.

Moreover, Palestinians have been very proud of the Arab Spring as they see themselves as the inventors of such popular movements, which have their roots in the two *intifadas* of December 1978 and September 2000. This is why the Palestinian youth organized a demonstration calling for the end of political division between Fatah and Hamas on the 15th of March 2011. Young people wished to express their support to the Arab Spring and, also, to show they could do that, too. However, the “Palestinian Spring” called for by the youth did not fully achieve what it aimed at, though many observers believe that the youth movement added new fuel to reconciliation efforts in Palestine.

As a matter of fact, President Mahmoud Abbas himself made use of the Arab Spring when he decided to go to the United Nations General Assembly, bidding for the international recognition of a Palestinian state, in September 2011. He was sure that no Arab government would dare to publicly object such decision. President Abbas and his government have actually confronted less pressure from many Arab countries to continue peace talks with Israel with no guarantee of suspension in the construction of Israeli settlements in the West Bank, in sharp contrast with the approach of some ousted regimes, especially Egypt.

The Hamas movement and its government in Gaza also welcomed publicly popular movements in the Arab world, especially in Egypt, as the ousted regime of President Mubarak did not recognize neither the Hamas movement nor its government. As a consequence, the fallen Egyptian regime had never received their leaders formally and had also prevented the full opening of the vital Rafah Crossing. Also,

Hamas accused Mubarak’s regime of encouraging Israel to carry a war in the Gaza strip between December 2008 and January 2009. This is why Hamas welcomed the change in Egypt as well as the great victory in the following elections of its affiliated political partner, the Muslim Brotherhood. The change in Egypt created the possibility of a strong influence between the two political movements. As a consequence, the new regime in Egypt in general and the Muslim Brotherhood in particular enjoy great influence on Hamas in order to persuade it to respect the on-going truce with Israel or to accelerate reconciliation with Fattah. The success of Egyptian mediations between Israel and Hamas on a prisoners swap deal in October 2011 as well as between Hamas and Fattah in November-December 2011 can provide excellent examples of such a positive influence.

The Arab Spring started in Tunisia and still under making in Egypt, Yemen, Libya and Syria have posed unprecedented challenges not only to the Arab countries, but also to the rest of the world – especially Europe – due to its economic, political, historic and geographic ties with the Arab world. As a matter of fact, the Arab Spring has shown that Arab people are committed to democracy and social justice. The democratization of the Arab world will be a very effective instrument to bridge the gap between the Arab world and Europe, as both will hopefully share the same concepts, principles and styles of political and social life. However, reaching that goal is still a long way to go for the Arab world, having in mind that it took Europe several decades to reach the level of democracy which Europe has been living and enjoying so far. Needless to say, the democratization of the Arab world means stability, equal opportunities, equal citizenship, active contribution to the world peace and civilization as well as less immigrants from the south to the north and less aid from the north to the south. This will also lead, in due time, to less radicalization and extremism.

The road to democracy is full of obstacles and challenges, so it requires time, patience and sacrifices not only for the Arab world, but also for Europe, whose interest remains to have a fully democratic world. Building on the fact that democracy in the Arab world is not only good for the Arab people but also for its neighbours, Europe should give a hand to the Arab nations to help them in achieving their ambitions.

There are countless ways for Europe to help the Arab nations to reach their dreams of becoming more and more democratic societies. However, Europe should not allow itself to treat the Arab world as both its teacher or its own parent; otherwise, such behaviours will lead the Arab people – including intellectuals, business people, youth, political parties and other social groups – not to make the needed efforts and sacrifices to achieve democracy. The Arab world should do their homework and Europe – as neighbour – must help as a friend, not as a teacher. This would be good for both sides of the Mediterranean.

In addition, there are also some points which should be taken in my assessment, when designing EU policy towards the new Arab world:

- The general perception in the Arab world is that the fallen dictatorships in the Arab world would not have survived for so long without the support of Western governments. As a matter of fact, such regimes were given all means to endure, such as weapons, recognition, protection, information etc. The new policy of the EU towards the Arab world should thus keep this in mind. According to that, Europe should formulate its cooperation policies by making clear links between the level of democracy and the level of cooperation.
- It has been argued that the social and economic problems of the Arab world have impacted Europe through radicalization, illegal immigration, aid dependency and a widening trust gap between the two sides of the Mediterranean. Moreover, a clear perception exists that resources of the Arab world have been misused by Western countries and their companies. So, the new policy of the EU

should focus on joint projects applying win-win methods by both sides of the Mediterranean. This is particularly needed in the field of common challenges such as renewable energy, environment pollution, climate change, youth, fight against radicalism, immigration, higher education and vocational training, rule of law, local governance as well as cooperation between NGOs.

