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<th>Description</th>
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<tr>
<td>AAM</td>
<td>Air-to-Air Missile</td>
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<tr>
<td>ACE</td>
<td>Allied Command Europe</td>
</tr>
<tr>
<td>ACRS</td>
<td>Arms Control and Regional Security Working Group</td>
</tr>
<tr>
<td>AEV</td>
<td>Armoured Engineer Vehicle</td>
</tr>
<tr>
<td>AFNORTH</td>
<td>Allied Forces Northern Europe</td>
</tr>
<tr>
<td>AFSOUTH</td>
<td>Allied Forces Southern Europe</td>
</tr>
<tr>
<td>AHLC</td>
<td>Ad Hoc Liaison Committee</td>
</tr>
<tr>
<td>AIFV</td>
<td>Armoured Infantry Fighting Vehicle</td>
</tr>
<tr>
<td>AIRSOUTH</td>
<td>Allied Air Forces South</td>
</tr>
<tr>
<td>AIS</td>
<td>Armée Islamique du Salut</td>
</tr>
<tr>
<td>AMU</td>
<td>Arab Maghreb Union</td>
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<tr>
<td>APC</td>
<td>Armoured Personnel Carrier</td>
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<td>ASW</td>
<td>Anti-Submarine Warfare</td>
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<td>BTWC</td>
<td>Biological and Toxin Weapons Convention</td>
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<td>CAP</td>
<td>Common Agricultural Policy</td>
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<tr>
<td>CBMs</td>
<td>Confidence-building measures</td>
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<td>CC</td>
<td>Component Command</td>
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<td>CD</td>
<td>Conference on Disarmament</td>
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<td>CEP</td>
<td>Civil Emergency Planning</td>
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<tr>
<td>CFE</td>
<td>Treaty on Conventional Armed Forces in Europe</td>
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<td>CFSP</td>
<td>Common Foreign and Security Policy</td>
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<tr>
<td>CIA</td>
<td>Central Intelligence Agency</td>
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<td>CINCSOUTH</td>
<td>Commander-in-Chief of AFSOUTH</td>
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<tr>
<td>CIWS</td>
<td>Close-In Weapon System</td>
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<td>CPC</td>
<td>Conflict Prevention Centre</td>
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<td>CSBMss</td>
<td>Confidence and security-building measures</td>
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<td>CSCE</td>
<td>Conference on Security and Cooperation in Europe</td>
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<td>CSCM</td>
<td>Conference on Security and Cooperation in the Mediterranean</td>
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<tr>
<td>CTBT</td>
<td>Comprehensive Nuclear Test-Ban Treaty</td>
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<td>CWC</td>
<td>Chemical Weapons Convention</td>
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<td>DEP</td>
<td>Democracy Party</td>
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<td>DGP</td>
<td>High Level Senior Defence Group on Proliferation (NATO)</td>
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<tr>
<td>EEC</td>
<td>European Economic Community</td>
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<td>EMP</td>
<td>Euro-Mediterranean Partnership</td>
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<td>EP</td>
<td>European Parliament</td>
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<td>European Political Cooperation</td>
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<td>EU</td>
<td>European Union</td>
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<td>EuroMeSCo</td>
<td>Euro-Mediterranean Study Commission</td>
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<td>EUROFOR</td>
<td>Rapid Deployment Euroforce</td>
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<td>EUROMARFOR</td>
<td>European Maritime Force</td>
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<tr>
<td>FAC(M)</td>
<td>Fast Attack Craft (Missile armed)</td>
</tr>
<tr>
<td>FaweEU</td>
<td>Forces Answerable to the Western European Union</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>FIS</td>
<td>Front Islamique du Salut</td>
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<tr>
<td>FLN</td>
<td>Front de Libération National</td>
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<tr>
<td>FSC</td>
<td>Forum for Security Cooperation</td>
</tr>
<tr>
<td>GAP</td>
<td>Güneydogu Anadolu Projesi (South East Anatolia Project)</td>
</tr>
<tr>
<td>GCC</td>
<td>Gulf Cooperation Council</td>
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<tr>
<td>GIA</td>
<td>Groupe Islamique Armée</td>
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<tr>
<td>GMP</td>
<td>Global Mediterranean Policy</td>
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<tr>
<td>HCE</td>
<td>Haut Comité d’État</td>
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<tr>
<td>IAEA</td>
<td>International Atomic Energy Agency</td>
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<tr>
<td>ICC</td>
<td>International Criminal Court</td>
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<td>ICJ</td>
<td>International Court of Justice</td>
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<td>IFOR</td>
<td>Implementation Force</td>
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<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
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<tr>
<td>JSRC</td>
<td>Joint Sub-Regional Command</td>
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<td>JCSOUTH</td>
<td>Joint Command South</td>
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<tr>
<td>JCSOUTHCENT</td>
<td>Joint Command Southcentre</td>
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<tr>
<td>JCSOUTHEAST</td>
<td>Joint Command Southeast</td>
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<tr>
<td>JCSOUTHWEST</td>
<td>Joint Command Southwest</td>
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<tr>
<td>KFOR</td>
<td>Kosovo Force</td>
</tr>
<tr>
<td>MBT</td>
<td>Main Battle Tank</td>
</tr>
<tr>
<td>MCG</td>
<td>Mediterranean Cooperation Group</td>
</tr>
<tr>
<td>MCM</td>
<td>Mine Countermeasures</td>
</tr>
<tr>
<td>MCMFORMED</td>
<td>Mine Counter Measures Force Mediterranean</td>
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<tr>
<td>MCMV</td>
<td>Mine Counter Measures Vessel</td>
</tr>
<tr>
<td>MEDA</td>
<td>Financial and technical measures to accompany the reform of social and economic structures in the Mediterranean non-member countries</td>
</tr>
<tr>
<td>MEP</td>
<td>Member of the European Parliament</td>
</tr>
<tr>
<td>MINURSO</td>
<td>United Nations Mission for the Referendum in Western Sahara</td>
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<td>MFO</td>
<td>Multinational Sinai Force and Observers</td>
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<td>MPCs</td>
<td>Mediterranean Partners for Cooperation</td>
</tr>
<tr>
<td>MTCR</td>
<td>Missile Technology Control Regime</td>
</tr>
<tr>
<td>NAC</td>
<td>North Atlantic Council</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NAVSOUTH</td>
<td>Allied Naval Forces South</td>
</tr>
<tr>
<td>NPMS</td>
<td>Non-Participating Mediterranean States</td>
</tr>
<tr>
<td>NPT</td>
<td>Non-Proliferation Treaty</td>
</tr>
<tr>
<td>NSC</td>
<td>New Strategic Concept</td>
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<tr>
<td>NSG</td>
<td>Nuclear Suppliers Group</td>
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<tr>
<td>OAU</td>
<td>Organization of African Unity</td>
</tr>
<tr>
<td>OECD</td>
<td>Organization for Economic Cooperation and Development</td>
</tr>
<tr>
<td>OCME</td>
<td>Organization for Cooperation in the Middle East</td>
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<tr>
<td>OPV</td>
<td>Offshore Patrol Vehicle</td>
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<tr>
<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>PBM</td>
<td>Partnership building measures</td>
</tr>
<tr>
<td>PFLP</td>
<td>Popular Front for the Liberation of Palestine</td>
</tr>
<tr>
<td>PfP</td>
<td>Partnership for Peace</td>
</tr>
<tr>
<td>PfM</td>
<td>Partnership for the Mediterranean</td>
</tr>
<tr>
<td>PKK</td>
<td>Partiya Karkeren Kurdistan (Kurdistan Workers Party)</td>
</tr>
<tr>
<td>PLO</td>
<td>Palestine Liberation Organization</td>
</tr>
<tr>
<td>POLISARIO</td>
<td>Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro</td>
</tr>
<tr>
<td>PSC</td>
<td>Political and Security Committee</td>
</tr>
<tr>
<td>REDWG</td>
<td>Regional Economic Development Working Group</td>
</tr>
<tr>
<td>RMP</td>
<td>Renovated or Redirected Mediterranean Policy</td>
</tr>
<tr>
<td>RND</td>
<td>Rassemblement National pour la Démocratie</td>
</tr>
<tr>
<td>SAM</td>
<td>Surface-to-Air Missile</td>
</tr>
<tr>
<td>SADR</td>
<td>Sahrawi Arab Democratic Republic</td>
</tr>
<tr>
<td>SEEBRIG</td>
<td>Southeast European Brigade</td>
</tr>
<tr>
<td>SFOR</td>
<td>Stabilization Force</td>
</tr>
<tr>
<td>ShAM</td>
<td>Ship-to-Air Missile</td>
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<td>SIAF</td>
<td>Spanish-Italian Amphibious Force</td>
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<td>SLA</td>
<td>South Lebanon Army</td>
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<td>STANAVFORMED</td>
<td>Standing Naval Force Mediterranean</td>
</tr>
<tr>
<td>STRIKFORSOUTH</td>
<td>Naval Striking and Support Forces Southern Europe</td>
</tr>
<tr>
<td>TIPH</td>
<td>Temporary International Presence in Hebron</td>
</tr>
<tr>
<td>TRNC</td>
<td>Turkish Republic of Northern Cyprus</td>
</tr>
<tr>
<td>UNFICYP</td>
<td>United Nations peacekeeping force in Cyprus</td>
</tr>
<tr>
<td>UNROCA</td>
<td>United Nations Register of Conventional Arms</td>
</tr>
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<td>UNRWA</td>
<td>United Nations Relief and Work Agency</td>
</tr>
<tr>
<td>UTA</td>
<td>Union Transport Airline</td>
</tr>
<tr>
<td>WEU</td>
<td>Western European Union</td>
</tr>
<tr>
<td>WMD</td>
<td>Weapons of mass destruction</td>
</tr>
</tbody>
</table>
ACKNOWLEDGEMENTS

In the very first place I want to express my warmest thanks to Prof. Dr. Marc COGEN, who is responsible – or should I say, to blame? – for my choice of “the academic profession”. Marc, who teaches international law at Ghent University, was the promotor of the thesis on the development of a European security and defense identity which I wrote to obtain my original degree in public management in 1998. It was his enthusiastic appeal to join him in his International & European Research Unit that convinced me to start the complex undertaking of writing a PhD thesis – even though this implied joining the Law Faculty, something slightly less than evident for a graduate from the Faculty of Political and Social Sciences… With one foot in both faculties I managed to keep upright though. It was also on Marc’s suggestion that I chose the Mediterranean region as the object of my research and thus left the trodden paths of research on European security issues, which is mainly concerned with Central and Eastern Europe and the Balkans, to focus instead on an area which, in Belgium at least, receives far less attention. The combination of my public management education, my interest in the second pillar of the EU, particularly in its security and defense dimension, and the Mediterranean proved to unveil a very fascinating area of research.

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INTRODUCTION

The European Union is developing into a significant international actor in the field of security. In line with the overall objectives of the Common Foreign and Security Policy (CFSP) as included in the Treaty on European Union, the EU has now provided for itself an important role in the field of conflict prevention and crisis management. If the ambitious objectives regarding the creation of European capacities are achieved, i.a. through the establishment of a military component for the CFSP, the European Security and Defense Policy (ESDP), the Union should emerge as a powerful international actor, possessing the whole range of policy instruments, from diplomatic and economic to military, to implement its CFSP.

Europe’s ambitions to play a role in the field of international security are a result of fairly recent developments on the European continent. The end of the Cold War also saw the end of the stable and predictable security situation which, at least in Europe, had reigned for several decades. A new volatile security environment emerged, with the EU as a bloc of peace and stability amidst countries in the process of fundamental transformations. The Union’s attention was immediately focussed on the Central and Eastern European countries which, after decades of seclusion, sought integration in the Western world. The EU acted as an “exporter of stability”: it provided, and still does, massive support for these countries’ transition to democracy and the market economy and, hopefully, the welfare state, with membership of the Union as the ultimate objective. The eruption of a bloody conflict in Former Yugoslavia and the Union’s inability to deal with it efficaciously, were a sad demonstration of the absolute need for Europe to develop a foreign and security policy suited to this new post-Cold War environment. The absence of structures to prevent or resolve the successive crises on the Balkans, the US’ reluctance to intervene in what Washington deemed to be European problems, and the performance gap between European and American foreign and security policy very gradually convinced all Member States of the EU of the necessity to create the CFSP and later the ESDP. Several Member States, the Scandinavian countries e.g., are still hesitant regarding integration in these fields and both the CFSP and the ESDP yet retain an intergovernmental character, but they are fully developing.

Driven by the concerns of its Southern Member States, the EU gradually began to devote more attention to its Southern periphery as well. During the Cold War the focus of security policy had been continental Europe. The Mediterranean merely was a side-show to this central stage of East-West confrontation and Western security policy towards the region was completely dominated by the US. Now security in the Mediterranean attained a higher profile and new security issues became apparent. The Union became aware of its important interests in the area, hence the need for a security policy towards the region, if only because of geographic proximity. This prompted the EU in 1995 to launch the Euro-Mediterranean Partnership (EMP) with twelve Mediterranean countries. The Partnership includes an ambitious security dimension. At the same time as developing a new role in the fields of conflict prevention and crisis management, the Union is thus also manifesting itself in a region in which until a few years ago it played a very limited part, certainly in the politico-military field. One should not forget though that historically Europe has always been very much present in the Mediterranean, even to the point of dominating it. Until the Second World War France and the UK and, to a lesser extent, Spain and Italy, controlled most of the countries that are now the Union’s Mediterranean partners and their influence based on that legacy is important still. In this sense the Union is only renewing its participation in the dynamics of the
Mediterranean, but this time its policies are founded on a spirit of partnership and cooperation instead of imperialist designs. The Mediterranean today is a very unstable area however, a region troubled by persisting conflicts and disputes. The conflict in the Middle East is of course the most prominent of these, but Greek-Turkish tensions, the Cyprus issue, the violence in Algeria and the matter of the Western Sahara are equally threatening to peace and stability. While the Mediterranean during several periods in history functioned as a bridge, it is nowadays more often perceived as the frontier line between the West and the Arab world. More often than not the latter is seen as a source of security threats. A closer look however reveals interests which are common to both shores of the Mediterranean. The cooperative approach to security advocated by the EMP is an attempt to do away with the idea of the Mediterranean as a frontier and to make it once again into a crossroads of ideas.

The security policy of the EU towards the Mediterranean from 1 November 1993 until 31 December 2001, the end of the Belgian Presidency of the EU, is the object of this thesis.

Piles of literature have been written on the definition of “the Mediterranean”. There are in fact as many definitions as there are authors, varying from limited ones that include only the littoral states, to very broad definitions that include the Gulf region or even the Caucasus and Central Asia. Actually, depending on the issues under consideration, all of these definitions can be defended. As the object of my research is EU policy, I use the notion “Mediterranean” as it is understood by the Union itself in its policy documents regarding the area: the twelve partner countries plus Libya, the remaining littoral state, which is already associated with the Partnership and which is universally recognized as a necessary future member. “Euro-Mediterranean” refers then to the EU and its twelve partners combined. I will thus look at the Mediterranean in the context of the EMP, which is the Union’s main policy framework with regard to the region. Rather than assessing EU policies towards the different countries and sub-regions separately, I will attempt to frame them in the overall objectives of the Partnership. Although they border the Mediterranean Sea, the Balkans are therefore excluded from this thesis, because by the EU they are dealt with in a completely separate policy framework, which is much closer to the Union’s Central and Eastern European policy. The Gulf region, the Caucasus and Central Asia have been excluded for the same reason. There is an ongoing debate on the question whether the Mediterranean really constitutes a region and whether it would not be closer to reality on the ground to deal with sub-regions, such as the Aegean, the Middle East and the Maghreb. The creation of the EMP implies however the existence of a Euro-Mediterranean community, be it strong or weak, and therefore justifies an approach looking at the whole of the Mediterranean.

Just like the notion “Mediterranean”, “security” is a very broad and flexible concept. It is generally agreed today that a comprehensive approach to security is in order: security is the sum of political, economic, social, ecologic and cultural as well as military factors. A security policy which does not take this into account and focusses on military security only is bound to fail. However, I have limited my research to just one of these dimensions of security: “traditional” or “hard” security. In other words, I have limited the object of my thesis to those aspects of security policy which are covered by the CFSP and the ESDP, in order to assess Union policy towards the Mediterranean in the field of conflict prevention and crisis management. My thesis thus concentrates on the “hard” security aspects of the first basket of the EMP, the political and security partnership. Union policies in the fields of democratization, economic support, dialogue between cultures and other “soft” security areas, although they do
contribute to conflict prevention in the long-term, are not the subject of this thesis. Nor are post-conflict peacebuilding and issues that in my opinion are unjustly "securitized", i.e. issues that are dealt with in the context of "hard" security by several Western authors and policy-makers, because they are felt to pose a threat to the West, but that really should be the object of economic and social policy and development cooperation; migration is the most notable example.

One of the most important topics within the field of "hard" security is the development of confidence and security-building measures (CSBMs). Again, different definitions exist, even different terms, such as confidence-building measures (CBMs) and, in the context of the EMP, partnership-building measures (PBM). I use the notion CSBMs as it is understood by the OSCE: provisions for the exchange and verification of information and mechanisms for cooperation regarding armed forces and military activities, with the aim of promoting mutual trust. The term PBM is reserved for measures in the other fields covered by the EMP.

The starting date of 1 November 1993 has been chosen because it is the day of the entry into force of the Maastricht Treaty and thus of the CFSP, which still is the Union’s foreign policy framework. The nature of the CFSP is therefore an important factor affecting the Union’s Mediterranean policy. Although a brief historical introduction to each issue covered is included, the period before 1993 is not covered extensively, in order to avoid having to deal with the previous and now defunct foreign policy structure of the EU as well, i.e. European Political Cooperation (EPC). The limited nature of EPC had a severe effect on Europe’s foreign policy, but that situation, though interesting from a historical perspective, is not relevant to the formulation of conclusions regarding current EU policy.

Having defined the object, the underlying hypothesis of my research is that in spite of the eye-catching diversity existing within the Euro-Mediterranean region, the EU and its twelve Mediterranean partners share important political, economic and security interests. Or, to put it differently, that the Mediterranean is in fact a “mare nostrum”, not of the EU, but of all twenty-seven partner countries. This fact at the same time necessitates a common Euro-Mediterranean security policy and creates the foundation on which it can be established. Looking at the Mediterranean through the lens of EU policy, which is indeed the object of this thesis, might be considered a eurocentric approach, but the basic hypothesis is that shared interests by both shores of the Mediterranean outweigh the differences between North and South and therefore demand and make possible a truly Euro-Mediterranean policy: from common interests to joint actions.

Starting from this hypothesis, the objective of my thesis is threefold:

1. To establish which are the interests of the Union in the Mediterranean and to which extent these are shared by its Mediterranean partners, in order to assess whether they are able to serve as the foundation of a common Euro-Mediterranean security policy, and to define which should be the objectives of such a policy, in order to safeguard the interests of the Union and its partners.

2. To analyze the Union’s Mediterranean security policy and to assess its efficacy. The basic methodology of policy analysis is applied, i.e. extracting from policy documents and from actions on the ground the objectives of the Union, the instruments applied to achieve them
and the means (financial, personnel etc.) devoted to that end. Then follows the assessment of the efficacy of this policy, i.e. determining to which extent the policy objectives have been achieved and have safeguarded the Union’s interests, and determining which factors explain the success or failure of a given policy.

3. To formulate recommendations for the optimalization of the Union’s Mediterranean security policy.

Chapter 1 thus starts with an analysis of the Union’s interests in the area and an assessment of how these are affected by the major issues determining security in the Mediterranean, in order to establish what should be the objectives of a Euro-Mediterranean security policy, taking into account the interests which the EU and the Mediterranean countries have in common. The ensuing chapters then present an analysis of EU security policy towards the Mediterranean, starting always with a historical introduction, so as to situate current policy in a broader context. First the security dimension of the EMP is looked at, which constitutes the general framework for Union policy and addresses region-wide security issues (chapter 2). The Mediterranean Dialogue of WEU, the organization which constituted the Union’s military arm until the EU assumed the task of crisis management itself, is covered here as well. Then follows an analysis of Union policy with regard to specific disputes and conflicts in the different sub-regions of the Mediterranean: the Eastern Mediterranean (chapter 3), the Middle East (chapter 4) and North Africa (chapter 5). Malta has been included in the chapter on the Eastern Mediterranean because it could thus be dealt with together with the other two Mediterranean applicant states, Turkey and Cyprus. Egypt is usually seen as part of the Middle East or Mashrek, but because, viewed from the EU, security concerns regarding the country are similar to those of the other North African countries, it has been included in chapter 5 (which for that reason has not been titled “The Maghreb”). In all these chapters the effects on EU policy of actions undertaken by other actors, notably the UN and the US, are assessed. A separate chapter is devoted to the Mediterranean activities of NATO and the OSCE and the coordination of these with the EMP (chapter 6). In the final chapter 7 an attempt is then made, based on the findings in the previous chapters, to formulate recommendations for the optimalization of the Union’s Mediterranean security policy; the ultimate outcome should be an equitable and efficacious Euro-Mediterranean security partnership.

