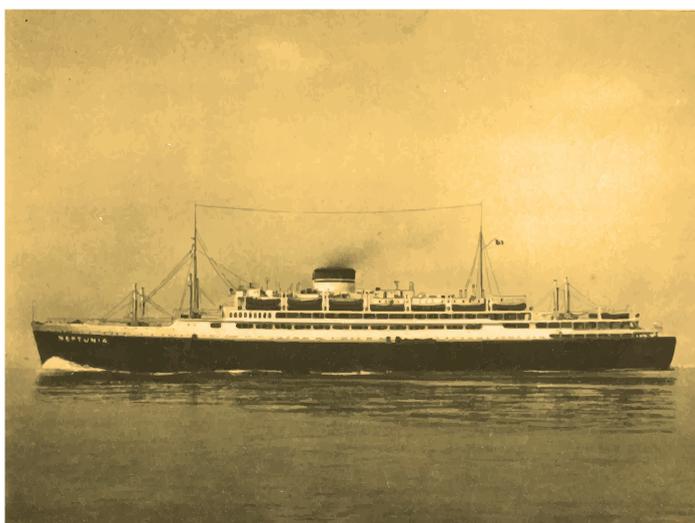


PAIX ET SÉCURITÉ INTERNATIONALES

02

2014



REVUE MAROCO-ESPAGNOLE
DE DROIT INTERNATIONAL ET RELATIONS INTERNATIONALES
(NOUVELLE SÉRIE- VERSION ÉLECTRONIQUE)



THE UNION FOR THE MEDITERRANEAN (UfM): A CRITICAL APPROACH

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I. ORIGINS AND EVOLUTION OF THE UNION FOR THE MEDITERRANEAN
– II. THE FINAL DECLARATION OF THE PARIS SUMMIT: THE CONTENT OF
THE UfM – III.- THE ASSESSMENT OF THE UfM AFTER THE FIVE YEARS
OF ITS ESTABLISHMENT (2008-2013) – IV. CONCLUSION.

ABSTRACT: The seventh anniversary of the establishment of the Union for the Mediterranean enables to have a greater perspective to examine its development. Therefore, this work provides some reflections on the path followed by the Union for the Mediterranean, which has generally been described by the doctrine as negative. The initial project promoted by the then candidate for the French Republic presidency, Nicolas Sarkozy, coped with unfavourable circumstances since its creation, which have determined its progress. This paper analyses in a critical approach the development of the UfM, as well as the reasons for its stagnation, while proposing measures to overcome it, and achieve their full effect in the medium term.

KEYWORDS: Union for the Mediterranean; Euromediterranean Policy; Mediterranean countries; Mediterranean subregional approach.

L'UNION POUR LA MÉDITERRANÉE (UPM): UNE APPROCHE CRITIQUE

RÉSUMÉ: Sept ans après la création de l'Union pour la Méditerranée, et avec le recul suffisant pour étudier sa mise en œuvre, le travail ici présenté prétend apporter plusieurs réflexions en relation avec la trajectoire suivie par l'UpM, généralement considérée comme négative par la doctrine. Le projet initial, proposé par Nicolas Sarkozy, se heurta, dès les premiers moments à des circonstances défavorables qui ont influencé sa trajectoire postérieure. Le travail analyse de manière constructive le développement de l'UpM, ainsi que les raisons de sa stagnation, tout en proposant des mesures pour la surmonter et atteindre une efficacité maximum à moyen terme.

MOT CLÉS: Union pour la Méditerranée, Politique euro-méditerranéenne ; Pays méditerranéens, analyse sous-régionale méditerranéenne ; aspect sous-régional méditerranéen.

LA UNIÓN POR EL MEDITERRÁNEO (UPM): UNA APROXIMACIÓN CRÍTICA

RESUMEN: Transcurridos siete años desde la creación de la Unión por el Mediterráneo, y con

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la perspectiva suficiente para analizar su desarrollo, el presente trabajo pretende aportar unas reflexiones sobre la trayectoria seguida por la UpM, que en general ha sido calificada de negativa por parte de la doctrina. El proyecto inicial promovido por el entonces candidato a la presidencia de la República francesa, Nicolás Sarkozy, afrontó desde sus inicios circunstancias desfavorables que han determinado su trayectoria. El presente artículo analiza de forma crítica el desarrollo de la UpM, así como las razones de su estancamiento proponiendo al mismo tiempo medidas para superarlo y lograr su plena efectividad a medio plazo.

PALABRAS CLAVE: Unión por el Mediterráneo; Política euromediterránea; Países mediterráneos; Vertiente subregional mediterránea.

I. ORIGINS AND EVOLUTION OF THE UNION FOR THE MEDITERRANEAN

In February 2007 Nicolas Sarkozy, at the time candidate for the French presidency, introduced for the first time in the city of Toulon (France) a project called “Mediterranean Union” which had to be modified and adjusted due to the complex political reality and the European diplomacy.²

This initial proposal was welcomed by Spain at the time of its launch because, on one hand, it recognised the leading role of the Mediterranean for the EU, and on the other, meant the “return” to the Mare Nostrum with respect to the European interests. Nevertheless, the “sarkozynian” scheme set forward a number of elements provoking uncertainty: not only the lack of definition of its content, but also the fact that the project unveiled a pronounced interest of France to regain its status at a regional level. Thus, the project would renew the visibility of France which had diminished during the foregoing years, in particular in the Maghreb as stated by the Avicenne report.³ Furthermore, taking into account the well-known position of Sarkozy concerning the Turkish candidature to the EU, the idea emerged as an alternative to the accession of Turkey. That possibility however was to be strongly rejected as it was displayed for the first time.

