

Expert Workshop Southern Neighbourhood

Background

*In 2015 the **Heinrich-Böll-Stiftung** took part in the **Commission's consultation procedure on the new European Neighbourhood Policy**. Our **contribution** was based on the results of an expert workshop in Brussels in which the relevant hbs offices and departments discussed their experiences and ideas with experts from the European Commission, the EEAS, the European Parliament, think tanks, NGOs and universities. The **new ENP** was presented in **November 2015**. Aiming at mobilising efforts to support **inclusive economic and social development**, creating job opportunities for youth was proclaimed a key measure of economic stabilisation. A new focus was put on stepping up work with partner countries in the **security sector**, mainly in the areas of **conflict-prevention, counter-terrorism and anti-radicalisation policies**. Safe and legal **mobility** on the one hand and tackling irregular **migration**, human trafficking and smuggling on the other were proclaimed further priorities. Cooperation on **energy security and climate action** was also proclaimed priority. In 2016 the **Heinrich-Böll-Stiftung** organised two **ENP-workshops**, one on Eastern Partnership, which took place on 19 October, one (7 December) focused on the **southern neighbourhood**. Again, the relevant experts from the EU institutions, think tanks, NGO and the academic world were invited to meet with the regional hbs offices, the relevant departments and invited experts – all contributors to our web dossier **Rebuilding the Neighbourhood** – and discuss the challenges for ENP. As the (southern) neighbourhood of the EU has been developing in a way that makes it increasingly difficult to maintain or shape relationships what are the major challenges for this part of ENP?*

Critical Assessment of the current European Neighbourhood Policy

Whereas initially the European Neighbourhood Policy was conceived as a transformative tool to promote democratic structures, human rights and the implementation of European values, the new ENP focuses strongly on economic development and on a transactional approach with the neighbouring countries. Currently the EU is turning into an enforcer of the status quo. Whereas the ENP was implemented as a political tool to benefit the EU and its partner countries and the aim was to encourage the partner states to choose for a path towards implementing human rights, democracy and stability, today the ENP is used predominantly as a technical tool. Instead of promoting and implementing certain normative values the focus has shifted towards the recognition that partners have their own values and demands. This is a clear departure from how the ENP initially was conceived. In addition, the European Union does not seem to be able to adapt to the changes and the transformations in the Middle East countries while at the same time it is facing an identity crisis of its own. Under these circumstances it is important for the EU to figure out as what kind of actor it sees itself and how it sees its role within the current European Neighbourhood Policy. The new ENP does not only have to consider the changes and the new reality of the (southern) neighbourhood but also the changes inside the European Union itself. So, under these circumstances, what exactly is it the EU seeks to accomplish through its ENP?

A serious problem is the poor follow up of the actual implementation of the policies, partly due to a lack of monitoring mechanisms. From a **foreign policy perspective**, having a potentially powerful tool (ENP) to influence positive change in the partner countries and not using it appropriately is a big missed opportunity. In this context we observe a tendency of focusing only on counter-terrorism rather than concentrating on proactive political engagement which is part of

the ENP as well; there is a fundamental need to use the ENP more proactively in defence of European aims and values.

Another important issue is the definition of the principle of **co-ownership**. There are deep concerns in the southern neighbourhood states with regard to what the ENP guarantees these days. Co-ownership and its definition fall in this category. It is the duty of the European Union to define what exactly is meant by it and what it is supposed to look like. Basically, it should mean that policies are designed mutually and are not just demanded and implemented by the European Union. However, as ENP is an intergovernmental idea which focuses on including the government but also should include civil society actors, this demands a sincere effort to involve civil society, in the region but also in Brussels, in the discussion and formulation of the cooperation programmes and the partnership priorities. The question which automatically arises is how the co-ownership should work in detail with regard to non-governmental actors. On the other hand it is significant to take the issue of **failing or failed states** into account when talking about the success of the ENP. As said before, the ENP is predominantly implemented as a governmental policy and due to this structure, it is often impossible to work with countries which do not have a functional political system.