- Europe should work hard to regain the friendship of 300 million Arab citizens, not merely the one of Arab leaders, as it was the case before the Arab Spring. This requires more contacts with people, better advertisement and media coverage on the on-going cooperation projects. European officials also need to reach out to people in the streets when visiting the Arab world, increase joint university projects and equal business partnerships between Europe and the Arab world.
- The Israeli-Palestinian conflict and the lack of progress in the peace talks are still to be considered as one of the key obstacles in reaching a lasting and just peace. Although the EU Member States – bilaterally – and the EU – collectively – have been very generous in supporting the establishment of the Palestinian Authority and in helping Palestinians themselves, Europe needs to increase its political intervention and to be more strongly engaged in advancing peace talks with Israel as well as in supporting the advancement of a free Palestinian state.

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CONCLUSION

TOWARDS A COMMON EURO-MEDITERRANEAN HOME? FOUR PRINCIPLES TO ENHANCE DEMOCRACY, DEVELOPMENT, SECURITY AND COOPERATION IN THE MIDDLE EAST AND NORTH AFRICA REGION

Andrea Frontini

Introduction

The Arab Awakening has proved to be a historically unprecedented political season for the Middle East and North Africa (MENA) region, both domestically and globally. Upheavals in early 2011 facilitated crucial democratic transitions in a number of countries, giving voice to long-repressed societal demands and political movements. Also, the removal of authoritarian regimes in Tunisia, Egypt and Libya as well as massive revolts in Syria and Yemen altered deep-rooted geopolitical (im)balances and injected unprecedented and still largely unforeseeable dynamism both in the region and beyond. At the same time, however, many challenges still remain, thus affecting regional development and stability.

More than one year after the start of that process, the time has come to examine some of the most urgent issues to be tackled in order to ensure that the potential of the Arab Spring translates into consensus, prosperity and cooperation in the whole region. In this regard, in late March 2012 the European Policy Centre (EPC) and its partners invited a number of representatives of institutions, the private sector and civil society both from Europe and the MENA region to engage in an intense two-day conference in Brussels, with the aim of discussing current developments and possible policy responses to the Arab Spring.

This paper is based on a largely personal interpretation and contextualisation of some of the main conclusions and recommendations of that exercise. As such, it aims to elaborate these insights into four principles to promote democracy, development, security and cooperation in the MENA region.

Avoiding ideological polarisation and promoting consensus in transitional domestic politics

The most striking result of the democratic awakening in the MENA region is the emergence of political pluralism in several countries in the area. This took the form of freer elections (as in Tunisia, Egypt, Morocco and Algeria) and, in some cases, triggered either a constitutional (as in Tunisia and Egypt) or a semi-constitutional process (as in Jordan and Morocco). Other countries seem willing to follow, although with varying degrees of ambition, from the recent elections in Libya to the 'enlightened' reforms adopted in Qatar. These developments will prove with little doubt a complex and sometimes contradictory process, depending on both the political and cultural maturity

of each country concerned and the power structure inherited from past and current regimes. However, it is undeniable that a progressively democratic wave is taking root in the MENA region, confounding long-standing assumptions as to the inherent incompatibility between democracy and the Arab world.

What is more, the on-going political developments in many countries of the region clearly show the rise of political Islamism as well as its growing influence on society and politics alike. Indeed, the unparalleled transformation of the political landscape in the MENA region should neither surprise nor excessively alarm observers from both within and outside the area.

