

## **Parliaments and Civil Society Cooperation in the Euro-Mediterranean Partnership**

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Since the mid-1990s, the Mediterranean policy of the European Union has gained a significant degree of multilateralization when compared with previous European approaches to the Mediterranean. The Barcelona Process (or EMP, for Euro-Mediterranean Partnership) launched in November 1995 has become a focal point of both scholarly and policy-oriented attention.<sup>1</sup> Arguably, a new phase has emerged in Euro-Mediterranean affairs, consisting of openness, dialogue, and work in common from policy design to implementation. All the same, the Barcelona Process has experienced numerous problems.

The initial optimism about the Middle East Peace Process (MEPP) has all but evaporated. The EMP now looks more and more like turning into a post-MEPP process. In addition, Barcelona has not helped resolve other problems in the region: international terrorism, Algeria, the Western Sahara, Cyprus, the region's "boat people," and the proliferation of both conventional

1. The EMP has added an institutional face to the forging of cooperative policies between the EU and its twelve Mediterranean partners (Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Palestinian Authority, Syria, Tunisia, and Turkey).

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weapons and weapons of mass destruction. All three of its “baskets” (politics and security, economics and finance, and the human dimension) have suffered from these problems. The post-11 September, U.S.-sponsored counterterrorism campaign in the Arab world and the crisis over the war in Iraq have also highlighted the existence of profound divergences, not only within the international community, the transatlantic alliance, and the EU itself, but perhaps more important in this framework, within the EMP partners. Moreover, the inadequacy of the European intervention in the 2002 Middle East crisis seriously affected the status of the Barcelona Process, not only regarding security cooperation but also its multilateral nature. It is no secret that the EU has to make considerable efforts to keep Israel in the process while at the same time continuing cooperation with its Arab partners. Europeans have to contribute to the Middle East peace process in accordance with the reasonable demands of their Arab partners and at the same time deal with Israel’s hostile attitude toward their intervention.

Regarding the EMP’s commitments to democracy and human rights, it seems that some Mediterranean partners will sooner or later face the reality that the other participants, European or not, might actually insist on the attainment in practice of the agreed-upon principles. Although the existence of *political conditionality* (also known as *democracy clauses*) allows the EU to suspend its commitments in cases of regime failure, it also exposes the Mediterranean partners to the goodwill of the Europeans, and thus undermines their demand for equal partnership.<sup>2</sup> More importantly, what appears to be the most significant addition that the EMP has made to EU policy toward the Mediterranean, namely its human dimension, has not been, in our view, utilized to its fullest potential. In this essay we discuss practical suggestions for improving the functioning of the third basket. More analytically, we propose a more consistent and comprehensive use of the parliamentary dimension of the process in order to facilitate the emergence and consolidation of civil societies in the southern Mediterranean. Such a condition represents a necessary prerequisite for real democratization and human rights.

2. A. J’nemann, “Europe’s Interrelations with North Africa in the New Framework of Euro-Mediterranean Partnership: A Provisional Assessment of the Barcelona Concept,” in *European Union in a Changing World*, report of the Third EC-SA-World Conference, 19–20 September 1996, Brussels (Luxembourg: Office for Official Publications of the European Communities, 1998), 373, 383.

The EU has traditionally preferred to try and act, at best, as a civilian power in the region.<sup>3</sup> The underlying philosophical belief of this policy stance is that economic development in the southern Mediterranean countries attacks the root cause of their socioeconomic problems and strengthens their social and political stability. Influenced by the liberal belief that democracies are less likely than other societies to go to war, and, in the 1900s, by a tinge of misplaced Fukujaman optimism about the final triumph of liberalism, the EU vigorously pursued the creation of a Euro-Mediterranean free trade area aiming to enmesh the countries of the region in a cobweb of economic interdependencies.

The Barcelona Declaration underlines a strong commitment to upholding human rights and democratic principles, and the bilateral free-trade agreements concluded thus far also include human rights clauses. However, there appears to be a general reluctance on the part of the EU to invoke these clauses. Perhaps this is a result of the union's short-term interests, particularly that of securing the Mediterranean countries' compliance in concluding bilateral partnership agreements and, eventually, the more important and more challenging South-South agreements. One can also perceive a lack of agreement and consistency among the EU institutions themselves in confronting human rights transgressions in the Mediterranean region, not to mention some ambivalence about the legal aspects of the bilateral accords concluded so far. Thus, as Laura Feliu notes, certain key sentences were not included in the Tunisian and Moroccan partnership agreements. This is something that has de facto weakened the importance of human rights in these new agreements.<sup>4</sup>

In the following pages we discuss all these aspects of the question in the context of cooperation among the civil societies in the Euro-Mediterranean area, paying particular attention to the role that national parliaments, as well as the European Parliament, can play in facilitating the participation of civil society in the Euro-Med Partnership. We do not cover the EMP as a whole, but deal with the following aspects:

3. For a critical assessment, see S. Stavridis and J. Hutchence, "Mediterranean Challenges to the EU's Foreign Policy," *European Foreign Affairs Review* 5, no. 1 (2000): 35–62.

