Disruptions in the ENP Cycle: EU Gender Policies in Tunisia from a 'Decentring Perspective'

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The article explores how policy actions generated by the European Neighbourhood Policy (ENP) are enacted in partner countries as the result of cooperation between their governments and EU headquarters and between local actors and EU delegations (EUDs). By borrowing insights from the literature on EU democracy support and on external perceptions of the EU, the article considers the implementation of EU gender policies in Tunisia through the analytical lens of the 'policy cycle model'. It adopts a 'decentring perspective' privileging local actors' needs, expectations and viewpoints, which reveals that major disruptions in the implementation of EU gender policies derive more from the organization's bureaucratic rigidity than from the way policy is conceived. The EU does not properly address these disruptions, because of a mix of procedural constraints and political prioritization, which affect the functioning of the ENP cycle. This risks undermining desired outputs at the local level and questions the so-called EU 'local turn' that accelerated especially after 2011. The article concludes that the 'policy cycle model' can be a useful analytical tool to examine other ENP policies, especially if combined with a 'decentring perspective'.

Keywords: ENP, gender policies, Tunisia, EU delegations, female civil society, policy cycle model, decentring perspective

1 INTRODUCTION

This article explores how policy actions generated by the European Neighbourhood Policy (ENP) are enacted in partner countries as the result of cooperation between their governments and EU headquarters and between local actors and EU delegations (EUDs). Building on the consolidated literature on EU democracy and human rights support and acknowledging the debate on norms diffusion (following Manners' 'Normative Power Europe'[1] and its realist and a

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[1] I. Manners, *Normative Power Europe: A Contradictions in Terms?*, 40(2) J. Com. Mkt. Stud. 236–258 (2002).

constructivist critics),[2] the article privileges the moment in which policies are implemented through specific programmes. As Bicchi has underlined:

> Given the EU tendency to be euro-centric, the normative meaning of Europe's action is to be assessed against its capacity to give non-members a role in European Foreign Policy (EFP). This has two main aspects. Normatively, it involves scrutinizing the norms promoted by the EU, to assess whether they are hypothetically inclusive and potentially shared by everybody. Empirically, it calls for the analysis of how inclusive the process of EFP-making is, in order to determine its outcome.[3]

In this article, we aim to question the euro-centric attitude from an empirical point of view. In the broader EU democracy and human rights support literature, we follow the thread of studies investigating ENP implementation in the Southern neighbourhood,[4] by analysing 'how inclusive the process of ENP-making is'.

The article mirrors those studies focusing on the so-called EU 'local turn'[5] after the 2011 turmoil in North Africa. It integrates insights from the literature on external perceptions of the EU that has been further elaborated accounting new severe crises for the EU image and thus legitimacy.[6] Consequently, the article adopts a 'decentring perspective' by granting salience to the consideration of local actors and the 'changing relationship between local needs and expectations on one hand and EU policies and practices on the other'.[7] It analyses how the EU implements gender policies in the case of Tunisia through the 'policy cycle model'[8] lens, that lends itself

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[2]   *See* e.g., A. Hyde-Price, *Normative Power Europe: A Realist Critique*, 13(2) J. Eur. Pub. Pol'y 226–267 (2006); R. Youngs, *Normative Dynamics and Strategic Interests in the EU's External Identity*, 42(2) J. Com. Mkt. Stud. (2004); R. A. Del Sarto, *Normative Empire Europe, the European Union, Its Borderlands, and the Arab Spring*, 54(2) J. Com. Mkt. Stud. (2016).

[3]   F. Bicchi *'Our Size Fits All': Normative Power Europe and the Mediterranean*, 13(2) J. Eur. Pub. Pol'y 286–303, 289 (2006).

[4]   Among others, I. Fontana, *EU Neighbourhood Policy in the Maghreb. Implementing the ENP in Tunisia and Morocco Before and After the Arab Uprisings* (Routledge 2017); A. Dandashly & G. Noutcheva, *Unintended Consequences of EU Democracy Support in the European Neighbourhood*, 54(1) Int'l Spectator 105–120 (2019); P. Debusscher, *Mainstreaming Gender in European Union Development Policy in the European Neighbourhood*, 33(4) J. Women, Pol. & Pol'y 322–344 (2012).

[5]   By 'local turn', we refer to the shifting focus in the EU's external action's discourse on local dynamics and bottom-up approaches fostering local agency, which particularly occurred with the ENP revisions (2011; 2015) and the EU Global Strategy (2016). Among the studies focusing on the EU's 'local turn' in the Southern neighbourhood, *see* the Arab Transformations Project (2014–2018) and the MEDRESET Project (2016–2019).

[6]   *See* e.g., S. Lucarelli & L. Fioramonti, *External Perceptions of the European Union as a Global Actor* (Routledge/GARNET Series: Europe in the World, Oxon 2010); N. Chaban & S. Lucarelli, *Reassessing External Images of the EU: Evolving Narratives in Times of Crisis*, 26(1) Eur. For. Aff. Rev. 177–196 (2021).

[7]   M. C. Paciello, *The EU's 'Pragmatist Turn' and the Struggle for Social Justice and Human Rights in the Arab World: A Decentring Framework for Analysis*, 25(1) Eur. For. Aff. Rev. 1–24, 1 (2020). *See also* N. Fisher Onar & K. Nicolaïdis, *The Decentring Agenda: Europe as a Post Colonial Power*, 48(2) Coop. & Conflict 283–303 (2013).

[8]   M. Howlett, M. Ramesh & A. Perl, *Studying Public Policy. Policy Cycles & Policy Subsystems* (Oxford University Press 2009); M., Hill, *The Public Policy Process* (Routledge 2013).

to capturing and accounting for any disruptions that may occur in the policy chain between EU headquarters and local communities in Tunisia.