As a matter of fact, the emergence of faith-based politics is deeply intertwined with the very history of Islam, which is an orthopraxis and, as such, a creed embracing all aspects of human life. As a consequence, political power in the MENA region has long been dependent on religious legitimacy: that was, *inter alia*, the case of the Ottoman Empire, whose *Sulṭān* was also *Khalīfah* (i.e. leader of the faithful) or the pre-1969 Sanussi Kingdom of Libya, and it is still the case – albeit in a rather different context – in Morocco, Jordan and Saudi Arabia. Moreover, since the late 20th Century, Islamic modernism has been spreading throughout the Muslim world in general and in Arab countries in particular, as a reaction to both the decay of Ottoman legitimacy and Western imperialism.

Nonetheless, fragile statehood and unsolved contradictions inherited by colonial powers in the region favoured, among other things, the rise of authoritarian regimes in most MENA countries, especially through *coups d'état* (such as in Egypt, Syria, Libya and Iraq) or as a result of bloody civil wars (like in Algeria and Yemen). Despite their seemingly secular narratives, the new regimes soon failed to deliver on their promises of renewal by establishing corrupt, illiberal and mutually hostile political systems throughout the whole region. In that context, Islamist movements have been denigrated as potentially lethal adversaries of incumbent regimes and their largely unsuccessful modernisation efforts. Such persecution was particularly easy to achieve during the Cold War, due to instrumental support for local undemocratic regimes by the two competing blocs, and also overcame the end of bipolar competition thanks to the general interest of both traditional and emerging world powers in maintaining regional stability. The radical and bloody shift of the Iranian Revolution in 1979 also strongly contributed to forging Western cultural assumptions of the unsolvable irreconcilability of Islam and democracy, with little understanding of the historic circumstances in which those developments had taken place. Moreover, this increasingly widespread belief later became unintended collateral damage of an ideologically-biased post-9/11 international security agenda.

However, the growing failure of the Arab nationalist pattern in most of the region did not come without consequences for the evolution of political Islamism. In response to the lack of functioning institutions, widening socio-economic inequality and the militarisation of public life, political Islam could attract growing consensus in Arab societies by creating parallel power structures, notably based on alternative labour and social security systems. This was, *inter alia*, the case of the Muslim Brotherhood (*Al-'Iḥwān*) in Egypt, *Hizbu-llāh* in Lebanon and *Ḥamās* in Palestine. These dynamics, however, were not allowed to translate into official politics in most countries, and even when they did so, they were immediately condemned and violently repressed by incumbent regimes, as was the case with the Algerian elections of 1991.

Such attitudes contributed to growing extremism among several Islamist movements, which sometimes degenerated to both domestic and international terrorism. This was particularly notable in the Middle East and the Arab Peninsula, where radicalism smartly exploited growing political unrest, social backwardness and inequality as well as unsolved regional conflicts. Moreover, the

adoption by Western countries of a security-focused approach in the early 2000s led to the development of a contradictory stance towards the political evolution of the MENA region, based on supporting democratic developments only when outcomes matched Western expectations, as in the case of the electoral victory of *Ḥamās* in Palestine in 2006. Though the radical discourse and the supposed links with terrorism of that movement encouraged tough international reactions at that time, incoherence between rhetoric and practice, especially on the part of Europe, diminished the West's credibility and leverage in the area. This might also have encouraged, at least to some extent, authoritarian regimes to step up their repression of faith-based organisations. Even moderate Islamist movements – with the remarkable exception of post-2002 Turkey – ultimately remained a political *pariah* in the eyes of both Western decision-makers and local rulers, lurking in the streets of Arab capitals like Marx's notorious ghost.

The Arab Spring deeply challenged the *status quo* by allowing faith-based movements to participate in the political arena. In some cases, they joined transitional governments and are currently involved in forging new constitutions. In the remarkable case of Tunisia, elections led to the victory of a moderate Islamist party, Ennahda (RD), which is expected to pursue a democratic agenda inspired by Turkey's Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP), while forming a binding governmental coalition with secular political movements. Moreover, the recent presidential elections in Egypt also resulted in success for the Muslim Brotherhood's candidate, who pledged to inaugurate a new era in the country's history based on internal unity and good relations with all neighbouring countries. Should such experiments prove successful, a new political season might unfold, making Islamist democracies a credible and, possibly, dominant model for the whole MENA region. Nonetheless, in many cases this will also require a steady shift in the political agendas of faith-based parties, from a predominant focus on social and moral issues to more tangible, policy-oriented programmes.