4. Laura Feliu, "Human Rights and the Barcelona Process," in *The Barcelona Process and Euro-Mediterranean Issues from Stuttgart to Marseilles*, ed. F. Attinà and S. Stavridis (Milan: Giuffrè, 2001), 67–95, especially 77.

1. an appraisal of the problems caused by the lack of democracy and a vibrant civil society in the southern Mediterranean states;
2. an analysis of parliamentary cooperation within the EMP framework in recent years; and
3. proposals for more parliamentary input in the EMP's third basket (recommendations and conclusions).

### **Democratic Deficit and Civil Society in the Southern Mediterranean**

Historically, the countries of the southern Mediterranean rim passed from the hegemonic rule of the Ottoman Empire to that of European imperialism and on to one-party republican or monarchical government in the postcolonial phase. All these stages are characterized by the centralization of power and the absence of Western-style democratic institutions. In the current epoch, these countries can best be described as having entered their post-postcolonial phase, in which they are increasingly compelled to grapple with the challenges of democracy and the market economy, mostly as a result of exogenous influences, such as their need to integrate into the global economy and the associated external pressures to introduce political reforms. The endogenous factors include domestic socioeconomic challenges, which whip up dissent and pressure for change at the grassroots level following years of political stagnation. In sum, neither mature democracy, let alone its functioning institutions, nor fundamental freedoms as constitutionally enshrined and practiced in most Western democratic countries has existed in these countries. The absence of democracy, tolerance, and pluralism has in turn stifled the emergence of a strong civil society, which is one of the prerequisites for the construction of a democratic order.

A snapshot of the Arab world today shows that a lot remains to be done before its countries can become truly democratic. Broadly speaking, freedom of speech and the press is severely restricted in the majority of the Arab world, particularly on sensitive issues of democracy and freedoms. The press is either censored by the state or muzzled into exercising self-restraint. The abundance and multiplicity of the media provide the facade of a democratic process, so long as these are prudent enough not to cross the line and criticize the regime in power or the existing status quo. Human-rights activists

are often harassed, even in Tunisia, once considered to be in the forefront of democratic reforms. In many instances, the governments themselves are heavily involved in the media. Freedom of religion is normally respected, but some restrictions remain on non-Islamic religions and denominations, such as those that are still imposed on Copts in Egypt. In Jordan the three main monotheistic religions are recognized but not the others. In many countries, authorities closely monitor the mosques. In short, as R. Youngs noted, “North Africa and the Middle East remain . . . essentially authoritarian.”<sup>5</sup> In all cases, significant restrictions still remain on freedoms such as the right of assembly and, more fundamentally, on peaceful changes in government, one of the highest rights of a democracy, and its litmus test. The absence of an independent judiciary like that of Western democracies is yet another anomaly, and in many cases accusations of torture are rife. The death penalty has not been abolished. The reforms that have been introduced in recent years look more like carefully selected adaptations and reluctant concessions by regimes in search of survival amid growing domestic and international pressures.

The Barcelona Process forms a multilateral framework in which civil society is recognized as essential for the creation of a regional cooperative security system. Drawing on the European experience, the initiators understood that any rapprochement between countries (be it political, economic, or both) could not function on the basis of elite preferences and without the support of the southern Mediterranean societies. However, there is no consensus or adequate support for the role of civil society in the EMP, which has not yet utilized the necessary mechanisms to operationalize and, in time, regularize civil society cooperation. The integration of civil society activities into the Barcelona project is a rather vague desire and has been generally neglected by policy makers. It seems to be a taboo to go beyond the rhetoric of emphasizing the need for cooperative ventures. In reality, the interest of participating bodies in this dimension of the EMP seems to be

5. R. Youngs, *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies* (Oxford: Oxford University Press, 2001), 1. See also R. Pace, “The EU's Policies to Enhance Security and Stability in the Mediterranean Region: The Role of Fundamental Human Rights and Democratic Freedoms,” in *Euro-Mediterranean Integration*, vol. 3, ed. P. Xuereb (Malta: European Documentation and Research Centre, 2002), 93–5.

based on very divergent assumptions and expectations.<sup>6</sup> However, the EMP activities that have already been implemented show that the strengthening of civil society action, despite the difficulties involved, is the most appropriate measure for closing the regional gap. The successful continuation of this approach would represent a major qualitative step in Euro-Mediterranean affairs.

