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EU POLICY IN NORTH AFRICA AND EASTERN MEDITERRANEAN: BALANCING DIFFERENTIATED INTEGRATION FOR CONFLICT RESOLUTION AND DEMOCRACY SUPPORT

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Abstract

Amidst heightened global democratic instability and escalating conflicts, including civil wars, struggles for self-determination, and proxy wars, the European Union (EU) emerges as a pivotal player in reshaping international relations for enhanced global stability. The current state of the EU framework exhibits varying integration levels across policy areas, coexisting with – and sometimes diverging from –actions by national governments. The EU's foreign policy formulation involves a complex network of institutional and non-institutional actors, at times leading to difficulties in defining the level of political integration. Regional approaches, considering geographic proximities and historical ties, can induce spill-over effects, primarily economic and occasionally socio-political integration (Haas, 1964). In line with this, the Policy Brief argues that reinforcing the EU's foreign policy involves enhancing socio-political integration in some policy areas with neighbouring regions, such as North Africa and the Eastern Mediterranean.

The concept of 'Strategic Autonomy' is prominent in European discussions on EU external affairs, highlighting the EU's capacity to act independently in key policy areas (European Parliament, 2022). This autonomy allows choices between competitive frameworks and cooperative behaviours within a multipolar international relations framework. In the European neighbourhood, marked by geopolitical competition and instability, restructuring EU relations through the European Neighbourhood Policy (ENP) is imperative. Strategic Autonomy offers an opportunity for the EU to position itself as a cooperative actor, particularly with the Southern Mediterranean flank.

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Persistent perceptions of neo-colonial tendencies by Western nations in the economic and political affairs of the "Global South" endure in North African and Eastern Mediterranean public opinion. Many in the Middle East and North Africa (MENA) region view European countries as safeguarding their geopolitical interests and promoting Eurocentric values. To alter these perceptions and enhance the EU's standing, fostering socio-political integration between the EU and North Africa/Eastern Mediterranean is crucial. This involves reimagining relations in a cooperative framework, with joint conflict management and support for democracy being key policy areas facilitating socio-political integration and fostering a more positive view of the EU in neighbouring regions.

Introduction

In 1992, the European Union endeavoured to establish the Common Foreign and Security Policy (CFSP). While primarily addressing European security matters, with a focus on conflict management and peace-making activities[1], the CFSP is still limited by actions that align with the geopolitical interests of European countries, particularly in the nearby regions. The CFSP, predominantly shaped by the Council of the EU, relies on an intergovernmental decision-making process. The EU Commission gradually entered external affairs, introducing the High Representative of the Union for Foreign Affairs and Security Policy (HRVP) and with the creation of the European External Action Service (EEAS). However, the Commission's role is non-exclusive, sharing power with the Council, which retains a primary role.

While conflict management involves the CFSP framework under the Council, the EEAS, and the Commission, the focus on peacebuilding, respect for human rights and democratic principles has been progressively introduced by the European Parliament in some policy areas. The ENP targets countries surrounding the European territory, interested in the EU accession or integration processes. The ENP-South covers countries such as Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria, and Tunisia, and it has undergone reviews in 2011, 2015, and 2021.

Post-Arab Spring, the ENP-South emphasised "deep democracies" values' support. However, the 2015 review regressed in supporting democratic processes, acknowledging "special interest relations" between certain European countries and neighbouring nations. Socio-political values were deprioritised in favour of neoliberal economic ones and security approaches through bilateral partnerships, reverting to an intergovernmental character for EU foreign affairs in the interest of stabilisation. The 2021 Joint Communication for a renewed partnership in the Mediterranean introduced the Neighbourhood Development and International Cooperation Instrument (NDICI) granting the European Parliament a greater role in approving the EU budget.

Despite the incorporation of the differentiated integration[2] (DI) mechanism in EU foreign affairs, which combines elements of intergovernmentalism and supranationalism, there is uncertainty about whether policy areas like conflict management (and resolution) and democracy support in the Southern Neighbourhood align with the DI principle or are primarily influenced by intergovernmentalism.

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[1] Conflict management and resolution deal with the immediate and underlying aspects of conflicts, respectively. Peacebuilding is a comprehensive, long-term approach to prevent future conflicts, while peace-making involves immediate efforts to bring about a resolution to ongoing conflicts. The EU engages in various diplomatic, humanitarian, and development initiatives to address conflicts and promote peace across its member states and beyond.