Although the rise of new such political forces can be hailed as an avoidable and healthy step towards the creation of pluralistic and democratic countries able to address the aspirations that ignited the revolts, the fact remains that the risk of ideological polarisation is clearly present, especially in those countries undergoing a process of deep political transformation. As a matter of fact, a number of internal cleavages can be identified, notably between secular and religious movements, reflecting competing visions on a wide range of crucial issues, among which the relationship between the state and religion, the economy and finance, the status of women, and future relations with Muslim and non-Muslim countries.

As a consequence, the internal political climate is at risk of deteriorating seriously and ideological polarisation could easily turn into lasting decisional paralysis and result in, at least to some extent, a power *vacuum* to be filled by either populist or revisionist forces. This would, in turn, prevent the fulfilment of societal demands and could result in continuing and violent unrest.

All this makes the need for consensus and dialogue between post-revolutionary political forces particularly crucial, representing the *conditio sine qua non* for every subsequent policy initiative. This is not an easy task and it definitely requires a great amount of self-restraint, patience and *do ut des* in highly politically-sensitive areas, while ensuring the respect of benchmarks consistent with universally agreed standards. These entail the safeguarding of human rights and fundamental freedoms, including freedom of expression and association, gender equality and the protection of minorities.

Moreover, further attention will need to be paid to monitoring each party's commitment to the principles set forth in emerging constitutions and ensure their early implementation in law-making

and enforcement in the months and years to come. Nonetheless, building up a lasting consensus in transitional politics will ultimately help to consolidate democracy at home, while providing an encouraging example for other countries undergoing a democratic process both in the region and beyond.

Providing youth employment, gender equality and social advancement through a renewed social contract and a sustainable and regionally integrated development agenda

It is self-evident that successful political transitions cannot be separated from socio-economic development, especially towards better living standards. This is particularly true in the case of the MENA region after the Arab Spring.

As a matter of fact, rising unemployment – combined with food and fuel price volatility – was one of the reasons behind the huge protests which shook Tunisia and Egypt in early 2011. At the same time, the impact of the Arab Spring on the economy of several MENA countries is proving particularly harmful, resulting in long-term inflation, the postponement of consumption and investment decisions, a decrease in regional trade and foreign direct investment (FDI) and – consequently – brings risks of a new and massive rise in unemployment. This is also worsened by the fact that, with the exception of Libya, the most promising political developments in the region are taking place in resource-poor countries such as Tunisia, Egypt and Morocco, which cannot rely on energy resources to counter the macroeconomic impact of the upheaval. Should current governments fail to address the on-going situation, this will have long-ranging social and political implications.

Such an outlook requires governments to effectively address the numerous structural obstacles to sustainable and inclusive growth for the years to come. The first issue to be tackled is undoubtedly job creation, especially among young people and women. According to available data from the OECD and the World Bank, approximately 25% of the young people in the MENA region officially lack a job. This problem is particularly acute among the most educated, showing a wide gap between university standards and the needs of domestic labour markets. What is more, this dramatic situation is only partially balanced by the size of the informal economy, due to the precariousness and over-exploitation of employees. Unemployment among women is reported to be worryingly severe due to a combination of societal prejudices and a lack of appropriate policies and regulation. All this has resulted in long-term unemployment in the region as a whole ranging between 10 and 25%, while demography demands the creation of 25 to 50 million jobs over the next decade simply to maintain employment at current levels.

This growing emergency clearly points to fallacies in the economic structures and formulas still in place in most of the region. These include widespread corruption, cronyism, a suffocating and unsustainable public sector made up of governmental bodies and state-owned enterprises, and low entrepreneurship. Such conditions, combined with little trade diversification in most countries and poor intra-regional trade (including in economies with no endowment of natural resources) deeply affected past economic growth. Moreover, such distortions – notably the distribution of jobs or subsidies for the purpose of achieving consensus – contributed to increasing social inequality, even in those countries embracing economic reform in the last two decades. On top of that, FDI has mostly been limited to either non-tradeable or low capital-intensive sectors, thus slowing down the catching up of regional export-oriented production with the international value chain.