Certain questions arise here about the problems facing civil society in the Mediterranean. A fundamental problem is traceable to divergent approaches to civil society. Europeans are more used to civil society cooperation, bringing people closer to policy-making within the national framework or inside the EU. The method chosen in the EMP is more or less the formula used in the EU framework, modified and applied in its external relations context. However, in the majority of southern Mediterranean countries, the conditions for civil society are different. Although they show attitudes similar to the EU members' preference for civil society involvement, they differ considerably in the degree of pluralism, transparency, and public discourse on sensitive issues in their societies. With the increasing liberalization and globalization of the economy and the need for structural adjustment, some southern Mediterranean partners have begun to make space for nongovernmental associations (especially on sociocultural issues). Yet in fields that belong to the sphere of high politics, elites and regime authorities continue to see civil society as a natural threat to their survival and instinctively fight it.<sup>7</sup>

The importance of the civil society dimension to the Barcelona Process cannot be underestimated.<sup>8</sup> Indeed, it is one of the most significant additions to past EU/European Community policies toward the Mediterranean. Up to the 2002 Valencia ministerial meeting, six Euro-Med civil forums had been

6. For details see Youngs, 56–73.

7. They either forbid independent associations and place all activities in this field under strict governmental control or they systematically coopt existing organizations, even creating artificial organizations that exist in parallel to the real ones in order to supervise the latter more closely. For further analysis, see U. Reinhardt, "Civil Society Cooperation in the Euro-Mediterranean Partnership: From Declarations to Practice," *EuroMeSCo Papers*, no. 15 (May 2002).

8. See N. Waites, "Cultural Cooperation: Third Basket but Prime Importance for an Effective Partnership." Paper presented to the Joint Fifth European Workshop of the University of Crete/3rd SGEU/ECPR Rotating Summer School, EU Enlargement and Euro-Mediterranean Relations, 15–22 September 2002, Rethymno, Crete, Greece.

organized.<sup>9</sup> Up to that time, the European Commission and European governments would channel their aid through the normal official structures. Nowadays, there is a conscious effort not to repeat that mistake, but to involve both local and transnational nongovernmental organizations (NGOs) that are often critical of the governments of the southern littoral states in the MEDA programs. (MEDA is the EU's principal financial instrument for implementing the Euro-Med Partnership.) In 2000, the commission underlined the importance of this aim when it proposed that "positive actions, including support for NGOs, should be funded under the MEDA national programs as well as through the MEDA Democracy Programme. MEDA allocations should be more dependent on substantial progress in these areas."<sup>10</sup> Then in the paper it prepared for the Valencia meeting in 2002, the commission stated that Euro-Med civil society has been closely involved in the preparation and implementation of the regional programs, adding that "sectoral fora in environment, energy, transport, industrial cooperation, etc., are open to civil society, as are programmes which benefit them directly, such as those on information society, cultural heritage, audiovisual cooperation, youth, and environment." The commission further stated that the MEDA program has also financed several networks of economic actors (chambers of commerce, employers' associations, trade promotion institutes, trade fairs, and so forth) but it admitted that more has still to be done in this respect. It argued that the Euro-Med Civil Forums have not been sufficient in mobilizing civil society, though they may have aided the visibility of the Barcelona Process. The commission stated that more must be done to encourage the involvement of specialized associations and NGOs by linking them more closely to existing Euro-Med forums.<sup>11</sup>

The European Commission has continued to pile on the pressure, partic-

9. Barcelona (1995), Malta and Naples (1997), Stuttgart (1999), Marseilles (2000), and Brussels (2001). The Valencia meeting took place in April 2002. An informal meeting took place in Crete in May 2003.

10. European Commission, communication to the European Council and the European Parliament to prepare for the Fourth Meeting of Euro-Mediterranean Foreign Ministers, *Reinvigorating the Barcelona Process*, Brussels, 6 September 2000, com(2000), 497 final.