[2] Differentiated Integration (DI) in the context of EU external affairs refers to the flexible application of integration measures among EU member states, allowing some countries to participate more deeply or differently in certain policy areas or initiatives. It acknowledges that not all member states may be willing or able to pursue the same level of integration in every aspect of EU external relations (Sjursen, 2006).

If these policy areas remain significantly dominated by intergovernmentalism, as suggested by the general policy framework, it implies that a comprehensive process of decolonisation in the EU's foreign policy for the Southern Neighbourhood is still pending. In such a scenario, Southern neighbouring countries are unlikely to alter their perception of the EU's role towards cooperation until concerns related to competition with major powers and the safeguarding of geopolitical interests are no longer at the forefront. To comprehensively address these issues, it is essential to focus specifically on decolonial approaches, and one such approach is the post-development strategy. This strategy envisions transformative initiatives aimed at restructuring social and power relations among actors involved in the global arena. A key aspect of the post-development approach is challenging the concepts of hegemony and competition, with an emphasis on rebuilding the international system by reactivating the 'political', seen as the phenomenon that disrupts the existing order to create a new system of socio-political relations (Kothari et. al, 2019).

This policy brief positions the EU as a potential agent for promoting this systemic change. It suggests that the EU can achieve its Strategic Autonomy by enhancing differentiated integration mechanisms and multi-level governance approaches, enhancing the socio-political integration into two dimensions of Euro-Mediterranean cooperation: conflict management (and resolution) and democracy support.

EU Conflict Resolution and Peace-building Strategies in the MENA region: A Comprehensive Analysis

Conflict prevention

The European Union employs a set of tools and mechanisms to address conflicts and promote peace in its neighbourhood. Nevertheless, conflict analyses and prevention policy instruments are not components of the CFSP or the European Neighbourhood Policy. Instead, they are typically coordinated by the EEAS, the EU Commission, and the European Parliamentary Research Service. The Conflict Early Warning System and Horizon Scanning serve as crucial instruments for identifying and analysing conflicts, aiding decision-makers in formulating strategic responses for conflict prevention and peacebuilding (European Union External Action, 2022). These risk management tools conduct thorough risk scanning to assess structural conflict risks, monitoring EU actions in five priority countries annually.

In interacting with conflict-prone regions, particularly the Middle East and North Africa (MENA), the EU faces challenges in assessing conflict risks by limiting evaluations to five nations each year. The absence of a dedicated EU early warning system in the ENP-South and in the Mashreq/Maghreb Working Party (MAMA), Council preparatory body[3] for the MENA region in the framework of the CFSP, impedes the development of comprehensive strategies for all at-risk countries across the Mediterranean. Additionally, the EU's conflict prevention analysis is confined to prioritised nations, restricting the simultaneous development of strategies for multiple countries facing the risk of violent conflict. The lack of a specific EU tool for conflict prevention in North Africa and the Eastern Mediterranean, particularly within the framework of the ENP-South, significantly hinders efforts to prevent new wars and disputes in the region.

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[3] 'Council preparatory bodies' are working parties and committees supporting the EU Council and dealing with specific geographic or policy areas (Council of the European Union, undated).

Conflict management at the macro-level

For conflict management at the political level, the EU leverages its EEAS Mediation Support Team, guided by the 2020 Mediation Concept (Council of the European Union, 2020), which engages in macro-level mediation to foster peace-making opportunities, coordinating with the United Nations (UN) and Organization for Security and Co-operation in Europe (OSCE) for conflict prevention and mediation activities. Once more, the absence of engagement within the ENP framework is evident. At the macro level, there is no policy within the ENP-South that addresses mediation and conflict management strategies. This indicates a deficiency or insufficient specificity in the overall approach to promoting peace in the Southern neighbourhood.