Apart from the lack of transparency of its implementation, the main criticism on ENP is directed at the role of governments in the partner countries and how their behaviour contributes to success or failure of the measures. Often it is the governments themselves who are the reasons of instability in the region in cases where political leaders seem to abandon stability and security to follow their own interest and to stay in power. If the EU works with governments that deliberately undermine stability or constantly work against it, the resulting change will be minimal. Here again the question arises what it is the EU wants to achieve.

Stability is indeed the main challenge in the ENP partner countries. Striking in this respect is the fact that asylum/migration policy is not considered as part of the ENP, whereas migration has become a crucial factor for many southern partners and is currently more important than other issues. While the original inspiration of the European Neighbourhood Policy was its focus on a successful transformation towards a more participatory structure and stability and therefore on a long-term perspective, today's focus seems to have a very short term perspective which is neither helping to solve the problem of uncertainty in the region in general nor does it do anything to reduce the identity crisis of the EU.

However, despite its many flaws, it is once more necessary to remember under which circumstances the ENP has been created. At the beginning rules and procedures were copied from earlier enlargement policies and ENP turned out a useful tool for some but certainly not for all partner states. This could be seen very clearly after the first few years of the partnership. Compared to the enlargement policies, the ENP was never seen as an instrument for a potential EU membership. In the meantime, the situation in the southern region has changed and the ENP is facing new conflicts and problems. The revised ENP has tried to take these changes into account and has implemented a country-by-country differentiation. Now every country is negotiating with the EU separately and on individual conditions. This change acknowledges that some countries, e.g. Tunisia or Morocco are interested in cooperating whereas Egypt or Algeria has no plans for closer relationships with the EU. Nevertheless, that doesn't mean any political exchange at all. If there is for example no way to talk directly about implementing human rights, there might be a chance to discuss economic changes with regards to human rights and

democracy. The aim is to implement values in a non-confrontational way to gain stability and security.

European values

The EU was founded as a value based community and it is still perceived as such by people in the EU as well as in the neighbourhood, but it does not live up to its values anymore. This leads to frustration and is a core problem of the EU and the ENP. There is a need to find ways to deal with this gap between expectation and reality. Of course, one has to keep in mind that the EU is not primarily a human rights organisation; it is an economically motivated and driven institution. What is special though about the EU is the strong moral and value based message it sends to the countries in the various regions. This on the other hand represents a high risk of failing to implement certain values. So perhaps it is better to keep a low profile on values or on a moral message to minimise the risk of not delivering. The harm and damage that unfulfilled expectation might cause can make people question the credibility of the EU which can adversely affect future projects and collaborations. A fundamental inability to live up to the European values within the Union can be seen e.g. in Hungary or Poland with regards to the Sinti and Roma issue. As for now the problem is not really taken seriously by the European Union which will have negative effects on collaboration between the Member States as well as with other countries. With the upcoming populism in various countries in the world and with the EU being in an identity crisis it is more important than ever to stick to the European values.

Talking about the conflicts in the Middle East the issue about implementing values is difficult. The conflicts are complicated and often challenging to understand from an outside perspective. For political actors from outside it is important to not see the conflict through the prism of the Israel/Palestine history detached from the realities and the massive changes happening in the region. The EU policy is clear in this respect; it is a differentiation policy towards Israel and its settlements and the global players should hold on to this.

As for the Israeli-Palestinian conflict there is a lack of coherence between the EU rhetoric and practice and a lack of adherence to the EU's own stated principles and values. The EU has been a steady and outspoken proponent of the Two-State-Solution, but no concrete steps have been taken to advance it. The EU does not use its leverage to put pressure on the occupying power. On the contrary: it constantly upgrades its partnership with Israel, while neglecting its international obligations and commitments to human rights and non-recognition of Israeli sovereignty in the Occupied Palestinian Territory.

The EU should further develop its nascent differentiation policy towards Israel and the illegal settlements in the Occupied Palestinian Territory and encourage other global players to do the same.