11. European Commission, communication to the European Council and the European Parliament to prepare for the Meeting of Euro-Mediterranean Foreign Ministers at Valencia, 22–23 April 2002, Brussels, 13 February 2002, sec(2002), 159 final, point 4.

ularly following the publication of the *UN Development Programme Arab Human Development Report 2002*, which meted heavy criticism at the Arab world for its dismal human rights and democracy record. The publication of this report seems to have been the main stimulus that instigated the commission to propose more specific regional and national action plans on human rights and the mainstreaming of human rights on all fronts within the Euro-Med Partnership.<sup>12</sup>

The problem of mobilizing civil society in the southern Mediterranean has two aspects. First, for civil society to be mobilized and established on a regionwide basis, it must first exist at the national level. The nature, texture, and variety of national civil societies differ from one partner country to the other. Linking existing NGOs to the regional forums that have nestled under the Euro-Med Partnership is positive, because it strengthens their legitimacy and independence while providing them with an additional protection against their national authorities. But the emergence of or the strengthening of civil society at the national level is the second and probably the most crucial aspect of the problem, and its success depends on the creation and implementation of the appropriate national legal reforms conducive to the birth and survival of NGOs and associations.

Judging from the *Country Strategy Papers and National Indicative Programmes* (NIPs) for the period from 2002 to 2004,<sup>13</sup> a very modest beginning has been made involving legislative changes. If continued, these changes could have a spillover effect in the future, provided they continue to receive the support and encouragement of the EU, which can happen only if they are constantly monitored for their effectiveness on the ground. Egypt's NIP is instructive in this case. For this country of 64 million people, the largest in the Arab world and second only to Turkey among the EU's Mediterranean partners, the EU will provide 20 million euros over the period 2002 to 2004 to mobilize NGOs working among the ultrapoor and most socially vulnerable strata of society. The condition imposed by the EU for

12. European Commission, communication to the European Council and the European Parliament, *Reinvigorating EU Actions on Human Rights and Democratization with Mediterranean Partners: Strategic Guidelines*, Brussels, 21 May 2003, com(2003), 294 final.

13. Euro-Mediterranean Partnership, *Regional Strategy Paper 2002–06 and Regional Indicative Programme 2002–04* (Brussels: European Union, 2002), at [http://europa.eu.int/comm/external\\_relations/euromed/rsp/index.htm](http://europa.eu.int/comm/external_relations/euromed/rsp/index.htm).

this very modest boost to civil society is for Egypt to adopt “new and appropriate NGO legislation” that will encourage the NGOs and associations in this sector to work in freedom from any interference. The new laws must also permit these organizations to receive direct aid from the EU with which to build up their capacity in the long term.<sup>14</sup> There remain many sticking points: whether the aid will be sufficient and thus effective, whether Egypt will enact the legislative changes (a necessary precondition), and, if in the affirmative, whether these legislative changes will be implemented. In addition, finding ways of measuring the effectiveness and impact of this initiative is important.

Our delving into the effectiveness of EU measures to strengthen civil society in the Euro-Mediterranean region is prompted by the fact that a broader sweep of EU policies reveals that there exists on the whole a discrepancy between their declared aims and what happens in practice.<sup>15</sup> This is most visible in EU human rights policy, which resembles a stabilization of existing undemocratic regimes in the region. This perception emerges mainly from the fact that human rights have fallen victim to the trade-off between securing them and achieving the other EU “priorities,” such as ensuring through bilateral treaties the southern littoral states’ cooperation in the fight against illegal immigration, illicit drug and arms trafficking, and the war against terrorism.<sup>16</sup>

The above issues are partly linked to American attitudes. The United States has always been the other important player in the region’s politics, and ignoring this fact is always fatal. As the United States strengthens collaborations in the war against terrorism and the war in Iraq, it becomes increasingly difficult for the EU to make much headway in its human rights and democratization policies, when these differ markedly from those of the United

14. “Egypt, National Indicative Programme,” 2002–04, point 7.5, 34–5, in Euro-Mediterranean Partnership.

15. See E. Kienle, “Destabilization through Partnerships? Euro-Mediterranean Relations after the Barcelona Declaration,” *Mediterranean Politics* 3, no. 2 (1998): 1–20; I. Romeo, “The European Union and North Africa: Keeping the Mediterranean ‘Safe’ for Europe,” *Mediterranean Politics* 3, no. 2 (1998): 21–38; Stavridis and Hutchence, 35–62. For a more theoretical approach to the same subject, see D. Xenakis and D. Chrysochoou, *The Emerging Euro-Mediterranean System* (Manchester, Manchester University Press, 2001), and more recently the same authors’ “Prospects for Euro-Mediterranean Governance,” *Review of International Affairs* 2, no. 4 (2003).

16. “Presidency Conclusions of the Fifth Euro-Mediterranean Conference of Foreign Ministers, Valencia, 22–23 April 2002,” in *Euromed Report*, no. 42, 26 April 2002.

States. In the coming months, as the United States grapples with settling post-Saddam Iraq and the Middle East peace process, clearer indications may emerge as to what priority it will accord to human rights and democratic principles in its policies toward the region.