The consideration of gender policies, a politically sensitive issue, allows not only to intercept how the ruling leadership and the EU have interacted and how the first has tried to alter European requests to fit its own agenda, but also how the EUD has involved local stakeholders in the programmes targeted to gender equality. The case study of Tunisia is particularly suitable for our research intents because of its divergence from other Mediterranean partners in terms of democratic consolidation perspective and human rights performance,[9] even more so after the 2011 uprising.[10] Tunisian women, which were among the protagonists of protests, actively contributed to the process of democratic transition and achieved important objectives in terms of political participation and recognition of rights. The EU acknowledged the progress achieved and increased its financial commitment towards specific gender programmes. However, such a commitment was accompanied by obstructions that local associations taking part in the programmes managed by the EUD have lamented as an impediment to reaching the goals agreed with the EU.

The 'policy cycle model' approach, which holds that policy processes can be analysed according to different phases, each one involving distinct actors and institutions, helps us to highlight the link between the policy conception within the ENP and its concrete application locally. The three phases indicated by the 'policy cycle model' are: the one preceding and including decision-making (policy formulation), the implementation, and the evaluation of policies. Howlett et al. further specify the processes underlying these phases: information-gathering, problem identification and agenda-setting characterize the first phase; operationalization of policy goals and identification of the concrete means to attain them pertain to the second phase; policy impacts and outcomes constitute the third phase.[11]

Keuleers et al. note that European Foreign Policy (EFP) researchers have privileged certain phases of the policy cycle such as agenda-setting, policy formulation and decision-making, while implementation has been researched much less copiously, and therefore impact and outcomes are phases still unexplored by EFP scholars.[12] The majority of studies on EFP have been conducted through a

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[9]   A. Nouira & H. Redissi, *The Tunisian 'Exception' and the Role of the EU: Perspectives from Tunisia*, 25 (Special Issue) Eur. For. Aff. Rev. 47–67 (2020).

[10] In the post-2011, Tunisia has been among the main beneficiaries of the 'more for more' principle. *See* European Commission and HR, *A Partnership for Democracy and Shared Prosperity with the South Mediterranean*, COM (2011) 200 final (Brussels 8 Mar. 2011), https://ec.europa.eu/research/iscp/ pdf/policy/com_2011_200_en.pdf (accessed 22 May 2020).

[11] Howlett, Ramesh & Perl, *supra* n. 8.

[12] F. Keuleers, D. Foonk & S. Keukeleire, *Beyond EU Navel-Gazing: Taking Stock of EU-Centrism in the Analysis of EU Foreign Policy*, 51(3) Coop. & Conflict 345–364 (2016).

euro-centric perspective (the EU being the principal actor in the phases of agenda-setting, policy formulation and decision-making), whereas little research has analysed the perspective of local stakeholders, who are relevant in the other two phases of the 'policy cycle model'. The research on implementation, impact and outcomes of EFP analyses the context within which EU policies are implemented or within which negotiations with the EU take place; the perception or legitimacy of the EU in the eyes of various domestic groups; the repercussions of EU policies on these groups; the relevance and impact of such policies. Generally, these questions are not 'context-free'; on the contrary, they should derive from an in-depth awareness of the environment where the EU operates.

By focusing on the implementation of EU gender policies in Tunisia we seek to adopt a 'decentring perspective' on EFP (in particular democracy and human rights support) literature, which allows to unveil any disruptions within the ENP cycle that despite the EU's 'local turn' still persist. The article proceeds as follows: the first section depicts the ENP and gender policy features (policy formulation), accounting for the significant transformations in Tunisia. The second considers how actions are implemented with the involvement of local partners that receive financial support from the EU's programmes through the EUD. The third discusses how and why disruptions happen and with which consequences. The first part of the research is based on textual analysis (ENP strategies, progress reports, action plans, and reviews).[13] The second part, which deals with the implementation of policies, relies on field research and interviews conducted with a selection of local stakeholders and international actors operating in Tunisia, as well as EU officials both at the EU headquarters and at the EUD in Tunis.[14]

2   THE ENP AND GENDER POLICIES

Since the end of the Cold War, the diffusion of EU's norms and policies in the outside has intensified, especially as the EU offered former communist countries various committing agreements, until the 2004–2007 wave of enlargement.[15] The

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[13]   *See* S. Giusti, *Gender Mainstreaming Towards the Mediterranean: The Case of the ENP*, 19(5) J. Balkan & Near Eastern Stud. 524–540 (2017).

[14]   The interviews were conducted by Clara della Valle between Mar. and Dec. 2017 as part of her PhD research. In Tunisia, interviews involved local stakeholders (associations, activists, national institutions), international NGOs, and functionaries of the EUD to Tunisia, whereas in Brussels they reached EU functionaries working at DG Near, DG DevCo and the EEAS. The total number of interviews (seventy-one) constitutes the empirical basis of Clara della Valle's PhD thesis: *An interdisciplinary bottom-up study of EU gender policies in Tunisia: towards an agency-based approach*, 2019. In this article, we took into account only a selection of these interviews (fifteen) and we updated any out-dated information according to statements made by the interviewees themselves.

[15]   D. P. Dolowitz & D. Marsh, *Learning from Abroad: The Role of Policy Transfer in Contemporary Policy-Making*, 13(1) Governance 5–23 (2002).

transfer process has since continued, though in a softer and more selective way, with the 2004 launch of the ENP, a strategy concocted by the EU with the aim of fostering stabilization and security in its Southern and Eastern neighbours. Despite not offering membership, this form of external governance still follows an inside–outside vector by implying that EU's policies and norms are transposed, yet not reworked.