Extensive use has been made of official CFSP documents: European Council conclusions, common strategies, common positions, joint actions and statements and declarations. As these constitute the visible body of the Union’s foreign and security policy, listings of all relevant CFSP acts on all issues covered have been included in separate boxes throughout the text, so as to present the reader with a clear and immediate overview of existing policy texts on any issue. A number of tables have also been included, to present quantitative data or to summarize information given in the text. As all official documents that are listed in the bibliography can easily be found on the websites of the organizations that adopted them, I have not included any appendices. A limited number of maps provide the necessary geographical context, while organizational structures are visualized by the inclusion of a number of charts.

I have not written a theoretical work. True to the spirit of my original academic education in public management, I have concentrated on the analysis of actual policy and on the attempt to arrive at policy recommendations which can be of use to policy-makers in the field. As I
already made clear in the definition of the object of this thesis, I have avoided discussions on concepts, nor have I attempted to explain EU policy or the emergence of the EMP by theoretical models. I have rather concentrated on the interests of the Union and its partners, on the effects of Union policy and on the factors explaining its success or failure.

Because of the diversity and complexity of the region, the Mediterranean and European policy towards it proved to be a fascinating research object, equally so because the EMP is a fairly recent initiative and therefore still fully developing. The same goes for the CFSP, and for the ESDP and the Union’s role in the fields of conflict prevention and crisis management in particular. In the more Northern Member States of the EU especially and certainly in Belgium, the number of academics dealing with the Mediterranean is limited. But it was leaving trodden paths and discovering a new subject that created the drive that is necessary to write a thesis and to wrestle through the less glamorous aspects of research. Part of that challenge also was that after publishing a book on the development of the bodies and mechanisms of the Union’s security and defense policy, I was now eager to see how the Union managed its new role in these fields in actual practice, in this case with regard to the Mediterranean. Researching a subject of current world affairs presents difficulties of its own: the situation on the ground changes daily, and each change has to be taken into account. This is certainly the case with regard to the Middle East peace process, not to mention of course the tremendous impact of the events of 11 September 2001. It is sometimes difficult to find primary sources on diplomatic and other actions that are going on behind the curtains and that only become fully clear with the passing of time. Likewise the number of academic publications about current events is smaller; often press reports are the only available source.

But on the other hand it is so much more interesting to closely follow ongoing developments, to contribute to the academic debate about them and, on the basis of one’s research, to join in the broader debate among politicians, officials, journalists and public opinion. I can only hope that my own small contribution, and notably the suggestions for ways to optimize EU policy, will be of some relevance to policy-makers and thus to the people of the Euro-Mediterranean area. For if there is one important idea underlying my research, it is voluntarism: the idea that society can be changed for the better and that all of us, through our own work, can and should contribute to this. In this case, it is up to an activist EU to take the lead.

Sven BISCOP
February 2002


CHAPTER 1

THE EU AND MEDITERRANEAN SECURITY

1.1 The Mediterranean security environment

1.1.1 Disputes over boundaries and resources

1. Although since the Gulf War there have been no major conflicts, stability in the Mediterranean remains highly precarious because of the large number of interrelated tensions in the area.

2. In the first place there are a number of “conventional” disputes over territory and resources. In the Eastern Mediterranean the issue of the division of Cyprus remains as yet unresolved – matters have even been complicated by the prospect of EU-membership for Cyprus. Tensions over Cyprus are of course related to the general antagonism between Greece and Turkey, who still dispute the sovereignty over a number of islands in the Aegean Sea, which in the past has led to several instances of nearly open conflict between these two members of NATO. Turkey also has troubled relations with the Arab countries, especially with Syria, notably since it concluded military cooperation agreements with Israel. Syria claims the Turkish province of Hatay, while Turkey accuses Syria of supporting the Kurdish PKK. As the dominant Arab state in the Middle East Syria plays an important role in the Arab-Israeli peace process, demanding the return of the Golan Heights while still controlling Lebanon, which time and again is faced with upsurges of violence between the Hezbollah and Israel. Following the conclusion of the Oslo Accords considerable progress has been made in the relations between Israel and the Palestinian Authority, but a final settlement has still not been achieved and several sensitive issues (i.a. the status of Jerusalem, the return of Palestinian refugees, Israeli colonization) continue to haunt the peace process. The Arab-Israeli dispute is a central factor in Mediterranean security, for as long as it has not been resolved and relations between Israel and the Arab countries have not been normalized, further cooperation towards the stabilization of the region is effectively blocked. In the Western Mediterranean the problem of the Western Sahara keeps creating frictions between Morocco and Algeria, which is accused of supporting the Polisario Front, while relations between Libya and its neighbours remain strained even though the international isolation of the country is gradually coming to an end. Relations between Morocco and Spain are negatively influenced by the former’s claims on the enclaves of Ceuta and Melilla.

3. The presence of all these tensions demonstrates that nationalism is a force to be reckoned with in the area and which has a major influence on the foreign policies of the Southern Mediterranean countries. One of the causes of this is to be found in the domestic political situation of the states concerned. The weakness or even absence of democracy and the poor economical situation of the majority of the population lead to a lack of support for the regimes and a low degree of legitimacy – tensions or alliances are between regimes rather than states. In order to distract attention away from internal problems and to achieve internal consensus on an alternative basis, governments tend to wage a nationalist foreign policy. Internal problems are also easily blamed on outside influence and especially on the West. As religion is very important to the identity of the local populations, a policy aiming to guarantee the autonomy of their ethnic and religious culture in the world and to preserve it from foreign intrusion combined with the aspiration of regional leadership can easily mobilize the people...
and can reconcile religious, secular and even Westernized public opinion. Nationalist foreign policy thus serves a utilitarian purpose – more often than not it is evaluated in terms of its effects on domestic politics rather than as a policy field in its own right. E.g. it can be argued that Syria has little interest in furthering the Arab-Israeli peace process, since the conflict is one of the pillars justifying the regime, while without it the country would lose much of its current influence in the region. Arab nationalism furthermore interacts with Israeli nationalism, which is most visible with the extremist Israelis, whose exorbitant demands often hinder further progress in the peace process. Thus Israeli nationalism also contributes to the region’s instability.

4. The causes of these tensions for the greater part predate the Cold War, during which some tensions were rendered more intractable through foreign intervention, while others were contained or attention was simply distracted away from them. The Mediterranean or “the Southern flank” was a marginalized area. The main concern of both NATO and the Warsaw Pact was the centre of Europe; the disengagement of France from NATO further contributed to the marginalization of Mediterranean issues. NATO’s primary objective in the Mediterranean was to prevent the Soviet navy from acquiring naval bases, so as to safeguard lines of communication and trade routes. Superpower competition in the area did lead to arms proliferation and a number of proxy wars. In the end US and Soviet patronage created a regional variant of the worldwide mutual deterrence between the two blocs, with Syria counterpoised to Israel. With the end of the Cold War Russian support to its Allies has weakened; deliveries of military equipment have decreased, as has the number of military advisers. The US are now the sole superpower and main promoter of the Middle East peace process. The end of the Cold War has not removed the roots of conflict however – the diminished Russian influence might even increase instability because local rulers no longer have to take into account Russian imperatives.

5. Another important source of potential conflict is the shortage of water in the region and the desertification problem. Already demand for water surpasses availability, while the rapid growth of the population aggravates the problem. The existence of territorial disputes increases the sensitivity of the water issue; states notably accuse each other of diverting water flows to their own benefit. To solve the problem requires international cooperation, but this is not easily achieved in a region prone to conflict and tensions. Environmental issues thus have an important impact on security in the Mediterranean. Pollution, desertification etc. add a new dimension to the traditional struggle for scarce resources.

6. All this results in a very fragile regional equilibrium and a much-divided area, because nationalist policies create inter-state competition and lead to tensions. The Gulf War provided a clear illustration of intra-Arab divisions, e.g. between states willing to cooperate with the West and others, and demonstrated the lack of a regional leader or organization with the ability to settle matters of security.

1.1.2 Low level of regional integration

7. Nationalist policies, the absence of a common security threat and competition for scarce resources have indeed resulted in a very low level of regional integration in general, but especially in the field of security. The most important organizations in the region are a witness to this effect.
8. The Arab League or League of Arab States was founded in 1945 and today has 22 members: Algeria, Bahrain, the Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates and Yemen. One of the goals of the Arab League is to safeguard the independence and sovereignty of the Member States. The Charter of the organization prohibits any resort to force in order to resolve disputes between Member States and stipulates that the Council can mediate in all differences which threaten to lead to war. In case of aggression or threat of aggression, the Member State in question can demand the immediate convocation of the Council, which can determine, by unanimity, the measures necessary to repulse the aggression. There is however no real collective security commitment in the Charter.

9. In 1950, following the 1948 defeat by Israel, the Member States concluded the Joint Defense and Economic Cooperation Treaty. This stipulates that “the Contracting States consider any (act of) armed aggression made against any one or more of them or their armed forces, to be directed against them all” and therefore “undertake to go without delay to the aid of the State or States against which such an act of aggression is made, and immediately to take, individually and collectively, all steps available, including the use of armed force, to repel the aggression and restore security and peace”. In order to implement these obligations a Joint Defense Council was created, consisting of the Foreign and Defense Ministers and to be assisted by a Permanent Military Commission, composed of representatives of the General Staffs, which was to plan for military operations and stimulate cooperation between the armed forces of the Member States.

10. In practice however Member States have proved themselves divided and unwilling to develop a common security strategy. The Military Commission reverted to a study role without there being much activity on the ground and the Arab League played only a minor role in conflict management in the Mediterranean. Security and defence thus remain the prerogative of the individual countries.

11. In 1989 Algeria, Libya, Mauritania, Morocco and Tunisia created the Arab Maghreb Union (AMU). Among its goals are the preservation of peace and the defence of the independence of the Member States. The founding treaty stipulates that any attack against a Member State is considered to be an attack against the other Member States, but it does not contain an obligation of mutual assistance, nor does it define the measures to be taken in the case of aggression. The Member States further commit themselves not to allow on their territory any activity or organization which is directed against the security, territorial integrity or the political system of a Member State and to abstain from joining a military or political pact or alliance with this purpose. This provision was obviously meant to cover the tensions between Morocco and Algeria over the Western Sahara and the latter’s support to the Polisario Front. It is exactly this ongoing dispute however which, together with the crisis in Algeria and continuing tensions between Libya and other countries, led to the paralysis of the AMU, especially in the field of security. A Defense Council was established in 1990 to promote coordination of defense policies, but it met only once, that same year. Member States remain preoccupied with internal political issues and because of their differences continue to make foreign policy individually; no common approach or strategy has been developed.

12. Algeria, Egypt, Libya, the Saharawi Arab Democratic Republic (Western Sahara) and Tunisia are also members of the Organization of African Unity (OAU). The Charter of this organization provides for the establishment of a Commission of Mediation, Conciliation and
Arbitration and of a Defense Commission, but these have remained ineffective.\textsuperscript{17} Since the creation of the African Mechanism Apparatus for Preventing, Managing and Resolving African Crises in 1993 the OAU has been active in conflict prevention on the African continent, but given its limited membership in the region, it plays little or no part in the Mediterranean.\textsuperscript{18} The organization’s main focus is on Sub-Sahara Africa. At the OAU’s 36th summit in Lomé on 10-12 July 2000, the constitutive act of the African Union was adopted, which entered into force on 26 May 2001, following the ratification by two-thirds of the Member States. The project of setting-up an African Union aims to fundamentally deepen international integration on the African continent. In the security field, the ambitious goals of the African Union include the objective to “defend the sovereignty, territorial integrity and independence of its Member States”, and to “promote peace, security, and stability on the continent”. To that end, the Member States agreed on a number of principles, i.a. the “establishment of a common defense policy for the African Continent”; “peaceful resolution of conflicts among Member States of the Union”, “prohibition of the use of force or threat to use force among Member States”, “non-interference by any Member State in the internal affairs of another”, “the right of the Union to intervene in a Member State [...] in grave circumstances, namely: war crimes, genocide and crimes against humanity”, “peaceful co-existence of Member States and their right to live in peace and security” and “the right of Member States to request intervention from the Union in order to restore peace and security”.\textsuperscript{19} It remains to be seen however whether the Member States will be able and willing to meet these far-reaching commitments. Conditions on the African continent are such that time does not seem to be ripe yet for an all-embracing regional integration project such as the African Union.

13. Whereas in Europe there are institutional frameworks for conflict management and confidence-building, the Southern shore of the Mediterranean completely lacks effective common security structures. The absence of an efficacious regional security organization means that there is a lack of regular consultation on issues of foreign and security policy, which otherwise could attenuate tensions in the region and lead to security cooperation. In combination with the game of rapidly shifting alliances this also means that third parties, such as the EU, often lack a dependable interlocutor and have difficulties to form a coherent policy towards the region. The low level of regional integration among the Southern countries constitutes a political gap between both shores of the Mediterranean.

1.1.3 Defense expenditure and proliferation

14. The continuing instability and repeated violence in the region since 1945 have led to a regional arms race, hence a very high level of defense expenditure. The Mediterranean is the world’s largest arms market and proportionately the most militarized region. In spite of the global decline in arms sales, defense budgets in the region have remained very high or have even increased. The main supplier of weapons and equipment are the US; their share amounts to about half of the regional arms purchases. The UK comes second with about 30%, while France and Russia supply most of the remainder. The militarization of the region appears from the following illustrative tables, which attempt to give an idea of the military posture of the EU’s twelve Mediterranean partner countries.
Table 1: Defense expenditure in the Mediterranean in 1999 (billion euro)²⁰

<table>
<thead>
<tr>
<th>Country</th>
<th>GDP</th>
<th>Defense exp.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>46,8</td>
<td>3,1</td>
<td>6,6</td>
</tr>
<tr>
<td>Egypt</td>
<td>89,0</td>
<td>3,0</td>
<td>3,4</td>
</tr>
<tr>
<td>Israel</td>
<td>99,0</td>
<td>8,9</td>
<td>8,9</td>
</tr>
<tr>
<td>Jordan</td>
<td>7,7</td>
<td>0,6</td>
<td>7,8</td>
</tr>
<tr>
<td>Lebanon</td>
<td>16,7</td>
<td>0,6</td>
<td>3,6</td>
</tr>
<tr>
<td>Libya</td>
<td>35,0</td>
<td>1,5</td>
<td>4,3</td>
</tr>
<tr>
<td>Morocco</td>
<td>35,0</td>
<td>1,8</td>
<td>5,1</td>
</tr>
<tr>
<td>Palestinian Auth.</td>
<td>3,5</td>
<td>0,5</td>
<td>14,3</td>
</tr>
<tr>
<td>Syria</td>
<td>39,0</td>
<td>1,9</td>
<td>4,9</td>
</tr>
<tr>
<td>Tunisia</td>
<td>21,0</td>
<td>0,4</td>
<td>1,9</td>
</tr>
<tr>
<td>Turkey</td>
<td>186,0</td>
<td>10,1</td>
<td>5,4</td>
</tr>
<tr>
<td>Cyprus</td>
<td>8,7</td>
<td>0,5</td>
<td>5,7</td>
</tr>
<tr>
<td>Malta</td>
<td>3,5</td>
<td>0,03</td>
<td>0,9</td>
</tr>
</tbody>
</table>

*This figure represents the security budget, as the Palestinian Authority only has paramilitary forces.

Table 2: Conventional armed forces in the Mediterranean in 1999²¹

<table>
<thead>
<tr>
<th>Country</th>
<th>Total armed forces</th>
<th>Soldiers per 1000 inhabitants</th>
<th>Main battle tanks</th>
<th>Combat aircraft</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>124 000</td>
<td>4,1</td>
<td>1 006</td>
<td>214</td>
</tr>
<tr>
<td>Egypt</td>
<td>448 500</td>
<td>7,2</td>
<td>3 700</td>
<td>580</td>
</tr>
<tr>
<td>Israel</td>
<td>172 500</td>
<td>27,8</td>
<td>3 900</td>
<td>446</td>
</tr>
<tr>
<td>Jordan</td>
<td>103 880</td>
<td>20,1</td>
<td>1 246</td>
<td>106</td>
</tr>
<tr>
<td>Lebanon</td>
<td>63 570</td>
<td>14,6</td>
<td>337</td>
<td>-</td>
</tr>
<tr>
<td>Libya</td>
<td>76 000</td>
<td>11,9</td>
<td>985</td>
<td>426</td>
</tr>
<tr>
<td>Morocco</td>
<td>198 500</td>
<td>6,5</td>
<td>644</td>
<td>89</td>
</tr>
<tr>
<td>Pal. Auth.</td>
<td>35 000</td>
<td>11,7</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Syria</td>
<td>316 000</td>
<td>18,7</td>
<td>4 850</td>
<td>589</td>
</tr>
<tr>
<td>Tunisia</td>
<td>35 000</td>
<td>3,7</td>
<td>84</td>
<td>44</td>
</tr>
<tr>
<td>Turkey</td>
<td>609 700</td>
<td>9,2</td>
<td>4 205</td>
<td>505</td>
</tr>
<tr>
<td>Cyprus**</td>
<td>10 000</td>
<td>11,4</td>
<td>145</td>
<td>-</td>
</tr>
<tr>
<td>Malta</td>
<td>2 140</td>
<td>5,6</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

*This figure represents the paramilitary forces, as there is no army.

**Figures for Cyprus do not include the large presence of Greek and Turkish troops on the island.

15. When compared with data about the EU, these figures are striking and reveal the Mediterranean’s unusually high degree of militarization. For the EU as a whole, defense expenditure represents only about 2,1% of the GDP. With a total of just over one and a half million men under arms, the Union counts only 4,7 soldiers per thousand inhabitants. Figures are especially high for the countries of the Middle East and the Eastern Mediterranean (Turkey and Cyprus), where inter-state tensions are highest. For the Maghreb countries, figures are much closer to the EU average.

16. The most worrying aspect of this regional arms race is the proliferation of weapons of mass destruction (WMD): nuclear, chemical and biological weapons.²²

17. Although it has never been officially admitted, Israeli possession of nuclear weapons and an autonomous production capacity are almost certain, giving it de facto nuclear status. It is reputed to have about a hundred warheads and the same number of ballistic missiles of the Jericho I and II types with a range of respectively 500 and 1,500 kilometres. The development of the Jericho III would increase this to intercontinental range. A number of its combat aircraft can also be equipped with atomic bombs. Considering its indefensible borders and lack of strategic depth, Israel has always seen nuclear deterrence as the only way to counter the “existential threat” to the state posed by potential combinations of Arab forces. Its nuclear
strategy has always been one of “deliberate ambiguity”: by not openly admitting possession of
the much rumoured bomb, potential aggressors are purposely left into the dark as to possible
retaliation, which forces them to take into account a worst-case scenario and thus discourages
attack. 23

18. Algeria has two research reactors, the first one supplied by Argentina, the second one built
secretly with Chinese support. Only after this was exposed, in 1991, and under heavy pressure
from the US, did Algeria confirm this and accede to the Non-Proliferation Treaty (NPT), thus
opening its installations to inspections by the International Atomic Energy Agency (IAEA).
There are indications that the programme was continued, supposedly putting Algeria in a
position to produce weapons grade plutonium should it decide to acquire nuclear weapons.
Reports indicate that Algeria has been active in the underground nuclear trade; it was
suspected of transferring uranium dioxide to Iran and of accepting natural uranium from Iraq.
In spite of Algeria’s repeated assertions to the contrary since its accession to the NPT, NATO’s
High Level Senior Defence Group on Proliferation (DGP) puts Algeria in the category of
countries with the “suspected intent” of acquiring nuclear weapons.