What remains problematic, however, is how to strengthen the role of civil society in countries where such mechanisms have not been developed. We suggest that in order to achieve that, it may be desirable, at least in the short to medium term, to use the parliamentary dimension of the Barcelona Process. It has the advantage of already being in existence, although it needs improvements in the way it currently functions. We will turn to this aspect of the question in the next section. We need to add here that we do not deal with the Arab or the Islamic “democratic incompatibility thesis,” because, as D. Curdy argues, democracy and Islam “are contradictory only if democracy is defined by certain Western standards.”<sup>17</sup> We therefore refuse the logic of Arab exceptionalism or Islamic exceptionalism. If democracy and human rights are universal values, there can be no cultural exceptions.<sup>18</sup>

### **Parliamentary Cooperation in the EMP**

There appears to be an urgent need to find a way out of the current impasse in the movement toward democracy and civil society. One aspect of the question that has on the whole been ignored by the academic literature on the subject is the potential that parliamentary cooperation can play in the strengthening of a EU human-rights policy toward the Mediterranean Basin. To start with, there is the advantage that such a mechanism already exists in the Parliamentary Forum (PF). It has met four times to date (October 1998, February and November 2001, and June 2002), and the next meeting was scheduled for late 2003 in Greece or Italy. There are however a number of practical problems that the PF must overcome before it becomes a useful

17. D. Curdy, “Security and Peace in the Middle East: Experiments with Democracy in an Islamic World,” *Maxwell Papers* (U.S. Air War College), no. 4 (August 1996): 4.

18. For more, see A. Zghal, “Crítica de la hipótesis de la incompatibilidad del islam con los valores de la sociedad civil,” *Quaderns de la Mediterrània/Cuadernos del Mediterráneo*, nos. 2–3 (2001): 25–41.

means for facilitating cooperation between the civil societies in the Euro-Mediterranean Basin.

First, the Europeans have dithered quite considerably about who should represent them in the parliamentary dimension of the Barcelona Process. For a long time, there was no agreement on whether the European Parliament or the national EU parliaments should take the lead. Eventually, an interim arrangement was reached involving members of each, but the latest thinking was to drop the national parliamentarians from the next meeting after the PF of late 2003. The idea was to set up a Lomé/Cotonou-style parliamentary assembly.<sup>19</sup> What remains clear is that this internal institutional turf war among European parliamentarians has impaired the smooth development of the parliamentary dimension of the EMP for a long time, while problems have continued to grow bigger by the day, be they in the fields of politics and security (Algeria or Middle East), economics and social structure (most Mediterranean economies), or most importantly human rights and welfare (the daily drowning of boat people, illness, famine, and so on). Even the Euro-Med ministers are starting to show their frustration about the lack of progress on the issue of a parliamentary assembly, which will be, in their own words, “of a consultative capacity.”<sup>20</sup>

Another related issue concerns the fact that there are also other parliamentary forums such as the Interparliamentary Union, the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE PA), and the North Atlantic Assembly, which all have a Mediterranean dimension. A formal link among these institutions and the EMP PF has yet to materialize, even though some of these institutions attend the forums as observers. At any rate, a proliferation of new institutions should be avoided. Institutions should have a function rather than exist just for their own sake.

Second, the parliamentary dimension of the process suffers from an important problem: can a democratic forum exist without democrats from

19. For a discussion of the pros and cons of the forum and of the assembly, see S. Stavridis, “The Parliamentary Forum of the Euro-Mediterranean Partnership: An Assessment,” *Mediterranean Politics* 7, no. 2 (2002): 41–5.

20. See “Presidency Conclusions, Mid-term Euro-Mediterranean Conference, Crete, 26–27 May 2003,” in *Euromed Report*, no. 59, 28 May 2003, 5, point number 25.

one of the two sides? That is to say, are southern parliaments real parliaments or just the expressions of facade democracies? With the exceptions of Cyprus and Malta, and the partial exception of Israel, which is reminiscent of Western Europe during recent colonial years, there is little democracy in the southern states.<sup>21</sup> If the aim is to encourage a truly democratic parliamentary dimension in the southern Mediterranean countries through a socialization effect, establishing cooperative links with democratic European parliaments should be helpful. One should be aware that such a process takes time. It is therefore rewarding to take a long-term view of this particular issue. Most parliamentarians and other practitioners of parliamentary diplomacy would agree that even when members of parliaments are not representative of open societies, some progress can be achieved if only because of common ideological backgrounds and a sense of camaraderie.<sup>22</sup>

This question boils down to whether one believes in the benefits of talking, and then the real question becomes, for how long? On the other hand, it might be more productive to highlight differences of viewpoints. The latter is the approach taken by the “no meeting of minds” that is clearly visible in the final declaration of the North Atlantic Assembly and its Southern Mediterranean Dialogue Partners meeting in Genoa on 1 December 2000.<sup>23</sup> But the question then becomes, what happens next in such a case?

