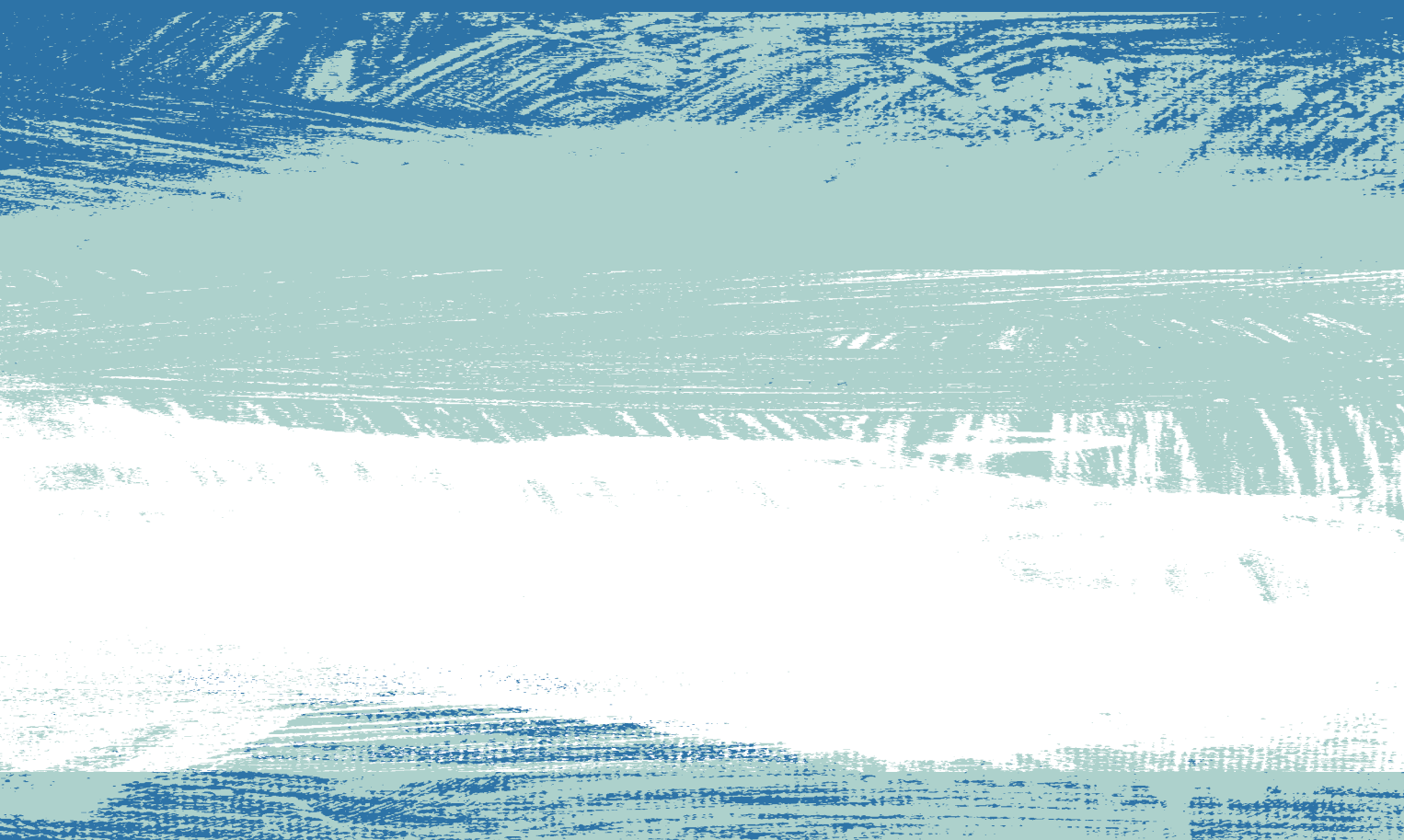Barcelona Plus

Towards a Euro-Mediterranean Community of Democratic States

A EuroMeSCo Report

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April 2005

Acknowledgements

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Summary:

From Partnership to Community: An 11-Point Commitment

In accordance with the mandate conferred by the Euro-Mediterranean Ministers of Foreign Affairs meeting in The Hague on 30 November 2004, EuroMeSCo has prepared a thorough assessment of the achievements and shortcomings of the Euro-Mediterranean Partnership, with a special emphasis on the political and security chapters and relevant issues from the third chapter. The work also contains recommendations on the long-term objectives that should inform a transformed Euro-Mediterranean Partnership.

The following **11 main conclusions** can be drawn from the report prepared by EuroMeSCo in fulfilment of this request:

1. Reaffirming the Barcelona Principles: The Potential Acquis

The analysis of the Barcelona Declaration (1995) ten years after its proclamation shows how modern and relevant a project it remains. The Declaration is underpinned by four key ideas: first, the primacy of fundamental values; second, the rejection of power politics in relations between states; third, a commitment to build a common economic area, with the establishment of a Free Trade Area (FTA) in 2010 as an indispensable instrument to achieve that goal; and fourth, placing civil society at the core of the processes of regional integration, cooperation and reform. At the heart of the process is the commitment of the partners 'to develop the rule of law and democracy in their political systems.' These aspirations are what constitute the 'potential *acquis*' of the process. It is an *acquis* because it is a ratified and formal commitment, but potential because the conditions for its full realisation are not yet in place. Implicit in this commitment is a notion of joint political responsibility for the implementation of commonly defined objectives. *In short, the Barcelona process thus aims to create an enormously diverse regional group based on the European experience, to promote peace and freedom through inclusion, by creating the conditions for the potential* acquis *to become a really existing* acquis.

2. Recognising Current Limitations

An overview of the last ten years shows that reality lags far behind the aims, and that the causal and sequential link between economic reform and political liberalisation has failed to materialise. If there has been any progress in human development terms, it has been neither uniform nor sufficient to respond to the grave social problems of the region. Economic reforms have largely failed to encourage political reform.

The Partnership failed to address seriously political issues, not only in the realm of security but also as regards human rights, not least because of the assumption of a causal sequential link to economic reform. At the same time, South-South cooperation is only now taking incipient steps forward with the Agadir Process, and sub-regional cooperation in the Mahgrib and the Middle East has remained hostage to unresolved tensions and conflicts that the Partnership has been unable to address. *In short, the 2010 project that underpins the whole process is at risk.*

3. Choosing Between Reform and Irrelevance

North and South, the view among the general public is that the EMP has not met expectations and needs and, what is particularly serious, that it has actually served to bolster the status quo. At the same time there is widespread acknowledgement that there is no viable alternative, and that the incremental and long-term approach to reform adopted by the EMP is actually the most appropriate, a view reinforced after 11 September, the war in Iraq, and various regional reform initiatives, including the G8 initiative for the Middle East, and various exclusively European policies such as the Neighbourhood Policy, which offers a bilateral solution to the problems of the region. In this context, if the multilateral EMP fails to respond effectively to the challenges, it could lose relevance, and become progressively sidelined, losing support and legitimacy. *In short, the EMP thus faces a very clear choice: reform and revival, or paralysis.*

4. Identifying Good Practices

Reviving the EMP means using the building blocks of good practices in all the areas covered by the Partnership, and the progressive appropriation of the process by actors other than those in state bureaucracies, including migrant communities, entrepreneurs and the growing number of civil society organisations that have worked in the education or human rights fields. The socialisation of the Partners through joint work in common institutions, independently of bilateral tensions, within which each is autonomous and equal, is one of the main examples of good practice. Socialisation through institutionalisation and routinisation of contacts is a central aspect of the real *acquis* of the Process. *In short, the real* acquis *of the EMP already provides a solid basis upon which to build the instruments and mechanisms to turn the potential* acquis *into a reality.*

5. Taking Advantage of the New International Commitment to Political Reform

The current international situation, particularly the evolution of US foreign policy towards the region, have had a contradictory impact on the Mediterranean. On

the one hand, US initiatives placed political reform squarely on the international agenda, on the other, the war in Iraq generated great hostility towards 'democratic interventionism'. At the same time, Southern states and civil societies are debating and engaging with reform agendas as never before. This duality – a desire for reform but a resistance to external imposition – means that the EMP is in a unique position to further develop its specific approach to supporting reforms that is case-sensitive and modulated. In short, the EMP offers a unique path to promote democratisation that embraces both what is universal and specific on the basis of a common endeavour framed by shared values. *In short, in light of the new international context, this is the time to affirm its specificity.*

6. Promoting the Notion of a Euro-Mediterranean Community of Democratic States

The *potential acquis* of the EMP is about creating an area founded upon the pillars of democracy and the elimination of the use of force among neighbours. In other words, all states accept this aim even though they are at present unable to meet all the requisites of rule of law based democracy. 2005 is the moment for the EMP to reaffirm unequivocally that *acquis*, and to make clear that its logical outcome must be the creation of a regional group based on a democratic convergence among participating states. *In short, the EMP can only be reinvigorated and maintain its relevance into the future if it turns its potential* acquis *into specific actions designed to create a Euro-Mediterranean Community of Democratic States.*

7. Integrating the Aims of the Neighbourhood Policy into the EMP

The Neighbourhood Policy makes the aims of the EMP clearer, as it has introduced specific and detailed programmes to strengthen national rule of law, democracy and basic rights commitments. At the same time, the EU is now offering its Southern neighbours a stake in the Single Market and its Four Freedoms. If the EMP fails to make these aims part of the process – if it does not work towards the constitution of a Euro-Mediterranean Community between democratic states, the bilateral nature of the Neighbourhood Policy will gradually destroy the regionally focused EMP. The solution to the potential divergence between the EMP and the Neighbourhood Policy is to establish different objectives for Mediterranean and non-Mediterranean neighbours: for the former the end goal is the Euro-Mediterranean Community of Democratic States. *In short, a strong EMP is an EMP that reinforces its regional and multilateral nature, while taking on board the normative commitments of the bilateral Neighbourhood Policy as the way to create a Euro-Mediterranean Community of Democratic States.*

8. Building the Five Pillars

A Euro-Mediterranean Community must be built around five pillars.

The first and central pillar is democracy, which means actively promoting political reform and involving in the process civil society and all groups – Islamic ones included – which reject political violence.

The *second* pillar is inclusion in diversity, which means abandoning the dialogue of civilization approach that establishes a bipolar religious divide that does not correspond to reality, and adopting the notion of 'hospitality' towards an 'other' that is not intrinsically different but rather intrinsically similar or equal.

The third pillar is migration, which cannot be addressed from a security perspective, but rather in a way that makes migrants and their descendants central actors in the process of regional political and economic integration.

The *fourth pillar is citizen security.* Because civilians are the preferred targets of violence in the Mediterranean, protecting them with policies based on a close linkage between security and justice, and the reinforcement of the rule of law, is a precondition for long-term legitimacy, credibility and, ultimately, success.

The fifth pillar is social solidarity and cohesion. The FTA cannot be achieved at the expense of aggravated social disparities and, as in the case of Europe, free trade must be accompanied by funds that mitigate the social costs of adjustment, namely by promoting education, training, administrative modernisation, the development of basic infrastructures, and the promotion of competitiveness and innovation.

In short, the EU must match the ambitions it has expressed with funds that are sufficient to begin building a socially cohesive Euro-Mediterranean Community of Democratic States.

9. Meeting the 2015 Deadline

The Euro-Mediterranean Community of Democratic States project has to be based on the 'fixed dates' model that made the single market and currency possible in Europe. Hence, the 2010 FTA objective must be prioritised to ensure that the Euro-Mediterranean Community and Common Market are achieved by 2015. To ensure that the 2015 deadline is met, there must be regular monitoring of progress with clearer indicators and benchmarks, as well as a detailed annual review by the Euro-Mediterranean ministerial conference. This will allow for an assessment of the evolution of mutually agreed goals that allow each country to advance towards the more complex objective of the Euro-Mediterranean Community of Democratic States. Clear indications of what Southern partners will gain by engaging in reforms

are vital: a stake in the Single Market and its four freedoms, including the free circulation of people. *In short, establishing the Euro-Mediterranean Community of Democratic States means rigour in meeting commonly agreed benchmarks.*

10. Ensuring Co-Responsibility and Ownership

This kind of project only works if all parties involved jointly manage it. This means dealing with institutional asymmetry, a problem that can be immediately addressed by setting up programmes that integrate Southern representatives into a PRO-MED UNIT that works alongside the Commission and the Council, particularly for the sector specific domains of the Partnership. A co-presidential system – of which the report identifies a number of variations – will promote a more equitable and better-monitored process. Civil society must play a reinforced role, although Northern and Southern officials must also engage in a dialogue that explicitly takes the diversity of forces on board independently of religion or culture. *In short, co-responsibility and co-ownership is the only formula for a Euro-Mediterranean Community of Democratic states, representation and administrative mechanisms must be reformed to reflect that, and all peaceful political and social forces must be engaged.*

11. Conquering Elites and Public Opinion with a Visibility Strategy

One of the major difficulties faced by the EMP is the lack of information and debate in all forums about its nature both North and South, given the absence of a communications and dissemination strategy and the limited scope of EMP initiatives. Making the Partnership more visible means, first and foremost, ensuring that its agenda addresses the real concerns and needs of the people of the Euro-Mediterranean, and involving the public more directly in the activities of the EMP. Increased visibility should be based on four policies: creating an effective visibility and communications strategy; make better use of EMP-related networks ('*network of networks*'); 'brand' Barcelona initiatives as an integral part of the Partnership; mitigating bureaucratisation by engaging a larger number of government and administration sectors. *In short, the EMP can only conquer hearts and minds and become an Euro-Mediterranean Community if its aims are widely disseminated, democratically debated, and efficiently implemented.*

The Barcelona Plus Declaration

November 2005 is the moment for the states that are party to the EMP to affirm this 11-point commitment. This is the only way to ensure that the EMP does not wither,

but rather flourishes as a path towards the constitution of the Euro-Mediterranean Community of Democratic States through the conscious transformation of its potential *acquis* into a real experience that is felt by the peoples living within its borders. *In short, when celebrating its 10th anniversary and returning to Barcelona in 2005, the EMP must re-affirm the principles of the Barcelona Declaration and make explicit the goal of building a Euro-Mediterranean Community that refuses power politics in mutual relations.*

Aim and Scope of the Report

The aim of this report is to assess the achievements and the shortcomings of the Barcelona Process, ten years after its inauguration, against the goals originally set forth with a view to proposing a future design for the Euro-Mediterranean Partnership. Thus, the report re-examines the founding principles and values of the Barcelona Process, and the explicit and implicit objectives of the signatories of the Barcelona Declaration in a forward-looking way. The original vision enunciated by the 1995 Barcelona Declaration, the creation of a Euro-Mediterranean zone of peace, democracy and human development –in short, the full promotion of human dignity across this vast area–, has yet to be fully implemented, but must also be adjusted and enhanced to enable the EMP to meet present challenges and adapt to a changed regional and international environment.

This report, in accordance with the mandate conferred on EuroMeSCo by the Hague Ministerial, is concerned solely with the first chapter and closely related issues in the third chapter, and concentrates on the long-term objectives that should inform a transformed Euro-Mediterranean Partnership. It proposes therefore that priorities should henceforth be defined with a view to generating a new impetus, including in what concerns core objectives of the Barcelona Process. In this light, the 2010 deadline established in 1995 for the 'multilateralisation' of a free trade area that to a large extent exists already at the EU-individual Southern Mediterranean partners level must therefore be met, even as the Partnership seeks to identify the priorities for a new era in Euro-Mediterranean relations. This is vital to attain the long-term goal of South-South integration. It should be noted that Turkey, given its candidate-member status, is considered, for the purpose of this report, as part of the EU integration process and not as a Southern partner.

Proposing a reform of the Barcelona Process clearly calls for a consideration of the specific current political, social and economic context in each individual member state, and that the sub-regional dimension be equally given due consideration. It also calls for a consideration of the sustainability and desirable evolution of the Euro-Mediterranean Partnership in a context of ongoing and persistent crises and conflicts that continue to cause terrible suffering and appalling loss of life and constitute a massive obstacle to the creation of a real community of states and peoples. Equally, the strain of events on the periphery of the region covered by the Partnership cannot be overlooked, including the situation in Iraq and its overspill. On the other hand, US-inspired initiatives towards the Mediterranean (similar to the EMP in that they rely on the use of 'soft power'), which have partly been incorporated into the G8 framework, must also be factored in.

Developments in Europe will also affect the Partnership and its future shape. Notably, the new EU institutional design and policy emphasis arising from the Constitutional Treaty is likely to generate a more coherent approach towards the EMP. Internal

changes in EU governance, notably the enhancement of the Community method, together with the prominence given to the notion of neighbourhood and the methods devised to make it come about, are bound to have a cumulative effect on reshaping the Barcelona Process.

The report reflects an attempt to provide answers to a number of specific questions identified as crucial to the future outlook of the Partnership.

First, what is the link between economic development and democratic reform?

Second, how can the EMP contribute to guarantee citizens' security, and reinforce respect for human rights and the rule of law?

Third, how can the Neighbourhood Policy contribute to giving renewed impetus to the Euro-Mediterranean Partnership?

Fourth, how can sub-regional cooperation in the Maghrib and the Middle East be promoted?

Fifth, how can co-ownership of the Barcelona Process be ensured?

Sixth, what role should migrants from the Southern states in the EU have in the EMP?

Seventh, how can the role of civil society and political actors in furthering the Barcelona goals be enhanced?