While the EU has the potential to play a significant role in conflict scenarios, challenges emerge when examining specific cases, such as the Syrian conflict. Despite participating in the Syria Peace Initiative to support the UN-led peace process and incorporate women into political dialogues (European Union External Action, 2018), the EU faces limitations in acting as a mediator between the Syrian government and the population. Bilateral relations between the EU and the Assad regime were suspended in 2011 due to the escalating violence in the country, creating a vacuum in the EU's mediation capabilities and strategic approach to fostering peace in the MENA region. Notably, beyond engaging in bilateral cooperation with the specific country under consideration, the EU currently lacks alternative policy instruments for advancing macro-level and regional mediation in conflict situations.

Moreover, the challenges faced by the EU's Mediation Support are evident in its efforts to coordinate with the UN, where decision-making authority rests primarily with the Security Council, of which France is the only EU country holding a permanent membership. The United Kingdom and the United States frequently align their positions on key geopolitical issues, mirroring the shared stances of Russia and China in UN and global affairs. By aligning the perspectives of France, the US, and the UK, the European stance risks being subsumed into a simplified dichotomy of "the West vs. the rest" overlooking the principle of EU Strategic Autonomy. The major influence of other permanent members on the UN Security Council leaves scant space for France to effectively represent EU positions and impact international geopolitical decisions.

This is particularly evident in conflicts like the Russian-Ukraine and the Israel-Palestine wars, where the EU lacked internationally recognized leverage, placing it at the mercy of geopolitical competition among key Security Council members (China, Russia, United States) and their interests. The EU's Strategic Autonomy in external affairs is compromised, leading to challenges in conflict management, especially in the Middle East Peace Process. Indeed, concerning the Israel-Palestine conflict, the EU advocates for a two-state solution based on the 1967 Green Line, establishing the borders of the Palestinian state in Gaza and the West Bank (European Union External Action 2021). Recognizing Israeli settlers in the West Bank as illegal, in accordance with the international humanitarian law, the EU sees a UN Security Council Resolution as the key to resolving the conflict (European Union External Action, 2021). Nevertheless, the endorsement of a UN Security Council resolution calling for a ceasefire in Gaza has consistently faced a veto from the United States. This obstruction impedes the European Union's capacity to effectively facilitate peaceful dialogue between Israel and the Palestinian National Authority. The authority to informally recognize Palestine as a state lies squarely within the jurisdiction of the United States, rather than the European Union.

The EU's political weaknesses at the macro-level are also attributable to ineffective interinstitutional dialogue and discrepancies between positions and actions. Discrepancies between EU positions on the Middle East Peace Process and actual actions, along with limited concrete measures, hinder coherent conflict management strategies. The European Parliament (EP), marked by diverse perspectives on the Israeli-Palestinian conflict, lacks unified influence. Additionally, the EP does not have initiative power in EU external affairs and primarily communicates through questions and commentaries to the Council, HR/VP, and Commission. The resulting political weaknesses, unclear roles, and coordination challenges could diminish the EU's credibility in taking an internationally assertive stance in conflicts.

Conflict resolution and peacebuilding at the micro-level

At the micro-level, the European Neighbourhood Policy is currently funded by the Neighbourhood Development and International Cooperation Instrument (NDICI-Global Europe), a funding mechanism outside the ENP framework and designed to support international projects and programmes, not only ENP-related issues. The NDICI Thematic Programme on Peace, Stability, and Conflict Prevention (European Commission, 2021) gives precedence to EU internal security and border control, rather than prioritising conflict resolution. Designed for EU general external affairs, the programme lacks specific, tailored initiatives for each MENA country. Certain bilateral agreements with neighbouring nations, such as the 2023 EU-Tunisia Memorandum of Understanding allocating funds for security and migration projects under the NDICI (European Commission, 2023), include provisions and measures designed for financing through the thematic programme on peace and stability. However, since the 2016 EU Global Strategy, the overarching security goal of the EU has been explicitly articulated. This underscores a commitment to addressing the fundamental issues at the EU borders, specifically tackling challenges like irregular migration and terrorist threats (Biscop, 2016).

Indeed, in the selection of countries to receive funds under the NDICI, the EU frequently prioritises those having strong bilateral inter-governmental relations with Europe and shared security interests, with Tunisia being one such example. While recognising the significance of governments as key players in establishing international cooperation systems, relying exclusively on states to provide funds for micro-level peacebuilding and security provisions may impede alternative approaches involving decentralised actions to empower civil society, local administrations, and other non-state actors and organisations. Using Syria as an illustrative case in challenging conflict scenarios, the EU has rarely considered the autonomous region of Rojava (North-East Syria) as a potential contributor to the country's peace efforts. In 2016, the European Parliament invited a representative of the Democratic Union Party of Rojava to address EU institutions. However, after this event, the EU has ceased incorporating the autonomous administration in political dialogues. The significance of the Rojava administration or other Syrian communities in facilitating peace and democratic dialogues among the population is often overlooked.