Despite the fact that Spain, as booster of the Barcelona Process, appreciated

² The presidential candidate Sarkozy explained in his speech that the organization of the endeavour would be flexible and adaptable like the Council of Europe, which is why there would be a regular meeting of the Heads of State and Government: “The Mediterranean Council” would hold enough powers to run the four political pillars of the project: legal migration, environment, co-development and cooperation regarding the fight against corruption, organized crime and terrorism. About the initial proposal the “Mediterranean Union” launched by Nicolas Sarkozy, during his presidential candidacy, see FLORENSA, S., “Del Proceso de Barcelona clásico a la Unión por el Mediterráneo: la consolidación del partenariado euromediterráneo”, in BENEYTO, J.M. (Dir.), *La apuesta por el Mediterráneo: un reto para el siglo XXI*. Biblioteca Nueva: Instituto Universitario de Estudios Europeos de la Universidad de San Pablo, Madrid, 2010, p. 59.

³ Cfr. KHADER, B., “Unión Mediterránea: ¿bonitas palabras o buena idea?”. *Política Exterior*, nº 122, Marzo/Abril 2008, pp. 65-80.

with certain concerns the Sarkozy initiative, it was deemed to fail since it did not prevent the progressive marginalization or the persistent asymmetry of the Mediterranean nor address the disparities existing between both shores. Side-lining with this point of view, the Mediterranean Policy of the EU did not produce the awaited effects notwithstanding the financial efforts of the MEDA programme, principally due to the lack of a major European implication at all levels -not only economic but also commercial- during the years when the main aim was to absorb the different enlargements toward the Eastern, as well as to consolidate the single currency.

The Barcelona Process did need a new impetus, as some academician already had claimed some time before⁴, but it has to be acknowledged that even with these issues, there were also rays of light. The new proposal absolutely ignored this factor grating greatest arguments in order to disassociate it from the Euro-Mediterranean Partnership and the EU itself as it was only addressed to the Mediterranean neighbouring and assimilable States.

The proposition aroused diverse reactions and stirred many controversial debates, while returning the Mediterranean to a priority stage in the agendas, offering the opportunity to consider the validity and effectiveness of the Mediterranean policy of the EU up to that moment. Nonetheless, since the Commission was cut back from the project at its initial phase, the initiative was approached with some caution at the European level.

Among the Member States, several reacted with prudence or evening difference. The country that reacted quite vehemently was Germany owing to the fragile issue of financing the scheme with European funding, because the project was non-European and disassociated from determined Member States, who were net taxpayers, such as Germany⁵. Among the Southern States, a vigilant attitude was taken, with the exception of Algeria where the project was received with scepticism from the very beginning⁶.

At the beginning of September 2007 and during a meeting of the 16 States conforming the European Neighbourhood Policy, the Commissioner of External

⁴ Cfr. BLANC ALTEMIR, A., "El proceso euromediterráneo: una década de luces y sombras". *ADI*, vol. XXI, 2005, pp. 185-225.

⁵ Cfr. SCHUMACHER, T., "Germany and Central and Eastern European Countries: laggards or veto players?". *Mediterranean Politics*, vol. 16, n° 1, March, 2011, pp. 79-98.

⁶ Cfr. BAGHZOUZ, A., «Du processus de Barcelone à l'Union pour la Méditerranée : regards croisés sur les relations euro-maghrébines». *L'Année du Maghreb*, 2009, p. 517-536.

Relations made clear that the initiatives on the relations between the Member States and their neighbours had to be developed within the organisation. Likewise, some voices at the European Parliament and at the Commission underlined the contradiction implied by a project that had an undeniable inter-governmental character when already some fields of action fell into the scope of the common or coordinated work. The warning took effect owing to the fact that the French President Sarkozy delivered a speech in Tangier; where a change of various significant aspects was appreciated.

Firstly, the new proposal attempted to mend the fences regarding the previous one by buffering the reactions of the Commission, Member States and the Southern partners. The EU was no longer “marginalised”, since the project was introduced as a common idea with the participation of the European Commission, and did not pretend to replace the Barcelona Process or the ENP. Secondly, in order not to generate susceptibility among the Mediterranean partners, the project leading principle was the equality avoiding any reference to the controversial issue of migration. Lastly, the proposition set out the necessity of “moving further and faster” within a pragmatic sense based upon the variable geometry, allowing the establishment of the UfM as a “union of projects”.⁷

The response of the Spanish Government to the Parisian proposal had been constructive during all this time and worked closer with its allies in order to make it compatible with the *acquis* of the Barcelona Process, without offending the encourager. A clear gesture of this attitude occurred at the Rome Summit in December 20th, 2007 when the President of the Spanish Government defended the validity of mentioned process before Prodi and Sarkozy and demanded that the new initiative were to be placed within the framework of the Euro-Mediterranean Process, which was set up in 1995 in Barcelona.