The report takes a hard look at the extent to which the Partnership has met – or failed to meet – original expectations. It includes a detailed assessment of what the process has achieved thus far, and to what extent its original goals have produced tangible results. It should be noted at this point that this is no easy task for a number of reasons: first, inclusion is a process designed to produce results over the long haul. Second, the absence of reliable indicators and EMP evaluation mechanisms makes it difficult to assess the political aspects of the Partnership, including the political implications of the economic chapter. Finally, although there are readily available general indicators on governance and general development trends, it is not easy to establish with any degree of certainty a causal link between such indicators and the EMP. In light of these limitations, the methodology adopted in this report is to compare reality with goals, and try to establish to what extent policies and institutions measure up to the original goals of the Partnership.

I. Back to Basics:
The Barcelona Declaration Revisited

The point of departure for any EMP reform is the Barcelona Declaration itself. The vision it embodies has become even more relevant today, when public demands for reform and democracy are rising. Not unlike other integration initiatives such as the Mercosur, the Southern Common Market in Latin America, the Barcelona Process was born out of specific circumstances in the 1990s, and the overwhelming feeling that multilateral governance and regionalism were essential components of a post-Cold War international order. They provided the best approach to confidence building and conflict avoidance between neighbouring countries, and to face the multifaceted challenges of globalisation. This was termed the 'new multilateralism', and one of its key defining features was the recognition of the role of civil societies in multilateral forums and issues. One of the most innovative aspects of the 1995 Barcelona Declaration is the important role assigned to civil societies in the general promotion of Euro-Mediterranean relations, and the furtherance of the goals of the Partnership in particular.

The Nature of the Barcelona Process

It is only in the most formal sense that the Barcelona Process, with its three chapters on political and security issues, economic and financial cooperation, and social, cultural and human affairs, is modelled on the Helsinki Process set in motion by the 1975 Conference on Security and Cooperation in Europe (CSCE). An attempt at adding a CSCE-type dimension to the EMP, in the form of the Euro-Mediterranean Charter for Peace and Stability, has failed. The commonly offered reason why the laboriously negotiated Charter failed to be adopted in 2000 is the worsening of the crisis in the Middle East. The fact remains, however, that it was perhaps inappropriate, in the context of the three-pronged, holistic Barcelona Process, to attempt to separate first-chapter issues – political and security cooperation, including hard-security issues –, from socio-economic integration.

The Barcelona Process is much more the successor of European integration, building on the experience and the strategy devised for the post-1989 process of eastward enlargement, than of the security-driven, bipolar world CSCE. This is not to say that specifically addressing security issues in the Euro-Mediterranean region is beyond the reach of the Barcelona Process, nor that attempts at resolving or preventing conflict and crisis cannot benefit from the CSCE-OSCE experience, as indeed they should, particularly in the domain of South-South confidence-building measures. But the nature of the Barcelona Process is altogether different from that of Helsinki, primarily aimed at defusing bipolar military rivalry, and so are its scope and its ambition.

One of the most innovative aspects of the 1995 Barcelona Declaration is the important role assigned to civil societies in the general promotion of Euro-Mediterranean relations.

The Barcelona Declaration states the aim of establishing a free trade area by 2010, and sets the creation of a Euro-Mediterranean regional group as a central goal of the Partnership. In this and other respects, the EMP is somewhat similar to the 1994 North American Free Trade Agreement, although more comprehensive and politically ambitious, because trade liberalisation is accompanied by political and security, social and cultural cooperation mechanisms and thus touches upon virtually all aspects of inter-state relations. In 2010, the Barcelona Process is therefore expected to have generated an advanced project of open regionalism aimed at ensuring a successful response to the challenges posed and opportunities offered by globalisation, integrating Maghrib and Mashriq countries with the EU.

Formally, the EMP operates at two, complementary, levels: the bilateral level consisting of EU relations with individual Southern partners, governed by the respective association agreements; and the regional, predominantly multilateral level. All the nine association agreements are now in force barring the agreements with Algeria, awaiting ratification, and Syria, awaiting signature. The regional agenda – hailed as one of the most innovative aspects of the Barcelona Process – although it has recognisably set the framework for an enhancement of the bilateral sphere, has progressed at a much slower pace, in part because of the conflict in the Middle East and other regional disputes.

The Barcelona Process is much more the successor of European integration, building on the experience and the strategy devised for the post-1989 process of eastward enlargement, than of the security-driven, bipolar world CSCE.

The EMP is essentially an attempt to extend Southward the zone of peace and prosperity achieved within the EU, through a process of North-South, but particularly South-South, integration, and thereby move beyond mutual suspicion towards association. The letter and spirit of the Barcelona Declaration is that free trade is a means to an end: it is a way to attain the long-term goal of Mediterranean peace, something Europe has achieved through integration. In Europe, democratic inclusion – involving economic integration and reinforced social cohesion in a context of political freedom, security and justice – has woven a web of interdependence, and reduced the potential for conflict, promoting peace and security through economic integration focusing on human development.

The EMP is a long-term, open-ended process, in which success depends upon ongoing reform efforts, and on the case-sensitive and modulated EU approach to the issue of democratisation that embraces both the universal and the specific in the development of a common endeavour and shared values. The case-sensitive EMP approach towards conditionality eschews the strong conditions imposed on EU accession candidates. This approach is therefore seen to reject a coercive, security-based and strategically informed ideology, although there is the feeling that a more demanding and energetic Euro-Mediterranean approach to democratisation is necessary.

Given its cooperative integrating nature, democratic inclusion requires and simultaneously generates a security culture based on an explicit rejection of power politics in inter-state relations. The pursuit of national interests at the expense of the

security of others is no longer legitimate. Rather, inter-state differences are resolved through jointly established norms: it is a juridical concept of security. Economic integration, political convergence and security cooperation turn conflict into a lose-lose situation, as these processes heighten popular awareness of the existence of shared interests and of a common destiny.

The Principles of the Barcelona Declaration

The Barcelona Declaration signals a commitment to the principles and values of peace, stability and prosperity in a context of regional security, diversity and pluralism, non-discrimination, respect for the rule of law and fundamental rights and liberties, solidarity and equality amongst partners and respect for the values and specific nature of each partner. It is about bringing peoples together through regional cooperation, partnership and dialogue. The parties stated a commitment 'to develop the rule of law and democracy in their political systems' in the Declaration, and stressed the importance of adequate human rights education.

In order to evaluate the Barcelona Process it is necessary to assess the degree to which these principles have been applied within and in relations between the EMP countries, and to understand the degree to which state practices live up to the Barcelona principles: to what degree does the Barcelona Process promote political convergence on fundamental rights? An answer to this question is vital if a future reform agenda is to be established. The democratic and integrating nature of the EMP is expressed through these principles. In turn, their realisation depends on the Barcelona Process playing a central role in the current regional and international context.

Democratic inclusion requires and simultaneously generates a security culture based on an explicit rejection of power politics in inter-state relations.

Agendas and Implicit Objectives

Apart from the explicit objectives stated in the Barcelona Declaration and the global aim of political, economic and social integration, EMP members have various implicit political agendas, which do not necessarily correspond to the principles enshrined in the Barcelona Declaration. Essentially, many capitals held the view that economic development through free trade and financial assistance would ultimately undermine radical domestic opposition, namely of Islamist denomination. Political Islam was perceived as an homogeneous reality and as a major challenge in 1995, and its diversity was not recognised. This led to an overemphasis on fundamentalist sectors and extremist groups resorting to the use of violence, and to a neglect of reformist strands in the movement. The Algerian crisis at the end of 1991 consolidated this stereotype, which informed the drafters of the Declaration. At the time, political Islam and the religious renaissance in the South were perceived by

most EU Member states and governmental elites in the South – a product of secular Arab nationalist movements – as a unique threat to stability. The other main aspect of the Barcelona economic paradigm was the desire on the part of Europe to reduce migration flows originating in the South.

Southern Mediterranean governments, by and large, were then seeking to embark upon market reform and global economic integration, and searching for new opportunities to promote regional peace. This change among Arab governments was a product of various factors, including the end of the Cold War, the 1991 Gulf war and, most importantly, hopes for peace in the Middle East encouraged by the Oslo Accords of 1993. In the Maghrib, the Barcelona Partnership was primarily viewed as an opportunity for economic modernisation, increased access to European markets, greater European aid for the structural adjustment processes that promised to generate considerable social and economic hardship. The political elites realised that integration with the European market would threaten key economic sectors. At the same time, however, globalisation could not be avoided, and economic integration with Europe was perceived as a way to minimise its negative impact. It was also felt that this was the best way to isolate radical Islamic currents experiencing rising popularity in the context of the social and economic difficulties facing most of the Southern Mediterranean states. In the Mashriq, although considerations of a similar nature were not absent, concerns were more political, particularly for the Palestinian National Authority, which was offered the first time opportunity to become a full partner with Europe. For the other states of the region, the Barcelona Process was seen as a new instrument involving Europe in the search for multilateral solutions to regional crises.

The parties stated a commitment 'to develop the rule of law and democracy in their political systems'.

The Barcelona Acquis

The term *acquis* is a product of European integration and EU accession criteria. The Community *acquis* is the body of common rights and obligations that bind the 25 EU member states. Applicant countries must accept it before joining the EU and must incorporate it into national legislation and implement it from the moment of accession onwards. The Barcelona process also has an *acquis*. It is a body of common rights and obligations, based on the norms and agreements adopted with the inauguration of the EMP (including the Association Agreements), which are legally binding for current as well as future member states. For EU members and candidate countries, the Barcelona *acquis* is an integral part of the *acquis communautaire*.

The *acquis communautaire* is essentially legal in nature. In the case of the Barcelona Process there are two kinds of *acquis*: an 'institutional *acquis*' that is based on the decisions reached over ten years of multi-level meetings, and a 'potential *acquis*.' Future EMP members must also accept the latter, at the core of which are the

principles and values enunciated in the Barcelona Declaration. In short, the Euro-Mediterranean *acquis* consists of two elements: recognition of the legitimacy of the EMP institutions and procedural rules, and recognition of the existence of a potential *acquis* from which the EMP derives its legitimacy.

Institutional Acquis

The institutional framework of the EMP is a complex, three-layered one. It reflects the fact that the EU system of governance is applied to non-EU states. The EU Presidency chairs the Euro-Med committees, and the Commission acts as the guardian of the Barcelona Process on behalf of both EU and non-EU members, and as the coordinator of the multilateral and bilateral committees. The existence of a dual agenda – multilateral and bilateral – adds to the complexity of the structure, and this is likely to be reinforced as progress is made with the implementation of Association Agreements.

The Barcelona Declaration established the original institutional *acquis*, paving the way for the establishment of common institutions that are the most visible face of the multilateral dimension of the Partnership and the strongest socialisation factor. The key institutions are the Conference of Ministers of Foreign Affairs, the sectoral ministerial meetings, the Committee, the Senior Officials meetings on political and security issues and, more recently, the Parliamentary Assembly and the Anna Lindh Euro-Mediterranean Foundation for the Dialogue of Cultures (the first common institution of the Barcelona Process that is based in a Southern Mediterranean Partner and co-financed by all members of the Partnership). The bilateral Association Councils, Association Committees and Sub-Committees established to implement the Association Agreements are also part of this *acquis*. Although bilateral, the Association Agreements reinforce a sense of common purpose and also contribute to the socialisation process.

In the case of the Barcelona Process there are two kinds of acquis*: an 'institutional* acquis*' that is based on the decisions reached over ten years of multi-level meetings, and a 'potential* acquis*', at the core of which are the principles and values enunciated in the Barcelona Declaration.*

The Potential Acquis

The Barcelona *acquis* should not be understood as a set of targets that all aspiring member states must fulfil before they can join, as is the case in the EU. Indeed, it is recognised that some political aims are to be achieved over the long term, and existing institutions serve to promote their fulfilment, rather than the other way around. Nonetheless, the 'potential *acquis*' – reflected in the tone, principles and aims of the Declaration – has to be accepted by all partners as a goal. It is an *acquis* because it is a ratified and formal commitment, but potential because the conditions for its full realisation are not yet in place. Implicit in this commitment is a notion of joint political responsibility for the implementation of commonly defined objectives.

The Neighbourhood Policy Action Plans have qualitatively changed the nature of EU relations with its neighbours. The Plans are more like the pre-accession strategy and call for neighbours to accept and incorporate into national law the Single Market *acquis*. Offering Neighbourhood countries the possibility of integrating with the Common Market is a challenge similar to that faced by the EFTA countries when joining the European Economic Area. A major difference is that political reform was not an issue because all these countries were already consolidated democracies.

Accepting the potential *acquis* means recognising the principles and values of Barcelona as the foundation of the project of integration and of the next stage of the process, the constitution of a Euro-Mediterranean Community of Democratic States. As this is to be achieved over time, it is essential to establish monitoring mechanisms. These can operate along the lines of the EU 'open method of coordination' that applies to various EU policy domains, including the Neighbourhood Policy with its benchmark system. Applying the open method in the EMP means a multilateral benchmarking system that permits the regular assessment of achievements and failures. In this way, the potential *acquis* becomes a guiding force of the Process, and not just a rhetorical flourish.

II. Assessment and Good Practices

The Report assesses six areas of the Barcelona Process that are central to the fulfilment of its overall aims:

(1) the political and social impact of economic policies;

(2) democracy and human rights;

(3) the role of civil society;

(4) political and security cooperation;

(5) justice and home affairs;

(6) migration.

Because of its centrality for the fulfilment of Barcelona's objectives and for the overcoming of old patterns of confrontation, we have also assessed efforts at fostering sub-regional integration. Based on insights taken from EuroMeSCo surveys, we have tried to highlight basic features of perceptions and degree of awareness of the EMP both in the North and in the South.

Political and Social Impact of Economic Measures

The Partnership has made a positive contribution to Southern modernisation efforts, and human development indices have improved, from an average 0,694 in 1995 to 0,731 in 2004.

EMP Southern Countries	HDI Value	
	1995	2002
Algeria	...	0,704
Egypt	0,608	0,653
Israel	0,880	0,908
Jordan	0,707	0,750
Lebanon	0,732	0,758
Morocco	0,571	0,621
Palestinian Authority	...	0,726
Syria	0,663	0,710
Tunisia	0,696	0,745

See Table 1.

Nonetheless, unemployment, social exclusion and illiteracy still represent an enormous challenge for the South. The 2010 free trade area will further promote structural reforms, particularly in trade regimes (liberalisation), budget and administration, in the private sector (privatisation, restructuring and the business environment), in the financial sector and in the labour market. Reforms have evolved differently, but generally speaking all the Southern partners face serious problems in terms of budgetary transparency, sluggish or obstructionist bureaucratic procedures, inefficient judiciaries, and inadequate regulatory systems. The impact of EMP cooperation on these areas was marginal, failing to trigger the reforms enunciated in the Barcelona Declaration, mostly as a result of inexistent benchmarking that might provide incentives for reform.

Democratisation and Human Rights

Democracy

There was some improvement in the human rights situation in a number of the Southern countries, but this fell short of substantive progress in most cases.

Progress towards democracy has fallen short of original expectations, and thus the degree of political convergence on which integration is predicated has failed to materialise. Most governance indicators, as exemplified in Table 1, point to large gaps and negligible progress. Voice and accountability indicators, for example, show that Southern states lag very far behind (50%) the EU.

Voice and Accountability	1996	1998	2000	2002
EU 15	91,67	93,72	91,25	92,46
MAC	35,40	37,90	40,38	41,06
Israel	81,45	84,72	81,5	72,5

MAC - Mediterranean Arab Countries.
See Table 2.

In some countries influential political movements with a large popular base are banned. On the positive side, there has been some debate on constitutional reform and transition to democracy, including on the role of Islamic parties in democratisation processes, but these discussions have been limited. However, several Southern governments have accepted that post-independence models are no longer adequate, and affirm a commitment to political reform.

The Israeli-Palestinian conflict has been an obstacle to meaningful debate on governance and political reform within the Partnership, but the selective focus of the EMP on economic rather than political and social issues is also to blame. To some degree this reflects a preference for the flexible EU approach to political reform over the more coercive US approach.

Human Rights

There was some improvement in the human rights situation in a number of the Southern countries, but this fell short of substantive progress in most cases. Press freedom has improved the most. However, human rights organisations have voiced concern over restrictions of civil liberties in the North and South in the wake of 11 September. The language of rights has gained ground slowly in non-binding regional declarations, but promotional activities have not followed suit. Further, civil and political rights have been emphasised, although the same cannot be said of the rights of women, migrants, and economic and social rights. In short, there is no coherent, holistic rights-based approach to development and cooperation. The same is true for the regional level, which has been sidelined in favour of a bilateral approach focused on civil and political rights. The most promising initiatives are therefore bilateral, but it is too early to judge how much of an impact these will have given the absence of benchmarks and schedules. The Barcelona Declaration states the need to guarantee cultural and religious diversity, but this aspect has not been addressed. This is particularly worrying in light of the rise of extremist identity-based nationalist movements and racist violence to the North and South of the Mediterranean. Combating racism and xenophobia has not been specifically set forth as an EMP aim and initiatives in this domain have therefore been lacking. The Anna Lindh Foundation is expected to address the issue.

The EMP has promoted increased networking between Southern and Northern civil societies.

Civil Society

The EMP has promoted increased networking between Southern and Northern civil societies and induced support for an impressive number of civil society initiatives in a vast array of domains ranging from human rights advocacy to poverty reduction efforts. However, support for Southern groups has not been accompanied by legal and political reforms, so the impact of civil society activism has often been limited to narrow western-educated elites and quasi-governmental NGOs. Civil society has had little impact on or participated in confidence-building measures. Religious charities – often the most socially relevant – have been excluded entirely, despite recommendations made by the 1998 EuroMeSCo Report.