What is transferred depends on how a policy is formulated by the EU and how it is prioritized within the ENP, but also on the formats and tools available to implement concrete actions. It is precisely in the phase of translating objectives into policies and actions that the partner's perspective – both its government and its people – becomes important. However, the so-called 'tailor-made' approach has often implied recommending the same package of policy templates for all partners and allowing them to opt out from some, rather than actually including partners in the agenda-setting process. Cebeci refers to an 'asymmetrical approach' through which the EU 'impose[s] its own model without considering the specific cultural, economic and social characteristics of certain regions and countries', thereby 'encouraging mimicry and, in a sense, adding to the colonial tradition rather than engaging the people of those regions and meeting their local needs'.[16]

The diffusion of gender policies has followed the same pattern as other ENP policies, though it has encountered additional difficulties due to the peculiar development of this policy within the EU and the aversion caused in partner countries. The EU's efforts towards a consistent gender policy started from economic aspects, especially when connected to the realization of the common market.[17] While initially ancillary to other policies, gender policies have progressively acquired autonomy and become the target of various initiatives and actions, while at the same time migrating into many other areas.[18] The diffusion of gender policies has not only reflected changes happening within the EU itself, but has also incorporated the orientations of the United Nations (UN), in particular of the Security Council Resolution 1325 on 'Women, Peace, and Security' (2000),[19] and of the '2030 Agenda for Sustainable Development' (2015), which dedicates Section Five to gender equality and women's empowerment.[20]

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[16]   M. Cebeci, *European Foreign Policy Research Reconsidered: Constructing an 'Ideal Power Europe' Through Theory?*, 40(3) Millenium: J. Int'l Stud. 563–583, 572 (2012).

[17]   H. Huelss, *Be Free? The European Union's Post-Arab Spring Women's Empowerment as Neoliberal Governmentality*, 2(1) J. Int'l Rel. & Dev. 136–158 (2019).

[18]   S. Walby, *The European Union and Gender Equality: Emergent Varieties of Gender Regime*, 11(1) Soc. Pol. 4–29 (2004).

[19]   UNSC, *Resolution 1325 on Women, Peace and Security* (2000), https://www.un.org/womenwatch/osagi/cdrom/documents/Background_Paper_Africa.pdf (accessed 22 Feb. 2020).

[20]   UN, *Transforming Our World: the 2030 Agenda for Sustainable Development*, A/RES/70/1 (2015), https://sustainabledevelopment.un.org/post2015/transformingourworld (accessed 22 Feb. 2020).

Since the conclusion of the 1995 EU–Tunisia Association Agreement (AA),[21] which established a Free Trade Area, women's rights have been prevalently linked to economic and social development. The scarce attention to the gender dimension of cooperation also emerged in the 2005 Tunisian Action Plan (AP), in which gender equality is handled as part of the social and employment package. The AP did not address issues such as divorce, inheritance, pension, social benefits, or other persisting legal discriminations against women,[22] such as domestic violence, *de iure* punishable in Tunisia.[23]

The backdrop of the 2011 uprisings in many countries of the Southern shores of the Mediterranean forced the EU to rethink its whole strategy towards the region. To this aim, the communication 'A New Response to a Changing Neighbourhood',[24] presented by the Commission in May 2011, introduced the 'more for more' principle, through which the EU wished to offer increased incentives for those countries excelling in the reforms and respecting the shared values. The review aimed at creating a 'deep and sustainable democracy' through the promotion of political and institutional reforms, necessary to complete the democratic transition in those countries. This would have implied involvement of many actors that had not been included in political discussions for a long time, including women, youth, and non-governmental organizations (NGOs). For this reason, the communication involved the creation of a new financial instrument, the Civil Society Facility, which provided EUR 48 million for the period 2011–2013.

Gender equality became a key issue, granting women an important role in fostering bottom-up changes in societies where they had usually been marginalized from power. However, the post-2011 emphasis on the role of women has raised some concern for the very conception of women that such attention mirrors. Kunz and Maisenbacher stress that the widely shared narrative of Arab women involved with the Arab Springs has its roots in 'gendered and racialised codings of Arab women'.[25] The emphasis on female political engagement post-2011 thus risks creating a narrative that neglects the important role played by autochthonous

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[21] EU and Republic of Tunisia, *Association Agreement Between the EU and the Government of Tunisia*, OJ L 097, 30 (Mar. 1998), https://library.euneighbours.eu/content/eu-tunisia-association-agreement (accessed 20 Dec. 2019).

[22] EU and Republic of Tunisia, *EU-Tunisia Action Plan* (2005), https://library.euneighbours.eu/content/eu-tunisia-association-agreement (accessed 20 Jan. 2020).

[23] R. Del Sarto & T. Schumacher, *From Brussels with Love: Leverage, Benchmarking, and the Action Plans with Jordan and Tunisia in the EU's Democratization Policy*, 18(4) Democratization 932–955 (2011).

[24] European Commission and HR, *A New Response to a Changing Neighbourhood*, COM (2011) 303 final (Brussels 25 May 2011), https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0303:FIN:en:PDF (accessed 17 Dec. 2019).