The adjustment was not only a conceptual change as it involved the arrangement of the original proposal and redefined it within the Euro-Mediterranean framework. The proposed project was not original or daring; it was simply another phase of the Euro-Mediterranean Partnership.⁸ Three months later, the European Council of 13th and 14th March highlighted that the official name would be “Barcelona

⁷ Cfr. ESCRIBANO, G.; LORCA, A., “La Unión Mediterránea: una unión en busca de proyecto”. Real Instituto Elcano, *DT* n° 13/2008, pp. 2- 4.

⁸ BLANC ALTEMIR, A., “La Unión por el Mediterráneo ¿una etapa más de la política mediterránea de la UE?”. *REDI*, vol. 60, n° 2, 2008, pp. 701-705.

Process: Union for the Mediterranean” and would include “all the Member States of the EU and the countries of the Southern shore that are not member states” while requesting the Commission to present convenient proposals in the view of the Paris Summit where the UfM was officially launched.⁹

The conclusions of the European Council of 13th March did not leave room for any doubt. The political ambitions of Sarkozy were reduced due to the fact that at the end it constituted another stage in the Mediterranean policy of the EU¹⁰, but France still retained, as the promoter of the project, the quality of hosting the Summit of Paris on the 13th of July. Without a doubt, the original idea did not take hold because of the strong initial opposition of Germany and the adapted idea barely came through after the French-German agreement of the 3rd of March, which set the basis of the consensus, only 10 days before the European Council.

The Summit of Paris, held on the 13th of July 2008 with the attendance of the 43 Heads of States and Governments of the Euro-Mediterranean constituted the starting point for the UfM. The Summit was a success due to the tenacity of Sarkozy¹¹, who did not want that remarkable absences could obscure the meeting, which happened in 2005 with the occasion of the First Summit of Heads of States and Governments held in Barcelona where the first ten years of the launch of the Euro-Mediterranean process were celebrated, making it essential to overcome the mistrust of the Arab countries.

Apropos the final denomination of the initiative, one has to underline that the Ministers of Foreign Affairs proposed a variation during their meeting held at the beginning of November 2008 in Marseille. It was named “Union for the Mediterranean” instead of “Barcelona Process: Union for the Mediterranean” whose purpose was to highlight that it was not a process itself but a more defined and concrete project.

⁹ Regarding the content of the European Council concerning the UfM, see JAMET, J.F., “Les défis politiques et économiques de l’Union pour la Méditerranée”. *Questions d’Europe*, n° 93, Fondation Robert Schuman, 25 Mars 2008.

¹⁰ Then, it respected the acquis of the Barcelona Process and the ENP. Cfr. REITERER, M., “From the (French) Mediterranean Union to the (European) Barcelona Process: The Union for the Mediterranean part of the European Neighbourhood Policy”. *European Foreign Affairs Review*, vol. 14, 2009, n° 3, pp. 313-336.

¹¹ Cfr. SCHMID, D., “L’Union pour la Méditerranée, coup d’essai de la diplomatie Sarkozyenne”. *Annuaire français de relations internationales*, vol. X, 2009, pp. 139-152. GILLESPIE, R., “The Union for the Mediterranean: an intergovernmentalist challenge for the EU?”. *Journal of Common Market Studies*, vol. 49, n° 6, pp. 1205-1225.

II. THE FINAL DECLARATION OF THE PARIS SUMMIT: THE CONTENT OF THE UFM

The final Declaration of the Paris Summit¹² establishes that the UfM is based on the Barcelona Declaration and on its goal of peace, stability and security, which were stated on the document. The UfM, besides, sets up a multilateral partnership whose aim is to increase the integration potential as well as the regional cohesion. The Heads of State and Government recognised the central role of the Barcelona Process in the Euro-Mediterranean relations since 1995, due to the fact that it represents a partnership that embraces 39 countries and more than 700 million of inhabitants and it constitutes the only framework where all the Euro-Mediterranean partners exchange different points of view and participate in a constructive dialogue.

Although the EMP, instituted on the basis of the well-known three pillars, still retains its structure and *acquis*, the recently developed approach is conceived as a progress and not a substitution. Therefore, it is observed as a renovation and an impulse that were very much required. The UfM will be grounded in the *acquis* of the Barcelona Process reinforcing its achievements and positive aspects incorporating its objectives and fields of cooperation to the three pillars, which are the main core of the Euro-Mediterranean relations.

The current scheme will complete the bilateral relations that the EU has with its Mediterranean partners within the present frameworks, such as the association agreement, the action plans of the ENP, or the case of Mauritania, within the frame of the ACP countries. The Declaration, in which there seems to be an affirmation addressed to soothe Turkey for the reasons explained in previous paragraphs, establishes that the UfM will be dissociated from the enlargement policy of the EU, accession negotiations and the pre-accession process.

As regards the member countries, the UfM involves all the Member States of the EU, the European Commission as well as the other States of the EMP, members and observers, even including new States which have accepted the *acquis* of the Barcelona Process, including Bosnia-Herzegovina, Croatia, Monaco and Montenegro. The Arab League will assist as a guest on the account of its prior status in the Barcelona Process.

On the subject of its aims and the scope of the project, the Declaration institutes that its main challenge will be the reinforcement of the multilateral bonds

¹² “Déclaration commune du sommet de Paris pour la Méditerranée”. Paris, 13 juillet 2008. Available at <<http://www.iemed.org/>>.

intensifying the political level of the EU relations with its Euro-Mediterranean partners by developing a better location of the responsibilities of the multilateral relations that will be based on the co-ownership. Finally, the process will have to be catalysed in concrete regional and sub-regional projects that will be visible and tangible for the citizens.