19. Colonel Qadhafi publicly called on the Arab states to acquire nuclear weapons on at least
two occasions, but up till now Libya itself has not had any succes in this field. An attempt to
buy nuclear weapons from China in the 1970s failed. Libya possesses a research reactor,
supplied by the former Soviet Union, which operates under IAEA safeguards, and continues to
send nuclear scientists abroad for training. For the DGP Libya too falls into the “suspected
intent” category.

<table>
<thead>
<tr>
<th>Table 3: Ballistic missiles in the Mediterranean 24</th>
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<tbody>
<tr>
<td><strong>Country</strong></td>
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<tr>
<td>-------------</td>
</tr>
<tr>
<td>Egypt</td>
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<tr>
<td></td>
</tr>
<tr>
<td>Israel</td>
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<td>Libya</td>
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<tr>
<td>Syria</td>
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20. Other countries in the region are not seen as having any military nuclear aspirations,
although some have limited civil nuclear programmes. Several states possess chemical
and biological weapons however, “the poor man’s nukes”. Egypt, Israeli, Libya and Syria are all
known to have extensive programmes for the production of chemical weapons; Algeria’s civil
industry probably has the capacity to produce them, but there is no organized effort to this
end. Syria has a biological weapons programme, while Israel could start up production at
short notice. The DGP considers Libya as having the intention to produce biological weapons,
but reports indicate that it has only reached the early stages of research. In combination with
the spread of ballistic missiles, which are easily convertible to non-conventional payloads, the
proliferation of WMD poses a major security problem in the region. According to the DGP,
Egypt, Israeli, Libya and Syria all possess short-range missiles (up to 1000 km); Israel also
has medium-range weapons and is working towards a protective anti-missile system.

21. The causes of proliferation in the Mediterranean are diverse. 25 During the Cold War the
Southern littoral states could obtain strategic weight by aligning themselves with either of the
two superpowers or by playing a prominent part in the non-aligned movement, as was the
case with Algeria. Now possession of WMD and missiles is seen as an alternative way to
obtain status and prestige and to ensure attention by the West, which is indeed guaranteed given the Western concerns about proliferation. The Arab states also regard possession of WMD as proof of their technological capacity. For the Southern states modernization of the military is an essential element of national independence and a means for asserting national sovereignty.

22. Proliferation is further motivated by regional security concerns. In the framework of South-South tensions, acquisition of WMD is linked to strategic competition and the regional military balance. Algerian, Egyptian and Syrian WMD programmes e.g. clearly serve to support these countries’ aspirations for leadership in the Eastern or Western Mediterranean. Mistrust and uncertainty about the intentions of neighbour countries lead to a vicious circle: states acquire WMD as a safeguard to possible hostile intentions from their neighbours, who in turn see this as a ground to increase their own defense capacity and so on. The Arab states also justify the build-up of a deterrent of their own by referring to Israel’s nuclear capacity and its refusal to sign the NPT, which is a key factor in encouraging them to seek equivalent WMD. Acquisition of WMD is seen as a force multiplier and therefore a much more cost-effective way of achieving these goals than modernization of the conventional armed forces. Still, the financial burden of the development of WMD is very heavy. The heavy cost associated with acquiring or developing such weapons means that less resources are available for economic and social policies. Libyan programmes are closely tied to confrontation with the West. Other countries as well do not fail to appreciate the potential impact of a deterrent capacity on Western policy, notably on the possibility of Western intervention on the Southern shore of the Mediterranean. Finally, the fact that, especially since the end of the Cold War, WMD technology is readily available, overtly or clandestinely, is another factor explaining increased proliferation.

23. Although most countries in the region are party to them, the major arms control agreements have not been able to curb proliferation. The NPT, which prohibits nuclear weapons states from transferring nuclear weapons to non-nuclear states or assisting or encouraging them to acquire or manufacture such weapons, has been the most successful treaty. Only Israel is not party to it, but no other states have acquired nuclear weapons. Dual-use technology and the spread of knowledge and material from the former Soviet Union increase proliferation risks, but this can probably be checked by tight controls by the IAEA and pressure from the West. The EU itself has created an extensive regime for the control of exports of dual-use items and technology. The 1996 Pelindaba Treaty foresees a nuclear-free zone in Africa by forebidding research, development, manufacture, stationing and testing of nuclear explosive devices as well as attacks on nuclear installations and dumping of radioactive material. It has yet to enter into force however, and of course it covers only part of the Mediterranean area. The Comprehensive Nuclear Test-Ban Treaty (CTBT; 1996) prohibits the carrying out of any nuclear weapon test explosion or any other nuclear explosion but it too has not yet entered into force.

24. The 1925 Geneva Protocol prohibits the use of asphyxiating, poisonous or other gases and of bacteriological methods of warfare, but on most states it is only binding with respect to other states party to the treaty, and it does not prohibit production of such weapons. The Biological and Toxin Weapons Convention (BTWC; 1975) prohibits the development, production, stockpiling and acquisition of microbial agents or toxins of types or quantities that have no justification for peaceful purposes and delivery means designed to use such substances in armed conflict. Existing stocks were to be destroyed within nine months after the entry into force. The convention lacks a verification regime however, while here too dual-
use technology increases the danger of proliferation. The Chemical Weapons Convention (CWC), which entered into force in 1997, provides analogous stipulations on chemical weapons and does include a verification regime to be implemented by the Organization for the Prohibition of Chemical Weapons.\textsuperscript{26} Several of the most significant states in the region are not party to it however, notably Syria, Egypt and Libya.

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R = ratified, S = signed, NA = not applicable.

25. Other arrangements for arms control and disarmament have had very a limited appeal in the Mediterranean. The Conference on Disarmament (CD), the permanent multilateral negotiating forum for disarmament associated with the UN, has seven members from the region: Algeria, Egypt, Israel, Morocco, Syria, Tunisia and Turkey. Cooperation with the UN Register of Conventional Arms (UNROCA), which registers imports and exports of seven categories of weapons\textsuperscript{31} in order to increase transparency, is limited. Cyprus, Egypt, Israel, Jordan, Lebanon, Malta and Turkey have all supplied information at one time or another, but in 2000 data were only received from Cyprus, Israel, Jordan and Malta. The major reason for this lack of compliance is Arab insistence on the inclusion of WMD in the register. Regimes seeking to control the spread of technology and essential materials for the production of WMD have been joined by just a handful of Southern Mediterranean countries. The Nuclear Suppliers Group (NSG), which surveys nuclear materials and technology that can be used for military purposes, and the Australian Group, dealing with chemical and biological weapons, count only Cyprus and Turkey among its members. The Zangger Committee, which is active in the same field as the NSG, the Missile Technology Control Regime (MTCR), aiming to prevent the proliferation of delivery vehicles for WMD, and the Wassenaar Arrangement, promoting transparency in transfers of conventional arms and dual-use goods, have only been joined by Turkey.\textsuperscript{32}

26. Mutual distrust and a lack of confidence in compliance by neighbour countries are the main obstacles to disarmament and confidence and security-building measures in the region.

1.1.4 Islamism

27. An important factor in the Mediterranean region is islamism: groups “seeking to increase Islam’s role in society and politics, usually with the goal of an Islamic state”.\textsuperscript{33} In essence this is the assertion of a separate identity and a call for cultural independence. The secular nationalism which has been practised by the Arab regimes since independence is seen as a
continuation of Western dominance by means of values instead of by more direct ways, which is why a return to indigenous values is called for in order to achieve true independence. Often it is not simply a matter of rejecting Western or “modern” values though, but rather also of “cultural reappropriation” of often universal values, of integrating these in local culture.\textsuperscript{34}

28. The term “islamism” distinguishes between Islam as a religion, which in itself has not suddenly become political or radical, and groups with a political agenda who refer to Islam to legitimize their actions.\textsuperscript{35} Variously described as “fundamentalism”, “integrism”, “political Islam”, “radical Islam” etc., the broad term “islamism”, unlike others, allows for the inclusion of all tendencies, ranging from moderates seeking to achieve their aims by acting within the political system, to extremists who do not hesitate to use violence. These aims may be as different as increasing the influence of Islam on the existing regime, overthrowing the state, replacing secular laws by the \textit{Shari’a} or even establishing democracy. Islamism is not a uniform phenomenon: its outlook in the different countries of the region is defined by the circumstances to which it is a response.

29. The attractivity of islamism is explained by several factors, of which religion is only a minor one.\textsuperscript{36} A major issue is a sort of “Arab identity crisis”. After a perceived “golden age” of Arab culture under Islamic rule, followed the oppressive Ottoman empire and then colonization by the rich and technologically advanced West, which continues to spread its values over the world. The failure of pan-Arabism to achieve Arab unity, as witnessed by the lack of regional integration among the Arab countries, and the successive defeats at the hands of Israel further strengthened this sense of inferiority to the West.

30. The adoption of secular ideologies by the Arab regimes after independence is perceived to have failed. Nationalist governments, whether associated with the West or with the Soviet Union (“Arab socialism”), did not succeed in creating a healthy economy, in establishing an efficacious state apparatus and, most importantly, in providing for the people, thus disappointing those who had fought for independence against the colonizers. This led to the belief that, except in the field of science and technology, Arabs have little to learn from the West and should therefore revert to islamic values as foundation of the state. The military defeat of 1967 was further proof of the failure of the modernizing ideology of the Arab elite. The “success” of the 1979 Iranian revolution provided further inspiration. At the same time islamic movements provided alternatives for the state’s shortcomings by organizing social services themselves, based on the mosques.

31. Because of their poor performance in the economic and social field the governing regimes have lost legitimacy. Widespread corruption and the lack of democratic institutions combined with severe repression of any opposition have further eroded the basis of existing regimes. In these circumstances people are easily tempted by movements which seem to offer an alternative way. Ironically, oppression of secular opposition movements and the impossibility to express needs through regular political channels might have cleared the way for islamism, while attempts to give existing regimes an islamic touch – by providing for the maintenance of mosques, adopting an islamic rhetoric, introducing elements of islamic law etc. – are seen as insufficient or lead to the position of clerics connected with the regime being questioned. The often draconian repression of islamists, moderates and extremists alike, only serves to strengthen people in their determination or leads to radicalization and an escalation of violence. Governing elites are often more sympathetic to the West than the population, which confronts the West with the dilemma of whether it can support governments which lack
democratic legitimacy, but the continuation in power of which ensures stability, while
alternatives are uncertain.

32. Finally the bleak future of the majority of the population leads people, especially the
younger generations, to look for alternatives. Economic problems, massive unemployment
and high birth rates have combined to create huge poverty.

1.1.5 Terrorism

33. The Mediterranean is the region in which terrorism is most abundant. The Israeli-
Palestinian conflict in particular has generated a large number of terrorist acts. Extremist
Palestinian groups still commit terrorist acts against Israel with the aim of obstructing the
peace process, which they reject as an act of treason by the more moderate PLO, while Israeli
extremists target Palestinians and moderate Israelis with the same purpose. In the Arab
countries a number of opposition movements, Islamist ones and others, have reverted to
terrorism as a way of achieving their objectives. Well-known organizations include i.a. the
Groupe Islamique Armé (GIA) in Algeria, which continues to strike very hard at the local
population, Hezbollah, which fought the Israeli forces in Lebanon, Hamas, fighting the
Israelis from the Occupied Territories, the Islamist al-Jihad and al-Gama’at al-Islamiyya in
Egypt and the Kurdish PKK in Turkey.

34. Most terrorism is domestic: it is committed by groups that want to force concessions or
policy changes from the government or that want to overthrow the state as such and replace it
with another political system. Terrorism can also be directed against Western influence.
Several states in the region, e.g. Syria and Libya, are reputed to support terrorist groups in
other countries to further their own agendas. Terrorism is often linked to international crime
with terrorist activities being financed by drugs smuggling etc. 37

1.1.6 Socio-economic conditions

35. The Mediterranean is characterized by the existence of a wide economic gap between the
rich, industrialized North and an impoverished South. E.g. the EU accounts for more than 15%
of world trade, while the other countries of the Euro-Mediterranean Partnership barely reach
3%. GNP per capita varies from over 20 000 EURO in France to about 600 EURO in Egypt. The
Southern countries have become increasingly dependent upon the EU: more than half of their
trade is with the Union, but this constitutes a mere 4% of total EU trade. Intra-Southern trade
is very limited: it accounts for only about 10% of the trade of the Southern countries. The
South needs the EU for its markets, its technology, its investors etc. This relation of
dependence in itself creates tensions between North and South. 38

36. In most Southern countries the economy is to a large degree controlled by the state, the
often authoritarian nature of which extends into the economic field. Government policies
focussing on autarky have failed to attract foreign investors however and to realize the
necessary modernization. Productivity of capital is very low and the scale of production is
below optimum size, resulting in low volume production of goods at uncompetitive prices.
High military spending has consumed resources which could have been put to much better use
elsewhere. Other economic problems are a lack of diversification in the industry, limited
private entreprenise and an underdeveloped service sector. 39
37. The demographic evolution aggravates these economic problems. The economy cannot keep up with the growth of the population; growth rates are up to 7% annually. It is estimated that by 2025 the population on the Southern shore of the Mediterranean will have risen to 350 million – from 184 million in 1988 – as opposed to 325 million in the EU. The number of people younger than 15 will then have reached some 30% of the population. This demographic pressure creates severe economic and social strains. Already official unemployment figures are as high as 25%, while social security provisions are very limited, and these figures do not take into account underemployment: people with jobs which do not earn them sufficient income to sustain their families. In order just to keep unemployment at this already very high level, given the growth of the population, the GDP should grow with over 10% annually, something which the Southern Mediterranean countries obviously cannot achieve. In combination with the undemocratic character of most Southern states the result will be an increase in domestic instability and further delegitimization of existing regimes, while the Western countries fear mass migration to the North, as young people flee their home countries with the hope of finding better fortunes elsewhere.40

1.2 The EU’s security interests in the Mediterranean

1.2.1 Military issues

38. The Southern littoral states of the Mediterranean do not pose a direct military threat to the European Union; the possibility of a direct attack on the Union as a whole or on anyone of its Member States can be practically ruled out.41

39. WMD proliferation however does have a profound impact on Mediterranean security.42 Southern Europe is already within the reach of certain WMD delivery vehicles. Fears of Europe coming under threat were fed by the experience of Scud missile attacks on Israel and Saudi Arabia during the Gulf War. Contrary to certain – mostly American – theorists, a direct attack is highly unlikely however, as no country has the means to mount a full scale offensive and to pose any serious threat to Europe, while use of WMD would imply the risk of massive retaliation, by conventional means or otherwise.43 The main argument is, quite simply, that, considering the economic interdependence between both shores of the Mediterranean, it is hard to imagine which country would not damage its own interests by an act of aggression against Europe. Also for the time being and although they are increasing, WMD capacities remain limited. Estimates on the future development vary, but one can suppose that no serious threat will materialize in the short or even medium term (10-15 years), considering the technological difficulties of constructing long-range weapons, which states in the region, apart from Israel, cannot overcome on their own.44 In 1986, following the US raid on Tripoli, Libya did fire two Scud missiles at the US Coast Guard facility on the Italian island of Lampedusa, but this only served to further strengthen the international isolation of the country.45

40. Proliferation could increase drastically by the spread of nuclear technology and material from the former Soviet Union and by the further spread of missile technology from e.g. China or North Korea. Even then however, unless nuclear weapons were acquired, Mediterranean states would not pose a significant threat to Europe, as this would require far too large a number of missiles, given the limited destructive power of conventional missiles or even of missiles armed with chemical or biological payloads. And of course the risk of retaliation by the superior Western forces remains. Only ballistic missiles with nuclear warheads would be a
major security issue with far-reaching implications for the security situation in the Mediterranean and for Euro-Mediterranean relations. If next to Israel another of the Mediterranean littoral states would acquire nuclear weapons, this would greatly affect the balance of power in the region. The consequences for the Middle East peace process would be difficult to predict, but cannot be underestimated. It is exactly therefore that any state suspected of acquiring a nuclear capacity would expose itself to the possibility of a pre-emptive strike by any of the potential victims, like the destruction of Iraqi nuclear installations at Tuwaitha by an Israeli attack in 1981. But the main argument against the Mediterranean posing a direct military threat to the EU would still remain valid: since economic relations with and support from the Union are vitally important to all of them, one can hardly think of a situation in which it would be in the interest of any Mediterranean country to consider an act of aggression against Europe.

41. Acquisition of nuclear weapons by one of the Arab states would certainly increase South-South tensions. Indeed rather than being a direct threat to Europe, proliferation of WMD creates much more immediate risks among the Southern littoral states themselves. There would probably be less hesitation to use WMD in a South-South conflict – mutual distrust and heavy tensions might even lead to pre-emptive use. WMD, including nuclear weapons, do indeed lend themselves to tactical uses, especially in the absence of a deterrent, which is a further motivation for their acquisition. Several countries have used chemical or biological weapons and ballistic missiles in the past. The human consequences of South-South conflicts would thus be much worse. In the context of the Cold War deterrence was successful in preventing open conflict between the two great powers, but these did not share contiguous borders and were not themselves directly involved in competition over territory or resources; the situation in the Mediterranean is significantly different. Proliferation, especially of nuclear weapons, could also dangerously disturb the regional equilibrium. A state with large conventional forces backed by the threat of nuclear force could seriously hope to obtain regional hegemony by military means. Because of geographical proximity use of WMD on the Southern shore of the Mediterranean might produce negative effects for the EU.46

42. The threat of WMD might be used successfully by a regime to influence European policy though, e.g. to dissuade the EU from installing a sanctions regime or from intervening. In the case of intervention in the region European military forces might have to face adversaries armed with WMD, which would certainly impact upon the planning of any operation. During the Gulf War e.g. there was a risk of Iraqi forces using chemical or biological weapons against the Allied forces. In view of the increasing unwillingness of Western governments to risk human casualties, Western assertiveness would certainly be affected by the threat of WMD. For the purpose of this form of “deterrence”, possession of WMD thus has a distinct advantage for the Southern states.47

43. Like proliferation, islamism does not pose a direct threat to Europe either. Moderate Islamist movements acting within the political system should be regarded as just one political actor among others. Extremist islamism however, when reverting to violence, can lead to serious internal unrest in the Arab states and destabilisation of existing regimes. Ultimately this can end in open civil war, which effectively happened in Algeria, and which implies a large risk of spill-over into the neighbouring countries. Western countries fear that in such cases large numbers of refugees will try to reach Europe, which is considered worrying because of the internal political consequences this might cause, notably the further rise of right-wing extremism. It is also feared that if extremist Islamists would succeed in overthrowing a regime, they might establish an anti-Western state. Such a regime might cut
off relations with the West, which could seriously hamper the Union’s Euro-Mediterranean project. The emergence of an extremist regime might endanger the Middle East peace process. It is further feared that such a state would be a safe-haven for terrorist groupings from the whole of the region. On the other hand countries like Saudi Arabia and a number of other Gulf states already have systems of government based on the Shari’a, but they are still considered to be allies of the West.48

44. Islamism is not a monolithic movement, nor is there a central leadership. Islamist movements in different countries, although often in contact with each other, seldom share the same objectives or tactics and, above all, almost all have national agendas, which is why islamism is not a direct threat to the West. On the contrary, islamist groups often are in opposition to one another and have displayed a tendency to splinter. Alarmist theories on an “islamist conspiracy” to found anti-Western states along the entire Southern coastline of the Mediterranean, which keep emerging since the 1979 revolution in Iran, have proved to be without ground. Indeed the West should not let itself be blinded by cultural differences and should be careful not to invent a new enemy after the fall of the Soviet Union. It should certainly not revive the historical Christian-Muslim strife along the lines of Samuel Huntington’s “clash of civilizations” theory. Statements like that of former NATO Secretary-General Willy Claes, that Islamism “is at least as dangerous as communism was”49, might be self-fulfilling prophecies, as they strain relations with the Arab countries and strengthen some Islamists in their anti-Western beliefs.50

45. This was also the message spread by the EU after the 11 September 2001 terrorist attacks against the US, which carried with it the danger of a spread of anti-Muslim sentiments and of making the fight against Islamist terrorism into a fight against the world of Islam as a whole. A speech by Italian Prime Minister Silvio Berlusconi, in which he stated that Western civilisation and Islam cannot be placed on the same level, but that the West is superior and therefore “bound to occidentalize and conquer new people” was very fiercely condemned by the other European leaders.51 At an extraordinary meeting in Brussels on 22 September, the European Council “categorically rejects any equation of groups of fanatical terrorists with the Arab and Muslim world” and “emphasises the need to combat any nationalist, racist and xenophobic drift”. Or, as the German Chancellor, Gerhard Schröder, put it at the ensuing press conference: “This is not a fight against Islam, nor a fight against cultures, but a fight for culture”.52

46. Even when islamists or other movements revert to terrorist action, the risk for the EU remains limited. At several occasions terrorism has indeed been exported to Europe. Expatriate dissidents have been targeted by government agents or by members of rivaling movements, while government representatives have been attacked by terrorist groups. European or US citizens and installations in Europe or abroad have been attacked as well, mostly with the aim of influencing foreign policy, e.g. a pro-Israeli stance or support for a contested regime, or to achieve the release of imprisoned fellow terrorists. Geographical proximity and the presence of large Arab communities as a potential source of logistic support and recruitment make Europe the prime target for international terrorism emanating from the Mediterranean. But the importance of the international terrorist threat to Europe should not be exaggerated: in recent years by far the largest number of casualties fell victim to domestic European terrorists, such as the IRA or ETA. The fact remains that most armed movements have a domestic agenda and therefore do not target the EU. The danger of terrorism could grow much bigger if proliferation of WMD was extended to terrorist movements, but so far no
group has ever used such weapons. This demonstrates the importance of non-proliferation policies and the need for strict controls though.  