Political and Security Cooperation

Following stagnation and the collapse of the Charter for Peace and Stability, attempts were made to revive political and security cooperation in the context of the ESDP, promoting the inclusion of Southern partners in EU crisis-management operations. The creation of a Euro-Mediterranean system of civil protection is being contemplated. Security cooperation also features in Neighbourhood Policy Action Plans.

Mutual confidence increased significantly since 1995, particularly in North-South relations. The EMP institutions have socialised diplomats and other senior officials, and special units on the EMP have been created in most foreign ministries. South-South confidence building initiatives, however, have been thin on the ground, in spite of the coordination mechanisms established among Arab members of the Partnership. South-South relations are still to a large extent determined by power politics, and marked by mistrust, and ongoing tensions and crises, including armed conflict and foreign military presence. In the Mashriq, tensions are heightened by the persistence of the Israeli-Palestinian conflict, and unresolved issues involving Israel, Syria and Lebanon. In the Maghrib, the Algerian-Moroccan border has yet to be reopened, and the Western Sahara question remains unsolved.

Crises and tensions in the Middle East have constituted a major obstacle to a meaningful EMP political and security dialogue.

Crises and tensions in the Middle East have constituted a major obstacle to a meaningful EMP political and security dialogue, although a new willingness to address specific security issues at EMP-wide level has recently emerged. South-South tensions have made specific confidence-building initiatives almost impossible and these tensions were not addressed in the political and security dialogue. Political dialogue, and CBMs are designed to facilitate efforts at conflict resolution. If CBMs are held hostage to conflict resolution, the logic of the measures goes to waste. Thus, the conditionality that has been accepted in the EMP is the *exact opposite* of what these measures are designed to achieve.

South-South integration and subregional cooperation

It is hardly surprising that the political momentum for sub-regional initiatives in the Maghrib and the Mashriq has failed to materialise. The 1989 Arab Maghrib Union and, later, the Middle East multilateral initiatives entered into a prolonged state of hibernation. Moreover, the holistic nature of the Barcelona Process was understood as outright rejection of differentiation, thus greatly moderating enthusiasm and support for sub-regional efforts. The adoption of Neighbourhood signals a major shift towards a model based on differentiation. However, the need for sub-regional cooperation has not diminished, and attempts to link the 5+5 dialogue to the EMP is a step in the right direction.

South-South integration has taken off the ground with the adoption of the 2001 Agadir Agreement to liberalise trade between Morocco, Tunisia, Jordan and Egypt. MEDA support for the Agadir process illustrates the rising priority given to South-South integration initiatives.

Justice and Home Affairs

Although the rule of law is a central EMP concern as stated in the Barcelona Declaration, justice and home affairs (JHA) issues were absent from the agenda until the approval of the Valencia JHA regional programme in 2002. The need to address rule of law shortcomings in Southern countries has gradually been accepted as an essential condition not just for democratisation but also for sustained economic development. To date, however, JHA funds have focused on judicial technical infrastructure rather than on the promotion of transparency, training and judicial independence. The Valencia JHA regional programme is a political and normative response to 11 September, with cooperation to combat terrorism gaining greater momentum. Although it is possible to observe progress in this area at a declaratory level, the absence of a common definition of terrorism lies at the heart of divergences between participating countries. Furthermore, the need to combine anti-terrorism with the reinforced conditions for the rule of law has as not been fully addressed, given long-standing obstacles in the South and recent Northern retreats.

The bold aims of the European Neighbourhood Policy in the field of justice, police and human rights should be seen as inseparable from the current desire to promote reform in various Mediterranean countries and show that JHA has acquired an important role in the EMP. A number of 'good practices' were initiated through the MEDA democracy programme and bilaterally, and these have had a positive impact in the countries involved, although results are most apparent at the micro-level. These practices reveal the importance of mainstreaming human rights into law enforcement training, and of reinforcing the protection of lawyers and magistrates, as well as upgrading training levels.

Security-based approach to migration co-exists with growing awareness that the EU needs more migrants.

Migration

Efforts to deal with migration and making it part of the second and third chapters have been scarce. Trade liberalisation is not accompanied by free circulation of people, and migrant integration in the EU has not received sufficient attention. Migration and refugee issues are increasingly seen as security problems, and despite the opposition of the Commission to a wide-ranging security perspective, many EU s fail to criticise the tendency to place everything under the security umbrella and even promote it. Migration is a 'security risk' in almost all national strategic doctrines. This legitimates anti-immigrant far-right rhetoric in the EU, and feeds the image in the South that the EU is succumbing to a 'clash of civilisations' vision. Paradoxically, this security-based approach to migration co-exists with growing awareness that the EU needs more, and not less, migrants for economic and demographic reasons. One positive development is that in some countries, migrants are being seen as potentially positive actors in Euro-Mediterranean relations and as net contributors to the development of their countries of origin.

Awareness and Perceptions

EuroMeSCo studies systematically show that beyond governmental circles there is a notable lack of knowledge about the EMP in the North and South alike. In Europe there is widespread criticism of the EMP because of the rhetoric-reality gap although the potential of the framework is recognised on both sides. In the Maghrib and the Middle East the demand for closer relations with the EU is strong, and most continue to believe that the EMP is the best way to fulfil the promise of the Barcelona Declaration, but there are concerns about the capacity of the EMP to bring about socio-economic and political change. For some, the Process is overly inter-governmental and protective of the status quo, while others fear that EU enlargement may accentuate the existing asymmetries. The proliferation of EU and US promoted reform initiatives is another source of anxiety, as it is feared that the EMP may be diluted or sidelined. Addressing negative mutual perceptions is a central challenge that has only been partially addressed to date. In fact, perceptions on both sides are rather contradictory: EuroMeSCo surveys show that the public in Southern countries believes that the North sees it as a security threat, particularly after 11 September and 11 March, but at the same time, the war in Iraq highlighted a remarkable convergence of public opinion North and South in support for multilateral options.

The war in Iraq highlighted a remarkable convergence of public opinion North and South.

In what concerns particularly the South, there is still a perception that the EMP is to a great extent a European project evolving in accordance with the Union's capacity to forge common positions on Mediterranean issues. The attempt by the Southern states to lock into concepts offered by the North is perceived as being complicated not only by the explicit/implicit divide in Europe's agenda, and by the plethora of initiatives, but also by the fact that different European goals have been highlighted at different times, and are constantly evolving, in response to events and developments on the ground. A supplementary factor that renders difficult any attempt to assess European goals for the EMP is the implicit *trans-Atlantic agenda* of certain initiatives, such as the' EU Strategic Partnership with the Mediterranean and the Middle East'. In short, the need for a clarification of the European position *vis-à-vis* the Mediterranean is a concern expressed in many analysis from the South.

Momentum for Reform

The EMP has had an impact on Southern economic development, and has promoted links between civil society and even contributed to the development of shared values and a sense of a common destiny. However, it has had little or no impact on political convergence despite the global recognition of the political value of the Partnership, human rights have had a very low profile, and before the creation of the Anna Lindh Foundation there was no anti-racist or anti-xenophobia action. Security

and defence, migration, police and judicial cooperation have been recognised as priority areas but results so far have been disappointing. Despite the high hopes raised by the Agadir Agreement, the EMP has been unable to function as a catalyst for sub-regional integration as envisaged in the Barcelona Declaration.

There is a sense of disappointment in the South, as reformist sectors resent the caution with which the EMP promotes democratic governance and human rights, while others resent even timid action on the grounds that such obligations are being met or that Europeans fail to appreciate local difficulties. The South deplores increasing xenophobia and restrictions on labour mobility, partly a result of the 2001 terrorist attacks. There is an awareness of the short- to medium-term social pressures of economic restructuring, particularly the loss of custom revenue for the state, and its often inadequate replacement by indirect taxation on consumption. The same is true for the implications of limited foreign direct investment, a key to economic recovery, particularly in terms of continued unemployment and its concomitant social and political pressures.

Nonetheless, there is an awareness of the significant impetus that the Partnership has given to regional cooperation, and it is felt that should greater European commitment and greater Southern willingness to undertake political reform real progress in the political and security aims of the Barcelona Declaration can be achieved.

III. A New Context and Renewed Hopes

There is arguably stronger convergence between the agendas of North and South and around the principles of the Partnership than was the case in 1995. This is a product of various factors.

First, there is the sense that there is no credible alternative to the EMP and that international tensions would further increase and national reforms fail if it were to disappear.

Second, there is a new vision of the link between economic development and democratisation. The view of the 1990s – reflected in the Barcelona Process – that economic liberalisation leads to democratisation has been challenged by events in the Mediterranean and the Middle East. Although there is some degree of causality, the view is that each process must be pursued on its own merit. The EMP cannot avoid this issue given the intense democratisation debate going on in the Mediterranean and Middle East, and civil society and reformist sector demands for its deepening. A consensus of sorts has emerged in the region, and EMP aims have become more acceptable.

Third, there is a new attitude towards political Islam, with a gradual abandonment of the view that it is simply a problem to resolve, and the adoption of the more positive view that peaceful movements must be involved in the process of democratisation. These movements are a growing and inescapable reality in most South Mediterranean countries, and the integration of Islamic parties into the political process has contributed to changing the way that such movements are perceived in Europe.

Fourth, there is a renewed focus of international initiatives to promote democratic reform, given the US focus on the issue. The US Greater Middle East Initiative, proposed free trade agreements, the G8 proposals (which adopted EMP financial and economic goals) have contributed to put the debate on reform on the international agenda. Many question the credibility of US democracy promoting initiatives given their association with the war in Iraq. The more gradual, consensual policy of democratic inclusion has therefore gained in legitimacy and credibility.

Fifth, although the Middle East conflict and the failure of the Oslo Accords and the Israeli-Syrian stalemate continue to have a profound impact on the Partnership, and although it is hard to predict how those conflicts may evolve in the near future, the Palestinian presidential and forthcoming legislative elections have undeniably opened a new window of opportunity and reinforced legitimacy and negotiating capacity of the PNA.

Sixth, the most recent EU enlargement, which almost doubled the number of member states, has radically transformed the EU neighbourhood with obvious implications for European foreign policy. The Neighbourhood Policy initiative is at least partly a result of and a response to the changes wrought by enlargement, and has the potential to improve North-South political cooperation in the short- and medium-term.

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IV. A Community of Democratic States

It is now necessary to define the central aims of the Partnership more explicitly in light of the Barcelona Declaration, and in response to the assessment of the successes and failures of the Process to date, the emergence of the Neighbourhood Policy (which forces the EU to confront the issue of migration in light of one of the four freedoms – the free movement of people), and given the demands of the public on both shores of the Mediterranean. This new, and more complex focus on democracy also brings the question of cultural diversity to the fore, and further forces the partners to focus on the question of social cohesion as a fundamental element of successful economic reform and free trade arrangements: democracy, cultural diversity and social cohesion must work in tandem with security policies that are compatible with the principles enshrined in the Barcelona Declaration.

Peace, Democracy and Human Rights: Congruence and Implementation

The EMP must be made congruent with Neighbourhood, fully integrating Neighbourhood arrangements and methods into the Barcelona framework, as was the case with the Association Agreements.

The attainment of peace and democracy in the South through a process of inclusion is explicitly stated in the Constitutional Treaty, Article I-57 of which states that, 'the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.' The formulation of principles and values in the Constitutional Treaty and the Neighbourhood Policy is more explicit than that stated in the original Barcelona Declaration, namely on such issues as respect for minorities and justice. There are also explicit references to gender equality and the protection of the rights of the child. The Neighbourhood Policy, in turn, states that relations with neighbours will build on 'commitments to common values, including democracy, the rule of law, good governance and respects for human rights, and to the principles of market economy, free trade and sustainable development as well as poverty reduction.'[1] Neighbourhood Action Plans include detailed programmes to strengthen national commitments to these values, including the respect for fundamental freedoms such as freedom of expression and the rights of minorities, as well as support for civil society. Although with the Neighbourhood Policy the values and objectives of the Barcelona Declaration are made more explicit, the EMP and the Association Agreements had already taken this on board as a commitment. Indeed, the Association Agreements all include clauses stating that respect for democratic principles and fundamental human rights are 'essential elements' of the Agreements. The fact that many states had differing agendas in 1995 does not invalidate these values as key points of reference for democratic scrutiny.

[1] Council Conclusions of 14.06.2004 on the ENP, 10189/04

Making these values and principles work in reality across the EMP is considered an essential aim. It constitutes the essence of the 'potential *acquis*', and gives credence to the proposal of creating a Euro-Mediterranean Community of Democratic States, a vision without historical precedent based on inclusion within diversity – that is the logical consequence of the principles and aims that inform the Barcelona Declaration. If such a Community fails to materialise, Neighbourhood – which stresses bilateralism and differentiation over multilateralism and regionalism – would be more ambitious than the EMP. As a consequence, the EMP would irredeemably lose its identity and political relevance. The EMP must therefore be made congruent with Neighbourhood, fully integrating Neighbourhood arrangements and methods into the Barcelona framework, as was the case with the Association Agreements.

Inclusion within Diversity

The idea of 'inclusion in diversity' requires clarification particularly in light of the so-called 'cultural divide' and the persistent Southern and Northern perception that there is a real danger of a 'clash of civilisations.' The US response to 11 September was to initiate a war on 'global' terror and to go to war in Iraq, and many viewed this as the beginning of the much-heralded clash. In Europe, 11 March 2004 heightened such fears, although the response of the Spanish public to the attack was to refuse to publicise the nationalities of the accused, or to see the event as a product of a specific culture or country. This, and the convergence over the Iraq war show that the gap between the two sides of the Mediterranean is not as wide as has been suggested.

The Euro-Mediterranean Community should replace the notion of 'tolerant coexistence' with that of 'inclusion within diversity.'

The proposed 'dialogue of civilisations' is seen as an important instrument to combat the Huntingtonian vision of a 'clash of civilisations', but the dialogue is not really the most appropriate response to the current wave of identity-based views emerging in the North and South. It fails to counter the idea that 'civilisation' is an adequate conceptual framework. The dialogue is based on the notion that there must be mutual tolerance between civilisations, which should coexist peacefully as self-contained social and cultural entities. Even though this is preferable to xenophobic intolerance, it perpetuates the notion that 'dialogue' and 'conflict' between 'civilisation' is the central axis of international discourse and action, with nations lumped together as part of a culturally and religiously defined collective. Cultural factors are obviously a powerful generator of solidarity among peoples, but they are by no means the sole or even the strongest generators of convergence.

The Euro-Mediterranean Community should replace the notion of 'tolerant coexistence' with that of 'inclusion within diversity.' The notion of 'hospitality' and of not regarding the 'other' as intrinsically different but rather as intrinsically similar or equal – ideas put forward by Jacques Derrida – is a more appropriate framework

with which to deal with the cultural question. The difference between one and the other is not trivial: what, after all, is the appropriate 'level of tolerance', particularly in a context where people fear migrants will challenge the absorptive capacity of host states and societies? Although this has been a primarily European debate, South-South migration raises similar dilemmas. The distinction is of crucial importance, in fact, and the solution must be to transcend the civilisation boundaries altogether and move towards a universal view of human rights and needs.

In short, the temptation to define societal phenomena in terms of distinct groups of states or political movements along ethnic, cultural, religious or 'civilisational' lines must be resisted. These are concepts that are synonymous with division. The alternative is to focus on the inclusion of diversity from the outset, as the criterion with which to measure the capacity of states and societies to integrate and remain respectful of cultural and religious diversity. The only way to do this is to be strictly observant of human rights and freedoms in a rule of law context, both within and without the confines of nations or regions. This is, in fact, the value-added of the Barcelona Process – the fact that it is a true attempt to achieve this kind of inclusion within diversity over the whole Euro-Mediterranean region. EU membership negotiations between the EU and Turkey constitute a powerful stimulus in this regard, as the EU will have to adopt this approach when addressing its own political identity issues and the question of cultural diversity.

Migration as a Driving Force of Integration

In line with the basic principles of democratic inclusion and hospitality, the prospect of free circulation of persons would represent a radical shift away from the original Barcelona agenda and should be a key component of Barcelona Plus. Increased human mobility at global scale is putting migrations at the centre of political agendas. The presence of migrant communities in Europe is leading to a redefinition of basic concepts such as citizenship, identity and, ultimately, democracy. Although the Barcelona Declaration recognised the importance of the role played by migration in the relationship between partner countries, the EMP agenda soon showed that there was an implicit purpose to limit migration to Europe by addressing the push factors in Southern Mediterranean countries. At the same time, security concerns have been dominant and were heightened after 11 September.

This limited vision contrasts with that of Barcelona and the core values of human dignity, democratic inclusion and solidarity. Over the last ten years, there has been a slight shift, with the Neighbourhood Policy marking a turning point with its long-term goal of promoting access to the European Single Market with the free circulation of people between the EU and its neighbouring regions. This is in contradiction with the intention of the Barcelona Process to promote economic development with a

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view to, among other elements, reduce migratory pressures. This contradiction can be resolved by making free circulation of people an essential feature of the future Euro-Mediterranean Community of Democratic States.