In conclusion, although the EU employs diverse tools and mechanisms for conflict prevention, management, and resolution, challenges endure in implementing comprehensive strategies within the ENP-South framework. There is a need for better integration of EU policy tools to form clear actions, and to establish a connection between macro and micro-level measures, thereby enhancing bottom-up approaches to promote peace within civil society. Moreover, the EU faces difficulties in coordinating

with international organisations for successful conflict management and in balancing financial aid to MENA governments with direct multi-level political engagement. Addressing these challenges is crucial to fortify the EU's role as an effective actor in conflict resolution and peacebuilding.

A Closer Look at EU Democracy Support Mechanisms in North Africa and the Middle East

EU's policies towards 'democracy promotion' in the MENA region

While EU conflict management and resolution typically fall under the purview of the CFSP and EEAS frameworks, with the decision-making process inherently being intergovernmental, policies directed towards the so-called 'democracy promotion' have increasingly permeated the European Neighbourhood Policy (ENP), where the EU Commission and the Parliament wield more influence. The 2021 Joint Communication for a "Renewed partnership with the Southern Neighbourhood, A new Agenda for the Mediterranean" reiterates, albeit in a limited section, the importance for Southern partners to uphold the rule of law, democratic principles, and human rights (European Commission, 2021, 7).

Furthermore, with the enactment of the NDICI-Global Europe within the ENP-South context, the European Parliament assumes a crucial role in approving the budget. The NDICI Cushion is part of the Multiannual Financial Framework (MFF) under the political priority "Migration and external challenges". Although the thematic programme "Human Rights and Democracy Support" is a political priority of NDICI, it is not inherent to the MFF itself. The MFF's last revision of 2023 did not mention "democracy", focusing instead on external actions directed towards security at EU borders (European Commission, 2023). In contrast, the NDICI programme's aspirations, focusing on safeguarding individuals, fostering resilient and democratic societies, and championing a global system for human rights and democracy (European Commission, 2021), seem ambitious. However, within the broader context of the MFF decision-making process, the Council of the EU plays a pivotal role in approving the MFF through unanimous decisions. While the European Parliament gives its consent, it is often compelled to compromise with the Council, occasionally prioritising security-related issues – such as controlling migration flows – over democratic values. This may explain the absence of any reference to democracy support within the MFF, deferring this challenge to NDICI-Global Europe. The intricate landscape of the EU decision-making process seems to give precedence to the Council's interests during the MFF adoption, raising questions about both the principle of Differentiated Integration and the multi-level governance mechanism in political actions undertaken in the ENP-South.

In terms of concrete policy measures of democracy support at the macro-level, the European Union utilises its Election Observation Mission (EOM) to support electoral processes in non-EU countries with weak or absent democratic institutions (European Union External Action, 2023). This instrument was notably employed in the Southern Neighbourhood after the Arab Spring in Tunisia, Egypt, and Libya to assist the countries' democratic elections. The European Parliament plays a significant role in the EOM, with its members actively engaged as chief observers. They foster interparliamentary dialogues between the EU and partner countries and manage the annual democracy support programme, selecting six priority countries each year (European Union External Action, 2023). Notably, for 2023, Tunisia was the only MENA country prioritised (European Parliament, 2023), suggesting a lack of specific ENP-South strategies to support and enhance democratic dialogues at the political level in other states of the

region. Indeed, the EOM is not inherently part of the European Neighbourhood Policy and for this reason it is not active in all countries of North Africa and Eastern Mediterranean.

Tunisia, where the first democratic elections took place in 2011 overseen by the Election Observation Mission (EOM) and funded by the US, has experienced a slow democratic transition marred by authoritarian interruptions. President Kais Saied's dissolution of the Parliament in 2021 and 2022 and of municipal councils in 2023 has halted Tunisia's democratic progress, which – according to V-Dem Democracy Report 2023 – is in a state of autocratization (V-Dem, 2023). The lack of significant long-term results from EU actions since 2011 raises questions about both the priority given to democratic principles, over other economic and security interests when concluding international agreements and the role of the ENP-South in relation to EU-MENA bilateral relations.