47. The terrorist attack on the US, destroying the World Trade Center in New York and badly damaging the Pentagon and killing thousands of people, caused a peak in the attention devoted to terrorism, but although the Belgian and Spanish Presidencies put terrorism high on the Union’s agenda, the events should not lead to a fundamental reappraisal of the threat which it poses to the EU. 11 September saw indeed an exceptional direct attack on a Western country. One can safely assume though that the US were targeted and that the perpetrators were able to recruit “martyrs” for the suicide attacks because of American policies vis-à-vis the Middle East and the Islamic countries. In the sense that it has a very different policy, the Union itself will therefore not be a target, although it might become one because of its support for the US (i.a. through NATO). But this possibility seems quite remote, especially since the attack did not lead the EU to envisage fundamental policy changes. Things might have been different had the EU joined in a purely military scenario of retaliation, but this is not the case (which by the way is also true for the US). On the contrary, the Union stressed the need to deal with the underlying causes which are the breeding-ground of extremism and terrorism, i.e. the persisting conflict in the Middle East and poor socio-economic conditions, and demanded very clear conditions before accepting to invoke the collective defense guarantee of Article 5 of the NATO Treaty. The Union recognized the legitimacy of the American retaliation against the Taliban regime in Afghanistan and the organization of Osama Bin Laden which began on 7 October 2001, on the condition that they were specifically directed against the suspected perpetrators of the attacks on the US and their accomplices, and provided indirect support; only the UK took part in the air attacks. The main message the Union was spreading was still one of reconciliation and cooperation however. One does perceive an increased threat to the US presence in Europe though. By all means terrorism therefore is an issue to be taken into account by a European security policy for the Mediterranean.

48. Reviewing military security in the Mediterranean, one must conclude that there is little or no direct military security threat to the EU originating from the region. Tensions in the area mostly are between or within the Southern littoral states, so here lies the immediate danger of conflict. A South-South conflict could threaten EU citizens living on the Southern shore of the Mediterranean however, which might necessitate a European intervention in order to guarantee their security. In a worst case scenario a South-South conflict might even spill over into EU Member States; geographic proximity in itself increases the risk of escalation. More importantly there are of course issues such as the Cyprus question which directly involve Member States and therefore do imply a – be it limited – military risk.

1.2.2 Economic issues

49. The main economic interest of the EU in the Mediterranean region lies in the supply of oil and gas. In the first place the Union is a major consumer of – primarily – gas emanating from the Mediterranean itself. One third of gas imports for the EU as a whole originate in the Maghreb, but figures for the Southern Member States of the Union are much higher. E.g. Algeria accounts for about 70% of Spain’s gas supplies. Gas is delivered through an extensive network of pipelines, such as the Trans-Med and Trans-Maghreb Pipelines connecting Algeria to Italy and the Iberian Peninsula respectively. Thus supply is dependent on an expensive, fixed delivery structure. Furthermore gas, unlike oil, has remained a regional rather than a global market, which implies that there are few short-term opportunities for procurement elsewhere in the event of interruptions in the supply from the Mediterranean. The EU
therefore has a major interest in maintaining stability in the Mediterranean so as not to endanger gas delivery, which could be jeopardized by internal or inter-state conflict.  

50. On the other hand oil and gas represent about 80% of total Mediterranean exports to the EU and even up to 95% for individual countries such as Algeria and Libya, which means that the exporting countries are as much dependent on the EU as vice versa. It is estimated that 96% of all petrol and gas exports will go to Europe. Because of this interdependence, Northern and Southern littoral states have a clear common interest in maintaining stability. Further development of Mediterranean energy resources encourages Euro-Mediterranean cooperation and offers important opportunities for the economic and social development of the Southern littoral states, thus also furthering internal stability.  

51. The Mediterranean is also an essential passageway for oil and gas produced in other regions of the world. Oil from the Gulf is shipped across the Mediterranean, while major new pipelines are envisaged to transport oil and gas from Central Asia and the Caucasus to the West. Because of this and other important traffic it is in the interest of the EU to ensure that freedom of navigation in the Mediterranean is in no way impaired by unrest in the region. Therefore in a broader context, stability in the Mediterranean, because of the way this region is linked to the Gulf – by geographical proximity, shared impact of the Middle East peace process, transport of oil etc. – is also a prerequisite for the protection of European interests in the Gulf and its huge supplies of oil.  

52. Furthermore, the Southern littoral states are a market for the Member States of the EU. Main European export products are equipment (30–35%), manufactured goods (15–20%), agricultural products (11–15%) and chemical products (7–9%). Export of agricultural products has been rising because of the growing inability of most Arab countries to provide for their own needs. Although today the relative importance of the Mediterranean as a market to the EU is limited, it has considerable potential once the economic situation of the Southern littoral states improves. Estimates indicate that each 10 000 EURO of GDP in the Southern states generates approximately 1 300 EURO worth of EU exports.  

53. So instead of being a source of threats to the EU, the Mediterranean in the first place is an area of common economic interests and therefore security ought to be a common concern of countries on both shores.  

54. Of course, it ought to be mentioned that there is also another objective underlying the EU’s economic policy towards the Mediterranean: slowing down migration. Ever since the European countries closed their borders for labour migration and extreme right-wing parties started to gain votes by drawing the card of xenophobia, (especially illegal) migration from the South to the North is seen more and more as a security issue. By improving the economic situation in the South, the EU therefore also hopes to tackle the causes of migration. One should question the view of migration as a security threat though. The European countries are actually quite capable of hosting a far larger number of immigrants than they do today, given their resources and the increasing shortages on the labour market. So rather than being a real security threat, migration is an internal political problem for the Member States of the EU.  

55. Finally, one can also discern a common ecological interest between both shores of the Mediterranean. Shortage of water is directly linked to disputes and the potential for conflict.
In a broader sense, pollution threatens countries on both shores. So in the environmental field as well cooperation is called for in order to avert a common threat.\(^6\)

1.2.3 Political issues

56. Among the objectives of the Common Foreign and Security Policy (CFSP) of the EU as mentioned in Article 11 of the Treaty on European Union, are the preservation of peace, the strengthening of international security, the promotion of international cooperation and the development and consolidation of democracy, the rule of law and respect for human rights and fundamental freedoms. At the Cologne European Council (June 1999) it was decided that the EU should have an autonomous capacity for crisis management, in order to be able to launch and conduct military operations in response to international crises. The Member States thus entrusted the Union with new tasks in the field of conflict prevention and crisis management, which it took over from the WEU: the European Security and Defence Policy (ESDP). The Helsinki European Council of December 1999 adopted a concrete plan to realize the required operational capacity.\(^6\) By 2003 a rapid reaction force of 60 000 men, deployable within sixty days and sustainable for at least a year, ought to be operational (the so-called “headline goal”). The Union is also in the process of creating a capacity for civil crisis management. New structures were set up within the Union’s second pillar, to allow for the monitoring of international developments, and for the planning and implementation of military and non-military responses to international crises: the Political and Security Committee (PSC), the Military Committee and the Military Staff. The Göteborg European Council (15-16 June 2001) adopted the EU Programme for the prevention of violent conflicts, which makes conflict prevention into one of the priorities of the CFSP, to be integrated in all dimensions of the Union’s foreign relations.\(^6\) With the reinforcement of the CFSP and the construction of the ESDP, the Union is on the way to playing a much bigger role in conflict prevention and crisis management.

57. What the Union now needs is a “strategic concept” defining at which geographical area this crisis management and conflict prevention role will be directed, and which instruments will be used under which circumstances. The need of a strategic concept and the possible contents are still being debated.\(^6\) Given that resources are limited, the EU should in the first place assume responsibility for the maintenance of peace and security in its periphery, i.e. Central and Eastern Europe and the Mediterranean, and try to realize the objectives of the CFSP in this region. In the Union’s periphery its security, political and economic interests are most directly at stake. The Union’s inability to handle the successive crises in the Balkans, with its poor military performance in the air campaign over Kosovo as a sad highlight, was the main cause prompting the strengthening of the CFSP and the creation of the ESDP. Now that it is equipped, or going to be, with the necessary instruments to deal with them, the Union can no longer allow crises in its backyard to escalate, nor can it persist in relying on the US to solve them. Considering the wealth of the Union, it might even be said the EU is under a sort of “moral obligation” to contribute to stability in – at least – its periphery according to the self-proclaimed goals of the CFSP. The idea itself of European integration, which is inspired by respect for human rights and democratic values and which was taken up because of the desire to establish a durable peace, does not allow for disinterest in other regions and implies international solidarity. And there are of course evident humanitarian reasons why the EU should contribute to the prevention and resolution of conflicts. So “European values” and humanitarian considerations plead for an active role for the EU in the field of Mediterranean security.
58. But this is also a matter of credibility for the CFSP and for the EU as a whole. The Union should live up to the expectations which the creation of the CFSP and the ESDP engendered. The Union should wage a foreign policy which corresponds to its economic weight. As a major donor to the Mediterranean in general and to the Middle East peace process specifically, the EU should assure that its voice is heard on the political stage as well, so as to make certain that its own interests are not neglected. Otherwise its credibility as an international actor will be severely undermined.

59. Certainly in the Middle East, if not in the Mediterranean as a whole, the US have for decades been the dominant player in the diplomatic and especially in the military field, notably claiming a monopoly on all but the economic aspects of the Middle East peace process. Of course the US and Europe have common interests in the Mediterranean, mainly concerning oil, but a number of divergences are visible. The Americans mostly see the Mediterranean as part of a larger picture: to the US its prime importance lies in the security of their access to the oil reserves in the Middle East and the Gulf. For the US the Mediterranean constitutes the base for power-projection to the Gulf. This was evidenced during the Gulf War, when over 90% of the military forces involved arrived from or through the Mediterranean. Other US objectives in the region are the maintenance of its strategic and political interests in Israel and the prevention of anti-American Arab groupings in the area. So for the US the Mediterranean is more “a means to an end”, whereas the EU, because of geographical proximity and close economic ties, has much more direct interests in the Mediterranean as such. Besides, American policymakers think more in terms of the Gulf and the Middle East, with North Africa as a minor subset of the latter, rather than viewing the Mediterranean in its entirety.

60. As a result, EU and US policies vis-à-vis the Mediterranean have different accents. Whereas the EU attaches more importance to the maintenance of good-neighbourly relations and close economic links, the US, who do not have such immediate interests in the region, have put on a more aggressive stance, often against the will of their European Allies. Prominent examples are the repeated military actions against Libya or the 1996 Iran-Libya Sanctions Act, which prohibits all trade, American and non-American, with these countries. In order to assure that attention is paid to European interests, the EU should therefore develop a comprehensive Mediterranean policy of its own covering all fields, including security.

1.3 Conclusion

61. Economic problems, notably the poverty of the majority of the population, and the lack of democratic institutions, leading to delegitimization of existing regimes and internal instability, constitute a, if not the, major source of instability in the Mediterranean. The EU should therefore view security from a comprehensive point of view. Union policy should cover the social and economic dimensions of security; ecological and cultural aspects too should be included. Support for the economy and for the creation of social provisions and encouragement of democratization, or in other words, increasing the general well-being of the population, will i.a. help to prevent the rise of violent opposition movements and will slow down migration to the North. These social and economic factors of security are among the Southern Mediterranean countries’ main security concerns. An economic and social policy for the Mediterranean should therefore be a priority for the EU. A warning should even be issued
against the undue “securitization” of issues such as migration or islamism, which ought not to be seen through the lens of military security. Rather, they should be dealt with in the framework of a Euro-Mediterranean social, cultural and economic policy.

62. But next to these dimensions, commonly referred to as “soft” security, the EU does also need to consider “hard” security issues. In the absence of a direct threat to the EU, the main “hard” security risk in the Mediterranean is the possibility of conflict between Southern states or of an internal conflict in a Southern state, which might spill over into neighbouring countries. The EU needs a Mediterranean policy on “hard” security issues in order to attain the following objectives:

(1) to ensure that the Union continues to remain free from direct military threats;

(2) to prevent South-South conflicts, which might lead to spill-over into a Member State of the Union, which could jeopardize the security of EU citizens living abroad and which could endanger EU interests in the economic and political field;

(3) to settle ongoing conflicts and disputes in the Mediterranean, which hinder closer North-South and South-South cooperation.

63. The proximity of North Africa and the Middle East to the EU in itself forces the Union to take the Mediterranean into account when defining its security policy. The Mediterranean must be seen as part of the European security space, i.e. the area in which peace and stability should be maintained in order to ensure the peace and stability of the Union itself. Of course a European security policy for the Mediterranean in the first place serves the interests of the Union itself, but if it succeeds in establishing peace and stability, it is mutually beneficial to all Mediterranean states. Economic interdependence between the Northern and Southern shores means that in fact all Mediterranean countries have a common interest in maintaining stability.

64. A policy on “hard” Mediterranean security issues implies the development of a set of Euro-Mediterranean policy instruments:

(1) the promotion of confidence and security building measures, in order to prevent conflict. In the still unstable and highly militarized Mediterranean, political differences can easily lead to the use of military means. The EU should therefore give special attention to non-proliferation, arms control and disarmament;

(2) assisting the Southern Mediterranean countries in finding peaceful solutions to existing and to possible future conflicts, including the development of Euro-Mediterranean arrangements for preventive diplomacy, for peaceful settlement of disputes and for humanitarian, peacekeeping and peace enforcement operations. So the EU’s approach should combine long-term conflict prevention measures and arrangements for short-term crisis management.

65. The development of the CFSP and the ESDP should enable the EU to make policy on these “hard” security issues which, in the Mediterranean, it cannot ignore.

2. France gave the Syrian city of Alexandretta (Iskanderun in Turkish) and the surrounding area to Turkey in 1939 to guarantee its neutrality in the coming war with Germany, a fact which has never been accepted by Syria.


LESER, Ian O., TELLIS, Ashley J., Strategic exposure. Proliferation around the Mediterranean. Santa Monica (Ca.), Rand Corporation, 1996, pp.36-100.


27 The latest measure in that field is Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology.


30 Because of its special legal status the Palestinian Authority cannot be party to any of these agreements.

31 These are: battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, missiles and missile launchers and warships.


WEU Presidency conclusions of the Seminar on conflict prevention in the Mediterranean, Lisbon, 2000. In: E-mail communication from Myriam Sochacki, WEU Head of Press and Information, 22/05/2000, 1p.


American observers on the other hand talk of a “surprisingly muted (at least in Europe) concern about the ever-increasing reach of missiles deployed on the European periphery”.


In fact most states still operate on the basis of late 1940s Scud technology, which is very similar to the German V2 missile of World War II.
To quote an Arab author: "Ce n’est pas le Sud qui menace militairement le Nord, il faut parler sérieusement, nous n’avons pas les moyens de menacer le Nord, sinon en envoyant quelques petards comme l’a fait le colonel Kadhafi".


Belgian Foreign Minister Louis Michel, shedding the veil of diplomatic language, qualified Berlusconi’s statements as “almost barbaric, stupid and unacceptable”.

(anon.), EU/terrorism: Mr. Berlusconi’s stupid statements about supremacy of Western civilisation disturb troika’s diplomatic mission. In: Europe, 49, 2001, 8054, p.5.


(anon.), EU/European summit/terrorism: Heads of State agree anti-terrorism action plan and Member States say they are prepared to support targeted US action, each state according to its means. In: Europe, 49, 2001, 8054, pp.1-3.


60 A number of international instruments exist in this field, apart from the actions taken in the framework of the Euro-Mediterranean Partnership, e.g. the 1976 Convention for the protection of the Mediterranean Sea against pollution and its related protocols.


62 In fact the discussion on the objectives of a ESDP should have preceded the creation of the decision-making structures and the military capacity, because how these are shaped depends on the aims which they are meant to achieve (e.g. the geographical scope in which it is expected to operate determines the composition of the rapid reaction force). In practice however the means were decided upon first, because on this a consensus could quite easily be found among the Member States in the aftermath of the Kosovo operation, while it was feared that starting with the debate on a strategic concept would lead to endless discussions and thus the long-time postponement of a reinforcement of the Union’s security dimension.


WEU Presidency conclusions of the Seminar on conflict prevention in the Mediterranean, Lisbon, 2000. In: E-mail communication from Myriam Sochacki, WEU Head of Press and Information, 22/05/2000, 1p.


CHAPTER 2

THE EURO-MEDITERRANEAN PARTNERSHIP

2.1 The origins of Europe’s Mediterranean Policy

2.1.1 From Global to Renovated Mediterranean Policy

66. From its very beginning the European Economic Community (EEC) had close relations with a number of Mediterranean countries. Morocco and Tunisia had only gained independence from France in 1956 and retained a special relationship with their former colonizer, which was confirmed in the 1957 Rome Treaty, which founded the Community. Algeria at that time was still a French colony and as such was among the first countries to receive funds in the framework of EEC development cooperation. The Community lacked a clear Mediterranean strategy however. As other Southern Mediterranean countries as well demanded arrangements for their relations with the EEC, a number of bilateral agreements of different types were concluded. Because of their strategic importance in the context of the Cold War NATO-members Greece (1962) and Turkey (1963) were offered comprehensive association agreements which included the prospect of Community membership. Similar agreements were concluded with Malta (1970) and Cyprus (1972) on the same grounds. Much more limited commercial agreements were granted to Morocco and Tunisia (1969), who were of much less strategic importance, and to Israel (1964), Lebanon (1965), Spain (1971) and Egypt and Portugal (1972). In the absence of a global view on the whole of the region, relations with the Mediterranean developed pragmatically, depending upon European interests in the individual Southern states and the degree of influence of the latter on the EEC or specific Member States. This resulted in a very complex mosaic of widely differing agreements.72

67. In order to end the disorderly character of Mediterranean relations, at the 1972 Paris Summit (19-21 October) the EEC announced the Global Mediterranean Policy (GMP). This covered all Southern littoral states and Jordan, with whom new bilateral cooperation agreements were concluded, with the aim of facilitating free flow of industrial goods, while customs duties for a number of agricultural products were lowered. The agreements were accompanied by renewable financial protocols providing for loans and grants from the Community budget. It was explicitly stated that the GMP did not apply to Greece and Turkey, the earlier association agreements remaining in force, while with economically more advanced Israel an agreement on free trade in industrial goods was signed. Libya stayed outside this network of agreements: its King, Idriss Sanoussi, was closer to the UK than to the EEC and then in 1969 Qadhafi came to power, which would lead to Libya’s alienation from the West. The GMP arrangements were modified in 1986 to take into account the accession of Spain and Portugal to the EEC; certain products were put under specific regimes to protect the exports of these countries.73

Table 5: Early Mediterranean agreements

<table>
<thead>
<tr>
<th>Year</th>
<th>Country</th>
<th>Type of agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1962</td>
<td>Greece</td>
<td>Association agreement</td>
</tr>
<tr>
<td>1963</td>
<td>Turkey</td>
<td>Association agreement</td>
</tr>
<tr>
<td>1964</td>
<td>Israel</td>
<td>Commercial agreement</td>
</tr>
</tbody>
</table>
1965 | Lebanon | Commercial agreement  
1969 | Morocco | Commercial agreement  
      | Tunisia | Commercial agreement  
1970 | Malta   | Association agreement  
1971 | Spain   | Commercial agreement  
1972 | Cyprus  | Association agreement  
      | Egypt   | Commercial agreement  
      | Portugal| Commercial agreement  
1975 | Israel  | Free trade agreement  
1976 | Tunisia | Cooperation agreement  
      | Algeria | Cooperation agreement  
      | Marocco | Cooperation agreement  
1977 | Egypt   | Cooperation agreement  
      | Jordan  | Cooperation agreement  
      | Syria   | Cooperation agreement  
      | Lebanon | Cooperation agreement  

68. The GMP was strongly advocated by France, which wished to preserve the close relations with now decolonized North Africa, while the accession of the UK in 1973, which had a longstanding tradition of involvement in the Middle East, stimulated closer ties with that part of the Mediterranean. The creation of European Political Cooperation (EPC) in 1970, a mechanism for consultation on foreign affairs between the Member States of the EEC and the modest beginning of a European foreign policy, was a further incentive for an enhanced Mediterranean policy. Member States started to appreciate the importance of the Mediterranean to the Community, e.g. as a market for European products and as a major supplier of energy, which implied the need for stability in order to guarantee supply, as was emphasized by the 1973 Yom Kippur War and the subsequent oil crisis.