The change in approach of the Neighbourhood Policy has complex origins. On the one hand, European states have come to realise that they need migrants to ensure an adequate supply of labour, and this has forced them to deal with the issue of social inclusion and to determine what approach to adopt towards the problems associated with multiculturalism. The Euro-Mediterranean Ministerial conferences reveal the evolution in attitudes, from initially treating migration as a soft security concern to adopting a view of North-South demographic complementarity, solidarity and minimising threat perceptions. In fact, trans-national migration is challenging various existing policies. In a community of democratic states, trans-nationalism can be a source of migrant empowerment in relations with country of origin and host country authorities. Cross border political action by migrants can reshape national citizenship and decision-making bodies, because migrants can become significant actors to promote democracy and social justice. Europe must avoid a security paradigm, which is at odds both with the EMP and with the Neighbourhood Policy.

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Social Cohesion and Democratic Outcomes

The EMP was predicated upon the idea that economic development would necessarily promote political and administrative reform. Both would in turn promote more cohesive societies as the Euro-Mediterranean free trade area reached completion in 2010. In reality, however, economic change in the Southern Mediterranean has failed to achieve such social and political changes. This is a serious failure because, although political change is initially about institutional reform, social cohesion becomes necessary if polities are to withstand the shock of reform and restructuring. Social cohesion is about the ability of a society to incorporate change without rupture and this depends making economic development socially just.

There has been little social progress in the Southern Mediterranean despite the reforms of the past five years, and the prospects in the short term are not encouraging. The promise of a stake in the Single Market with the Neighbourhood Policy offers a possible solution to this problem, as long as the EU uses it to forge the kind of solidarity that allowed European populations to become more socially cohesive. Thus, it is essential that the importance of solidarity and supporting Southern social cohesion is recognised, as a way to ensure the success of this collective experiment in sustainable and peaceful economic social and political development. Social cohesion is, indeed, an end in itself, both in the EMP and the Neighbourhood Policy. It is a constituent element in the creation of a social fabric

that buttresses economic development and democratic governance. As the EU enlargement process shows, there is an essential and positive dialectic between democratic governance and social cohesion, and without it economic development fails to achieve its social purpose.

Citizen Security

The promotion of peace and security is an EMP aim since 1995. For some it was actually *the* aim of the new Partnership. There are still inter-state tensions in the Mediterranean area that undermine regional integration, but the likelihood of war has declined since 1995. The basic problem facing the countries of the Mediterranean today is violence against civilians. The banalisation and routinisation of violence against civilians, including political leaders, as legitimate political targets of aggression is perhaps the single most important impediment to the establishment of a culture of peace in the region, and certainly to the creation of democratic and rule of law structures, which increase the potential for respect for basic rights, particularly the right to physical integrity.

Indeed, the most worrying issue from a security perspective is this banal and routine high level of violence against ordinary people: more than 150,000 of them have died since 1995 as a result of political violence, particularly on the Southern margin of the Mediterranean – the Maghrib and the Middle East – where practically no country has been spared, although the North also has suffered the consequences of this deeply embedded dynamic, as Madrid witnessed with the most deadly act of violence against civilians in Europe of the last decades.

The most worrying issue from a security perspective is this banal and routine high level of violence against ordinary people: more than 150,000 of them have died since 1995 as a result of political violence.

The EMP has been unable to agree on a common definition of terrorism, and even less to devise a common strategy to combat it. This is hardly surprising in light of the conceptual and practical difficulties. The difficulties of differentiating between terrorism and acts of political violence that are legitimated on grounds of political liberation is an age old problem, as is the inherent practical tension between security and the preservation of hard earned civil liberties. Even the UN, which is the foremost international institution with a mandate to promote global peace and security, has had trouble in this area. Although there are 12 international conventions on terrorism that focus on partial aspects of the general phenomenon, there is no established definition of the term, and the General Assembly's Sixth Committee is currently considering a draft Comprehensive Convention on International Terrorism, aimed at reaching some consensus on the content of the term. The simple definition that the EMP should adopt, which would make a major contribution to the global debate, is to focus on citizens who are victims of terrorist acts. By doing so, the Partnership – and the Community in the future – can contribute to defending ordinary citizens from state and non-state violence. It must help to promote a culture of respect

for the physical integrity of the individual in all circumstances at the heart of the anti-terrorist fight. This is a task that is urgent not only in the South but also the North: new anti-terrorist legislation in Western countries that are clearly in violation of established international human rights standards, show that this is a problem for all societies, and not just the Southern Mediterranean.

The development of a security culture based on multilateral action, and a clear rejection of violence as a political weapon to be deployed against civilians, as well as on a clear understanding that such violence is illegitimate under any circumstances is the only way to work towards a Euro-Mediterranean Community of Democratic States. Indeed, this should be one of the five pillars of the EMP.

The Identity of Barcelona Plus as a Regional Group

A reformed EMP is not just a project for the Mediterranean – it is one that pre-figures a different international order that is based on norms and rules that are universally defined.

The spirit and principles of the Barcelona Declaration and the EMP are notable when placed in a wider international context: the EMP is multi-regional project without historical precedent because of the cultural diversity of its members. In current circumstances, this experience is of the highest significance, and this should be clearly enunciated at Barcelona 2005. A reformed EMP is not just a project for the Mediterranean – it is one that pre-figures a different international order that is based on norms and rules that are universally defined. A reformed EMP could become a constituent part of a new multilateral order, in which regionalism and regional civil societies participate as essential elements.

If the principles and values of the EMP as a regional group are to be made explicit, it is essential to analyse the degree to which its policies and decision-making mechanisms allow it to attain its central aim: establishing a zone of peace and democracy, underpinned by societies that converge not only politically but also socially and economically. It is also essential to analyse the current regional and international contexts so as to be able to highlight what is specific and unique about EMP, particularly in light of the current proliferation of reform and cooperation initiatives. In doing so, the following key points are essential.

First, the EMP is a regional group project that aims to become a Euro-Mediterranean Community of Democratic States over the long-term. The EMP should project itself as a regional integration project with an international identity. It is no longer the child of the OSCE, which originally inspired it, but an open regionalism project. Within the region, open regionalism should be understood as the assertion at the state level of the values of an open society – political democracy, cultural and religious diversity and popular participation by its citizens. From outside the region, this means promoting identical principles and free trade in relations with other states and regimes.

Second, fundamental rights, democracy, the rule of law, the principle of association among states and, with it, the de-legitimisation power politics, are at the core of the Barcelona enterprise, and turning them into a reality throughout the region is indispensable to ensure peace and security.

Third, cultural and religious diversity is an essential aspect of the Process and must be safeguarded. Given the nature of the EU and its historical experience, economic relations are an important instrument to further sustainable development and enable the political and social aspects of the Partnership to flourish: in other words, these aims are interdependent.

Fourth and finally the EMP proposes a multilateral vision of governance for the international system.

The success of the Barcelona Process as a mechanism to build a regional group depends on how the EMP deals with the current international context. The most immediate problem is the centrifugal pressures exerted by bilateralism and the series of new initiatives targeting the Mediterranean region emanating from the EU and the US. The Neighbourhood Policy introduces two new elements that are absent from the EMP: a stronger emphasis on bilateral relations and the concept of 'positive differentiation'. Both allow countries that reform faster to distance themselves from the EMP collective. This was demonstrated clearly in the application of the Neighbourhood Policy to non-Mediterranean countries – Ukraine, Moldova, Belarus, Georgia, Armenia and Azerbaijan, and even Russia, although to date it has rejected the European proposal. Further, the Neighbourhood Policy differs from the EMP in that it proposes that participating states have 'a stake in the Common Market' or get to have 'everything but the institutions', in the words of former Commission president Romano Prodi.

A reformed EMP could become a constituent part of a new multilateral order, in which regionalism and regional civil societies participate as essential elements.

One possible solution to the potential divergence between the two initiatives is to establish different objectives for Mediterranean and non-Mediterranean neighbours: for the former the end goal is the Euro-Mediterranean Community of Democratic States. If the partners agree to integrate the Neighbourhood Policy with the EMP in November 2005 and to clarify their political and economic objectives, the Euro-Mediterranean regional group project will gain a new lease of life.

V. Building 'Barcelona Plus' through Good Practice

This section describes a series of recommendations outlining the kinds of reform of the EMP if a Euro-Mediterranean Community of Democratic States is to be achieved. At their meeting in November 2005, EMP ministers should not only reaffirm and broaden the principles of the Barcelona Process, but should also endorse an Action Plan – along the lines of the Valencia Action Plan – which would be implemented by 2015. It would concentrate on the five major pillars of measures described in the previous section. The new Action Plan should also pay particular attention to issues of sub-regional integration and the visibility of the EMP.

Implementation of Democracy

The objective of promoting democracy, through mutually agreed benchmarks, means that democracy must become an issue within the Partnership in its own right. This, in turn, will mean that civil society will have to be involved in the Partnership, again, as a full actor and in its own right. The Southern partners must also be able to acquire a far greater sense of ownership of the Partnership and particular attention will have to be given to human rights issues. Such objectives will require that the following conditions be met:

Democracy must become an issue within the Partnership in its own right.

Making democratisation a key aim: The EMP should actively participate in the debate on political reform in the Mediterranean and the Middle East by making democracy and human rights central goals of the Barcelona Process. It must confront the issue of the relationship between good governance and freedom. The role of political Islam as a component of the political diversity that is innate to democratic governance and the way in which its integration might be achieved must also be made explicit. The Barcelona Declaration should be amplified to include an addendum which would incorporate Neighbourhood Policy Action Plans, thus making the essential linkage between the EMP and a future Euro-Mediterranean Community of Democratic States. States that fail to meet the criteria would not be in a position to join the Community.

Promoting political participation: The process of Euro-Mediterranean integration should involve the widest possible number of political forces. Enlarged political participation would help to strengthen the political and social base of the Partnership. It would also help to consolidate the participation of political parties in the political process and, consequently, would help to foster pluralism. This could be done through specific programmes aimed at developing contacts between parliamentarians in EMP countries and by strengthening the Parliamentary Assembly.

The European Parliament's role in the Partnership should be enhanced, in line with the new powers that the European Constitution grants it. The two main criteria by which political forces could be engaged in dialogue should be the rejection of the use of violence and their degree of involvement with their publics, whatever the religious or cultural backgrounds involved. Moderate Islamist parties, therefore, should not be excluded from this process.

Making civil society a leading actor: The experience of attempts at engaging civil society organisations in the Partnership over the last decade shows that the link with civil society needs to be completely overhauled. This applies to the involvement of civil society movements in the EMP, not just to programme implementation, and also to the formulation of the agenda for their involvement. This means expanding the areas in which civil society can participate to include issues such as political involvement, freedom of speech issues and non-governmental organisation (NGO) regulatory legislation. It is necessary to establish objective criteria for the selection of NGO partners in order to avoid discrimination based on political or religious factors. Civil society in Southern countries should be surveyed so that the dimensions of the civil society sector can be quantified.

Promoting and mainstreaming human rights: Fulfilling human rights objectives means strengthening the regional approach. EMP governments should establish a task force to implement existing instruments, to assess how the components of the Process interact with and affect human rights (the complex relation between free trade, the rights of migrants, women, and economic and social rights and the rule of law is one example), and to propose actions to promote these rights. The task force should propose relevant dialogue mechanisms with key regional human rights organisations. A prerequisite for productive dialogue is the need to ensure efficient and sustained financial support for local and regional organisations working on human rights and to encourage the lifting of legal restraints on civil society activities. At the bilateral level, the focus should be on the introduction of clear benchmarks and timelines to permit progress assessment in accordance with established international standards rather than on a political basis. Last and most important, EMP governments must agree to work towards the highest possible human rights standards and not opt for the lowest common denominator in this respect.

Moderate Islamist parties, should not be excluded from this process.

Inclusion within Diversity

Concrete action in this pillar should focus on two main aspects. Firstly, the reification of the principle of hospitality and, second, a renewed interest in the area of education. More specifically, this requires:

Promoting 'hospitality' in EMP cultural cooperation: Inter-civilisational dialogue is often seen as an alternative to political reform. But this is to institutionalise the

failure of mutual understanding in the Euro-Mediterranean relationship. It makes Islam the factor identifying the countries of the South rather than their political, economic and social aspirations or the different political options of governing elites. The concept of 'hospitality' rather than of 'dialogue between civilisations' should guide cultural cooperation. This means putting cultural pluralism at the centre of cooperation. Artistic and literary initiatives should be funded on the basis of their intrinsic artistic quality. This should become the guiding principle of the Anna Lindh Euro-Mediterranean Foundation for the Dialogue of Cultures.

Prioritising education: Education has gained increased visibility in EMP Initiatives. Examples such as the extension of the Tempus programme or the Education and Training for Employment regional programme are significant steps forward in this respect. Given the importance of promoting mutual understanding and knowledge amongst peoples, ensuring equal conditions for participation in public life, and addressing the needs of young people and the difficulties women face when accessing educational systems should be part of a more structured education policy. Although cooperation in the field of higher education is an important objective, lack of knowledge about academic systems and educational structures North and South limits potential cooperation and constitutes an obstacle to the full involvement of universities as Partnership actors. Alongside existing exchange programmes, a network of universities could be established, within which specialised exchange and mobility programmes could take place. The facilitation of access to the internet and other information infrastructure such as databases or documentation centres should also be promoted.

The concept of 'hospitality' rather than of 'dialogue between civilisations' should guide cultural cooperation. This means putting cultural pluralism at the centre of cooperation.

Migration as a Driving Force of Integration

Migrations represent the pillar where greater movement is needed as far as the original Barcelona approach is concerned and, for practical effects to be achieved, it will be necessary to engage immigrants as partnership actors. There is a growing demand from civil society for a new approach towards migrants as generators of social, cultural and economic benefits and as agents of decentralised cooperation. Trans-nationalism can empower migrants in their relations with host and home country authorities, and develop new concepts of citizenship and forms of decision-making. Given the central objective of promoting decentralised involvement of civil society in the implementation of the Partnership, a Euro-Mediterranean Federation of non-governmental immigrant associations should be set up, as proposed in 2001 by the Euro-Med Civil Forum. This would help to promote immigrant communities from the South as key actors in social and economic development and in political and cultural relations. They should also become agents of co-development and a driving force to promote democracy and social justice. Particular attention should be paid to improving visa regimes in Europe, particularly for businessmen, students

and tourists, and to establishing more equitable asylum policies throughout the Union. The efficacy of financial tools for development must be improved, and new tools created to attract and channel migrant remittances for national development and to encourage business and employment creation. The current development of tools such as micro credit could be extended, if undertaken in partnership with commercial banks.

Promoting Development with Social Cohesion

Expanded concepts of security that tend to see all social questions, including migration, as security concerns and thus undermine democratic approaches to such issues must be avoided.

Defining the Barcelona Process as the process of creating a regional group means that the free trade area must be in place by 2010. Economic relations are the mainstay of the Partnership, although these cannot be attained at the cost of ignoring social cohesion or the aggravated social disparities that may result from the implementation of the FTA. This means adopting political and economic criteria to assess progress with political reform. Such criteria – measures of administrative efficiency, regulatory structures, observance of the rule-of-law and controlling corruption – should have a dual utility. They can establish the eligibility of partners for membership of the Euro-Mediterranean Community, and they would enable the monitoring of progress to take place. Applying the principle of co-responsibility, EU regional aid and private investment should be expanded to promote infrastructure integration. These developments strengthen mutual interdependence and thus contribute to building confidence. Free trade must also be accompanied by funds that mitigate the social costs of adjustment, namely by promoting education, training, administrative modernisation, the development of basic infrastructures, and the promotion of competitiveness and innovation.

Citizen Security

Security should not become the driving force behind the Barcelona Plus process. Thus, all linkages between internal and external security which primarily serve to reinforce such attitudes must be avoided. Equally, expanded concepts of security that tend to see all social questions, including migration, as security concerns and thus undermine democratic approaches to such issues must be avoided. The EMP should be able to develop a concept of security that is both compatible with its basic values and allows it to deal with real security problems in the region and in the neighbourhood.

Promoting security and defence cooperation: The past ten years of EMP political and security cooperation suggest that there has been great difficulty in establishing common ground and in implementing common actions and policies. EuroMeSCo surveys of Southern perceptions of ESDP have shown that there is

a serious lack of information regarding its aims, which fuels misplaced fears and expectations. ESDP dialogue and cooperation must be a part of the EMP, since this is the umbrella under which maximum synergies can be achieved. In addition to continuing its efforts to develop practical initiatives for security cooperation (as in the field of land mine clearance, for example), the EMP should also make use of the possibilities for reinforced cooperation offered by the Neighbourhood Policy in the security and defence fields.

Fostering civil protection and humanitarian aid cooperation: The positive results achieved in the pilot phase of the project for the creation of a Euro-Mediterranean system of mitigation, prevention and management of natural and man-made disasters should form the basis for launching a more permanent structure of Euro-Mediterranean cooperation in the field of civil protection. In time, this could lead to joint Euro-Mediterranean relief operations, both within and outside the region. Experience gained with these operations could also be extended to humanitarian aid intervention. There is currently no early warning system in the Mediterranean for natural phenomena such as earthquakes or tsunamis, such as the one that hit Southeast Asia at the end of 2004. The EMP should consider the creation of a jointly managed early-warning system for this type of phenomenon.

Promoting security and justice cooperation: The absence of a properly structured dialogue in the field of Justice and Home Affairs was recognised by the EMP. It envisaged setting up Euro-Mediterranean networks of police officers and magistrates under the JHA regional programme. However, a most appropriate structure for dialogue on security and justice would be one where law enforcement agents, magistrates, lawyers and human rights activists meet to engage in establishing common principles and a common language. Justice and human rights perspectives are fundamental to security dialogue, as is the reverse case. Above all, the reinforcement of democracy and the protection of rights and freedoms will not be a reality without a basic reform of judicial systems that allows for total independence of the judiciary. The possibility of a Euro-Mediterranean ombudsman, able to receive complaints about the mismanagement of Partnership objectives, should be considered. The ombudsman could issue recommendations to participating countries that would highlight problems of justice and governance.