In an attempt to concretise the fixed goal of the 1995 Barcelona Declaration, and the Working Programme adopted at the Summit of Heads of States and Governments in 2005, and in order to execute them as a regional project, the Declaration adds an Annex containing a series of key initiatives (six in total) which the future Secretariat will have to present in a more detailed manner.

The first will be the “de-pollution of the Mediterranean” covering the coastal regions and the protected maritime areas, concretely, the water and waste sector. The “Horizon 2020” Programme will set its basis and its objective will be the improvement of life conditions and survival of the Mediterranean population. The second one covers “the maritime and land highways” that will develop highways of the sea, including the connection of ports in the entire Mediterranean basin, but will also consist of the construction of coastal highways and the modernisation of the “trans-Maghreb” railway connection. The purpose is to increase the free movement of persons and goods, with as an indirect consequence will be a major integration of the Mediterranean region.

The third one is “a joint civil protection” programme on natural and man-made disasters, especially the ones related to climate change as the Mediterranean region is particularly vulnerable to such disasters. The fourth “Alternative energy sources: a Mediterranean solar plan” will be addressed to conduct research, expansion and trade of those sources of energy because they are regarded as a fundamental priority in favour of a sustainable development.

The fifth “higher education and research, a Euro-Mediterranean university” sets out the position that action will bring positive effects on the subject of the understanding of people and will favour cooperation at a higher education level through the foundation of a network that will associate the universities located in the Mediterranean region. Moreover, higher education programmes will be created in order to contribute to the establishment of a Euro-Mediterranean space of higher education. Finally, “the Mediterranean Business Development Initiative” that be in charge of providing support to the entities of the Southern Mediterranean Partners

that assist micro-enterprises and medium and small businesses, after evaluating their specific needs, defining strategic solutions and supplying the necessary resources such as technical assistance or financial instruments.

Concerning the financing, the UfM will deploy additional assets principally through regional and sub-regional projects in the actions fields, which have been explained before, and they will emanate from the following sources: private sector; contributions of the EU budget and of all its Mediterranean partners; contributions of other countries, international financing institutions and regional entities; FEMIP or the investments from the ENP through the ENPI, among others. In any case, the financial contributions of the EU to the new regional projects will not diminish the bilateral funding amount that are already set for instance; within the ENP framework, the pre-accession instrument, or the European Development Fund (EDF) for Mauritania.

The Paris Declaration establishes that the Summit of Heads of States and Government will be bi-annual and they will be held alternately in the EU and in the Southern Mediterranean partners.¹³ Furthermore, the essential point of the meetings will be to conclude a political declaration that will contain a short list of to-be-developed regional projects as well as a biennial working plan. The meeting of the Ministers of Foreign Affairs will take place every year, having as its objective to make a progress assessment¹⁴ in the consecutive conclusions adopted at the Summit of Heads of States and Government. There will be another task, however, being the preparation of the next meetings of the Summit and even the approval of new projects. In addition to this, the UfM will reinforce the Euro-Mediterranean Parliamentary Assembly and the Anna Lindh Foundation Euromed that will contribute to the cultural dimension of the initiative, in cooperation with the Alliance of Civilization of the United Nations.

¹³ For a further analysis of the institutional framework, vid. BLANC ALTEMIR, A., *La Unión Europea y el Mediterráneo: de los primeros Acuerdos a la Primavera Árabe*. Tecnos, Madrid, 2012, pp. 171-186.

¹⁴ In this sense one has to highlight that during the meeting of Foreign Affairs Ministers, held in Marseille the 3rd and 4th November 2008, the progress was analysed regarding the selected projects at the Paris Summit of 13th July (ministerial joint-meetings concerning the de-pollution of the Mediterranean; the creation of the expert groups in the fields of maritime and land highways, and in the alternative energies; the inauguration of the Euro-Mediterranean University in Piran-Slovenia...Euro-Mediterranean Association. 10th Euro-Mediterranean Meeting of Foreign Affairs Ministers(Marseille, 3rd and 4th November 2008). Annex I: Declaration of Marseille. Brussels, 14th November 2008, EURO-MED 2/08.

III. THE ASSESSMENT OF THE UfM AFTER THE FIVE YEARS OF ITS ESTABLISHMENT (2008-2013)

The postponement of the summit, for diverse reasons including the outbreak of the turbulence in the Arab world, for the second time in six months, that should have hosted the leaders of the 43 members of the UfM in Barcelona, at the end of November 2010, demonstrated the gaps, challenges and critic situation of the UfM, but in a more global approach also of the Euro-Mediterranean relations themselves. It is noticeable that the irrefutable doses of political voluntarism and the substantial diplomatic efforts, which have been taken, have not brought forward any aspiration.

In spite of the fact that the Mediterranean have traditionally been a surrounding area instead of an immediate border¹⁵, the attempts and endeavours in order to intensify the relations between both Mediterranean shores have never been halted since the sixties: the Euro-Arab dialogue from 1972 to 1995; the 5+5 Dialogue launched in 1990; the Barcelona Process initiated in 1995; the ENP in 2004 and eventually, the UfM introduced by Sarkozy in 2007 as an instrument of internal French policy, whose goal was to retrieve the French prominence in the Mediterranean area, but set in motion officially in Paris in July 2008.