69. But in spite of the growing perception of European security interests in the Mediterranean, the GMP essentially remained limited to economic issues and development cooperation. Economic support does serve stability, but success in the economic field was limited. The Community proved incapable of stemming the economic and social plight of the Southern states, who were disappointed with the financial assistance and the degree of market access which they were granted. The GMP did not cover political and “hard” security issues. The accession of Southern European countries to the EEC - Spain and Portugal and later Greece - strengthened the call for the addition of a security dimension to Euro-Mediterranean relations, because of these countries’ closer contacts with the South, but at the same time also aggravated economic competition between the Northern and Southern states and thus made relations more difficult. The 1973 war and oil crisis did lead to the Euro-Arab Dialogue between the Community and the Arab states of the Middle East, which primarily dealt with oil prices and the Middle East peace process. This dialogue continued intermittently until 1990 without achieving significant results. One could even say that the Euro-Arab Dialogue separated political and security issues from the GMP, which itself remained bilateral in character. Contrary to what the wording suggests, the GMP was still a network of bilateral agreements. It was only “global” in so far as that, apart from Libya, it covered all the Mediterranean littoral states plus Jordan and increased uniformity in the Community’s
relations with these countries. The absence of other than economic issues and the lack of a multilateral framework made it difficult to speak of a truly global policy. The EEC still lacked a comprehensive strategy for the Mediterranean covering all dimensions of Euro-Mediterranean relations.  

70. In the late 1980s the Community started to reconsider its relations with the Mediterranean. First of all it was clear that the current arrangements were unsatisfactory to the Southern states, who also feared the economic consequences of the Community’s Southern enlargement. Their dissatisfaction was highlighted by Morocco’s application for Community membership in 1987, in order to obtain better economic relations with the European countries (the application being rejected on the ground of Morocco not being a European country). Secondly and importantly, it was realized that the domestic economic and political problems of the Southern states not only caused instability in the South, but could have consequences for European security interests as well, such as mass migration or uncertain supply of energy. The outbreak of riots in Algeria in 1988 and the emergence of an islamist opposition party, the Front Islamique du Salut (FIS), gave further impetus to the rethinking of the Community’s Mediterranean policy. The Gulf War, which caused a radicalization of Arab public opinion, again underlined the inherent instability of the Southern littoral states and the need to address the grave socio-economic problems affecting them. With the end of the Cold War the Community renewed its relations with the countries of East and Central Europe, aiding them in the transformation to democracy and a market economy and thereby ensuring stability on the European continent. The Southern Member States of the EEC demanded that the Community should also play this role in its Southern periphery. The European Parliament too felt that the Community should ensure its “geopolitical balance”.

71. In 1989 the Commission therefore proposed the Renovated or Redirected Mediterranean Policy (RMP). This initiative was prompted i.a. by the growing awareness of the importance of Mediterranean security issues to the Community, hence the need to broaden the scope of the almost exclusively economic Euro-Mediterranean relations. The Commission proposal explicitly stated that because of its geographical proximity the social and economic development of the Mediterranean is a “fundamental security interest” for the Community. The Economic and Social Committee too declared that the security of the Community’s Southern borders is one of the reasons why the EEC should support development of the Southern littoral states, considering the domestic tensions and the demographic evolution in the South, and called for an overall and multilateral approach to the Mediterranean, which should include a political and a cultural dimension. The European Parliament as well in its call for a “revamped” Mediterranean policy pointed to the fact that “the political, social and economic stability of the EEC is dependent to a large extent on peace being achieved in this neighbouring region and on its gradual, harmonious development” and believed that “the Community should act as a stabilizing force between those groups of countries which are geographically close to it”. The EP specifically stressed the strategic importance of the Mediterranean to the Community’s energy needs and the risk of social and economic crisis leading to extremist Islamism or armed conflict. It therefore called for a global, multilateral dialogue which was to include security issues and which was to create a climate of mutual trust.

72. The RMP, which was launched in 1990, included a substantial increase of the financial assistance to the Southern states, which was aimed more at structural readjustment, and a special aid package for Jordan, Egypt, Turkey, Israel and the Occupied Territories, to counter the consequences of the Gulf War. An important innovation when compared to the GMP was
“horizontal cooperation”: multilateral aid programmes with the object of encouraging regional cooperation in fields of common interest, in order to increase regional integration among the Arab states, which was at a very low level. This was to serve as an example of multinational cooperation.80

73. The Southern states were reluctant to share resources with their neighbour countries however and in the end not a single multilateral project was set up, while the RMP in itself remained bilateral in character. Again even enhanced financial support did not result in a substantial improvement of the economic situation in the Southern littoral states. More importantly the RMP, like its predecessor, retained an essentially economic and commercial focus, without a specific political or security dimension. In spite of the explicit and repeated references to the Community’s security interests when the RMP was initiated, the only innovation which it seemed to offer was an increase of the quantity of aid.81

2.1.2 Proposals for enhanced Euro-Mediterranean relations

74. The failure of the GMP and RMP to resolve the socio-economic problems of the Mediterranean and their lack of a political and security dimension prompted a number of proposals to organize Euro-Mediterranean relations along other lines. Most of these were put forward by the Community’s Southern Member States, which wanted to try and convince the other EEC countries of the need for an enhanced role of the Community in the Mediterranean.

75. At the opening of the meeting of the Conference on Security and Cooperation in Europe (CSCE) in Palma de Mallorca (24 September 1990), Italy and Spain launched a proposal to create a Conference on Security and Cooperation in the Mediterranean (CSCM), calling on Europe to assume primary responsibility in an area which is vital to its security interests and with which it has close historical ties. Mirroring the example of the CSCE, the CSCM was to comprise three baskets, with the following objectives: to safeguard security through arms control and the banning of WMD; to reduce the economic, social and demographic imbalances of the region; and to create understanding between societies through dialogue. Like its European counterpart the CSCM was conceived as a process rather than as an organization. The CSCM would deal with all matters of security and would focus on confidence and security building measures (CSBMs) and crisis management (for which a centre was to be created). It was to include not only the EEC and the Mediterranean states, but also the Gulf countries, thus ranging “from Mauritania to Iran”.82

76. Seeking to build Euro-Mediterranean relations at three levels, political/security, economic and social/cultural, and thereby linking all dimensions of security, the CSCM constituted an innovative approach to Mediterranean policy. Ultimately it came to nothing however, because of the repercussions of the Gulf War, which strained relations between North and South, and the lack of progress in the Middle East peace process, which made successful negotiations in other fora dealing with security impossible. The CSCM met with opposition from the UK and the Netherlands and, what was a key factor in explaining its failure, from the US, who saw it as a threat to their dominant position in the peace process. France favoured a subregional approach based on cooperation with the Maghreb and therefore at the most adopted a “non-negative” attitude, while Germany remained reticent as well. A number of Arab countries too felt that the CSCM drew attention away from the attempts to resolve the Arab-Israeli conflict, without offering concrete alternatives to settle security issues. The CSCM, though innovative, was just to grand a design for it to succeed.83
77. An attempt to revive the CSCM proposal was made in 1992 when, at the invitation of the Spanish parliament, the Interparliamentary Union convened an interparliamentary CSCM in Malaga (15–20 June 1992). The conference was limited to parliamentarians from the Mediterranean littoral states, while the US, the UK and Russia (the three naval powers with an important presence in the Mediterranean) were given the status of “associated participants”, as were a number of international parliamentary assemblies (including the European Parliament) and the PLO. In protest to the participation of the latter, Israel and therefore also the US refused to take part; Algeria, which had dissolved its parliament, remained absent as well. In its final document the Conference recommended a number of measures reflecting the three baskets of the CSCM proposal. The parliamentarians could indeed do nothing more than forward recommendations to the governments, who were not more willing to act than before, which is why the Interparliamentary Conference did not result in any concrete achievement. The Interparliamentary CSCM continues to hold regular meetings.84

78. In 1983, while on a visit in Morocco, French President François Mitterrand proposed the creation of a new trans-Mediterranean dialogue in the Western Mediterranean with the aim of increasing cooperation between states on both shores through the exchange of views and concrete projects in the field of economic, social and cultural affairs. For France the Western Mediterranean was the principal peripheral zone; in the French view stability in the Mediterranean as a whole could only be achieved by starting to unite what Paris saw as the most stable countries of the region. Originally this so-called “4+5 Dialogue” brought together four Southern Member States of the Community, France, Italy, Spain and Portugal; and Algeria, Libya, Mauretania, Morocco and Tunisia, who in 1989 founded the Arab Maghreb Union. This new international forum was seen as a vehicle for stability and an ideal channel to build cooperation with the Maghreb countries. Because of internal difficulties in France and because priority was given to the European integration, the first, informal “4+5” meeting did not take place until February 1988 in Marseille, followed by a second meeting in Tangiers in May 1989. Both dealt only with economic and financial issues and development cooperation.85

79. On 10 October 1990 in Rome, a Ministerial Conference of the “4+5” (also attended by Malta) was held, which adopted a “Declaration on dialogue and cooperation in the Western Mediterranean”. This Ministerial Conference of the “4+5” was partly prompted by the impossibility of implementing the region-wide CSCM proposal, which by then was already apparent. Ministers engaged to construct an area of peace, cooperation and stability in the Western Mediterranean. To that end Ministers would meet at least annually to pursue a comprehensive dialogue including political, security, economic, cultural and ecological issues. A number of priority domains for action were defined in the field of economy, human resources and ecology. Ministers met a second time in Algiers on 27 October 1991, where Malta formally joined the now “5+5”; a representative of the European Commission was also present. In the resulting declaration Ministers expressed their conviction that an affirmation of democracy and human rights and of the Charter of the United Nations would contribute to stability and security in the region. A Political Committee consisting of officials from the Ministries of Foreign Affairs of the participating countries was created, to discuss political and security issues. A number of working groups were to initiate the implementation of projects in the priority areas. The next Ministerial meeting was planned in Tunisia in 1992.86

80. The dialogue was paralyzed however by the outbreak of the Gulf War. Other factors which led to the ultimate failure of the “5+5” scheme were the domestic crisis in Algeria, friction between Morocco and Algeria over the Western Sahara and the international isolation
of Libya following the embargo against the country. There were also disagreements among the participating Community Member States, with France advocating the subregional approach, while Italy and Spain, the initiators of the CSCM proposal, still looked for a global Mediterranean strategy, as they felt Mediterranean security to be indivisible. In spite of the intentions stated in the Ministerial declarations, the “5+5 Dialogue” failed to address security issues; no working groups were established, nor were any projects defined in this field. Again, as was the case with the successive Mediterranean policies of the EEC, security was only dealt with by way of the economy, while its political and military dimensions were mostly left untouched.87 The “5+5 Dialogue” was interrupted in 1992, because of the imposition of UN sanctions on Libya, and was suspended in 1999. The Dialogue was revived by a meeting of Foreign Ministers in Lisbon in January 2001. Its main role now seems to be a complementary one to the Euro-Mediterranean Partnership, to which it can contribute ideas and proposals. Unlike the Partnership, the “5+5 Dialogue” unites only part of the EU Member States and of the Southern Mediterranean countries; it is thus a purely Mediterranean framework.

81. Another scheme was the Mediterranean Forum, first mentioned by Egyptian President Hosni Mubarak in a speech to the European Parliament in November 1991 and soon supported by France. For Egypt, which was not included in the “5+5 Dialogue” or the AMU (to which it had in vain applied for accession), the Forum was a way to a bigger role in the Arab world and the Middle East peace process. French support for the initiative was driven by the aspiration to gain influence in the Middle East and by disappointment with the outcome of the “5+5”. The Forum took off with a meeting of Foreign Ministers in Alexandria on 3-4 July 1994. It now brings together eleven countries: France, Greece, Italy, Portugal, Spain, Malta, Algeria, Egypt, Morocco, Tunisia and Turkey. The Forum has an informal character; Ministers agreed that pending further agreement on the institutional structure it should be a flexible framework for cooperation. Like the CSCM the Forum comprises three baskets, on political, economic and cultural issues. Importantly the Alexandria document called for coordination with the CFSP and the avoidance of duplication of EU objectives, ideas and resources. The actual achievements of the Forum have remained limited because of a lack of funds and because of disagreements among the participating states, notably on the enlargement of the Forum (with the European members opposing the inclusion of Lybia, Arab members the inclusion of Israel and Turkey that of Cyprus).88 From the beginning the informal character of the Forum made it more of a framework for preparatory talks rather than a performing organization. In fact the Forum was rendered more or less obsolete by the Euro-Mediterranean Partnership, negotiations on which were already underway during the creation of the Forum, which was pursued anyway because of the uncertain outcome of the negotiations on the Partnership at the time. The Forum still operates however, in a way similar to the “5+5 Dialogue”: in a kind of ancillary relationship with the Euro-Mediterranean Partnership, as a place for exchanges of views on items on the agenda of the Partnership. Meetings are organized annually. Uniting only the Mediterranean Member States of the EU and a limited number of Southern Mediterranean countries, the Forum, rather than being an inter-regional organization, like the Partnership, is an exclusively Mediterranean club, just like the “5+5 Dialogue”.89

82. In 1992 Malta proposed yet another structure, the Mediterranean Council, as a framework for dialogue between both shores. Based on the example of the European Council this was to consist of a Ministerial Committee, a Parliamentary Assembly and a Secretariat. Membership was to be conditional on the acceptance of the Charter of the United Nations, respect for human rights and the rule of law and the establishment of representative institutions. This initiative received only a very limited response.90
83. The advantage of schemes like the CSCM and “5+5” and others which were proposed by the Community’s Southern Member States or by third countries, was that they allowed for more flexibility to discuss security issues, because they operated outside the formal Community framework. Before the creation of the CFSP by the 1991 Maastricht Treaty, which only entered into force on 1 November 1993, there was little room for the Community Member States to discuss security issues. EPC only covered the technological and economic aspects of security, while the WEU was still very much a sleeping organization, which was not specifically linked to the Community. Proposals focusing on the Western Mediterranean had the advantage of being able to avoid discussions on sensitive and complex issues such as the Middle East peace process and the dispute between Greece and Turkey, while because they involved only a small group of countries attention could be focussed on matters of specific interest to them. But at the same time including only part of the Member States of the EEC and of the Southern littoral states tended to create divisions within the Community and hampered the generation of a new Community strategy for the Mediterranean as a whole and the security issues which it poses as such. Only proposals getting the full support of the Community as a whole can succeed, as the individual Southern Member States lack the means to make them work. The fact that all initiatives failed to create a sufficient organizational framework to effectively make policy and implement it and did not go beyond non-commmitting talks, is proof of this. It appears that only at the European level a sufficient organizational basis can be found to carry a forum for relations between Europe and other regions and, more importantly, to keep it going. A loose association of individual Member States lacks the persistence of effort to make this work. Besides, conditions for the creation of fora where Mediterranean security could be discussed were not favourable. The Gulf War in particular soured relations between the Northern and Southern shores of the Mediterranean, while the conflict in the Middle East, the international isolation of Libya and the continuing tensions over the Western Sahara fuelled differences among the Southern countries. As a consequence even those initiatives which took off with some success were eventually paralyzed.91

84. During this period the Community itself continued to consider possible improvements to its Mediterranean policy. The 1991 Maastricht Treaty, which was supposed to come into force on 1 January 199392, had created the Common Foreign and Security Policy (CFSP). In a report to the Lisbon European Council (June 1992) the Commission identified the priority regions for action in the framework of the future CFSP. Among these were the Middle East and the Maghreb, which were both described as regions in which the Community has strong interests in terms of security but where stability is threatened. The Commission therefore advised that the Community should establish good-neighbourly relations with the countries of the area in order to “avoid a deepening of the North-South gap in the region by favouring economic development and promoting full respect for human rights and fundamental freedoms and the development and consolidation of democracy and the rule of law”. The Commission report distinguished between the Maghreb and the Middle East, calling for specific joint actions to support the Middle East peace process, while advocating a further-reaching comprehensive partnership with the Maghreb.93

85. In its “Declaration on relations between Europe and the Maghreb” the Lisbon European Council adopted the sub-regional option suggested by the Commission and envisaged the creation of “a true Euro-Maghreb Partnership” in the political, economic, social and cultural fields.94 One of the reasons for this sub-regional approach was that it was felt that a breakthrough in the peace process was a necessary prerequisite before a similar initiative in the Middle East could be considered, while the Maghreb and the AMU seemed to offer much
better prospects for cooperation and regional integration. In an EPC report to his Community colleagues Spanish Foreign Minister Francisco Fernández-Ordóñez described the Maghreb as “a time-bomb which Europe, by means of a greater commitment of resources and a new approach to the region, might still be able to disarm”.95 However the crisis in Algeria, the embargo against Libya and the paralysis of the AMU soon made it evident that the Maghreb was further away from being an area of entente than had been thought. Besides, the sub-regional approach ignored region-wide issues such as proliferation, terrorism and regional integration, although the existence of these could actually be implied from the Commission report itself. The project of a Euro-Maghreb Partnership was thus never implemented. By providing for a global partnership including a political, social and cultural dimension, it did represent an important innovation of the traditionally economic focus of the Community’s Mediterranean policy though. In this sense the pleas of the Community’s Southern Member States and the different schemes for enhanced Euro-Mediterranean relations did have a significant influence on Community policy.96

2.2 The Barcelona Conference

2.2.1 Preparation of the Conference

86. The global and multilateral approach to Euro-Mediterranean relations of the proposed Euro-Maghreb Partnership was retained in the ensuing new policy initiatives of the now European Union. The June 1994 Corfu European Council tasked the Council and the Commission with evaluating the Mediterranean Policy of the EU and suggesting ways to strengthen it, “bearing in mind the possibility of convening a conference attended by the European Union and its Mediterranean partners”. The European Council stressed the value of “jointly examining political, economic and social problems”.97

87. This European Council decision followed renewed pleas by the Union’s Southern Member States, particularly France, Spain and Italy, for a greater European effort towards the Mediterranean, in order to ensure symmetry in the Union’s external relations, considering the huge EU contribution to the countries of Central and Eastern Europe. The Southern Member States were supported by the driving role of the Commission. With the so-called “Europe Agreements” the EU created a framework to support the countries in its European periphery in their transformation to democracy and the market economy. During the 1990s almost all Central and Eastern European countries became candidates for accession. The EU thus functions as an “exporter of stability” on the European continent. The Union’s Southern Member States felt that the EU should assume a similar responsibility vis-à-vis its Mediterranean periphery. Unlike the other Member States, they were directly confronted with the emergence of “new” security issues in the Mediterranean. Indeed, the main factor which also convinced the Northern Member States of the necessity of a global Mediterranean policy was the growing awareness of the impact of Mediterranean developments on the security interests of the whole of the Union. Whereas during the Cold War the focus of security policy was clearly on Central and Eastern Europe and the perceived threat of the Soviet Union, any direct military threat to the Union had now disappeared, to be replaced by a plethora of risks which were much less easy to identify or to predict and which emerged from a much wider geographical area. As a result of these developments Mediterranean security issues came much more to the forefront, which contributed to the making of a consensus between the Union’s Northern and Southern Member States. There was also the wish for a greater political involvement, matching the Union’s financial efforts in the region. As the main donor, the
Union should make its voice be heard on the political stage as well. The launching of the Middle East peace process at the 1991 Madrid Conference created the political conditions under which a new and enhanced Mediterranean initiative was possible.