Such a sombre context demands a sustainable and balanced policy response, based on short and long-term measures alike. In the short term, it is essential for governments to tackle the immediate needs of their populations by increasing investment in the welfare system, including social security, housing, health, education and professional training. This should aim at re-forging a more equitable

social contract to protect the weakest sectors of society from a deteriorating economic environment. In this regard, strong emphasis should be placed on targeting youth and women as priority recipients of these measures. Also, since public budgets in many countries of the region are already under severe strain, immediate financial assistance by international donors is strongly needed, including by the EU. This is also particularly important in order to avoid the adoption of popular yet ultimately harmful measures, such as food and fuel subsidies as well as arbitrary expropriation of domestic or foreign-owned undertakings.

At the same time, however, more ambitious and structural measures should be adopted by local governments in order to enhance market efficiency, thus spurring inclusive growth and widespread employment. This requires, above all, improving transparency and the rule of law as well as increasing capital endowment and productivity. Though external actors can definitely play a role in this too – especially by providing expertise, sharing best practice, offering long-term loans and making substantial trade concessions – it is clear that primary responsibility lies with local leaderships.

It is obvious that this endeavour will need to build on a solid and courageous vision, fostered by a wide consensus on priority development goals by the whole spectrum of political forces in each country. Moreover, this process will prove time-consuming and will bring sometimes painful social consequences, thus requiring prompt welfare instruments to be put in place. Nonetheless, the potential to fulfil societal expectations through inclusive and balanced growth is very high and should be achieved through specific policies that aim to widen the market's players, scope and sectors. These include, among other things, the promotion of SMEs as well as the development of increasingly technology-intensive manufacturing, services (such as tourism) and renewable energies (especially from solar sources).

Moreover, proper efforts should be devoted to reinforcing the regional dimension of economic development, in terms of both inter and intra-regional trade and FDI. As a matter of fact, the MENA countries offer promising complementarities between capital and labour-intensive – and between energy-rich and poor – national economies, which could foster the creation of interdependent economic areas, for example between member states of the Agadir Agreement (Morocco, Tunisia, Egypt and Jordan) and those of the Gulf Cooperation Council (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates). Finally, the potential for stronger and more comprehensive economic integration with Europe remains largely unexploited and thus needs to be encouraged through more ambitious vision and policies, as argued in the final section of this paper.

Guaranteeing effective and accountable security sector reform through democratic oversight and engagement by civil actors

The issue of security and internal order has played a paramount role in the Arab Spring from a twofold point of view. On the one hand, the resolve to get rid of oppressive domestic security apparatus was a crucial driver of the fight for liberty in Tunisia, Egypt and Libya, and it is likely to become more and more pressing as incumbent regimes in Morocco and Jordan have to grant more pluralism and freedom to their own citizens. On the other hand, the impact of the Arab Spring on internal stability has been remarkable, exposing emerging governments to a wide range of challenges and threats, including the spread of small and light weapons (SLWs), reduced law enforcement and the rise of violently competing *militias*, as well as vulnerability to organised crime and, in some cases, to transnational terrorism.

All this looks even more worrying in the light of persistent instability in the region, including border disputes (e.g. between Morocco and Algeria), bilateral and/or internal conflicts (e.g. the wider Arab-

Israeli issue), mid and low-intensity civil wars (e.g. in Syria, Yemen and Lebanon), enduring risks of state failure (e.g. Libya and, notably, Iraq) and rising security concerns (e.g. the Iranian nuclear programme and its impacts on foreign and military policies in Israel and the Gulf countries).

It is thus essential for transitional governments emerging from the Arab Awakening to address the issue of security sector reform with the aim of providing their citizens both with democratic and civil society oversight as well as with a fairly high level of public order and internal security. The task is, of course, extremely challenging due to the need to strike an often fragile balance between national stability and personal freedoms in a fast-changing political and institutional scenario. It also goes without saying that no one-size-fits-all solutions can be applied, as situations vary on the basis of past relations between toppled regimes and security forces, of the role of this apparatus in society (including in political and economic life) and their reactions to past and on-going unrest, of the degree of sectarianism and internal cleavages, as well as of the susceptibility of current regimes to external influence or interference.