Promoting cooperation in multilateral institutions: EMP member-states should seek a convergence of views on key international issues and adopt common positions in United Nations bodies. Regular meetings such as those that the EU already holds with the countries of Latin America could be instituted in New York and Geneva. Whatever the ultimate outcome, the evident failure of the US-led war on terrorism to promote global security provides ample evidence that unilateralism is not a credible alternative to multilateral governance and this suggests that 'effective multilateralism' should be a major EMP goal.

Promoting Sub-Regional Cooperation

The success of the Partnership depends on regional or sub-regional cooperation and integration. Indeed, sub-regional integration is probably the most effective way of achieving EMP objectives of peace and development. For example, the aim of a Euro-Mediterranean free trade area cannot be achieved without major progress in integration in the South. Sub-regional integration initiatives can also help to bridge the current institutional asymmetry between North and South. In this context, the implementation of the Agadir Agreement would mean a major change towards cooperation in regional dynamics and should be enlarged to all Southern partners. It is the essential concomitant which could guarantee the achievement of the goal of the free trade area. At the same time, parallel sub-regional initiatives in the Maghrib and in the Middle East have a deeper political impact than the EMP alone and, in the Maghrib in particular, reflect general historical aspirations. Nonetheless, the political problems that render sub-regional cooperation extremely difficult must not be allowed to hinder the initiation of small or large-scale projects which have been agreed upon by the Partners. Indeed, they should encourage sub-regionalism in either the Middle East or the Maghrib. The kinds of projects that could be used to positively influence ingrained historical prejudice could include initiatives in infrastructure linked to Community programmes or, subsequently, to the programmes of the member-states. An excellent example of what this could mean, certainly in terms of national symbols, the construction of a motorway linking together the cities of Tunis, Algiers, Rabat and Tangier. This could eventually be extended, through a tunnel, onto the European landmass. A definitive solution for two states, such as Israel and Palestine, could reveal extraordinary opportunities for regional cooperation in the Middle East, given Israel's technical and financial expertise. Sub-regional initiatives in other domains, such as political dialogue, would be useful to help prevent conflict and build confidence. Other sub-regional groupings, such as the 5+5 Process and the Mediterranean Forum, could be used to promote political and security initiatives between those states prepared to participate, provided that the state concerned could guarantee its acceptance of the objectives of Barcelona Plus.

The political problems that render sub-regional cooperation extremely difficult must not be allowed to hinder the initiation of small or large-scale projects which have been agreed upon by the Partners.

Increasing the Visibility of the EMP

Another aspect of these problems of perceptions of the EMP is that the Partnership hardly impinges on public awareness, either in the South or the North. This occurs partly for the reasons given above but also for other, more specific reasons as well. It is not simply a question of the lack of good information about the Partnership, although this is a problem in itself, especially when such information lacks real content, being propagandistic in nature. It is also a consequence of innate short-comings within the Barcelona Process itself, in terms of what it covers and the initiatives it proposes. Any response to this problem will require that the agenda of

the Process be re-focussed on the kinds of issues that have been identified by our surveys as reflecting perceptions of its defects on both sides of the Mediterranean. Most of those issues have been identified in this report; they include concerns such as political reform, migration or social cohesion. They also include, however, more contentious issues, such as the Israeli-Palestinian conflict which is another central concern in the South. This, ironically enough, demonstrates how the image and reputation of the EMP can be unavoidably linked to a process or a situation that it does not control.

Simply identifying the issue, of course, will not be enough, for it will be crucial to propose concrete initiatives that reflect the priorities placed upon them by public opinion. Nor will action alone be sufficient, for public opinion in both the North and the South must be made aware of what the Partnership intends to do over them. In other words, it is not just a question of ensuring that governments and bureaucracies are aware of what is happening. A conscious effort must also be made to engage the public directly; something that the Partnership – either because of its ignorance or through timidity – has failed to address effectively in the past. This in turn will mean that the control and dissemination of such information cannot be simply a technocratic, bureaucratic and administrative responsibility but will require a political and professional public relations approach. It will also mean that the innate bureaucratic tendency to concentrate inter-governmental links into ministries and institutions directly connected to the operation of the EMP must be countered by ensuring that information flows extend within administrations to ensure that all those engaged by the EMP, however marginal their role, are aware of what is happening.

As part of this process, it is essential to 'brand' EMP initiatives, so as to highlight them in the public consciousness and to distinguish them from the ever-increasing number of initiatives that are now beginning to emerge, whether European (Neighbourhood Policy), American (Broader Middle East and North Africa) or multilateral. Unless this is done, public opinion will not only be confused but will also lose awareness of the specific uniqueness of the EMP and of its relationship to the Euro-Mediterranean scene. There are four principles that should inform such an approach, in the short-term, at least:

'Brand' Barcelona: This will require presentation that clearly identifies each initiative specifically as an integral part of the Partnership. Thus, for example, the MEDA programme should not be presented as a separate funding initiative but as an integral part of the EMP, something which must be reflected in all publicity connected with the programme itself;

Liberate Barcelona from bureaucratic control by denying bureaucracies the monopoly of implementation;

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Publicise Barcelona: Information about 'good practice' within the EMP must be disseminated through an efficient communication strategy; and

Network Barcelona: The EMP should make better use of the networks it has created, by establishing a network of the various networks that have been created over the past decade. This will only be effective if institutions in the South that participate in such networks are strengthened as existing asymmetries between North and South are a major factor in weakening the effectiveness of the networks that have already been created.

VI. Barcelona Plus:
Institutional Asymmetry and Ownership

The Euro-Mediterranean Partnership has produced a complicated institutional system in that it inherited the particularities of European decision-making, together with specific mechanisms designed to ensure the participation of Southern members. The system has not yet been fully rationalised and is often criticised for its inefficiency and for its asymmetry.

Euro-Mediterranean bilateral cooperation largely depends on the quality of interaction between the bureaucracies on both sides of the Mediterranean. The system has become reasonably responsive over recent years and the triennial programme system is a real improvement, compared to the protocol system in use before the Partnership was launched. The reform of the MEDA management system helped to improve the rhythm of aid disbursement. The creation of EuropeAid managerial units and the decentralisation process from the Commission's delegations has certainly contributed to this success. Better information flows and the improved bureaucratic awareness within Member-countries has also contributed to such improvements.

However, EU interventions within the EMP context are often perceived by Mediterranean Partner countries as being subordinated to national European priorities. There is also a basic lack of political content in the activities of shared institutions, as well as a lack of specific mechanisms to encourage Southern partners to present their own contributions to the Euromed Committee. From an institutional point of view, the structure of the EMP is clearly asymmetrical, since it brings together a union of 25 countries with a single voice over the Process on the one hand and, on the other, several individual states, each with its own agenda. The EMP is basically run by the Presidency of the EU, alongside the Senior Officials amongst whom European representatives predominate. The follow-up of the Barcelona Process is ensured by European Commission teams in Brussels, who largely determine the shaping of Euro-Mediterranean priorities. To make matters worse, practically all EMP and EMP-related meetings take place in European states – which are either members of the Union or candidates for membership. Admittedly, the reason for this is that Arab states refuse to have meetings in Arab countries as long as there is no progress in the Middle East Peace Process. Nonetheless, in sum, therefore, the EMP has come to be seen as a process in which the Europeans develop initiatives and the Southern partners either accept or reject them.

However, in the past few years, the sense of appropriation of the Barcelona Process by Southern partners has become visibly stronger. This effectively counters a longstanding major criticism of the Partnership – the fact that Southern partners do not have a true sense of 'ownership' of the process. Furthermore, during last year, there has been a positive development which started with the Dutch Presidency

when the declarations of the Senior Officials were prepared with the cooperation of Southern Partners. This is still, however, an embryonic initiative.

In 2004, the Euro-Mediterranean Parliamentary Assembly met for the first time. One of the positive features of this new institution is that – even after EU enlargement and the inclusion of the European Parliament – it has an equal representation of Southern and Northern members. The Parliamentary Assembly was expected to increase the visibility of the Partnership and to develop a counselling and monitoring function. However, without a more substantial permanent entity to provide support and expertise, the Assembly will not be able to monitor developments in the Partnership in any substantial way – nor is it clear that it is the appropriate body to do so. In addition, the idea that the EMPA would lead to greater visibility of the Partnership has failed to appear to date. Instead, the EMPA itself is hardly known to the wider world.

Measuring Progress towards the 2015 Objective of a Euro-Mediterranean Community of Democratic States

Fulfilling the Barcelona Declaration will require regular monitoring with clearer indicators and benchmarks, as well as a detailed annual review by the Euro-Mediterranean ministerial conference.

The Valencia Euro-Mediterranean Conference of Ministers for Foreign Affairs in April 2002 introduced the instrument of Action Plans into the EMP. These were intended to be a means by which an operational impetus could be given to the Process. A number of measures included in the Valencia Action Plan have already been put into practice, including dialogue on defence issues, the support for sub-regional integration – the Agadir process – the regional programme on justice and home affairs, the creation of a Euro-Mediterranean Foundation for the dialogue of cultures; the extension to Southern Partners of the Tempus higher education programme and the creation of the Parliamentary Assembly. This shows that the approach inherent to the Action Plan adopted in Valencia is an effective tool; so much so that it has also been used for the Neighbourhood Policy. However, some of the Valencia recommendations have not been implemented (for example the possible restructuring of the Euromed Committee).

The future of the Barcelona Process depends largely on the ability of its members to define the reforms that will allow the resolution of existing blockages and that will strengthen the Partnership. This will involve the adoption of the principle of Partnership through 'good practice', which has developed over the last ten years and which has been identified in this Report.

Fulfilling the Barcelona Declaration will require regular monitoring with clearer indicators and benchmarks, as well as a detailed annual review by the Euro-Mediterranean ministerial conference. This will allow for an assessment of the evolution of mutually agreed goals that allow each country to advance towards the more complex objective of the Euro-Mediterranean Community of Democratic

States. Clear indications of what Southern partners will gain by engaging in reforms – such as a stake in a single market based on all four freedoms, including the free movement of people – should be made clear.

In sum, the Euro-Mediterranean Community of Democratic States project has to be based on the 'fixed dates' model that made the Single Market and Currency possible in Europe. Hence, the 2010 FTA objective must be prioritised to ensure that the Euro-Mediterranean Community and Common Market are achieved by 2015.

'Barcelona Plus' should integrate the political and economic objectives of the Neighbourhood Policy into the EMP and make the 'potential *acquis*' of the Barcelona process more explicit. The Euro-Mediterranean Community of Democratic States would be a common market of democratic states, in the sense that it would be open to countries willing to undertake such reforms. Barcelona Plus must be based on a clear inter-linkage between the different baskets of the EMP and on the need to guarantee the coherence between its 'potential *acquis*' and other economic, political, security or cultural activities. The basic outcomes cannot be just economic but must also include political issues.

Re-stating the Acquis

A clear identification of the significance and the dimensions of the Barcelona *acquis* is also required, in order to stress the fact that any state wishing to join the Partnership must accept the *acquis*. EuroMeSCo would like to suggest that the following terms would serve:

'Any State wishing to join the EMP must accept the following economic and political conditions, including the respect for the underlying principles of the Barcelona Declaration, particularly those mentioned in the Declaration of Principles (the first part of the Barcelona Declaration); candidates must accept the principles of a market economy and respect the consequent multilateral obligations'. The following comment could be added to establish a link with the third basket of the Barcelona Process itself: Candidates must 'promote social development, respect cultural diversity and support the active participation of civil society in the reform processes.' As far as specifically political criteria are concerned, an essential clause could be added stating that candidates agree to 'respect democratic principles and fundamental human rights' as defined in the Universal Declaration of Human Rights.

Reform of the EMP Institutions

There is a wide consensus around the idea that the decision-making mechanism of the EMP must be substantially restructured. Above all, reform of the current

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institutional design must address the North/South asymmetry and thus devise ways to engage Southern partners actively in the administration of the Barcelona Process. A choice should also be finally made between intentional under-institutionalization of the Partnership, ensuring its reactivity and allowing its management with a remarkable economy of means, and the creation of new Euro-Mediterranean institutions, be they sectorial or with a transversal competence, in order to improve the visibility and credibility of the Barcelona Process. Such a dilemma should of course not be addressed at the expense of overall efficiency. Ameliorating the rules for existing institutions could then be a first step in order to combine both requirements of simplicity and credit.

The co-ordination of the Partnership in a more equitable manner could be ensured through the creation of a co-presidency system. Such a system could be implemented through different scenarios, some of which are discussed below:

The adoption of a troika system, with the chair of the Ministerial Conferences jointly held by the Presidency of the EU, the co-ordinator of the Arab Group and Israel or Turkey on a rotating basis. This is clearly the scenario that would better fit the present reality of the EMP.

The adoption of a co-presidency system, with a rotating presidency from the South decided by consensus. Ministerial conferences take place alternatively in the North and in the South in the country that holds the Presidency. This solution would obviously require major advances in the Middle East peace process.

The Presidency of the Foreign Affairs Ministerial Conference is held by the Presidency of the EU, while a Southern Partner is responsible, on a rotating basis, for the Presidency of sectoral conferences. The model of co-presidencies in sectoral ministerial activities has already been positively tested in the past, namely during the Italian presidency, when Tunisia chaired the agricultural ministerial conference.

The election of a co-presidency from the South using the model of the Anna Lindh Foundation board of governors, that is, by a majority of 6/7 plus one.

As far as the decision-taking powers of the Ministerial Conferences are concerned, two different options could avoid the blockages caused by the current rule of unanimity.

The adoption of the 'consensus-minus-one' principle (inspired by the CSCE voting system) whereby Partners can react against a state if the country in question has violated its obligations with regard to human rights, democracy and the rule-of-law. In this way, a single dissenting vote could not prevent a decision.

The establishment of a system of reinforced qualified majority voting, similar to that used in the EU's Council of Ministers.

Furthermore, the deepening of the Barcelona Process and the progressive establishment of a Free Trade Area will require some kind of institutional structure that is recognised by all parties to be objective and impartial, while avoiding the creation of unnecessary bureaucratic complexity. From this point of view, the set up of a permanent secretariat of the EMP and later of the Euro-Mediterranean Community of Democratic States would not be a good solution, as it would represent an extra bureaucratic burden and would remove the Commission's current 'dual role' of on the one hand representing the EU and on the other being the guarantor of the Barcelona Process for both sides. As an intermediate solution – and one already proposed in the past by EuroMeSCo – it would be appropriate to integrate Southern individuals into a 'Pro-Med Unit' working alongside the Commission and the Council on the EMP, especially in those services working on sectoral domains of the Partnership. Individuals from Southern partners could be taken on as temporary staff recruited directly by the EU institutions. In the longer run, some kind of formal secretariat could be envisaged, to deal with very specific issues, such as the dissemination of information on EMP initiatives. For the resolution of disputes concerning the Common Market, the best solution may be to create a panel structure, similar to the arbitration panels used by the World Trade Organisation.

Finally, establishing institutional links between the Euro-Mediterranean Parliamentary Assembly and the Euro-Mediterranean Ministerial Conference would contribute to increase the former's visibility and allow it to perform the counselling function originally envisaged for it. In any case, it is important to give the EMPA a substantial function and not to reduce it to a 'talking shop.' One possibility is for it to lead an initiative to strengthen parliamentary action among the partner-states through training, capacity building, and parliamentary exchanges.

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Annex

Detailed Assessment and Good Practices in Selected Domains

Security and Defence Dialogue

The aim of the political and security dialogue to create 'a common area of peace and security' was probably the one that raised most expectations when the Barcelona Process was launched. Here was a chance to break with the old paradigms of mistrust and power politics that have dominated North-South but mainly South-South relations and develop a new scheme of regional cooperation. A general mood of optimism about the prospects for a resolution of the Middle East peace process contributed to a sense that this objective was indeed attainable. Furthermore, and seen from the EU's perspective, the Barcelona Conference took place at a time that the EU was gradually asserting itself as a foreign policy actor and the list of objectives of the first basket is a good example of this willingness to intervene directly in some of the major international issues.

Dialogue should have led both sides to converge on a common understanding of security. Whether it is possible to speak today, ten years after Barcelona, of a 'common security culture' is questionable, but given the values and principles of Barcelona, it is certainly possible to speak of a particular security culture that the Partnership, as a dynamic project, aims to promote. This security culture is closely linked to the comprehensive nature of the European integration process itself and its 'security through inclusion' approach. The Barcelona Declaration reflects this approach, by raising a large number of soft security issues to be dealt with in a North-South cooperation scheme. Further to the overall commitment of the second chapter to stimulate sustainable economic development, the third chapter of the Declaration is mostly devoted to developing a comprehensive policy approach by underscoring common concerns and possible common action on evolving 'dialogue and respect between cultures and religions'; developing 'human resources' and promoting 'cultural exchanges'; dealing with the varying aspects of legal migration; countering 'illegal migration'; co-operating on preventing and fighting terrorism; fighting against 'drug trafficking, international crime and corruption'; co-operating against 'racism, xenophobia and intolerance'.