88. In response to the demand for an enhanced Mediterranean policy, the Commission proposed the creation of a Euro-Mediterranean Partnership (EMP). Given the many areas of interdependence between North and South, a Mediterranean policy should be multidimensional. The Commission therefore suggested enhanced economic and financial cooperation and the creation of a Euro-Mediterranean zone of peace and stability. The latter was to be achieved through a “close political dialogue based on respect for democracy, good governance and human rights”, which would also include “hard” security issues such as non-proliferation and CSBMs. A Euro-Mediterranean Conference, to be held in 1995, should decide on the guidelines for future relations. The European Council of Essen (9-10 December 1994) endorsed the idea of the Partnership, considering that “the Mediterranean represents a priority area of strategic importance for the European Union”, and accepted the offer of the Spanish Presidency to organize a Euro-Mediterranean Ministerial Conference in the second half of 1995. This Conference should allow for “an in-depth discussion of future relations”, “addressing all relevant political, economic, social and cultural issues”.

89. The Commission produced a further communiqué, containing proposals for the implementation of the EMP (8 March 1995), which formed the basis of a synthesis report adopted by the Council on 10 April 1995, outlining the EU position at the planned Euro-Mediterranean Conference and approved by the Cannes European Council in June 1995. This report was divided into three sections dealing with political and security, economic and financial and social and human issues, with the economic basket clearly being the most developed one. In the introduction to the report a clear distinction was made between the future EMP and the Middle East peace process. The report formed the basis of the negotiations leading up to the Barcelona Conference.

90. Participation in the Conference was limited to the fifteen Member States of the EU and the eleven Southern Mediterranean countries which had signed agreements with the Union plus the Palestinian Authority: Cyprus, Malta, Turkey, Jordan, Syria, Lebanon, Israel, Egypt, Tunisia, Morocco and Algeria. The AMU had adopted a common position indicating that it wanted Libya to be included, but this was vetoed by the majority of EU Member States, particularly by France and the UK, because of the sanctions against the country. Eventually Libya withdrew its request to participate, describing the event as “high treason” and a “conspiracy”. The US request for full participation in the Conference was not granted either. This refusal can be interpreted as an expression of the desire of the EU, as an emerging international actor, to develop a policy of its own towards a region with which it has close ties; perhaps it might even be seen as a small act of “rebellion” against the dominant position of the US in world politics in general and in the Middle East in particular. A number of observers were admitted to the Conference, such as Mauritania (a Member State of the AMU), the Arab League and the Gulf Cooperation Council (GCC), while other countries and organizations wishing to follow the debates, such as the US, Russia and the Central and Eastern European countries, could do so from a diplomatic tribune.

91. On the other hand it was feared that a number of countries might not be willing to participate, which could seriously endanger the outcome of the Conference and block the Union’s objective of creating a partnership encompassing the whole of the Mediterranean. Syria and Lebanon e.g. were reluctant to participate in a ministerial meeting together with
Israel, fearing that the Conference would end up as a sort of “Trojan horse” of the Middle East peace process. Morocco, with whom an association agreement was being negotiated, feared that the multilateral framework which was now being envisaged would detract from what it considered to be its privileged bilateral relations with the EU. This led to the only change in the Council’s synthesis report on its adoption by the Cannes European Council, which added a paragraph stating that the specificity of bilateral relations would be preserved within the multilateral process. In the end all Arab countries that were invited attended the Conference, mainly because of the potential benefits in the field of economic and financial cooperation and because the EMP was perceived as a way to counterbalance American dominance in the region.

2.2.2 The Barcelona Declaration (November 1995)

92. The Euro-Mediterranean conference was held in Barcelona on 27 and 28 November 1995. Participants were the Ministers of Foreign Affairs of the Fifteen, their counterparts from the twelve Mediterranean countries - except for the Palestinian Authority, which was represented by its President, Yasser Arafat - and the then Vice-President of the European Commission, Manuel Marin. The Conference adopted the Barcelona Declaration, establishing the EMP, which comprises three baskets.

93. The first is a Political and Security Partnership which aims at the establishment of “a common area of peace and stability”. Expressing “their conviction that the peace, stability and security of the Mediterranean region are a common asset”, the signatories agreed “to conduct a strengthened political dialogue at regular intervals” and subscribed to a number of principles:

- to act in accordance with international law, especially with the UN Charter and the Universal Declaration of Human Rights;
- to “develop the rule of law and democracy in their political systems”, to further diversity and tolerance and respect for human rights and fundamental freedoms and to exchange information on these matters;
- to respect each other’s sovereign equality and territorial integrity and the equal rights of peoples and their right to self-determination, to refrain from intervention in each other's internal affairs and to settle disputes by peaceful means;
- to strengthen cooperation in the fight against terrorism, organized crime and drug trafficking;
- to promote non-proliferation of WMD, arms control and disarmament, to “refrain from developing military capacity beyond their legitimate defense requirements” and to pursue good-neighbourly relations and confidence-building measures, “including the long term possibility of establishing a Euro-Mediterranean Pact”.

94. Second is an Economic and Financial Partnership to create “an area of shared prosperity”, aimed specifically at the “acceleration of the pace of sustainable socio-economic development”, “improvement of living conditions [...]", increase in employment level and reduction of the development gap in the [...] region” and “encouragement of regional cooperation and integration”. This partnership “will be based on the progressive establishment of a free trade area”, economic cooperation and “a substantial increase in the EU's financial assistance to its partners”.

34
95. Finally there is a Partnership in Social, Cultural and Human Affairs aimed at the development of human resources, the promotion of understanding between cultures and exchanges between civil societies. The pledge to cooperate in the fight against terrorism, organized crime and drug trafficking was repeated in this basket.

96. The Declaration states that the Ministers of Foreign Affairs are to meet periodically to monitor the application of the Declaration and to define actions to achieve its objectives, while the various activities are to be followed by ad hoc meetings of Ministers, officials and experts. A Euro-Mediterranean Committee for the Barcelona Process, at senior-official level, consisting of the EU Troika and a representative of each Mediterranean partner, is to hold regular meetings to evaluate the process and prepare the meetings of the Foreign Ministers. The first meeting of the Euro-Mediterranean Committee took place on 16 and 17 April 1996 in Brussels. The Commission departments are to undertake the necessary preparatory and follow-up work. The next meeting of the Ministers of Foreign Affairs was scheduled for the first semester of 1997.

97. To ensure follow-up to the Conference, a work programme listing the priority actions was annexed to the Declaration. In the field of security senior officials are to meet periodically, starting within the first quarter of 1996, to conduct a political dialogue which is to identify the means to implement the principles which were endorsed by the Declaration. The work programme further provided that foreign policy institutes would be encouraged to establish a network for cooperation, to become operational as of 1996.

98. With its three baskets the EMP mirrors the structure of the CSCE/OSCE and of the earlier CSCM and Euro-Maghreb Partnership proposals. The global or comprehensive approach to Mediterranean policy, i.e. the integration of the political and security, economic and social and human dimensions, was now formally adopted as the framework for future Euro-Mediterranean relations. The emergence of Mediterranean security issues with an impact on the EU and the comprehensive nature of security in the post-Cold War era, i.e. the inter-relation between the political, economic and military dimensions of security, necessitate such an approach. The predominantly economic focus of the EU’s Mediterranean policy was abandoned, although, understandably considering the years of experience in this field, the economic dimension was still the most elaborate. But for the first time since the creation of the EEC, a “hard” security dimension was explicitly included in Europe’s Mediterranean policy. In fact, in view of the limited development of the CFSP and of its security and defense component in particular at that time, one can say that the “hard” security commitments entered into by the EU surpassed its capacities in that field, something which would later be made good by the creation of the ESDP. So the EMP offered three innovations: the inclusion of “hard” security, the adoption of a comprehensive view of security, integrating all its dimensions, and, last but not least, the adoption of a cooperative or partnership approach, aiming to achieve the security objectives by cooperating with the Mediterranean partners on the basis of joint interests instead of through a unilateral, threat-based European policy.

99. The EMP is multilateral in character, as a complement to the existing bilateral relations. The multilateral approach allows for more uniformity in relations with the Mediterranean partners and, more importantly, creates a forum to discuss region-wide issues which concern all twenty-seven partners. It was provided that the bilateral relations would be enhanced by the conclusion of a new generation of free trade agreements, the so-called Euro-Mediterranean Association Agreements. The Partnership further offers incentives for South-South cooperation, in order to meet the need for more integration in the area, with the EU serving as an example of successful regional integration.
Table 6: Euro-Mediterranean Association Agreements

<table>
<thead>
<tr>
<th>Country</th>
<th>Signature</th>
<th>Entry into force</th>
</tr>
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<tbody>
<tr>
<td>Tunisia</td>
<td>July 1995</td>
<td>March 1998</td>
</tr>
<tr>
<td>Israel</td>
<td>November 1995</td>
<td>June 2000</td>
</tr>
<tr>
<td>Morocco</td>
<td>February 1996</td>
<td>March 2000</td>
</tr>
<tr>
<td>Palestinian Authority</td>
<td>February 1997</td>
<td>July 1997</td>
</tr>
<tr>
<td>Jordan</td>
<td>November 1997</td>
<td>has yet to enter into force</td>
</tr>
<tr>
<td>Egypt</td>
<td>January 2001</td>
<td>has yet to enter into force</td>
</tr>
<tr>
<td>Lebanon</td>
<td>January 2002 (initialled)</td>
<td>has yet to enter into force</td>
</tr>
<tr>
<td>Algeria</td>
<td>December 2001 (initialled)</td>
<td>has yet to enter into force</td>
</tr>
<tr>
<td>Syria</td>
<td>negotiations in progress</td>
<td></td>
</tr>
</tbody>
</table>

Cyprus, Malta and Turkey are covered by the earlier Association Agreements with the prospect of eventual EU membership.

100. Like the Helsinki Act of the CSCE the Barcelona Declaration is only politically binding. The political and security partnership, in which the “hard” security issues are included, is a declaration of principles and not a ready-to-implement policy document: with the ultimate aim of achieving an area of peace and stability, the signatories committed themselves to a number of principles and broad objectives, which indicate the priority fields for further action. The instruments and means to achieve these objectives still had to be defined, by a political dialogue between the partners. The Barcelona Declaration, an example of a long term vision, is the strategic framework within which these further steps have to be taken and thus initiated a process of consultation and policy-making. The principles and broad objectives mentioned in the Declaration, although including some far-reaching commitments in the field of “hard” security, e.g. the limit on the development of a military capacity, focus almost exclusively on conflict prevention. No provisions are included on possible cooperation on resolution of existing or future conflicts and on post-conflict peacebuilding. A major dimension of a comprehensive security policy is thus neglected. In this way, the principles and objectives of the Barcelona Declaration in the field of security will not suffice to attain the three objectives which a Mediterranean security policy is to achieve in order to safeguard the Union’s interests: keeping the EU free from military threats, preventing South-South conflicts and resolving ongoing conflicts.

101. Contrary to the much more detailed work programmes for the economic and social partnerships, the work programme for the political and security partnership only mentioned the time when the political dialogue should start, besides encouraging cooperation between foreign policy institutes in the partner countries. The inclusion of a follow-up mechanism was in itself a very significant improvement however, as it creates a dynamic and ensures constant attention, whereas before Mediterranean policy was to a large extent dependent on the willingness of the consecutive Presidencies to take initiatives. The EMP thus provides for an organizational framework which should enable the partner countries to engage in a process of common decision-making. In the text of the Declaration itself mention was made of the possibility of establishing a Euro-Mediterranean Pact, as proposed separately by France and Malta, with the aim of formalizing and deepening the political dialogue.

102. A drawback was the absence of Libya, a country which is very much involved in many of the region’s security issues, making it hard to achieve global stability in the Mediterranean without its participation; including Libya proved to be a political impossibility however. 109

103. The political and security partnership, which clearly is the most innovative part of the Barcelona Declaration, did prove to be the hardest to reach agreement upon. Even after the end of the formal Conference sessions and in spite of further negotiations, three points of disagreement remained, opposing Israel to the Arab countries: the right of peoples to self-
determination, non-proliferation of nuclear weapons and the fight against terrorism. In the end
the Spanish Presidency presented the text as it was finally adopted in the form of an ultimatum,
making it clear that any country which would not accept it would be held responsible for the
failure of the Conference. By this forceful strategy, the Presidency was able to achieve the
unanimous approval of the Declaration.110

104. An important factor in allowing the participants to reach consensus on the political and
security partnership was the separation of the Middle East peace process from the EMP, as
outlined in the introductory part of the Declaration, where it is stated that “this Euro-
Mediterranean initiative is not intended to replace the other activities and initiatives
undertaken in the interests of the peace, stability and development of the region, but that it
will contribute to their success”. French proposals to include a formal commitment to a regional
security structure were watered down by the Spanish Presidency because the inherent link with
the Middle East peace process would seriously hamper negotiations. Although it meant limiting
the scope of the political and security dimension of the EMP beforehand, the explicit and
repeatedly emphasized intention not to discuss the peace process made progress in other fields
possible – though as related above negotiations remained difficult. Attempts by Spanish Foreign
Minister Javier Solana to bring together Israeli and Syrian representatives in the margin of the
Conference to have peace talks were clearly rebuked by both parties, referring such discussions
to other fora and other mediators (meaning the US). The Barcelona Conference was indeed
historic for bringing together Israel and Syria in a multilateral framework, something in which no
one had succeeded since the 1991 Madrid Conference (as Syria and Lebanon boycotted the
subsequent multilateral track of the Middle East peace process). Exactly because the peace
process is not discussed the EMP continues to be a meeting-place for countries which do not
interact in other fora, which, especially in the absence of effective Southern Mediterranean
security institutions, is a confidence-building measure in itself.111 It was also clear that if it had
not been for the breakthrough in the peace process in the period 1993-1995, which saw i.a. the
transfer of civilian powers to the Palestinians in certain areas, the Barcelona Conference would
have never succeeded. It was only in the aftermath of the Gulf War and the “new world order”
which was then evisaged and because a peace process for the Middle East was initiated in
Madrid, that an ambitious project like the EMP could take off.

105. Still, the exclusion of the Middle East peace process – and actually of all other outstanding
Mediterranean conflicts, such as the Cyprus issue or the Algerian crisis – from the EMP, creates a
dilemma. Not discussing these sensitive matters allows the partners to avoid what would
certainly be extremely difficult discussions and to reach consensus on other issues. But it is also
clear that in the end a Mediterranean security policy cannot succeed in establishing an area of
peace and stability if it continues to ignore existing conflicts. The vagueness of the work
programme and the gaps in the set of principles and objectives reflect the difficulties in
discussing “hard” security issues between partners which are divided by tensions and conflict.
That a consensus was finally found indicates that partner countries on both sides of the
Mediterranean recognize the existence of common security interests. One should ask however
whether perhaps for the Arab countries the main reason for agreeing to the political and security
partnership might not have been the benefits of the economic and financial partnership.

106. Nonetheless, considering the immense difficulties of bringing together the 27 partner
countries to discuss security issues, let alone achieving any form of consensus, the declaration of
principles in itself, especially because it includes “hard” security issues, was a huge achievement
and a major innovation, in spite of the drawbacks. The Declaration was indeed the potential
starting point of a true EU security policy for the Mediterranean and also of Euro-Mediterranean
security cooperation. Solana dubbed this “the spirit of Barcelona”: a spirit of openness and generosity leading to a climate of trust.112

2.3 The follow-up conferences

2.3.1 The Malta Conference (April 1997)

107. The second Euro-Mediterranean Ministerial Conference was to be held in one of the Southern partner countries; shortly after Barcelona both Morocco and Tunisia had indicated their willingness to host the next meeting. But then the follow-up of the Barcelona Conference was clouded by a deterioration of the situation in the Middle East. Following the coming to power of Benjamin Netanyahu’s Likud-government in Israel in May 1996 there was a breakdown in the peace process. At a meeting of the Arab League in September 1996 the Arab countries threatened to leave the EMP if Israel would not live up to its commitments concerning the Occupied Territories. Certain Arab countries, i.a. Syria and Lebanon, made it known that they would not participate in a conference in an Arab country in the presence of an Israeli delegation, which is why as a last resort Malta was chosen as venue for the meeting. Indeed the Middle East peace process cast its shadow over the whole of the Conference, which took place in Valletta on 15-16 April 1997.113

108. Although the Dutch Presidency believed it had received undertakings to the contrary, disagreement arose by Arab insistence on the inclusion of strong wording on the recent developments in the peace process in the preamble of the draft declaration, even before the first basket, the Political and Security Partnership, could be discussed. Consequently it proved to be impossible to find consensus on further measures which were proposed by the EU to implement the security basket of the Barcelona Declaration. Almost all proposals were vetoed by Syria and Lebanon, even though some Arab countries were willing to consider them.114 Only the following CSBMs could be agreed upon:

- “Setting-up of a network of contact points for political and security matters”.
- “Exchange of information on adherence to human rights instruments”: this had been completed by the time of the Malta Conference.
- “Exchange of information on adherence to international legal instruments in the field of disarmament and arms control” and to “international instruments in the field of prevention of and fight against terrorism”: replies on both questionnaires were being awaited.
- “Convening of diplomatic seminars”: diplomats from the 27 partner countries met twice in Malta, which resulted i.a. in the creation of the Euromed Internet Forum to distribute information on the EMP.115
- “Establishment of the EuroMeSCo network of foreign policy institutes”: the Euro-Mediterranean Study Commission, grouping some 40 research institutes, was established in 1996.

109. These measures were rather limited when compared to the ambitious objectives of the Barcelona Declaration. They still focussed exclusively on conflict prevention and avoided “hard” military CSBMs, dealing instead with useful but rather obvious exchanges of information. Other measures which had been put forward by the senior officials were not retained by the Malta Conference; proposals included i.a. reporting of military expenditure, prior notification of military manoeuvres, exchange of expertise and Euro-Mediterranean arrangements on conflict prevention and crisis management, cooperation on peacekeeping, a Euro-Mediterranean
conference on nuclear safety, a Middle East zone free of WMD and a network of defense institutes. Apart from the measures which were approved, the participants only took “note of the various activities that the senior officials have undertaken” and “encourage [them] to continue and deepen the political dialogue” and took “note of the work carried out […] on confidence and security building measures, especially those already in operation or approved”. “They recognize that other measures […] should be approved in a progressive way”. No timetable was agreed upon however, nor was there an indication of the priorities or general orientation of future measures.

110. The same went for the most important point on the agenda of the security basket, the elaboration of a Charter for Peace and Stability in the Euro-Mediterranean Region. Both France and Malta had originally proposed the conclusion of a Euro-Mediterranean Pact detailing the arrangements for a security dialogue as a framework for the implementation of the political and security partnership. Although quite soon the term “pact” was dropped in favour of the less binding “charter”, senior officials had made considerable headway with the preparation of a draft. But on the issue of the Charter as well, no agreement could be found on the extensive proposals elaborated by the senior officials. On Malta participants just took “note of the work of senior officials” and “instruct them to continue the preparatory work […] in order to submit an agreed text at a future Ministerial Meeting when political circumstances allow”. So although the Charter was not approved, the project as such was not abandoned.

111. In the end tensions rose so high that the partners could not even agree on the text of the conclusions before the end of the Conference; the text was finally adopted at a meeting of senior officials in Brussels on 6 May 1997.