In July 2023, the EU signed a comprehensive partnership package Memorandum of Understanding with Tunisia, focusing on the migration crisis across the Mediterranean (European Commission, 2023). Despite concerns raised by the EU Parliament through parliamentary questions about the connection between funds provision and migrant refoulement (European Parliament, 2023), the MoU was successfully concluded without adequate clarification. Although the European Parliament has a role in approving the NDICI budget, in overseeing Election Observation Missions and related activities, it lacks initiative power in decisions regarding treaties with countries that may disregard human rights and democratic principles. This highlights a significant gap between the EU's democratic support ideology and the concrete intergovernmental actions taken, suggesting that the DI mechanism does not provide for further supranational integration in matters related to democracy mainstreaming in the ENP-South.

Analysing democracy promotion ambiguities in the European Neighbourhood Policy

Criticism towards the ENP inconsistencies in promoting democracy has always been present among experts. Following the 2011 ENP review, analyses have started to relate contradictions between EU interests of security and economic stability and values such as democracy. This can be a consequence of the post-Arab Spring period and the failure of EU actions in most of MENA countries, when it was becoming visible that the overarching goal of the European Union in its Southern Neighbourhood was not democracy promotion. According to some experts, the European Neighbourhood Policy's approach to democracy serves as both a narrative and normative tool for the European Union to legitimise its actions internally and externally (Cianciara, 2016; Kurki, 2015). However, as highlighted by Milja Kurki, there is a notable absence of a clear definition of democracy for the European Union. Instead, it generally employs the ideology of 'democracy promotion' as a narrative tool in engagements with other international actors and institutions, such as the US or international financial institutions (Kurki, 2015, 35). This implies that the EU's approach to democracy in pursuit of political legitimacy appears to be shaped by a "Western" narrative, rather than establishing a solid foundation. This indicates a deficiency in Strategic Autonomy, as the EU struggles to independently define its own understanding of democracy.

Certainly, the ENP's overarching approach can be characterized as the predominant "Western" approach, grounded in neoliberal economic and political values. However, it can be argued that this does not necessarily represent the EU's distinct vision. Among the ENP-South objectives, those of international security and macro-economic economic balance appear evidently the most fundamental to be implemented by European countries in its neighbourhood. All ENP reviews and documents highlight the importance of cooperating with international financial institutions (IFIs) and the 2021 Joint Communication re-emphasised the need for EU engagement with the International Monetary Fund (IMF), the European Investment Bank and the World Bank in economic and investment plans for Southern neighbours (European Commission, 2021, 2). While there is a distinct emphasis on neo-liberal economic reforms in all ENP reviews, the importance of liberal democratic principles is described in broad strokes, encompassing general concepts like the separation of powers, the rule of law, and the promotion of freedom of association and expression. Once again, EU policies in Tunisia are fundamental to be mentioned. The 2023 MoU

between the EU and Tunisia has as first pillar macro-economic stability: the EU promised Tunisia an extra of 900 million euro in macro-economic support conditioned to the country's acceptance of a deal with the IMF. This means that economic transformation imposed by IFIs might be considered by the EU as a prerequisite to other forms of economic or political cooperation, while the respect for democratic principles seem not to constitute a precondition for concluding bilateral agreements.