Continuity of political dialogue within the institutions created by both the multi and the bilateral tracks, despite the various obstructions in the international and especially in the regional context, is an uncontested achievement. After Barcelona, foreign ministers of the EMP countries met in Malta, Palermo, Stuttgart, Marseilles, Brussels, Valencia, Crete, Naples, Dublin and The Hague. Parallel to the ministerial conferences, other

frequent meetings have taken place in the Euro-Mediterranean Committee and in the association councils at ambassadorial and experts' level. The continuity of contacts through these various channels has created a sense of appropriation of the process by the partners and a unique framework for regional multilateral dialogue. Moreover, dialogue had the effect of promoting closer cooperation among Arab partners, with the creation and consolidation of the figure of co-ordinator of the Arab group. The permanence of dialogue structures, however, does not hide the fact that the EMP has not yet been able to forge a wide security dialogue, or even of having a consistent focus in relation to what it wants to achieve in this domain. A look at the different stages of political and security cooperation over the past ten years shows exactly that.

Three main stages can be identified: The first stage focused on the attempt at developing a Plan of Action essentially shaped by the CSCE experience of security cooperation and arms limitation. In this perspective the attempt at establishing confidence-building measures (CBMs) in the so-called 'hard-security' domains of security and disarmament was considered a priority. This stage lasted for less than the first semester of 1996. Very soon, it clearly emerged that devising and implementing confidence-building measures, or even partnership-building measures as they were later to be termed, became an impossible task due to the stalemate in the Middle East peace process following the assassination of Yitzhak Rabin. Aside from the EuroMeSCo network and the training seminars organised by the Mediterranean Academy of Diplomatic Studies, the list of functioning confidence-building measures in the political-security arena is limited to the Egyptian-Italian initiative for cooperation for the prevention and management of natural and man-made disasters. No major new initiatives have been launched in recent years.

From the initial focus on CBMs, the Partnership's focus shifted in early 1997 to 'partnership-building', that is, on efforts towards a better understanding and definition of participating countries' common ground before establishing any security cooperation. The search for common ground consisted basically on the works to establish a Euro-Med Charter for Peace and Stability. After the brief experience with hard security, the talks on the Charter have been particularly disappointing and did not contribute significantly to enhance confidence among Partners. At the Marseilles ministerial conference in November 2000, when tensions in the Middle East were particularly high, the project of the Charter had already been set aside and dropped off the agenda, until better times. The failure of the Charter has clearly shown that, despite efforts to the contrary, progress in political and security dialogue is inextricably linked to developments in the Middle East.

However, discussions around the contents of the Charter were useful in the sense that they shed light on the different co-existing security cultures in the Euro-Mediterranean region. Indeed, it uncovered a whole set of issues related with language and definitions, which reflect conceptual differences both within Europe, within the South and broadly speaking between Europe and the South.

The third stage started with the 2002 Spanish Presidency of the European Union and the Valencia Action Plan, which has tried to put forward some concrete proposals in the security field. This means that Partners have adopted a decidedly more pragmatic approach than that of the Charter. They are addressing specific sectors of cooperation rather than trying to identify the broad common ground on which cooperation should be built-up. The most important such sectors are anti-terrorism cooperation, ESDP developments, civil protection and, ultimately, WMD and non-proliferation. There was also an attempt to link, whenever appropriate, ESDP dialogue with NATO's own Mediterranean dialogue.

The Valencia Action Plan has also paved the way for a Euro-Mediterranean dialogue on ESDP. This dialogue represents, first and foremost, an attempt to fill the lack of information on European security and defence issues that is notable in the South. In other words, there was an acknowledgement from the part of the EU that, on the one hand, a lack of information generates suspicion and, on the other, that it should do its utmost to counter the development of negative perceptions in the South *vis-à-vis* European defence initiatives, as had happened in the past with Eurofor and Euromarfor. Surveys on perceptions of ESDP in Southern Partners conducted by EuroMeSCo have shown that fears of European defence being essentially an instrument to deal with threats from the South have largely subsided and ESDP is actually regarded as a positive development on the whole. However, a positive and co-operative attitude from the South requires an effort of transparency from the part of the EU regarding its objectives and initiatives.

Euro-Med ESDP dialogue represents also an attempt to break with the WEU Mediterranean Dialogue, which had very few tangible results to show for its eight years of existence (1992-2000), in spite of the fact that the security environment was not so fraught with tension as it is today. Its multi-bilateral nature, the uneven level of representation, the limited scope of issues discussed were partially to blame for the failure of WEU dialogue and constitute important lessons to ensure that the EU's new framework of dialogue stays on the right course. It is still unclear, however, whether ESDP dialogue retains compatibility with the wider framework of the Barcelona Process and actually functions as an incentive to the revitalisation of the latter's political and security dialogue.

Good Practice

Despite the strong differences among partners in their approach to security and the few results from the point of view of joint actions, the EMP has developed a number of good practices while carrying out its political dialogue. These good practices are based on a coherent and open-ended process of shared conceptualisation which, by its purposes and modes, can be regarded as the emerging platform of partnership, giving shape to what can be called a Euro-Med common ground. Furthermore,

practices have been implemented in common by all EMP states and stem from within an institutionalised process of inclusion, consultation and dialogue.

Inclusion is essentially the involvement of countries in the same political process, so as to attenuate or dispel perceptions of unilateral behaviours and contribute to prevent potential conflicts. Despite modest political achievements with respect to expectations and the worsening of violent conflict between members, the EMP remains of significant interest to the Southern as well as Northern members and continues to work. The sheer fact of being included in the process is of interest to all the Partners.

The interest of the Partners is also stirred by the pervasive use of dialogue and consultation across all the stages of the process. While Ministers and Senior Officials have more of a 'legislative' function, in the Euro-Med Committee Partners endorse and approve measures to be executed, such as the National and Regional Indicative Programmes for the Southern Partners. Furthermore, frequently and informally the Southern Partners meet with the EU Commission and national representatives to discuss and consult to prepare policies and documents to be submitted to the EMP machinery. Finally, a formal process of dialogue and consultation is allowed by the working of the bilateral Association Agreements' institutions.

The pilot project of cooperation in the field of civil protection should also be seen as a good practice, whose lessons can be of use for other areas. Because the majority of initiatives of the project were the responsibility of more than one partner, it reinforced the image of a common project that benefits from the existence of a multilateral framework instead of just bilateral agreements. More importantly, civil protection cooperation has largely underlined the 'pro-active' approach that has lacked in the past 10 years of the Partnership; it shows that the Partnership can also mean running common projects to address common challenges, despite the persistence of disagreement (or even conflict) over larger political issues. The decision to launch a new stage of the project, building on the outcomes of the Pilot phase, shows that there is a basis for enhanced cooperation in areas that all Partners recognise has being of common interest. Recent tragic events in Southeast Asia have further revealed this communality. In what concerns dialogue on ESDP, the practice initiated by the EU Dutch Presidency of the second semester of 2004 of holding ad-hoc meetings of the Senior Officials to discuss recent developments of the EU security and defence policy to include ESDP and non-proliferation issues in the agenda of the EMP political and security dialogue seems to dissipate fears that consultation and cooperation on ESDP would take place outside the framework of the Partnership.

With these good practices, the EMP has at least partially succeeded in building partnership as a broad platform to generate PBMs. Good practices are not an equivalent of a successful political dialogue nor of a common ground and security cooperation. Still, by reinforcing partnership, they pave the way for making common ground, security cooperation and a fruitful political dialogue possible.

Justice and Home Affairs

The Barcelona Declaration states that the development of the rule of law and democracy is essential to achieve the objectives of peace, stability and security in the Mediterranean region. However, the Justice dimension (civil and criminal judicial cooperation) has remained peripheral in the Euro-Mediterranean process. Although placed under the third pillar of the partnership ('Social, cultural and human affairs'), JHA issues have been approached mainly from a security (home affairs) point of view. The accent has been on cooperation to combat illegal migration, terrorism, drug trafficking and organised crime – the latter three also included in the political and security dialogue.

At the bilateral level, all Association Agreements contain clauses defining respect for democratic principles and fundamental human rights as 'an essential element' of the agreements. Although they also contain various JHA provisions (on money laundering, drug trafficking, illegal immigration, fight against terrorism and organised crime), only in two (Algeria and Lebanon) refer to the importance of institution building and the rule of law. The Association Agreements with Algeria refers to judicial civil and criminal cooperation (Article 85), whereas the Association Agreements with Lebanon refers to the importance of an 'independent and effective judiciary and well trained legal profession' (Article 59).

Up until the adoption of the regional JHA framework programme in Valencia in 2002, several Euromed Ministerial Conferences underlined the need to strengthen cooperation towards the development of an area of justice, freedom and security. This was mainly due to the entry into force in the EU of the Treaty of Amsterdam (May 1999) and the European Council of Tampere in October of the same year. These two events marked the beginning of the creation of a European 'space of freedom, security and justice', to forge common policies in the field of migration, asylum, border control and police, civil and penal cooperation.

Following increased attention given to issues of Justice and Home Affairs, and triggered 11 September 2001, the MEDA II Regulation (2000) strategically re-oriented this domain. While MEDA I included assistance 'in order to reduce illegal migration, drug trafficking and international crime', the current programme added the new aim of 'developing cooperation in areas relating to the rule of law, such as cooperation in judicial and criminal matters, the strengthening of institutions which guarantee the independence and effectiveness of the judicial system, the training of national security services and civil protection'. The 2000-2006 Euro-med Partnership aims show the increased importance given to Justice and Home Affairs. The Regional Strategy Paper 2002-2006 establishes the 'Enhancement of the rule of law, human rights and good governance' as a renewed objective of the partnership and outlines various concrete JHA actions, based primarily on training programmes. A 'twinning' system (similar to the programme for the candidate

countries) in areas of cooperation that demand very high levels of expertise (e.g. crime-fighting and crime prevention, border management, and judicial cooperation) is also envisaged.

11 September triggered a prompt reaction from both the EU member states and the Mediterranean partners. Not only did JHA matters gain new salience in the EU internal agenda but they impacted strongly in its relations with the Mediterranean, with cooperation in the fight against terrorism gaining a new impetus. The 'Regional Cooperation Programme in the field of justice, in combating drugs, organised crime and terrorism as well as cooperation in the treatment of issues relating to the social integration of migrants, migration and movement of people' adopted in Valencia in 2002 was the political and normative response to this event. Because it differentiates between cooperation in the field of justice, fighting organised crime and terrorism on the one hand, and issues related to the social integration of migrants, migration and movement of people, on the other, the regional programme has the virtue of bringing together all JHA aspects under the third pillar, and thus 'depoliticises' some of its 'hard security' aspects (such as the fight against terrorism). Even if this allows for a more flexible and project-based implementation, the programme lacks ambition, particularly where the justice pillar is concerned. The aim of 'creating a stable and transparent judicial environment' is too limited an aim in light of the need for a structural reform of the judiciaries of the Southern countries based on an independent judicial branch, an essential feature of any democratic state. Thus, no explicit reference was made to the law enforcement training in respect for human rights, the absence of which has been denounced as a major problem where human rights in the Southern countries are concerned.

More recently, there has been an effort to align the Regional JHA programme with the Neighbourhood Policy's principles and objectives. According to the MEDA Regional Indicative Programme for 2005-2006, an important share of the funds of MEDA JHA II must be earmarked for actions with the partners that are best prepared to work in the priority areas: border control and management of migratory flows, curbing the financing of terrorism and money laundering, judiciary and legal reform related to fundamental aspects of justice (access to an impartial and independent justice) particularly in its effects on legal cooperation in civil and penal matters including in the field of family and commercial law and criminal justice cooperation. All this must be viewed as part of the current will to reform the justice systems of several Mediterranean countries. The Neighbourhood Policy makes a clear allusion to the 'strengthening of reforms, combining respect of human rights, the modernisation of Justice and of the police forces, and the respect of democratic principles' for the first time. The mainstreaming of human rights with police and justice reform has been for years now the central demand of NGO's acting in the region.

The Role of Civil Society

Over the last ten year some good practices in the field of Justice and Home Affairs have been developed under the MEDA Democracy programme (now the European Initiative for Human Rights), for which one key priority was the rule of law (support for parliamentary activity, the judicial process – training for lawyers and judges, monitoring – governmental human rights institutions, institutional reform, training for security and armed forces as well as the civil administration and legal aid and advocacy to individuals). Taking into account its transversal nature, a JHA best practice assessment must also consider other EMP lines of action such as the development of civil society organisations, its human rights dimension or the actions aimed at modernising public administrations.

Projects in this field are very few and mostly led by European NGOs. A thorough assessment of JHA Euro-Mediterranean cooperation has yet to be undertaken, but it is clear that the small number of projects have had a micro-level impact. Such is the case of Penal Reform International (PRI), a British NGO that aims, *inter alia*, to reform the criminal justice systems (including specialised prison administrations). PRI has programmes in Algeria, Morocco, Lebanon and Jordan and these country-based approaches have been conducted within the framework of a regional approach. The Arab lawyers training project, led by the Law Society of England and Wales has also contributed to raise awareness of the need to modernise and make more flexible the legal systems of eight Southeast Mediterranean Arab countries.

Civil society in various Arab countries is also committed to projects to improve justice systems, but the few existing good practices reflect the obstacles encountered in this domain. The Arab Centre for the Independence of the Judiciary and the Legal Profession (ACIJLP) is an Egyptian non-governmental institution that works to reinforce and support the status of justice in Arab countries, the independence of the judiciary, the legal profession and the respect of human rights and fundamental freedoms.

The regional dimension of JHA gained new impetus with the approval of the Regional framework programme. Conceived and launched in partnership with MEDA countries, it will run from 2003 to 2006. Its total (modest) budget of 6 million euro is equally distributed among the three pillars: police, justice, and migration. Although it is too early to assess its implementation, the establishment of a 'Euro-Med Police Network' bringing together police officers from both sides of the Mediterranean specialising in several forms of crime, as well as a Euro-Mediterranean judicial training network can be seen as positive future prospects. The police cooperation programme, managed by CEPOL, held a first meeting in March 2004 and 15 other seminars are already planned for the project on terrorism, organised crime, human trafficking, drug trade, and financial crime

Bilateral Cooperation

A global analysis show that many South Mediterranean countries are developing efforts to modernise their judicial systems, although reform is too often focused on upgrading judicial infrastructures rather than on substantial reform. In fact, the majority of JHA projects are not 'internalised' by the MEDA Partners, who prefer to avoid real reforms by concentrating project resources on equipment or, at best, training activities. As for police cooperation, progress is mainly declaratory, although the fight against terrorism remains high on the EU agenda and there have been concrete developments in particular with Morocco after the Casablanca terrorist attacks in March 2003.

Although an assessment of individual Member States' contributions to these projects remains to be undertaken, it is important to mention the specific case of France, which has promoted actions that have complemented MEDA Democracy projects, such as several programmes to train judges and public prosecutors. Given its historical links, the 'École Nationale de la Magistrature' has organised several important training programmes and fostered exchanges with magistrates from Morocco, Algeria, Jordan and Egypt. Such initiatives fit with the spirit of sub-regional cooperation that the EMP aims to promote and could therefore be fruitfully shared with all partners.

Anti-Terrorism Cooperation

The common strategy adopted by the EU towards the Mediterranean region in 2000 (2000/458/PESC, 19.06.2000) focuses on terrorism, both at the political and security dialogue and the Justice and Home affairs levels. The EU insists on the need to reinforce cooperation and commits itself to encouraging Mediterranean partners to adhere to UN international conventions on terrorism and to bind themselves to the rule that the fight against terrorism must be firmly anchored to the principles of international law and respect for human rights.

However, and despite an international context exerting continuous pressure in the Arab countries to align their legal systems with international law, in many instances the events of 11 September were a setback. Independent experts from United Nations and other organisations active in the field of human rights have shown that under the pretext of fighting terrorism, and based on a very wide interpretation of the term, most countries adopted measures and legislation that were used to repress internal political opposition, limit freedom of religion and expression, discriminate minorities, and to legitimate torture and deny the right to an equitable and fair trial, among other problems.

Progress in cooperation in the fight against terrorism within the EMP can therefore only be observed at a declaratory level although even this has its value. At the Brussels EU-Med conference of 5-6 November 2001, ministers condemned any direct association between terrorism and the Muslim world. They committed themselves to accelerate the signature, ratification and implementation of UN conventions in particular that of December 1999 on the repression of terrorism financing, as well as to work together in all competent international *fora* to complete the global framework. An ad hoc group on terrorism of specialists from the two sides of the Mediterranean was also formed.

The 2002 Valencia Action Plan and the Regional Framework Programme demonstrate the commitment to engage in more concrete actions at a multilateral level. In Valencia, the fight against terrorism was considered to be an 'essential element of the political dialogue' and the mandate of the ad hoc group was renewed. The regional programme thus consecrates the need for a coordinated and interdisciplinary approach with a view to preventing and penalising terrorist acts and the 'exchange of experiences and the training of judicial, police and customs personnel and of units specialised in counter-terrorism' has become a concrete objective to be achieved in 2003-2006. At the bilateral level, an anti-terrorist clause was inserted in Association Agreements with Egypt, Algeria and Syria, and the signature of the Association Agreements with Lebanon in June 2002 was also accompanied by an exchange of letters on cooperation in the fight against terrorism, although implementation is still pending.

Terrorism remains one of the most controversial issues among EMP partners and is high on all ministerial council agendas. The absence of a common definition of terrorism is the source of most divergences, but the Middle East conflict and differences of views when evaluating the action of political parties and organisations such as Hamas and Hezbollah are the background against which the EMP must work to find common interests.