112. Prior to the Conference Member States had had difficulties agreeing on a common approach for the negotiations. The Dutch Presidency wanted to leave out the Middle East peace process altogether in order not to endanger the reaching of an agreement, while France held this to be impossible and preferred instead an openly critical attitude towards Israel. As a result of these disagreements the Presidency went into the negotiations with a very limited mandate. This was the first demonstration of the fact that the formal separation between the Partnership and the peace process would be very difficult to maintain. The crisis in the peace process effectively blocked the achievement of substantial progress in the EMP. On the other hand the continuing willingness of all partners, especially of Syria, Israel and the Palestinian Authority, to attend the meeting and engage in multilateral talks, in spite of the high tensions between them, indicated the great importance which they attached to the Barcelona Process and the Partnership’s potential to serve as a security-building forum. Again the mere existence of the Partnership could be seen to be a CSBM, but this could not hide the fact that the Malta Conference had failed its objective of deepening and implementing the security basket of the EMP.

2.3.2 The ad hoc meeting in Palermo (June 1998)

113. On Malta it had been agreed to hold the next Ministerial Conference in Germany in the first half of 1999. Quite soon however there was talk of an additional conference at an earlier time in order to put the Barcelona process back on track and to demonstrate its usefulness and viability after the failure of the Malta Conference. A number of factors necessitated, in the eyes of the Union’s Southern Member States especially, a reinvigoration of the EMP. The Presidencies of three Southern Member States – France and Spain in 1995 and Italy in the
first half of 1996 – during which the EMP had been launched, had been followed by those of three Northern countries: Ireland, the Netherlands and Luxemburg. As these countries maintained a very different focus in their foreign policies, they had given much less attention to Mediterranean issues. The scheduling of the opening of the accession process to the countries of Central and Eastern Europe for mid-1998 increased the Southern littoral states’ fear of being marginalized in favour of the Union’s European periphery. The UK, which had never been particularly active in the EMP and which held the Presidency from 1 January 1998, was now pressed to organize an extra ministerial meeting to correct this impression. At first a brief meeting in the margin of the EU General Affairs Council was proposed, but Italy succeeded in convincing the UK to convene a more significant separate ad hoc ministerial meeting, which took place in Palermo on 3-4 June 1998.

114. In order to avoid a repetition of what had happened on Malta, which might prove to be the final straw for the EMP, the UK adopted a different approach. The meeting was to be informal, without the need to produce formal conclusions or binding policy decisions, thus avoiding long negotiations on texts. Instead British Foreign Secretary Robin Cook summarized the outcome of the meeting in a Concluding Statement of his own. Developments in the Middle East peace process were to be discussed openly, but while maintaining the formal separation between the peace process and the EMP and without letting it overshadow the whole of the meeting. Indeed the Arab countries greatly appreciated the relevant paragraph in Cook’s Concluding Statement, while Israel refrained from taking on too strong a position. “Difficult” issues such as the Charter for Peace and Stability or terrorism were to be adressed properly.

115. As a result of this approach the Palermo meeting took place in a positive atmosphere. But at the same time the informal character of the meeting and consequently the absence of discussions on concrete objectives and actions also made for very limited progress in the implementation and deepening of the EMP. CSBMs were now named “partnership building measures”, a term supposedly more acceptable to the Arab countries because it avoided the connotation of – the sensitive issue of – “hard” security associated with CSBMs in the OSCE context. The only new measure to become operational was the Euro-Mediterranean System of Prevention, Mitigation and Management of Natural and Man-made Disasters, providing for cooperation between the civil protection services of the partner countries and focussing on training and exchange of experts and information; a Steering Committee, which met for the first time on 13 September 1998 in Rome, is responsible for coordination of the actions. No other measures were agreed upon, nor was there any progress in establishing the Charter for Peace and Stability, except the agreement of a special ad hoc meeting of senior officials with the aim of making progress before the next Ministerial Meeting; the senior officials met on 24 November 1998 in Brussels. Events in Algeria and renewed pressure from the Southern partner countries for assistance with counter-terrorism put terrorism high on the agenda of the meeting. Here too a special meeting of senior officials, which was convened on 23 November 1998 in Brussels, was the only decision that was taken, as a first step to reconcile partner countries’ views on the issue.

116. The Palermo meeting had a positive effect in that the participation of all partner countries was proof of their constant conviction of the usefulness of the EMP. The warm atmosphere which reigned during the meeting was mainly due to the absence of discussion on concrete actions however. Although the fact that the Euro-Mediterranean dialogue continued in itself had positive effects on relations between partners, the ad hoc meeting certainly did not constitute a fundamental revitalization of the Barcelona process, nor did it bring implementation of its political and security chapter much closer.
2.3.3 The Stuttgart Conference (April 1999)

117. The third Euro-Mediterranean Ministerial Conference took place as planned in Stuttgart on 15-16 April 1999. Prior to the Conference and following the special ad hoc meeting decided upon in Palermo, senior officials had made considerable headway in drafting the Charter for Peace and Stability. An agreement was in place on the main guidelines and the philosophy of the project. Ministers could not reach agreement on the formal adoption of these first achievements however, so under the title Guidelines for Elaborating a Euro-Mediterranean Charter they only approved them as an informal and unpublished working document, to be completed by the senior officials during additional ad hoc meetings by the next Ministerial Conference. This was programmed for the French Presidency of the EU in the second half of 2000. The completed Charter was to be “approved formally by Ministers as soon as political circumstances allow”, a reference to the obstruction of the political and security partnership caused by the conflict in the Middle East.

118. The Guidelines give a pivotal role to “an enhanced political dialogue”. Regular consultations between Foreign Ministers and senior officials would form the basis for institutionalizing this dialogue, awaiting “appropriate decision-making mechanisms reinforcing the existing institutional framework” to be included in the Charter; all decisions would be taken by consensus. The institutionalized political dialogue would thus be the policy-making entity in the political and security chapter. Because of its increased frequency and comprehensiveness, one could see it as the nucleus of early warning in the Mediterranean. The Guidelines further provide for the development of additional CSBMs, good-neighbourly relations, regional cooperation and preventive diplomacy in order to prevent tensions and crises. Very importantly, reference is made to crisis management and post-conflict rehabilitation including Euro-Mediterranean cooperation in peacekeeping, thus leaving for the first time the exclusive emphasis on conflict prevention. In this field the wording of the Guidelines is very cautious, stating that such measures will be developed “on a strictly voluntary and consensual basis [...] without interference with other institutions and bilateral efforts”, taking into account the extreme sensitivity of the issue to the Arab partner countries. Ongoing disputes are excluded from the Charter however: the Guidelines include the principle of “non interference in the settlement of current conflicts”.

119. According to the Guidelines the Charter is to be a politically, not a legally binding document, like the Barcelona Declaration itself. Partners still differed considerably on the nature and contents of the Charter. Some proposals called for far-reaching institutionalization of the EMP, providing e.g. for the creation of a council of the EMP, with the power to make legally binding decisions, and a separate EMP-budget to be managed by this council. Other proposals remained very limited, providing only for vague commitments, and really amounted to nothing more than a kind of “Barcelona-bis Declaration”: a renewed set of principles rather than the implementation of the principles already agreed upon.

120. At the Stuttgart Conference, Ministers did not agree upon any additional CSBMs, but instead “acknowledged the difficulties which prevail and agreed to sustain and develop [existing] measures as well as identify and explore new areas of cooperation”. More particularly senior officials were instructed to convene additional special meetings on the issue of terrorism.

121. The Arab countries had urged the EU to allow Libya to participate in the conference as a full member, but the German Presidency only invited it as “special guest” alongside Mauritania, the
AMU and the Arab League. Ministers decided however that Libya would “become a full member of the Barcelona Process as soon as the UN Security Council sanctions have been lifted and Libya has accepted the whole Barcelona acquis”. Following the decision of the Security Council to suspend part of the sanctions, because of indications that the Libyan government renounced terrorism, the EU did lift its own restrictive measures, which it took against Libya in 1986, apart from the arms embargo. The inclusion of Libya in the EMP, which is indeed indispensable if the Partnership is to address all security issues in the region, thus became a short term prospect.124

122. Like the previous conferences of Malta and Palermo, the Stuttgart Conference did not succeed in implementing the political and security basket of the EMP. Once again partner countries were willing to continue the dialogue, but failed to adopt concrete actions in the security field. Still the agreement on the Guidelines for the further elaboration of the Charter for Peace and Stability, including the – when compared to earlier discussions – far-reaching stipulations on crisis management, gave some reasons for optimism.

2.3.4 The Common Strategy on the Mediterranean Region (June 2000)

123. During the Portuguese Presidency a think tank meeting on the Mediterranean took place in Lisbon on 25-26 May 2000.

124. At the summit at Santa Maria da Feira on 19-20 June 2000 the European Council adopted a Common Strategy on the Mediterranean Region.125 Common strategies are a new policy instrument in the second pillar, introduced by the Amsterdam Treaty, which are decided upon by the European Council in areas where the Member States of the Union have important interests in common. When adopting joint actions, common positions or any other decision on the basis of a common strategy, the Council acts by qualified majority instead of unanimity, except for decisions with military or defense implications. This means that some of the most significant “hard” security issues relating to the political and security partnership, e.g. arrangements for crisis management, still require a unanimous decision of all Member States. Because of the Common Strategy EU decision-making on a number of other security-related issues might be easier though, be it that this depends to a large extent on the interpretation which the Member States will give to the notion “military or defense implications”.

125. The major objective of the Common Strategy on the Mediterranean Region is “to make significant and measurable progress towards achieving the objectives of the Barcelona Declaration and its subsequent acquis”. It defines what actions ought to be taken in the view of the EU in order to implement the Barcelona Declaration. In its paragraphs dealing with political and security issues, the Common Strategy, expressing the strategic importance of stability in the Mediterranean to the EU and to Europe as a whole, repeats the objective of establishing a common area of peace and stability. To this end the political and security-related dialogue is to be strengthened at all levels, bilateral as well as multilateral, including the Charter for Peace and Stability, and further CSBMs are to be elaborated. Specific actions in the field of security are to be:

- regular consultations and “timely [...] information on initiatives that might be of concern” to partner countries;
- reinforce cooperation in the fight against terrorism;
- establish arrangements for “conflict prevention, crisis management and post-conflict rehabilitation, including the encouragement of the peaceful settlement of conflicts and disputes, including by judicial means”; 
- cooperate in addressing the problem of anti-personnel landmines; 
- promote the ratification of all non-proliferation instruments, including the NPT, CWC, BTWC and CTBT, by all partner countries and establish a verifiable Middle East zone free of WMD.

126. In order to assure the follow-up of the Strategy, the Council was requested “to ensure that each incoming Presidency presents [...] priorities for implementation of this Common Strategy” and “to review and evaluate the Union’s actions under this Strategy and to report to the European Council on progress towards its objectives not less than annually”. It is stated that the Strategy deals with all the EU’s relations with its partners in the EMP and Libya, except for the bilateral relations with the Mediterranean candidates for membership, which are covered by the accession process.

127. The Common Strategy on the Mediterranean Region is only the third one adopted by the European Council, after the strategies on Russia (4 June 1999) and Ukraine (11 December 1999), which serves as an indication of the importance the EU attaches to its immediate periphery and to the Mediterranean in particular. The countries in the periphery of the Union are clearly seen as part of the EU’s security space and are therefore among the first ones to be covered by a common strategy.  

128. In this Common Strategy the Member States of the EU put additional emphasis on a number of “hard” security issues. Most of these were already included in the Barcelona Declaration, such as non-proliferation. The extra emphasis on terrorism can clearly be seen as a response to the repeated requests by the Mediterranean partners to devote more attention to this issue. The reference to the problem of anti-personnel landmines probably is a consequence of the importance which this issue acquired on the political agenda of the Union following its leading role in the conclusion of the Ottawa Convention; concerns expressed by the Southern partners would have played a role as well. 

129. In the Common Strategy the EU recognized the link between the achievement of the objectives of the Barcelona Declaration and the outcome of the peace process, stating that it “is convinced that the successful conclusion of the Middle East peace process on all its tracks, and the resolution of other conflicts in the region, are important prerequisites for peace and stability in the Mediterranean”. The Common Strategy therefore sees a much more prominent role for the EU in the Middle East peace process, stipulating that “the Union aspires to play its full part in bringing about stability and development in the Middle East”. But how the EU could contribute to the resolution of the conflict is not mentioned; it is just said that “this Common Strategy will cover the EU’s contribution to the consolidation of peace in the Middle East once a
comprehensive peace settlement has been achieved”. No role in the settlement of the conflict is envisaged for the EMP, which is to come into the play only “after peace has been achieved”.

130. The Common Strategy has the merit of clearly summing up the actions by which the EU means to achieve its broad objective of establishing an area of peace and stability and notably of including crisis management and post-conflict peacebuilding among them. But it is of course a unilateral document, binding upon the Member States of the EU only and in no way committing the Southern littoral states, whose consent is still needed to bring implementation of the EMP any closer. It can be argued that the Common Strategy could have gone into much more detail. Most of the actions which it defines in the field of security are still rather broad. E.g. no concrete measures are proposed to further cooperation in the fight against terrorism, nor are any options suggested for the establishment of arrangements for crisis management. The impact and the relevance of the Common Strategy would have been much greater if it had really elaborated the measures necessary – or a number of options – to realize the Mediterranean security objectives of the Union. In spite of the references to the Union’s role in the Middle East peace process, the Strategy also does not address the causes of the failure to substantiate the political and security partnership, nor does it advance any solutions. So the Common Strategy does add to the list of fields in which the EU deems action necessary, but in the sense that it does not detail which actions should be taken, nor deals with possible ways of overcoming the obstacles to the implementation of the political and security partnership, its added value is limited. On the other hand the Strategy did come timely.129 It highlighted anew the importance of the Mediterranean to the EU and assured policymakers’ constant attention after a period in which events in the Balkans had led security policy to focus on the European continent and in which the political and security partnership had proved to be very cumbersome to implement.

131. In the Arab partner countries the adoption of the Common Strategy on the Mediterranean, which is a Second and not a First Pillar instrument, can be seen as an example of the Union’s emphasis on the security dimension of the Barcelona Process.130 But the move to include all aspects of Mediterranean policy into one CFSP framework document should be viewed in a positive light, as a precondition for the coordination of the economic, political and security dimensions of Union policy. Arab observers further reject the unilateral character of the Common Strategy, but this is of course unavoidable: as an EU policy decision, it is subject to EU decision-making procedures only. But that shows precisely what it is: a set of proposals which the EU wants to input into the Partnership, but which have then of course to be discussed with all partner countries.

2.3.5 The Marseille Conference (November 2000)

132. Prior to the fourth Euro-Mediterranean Ministerial Conference, to be held in Marseille during the French Presidency, the Commission drew up a report containing an evaluation of the Barcelona Process so far and recommendations for the future.131 In the field of security the Commission appreciated the fact that the EMP is the only forum in which all partners, including Israel, Syria and Lebanon, continued to meet regardless of the evolution of the Middle East peace process. The Commission was also forced to note however that difficulties in the peace process had considerably slowed down the Barcelona process and had held back “the willingness to cooperate more actively with neighbours”, as the Commission rather euphemistically phrased it. The Commission further regretted that on certain issues the EMP had not led to “a sufficiently frank and serious dialogue”, mentioning i.a. terrorism, to which can easily be added military CSBMs, crisis management and post-conflict peacebuilding.
Therefore the Commission called for a reinvigoration of the Barcelona Process. Within the political and security chapter this was to be primarily achieved by the adoption of the Charter for Peace and Stability, which was to serve as an instrument to implement this part of the Barcelona Declaration. The existing ad hoc meetings of senior officials could then be converted into a regular and systematic dialogue on security issues and mechanisms for conflict prevention and crisis management could be created. The Commission also recommended to allow for a degree of flexibility in the EMP, so that a smaller number of partners could advance more quickly in adopting certain CSBMs if they so wished.

133. Unluckily the Conference, which took place on 15-16 November 2000, was preceded on 28 September by the outbreak of rapidly escalating violence between Israelis and Palestinians, which caused a severe crisis in the Middle East peace process. As a result of this for the first time in the short history of the EMP two countries, Syria and Lebanon, without much prior warning, refused to take part in the Ministerial Conference. In his opening speech French Foreign Minister and acting President of the Council Hubert Védrine regretted their decision. While he admitted that the current situation was far from favourable to the negotiations, he expressed his conviction that the EMP was sufficiently important in itself for it to be continued in spite of the breakdown of the peace process. He also stressed that the development of the ESDP, which at that time was fully underway, was not in any way directed against third countries and that its primary area of focus would be Europe itself. Védrine stated that it was thus no cause for concern to the Mediterranean partners, which had already voiced their suspicions vis-à-vis the creation of a military dimension for the EU, fearing “Western interventionism”. Circumstances in the Middle East did not permit any progress on the political and security chapter however, nor would any agreement without the participation of Syria and Lebanon have been workable. The non-participation of two partner countries also meant that the importance of the EMP as a CSBM in itself was very much reduced, while until then it had always been a forum in which partners had been willing to continue talks regardless of the situation in the Middle East. Contrary to expectations Libya on the other hand did participate in the Conference. Although at first it had declined the invitation to attend as a “special guest”, as at Stuttgart, and had stated that the goal of the conference would be “to integrate Israel in the Mediterranean area”, in the end Libya delegated the equivalent of its Minister of Foreign Affairs. 132

134. In its Formal Conclusions133 the Presidency tried to save the Conference by emphasizing the importance of the fact that the Barcelona Process continued and that the existing CSBMs were maintained. But in reality the Marseille Conference was a failure. Ministers had to note the feeble results of the EMP in the field of security, due to the difficulties encountered, and the failure to adopt additional CSBMs. The adoption of the Euro-Mediterranean Charter for Peace and Stability had been expected at this conference; French President Jacques Chirac had even thought to convene a Euro-Mediterranean conference of Heads of State and Government to mark this solemn occasion. But the adoption of the Charter was once more postponed until circumstances permitted, with Ministers limiting themselves to congratulating the senior officials on the work already done and tasking them to pursue the project. As a poor substitute, but the maximum on which consensus could be found, Ministers further called for a reinforcement of the political dialogue, without awaiting the adoption of the Charter, in order to clear up misunderstandings and reconcile the visions of the partner countries. To this end they mandated the senior officials to deepen the dialogue in a number of specified fields, i.a. terrorism, and to broaden it so as to include issues such as disarmament and regional security developments. In this framework Ministers also suggested to study measures on i.a. security of maritime transport in the Mediterranean and the fight against crime and drug trafficking.
On a more general level Ministers underlined the necessity to reinforce the strategic role of the Euro-Mediterranean Committee as the main organ for the stimulation, evaluation and follow-up of the Barcelona Process.

135. Once again developments in the Middle East peace process completely paralyzed the EMP and prevented agreement on concrete projects in the security field. The first report from the Council on the implementation of the Common Strategy, when stating that “all participants agreed that the Conference had given a fresh boost to the Barcelona Process”, thus seemed to present a rather overoptimistic view of the situation, to say the least.  

2.3.6 The Brussels Conference (November 2001)

136. The events of 11 September 2001 led a number of European leaders to call for a reinvigoration of the EMP, in order, finally, to try and give substance to the security basket of the Partnership and also to give a clear signal that the EU still viewed the Mediterranean countries as partners for cooperation, with which to work jointly to establish peace and stability, rather than as potential enemies. The events did indeed carry with them the risk that henceforth relations with the Arab countries would be seen exclusively in the context of security threats. At the extraordinary meeting of the European Council on 21 September Commission President Romano Prodi emphasized that “the Barcelona Process did not obtain the desired results and must be given a new impulse by strengthening and rethinking its structures and policies”. A few days later a similar appeal was made by Spanish Prime Minister Jose Maria Aznar and Greek President Costis Stephanopoulos. Aznar, who announced that the EMP would be a priority for the upcoming Spanish Presidency, expressed the traditional view of the Union’s Southern Members states, stating that “the new international circumstances have placed the Mediterranean at the centre of international attention” and that “the EU has a priority with its enlargement eastwards but must also understand that at all levels, economic, political, security, the whole Mediterranean is important and that the North-South dialogue is of primary importance at this time”.  