[25] R. Kunz & J. Maisenbacher, *Women in the Neighbourhood: Reinstating the European Union's Civilising Mission on the Back of Gender Equality Promotion?*, 23(1) Eur. J. Int'l Rel. 122–144, 124 (2015).

feminism, which has a long tradition in Tunisia. Since Bourguiba's government (1957–1987), women's associations have contributed to many legal and social achievements (e.g., the approval of a Personal Status Code in 1956, which is among the least discriminatory such codes in the region). This contrasts with the idea that women's 'sporadic' presence in politics can be stabilized and reinforced by an external actor such as the EU, setting the path and patterns of gender policies. Such a vision implies limited agency for Arab women, who are at the same time burdened with new responsibilities for responding to a number of challenges, stretching from economic crises and the retreat of democracy to terrorism and radicalization.[26]

The AP 2013–2017 established a privileged partnership between Tunisia and the EU and included the implementation of the Optional Protocol to the 'Convention on the Elimination of All Forms of Discrimination against Women' (CEDAW).[27] In 2014, the EU, in partnership with the Tunisian government, published the 'Gender Profile' of Tunisia, which brought to the formulation of the 'Programme de Promotion de l'Égalité Hommes-Femmes en Tunisie'.[28] The programme was included in the Single Support Framework 2014–2015 under the implementation of the Tunisian Ministry of Women, the Family, and Children.[29]

In 2015, the ENP was revised a second time in order to respond to the many crises that had erupted in the neighbourhood (Libya, Syria, Ukraine). The review prioritizes security issues, regional stability and controlled migration, which are outlined much more explicitly than before. With the introduction of the principles of 'joint ownership' and 'differentiation',[30] the EU tried to set an approach more tailored to countries' specificities, which however failed to bring about a truly 'joint' policy. Moreover, the 'pragmatist turn' of the 2016 'European Union Global Strategy' (EUGS)[31] and of the 'New Agenda for the Mediterranean'

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[26]   *See* e.g., K. Brown, *The Promise and Perils of Women's Participation in UK Mosques: The Impact of Securitization Agendas on Identity, Gender and Community*, 10(3) Brit. J. Pol. & Int'l Rel. 472–491 (2008); Z. Salime, *Securing the Market, Pacifying Civil Society, Empowering Women: The Middle East Partnership Initiative*, 25(4) Sociological Forum 725–745, 747 (2010).

[27]   EU and Republic of Tunisia, *EU-Tunisia Action Plan* (2013–2017), https://eeas.europa.eu/delegations/tunisia_it/11553/Plan%20d'Action%20UE-%20Tunisie%202013-2017 (accessed 18 Dec. 2019).

[28]   EU Delegation to Tunisia, *Rapport d'activité* (2017), https://eeas.europa.eu/delegations/tunisia/11558/rapport-de-coop%C3%A9ration-ue-tunisie-2017_fr (accessed 19 Dec. 2019).

[29]   European Commission, *Single Support Framework for Tunisia* (2014–2015), https://ec.europa.eu/europeaid/single-support-framework-ssf-programming-document-tunisia-2014-2015_en (accessed 20 Dec. 2019).

[30]   European Commission and HR, *Review of the European Neighbourhood Policy*, JOIN (2015) 50 final (Brussels 18 Nov. 2015), http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf (accessed 18 Nov. 2019).

[31]   Council of the European Union, *Shared Vision. Common Actions. A Stronger EU. Global Strategy for the European Union's Foreign and Security Policy* (Brussels 2 June 2016), http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf (accessed 20 Nov. 2019). On this, *see* S. Giusti, *The European Union Global Strategy and the EU's Maieutic Power*, J. Com. Mkt. Stud. 1–17 (2020).

(2021) confirmed the prominence of stability and security, social and economic recovery, good governance and irregular migration, avoiding the previous emphasis on democracy and human rights.[32]

As for gender policy, the 2015 ENP review holds that, besides specific measures, gender equality should be a component of all other policies, so that there can be a collection of measures across various sectors. In the same year, the Report on the 'Implementation of the ENP, Partnership for Democracy and Shared Prosperity with the Southern Mediterranean Partners' evidenced persistent signs of social divisions, reflecting discrimination against women and minorities and also pointing to gender-based violence and discrimination against the Lesbian, Gay, Bisexual, Transgender 'plus' (LGBT+) community.[33]

In 2015, the EU also adopted the second Gender Action Plan (GAP II) for the period 2016-2020 (The document took inspiration from the UN 2030 Agenda, published in the same year, and drew on the achievements and lessons learnt from the EU GAP I (2010–2015). The new framework, which uses different EU external actions instruments and aid modalities, exhorts to ensure girls and women's physical and psychological integrity, to respect their economic and social rights and promote their participation to the public and social sphere, while shifting the Commission and the European External Action Service's (EEAS's) institutional culture to more effectively deliver on EU commitments.[34] Regarding assessment and evaluation, GAP II acknowledges that measuring and quantifying funding and outcomes is complex, since gender equality is often mainstreamed in several types of interventions across sectors. It also stresses the lack institutional capacities to implement gender-related programs: although the increase in financial commitment after 2011, the Commission and the delegations on the ground have not been prepared to deal with the growing bulk of work required to satisfy both the EU and partners' expectations. This is a critical point that has emerged from the interviews. GAP II points out that gender equality has so far been quite absent from project and programme monitoring systems, and that recipient countries have not been properly advised on how to improve gender mainstreaming. In light of these considerations, the framework suggests conducting gender analysis more

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[32] European Commission and HR, *Joint Communication: Renewed Partnership with the Southern Neighbourhood – A New Agenda for the Mediterranean* (Brussels 9 Feb. 2021), https://eeas.europa.eu/sites/default/files/joint_communication_renewed_partnership_southern_neighbourhood.pdf (accessed 9 Mar. 2021).

[33] European Commission, *Implementation of the ENP Partnership for Democracy and Shared Prosperity with the Southern Mediterranean Partners Report*, SWD (2015) 75 Final (Brussels 25 Mar. 2015), https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015SC0075&from=EN (accessed 7 Mar. 2020).