At the Euro-Mediterranean informal meeting of Crete (26-27 May 2003) the ministers reiterated their will to step up the fight against terrorism in full respect of international law, human rights, fundamental freedoms and the rule of law. They stressed that the fight against terrorism should be a regular subject in the political dialogue between partners, but most importantly, they recalled that differences over the definition of terrorism should not prevent partners from identifying areas where they can cooperate. The Ministers underlined the importance of a regional answer to this challenge and welcomed the contribution of regional efforts to combat terrorism. The Naples Conference went further in declaring the countries commitment to fight against terrorism 'in all its forms and manifestations wherever and by whomsoever committed'.

Migration

Since the launching of the Euro-Mediterranean partnership in 1995, three main issues have influenced the EU approach to migration:

(1) in a context of globalisation, Europe has become a land of immigration. According to Eurostat Med, at the end of the 1990s 3.5% of the population in the European Union was immigrant (18 million people). Of this population, 5 million are from Mediterranean countries, of which 41% come from Morocco, Algeria and Tunisia, while 59% come from Turkey and the former Yugoslavia. There are now more legal entrances every year in Western Europe than in the USA and Canada (1.400.000 against 850 000) and the diversification of the forms of migration and of their countries of departure show that there is a 'dream of Europe' even if borders have been closed for salaried work since 1974. There are also more people who are seeking asylum in Europe than in America and Australia;

(2) European governments are acknowledging the 'aging problem' in Europe, and the lack of (both qualified and non-qualified) labour. This has had some impact in the context of 'communitarisation' of decision-making implemented after 1 May 2004 and provided for by the European Constitution and The Hague Programme. At the national level, too, some European countries such as Germany, Luxembourg, Italy, Spain, Portugal and even France are changing their immigration policies, abandoning the 'zero migration' objective launched in 1993;

(3) EU enlargement to Central and Eastern Europe has prompted an internal debate on the implications of extending the free circulation of people to new member states. Although new members had to implement the '*acquis* communautaire' in their immigration policies, accession to the EU caused serious concerns amongst some of the 'old' EU members, who fear the increase of illegal migration (most new members are transit countries) and the inability of newer members to effectively control the Union's new external borders.

These three factors are the backdrop to the evolution of legislation at the EU level, which was partially responsible for important shifts in the immigration policies of individual EU member states. Progresses can be noted on the following domains:

(1) on antidiscrimination, following the article 13 of the Amsterdam Treaty (1997), the Chart of Fundamental Rights of 2000 and the European Constitutional Treaty; on the status of non EU long term residents and their families, following the approval of new EU legislation which allows for more inclusion and mobility;

(2) on access to citizenship in receiving countries, facilitated by countries where *jus sanguinis* rules prevail. Residence and birth have gained legitimacy for the recognition of citizenship and most immigration countries have dual nationals who are voters in the countries of settlement and sometimes also in the countries of origin. This may have a positive impact on the relations between both countries;

(3) Multiculturalism and cultural dialogue are now recognised as central values in Europe, under pressure from the Council of Europe and are part of European Constitution. Multiculturalism is an integral part of initiatives implemented by local authorities in many European countries, a key for the harmonious integration of different groups.

Migration in the Euro-Mediterranean Context

Although the creation of a zone of shared prosperity, stability and peace in the Mediterranean basin is a central and explicit objective of the EMP, the Barcelona Declaration stated clearly that the process also aimed to limit migration from Southern partners to Europe. Looking back at the conclusions of the Euro-Med Ministerial conferences, this initial treatment of migration as a soft-security concern has shifted towards a new focus on Northern-Southern demographic complementarity to promote relations of solidarity and eliminate the perception of threat. Efforts to deal with migrations in the context of the Partnership have been scarce, namely in what concerns the link between the former and the implementation of the economic and socio-cultural baskets. On the one hand, free trade principles are disrespected because of the exclusion of labour circulation from the free trade area; on the other hand, the process of integrating migrant communities in European host countries has not been the object of enough attention. This shows that the EU has not been prepared to respond positively to proposals by Mediterranean partners for codifying migrant rights in Europe through a Migrants Charter, even though this is an implicit aspect of the cultural basket of the Barcelona Process. The reality is that, despite EMP aims to control migration, labour demand in Europe will, once again, lead to a renewed immigration, to fulfil labour needs usually met by South Mediterranean workers.

Until the Feira common strategy, EU Mediterranean partners had repeatedly reiterated their commitment to strengthen cooperation especially in the fight and readmission of illegal migration, but not much had been done in this regard. The Feira Strategy (2000) established the need for cooperation with the Mediterranean partners and to approach migration from a global perspective that takes on board social, cultural and economic realities, including combating poverty, improving living conditions and work opportunities, preventing conflicts, consolidating democracy and ensuring respect for human rights. There also acknowledged the need to establish a common policy to integrate nationals of member countries of the partnership with legal residence and long-term permits, to allow them to attain gradual equality of status with EU citizens. The Euro-Mediterranean Ministerial Conference of Marseilles of November 2000 constituted an important step forward, given the emphasis on intensifying dialogue, its preference for a balanced approach, and the exploration and strengthening of co-development and integration of legal residents in the EU.

The Valencia Action Plan, approved at the Euro-Mediterranean Conference of Foreign Affairs Ministers, held in Valencia in April 2002 proposed that a Ministerial Conference on Migrations and Social Integration should be held in the framework of the social and cultural partnership pillar. In the Regional JHA Framework programme approved three areas of cooperation in the field of migrations:

(1) immigrant integration and the promotion of their status in the receiving countries and of their relations with the country of origin;

(2) strengthened dialogue and cooperation to manage migratory flows and human movements, particularly where asylum is concerned, and;

(3) combating illegal immigration and the traffic in persons. The Valencia Plan also seeks to promote bilateral agreements of admission of persons between countries of the EU and the Mediterranean, and between the partners and source countries (Sub-Saharan) for the repatriation of persons in irregular situations.

The Euro-Mediterranean Conferences of Naples (2003) and Dublin (2004) stressed the need for a comprehensive approach on migrations although they emphasised combating illegal migration using readmission agreements to be agreed with the Partners most directly involved. Ten years after the foundation of the Partnership, tackling illegal migration across the Mediterranean sea is still considered of central importance. The *Wider Europe* report that the Commission submitted to the Council and Parliament in 2003 has significantly shifted the focus of the EMP where migration is concerned. It recommended mechanisms to facilitate the traffic of nationals from third countries from bordering areas, particularly those who participate in EU programmes or activities, as well as measures to strengthen the integration of residents from neighbouring countries living legally in the EU. Migration is part of the development chapter of the Neighbourhood Policy, and there is a commitment to the joint management of migration, based on differentiation and gradual principles. Thus, the Neighbourhood Policy reveals the emergence of new patterns of interdependence between EU countries and the Mediterranean partners. Migrations are now the core issue of all collaboration between North and South. However, border control and combating illegal immigration remain central security issues. In sum, there is a basic unresolved contradiction between the Neighbourhood Policy aim of establishing an area of free circulation, and the Barcelona Process, which promotes economic development with the objective of reducing migratory movements.

Good Practices and Trends

When the Barcelona dialogue was launched, most decision makers thought that development policies would stop migration flows and there was an attempt to favour

the voluntary return of foreigners. These policies failed because many migrants had individual projects and did not aim to set up businesses on their return. Research studies (such as the OECD: *Trends in International Migration and in Migration Policies*, and the ILO *International Labour Migration Programme*), have highlighted the link between migrations and development. One consensus is that more socio-economic development tends to reduce involuntary emigration although there is a gradually evolving consensus that emigration and development are not alternatives in the sense that development alone is insufficient to curb migration flows. In reality, short-term development does not stop migration: indeed, it may even lead to increased labour movement, due to the structural changes it brings to traditional societies. This understanding is fully reflected in the three main areas that have to be taken into account when analysing the role of immigrants as partnership actors: co-development, remittances and mobility.

Co-development and remittances have to be seen as instruments of cooperation with source countries, since migration can contribute to development more effectively if it makes use of the potential that different partners have to create and develop networks, which can only work well in the long term contract and in a context of economic and political stability in the country of origin. A concrete example is the project '*Migration et Développement*', which started as an initiative of Moroccan immigrants in France, and aims to connect immigration and cooperation to development. With it, civil society associations are directly responsible for the management of immigrants' savings and remittances are used for decentralised development projects in the countries of origin. Such projects not only promote local development but also facilitate contacts between immigrant communities and the societies from where they came. Such initiatives are dissociated from return policies and are forms of decentralised cooperation (MEDA), which do not necessarily involve states.

As regards mobility, there are now various initiatives in which migrations is viewed as a partial answer to both surplus labour supply in sending countries and aging and a shrinking domestic work forces in Europe. That is the case of '*General Agreement on Trade in Services*', Module 4 which mentions the right of employers to post their workers abroad. International companies are used to sending 'expatriate staff' or senior managerial or technical expertise to foreign countries and they want clear rules and protection. The EU Interreg programme has a '*Project Magreb*' (Interreg III-B MEDOCC), led by the Trade Promotion Consortium of the Trade and Tourism Ministry of the Government of Catalonia, which allows young professionals from the Maghrib countries to gain business management skills in Barcelona and to facilitate the recruitment of highly skilled Maghribian professionals in European companies established in their country.

The gradual awareness that tighter border control policies are not a solution for migration (progressive abandonment of zero immigration policies) has led to (bilateral)

labour force agreements between EuroMed partners (though limited to skilled labour force) and the implementation of quota immigration policies. Recent diversification of visas, showing a more positive immigration policy towards the South, is also observable: students have been granted visas for salaried work in some European countries (such as France) when they find a stable job after the end of their studies. Some countries like Germany have granted green cards to highly specialised workers (computers, engineering), while others have concluded bilateral agreements or work quotas for agriculture, services, and tourism. These half opened doors have been given in exchange of a better border control by Southern Mediterranean countries, leading to the externalisation of European borders. This has implications for human rights (the wall of Ceuta, the immigration door concluded between Italy and Libya is a case in point). A positive immigration policy should create more trust in the Euro-Mediterranean dialogue (calls for visas are constant among youths when an official visit by a European guest occurs), to fight illegal migration and avoid a dangerous mix between asylum seekers and economic migrants. But conditionality cannot ignore human rights.

The brain drain issue, which is debated in the Southern Mediterranean as a problem of unequal exchange, has evolved positively. The idea that mobility does not mean long-term or permanent migration and may have positive impacts on countries of origin, which train more elites that they can employ, is becoming more widespread, together with the idea that more mobility will bring less definitive settlement. Some European policies focus on qualified migration with some diversification of visas (multiple entrances, long and short term jobs). It may bring more circulation of people and ideas, even if it does not deal with unqualified labour, whose mobility is ensured essentially by illegal networks.

Not to be forgotten is the growing concern with transit migration, especially in the Southern countries of the Mediterranean that have become an intermediate transit points. There are growing immigration pressures in many members of the Partnership both in the Western Mediterranean and the Middle East, which are transit areas for flows from Asia or Sub-Saharan Africa. To deal with the issue a *Dialogue on Mediterranean Transit Migration* was launched. The States involved in the MTM are on the Southern and Eastern shores of the Mediterranean Algeria, Egypt, Lebanon, Libya, Morocco, Syria and Tunisia, and EU Member States, Norway, Switzerland and Turkey on the Northern shores. The dialogue also involves the League of Arab States, UNHCR and the European Commission as observer. Officials from Ministries of Home Affairs, Intelligence and Security Services, Ministries of Foreign Affairs and Development Agencies participate in this open dialogue

Over the past decade, nationality legislation in various EU Member States has also changed, shifting from *jus sanguinis* to *jus solis* double nationality (like Germany). This has prompted new thinking about immigrant communities and the role they can play in relations with their countries of origin. The absence of and, sometimes,

inaccuracy of existing information on migration from the South of the Mediterranean has been acknowledged in the last years. Several instances of good practice have developed in an attempt to establish a comprehensive framework of information on migration trends based on the need to learn more about migration at the regional level, namely through the 5+5 dialogue platform or the Euro-Mediterranean Consortium for Applied Research on International Migration.

The good practices identified above show that migration is becoming a central aspect of the Euro-Mediterranean Partnership and that there has been a shift from a security-based view to a more positive approach based on the concepts of co-development, co-responsibility and trans-nationalism. State policies are still mainly focused on closing borders, which resulted in the rise of illegal emigration and in a crisis of asylum rights (the idea that asylum seekers are in fact illegal migrants using asylum channels to enter the EU has led to a restriction of asylum policies, despite existing international instruments that state the right to asylum as a fundamental human right). The tendency of EU member states to limit labour agreements to skilled labour forces is a highly selective immigration policy, and disregards the fact that European countries also need non-skilled workers and that they are unable to counter the existence of a parallel illegal economic sector. Finally, the security based discourse finds an echo among political extremists in Europe and even in mainstream parties, which have proposed the creation of migrant camps in Northern Africa and the Middle East, for example.

Democracy and Human Rights

Democracy

Despite the lack of significant changes in the political situation of most Southern Mediterranean countries during the last decade, a discourse on democratic transition and reform has emerged in the region. This discourse was on the one hand prompted by a growing awareness of the populations at large that post-independence political regimes were no longer capable of providing answers to society's changes and, on the other, by the failure of economic programmes that led to questioning of governance in Northern Africa and the Middle East. With varying degrees of impact, it was the Islamist political parties that emerged in the late 80's and early 90's as the champions of this social unrest.

However, these failed political and economic models and the societal reactions that their failure triggered have found little criticism from the part of the EU in the framework of the EMP. The main objective of creating an area of peace and stability based on the respect for human rights and democracy was understood and put in practice in a narrow sense, making a very clear separation between initiatives aimed at civil society and dialogue at the intergovernmental level. The agenda of the latter pushed aside a serious discussion on the need for real transformations of governance models, in the interest of political pragmatism, while hoping that economic liberalisation would bring about social changes and, concomitantly, political liberalisation. As stated elsewhere in this report, this paradigm has not produced the expected results: societies in the Mediterranean and Middle East have witnessed a modest rise of their quality of living as a result of economic growth. Their aspirations for democracy and rule of law failed to materialise.

Part of the failure of the EMP to deal effectively with the issue of political reform was due to the refusal of bringing into the debate the issue of Islamist parties' participation in the process of democratisation. Political Islam has an enormous spread of views which have been thoroughly analysed in many studies on the issue. For the sake of this assessment it is more important to make a basic differentiation between extremist groups resorting to the use of violence and reformist movements/parties. The former have captured media attention due to their rejection of democracy and their confrontational stance. Reformist Islamists, on the contrary, are very much linked to the political and social situation of Arab societies. Such concerns are clearly distanced from any 'ahistorical' interpretation of Islam. Their main concern is to devise autonomous references that could serve as the basis for their political projects. In this sense Islamist parties are usually critical of the Western cultural universe, not because all of them refuse progress and development, as well as the liberties, but because of the arrogance or double-standard with which such universe is sometimes portrayed and promoted. In other words, they claim the right to undergo political and social reform based on local or traditional values, refusing a 'one-size-fits-all' approach to democracy.

Furthermore, over the past 10 years, there is an increasing number of Islamist parties that have shown their acceptance of the basic democratic principles, namely political pluralism and the sharing of power, through their participation in state institutions. Such participation requires, however a degree of political openness from the state.

There is thus a clear link that must be made between the exclusion of such parties from the political game and the lack of political reforms. Political Islam and the religious renaissance in the South were perceived by most EU Member states and governmental elites in the South – themselves a product of secular Arab nationalist movements – as a unique threat to stability. The Algerian crisis at the end of 1991 consolidated this view. The 11 September terrorist attacks and the subsequent 'war on terror' provided that view with a renewed legitimacy.

In part due to the fear of uncontrolled instability that the opening of the political game to Islamic groups could provoke, engagement with such organisations, in the context of the EMP, has been only tentative. Islamist-dominated professional syndicates have not received backing. Dialogue forums set up to explore inter-religious commonalities have invariably excluded any notable Islamist representation. All this reinforces Arab views that the European conception of democracy is rigidly secular and allows for little expression of strongly held religious identities.

Recently, however, a new attitude towards political Islam is emerging in the region. There is a stronger perception in most South Mediterranean countries that these movements are a growing and inescapable reality leading to a more positive view that peaceful movements must be involved in the process of reform . This shift of attitude in some Southern countries has also contributed to changing the way that such movements are perceived in Europe.

Human Rights

The Regional Level. It cannot be said that the EMP has done much to improve the human rights situation in the region or that human rights principles are coherently and consistently applied in regional cooperation. Except for the case of Turkey – where reform has been essentially the outcome of the EU pre-accession strategy – the few noticeable improvements of the past decade have been internally induced, and the EMP has had only a small role to play in them. The Presidency conclusions of the Ministerial meetings since 1995 clearly show that human rights were sidelined from high level discussions until 11 September 2001, and it was only after the attacks that human rights became more prominent (the Valencia Conclusions and Action Plan and the Commission Communication on *Reinvigorating Human Rights and Democratisation in the Mediterranean Region* exemplify this). Nonetheless, regional references to human rights remain declaratory, and statements of Partner's binding obligations to respect international human rights standards are carefully sidestepped.

In fact, both North and South have limited basic rights and even violated civil liberties since 11 September, despite the fact that human rights are systematically referred to in EMP documents on anti-terrorist measures.