While neo-liberal economic and political objectives appear to align, there is a valid concern, as raised by Theuns, regarding whether the economic macro-economic adjustments undertaken by the EU and IFIs in the ENP are in line with the objective of fostering a free and democratic society (2017, 287). Here, the tension between economic transformation and democracy arises. An illustrative case is Egypt, the second nation with the highest indebtedness to the IMF (FDI Intelligence, 2023). Enforcing macroeconomic adjustments tied to IMF loans, which involve adopting stringent fiscal policies in countries with fragile institutions, not only has the potential to diminish the democratic power of citizens but also risks neglecting their vital needs. This persistent approach undermines the socio-economic well-being of Egypt's population and happens despite the potential benefits that could arise from embracing more expansive fiscal policies, such as an increase in government spending. EU policies towards the Southern Neighbourhood, whether they pertain to the ENP-South or to other EU institutional frameworks, mainly focus on the strengthening both neo-liberal institutions and intergovernmental relations, rather than on fostering a democratic culture at the micro-level. Despite the EU Council consistently stressing the importance of involvement with civil society, acknowledging its vital role in promoting good governance and the rule of law, this dedication is often given lower priority compared to macro-economic adjustments and international relations. Furthermore, although the EU serves as the donor for projects aimed at enhancing democratic culture within civil society, its political involvement in their management is infrequent. Instead, the political responsibility is often shifted to entities that are recipients of EU funding. In the Southern Neighbourhood, SHAPEDEM-EU is an EU-funded project promoting resilience and democracy in civil society, but the EU's direct engagement is primarily financial, involving research institutes and universities as main partners taking concrete socio-political actions to support democracy.

The operationalisation of "democracy promotion" in the ENP-South, along with its overarching challenges, such as the EU's lack of Strategic Autonomy, reliance on "Western" ideals and institutions, and the intergovernmental nature of decision-making, often appears to lack direct political accountability from the European Union. The level of Differentiated Integration in this context does not guarantee the required degree of integration to adeptly propose, define, and implement an efficient and grassroots ENP-South policy for supporting democracy.

Guiding the Way Forward: Recommendations for EU Policymakers

This Policy Brief has highlighted challenges in the EU's approach to conflict management, peacebuilding, and democracy support in the EU Southern Neighbourhood. Due to the limited political integration in the Euro-Mediterranean cooperation system, coordination issues arise in EU actions related to these policy areas. The ENP lacks sufficient empowerment as a supranational tool to effectively address political actions in North Africa and the Eastern Mediterranean. This inadequacy is attributed to the EU's insufficient prioritisation of cooperation, instead opting for geopolitical competition, macro-economic stability, and protection of European borders and interests. The

resulting absence of EU Strategic Autonomy is influenced by external factors, such as the need for consistency with US and IFIs policies, as well as internal lack of cohesion among EU members and institutions.

The current Differentiated Integration mechanism does not adequately promote the need for EU supranational approaches in certain policy dimensions, including conflict management, peacebuilding, and democracy support in neighbouring regions. The following recommendations aim to rebuild, through the strengthening of the ENP-South, the EU's foreign policy in North Africa and the Eastern Mediterranean with a de-colonial perspective, revitalising the EU's 'political' character and reorganising priorities for effective stability in the region.

- **EU Strategic Autonomy as a foundation of the ENP:** Advocate for EU strategic autonomy as a fundamental pillar of the ENP. Strengthen the supranational dimension of the European Political Community, expand its scope towards the Southern Neighbourhood, including the ENP, and adopt the DI mechanism to limit intergovernmental approaches.

- **Conflict Prevention in the MENA Region:** Integrate existing CFSP and EEAS policy instruments into the ENP-South framework. Coordinate with the EU Council preparatory body dealing with Maghreb and Mashreq. Conduct risk analyses in all ENP-South countries to formulate specific strategies for each MENA state, preventing the exacerbation or creation of conflicts.

- **Effective Conflict Management:** Diversify mechanisms for conflict management beyond the exclusive use of the EEAS Mediation Support Team and the Middle East Peace Process. Establish tailored ENP-South working groups focusing on both conflict prevention and mediation, collaborating with the EEAS Mediation Support Team to formulate efficient regional strategies. Explore collaborative multi-level forums between the EU (under the ENP framework), the Arab League, other regional/international organisations, and local/regional administrations, for more effective peace-making and mediation activities.

- **Peacebuilding and Democracy Support:** Recognise the vital importance of the MENA civil society and address its sceptical perception of European countries. Acknowledge that security and macro-economic interests may overshadow the need for the EU to be politically involved in people-to-people cooperation. Refine the ENP-South framework to delineate supranational priorities in the Euro-Mediterranean region. Specify concrete actions for democracy support to civil society and implement tailored grassroots programs for each MENA country. Combine the NDICI framework with other instruments of multi-level political engagement, engaging in socio-political dialogue with European confederations of NGOs and local/regional administrations to foster bottom-up approaches for peace and democracy-building.

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