[34] European Commission and HR, *EU Gender Action Plan II 2016–2020*, SWD (2015) 182 final (Brussels 21 Sept. 2015), https://ec.europa.eu/europeaid/sites/devco/files/staff-workingdocument-gender-2016-2020-20150922_en.pdf (accessed 22 Dec. 2020).

systematically. In order to assess the effects produced by this new framework, EU institutions in Brussels require all new EU-funded projects to integrate gender measurable objectives. The Commission also suggests creating a gender advisory board that includes leading experts from partner countries. Finally, the framework introduces a results-driven approach (a point that has been raised by interviewees in Tunisia); promotes evidence-based decision-making; sets standards for report-ing, evaluation and accountability mechanisms.[35] It must be noted that the GAP II framework is not an official communication of the EU, but rather a Joint Staff Working Document, which can hardly generate cases of soft law.

3   IMPLEMENTING GENDER POLICIES IN THE NEIGHBOURHOOD: THE CASE OF TUNISIA

Until 2011, the implementation of EU gender policies in Tunisia had given priority to the principle of stability around which the ENP was shaped. The promotion of democracy itself was pursued to the extent that actions would not undermine the stability of the region with possible reverberations on the EU's security.[36] For this reason, the EU was initially tolerant with governments' posi-tions, though this made it difficult for Tunisian civil society organizations (CSOs) to be financed by the EU. Both Bourguiba and Ben Ali (1987–2011)'s govern-ments tried to influence international financing flows by setting priorities and guiding the nature of the projects. According to a EU official who worked in Tunisia from 2003 to 2007, 'under Ben Ali, there was no formal ban, but the government very often blocked EU funding destined to local associations at the Central Bank. This was the practice used by the authorities to prevent the financing of associations that they did not like'.[37] Several members of historical Tunisian CSOs reported examples of such a practice. One of them stated: 'When EU officials came here there were always great speeches about openness and willingness to help the civil society, but then they suffered the political pressure from the government. Theoretically, they could have used Article 2 of the AA,[38]

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35   Council of the European Union, *Council Conclusions on the 2013 Report on the Implementation of the EU GAP*, doc. 9360/14 (19 May 2014), https://www.consilium.europa.eu/uedocs/cms_data/docs/press data/EN/foraff/142670.pdf (accessed 24 Dec. 2020).

36   *See* among others, B. Hibou, *La force de l'obéissance: économie politique de la répression en Tunisie*, Découverte, Paris (2006); M. Pace, *Paradoxes and Contradictions in EU Democracy Promotion in the Mediterranean: The Limits of EU Normative Power*, 16(1) Democratization (2009); J. P. Cassarino, *Reversing the Hierarchy of Priorities in EU-Mediterranean Relations*, in *The European Union and the Arab Spring: Promoting Democracy and Human Rights in the Middle East* (J. Peters ed., Lexington Books, Lanham 2012).

37   Interview 1: EU official, Brussels, 14 Dec. 2017.

38   Article 2 of the AA affirms 'Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles which guide

but they never put it into practice'.[39] As another interviewee asserted, 'EU politics has always followed this logic: "It is better to have them (i.e., *Tunisians*) inside by making them concessions, than having them outside". This logic has generated contradictions between the values EU's and its Member States proclaim and the concessions they have made in the past to dictators'.[40]

The end of the authoritarian regime aroused 'a sense of awareness of their own country to many youth and women, along with high expectations about what a democratic Tunisia could achieve'.[41] Women's activism has a long tradition in Tunisia, but female associations have been able to freely operate only after 2011 when, alongside the historical *Association Tunisienne des Femmes Démocrates* (ATFD) and *Association des Femmes Tunisiennes pour la Recherche et le Développement* (AFTURD), there is a proliferation of small and medium-sized, secular and religious, central and peripheral realities. Though with different ideals and perspectives, these various women's realities have been extremely active within the *Haute Instance pour la réalisation des objectifs de la revolution* from the very beginning, when they had to guarantee female participation within the post-2011 electoral process.[42] Afterwards, they have committed to eliminating all reservations to the CEDAW, including women's rights within the 2014 Constitution,[43] approving the '*Loi intégrale sur la lutte contre la violence faite aux femmes*' (2017),[44] and abolishing the 1973 administrative circular (2017).[45] Today, these various associations are mobilizing on the issue of gender equality in regards to inheritance rights.

The EU reacted to changes in Tunisian society by redirecting and increasing the budget allocated to CSOs, supporting the quest for female participation in the process of democratic transition, without however reformulating gender policies to better suit Tunisia's specific needs. Thus, the programmes and projects funded by the EU were unable to fully grasp the inputs of the new and variegated panorama of women's associations and to support long-term transformation of society.[46]

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their domestic and international policies and constitute an essential element of the Agreement'. *See* EU and Republic of Tunisia, *supra* n. 21.

39   Interview 2: Local association, Tunis, 23 Nov. 2017.

40   Interview 3: Local association, Tunis, 16 Nov. 2017.

41   L. Ferreiro Prado, *The EU and the International Socialization of Gender Equality: A Case Study of Tunisia's AFTURD and Women and Citizenship (WAC)*, 23(2) Mediterranean Pol. 1–22, 16 (2016).

42   ATFD, *De 2008-2011 à 2015: Révolution et Transition Démocratique. L'ATDF au coeur des luttes pour l'égalité et la démocratie* (Kvinna, Tunis 2015).

43   Within Art. 21, women obtained the inclusion of 'equality' rather than 'complementarity' (as supported by Islamist parties) between men and women.

44   Republic of Tunisia, *Loi organique n° 2017-58 du 11 août 2017, relative à l'élimination de la violence à l'égard de femmes* (2017), http://www.legislation.tn/sites/default/files/news/tf2017581.pdf (accessed 20 June 2020).

45   The 1973 administrative circular prevented a Tunisian woman from marrying a non-Muslim man and constituted gross discrimination since the same ban did not apply to men.

46   della Valle, *supra* n. 14.