A survey of the activities undertaken within the framework of the Barcelona chapters illustrates these points. There are no activities in the *first chapter* barring declaratory politics. High Officials have occasionally exchanged information on international human rights conventions signed or ratified by their countries, and a series of – albeit short – presentations on justifications for reservations to such treaties by some partners have been made. Further, high officials invited representatives of the Euro-Mediterranean Human Rights Network to give a presentation at one meeting, and approved the inclusion of human rights sessions in training courses for young diplomats, which are held in Malta. Despite MEDA regulations (Articles 3 and 11 highlight respect for human rights and democracy as an essential element of cooperation), the second economic and financial chapter makes no provision for systematic procedures to evaluate human rights conditions, be it in the programming, implementation or evaluation phase. The only more or less explicit reference to human rights in the second chapter is the recognition of the key role that women play in development, and the commitment to promote their active participation in economic and social life and in the creation of employment. However, although there were two conferences on the issue during the Portuguese and Belgium presidencies, only a small programme materialised. The third chapter has promoted more concrete initiatives. The civil forums held since the 1999 Stuttgart Civil Forum have put human rights on the top of the agenda. Various Wilton Park Conferences, which were co-funded by MEDA, also brought together human rights activists, government officials and experts to debate rights issues. Further initiatives are the MEDA-sponsored seminar of May 2001 on Access to Justice in the Euro-Mediterranean region, and the 1998 civil society meeting on migrant and refugee rights, held under the Dutch Presidency, which was reported back to a High Level meeting. These meetings have been important as 'ice breakers' between people that rarely meet. Human rights have also been a main concern of the Euro-Med Youth Platform and the newly established Anna Lindh Euro-Mediterranean Foundation for Dialogue of Cultures. However, none of the conclusions of third chapter meetings have been taken on board at the official level and there is no programme that can be identified as a human rights-focused project. Only programmes and activities outside the direct remit of the EMP include initiatives clearly related to human rights.

There are three documents on the regional dimension of the Barcelona Process that illustrate a tendency to make more explicit reference to human rights over the last decade, albeit at a non-binding level: the 2002 Regional Programme for cooperation in the field of justice, combating against drugs, organised crime and terrorism and cooperation on the social integration of migrants, migration and the movement of people; the Regional Indicative Programme for 2004-2006, and the already mentioned Commission Communication on Reinvigorating European Actions on

Human Rights and Democratisation with Mediterranean Partners. While the first two explicitly refer to human rights, democracy, the rule of law, good governance and judicial independence, they do not identify any particular budget line to sustain activities linking these different areas. The Commission Communication proposes 10 highly operational actions to promote human rights and human rights dialogue in the region, but these were 'overruled' by the new Neighbourhood Policy and Action Plans, and seem to have lost momentum and support.

The Bilateral Level. The verdict on bilateral cooperation is equally dim where improving human rights conditions is concerned, but human rights protection is becoming increasingly prominent in this domain. The human rights 'clause' in bilateral association agreements are legally binding, and with all such agreements entering into force, a more structured and coherent political dialogues on human rights have taken place at association council and committee meetings, although the debate suffers from EU countries tending towards the lowest common denominator when deciding who to criticise, and how harsh the criticism. MEDA does fund country strategies and national indicative programmes that deal with human rights and human rights projects, albeit still timidly, but as such programmes are not evaluated, it has not been possible to assess their impact.

The Neighbourhood Policy country strategies and action plans constitute the most important development at this level. An analysis of the country reports for the five EMP countries (Israel, Jordan, Morocco, Palestinian Authority, Tunisia) demonstrates that they offer a largely accurate picture of the key problems in each state. The fact that EU reports are occasionally quite critical of all five countries (when compared to previous Country Strategy Papers before their overhaul) testifies to how the EU has come a long way in its willingness to make more honest appraisals. Generally speaking, the Action Plans related closely to many of the priority issues identified in the country reports, and show some improvement compared to the former National Indicative Programmes in the amount of attention paid to human rights and the reference to fulfilling treaty obligations (albeit not universal) and the use of associated monitoring mechanisms to measure progress. The proposal to establish sub-committees on Human Rights for Jordan, Morocco and Tunisia is also noteworthy.

Beyond this, however, there prevails a narrow concept of rights. Country reports focus overwhelmingly on civil and political rights, and economic, social and cultural rights are given short shrift (human rights are not discussed at all under the economic and social issues section) despite the potentially negative impact of structural adjustment and market reform policies on these rights. Development, education and poverty are also not connected with rights enshrined in the International Covenant on Economic, Social and Cultural Rights and other relevant treaties that are binding on partner countries. Nor do human rights figure to any great extent in Justice and Home Affairs despite the obvious deterioration in a range of civil liberties. Furthermore, no mention is made of the benchmarks and indicators to be

used, or of implementation schedules. There is an excessive focus on dialogue or 'exploring possibilities' without concrete timelines or outputs as envisaged in earlier Communications. It is not clear why some activities are short- or medium-term, when programmes are supposed to end, and whether one should follow the other or work in parallel. Finally, consultation with civil society representatives is almost absent in the process of drafting, implementing and evaluating plans.

Other EMP-Related Actions. The most visible and successful approaches to human rights promotion are those promoted by the European Initiative for Democratisation and Human Rights (EIDHR) – the MEDA Democracy Programme was originally established by a European Parliament request for the promotion of independent civil society and human rights work in the region. The EIDHR has funded numerous local human rights NGOs and programmes and important regional bottom-up initiatives have emerged, such as the Euro-Mediterranean Human Rights Network, the regional programmes of the International Federation for Human Rights (FIDH), the Cairo Institute for Human Rights Studies, the Arab Institute for Human Rights, Penal Reform International, among others. These have provided real opportunities – often with the support of the European Parliament – for intercultural exchange, capacity building and policy making, indeed to the extent that human rights NGOs in the region are among the most articulate and proactive defenders of regional cooperation. This success has been greatly hampered by legal and practical constraints on human rights work in most Southern Mediterranean countries, however, and by regular malfunctions and restructurings of the EIDHR, including discontinued funding for some of the most successful initiatives. The EMP has benefited very little from these initiatives, as there is no regular dialogue between human rights groups and Partnership officials, except of an informal nature.

Civil Society

There have been many EMP initiatives in the fields of civil society dialogue and cooperation, political participation and human rights developed over the last 10 years. The assessment of these programmes on actual social and political changes is unfortunately very incipient. It is difficult to attribute change to specific interventions, as reforms are influenced by multiple factors. In addition, the impact is only often felt over the long term and can occur long after projects have ended. At the macro-level, EMP programmes do not appear to have had a significant impact on civil society dialogue, bringing the partnership close to the people and on promoting human rights and democratic development. Political, economic and social gaps persist between and within Euro-Med societies, and between governments and societies. These gaps widened after 11 September 2001 and the Iraq war. However, there are also positive developments. Regional civil society initiatives created important new channels of cooperation and exchange. In Morocco, to explore another example, some family law provisions were changed, a move that pro-reform civil society actors supported in the framework of the EMP. While the actual impact of the reform remains to be seen, it certainly counts among the positive impacts of EMP cooperation.

The EMP introduced various instruments to encourage exchange and cultural cooperation between the partner countries. Regional exchange programmes include EuroMed Audiovisual, EuroMed Youth, EuroMed Heritage and more recently, TEMPUS, a university exchange programme. All have contributed to increasing contacts and building networks. Such contacts are especially important at a time when the clash of civilizations discourse is so prominent. However, these networks have been restricted to very limited segments of societies, such as heritage workers, filmmakers who want to consume non-Hollywood fare, and top university students or teachers. Networks established in the first and second basket of the EMP, such as EuroMeSCo and FEMISE have played an important role in confidence building, but are also limited to elite circles. Euro-Med Youth has a broader reach and has allowed for exchanges beyond the narrowly defined realm of culture, thus potentially involving larger segments of society, although its budget has been smaller than that of other Euro-Med programmes.

Networks and joint initiatives in the fields of human rights and development were also launched over the past 10 years. The EuroMed Human Rights Network (EMHRN) is one example. It has grown as a bottom-up initiative of human rights activists and developed into a very effective and visible EuroMed network developing joint initiatives. EuroMed civil forums have been held in parallel to the EuroMed foreign minister meetings since the beginning of the Barcelona process and have given an important impetus to civil society networking and exchange. The forums have gathered a wide array of civil society actors from all EMP countries ranging from trade unionists and academics to environmental groups, cultural bodies and human rights associations.

Critics of the civil forums have noted the lack of representation, their being limited to small circles of activists, their lack of continuity, and the lack of consistent participation of civil society actors in EMP decision-making beyond the *fora*.

One of the most recent initiatives encouraging Euro-Mediterranean intercultural exchange is the Anna Lindh Euro-Mediterranean Foundation for the Dialogue of Cultures, to be based in Alexandria. The creation of the Foundation was agreed in Valencia in 2002 in reaction to the perceived cultural polarization after 11 September. It is due to be launched later this year. It is remarkable that the Foundation will have its seat in Egypt – a Southern Mediterranean rather than in a European partner country. Moreover, all EMP partner countries have agreed to support it financially, thus making it a common project rather than a solely European one. The Foundation is also meant to encourage cooperation between already existing networks and organis ations in the Euro-Mediterranean area, so it can play a potentially important role in the field of exchange.

Various EMP tools have been used to support civil society initiatives in the fields of development, human rights and democracy. The MEDA Democracy Programme is worth mentioning. It has given civil society initiatives for human rights and democracy in all Southern Partners access to funding, whereas other budget lines have a geographically limited outreach. Some National Indicative Programmes (NIPs) include also financial allocations to civil society.

To assess the impact of these programmes is a difficult task, particularly as impact assessment is not mainstreamed in the follow up of programmes. On a micro-level some impacts can be observed. The acquisition of office spaces for human rights organisations has been highly important to ensure continuity of their work in unfavourable environments, for example. Trade unions trained by EU-funded training centres have become particularly active in advocating the rights of their members. Macro-level impacts are hard to control and may occur years after the actual intervention.

EMP Southern Countries	HDI Value[2]		HDI Rank (177 Countries)	HD Classification[3]	
	1995	2002	2002	1995	2002
Algeria	...	0,704	108	...	Medium
Egypt	0,608	0,653	120	Medium	Medium
Israel	0,880	0,908	22	High	High
Jordan	0,707	0,750	90	Medium	Medium
Lebanon	0,732	0,758	80	Medium	Medium
Morocco	0,571	0,621	125	Medium	Medium
Palestinian Authority	...	0,726	102	...	Medium
Syria	0,663	0,710	106	Medium	Medium
Tunisia	0,696	0,745	92	Medium	Medium
Average	0,694[4]	0,731		Medium	Medium
EU Countries and Turkey	1995	2002	2002	1995	2002
Austria	0,913	0,914	14	High	High
Belgium	0,927	0,942	6	High	High
Cyprus	0,855	0,883	30	High	High
Czech Republic	0,843	0,868	32	High	High
Denmark	0,912	0,932	17	High	High
Estonia	0,796	0,853	36	Medium	High
Finland	0,913	0,935	13	High	High
France	0,919	0,932	16	High	High
Germany	0,911	0,925	19	High	High
Greece	0,875	0,902	24	High	High
Hungary	0,810	0,848	38	High	High
Ireland	0,893	0,936	10	High	High
Italy	0,904	0,920	21	High	High
Latvia	0,765	0,823	50	Medium	High
Lithuania	0,789	0,842	41	Medium	High
Luxemborg	0,908	0,933	15	High	High
Malta	0,850	0,875	31	High	High
The Netherlands	0,927	0,942	5	High	High
Poland	0,816	0,850	37	High	High
Portugal	0,876	0,897	26	High	High
Slovakia	...	0,842	42	...	High
Slovenia	0,852	0,895	27	High	High
Spain	0,903	0,922	20	High	High
Sweden	0,928	0,946	2	High	High
United Kingdom	0,921	0,936	12	High	High
Turkey	0,713	0,751	88	Medium	Medium
Average	1995[5]	2002		1995	2002
EU 25	0,875	0,900		High	High
EU 25 + 1 (Turkey)	0,868	0,894		High	High

Table 1.

Human Development across the EMP Region

[2] The human development index (HDI) focuses on three measurable dimensions of human development: living a long and healthy life, being educated and having a decent standard of living. Thus it combines measures of life expectancy, school enrolment, literacy and income to allow a broader view of a countrys' development than does income alone.

[3] Human Development Classification: all countries included in the HDI are classified into three clusters by achievement in human development: 1) High Human Development (with an HDI of 0,800 or above); 2) Medium Human Development (0,500 - 0,799); 3) Low Human Development (less than 0,500).

[4] This average does not include Algeria and the Palestinian Authority since they have no data from 1995.

[5] Average from 1995 both from the EU at 25 or plus Turkey does not include Slovakia since no data is available from it in that period.

Table 2.

Six Dimensions of Governance

MAC – Mediterranean Arab Countries: Algeria, Egypt, Jordan, Lebanon, Morocco, Syria and Tunisia.

This table was drawn from Azzam Mahjoub's contribution to the report, *Les implications politico-institutionnelles du volet économique du Partenariat Euro–Méditerranéen.*

Voice and Accountability	1996	1998	2000	2002
EU 15	91,67	93,72	91,25	92,46
MAC	35,40	37,90	40,38	41,06
Israel	81,45	84,72	81,5	72,5

Political Stability and Absence of Violence	1996	1998	2000	2002
EU 15	90,44	87,97	90,28	88,22
MAC	55,71	54,87	56,62	43,33
Israel	57,72	52,82	51,69	26,5

Government Effectiveness	1996	1998	2000	2002
EU 15	83,70	82,49	84,00	85,02
MAC	47,13	46,86	55,20	40,13
Israel	74,63	64,79	71,59	68,54

Regulatory Quality	1996	1998	2000	2002
EU 15	78,67	92,48	83,96	91,48
MAC	52,37	71,30	65,16	48,39
Israel	75,57	83,76	77,09	78,72

Rule of Law	1996	1998	2000	2002
EU 15	88,47	83,87	88,23	89,01
MAC	51,16	54,05	55,71	50,90
Israel	77,12	70,56	74,92	73,92

Control of Corruption	1996	1998	2000	2002
EU 15	83,45	84,38	82,35	83,96
MAC	48,32	38,67	43,7	40,985
Israel	82,03	71,14	69,93	69,31

Contributions to the report dealt specifically with the following topics:

Roberto Aliboni, *Barcelona Plus Ten: the political and security dimension*

Catherine Wihtol De Wenden, *Barcelona Plus: the issue of migration*

Bettina Huber, *Civil Society dialogue and cooperation, human rights, good governance and political participation – good practices, future challenges*

Emily Landau, *Assessing 10 years of the EMP: conceptions of the Barcelona Process*

Erwan Lannon, *Mettre en lumière l'acquis de Barcelone; La cohérence entre le PEM et les nouvelles initiatives européennes*

Azzam Mahjoub, *Les implications politico-institutionnelles du volet économique du partenariat euro-méditerranéen*

Luis Martinez, *How to develop Barcelona Initiatives with relevance to political and security issues*

Gema Martín Muñoz, *Overcoming the cultural perceptions divide*; *Political Participation*

Noémia Pizarro, *10 year Euromed partnership: a JHA assessment*

Mark Schade Poulsen, *Human Rights in the Euro-Mediterranean Partnership*

Mohamed Kadry Said, *Practical examples of political and security cooperation*

Gamal Soltan, *The impact of regional crises and international changes on the Barcelona Process*

Non-written contributions were made by those participating in the Paris meeting in January 2005 at the IFRI, namely:

Elise Aghazarian, PASSIA, East Jerusalem; Roberto Aliboni, IAI, Rome; Muriel Asseburg, SWP, Berlin; Denis Bauchard, IFRI, Paris; Pedro Courela, IEEI, Lisbon; Kamel Jendoubi, IFRI, Paris; Erwan Lannon, University of Ghent; Pierre Lepetit, IFRI, Paris; Azzam Mahjoub, University of Tunis; Gema Martín-Muñoz, Universidad Autónoma de Madrid; Luis Martinez, CERI, Paris; Abdallah Saaf, CERSS, Rabat; Dorothée Schmid, IFRI, Paris; Álvaro de Vasconcelos, IEEI, Lisbon; Maria do Rosário de Moraes Vaz, IEEI, Lisbon.

Acronyms

ACIJLP	Arab Centre for the Independence of the Judiciary and the Legal Profession
ALU	Arab Lawyers' Union
CEPOL	European Police College
CBM	Confidence Building Measure
CSCE	Conference on Security and Cooperation in Europe
CSCM	Conference on Security Cooperation in the Mediterranean
EEA	European Economic Area
EFTA	European Free Trade Association
EIDHR	European Initiative for Democratisation and Human Rights
EMHRN	EuroMed Human Rights Network
EMPA	Euro-Mediterranean Parliamentary Assembly
EMP	Euro-Mediterranean Partnership
ESDP	European Security and Defence Policy
EU	European Union
FEMISE	Euro-Mediterranean Forum of Economic Institutes
FIDH	International Federation for Human Rights
FTA	Free Trade Area
JHA	Justice and Home Affairs
ILO	International Labour Organisation
MAC	Mediterranean Arab Countries
Mercosur	Southern Common Market
MPC	Mediterranean Partner Country
NAFTA	North American Free Trade Agreement
NGO	Non Governmental Organisation
NIP	National Indicative Programme
OECD	Organisation for Economic Cooperation and Development
OSCE	Organisation for Security and Cooperation in Europe
PBM	Partnership-building Measure
PLO	Palestine Liberation Organisation
PNA	Palestinian National Authority
PRI	Penal Reform International

UMA	Union du Maghreb Arabe / Arab Maghrib Union
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
WEU	Western European Union
WMD	Weapons of Mass Destruction