As a consequence, security sector reform will follow country-specific paths, although some common criteria for successfully pursuing this exercise can be sketched out here. The first pre-requisite is the existence of a strong civilian leadership willing and capable of imposing its control on the security forces. As history in Europe and elsewhere clearly demonstrates, this is far from easy to achieve and requires above all wide political consensus on the need to oversee security institutions, including external and internal intelligence. Moreover, as shown by recent developments in Turkey, relations between the political leadership and the security apparatus can lead to long-standing confrontations, sometimes shaking a country's very stability.

The second condition is that society at large – including civil society organisations and notably NGOs – could play its part in both discussing internal security matters and priorities, and contributing to ensuring democratic control over security forces. This could be done by fostering security policy debates through independent research, information campaigns and public events, as well as by increasing collaboration with and impartial advice to relevant governmental bodies involved in internal order and security, notably to the ministries of the interior and defence.

The third, crucial criterion for effective security sector reform in the MENA region is finding a balance between eradicating figures compromised by association with the old regimes and allowing an effective and functioning security machine. While 'mass purge' solutions have proved to be particularly counterproductive – as the case of post-2003 Iraq suggests – it goes without saying that indiscriminate amnesty policies would be both politically damaging and morally indefensible, and would also undermine the case for enforcing democracy and the rule of law domestically. As a consequence, specific benchmarks should be agreed upon by local political bodies in order to be employed in re-engineering personnel structures and responsibilities. Though this requires setting up specific legal provisions at national level, a clear principle should be established, i.e. the removal and judicial persecution of figures responsible for gross human violations both before and during regime change, including torture, mass murder and deportation, as well as ethnic or religious cleansing. In this regard, independent boards made up of selected representatives of both the judiciary and the civil society sectors should be established in order to impartially investigate the past conduct of security personnel.

Reforming the security sector in those MENA countries undertaking major pro-democracy reforms will undoubtedly necessitate a great deal of time and effort, as well as a favourable overarching political climate which, for the time being, is probably present in Tunisia only. As a matter of fact, while both Morocco and Jordan seem to be only at the beginning of a still uncertain top-down political transition, Egypt's political life is still marked by the influence of the Supreme Council of the

Armed Forces (SCAF), which makes any security reform effort particularly difficult to pursue in the current situation. However, history suggests that no real or long-term democratic transition is achievable if elected bodies do not retain ultimate control over the legitimate use of force. As a consequence, governments in the MENA region will need to tackle the issue in due time if they are serious about meeting their citizens' growing demands for freedom and security.

In this respect, there also seems to be wide scope for international teamwork in this sector, both from within and outside the region. As a matter of fact, not only would intra-regional collaboration facilitate the strengthening of mutual trust in a traditionally sovereignty-centred area, but it could also possibly pave the way for future practical security cooperation. Moreover, the issue of capacity building should be addressed urgently, in the light of existing security challenges in the region. In this regard, Western countries – and particularly Europe – should be available to provide training and technical assistance in a wide variety of areas, spanning from prison reform to border security, if so requested by local governments.

Forging trustful, realistic and pro-active EU-MENA cooperation

It is fair to argue that the Arab Awakening took Europe by surprise. As a consequence, the prompt response by both the EU and its member states to the most significant geopolitical shift in their neighbourhood for more than twenty years was initially slowed by a mixture of bureaucratic intricacy and political cacophony.

As a matter of fact, the revolutions in the MENA region coincided with the early implementation phase of the new European External Action Service (EEAS), which is designed to provide Europe with an increasingly united stance on the international scene. This put enormous pressure on its still embryonic institutional machinery and made coordination between EU member states and EU external policies hard to achieve and project outside. At the same time, some member states' initial support for contested regimes served to severely undermine the EU's credibility as a normative power and risked dealing a major – and potentially fatal – political blow to the entire post-Lisbon European foreign policy.

However, after some hesitation, the European Union managed to develop a clear political endorsement of the Arab Spring as well as to start adjusting its relevant policies accordingly, through a series of specific on-going and planned strategies, programmes and mechanisms. These include the so-called 'three Ms' (money, market and mobility), the SPRING (Support to Partnership, Reform and Inclusive Growth) programme, the Civil Society Facility, the European Endowment for Democracy and the geographical extension of the Erasmus Mundus Programme. The EU's renewed approach to the MENA region mainly entails a fully-fledged revision of the European Neighbourhood Policy (ENP) in the Southern Mediterranean, based on positive conditionality (the so-called 'more for more' approach, which links EU assistance to political and economic reforms in recipient countries), increased country-based differentiation, more focus on socio-economic sustainability, progressive regional trade liberalisation with the countries of the Agadir Agreement, pro-'deep democracy' measures including support for local civil society, and – albeit rather timidly – some willingness to ease existing hurdles to people's mobility.