The EU (as other global actors) has its own necessities and interests and this becomes quite clear when looking at their actions from a political perspective rather than from a value based one. The EU and its representatives should keep in mind that they are usually only able to answer questions or to react on incidents in a political (rather than value based) way because of this perspective from the outside.

In addition, the EU is a group of rich states and in spite of that finds it difficult to deal with the migration of a million people due mainly to a war (Syria) that they have either incited or have

done nothing about. And it shouldn't be forgotten that the area of the Middle East has been exploited for centuries by western countries, adding to the instability of a region which is still unstable. A foreign policy or ENP policy which emphasises morality or values is rather unrealistic in this context.

There is a demand to come up with new solutions or more pragmatic debates about how to deal with reality opposed to the utopia of implementing democracy and human rights through European policies. This is important if the EU wants to maintain an influential position in this region. The question the EU and other global player should ask themselves is whether they are doing the best to contribute to more peace and to stabilise the Middle East region.

The neighbourhood policy of the EU was never meant as an instrument to deal with severe crises like in Syria or other conflicts in the region and even after the renewal in 2015 the concept is not a valid basis to handle the challenges in the neighbourhood.

Concerning the '**refugee and migration crisis**', it is difficult to say how much the ENP policy must deal with the topic and how or if this should include an active intervention. These days **migration** seems to be a more political issue for the European Union: the debate has been mostly about how to stop migration whereas the main issue should be the management of factors and causes of migration. With regard to the growth of population in African countries an effective development policy and a long-term solution are needed to make further migration to Europe unnecessary.

At the same time, it is necessary to see migration as a tool of development which can help to achieve a benefit for the countries involved and the people migrating. Many ENP partner states feel a heavy pressure on their domestic labour markets and the governments are facing problems related to job creation. The ENP could support the countries by focusing more on **employment** and especially on reducing **youth unemployment** as well as supporting the education system. Indeed, youth orientated policies are relevant to stabilise the region but so far not much has been achieved. A focus on youth also includes an improvement of social-economic condition for a country in general. But looking at the southern ENP states not much has been implemented after the Arabic spring, not even in Tunisia which is often seen as a successful example of the ENP. In Tunisia, the youth unemployment rate is around 20% and in some regions it is even up to 40%. As mentioned it is necessary to improve social-economic standards which go hand in hand with working on reducing the unemployment rate and on creating better living conditions.

With regards to **Syria** the EU needs to define its aims. The involvement of the Union in some sort of reconstruction phase should not be without conditions and based on a scenario where the UN resolutions are followed and where there is a process of transition. The effort the EU has made to enter into a dialogue about the resolutions of the conflict in Syria is encouraging. With the growing power of the Assad regime the European Union needs to be careful not to slip into a process of normalisation of the relations with the Syrian government.

It is easier for the EU to support countries like **Jordan** or **Lebanon** which have functioning governments and political systems. This allows a budget support and the implementation of further policies. Nevertheless, the EU is losing moral leverage on how Lebanon and Jordan treat refugees mainly because the EU depends on cooperation with these countries. Dictating the two countries to work on implementing human rights for refugees is therefore complicated and might



be risky. A realistic forecast of future post-war scenarios and how to handle the return of Syrians to their home country is currently not possible. One of the issues to pay attention to is the protection of minorities in a post conflict Syria.

Conclusion

ENP has been a good idea and a useful tool for many years. With today's conflicts and the need for fast decision making the EU should redefine its aims in general and especially with regard to the southern neighbour states. However, one should bear in mind that the EU includes 28 (27) Member States and when assessing EU policy people often forget the range of opinions and policies which have to be taken into consideration. To a large extent, foreign policy is bound by cooperation between the Member States; one Member State can block decisions on European level. In the light of the current crisis one has to realise that nothing the EU has built up so far can be taken for granted: neither democracy nor liberty nor integration. It is a daily struggle to keep these values alive and to improve the situation as much as possible. This includes committing oneself to a new and effective concept of a neighbourhood policy aimed at peace and stability.