In 2011, as a result of Tunisia's good performance in terms of democratic reforms and human rights protection, the EU doubled the funds allocated to the country (from EUR 80 million to EUR 160 million) in accordance with the 'more for more' principle introduced by the revised 2011 ENP. However, with the 2015 review of the ENP and the 2016 EUGS, this principle gradually shifted towards supporting cooperation in security matters and advancement in neoliberal reforms rather than human rights and democracy performance. Our interviewees working for local and international NGOs in Tunisia have criticized this 'pragmatist turn'. One of them stated:

> After 2011, in Tunisia there have been very few reforms in the field of human rights. All the laws passed so far are very repressive and have been concomitant to the EU's decision to increase its funding following the "more for more" principle. The EU has linked this principle to socio-economic development: all the laws passed in Tunisia in recent years go in the direction of liberalism. In other words, the EU has reasoned in neoliberal terms, thus rewarding Tunisia though there have been very few major reforms or new laws in terms of human rights.[47]

According to the EUD in Tunisia, especially since 2013, funding for projects for improving women's conditions has been substantial. As set out in the 2017 report by the Delegation, following the EU-Tunisian bilateral agreement signed on 30 April 2015 the majority of EU funding in 2016 (EUR 7 million) was directed to the programme '*Promotion de l'égalité femmes-hommes en Tunis*ie', under the direction of the Tunisian Ministry of Women, the Family, and Childhood. The remaining funding (EUR 2,130 million) was distributed through grants among six projects, the majority of which implemented by international NGOs in partnership with local CSOs.[48]

We would have expected such an important financial commitment to strengthen the role of local CSOs in elaborating and implementing gender projects that could incorporate requests from the grassroots. This was proved only partially true. The logic of cooperation at EU level remains that with the local government and the Tunisian Ministry of Women, the Family, and Childhood received the majority of EU funds. In the words of one interviewee in Brussels:

> This logic is essential in many areas of cooperation, not necessarily in the field of human rights. The solution here would be to make a good consultation with CSOs, in order to understand what the real needs are. We are always limited by our internal procedures, implying that working with the public sector is easier than with CSOs, also in terms of accounting and reporting.[49]

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[47]   Interview 4: International NGO, Tunis, 20 May 2017.
[48]   For more information *see* the graph on EU-funded projects on gender equality in 2016, EUD to Tunisia (2017), *supra* n. 28, at 108.
[49]   Interview 5: EU official, Brussels, 16 Dec. 2017.

Interviewees in Tunisia show a general appreciation for the financial engagement of the EU after 2011, but they also point out a strong continuity with the pre-2011 approach, since the Union continues to favour governmental actors and those CSOs sharing a liberal model of democratization and development. Thus, the EU neglects the multiple voices/perspectives of those actors that might have different ideas on the role of the state in the economy, the framework for rights, freedoms, and citizenship, and the role of religion within the state, by privileging women's associations closer to Western values and often co-opted by the government.[50]

The interviews conducted in Tunisia report complaints about the liberal feminist tenets of EU gender policies. As already warned by EFP scholars,[51] local feminist movements and associations (ATFD, AFTURD, *Dar Rayhana*, *Beity*, among others) have stressed that the EU 'exports' its own ideas, principles, and values without paying attention to cultural, religious, and sociopolitical specificities of recipient countries. In particular, a Tunisian academic said:

> The EU has always related to southern Mediterranean partners convinced of the story of its "universalism". This story, however, is an illusion, stemming from the fact that Europe has dominated the world for a long time, by consequently developing the idea of being universal. The "universal" is not "global": it is a European (philosophical and political) invention, dated at a precise historical moment.[52]

However, the majority of interviews in Tunisia underline that, differently from the past, current criticisms towards the EU mostly regard the modality by which money is allocated – which threatens the very enactment of gender programmes, and thereby the implementation phase of the ENP cycle – rather than the content and the objectives of the projects themselves. The interviews with EU officials stress the many constraints that the Commission and the EUD have to face when operating on the field, with regards to money allocation and projects' sustainability and management. In this regard, some scholars have talked about '*technocratization*' of EU democracy and human rights support.[53] The main difficulties signalled by both local and EU actors in this respect are resumed below.[54]

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[50]   H. M. Tagma, K. Elif & A. Emel, '*Taming' Arab Social Movements: Exporting Neoliberal Governmentality*, 44(5–6) Sec. Dialogue 375–392 (2013); A. Teti, T. Darcy & N. Christopher, *EU Democracy Assistance Discourse in Its New Response to a Changing Neighbourhood*, 9(1–2) Democracy & Sec. 61–79 (2013).

[51]   *See* e.g., Bicchi, *supra* n. 3; Cebeci, *supra* n. 16; Lucarelli & Fioramonti, *supra* n. 6.

[52]   Interview 6: Tunisian academic, Tunis, several conversations, 2017–2019.

[53]   D. Huber, *Ten Years Into the Arab Uprising: Images of EU's Presence, Practices, and Alternatives in the Mediterranean Space*, 25 Eur. For. Aff. Rev. 131–152 (2020).

[54]   For a preliminary analysis of the first findings of the empirical research, *see* C. della Valle, *On Women's Agency and Western Representations: EU Approach to Women's Rights in Tunisia*, Temas de actualidad en el Mediterráneo/Current issues in the Mediterranean, 11 Comillas J. Int'l Rel. 1–15 (2018).

3.1   Disruptions highlighted by local actors

3.1[a]   *Accessing EU Funding*

Interviewees repeatedly denounced the difficulty of responding to EU calls for proposals. EU guidelines were judged as overly complex, with financial and technical requirements that are too demanding, especially for those 'young' local associations instituted after 2011. 'To satisfy such requirements', said one inter–viewee, 'an association should have an annual budget of around EUR 1.2 million as well as a solid administrative and technical structure, and no Tunisian association has it, except for the historical ones'.[55] As a consequence, the majority of Tunisian associations are forced to respond to a call in partnership with international NGOs. Out of the gender-related projects funded in 2016 by the EU, only two have been implemented by Tunisian associations exclusively. Moreover, the majority of EU funding was directed towards the bilateral program in cooperation with the Tunisian government, thereby limiting the possibility for local CSOs to implement autonomous projects. In the face of such difficulties, according to the majority of the interviewees, the EU does not provide adequate training on capacity-building, which would help local associations improve their ability to take part in calls for proposal.