On top of that, the EU has made some progress regarding sanctioning mechanisms put in place *vis-à-vis* repressive regimes in the region. This was notably the case with the UN-backed military intervention in Libya, as well as with the diplomatic and economic embargo against the Syrian regime. However, while the operation in Libya was carried out in a 'coalition of the willing' format under NATO command, with no involvement of EU crisis management tools, the current strategy adopted against Bashar al-Assad's regime in Syria risks delivering too little to prevent massive

violence from spreading across the country and beyond. As a consequence, it can be said that the Arab Spring has thus far represented a missed opportunity to revitalise the Common Security and Defence Policy (CSDP) in an area of key interest for Europe.

Though undoubtedly more courageous than past policies, especially when it comes to supporting pro-democracy movements in the area, the EU's response to the Arab Spring still presents a considerable number of uncertainties, among which three issues are to be highlighted. The first one concerns the consequences of the financial crisis on Europe's leverage, in terms of both its current and future capacity to offer assistance to MENA countries. Indeed, while it is generally agreed that the EU's financial commitment did not match initial expectations and grand plans, its irrelevance might grow still further in the future should the European Commission fail to be granted its request to reinforce the European Neighbourhood Policy Instrument (ENPI) in the relevant chapter of the next EU budget, for 2014-2020. The second issue to be tackled relates to the risk of a steep decline in Europe's 'soft power', i.e. in the EU's capacity to act as an attractive model for regional peace and integration. As a matter of fact, EU member states' current inability to secure a common strategy to deal with the aftermath of the economic crisis, the rise of populist and anti-democratic political movements in both the EU's founding countries and newcomers, and the widening gap between citizens and politics at all levels risk, among other things, undermining the appeal of the European project, and thus weaken the EU's overall influence on the international scene, including in the MENA region. The third and final difficulty may come from the growing influence of third players in the region. As a matter of fact, the Arab Spring was followed by a season of strong politico-diplomatic activism by Turkey, even if this entailed a definite revision of Ankara's so-called 'zero problems with neighbours' regional policy. Moreover, the USA's declining interest in the region was made clear by the adoption of the so-called 'strategy from behind' during NATO's campaign in Libya and US policy is likely to remain such due to the current, election-driven domestic retrenchment. At the same time, regional and non-regional players such as some Gulf petro-monarchies – and to some extent China – have the opportunity to exploit the Arab Spring to inaugurate a post-Western geopolitical transition on Europe's closest periphery by promoting their controversial (and arguably unstable) political and socio-economic patterns, thanks to their remarkable financial leverage. All these dynamics risk deeply affecting, in a way or another, Europe's influence on political and economic developments in the area, thus lowering both the power of its narrative and the effectiveness of its tools.

Against this background, it is nonetheless imperative for Europe to inaugurate a new era of Euro-Mediterranean cooperation, based on trust, realism and pro-activeness. These principles have some important policy implications.

Firstly, Europe will have to commit to a continuing dialogue with the emerging political and social actors in the MENA region. Indeed, this might prove far more challenging and time-consuming than ever before. As a matter of fact, the political vision dominating most of the countries affected by the Arab Spring marks a clear departure from the instrumentally pro-Western stance of past regimes. This, in turn, is likely to translate into a push for more equality, but also for more autonomy, in relations with Europe. At the same time, the emergence of pluralistic yet still fragile democracies offers a unique opportunity to Europe to engage local stakeholders – starting from NGOs and other civil society organisations – in boosting the openness and interconnectedness of their own societies. To do so, however, a thorough analysis and understanding of societal values, interests and dynamics at both national and sub-national level will be essential for Europe in order to take concrete actions to foster collaboration and mutual trust with the MENA region.