Posterior to the uncertainties that the French project had to overcome, remarkably the reluctances of the Arab countries and of some Member States, such as Germany,¹⁶ it is crucial to emphasise that the initiative has coped with three very difficult factors to overcome due to their complexity: the first factor is related to its launch that coincided with the outbreak of a financial crisis, which has resulted in an economic crisis of costly dimensions, and therefore negatively impacted the financial contributions to the UfM not only of the EU but also of the foreign direct investment, which has been traditionally and persistently defective.

The second factor that has affected the UfM as well as the Barcelona Process has been the conflict in the Middle East, whose effects have polluted the Euro-

¹⁵ Cfr. VERLUISE, P., "L'Union pour la Méditerranée: quel bilan d'étape?". *Actualités Européennes*, n° 35, Juin 2010, p. 1.

¹⁶ That factor would bring as a consequence the French-German compromise of 3rd March 2008, introduced jointly by the French President and the German Chancellor at the European Council, held the 13th and 14th March 2008, where the German scheme was taken into account, rejecting the French proposal of limiting its scope of action to the Mediterranean neighbouring countries. Now all the EU Member States and the Mediterranean non-member States were part of the UfM, and for that reason even the first denomination was modified after the European Council, so from the Mediterranean Union it was adapted to "Barcelona Process: Union for the Mediterranean".

Mediterranean relations themselves.¹⁷ In fact, on the 27th of December 2008 and only a few months after the “constituent” summit of Paris in July 2008, Israel launched the “Operation Cast Lead” over Gaza that lasted until the 17th of January 2009 provoking devastating effects not only in the Strip but also in the UfM, which started to stroll with a limp.¹⁸

The third factor was the entry into force of the Lisbon Treaty in December 2009 that led to some uncertainties concerning issues such as; how and who should hold the co-presidency at the EU side; the role of the High Representative for Foreign Affairs and Security Policy¹⁹, or how to integrate the European Service of External Action into the initiative.

Aside from the previously mentioned factors, it is de rigueur to add the unsteady milieu in the Arab world as another one, so the assessment of the five years of the UfM have been unsatisfactory due to the paralysis of the project that affects not only itself as such, but also, in particular, the material content of it, even after some significant “gestures” whose results have been insufficient. In fact, even in the first year of its establishment, July 2009, the European Commission announced an effort regarding the contribution to the priority projects of the UfM²⁰, while in May 2010, just before celebrating its second anniversary, the French diplomacy introduced the

¹⁷ BICCHI, F., “The Union for the Mediterranean or the changing context of the Euro-Mediterranean relations?”. *Mediterranean politics*, Special issue, vol. 16, n° 1, 2011, pp. 3-20.

¹⁸ As a matter of fact, the scheduled meeting of the brand new UfM between January and April 2009 were cancelled, but later resumed at the level of senior officials and later on at the ministerial level. Nevertheless, the tension remained because in November 2009, the Chief of the Egyptian diplomacy declined to encounter his Israeli counterpart, the ultranationalist Avigdor Lieberman, during a meeting of Foreign Affairs Ministers in Istanbul within the framework of the UfM. Posterior to that incident, the assault of Israeli commandos to a flotilla reaching Gaza, on the 31st of May 2010, only a few days before the scheduled date for the summit -already cancelled at that time- of Heads of States and Government of the UfM in Barcelona, just escalated the tension and as a consequence the recent established UfM was even more undermined.

¹⁹ JOHANSSON-NOGUÉS, E., “The UfM’s institutional structure: making inroads towards “co-ownership”?”. *Mediterranean politics*, Special issue, vol. 16, n° 1, 2011, pp. 21-38.

²⁰ The 10th July 2009, the European Commission announced an additional contribution of 72 million euros for the term 2009-2010 with the purpose of strengthening the development of the priority projects of the UfM, which were determined at the “constituent” summit in Paris, including the funding of the Secretariat. Then, the total amount of the UfM coming from the European budget was 90 million euros. Apart from the expenses of the daily work of the General Secretariat of the UfM, the allocation of that additional contribution was disbursed as follows: Facility for Euro-Mediterranean Investment and Partnership (FEMIP): 32 million euros; environment and de-pollution of the Mediterranean: 22 million euros; maritime and land highways: 7,5 million euros; alternative energies-Mediterranean solar plan: 5 million euros; higher education and research- Euro-Mediterranean university in Slovenia: 1 million euro. Cfr. Available at: <<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1113&format=HTML&aged=0&language=FR&guiLanguage=en>>.

creation of an investment fund containing 385 million euros, named Inframed, to finance those projects.²¹

It is perceptible that these conscious aptitudes have had a very restricted effect regarding the real development of the projects until this moment, and for that reason, setting aside the reaction of the EU before the Arab Spring impacted the scope and content of the UfM, it has to be underlined that once again the calendar seemingly will not favour the future of the initiative. As a matter of fact, the tangible development of the UfM and of its priority projects will be subject to the critical economic situation of the EU, an element that will be present in the future negotiations of the financial perspective for the term of 2014-2020.²²