3.1[b]   *Ensuring the Sustainability of EU-Funded Projects*

Another criticism mentioned by both local associations and international NGOs regards the absence of continuity in EU funding. Normally, EU-funded projects last from three to five years, but they cannot get more funding after that period. The EU adopts a results-driven approach that does not work in the case of projects aimed at generating long-term social change, which normally need more than three or five years. According to one of the interviewees, 'Such a situation emerges especially in the case of gender-related projects, where the change has to deal with patriarchal practices well-rooted in the society'.[56] Another interviewee stated:

> I think that one of the greatest limits of the EUD is not allowing activities that generate income within projects. As consequence, it is not possible to foresee activities during the project phase that can guarantee its stability afterwards. Another strong limitation, in my opinion, is that the EU does not allow a co-participation of the beneficiaries, which could greatly increase their sense of responsibility and commitments towards the project.[57]

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[55]   Interview 7: Local association, Tunis, 9 June 2017.
[56]   Interview 8: Local association, Tunis, 7 July 2017.
[57]   Interview 9: International NGO, via Skype, 30 Oct. 2017.

As one of the European officials admits, the EU's support towards CSOs is 'project-driven' rather than 'strategy-driven': 'the Union is not capable of reasoning in terms of long-term change in the recipient country'.[58] The effects of EU gender programmes are thereby limited by the difficulties of ensuring the endurance of the project once the funding period is over.

3.2   DISRUPTIONS HIGHLIGHTED BY EU ACTORS

3.2[a]   *EUD to Tunisia: Lack of Resources and Action Inhibited by Procedures Designed in Brussels*

The EUD in Tunisia has to face the problem of a lack of internal resources, mostly in terms of staff. Moreover, EU functionaries *in loco* are well aware of the difficulties local associations struggle with, but stress that their action is inhibited by procedures designed in Brussels. Both local associations and international NGOs concede that, after 2011, the EUD has become more available to civil society actors, more attentive to their needs, more responsive towards misunderstandings between partners during project implementation, and more flexible in the case of project's changes demanded by the beneficiaries. However, all the interviewees lamented that final decisions always depend upon EU headquarters, which – differently from the EUD – remain very distant from local actors. In the words of one of the officials at the EUD to Tunisia:

> Tunisian associations are right. Critiques about the complexity of the calls for proposal will always come to the EU. On the one side, we have a lot of money and we cannot make calls for a few thousand euros. On the other side, Tunisian associations would like to run small projects because they do not have technical and financial capabilities and do not want to take the risk of managing large projects. The solution we are trying to push more and more is that of sub-granting.[59]

Through sub-grants, the EU tries to ensure that international NGOs receiving EU funds only act as 'filters' for Tunisian associations: their task is to reduce structural costs to a minimum and to forward the bulk of EU funds to associations operating on the ground, through calls for proposals less complex compared to EU ones. However, at a local level, sub-grants are only seen as a 'way for the EU to delay a more relevant decision concerning the simplification of the calls for proposal's guidelines',[60] which would definitively not solve the problem of long-term change within society, nor really empower Tunisian CSOs that would always remain

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[58]   Interview 10: EU official, Brussels, 17 Dec. 2017.
[59]   Interview 11: EUD to Tunisia, Tunis, 13 Apr. 2017.
[60]   Interview 12: Local national institution, Tunis, 14 Nov. 2017.

dependent on international NGOs. In other words, sub-granting would not be the optimal solution in the long-term.

3.2[b] *EU Commission: Gender not a Top Priority, EU Complex Machinery, Weak Monitoring and Assessment Mechanisms*

The Commission, and in particular the Directorate-General for Neighbourhood and Enlargement Negotiations (DG Near), faces both the problem of the non-prioritization of the gender issue at the EU level and the fact that the Commission has a limited leverage in reforming external strategies. If, on the one side, officials in DG Near recognize that gender equality should be given more relevance,[61] they also underline several technical/financial constraints. An official in DG Near said, 'We are an entity made up of all EU members that has to account for all these states' funds and is therefore obliged to be much more stringent in the requirements. This logic favours institutional actors and big international NGOs, it is true, but it could not be done otherwise. As for the (un)sustainability of the projects, this is also true, but we are obliged to ensure a fair competition and not to always give funds to the same associations'.[62] Another problem only recently taken into consideration is the weakness of the Commission's monitoring and evaluation mechanism. According to several interviewees in Brussels, although the EU's financial commitment to gender equality has been quite significant after 2011, the Commission has not been prepared to face the increasing volume of work required to meet the ambitions of the EU and its partners.

4 POLICY DISRUPTIONS

Whereas gender policy within the ENP has been reformulated, addressing International Organizations' (IOs) inputs and the principles introduced in the various ENP reforms, the modalities of its concrete application *in loco* have remained almost unchanged.