Third, another important factor is that the EU institutions themselves do not seem to be pulling on the same rope. There appears to be a cleavage between the European Parliament and the EU Council of Ministers on this issue. For example, the European Parliament’s insistence on human rights and democratic freedoms is unquestionable. In a resolution of 1 February 2001, the parliament stated that the Common Strategy toward the Mediter-

21. See A. Lijphart, *Patterns of Democracy: Government and Performances in Thirty-Six Countries* (New Haven, Conn.: Yale University Press, 1999).

22. Based on research interviews with parliamentarians carried out by S. Stavridis in Brussels (March 2001), in Athens (March and July 2002), in Nicosia (March and April 2002), and in Strasbourg (September 2002). For details, see S. Stavridis, “The Parliamentary Forum,” 30–53; S. Stavridis, “The International Role of the Cypriot Parliament (Vouli ton Andiprosopon) and Cyprus’s Accession to the EU,” in *Cyprus and Europe: The Long Way Back*, ed. V. Fouskas and H. Richter (Mannheim: Bibliopolis, 2003), 173–203.

23. NATO Parliamentary Assembly, “Parliamentary Debate on Mediterranean Security Yields Little Consensus,” press release, Geneva, 1 December 2000, at <http://www.nato-pa.int/publications/press/p001201a>.

anean region adopted by the Feira European Council should accord priority to promoting human rights and democracy, direct investment, and cultural dialogue.<sup>24</sup> On the other hand, the Council of Ministers, motivated no doubt by considerations of realpolitik, has consistently adopted a softer approach on human rights and democratic principles. At their April 2002 meeting in Valencia, all that the Euro-Mediterranean foreign ministers could agree on as part of the Work Programme in the area of human rights was to “encourage the continuation of the political dialogue on human rights by means of national and regional presentations.” They also mandated senior officials to study the setting up of a more structured dialogue on this sensitive topic so as to increase its effectiveness and deepen the Euro-Mediterranean Partnership in this area.<sup>25</sup>

### Conclusions

How can the situation be remedied? A start can be made on the basis of the Valencia Action Plan to set up as quickly as possible a structured dialogue on human rights and democracy. But then, the ministers have already decided that the task should be entrusted to senior officials, who would presumably follow the instructions of their national governments. We must therefore expect a lot of beating around the bush, and if the officials’ performance follows the same patterns of behavior as in the case of the EU Peace and Stability Charter, then the morning already shows the kind of day.

If the EU is really serious about making headway, it must begin by assuming an effective leadership position by drafting a model agreement on the implementation of human rights and democratic principles, taking into account the particular situation of each partner, and then following this up with proper negotiations with those states able and willing to move ahead with reform, perhaps adding the incentive of increased economic and financial privileges for those partners that are ready to make a special effort in this direction. The proposed package could begin by first establishing what

24. Resolution published in *Official Journal of the Communities*, no. 267, 21 September 2001.

25. Fifth Euro-Mediterranean Conference of Ministers for Foreign Affairs, *Valencia Action Plan*, final version, 23 April 2002 (Brussels: European Union, 2002), at [http://europa.eu.int/comm/external\\_relations/euromed/conf/val/action.pdf](http://europa.eu.int/comm/external_relations/euromed/conf/val/action.pdf).

is achievable on human rights and democratic freedoms in the Mediterranean region in the short and long terms. Once this is done, it is important to incorporate such goals in the EU's policy to make them both possible and credible. European citizens and taxpayers have a right to know what their governments and the EU are doing on this issue in the Mediterranean region.

A further element would be for the EU to spell out explicitly what sanctions it would apply in cases where such goals are not met. A measure of vagueness in the statement of the conditionality involved is understandable, because it gives the EU some flexibility and saves it from the embarrassment of declaring sanctions and then failing to impose them, but vagueness for vagueness's sake and the absence of clearly stated conditions and sanctions for bad behavior simply make EU policies ineffective in encouraging positive change. Therefore, it may be useful for the EU to consider including specific goals of democratic transition in the National Indicative Programmes being concluded with each of the Mediterranean member states, outlining the way the EU's development aid is going to be used. Some conditionality clauses are already included in the current NIPs, but these cannot be seen as far-reaching enough in bringing about the desired changes.