Secondly, an ambitious but realistic vision about the future Euro-Mediterranean architecture should be developed. As a matter of fact, the existing EU-led initiatives alternated between bilateral

(i.e. ENP) and multilateral (i.e. Union for the Mediterranean, UfM) approaches with disputable coherence and, ultimately, little success. While the EU's past record of cooperation provided remarkable tools, processes and mechanisms on which to build further action, a brand new vision of Euro-Mediterranean cooperation is also needed, combining present work strands with renewed political impetus. This requires, above all, wide political reflection about the level of ambition to be implemented in future initiatives, especially focussing on ways to enhance EU-MENA integration in the absence of an EU membership-centred perspective. This could take, among other things, the form of a stronger push to create a Euro-Mediterranean free-trade area, based on a common *acquis* (according to the 'everything but institutions' formula), as well as on the free circulation of capital, goods, services and people. Nonetheless, considering the existing and presumably continuing diversity of political and socio-economic standards in the region, the EU should also seek closer cooperation with those MENA countries which are more willing and capable to pursue a reform agenda. This might entail a 'two-speed' model for Euro-Mediterranean cooperation, based on increased economic integration and advanced political dialogue. This could, in turn, translate into a driver of further cooperation at regional level. In this regard, a viable starting point could be focussing on a 'pilot country' (e.g. Tunisia) to start in-depth dialogue and negotiation on issues such as economic liberalisation, enhanced mobility and energy collaboration. Nonetheless, it is also clear that no effective renewal of the EU's strategy towards the MENA region will be possible without firm political engagement by member states, which in turn demands a hard-to-achieve consensus on the geographical priorities of its current neighbourhood policy.

Thirdly and finally, it is also clear that, in dealing with the new political landscape of the MENA region, Europe will also need to maximise its synergies with several increasingly relevant regional players. This includes, first of all, working more closely with Turkey on a wide range of regional issues, from development assistance to crisis management. Furthermore, cooperation with local regional organisations is essential in order to achieve a fully shared commitment to securing stability and development in the MENA region. This includes strengthening dialogue with the Arab League, which seems increasingly willing to take progressive political responsibilities in the region, as witnessed in the cases of Libya and Syria. Moreover, collaboration with both the Gulf Cooperation Council (GCC) and the Islamic Conference Organisation (ICO) is vital in several areas, including (respectively) a number of regional security issues and intercultural dialogue. Nonetheless, continuing cooperation with the United States, Europe's most like-minded global partner, remains vital to promoting long-term development and security in the region. As a matter of fact, in spite of its growing reluctance to direct engagement, Washington retains deep-rooted interests in the area, notably in the Middle East and the Gulf. It is thus essential to boost solid transatlantic cooperation, especially at EU-US bilateral level, in a number of sectors, starting with ensuring more synergy and convergence between the EU and the USA's regional financial assistance programmes.

Finally, it is also evident that no concrete progress towards truly regional political cooperation can be achieved without tackling a number of regional issues, starting with the Arab-Israeli conflict. As a consequence, the EU should also strive to build on its post-Lisbon foreign policy tools and ensure more coherence and unity between member states, in order to promote viable and fair political solutions to long-standing animosities in the area.

Conclusion

As argued in this paper, the changes following the Arab Spring represent an undisputable turning point in the political history of the MENA region. Nonetheless, a number of significant challenges still lie ahead, among which the need to allow peaceful political pluralism, inclusive development and accountable security apparatus appear particularly demanding.

While the political responsibility to seize the many opportunities offered by the Arab Spring to achieve enduring prosperity and stability ultimately lies with the region's governments, there is actually much that Europe can do to help them to achieve such ambitious objectives. This ranges from offering technical and financial assistance to re-launching a more ambitious and comprehensive political framework for Euro-Mediterranean cooperation.

Such a process will undoubtedly require incalculable time as well as the firm commitment of every actor involved, both within and outside the region. Moreover, human experience clearly shows that historic determinism can easily turn into a dangerous chimera: just as the Arab Spring rapidly dissipated many culturalist *clichés* on the Arab world, it is also true that democracy is no immutable destiny for any country in the world, but rather entails a generous collective vision and continuing momentum to build on.

If all this holds true, the consolidation of new regimes in the region should be sustained by progressively stronger political dialogue and solidarity with Europe, based on shared values and interests. One year after the start of the Arab Spring, the ultimate perspective of a common Euro-Mediterranean home, providing peace and prosperity to all its inhabitants, might have come a little closer.

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