The funding of the UfM constitutes a non-solved issue up to this very moment, principally due to the economic and financial crisis in Europe. In fact, the Paris Declaration pointed out that the added value of the UfM lies in “its capacity to attract more financial resources for regional projects, with a high degree of donor coordination”²³. That document mentioned possible donors from the private sector²⁴, a budgetary raise of the EU; the participation of the Member States and even other countries and international financial institutions and the ENPI and FEMIP.²⁵

²¹ Determined to boost the specific projects in the Mediterranean region concerning the priority sectors established in the Paris Declaration, in particular in the field of transport and energy, the French diplomacy announced the creation of Inframed on the 26th of May 2010, an investment fund amounting to 385 million euros aiming to finance the projects of the UfM. The Fund would allow raising private capital in order to finance projects in the 43 member States of the UfM. The participants were the French Caisse des dépôts (150 million euros); the Italian Cassa Depositi (150 million euros); the Caisse des dépôts et de gestion du Maroc (20 million euros); the Egyptian EFG Hermes (15 million euros) and the European Investment Bank (50 million euros). Cfr. Available at: <http://www.diplomatie.gouv.fr/fr/europe_828/union-europeenne-monde_13399/rerelations-externes_853/union-pour-mediterranee_17975/upm-lancement-du-fonds-investissement-inframed-26.05.10_82596.html>.

²² The budget allocation proposed by the Commission for the term 2014-2020 assigns a total of 70.000 million euros for the Chapter of External Action, that at the same time allots 16.100 to the ENPI and 1.400 to the European Instrument for Democracy and Human Rights. Cfr. European Commission. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A budget for Europe 2020. Part II: Index on Policies. COM (2011) 500 final Part II. Brussels, 29-6-2011, p. 50.

²³ Sommet de l'Union pour la Méditerranée. Déclaration commune (Paris, 13 juillet 2008), *loc. cit.*, p. 12.

²⁴ The estimation, quite optimistically, of the French President Sarkozy, reached 14.000 million euros coming from the private sector. BIRAMBAUX, I., *The Union for the Mediterranean: Beyond the Barcelona Process?*. OPEX, Madrid, 2008, p. 1.

²⁵ Sommet de l'Union pour la Méditerranée. Déclaration commune (Paris, 13 juillet 2008), *doc. cit.*,

Taking into account these diverse sources and in particular the importance awarded to the private sector, it is appropriate to highlight the increased pessimism in the North and the South respectively over the funding, due specifically to the high cost of the projects, to the limits of the European budget and to the complexity of the management of the public and private resources, without omitting the economic crisis.²⁶

Expecting that the economic crisis does not harm definitely the viability of the UfM, it is necessary to assert the funding -through the coordination between public and private funding- of the projects, which are considered of first importance and provide an added value at the regional and local level. It is evident that this requires a political compromise of the countries members of the UfM, which should be reached in future summit of Heads of States and Governments, postponed sine die since November 2010.

In the event that the project of the UfM aspired to be “alive”, it seems inevitable a reinforcement of the Southern periphery of the ENP as well as an increase in the contributions of the member States and the EU to the projects of the UfM within the framework of the new financial perspective 2014-2020. Furthermore, it have to be widened the involvement of the national financial institutions; the European ones, such as the EIB²⁷, the FEMIP, or the EBRD; and the international ones also for instance the World Bank, because they already operate in the region. The essential coordination among the diverse sources of financing constitute a challenge, not yet solved, that manifests its deficit when dealing with the significant projects, whose viability would be noticeably expanded with the foundation of the Euro-Mediterranean Investment and Development Bank.

The creation of investment funds for financing the UfM projects, like the previously mentioned Inframed concerning the investment of infrastructure, constituted a very valid initiative that should be strengthened in the future, especially those intended for financing projects of local and regional entities connected to the sustainable development. It is noticeable that would demand a clear improvement

p. 12.

²⁶ Cfr. BARBÉ IZUEL, E., “La Unión por el Mediterráneo: de la europeización de la política exterior a la descomunitarización de la política mediterránea”. *Revista de Derecho Comunitario Europeo*, nº 32, enero/abril, 2009, p. 37.

²⁷ It has to be emphasized that the EIB coordinates three out of the six priority projects of the UfM: de-pollution of the Mediterranean, the Mediterranean Solar Plan and the Maritime and land highways.

of the economic and legal sphere of the Mediterranean partners, whose immediately consequence would be the pull of foreign investment in the region because there would be the protection of investors.²⁸

Another additional issue, which the UfM has been facing, has been its own definition and the implementation of its institutional and operational architecture, which has affected remarkably the General Secretariat. The late approval of the statutes and in particular of its budget -very limited- had an impact on its effectiveness and independency in a moment that was crucial for getting the project started. A posteriori, the paralysis of the UfM owing to the new manifestation of the eternal Arab-Israeli conflict, especially during the intervention in Gaza; and later on due to the outbreak of the Arab Spring, which coincided in time with the resignation of the first General Secretary, have reinforced the lack of visibility that it never had indeed.