As for the first phase of the 'policy cycle' (policy formulation), the ENP's various reforms have accounted for some of the more significant transformations in Tunisia and other Southern neighbours as well as for the debates within IOs. Both the 2011 and the 2015 review of the ENP have elevated the importance of gender policy, becoming an important component of all other policies and increasing the financial commitment for its development. The Union has also tried to involve local CSOs and NGOs more consistently matching countries' specificities and local

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[61] Interview 13: EU official, Brussels, 15 Dec. 2017.
[62] Interview 14: EU official, Brussels, 17 Dec. 2017.

actors' requests. However, as the literature in the field has already underlined, civil society actors have not been included in this very first stage of policy formulation, i.e., agenda-setting, which thereby misses women's associations' voice 'to shape the objectives, priorities and strategies' of gender policies.[63]

As for the second phase of the 'policy cycle', the implementation of gender policy has not showed the same ductility as in the formulation phase. The interviews have pointed out that, despite policy redirections, obstacles at the implementation level especially regard bureaucratic aspects. In particular, local stakeholders feel that their opportunity to perform is hindered by the difficulty in applying for the EU's calls, as well as in prolonging the projects funded into the long-term, due to rigid policy templates and the standardization of operating procedures. This has caused the marginalization of many women's associations unable to access EU funding, and to stick to a 'project-driven' approach. Both these aspects in turn undermine the outcomes and the impact (included in the third phase of the 'policy cycle', evaluation) of EU gender policies at the local level.

The EUD, while aware of these difficulties, has not yet been able to intervene in the programme management process because of its own scarce autonomy when settling guidelines for financing and the lack of instruments for assessing the outcomes of the programmes themselves. Such a weak point in the feedback process prevents institutions in Brussels from reacting and undertaking appropriate measures in order to review their methodology and act on the issues raised by CSOs.

This disruption in the ENP cycle is amenable to a general difficulty in the relationship between institutions in Brussels and delegations in partner countries. The interviewees have stressed that recently the EUD to Tunisia has become more attentive to local actors' demands. Following the GAP II, the official responsible for the Gender Equality Unit of the EUD to Tunisia has also worked 'to ensure that other units of the delegation would horizontally integrate the issue of gender and to coordinate the work of local civil society, institutions, and international actors in order not to have duplications'.[64] However, due to its lack of resources and its reliance on decisions taken at the EU headquarters, the EUD has limited flexibility for fulfilling local stakeholders requests. Furthermore, delegations generally suffer from a paucity of staff, a point also raised in the 2018 Annual Implementation Report of the GAP II. The Report recognizes that EUDs have taken active steps towards coordinating donors' mechanisms, establishing joint programmes on gender equality issues, completed a gender country analysis, and implemented several corrective actions to strengthen gender mainstreaming.

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[63]   Debusscher, *supra* n. 4, at 324.
[64]   Interview 15: EUD to Tunisia, Tunis, 13 Apr. 2017.

However, the document states that 'to ensure the effective implementation of gender equality policies in programming, in-house staff or ad hoc experts must be available with comprehensive knowledge on gender equality and gender main-streaming' and stresses the 'need to increase the number of staff who work on gender equality full-time'.[65] Moreover, the Report underlines that the process lacks an assessment and evaluation procedure that considers the management and the effects of actions put in place to fulfil ENP goals in gender policies (third phase of the 'policy cycle').[66]

The application of the 'policy cycle model' evidences implementation and evaluation as the most vulnerable phases. Hindrances in the implementation phase cause an underperformance of gender policy within the ENP. Whereas feedback works in the overall formulation of a policy, it does not work as well for the concrete aspects regarding its implementation, leading to 'a lack of self-evaluation and self-correction of policies as causes of on-the-ground weaknesses and drawbacks'.[67]

5 CONCLUSIONS

The article has questioned the euro-centric attitude of EU external action from an empirical point of view, by investigating 'how inclusive the process of ENP-making is […] in order to determine its outcome'.[68] The 'decentring perspective' has given voice to local partners viewpoint while the 'policy cycle model' has been very effective in detecting various disruptions occurring at the local level, proving itself a useful analytical tool in the study of the so-called EU 'local turn'. Within the policy cycle, the EU and its partners have two main points of contact: the adjustment of the policy according to the requests of the recipient government, and the implementation of the policy with the intervention of local stakeholders. The latter has been at the centre of our investigation, and has helped us understand the weakest points in the policy cycle.

The EU has reacted to recent changes in Tunisian society by redirecting and increasing the budget allocated to gender programmes in order to support the demand for female participation in the process of democratic transition. However, the Union has not adequately considered inputs coming from the variegated panorama of women's associations nor redesigned the manner in which

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[65] European Commission, *Annual Implementation Report 2018: EU Gender Action Plan II 2016-2020*, SWD (2019) 326, 20 (Brussels, 11 Sept. 2019), https://ec.europa.eu/europeaid/sites/devco/files/gap-ii-annual-implementaiton-report-joint-staff-working-document-2018_en.pdf (accessed 22 Dec. 2020).
[66] *Ibid.*, at 9.
[67] Dandashly & Noutcheva, *supra* n. 4.
[68] Bicchi, *supra* n. 3.

programmes are implemented. The policy cycle has highlighted persistent disruptions as the system lack of a policy assessment procedure ensuring that programmes are effective and coherent and that policy goals align with the needs of local stakeholders.

Whereas traditional literature dealing with the EU's democracy and human rights support has already stressed the 'neoliberal', 'securitizing', 'neo-colonial' and 'top-down' approach of the EU towards its neighbours,[69] the 'policy cycle model' is able to show 'technocratic' hindrances. The challenge, in policy terms, is to repair disruptions in the transmission circuit between the EU and the partner country and back. From a theoretical perspective, it seems both appropriate and necessary to use an approach that can hybridize the branch of studies that considers the ENP a part of the EU Foreign Policy (EUFP) strategy with one that treats the ENP as a complex system of policy transmission. To conclude, we believe that a 'policy cycle model' approach can reinforce and enrich studies on the ENP and contribute to the analysis of some of its inefficiencies, as it is a valuable analytical tool for investigating other ENP policies, as well as to assess EU gender policies in other ENP countries.

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[69]   Huber, *supra* n. 53.