The EMP is a partnership of interdependence between the EU and its Mediterranean partners based on reciprocal rights, obligations, and mutual advantages. The Arab countries cannot, on the one hand, expect free access to the EU's large internal market and be treated as equal partners, while, on the other, they refrain from improving substantially their human rights behavior. Such a policy direction leads to the unraveling of the Euro-Mediterranean "bargain" struck between Europe and the southern Mediterranean states at Barcelona. Furthermore, as signatories to a number of international human rights conventions, not to mention the Euro-Med Partnership Declaration adopted in Barcelona in 1995 (which makes specific reference to the respect of human rights and democratic freedoms), they also have responsibilities toward the international community that they cannot easily shirk, in addition to the obvious obligations toward their own citizens. Indeed, the key element of the Barcelona Declaration itself—the establishment of a shared area of security and peace—will be difficult if not impossible to achieve if the partners pay only lip service to its declared aims.

Several suggestions have been made for more consistent, specific, and concerted action on the part of the EU in the field of human rights within the EMP framework. In particular, it has been suggested that a “democracy NIP” be drawn up for each partner.<sup>26</sup> Things have moved on rapidly since then. In its May 2003 communication on human rights and democratization, the European Commission proposed a set of recommendations. It called for the systematic inclusion of human rights and democracy issues in all dialogues taking place on an institutional basis within the EMP. The commission’s proposals also call for more information to be disseminated on human rights issues within the partner countries. European Commission delegations and member-state embassies in the partner countries are to draw up reports on the state of human rights (*l’état des lieux*) in the individual countries. The overall situation is to be elaborated in the European Council’s “Human Rights Fact Sheets.” Another commission proposal calls for the strengthening of coherence and consistency in the EU’s action by strengthening coordination between commission delegations and member states’ embassies. The EU wants to insist harder on compliance with United Nations resolutions. It is further suggested that at the national level the commission delegations and the member states should organize regular workshops about building civil society. Efforts should be made for this dialogue not to be limited to national civil society but to reach out to civil society organizations working at the regional level. The focal point of the commission’s proposals call for the establishment of national and regional action plans leading to the drawing up of specific actions to be implemented. The stated aim is the mainstreaming of human rights in MEDA programs—and in the NIPs beginning in 2005–06. There are also references to the need for strengthening current initiatives falling under the European Initiative for Democracy and Human Rights and the MEDA programs.

In particular, the roles of the EU institutions and those of the EMP, including the various forums to which it gave birth and its parliamentary dimension, must be established with some clarity, not only designating who does what and when, but also establishing aims and targets appropriate to each body. Thus, while the overall aim of democratization must itself be deepened

26. Pace, 77–99.

and clarified with a clear assessment of the difficulties involved, an overall European strategy must be established clearly delegating tasks to the various bodies, institutions, and organizations involved, indicating at the same time how these would be implemented, whether individually or jointly (shared). In this task, the parliamentary dimension of the EMP must not only provide a structure but must also be equipped with specific aims, open and malleable to being monitored in practice, that contribute directly to the realization of the overall aims of the EMP, particularly the political dimension. Otherwise, the EU's actions in the Mediterranean region risk becoming just a bunch of aimless, uncoordinated, and, for that very reason, ineffective *sui generis* initiatives that contribute very little toward the attainment of the common good.

Another practical example of parliamentary input in civil society cooperation would be to build on Fred Tanner's proposal that a Euro-Mediterranean yearbook be published.<sup>27</sup> He suggests that such an effort should concentrate "on information pertinent to the security sectors of the Euro-Mediterranean countries." He rightly refers to the "democratic oversight of defence affairs." Here, there seems to be a wide-ranging number of areas where parliamentary cooperation *per se*, but also parliamentary input in civil society cooperation, could indeed play an important role. The benefits of "best practice" comparisons cannot be overstated. Incidentally, it would also be helpful for EU national parliaments in which democratic accountability of defense policy remains notoriously lacking.<sup>28</sup>

One should also mention, albeit briefly, the increasing international role of nonnational governments in many federalized (or decentralized) EU member states. The international relations of substate governments is well documented, but there is less attention paid to the role played worldwide by their respective parliamentary bodies. In the Mediterranean, there is plenty of room for collaboration between regional parliaments (the Sicilian, Catalan, Scottish, and Bavarian parliaments, among others) and southern parliaments. Admittedly, the absence of real regional counterparts is an obstacle

27. F. Tanner, "Security Governance: The Difficult Task of Security Democratisation in the Mediterranean," *EuroMeSCo Brief* (May 2003), at [www.euromesco.org](http://www.euromesco.org).