It took six months -until the beginning of 2011- to appoint a replacement, the Moroccan Youssef Amrani, which demonstrated the persistent difficulties to find a viable candidate for the Secretariat, even when the processes of transition in the Arab World entailed a visible head at the General Secretariat of the UfM. Nevertheless, it seems that position lacks of “luck” because Youssef Amrani left after a year -January 2012- coming back to the Moroccan Cabinet as Delegate-Minister for Foreign Affairs and Cooperation. Therefore, it was appointed a new General Secretary in March 2012, the Moroccan diplomat Fathallah Sijilmassi. When assuming his position, he declared that his commitment to “deliver tangible results in the near future”.²⁹

Furthermore, it is *comme il faut* to encourage cooperation between the Secretariat and the European Commission, as well as to clearly determine their respective competences, and then to achieve a greater implication of the Commission in the activities of the UfM. Moreover, it is also needed to define with clarity its institutional structure, because that would result in positive effects regarding the visibility of the UfM and the diffusion of its activities and projects.

²⁸ To that end it would be appropriate to set up a system of insurances and financial guarantees for the investors, inspired in the system of the Multilateral Investment Guarantee Agency, but adapted to the concrete context of the Euro-Mediterranean region.

²⁹ His words are available at: <<http://ufmsecretariat.org/mr-fathallah-sijilmassi-takes-office-at-the-union-for-the-mediterranean/>>.

Underlining this aspect, some relevant projects have been launched within the six areas of priority.³⁰ For instance, the creation of the Euro-Mediterranean University of Fes, or the project regarding the development of women empowerment, or the project of the “Jordanian railway network”.³¹ These and other initiatives resume the “active” work of the UfM, however, the society is not aware of these progresses. There is a “lost in transmitting” what the UfM does.

As regards the co-presidency, and apart from the definitive formula to appoint the co-president at the EU level, everything seems to indicate that there would some strains to designate by consensus the co-president at the South level due to the heterogeneity of the three existing groups: Arab countries, Turkey and Israel plus European non-Members States. The consensus reached when appointing the first co-presidents, Sarkozy and Mubarak, as the promoters of the UfM, could take some time to be achieved.

It is also convenient to underline that the experience of these five years has corroborated that the role of the co-presidency has been of minor importance before the conflict in the Mediterranean region, such as the case of the Gaza war. Doubtlessly, this is one of the issues that should be improved, so then a co-presidency with a major political influence before critical situations like the previously mentioned. Nevertheless, it has to be taken into consideration the limitations of this proposal, specifically concerning human rights and fundamental freedoms.

Actually, the fact that the actions of the co-presidency, concretely the release of statements and documents regarding a specific situation, have to be agreed between both co-president constrain enormously the scope of them due to the level of protection and respect of the human rights and fundamental rights in the Southern countries. However, the evolution of the democratic processes, which were initiated at the beginning of 2011 in Egypt and in some Arab countries, can change the equation.

On the subject of the Euro-Mediterranean Parliamentary Assembly, it has enhanced its role as an element of the institutional architecture of the UfM, and the reason behind is that the Assembly is a component of the project and it has the

³⁰ The six areas of priority: business development; transport and urban development; energy; environment and water; higher education and research, and social and civil affairs.

³¹ Available at <<http://ufmsecretariat.org/projects/>>.

purpose to become the democracy guarantor.³² Following this position, the European Parliament has requested the assumption of higher responsibilities through an instrument of consultation and democratic control in connection with the definition of the principal strategies of action, the regular assessment of the proposals, the execution of the budget, and even the creation of mechanisms that could enable the periodic appearance of the General Secretary and his Deputy General Secretaries before specific commissions. Definitely, that has to go with the improvement of the functioning and the working methods of the Euro-Mediterranean Parliamentary Assembly, including the supply of the necessary financial and human resources, as well as a better coordination of the Euro-Mediterranean Parliamentary Assembly with the others UfM institutions³³, while covering joint-meetings with the recent established Euro-Mediterranean Regional and Local Assembly (ARLEM).³⁴

The limitations and deficiencies of the UfM, materialized in these five years after its establishment, go forward the before mentioned issues such as the financing and institutional framework. In fact, the initial French project of the Mediterranean Union avoided any reference to the democracy and human rights affairs, a matter that was already covered by the Barcelona Declaration.

Aside from the objection that the formal inclusion in the Barcelona Process of these subjects did not help to denounce the flagrant violations of human rights and fundamental freedoms that happened in the Southern partners, it is certain that the lack of reference in the UfM documents made it much more relevant and central because they constitute European and universal values.³⁵ The fact that the pragmatism character of the UfM as well as its technocratic and economist feature has ignored central issues of the Euro-Mediterranean acquis³⁶, for instance democracy and human rights, has provoked some negative reaction in sectors of the civil society which is committed to traditional values of the EU.

Another matter, which is not set forth in the Paris Declaration, is the lack of

³² In this sense, it has to be highlighted that at the sixth plenary session of the Euro-Mediterranean Parliamentary Assembly, held in Amman during the 13th and 14th March 2010, was proposed to renamed it as the Parliamentary Assembly-Union for the Mediterranean (PA-UfM).

³³ Union for the Mediterranean European Parliament resolution of 20 May 2010 on the Union for the Mediterranean (2009/2215 (INI)), OJ C 161E, 31st May 2011.

³⁴ *Ibid.* par. 40.

³⁵ The only exception is a very general reference in the introductory section of the constituent documents (Declaration of Paris and Marseille). The mention to the democratic values and human rights are absent in the main core of both documents.