28. For details, see S. Stavridis, "The Democratic Control of the EU's Foreign and Security Policy after Amsterdam and Nice," *Current Politics and Economics of Europe* 10, no. 3 (2001): 289–311.

for formal cooperation, but this difficulty should not exclude other types of collaboration that are already slowly emerging. For instance, see the recent efforts by the Catalan parliament to develop formal links with that of Morocco, only to be halted by the unrelated Perejil crisis of June 2002. Here one should not forget that many EU cities possess miniparliaments in the form of their elected city councils. The point here is that one needs to think with an open and broader mind about what constitutes a parliamentary body and not deal exclusively with national parliaments.<sup>29</sup>

In respect of all of the above, we propose the following practical roles for parliamentarians: in general, full participation in the implementation of the various suggestions discussed earlier, and more particularly, in the monitoring of elections in the region. They would also participate in setting up a number of practical training initiatives to reinforce the practice of democratic parliamentary actions in the South, with or in connection with actors from the civil societies. One could also contemplate the setting up of an EMP office for democratic institutions and human rights along the lines of the OSCE. Its main task could be to monitor elections in the South.<sup>30</sup>

In all these domains, nonstate parliaments from regionalized or decentralized EU states should play an important role, because they are by definition closer to the civil society they represent. They would also show how in practice decentralization does not necessarily mean the end of the state, as the overall process of integration in Europe has shown over the past few decades. This dimension should be of particular interest for countries in the South that possess serious minority problems, whether they like to accept it or not (North Africa, Middle East, and Turkey). The process of election monitoring has already been taking place, including the recent presence of

29. See S. Stavridis, "The Catalan Parliament and the Mediterranean: A Preliminary Assessment," Working Paper no. 41, IUEE/Observatorio de Política Exterior Europea, Universitat Autònoma de Barcelona, Barcelona, March 2003, at [http://selene.uab.es/\\_cs\\_iuee/catala/obs/m\\_working.html](http://selene.uab.es/_cs_iuee/catala/obs/m_working.html). See also the second "Glocalization" conference held in Rome in late May 2003. It grouped 40 mayors from cities around the world and also involved 108 young representatives from Glocal Youth Parliament (for details see: [www.glocalforum.org](http://www.glocalforum.org)). *Glocal* combines *global* with *local*.

30. As proposed by R. Aliboni, "Building Blocks for the Euro-Mediterranean Charter on Peace and Stability," *EuroMeSCo Paper* (January 2000): 16, at ([www.eurosmesco.org](http://www.eurosmesco.org)). Xenakis has also made similar proposals before. See his "The Barcelona Process: Some Lessons from Helsinki," *Jean Monnet Working Papers in Comparative and International Politics*, no.17 (Department of Political Science, University of Catania) (1998).

European Parliament officials in elections in Tunisia, Morocco, and Algeria in 2002.<sup>31</sup>

One should stress also what seems to be obvious: parliamentarians are also “living” participants in their respective civil societies, be it as professionals, trade unionists, environmentalists, or members of associations, other lobbies, and similar groupings. Parliamentary cooperation therefore de facto strengthens the role that civil societies must develop in the EMP if it is to become more efficient and more visible.

One of the tasks of the parliamentary dimension of the EMP could be that of encouraging political reforms in the southern rim states that could also help mobilize the development or emergence of civil society where this does not exist. Such reforms, as encouraged by the parliamentary dimension, would include among other things electoral reform involving fairer and more transparent electoral processes, national aid to political associations, allowance for movements, and parties that support a pluralistic and democratic system, free media, including the denationalization of state-owned or controlled sectors, freedom of speech and of association, and the decentralization of national decision making to various subnational levels to further encourage citizen participation and the development of civil society.

It is hoped that views articulated in this essay add to the urgent need to find practical ways to improve the poor human rights record in the south of the *Mare Nostrum*. No doubt there are other proposals, too, and one should have an open mind at this stage.<sup>32</sup> What is clear, however, is that the current situation is no longer tolerable and some action must be taken. One of the most innovative arrangements of the Barcelona project is the cooperation between civil societies. But it has yet to be used to its full potential. Parliamentary bodies can and should play a role in such a process. We hope we have made a good case for it.

31. Bob van den Bos, “European Parliament Draft Report on Human Rights in the World in 2002 and European Union’s Human Rights Policy” (2002/2011-INI), 6 May 2003, available at the European Parliament’s Web site.

32. For instance, see the proposed institutionalization of a civil platform in cooperative security that initially could involve representatives from the Civil Forum, EuroMeSCo, and the PF. For details, see E. Lennon, “Parlements et société civile dans la sécurité euro-méditerranéenne,” *EuroMeSCo Papers*, no. 19 (November 2002), at [www.euromesco.org](http://www.euromesco.org).

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