³⁶ Vid. In that sense BARBÉ IZUEL, E., “La Unión por el Mediterráneo...”, *loc. cit.*, p. 46.

reference to socio-economic, trade or energy matters, some of them like the direct foreign investment, employment, reduction of poverty and energetic efficiency constituted one of the central structural problems in the Mediterranean, particularly in the Southern³⁷. It has to be emphasized also the lack of a more significant reference -more than the repetitive formula of promoting legal migration and the fight against the illegal one- in the UfM documents. It is evident that the construction of the UfM cannot be disassociated of that fundamental matter, moreover, it cannot ignore the importance of the regulation of the migratory flows, and it should implement progressively the free movement between both shores and the integration of migrants.

It cannot be disregarded the significance of encouraging sectors concerning education, research, university exchanges and cultural because they can favour mutual understanding among civil societies. Therefore, it should be adopted a Euro-Mediterranean strategy addressed to enhance inter-cultural and inter-religious dialogue and within the framework of the UfM, it should be incorporated new projects in these fields.

The fact that the eternal Arab-Israeli conflict has “kidnapped” during these years the project of the UfM, as it happened with the Barcelona process too, has pointed out, that even with the limited and discreet capacity of the EU in solving the conflict, the destabilising potential of it over the Euro-Mediterranean relations. Taking into account that the UfM is not the forum to negotiate the peace, it cannot be ignored that it is the only framework where all its parts come together -apart from the United Nations auspices- ergo it could be opportune to take advantage of that instrument.

Although this and other regional conflicts placed in the Mediterranean cannot paralyse the sectorial and multilateral cooperation, it is obvious that the UfM will be unable to consolidate itself due to the lack of mutual trust of the parties.

Finally, it has to be underlined that the processes of reforms and modernisation happening in the Southern shore of the Mediterranean will have to inevitably promote regional integration process where the UfM could play a central role. The fact that the exchanges South-South represent around 6%-8% during the last years means an impediment of the interests of the Southern Mediterranean partners themselves.

Despite the current conflicts and the ultraconservative nationalism have

³⁷ Nevertheless, the Marseille Declaration contained a reference to some of these sectors, such as energy of the creation of a free trade area, within the section III: Work programme for 2009.

endangered any progress, the economic and political cost of the non-integration is higher for the population of those countries, that is why it cannot be dismissed that after the Arab Spring, there will be some forward movement.³⁸ Taking into account the UfM allows the reinforcement of the regional and multilateral dimension of the Euro-Mediterranean relations, which could constitute a much appropriated framework for promoting the sub-regional integration, however, it has to be highlighted that this issue has not yet emerged.

The regional integration and democracy should go hand-in-hand in this process as it happened in Europe at the beginning of the fifties. The Southern Mediterranean countries need the Jean Monnet vision in order to foster the sub-regional integration as well as their co-development. Perhaps, the deep reshaping events taking place on the Southern shore could divert into a more integrated process that allowing the current disagreements to be overcome and to reconsider the future in a more positive perspective.

In any case, the outbreak of the Arab Spring should be regarded as a great opportunity to re-launch the Euro-Mediterranean relations, with the UfM being the ideal regional framework to promote the democratisation of the area. Therefore, it would be convenient to introduce within the forum of the UfM a programme concerning the political, economic and social transition of the Southern and Eastern Mediterranean countries.

IV. CONCLUSION

At first sight, the UfM seems another failure of the Euro-Mediterranean relations. Its setbacks, however, can be adapted to its main breakthroughs. Taking this affirmation into account, it should firstly be mentioned that its foundation already suffered from a lack of success but that its main result was placement of the Mediterranean on the EU's priorities agenda. Secondly, one has to bear in mind that its definition as a "union of projects" refers to a pure pragmatism where the protection of human rights and fundamental freedoms are allocated to other appropriate frameworks.

Thirdly, the interaction with the EMP and ENP has consistently been pointed

³⁸ An example that illustrates that situation of the Arab Maghreb Union (AMU) is its own blockage due to some controversies between its principal members: Morocco and Algeria. In spite of that, the fact that Algeria did not veto the recent appointment of the new General Secretary of the UfM, the Moroccan diplomat Youssef Amrani, could be interpreted as a sign of a possible progress in the Maghreb.

out as a difficulty, whereas the UfM is an extra value to the general framework as the sub-regional cooperation level will be reinforced through the area of priorities. Fourthly, the institutional scheme has been broadly criticized, in particular due to the absence of political input to appoint the General Secretary or to overcome the co-presidency issue at both shores. Nonetheless, the existence of such a treaded path in the search for consensus, even during difficult situations, means that the institutional framework could be revitalized in the future if the political will is present.

Fifthly, the economic crisis has been perceived as a limitation while it, nevertheless, could be an opportunity to maximize resources when launching tangible and factual projects. Last but not least, the insufficient visibility may be solved by strengthening the role of the General Secretary as some sort of “Mister Euro-Mediterranean”, linking the North and the South.

In conclusion, the UfM was heading for failure since its very beginning but did represent the third path in the Euro-Mediterranean policy, where the project-driven sub-regional cooperation was tackled as the main purpose establishing that it can play a very relevant role in supporting the Mediterranean partners during the political transitions in this new phase.

PAIX ET SÉCURITÉ INTERNATIONALES

02

2014

REVUE MAROCO- ESPAGNOLE DE DROIT INTERNATIONAL ET RELATIONS INTERNATIONALES
NOUVELLE SÉRIE - VERSION ÉLECTRONIQUE

SOMMAIRE / Janvier -Décembre 2014 / N° 2

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