137. On 25-26 October 2001 an extraordinary meeting of the Mediterranean Forum was convened in Agadir on the initiative of the King of Morocco, in order to assess the consequences of 11 September. Exceptionally the EU was invited to participate, in the person of Belgian Foreign Minister Louis Michel, President-in-Office of the Council. The exchange of views was concluded with what Greek Foreign Minister Georges Papandreou, presiding over the meeting, deemed “an unequivocal condemnation of terrorism”, but in fact the participants were unable to find agreement on a definition of terrorism.  

138. As was to be expected the Euro-Mediterranean Ministerial Conference, which took place as planned in Brussels on 5-6 November 2001, was completely dominated by the global campaign against terrorism and the need to find a breakthrough in the Middle East in order to rally the Arab countries behind it. Next to the Fifteen and the twelve Mediterranean partners, Libya, Mauritania and the AMU participated as observers. That Syria and Lebanon were present, while they had boycotted the previous summit, was seen as a signal of support for the attitude which the EU had adopted after 11 September, i.e. emphasizing the need to tackle the underlying causes of terrorism and notably to find a settlement for the Middle East.  

139. Terrorism has always been a controversial issue in the EMP. The Arab states feel that the Fifteen devote far too little attention to this subject, which for them represents one of the
major security concerns. Contrary to the European inclination to view the terrorism issue in
the context of the EMP as a problem of export of terrorism to the EU, the Arab states see it as a
primarily Southern security risk. Indeed studies indicate that 60 to 70% of all terrorist acts
committed worldwide occur in Arab countries. These therefore demand anti-terrorist
measures focusing on the Southern partners rather than on the EU. The ad hoc meetings on
terrorism in the framework of the political and security chapter resulted in a number of
proposals, such as exchange of information through the national sections of Interpol, creation
of a database on terrorist activities, organizing expert meetings on the financing of terrorist
groups and composing a catalogue of travel documents and legislation on the port of fire-arms
of all partners. These measures have yet to be agreed upon by the Ministers however. 138 The
EU has always been rather reluctant to push cooperation on terrorism in the framework of the
EMP. Cooperation on terrorism would imply the need to have first a sensitive discussion on
the definition of terrorism. One of the reasons is that the Arab countries consider Israeli
repression of the Palestinian struggle as “state terrorism” and that they demand the extradition
of a number of “terrorists” residing in the EU, which are not always labelled as such by the
countries who have granted them asylum; this is especially the case for the UK. On the other
hand a number of Arab states refuse to refer to terrorist attacks against Israel as such, claiming
that these are legitimate acts in the struggle against occupation, and several Arab countries are
accused of harbouring and supporting terrorist groups. The conflict in Algeria is another
factor explaining the EU’s reluctance. The Union has wanted to avoid to be dragged into
effective support of the military regime under the guise of the fight against terrorism when the
Algerian regime is itself accused of atrocities.

140. These divisions emerged again at the Brussels Conference. Addressing the Conference,
Yasser Arafat repeated his forceful condemnation of the attacks on the US and his willingness
to participate in any international collective effort to counter terrorism, including, as he added,
terrorism organized by an occupying state. Syrian Foreign Minister Farouq Al-Shara too,
acting as spokesman for the Arab partners, appealed to the EU to combat Israel’s “state
terrorism” as strongly as that carried out by political groups or religious sects. 139 In the end
Ministers avoided the issue of the definition of terrorism and “expressed their total
condemnation of terrorism everywhere in the world and their solidarity with the peoples who
are victims thereof”. 140 They also emphasized the need to address the underlying causes of
terrorism. Resolved to do away with the idea of a “clash of civilizations”, Ministers “formally
rejected as both dangerous and unfounded any equating of terrorism with the Arab and
Muslim world. In this connection the importance of the Barcelona Process as a relevant and
recognized instrument for promoting a dialogue of equals between cultures and civilizations
was recognized by all”. By way of concrete measures, Ministers undertook to rapidly
implement Security Council Resolution 1373, aimed at eliminating all forms of support for
terrorists, and “to press ahead with the signing, ratification and implementation […] of all the
United Nations Conventions, in particular that of December 1999 for the suppression of the
financing of terrorism”. Further, “Ministers encouraged efforts to speed up the negotiations in
the United Nations with the aim of drafting a general convention against terrorism”. On the
main point however, i.e. the possibility of taking measures against terrorism within the EMP,
no decisions were taken. The Ministers just “asked the senior officials to continue their
dialogue on terrorism matters by organising a third ad hoc meeting which should be held as
quickly as possible”. Cooperation in the fight against terrorism cannot be established in the
Partnership without first resolving the issue of the definition of terrorism. 141

141. Next to terrorism, all of the attention went to the Middle East peace process and an
Arafat-Peres meeting held in the margin of the Conference. So, again as expected under the
current circumstances, no progress could be achieved with regard to the political and security basket of the Partnership. Ministers simply “confirmed the mandate given in Marseilles to the senior officials to continue and complete their work on the adoption of the Charter for Peace and Stability as soon as the situation allows”. They further instructed them to consolidate the CSBMs already in force and to gradually develop new measures and extend the political dialogue to new topics, such as regional trends regarding security and disarmament. This lack of progress contrasted sharply with the desire expressed by several of the Southern participants to finally actually implement all the decisions that have been taken. This concern had been raised at the Mediterranean Forum by Moroccan Foreign Minister Mohamed Bin Aissa, who deplored “the lack of genuinely joint structures, operational efficiency, and a genuine regular strategic dialogue” and therefore called for a new strategy, “as we can no longer be contented with false consensus, nor escape laboriously negotiated and unanimously accepted commitments”. Participants stated to count on the next formal Euro-Mediterranean summit, to be held in Valencia in April 2002, to breath new life into the Barcelona Process.142

142. There is little chance of this however without a dramatic improvement of the situation in the Middle East. For the first time though Ministers went beyond the obligatory phrases regarding the peace process and adopted an outspoken view as to the desired outcome of the negotiations: “The Ministers stressed that negotiations should lead for the Palestinians, to the establishment of an independent, viable and democratic state and an end to the occupation of their territories; for the Israelis, to live in peace and safety within internationally recognized borders”. Apparently, in the aftermath of 11 September and in view of the need to preserve close relations with the Mediterranean partners and advancing security cooperation, awareness had grown of the impossibility of maintaining the separation between the Partnership and the peace process.

2.4 Organization and finance of the EMP

143. The EMP consists of a bilateral and a multilateral track. The bilateral track is governed by the Euro-Mediterranean (or earlier) Association Agreements or, where these are still in the process of being negotiated, the earlier Cooperation Agreements.

144. The multilateral or regional track covers the three baskets of the Barcelona Declaration. The top steering body of the Barcelona Process are the Euro-Mediterranean Ministerial Conferences, which gather regularly at the level of Foreign Ministers to monitor the implementation of the Declaration and to define the actions to be taken towards that end. Sectoral Ministers can also meet to discuss specific topics, but they have not done so in the framework of the Political and Security Chapter of the EMP. The Euro-Mediterranean Committee is responsible for the general management of the three baskets of the multilateral track; it monitors the implementation of the Barcelona Declaration and of Ministers’ decisions and prepares for the Ministerial Conferences and the other meetings of Ministers, senior officials and experts. The Committee, which meets on a quarterly basis at senior official level, is chaired by the EU Presidency and is composed of the EU Troika, the Mediterranean partners and representatives of the European Commission. The other Member States of the Union also participate, each being represented in the EU delegation, so as to make discussions less dependent on the composition of the Troika.143 Within each of the three baskets of the EMP senior officials, experts and representatives of civil society meet to discuss specific items. In the political and security field meetings of senior officials of all partners (these are actually the same officials as those who sit in the Euro-Mediterranean Committee) are held quarterly
to conduct a political and security dialogue, to manage the implementation of existing CSBMs and to prepare the Charter for Peace and Stability and further CSBMs. Other ad hoc meetings have been held on i.a. the EuroMeSCo network, terrorism and prevention of natural and manmade disasters.

145. Within the EU the political and security partnership is dealt with in the framework of the CFSP. The European Council has defined the Union’s objectives concerning the EMP in the Common Strategy on the Mediterranean. Common strategies are implemented by the Council through joint actions and common positions, but in this case further measures to implement the Barcelona Declaration have of course first to be negotiated with the Mediterranean partners in the different fora of the EMP, by the representatives of the EU (Presidency, Troika, officials). Among the Working Groups who prepare for Council meetings (via the Political Committee) there is one on Maghreb/Mashrek, including an ad hoc group on the Middle East peace process. The Presidency is responsible for organizing the Euro-Mediterranean Ministerial Conferences and has a very important role, both in the EMP and within the EU, in that it determines the agenda of the Council, can initiate new actions and presides over the Euro-Mediterranean Committee.

146. The European Commission, more particularly the Commissioner for External Relations and the External Relations Directorate-General, is also very much involved in the political and security chapter of the EMP. The Commission implements the actions as decided by the Foreign Ministers and, together with the other EU bodies, monitors the Barcelona Process and prepares further measures. In fact distinctions between the First and Second Pillars of the EU have been blurred where the Barcelona Process is concerned. In order to relieve the burden for the Secretariat-General of the Council and the administration of the Member States, within the EU implementation and follow-up of actions and preparation of new policies have been largely delegated to the Commission, which thus also occupies itself with issues falling under the political and security partnership. Following the Barcelona Conference it was the Commission that took the lead on a number of issues, such as the establishment of EuroMeSCo and the register of adherence to international conventions, initiatives which in spite of their security nature were not given the shape of CFSP joint actions and were therefore funded under the EC-Treaty, from the MEDA programme. This, the EU’s financial instrument for the implementation of the EMP, designated in full “Financial and technical measures to
accompany the reform of social and economic structures in the Mediterranean non-member countries”, is managed by the External Relations Directorate-General of the Commission. For the period 1995-1999 MEDA accounted for over 3 400 million EURO, about 14% of which (476 million EURO) was spent on the multilateral track of the EMP’s three baskets. For the period 2000-2006 5 350 million EURO have been allocated to MEDA.

147. The organization of the EMP is asymmetric in the sense that while the Fifteen first coordinate their views within the EU before making proposals in the bodies of the EMP, the Southern partner countries, in spite of some efforts at coordination, do not have such a mechanism and thus each approach the EMP individually, defending national views. This can be seen as an example of the limited level of regional integration among the Southern partners.

2.5 WEU and the Mediterranean

2.5.1 WEU’s Mediterranean Dialogue

148. The Maastricht Treaty closely associated the Western European Union (WEU) with the EU, WEU being appointed the operational military capacity of the Union’s second pillar, the CFSP. After the end of the Cold War WEU had reoriented itself from collective defence to the so-called “Petersberg Tasks”, i.e. crisis management, ranging from humanitarian and rescue operations and peacekeeping to peace enforcement. The association between both organizations was gradually reinforced, with the development of the ESDP eventually leading to the integration of WEU’s Petersberg Tasks into the EU.

149. During the Cold War WEU, which was then a “sleeping” organization, had paid little or no attention to the Mediterranean; the main security issues at that time, i.e. the fear of Soviet intrusion into the area and the Middle East peace process, were left to NATO and the US respectively to deal with. Only after WEU’s reactivation in the 1980s and urged by its Southern European Member States did the Mediterranean begin to be considered an area of interest to WEU. In 1986 WEU created the “Mediterranean Sub-Group” of experts to consider Mediterranean security issues. In 1993 as the “Mediterranean Group” this became one of the working groups preparing the meetings of the WEU Council, bringing together military and civil representatives of the 28 WEU countries, the WEU Institute for Security Studies and WEU’s Military Staff. The Mediterranean Group reported to the Presidency every six months; all decisions were taken by unanimity.

150. In the 1995 “Common Concept”, which was more or less the strategic concept of WEU stating its objectives, the challenges facing the organization and the way to deal with them, considerable attention was devoted to the Mediterranean. The Concept identified the main security issues in the Mediterranean, notably possible interruption of fuel supply, proliferation of WMD, the rise of political extremism, terrorism, the Cyprus issue and the Middle East peace process. “The maintenance of political, economic and military stability in the region as well as a free flow of traffic through and into the Mediterranean” were named as priority objectives.

151. Starting in 1992 WEU maintained a “Mediterranean Dialogue” of its own with eventually seven Mediterranean non-member countries: Algeria, Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia. The Dialogue was initiated at the June 1992 Petersberg Summit, where
Ministers “reaffirmed the importance of the Mediterranean Sub-Group’s work on security in the Mediterranean” and “adopted terms of reference for the establishment by WEU of a gradual and phased dialogue with the Maghreb countries, taking into account the political developments both in these countries and in the region”. This initiative, with focus on the Maghreb rather than dealing with the Mediterranean as a whole, was inspired by the similar orientation of the Lisbon European Council, which was held that same month, where the creation of a Euro-Maghreb Partnership was proposed. It was felt that contrary to the Middle East circumstances in this subregion were quite favourable to the development of a close and effective dialogue.

152. The Dialogue, which was piloted by the Mediterranean Group, was guided by seven principles: dialogue, transparency, confidence, conflict prevention, sufficiency, peaceful settlement of conflicts and non-proliferation of armaments. These should address the main concerns of the participants: the mistrust created in the Southern countries by the reorientation of WEU and NATO towards crisis management and rapid reaction forces and the Western concern over proliferation of WMD. The first contacts with at this stage Algeria, Morocco and Tunisia took place in London. In 1993 the Dialogue, now including Mauritania, was institutionalized at the new WEU headquarters in Brussels. Bi-annual bilateral meetings on the seven principles and how they could contribute to the resolution of Mediterranean security issues were held between representatives of WEU and the ambassadors of the Maghreb countries. At the May 1994 Kirchberg Council Egypt was admitted to the Dialogue, which was widened by the inclusion of new CSBM-related subjects, such as exchange of information on security and defense policies and the potential for bilateral military cooperation, and by the addition of bilateral meetings with governmental experts (civil and military) of the Mediterranean non-member countries (three such meetings were held in 1994-1995). At these expert meetings the Southern countries asked to broaden the Dialogue to include socioeconomic and cultural matters, but these matters were referred to the EU, WEU dealing only with politico-military and defense issues. In May 1995 Israel was included in the Dialogue. A new impulse was given to the Dialogue by the Spanish Presidency in the second half of 1995, which proposed measures such as joint participation in military exercises and the invitation of observers to military manoeuvres, but the Barcelona Conference and the creation of the EMP diverted attention away from the Mediterranean activities of WEU. Jordan was admitted to the Dialogue in March 1998.

153. Because of its bilateral character, necessitating consecutive meetings on the same issues, the Dialogue proved to be very cumbersome, but only from 1996 onwards, on the insistence of the Italian Presidency of WEU, were a number of multilateral meetings held, including new meetings with governmental experts. Representatives of the Mediterranean non-member countries visited WEU’s Satellite Centre in Torrejón (Spain) in 1997 and had two information sessions hosted for them by WEU’s military staff in 1998. On 14-15 February 2000 in Lisbon the Portuguese Presidency of WEU organized a seminar on conflict prevention in the Mediterranean.

154. In the end the achievements of the Mediterranean Dialogue remained very modest. Many of the WEU countries preferred to give priority to the Barcelona Process, while certain countries wanted to avoid duplication of NATO’s Mediterranean Dialogue, resulting in limited interest in WEU’s Dialogue. Meetings tended to concentrate on dissemination of information on the development of WEU itself and on manoeuvres held in its framework, rather than on the possibilities for actual cooperation or even exchange of expertise, e.g. on crisis management. Proposals, some very detailed, for cooperation remained without response; e.g. a request by
Egypt for assistance with demining operations was turned down. This resulted in disappointment in the Mediterranean partners, who felt “dialogue for the sake of dialogue” to be both unsatisfactory and insufficient. Although in itself the Dialogue constituted a very general CSBM, it lacked substance and far from realized its potential for security cooperation between the North and South of the Mediterranean. Because of its bilateral character, it functioned as a North-South CSBM, but it did not address confidence and security between the Southern Mediterranean countries themselves, although the risk of South-South disputes is by far the greatest.

155. In spite of the ever closer association between WEU and the EU, coordination between the two on Mediterranean issues was limited. WEU as an organization was not invited to attend the Barcelona Conference or any of the follow-up conferences, nor is or was it represented in the bodies of the EMP. When in 1998 WEU officials openly declared their willingness to contribute to the political and security chapter of the Partnership, their offer did not meet with any answer. The UK especially resisted WEU’s involvement in the Barcelona Process: given that neither NATO nor the US were involved, London wanted to avoid WEU from acquiring a dominant position with regard to the security dimension of the EMP. The Mediterranean Dialogue clearly involved all issues included in the Political and Security chapter of the EMP and so WEU could have contributed its – be it limited – acquis in this field to the Barcelona Process, particularly as concerns the elaboration of the projected Euro-Mediterranean Charter for Peace and Stability, which had already been subject of discussion in the Mediterranean Group. This would also have been recommendable considering WEU’s position as the Union’s military arm, which might be called upon to implement CFSP decisions on the Mediterranean. A potential WEU contribution was dependent upon a formal demand from the EU however, which was never made. At the November 2000 Marseilles summit, together with the near end of WEU as a separate entity and its integration into the EU – except for a small residual organization – it was decided to terminate the Mediterranean Dialogue.

156. From 1995 onwards until 2000 WEU also maintained a dialogue with Cyprus and Malta, which was intended to evolve in line with the development of their relations with the EU; both countries are candidates for accession to the Union. Turkey, being a Member State of NATO, is of course an Associate Member of WEU and was thus very much involved in all of the organization’s activities.

2.5.2 Forces Answerable to WEU in the Mediterranean

157. In the framework of WEU’s reorientation to crisis management, a number of national and multinational military units were put at its disposal for use in WEU-operations by the Member States: the Forces Answerable to WEU (FAWEU). These are forces which remain under national control, but at the request of WEU can temporarily be placed under WEU-command, (now in an EU framework, after the integration of WEU into the Union) for European operations. Two of the multinational units which were created have a Mediterranean character.

158. The European Maritime Force (EUROMARFOR) was created by France, Spain and Italy following a number of succesful joint maritime manoeuvres. It is a multinational maritime unit, including landing craft and airplanes, with a small permanent multinational command, which is temporarily expanded for the duration of manoeuvres or operations. A High-level Interministerial Committee, consisting of the Chiefs of Staff and the Directors of Political
Affairs of the participating countries, decides on the political and the general military guidelines of each operation and indicates the ships that will take part. Currently 1 aircraft carrier, 7 frigates, 3 corvettes, 1 nuclear submarine, 4 minehunters, 2 logistic units, 4 amphibious units and two maritime patrol aircraft are earmarked for possible participation in EUROMARFOR operations. Being a maritime unit with an air force complement, EUROMARFOR is potentially a very flexible instrument. A ship can serve as a ready-made basis for land operations, which it can support with artillery or, in the case of an aircraft carrier, air force operations, and if a unit is equipped with landing craft or helicopters landing operations can be executed.

159. The three countries also created a land unit along the same lines as EUROMARFOR: the Rapid Deployment Euroforce (EUROFOR). A limited staff in Firenze is expanded for exercises or operations. No troops are assigned to EUROFOR permanently, an Interministerial Committee decides which units will participate in manoeuvres or operations; these would mainly be light units, enabling EUROFOR to be used as a rapid reaction force. EUROFOR can also operate jointly with EUROMARFOR for landing operations. On 15 May 1995 both units were put at the disposal of WEU and the other Member States of WEU were invited to join them. Portugal already accepted this offer and joined both, contributing an airborne brigade to EUROFOR while maintaining observer status in EUROMARFOR. In 1997 preparations started for the creation of an analogous Spanish-Italian Amphibious Force (SIAF), which is also available to WEU. SIAF is a pre-structured, non-permanent force, with as its only permanent element two small nuclei of officers, each attached to the staff of the force of the other country.

160. In view of the participating countries and the – partly – maritime character of these forces, it is clear that they have a Mediterranean destination, though not exclusively. Because of an initial lack of information as to their purpose, the creation of EUROFOR and EUROMARFOR was at first greeted with mistrust by the Southern littoral states, who feared that these units, which were not included in a Euro-Mediterranean framework and would thus operate unilaterally, were intended for Western interventions on the Southern shore of the Mediterranean. Their creation was seen as being contradictory to the efforts within the EMP to promote dialogue and cooperation. In the declaration issued after the 108th meeting of Foreign Ministers (19-20 September 1997) the Arab League condemned the fact that the Arab states had not been consulted. A subsequent information campaign made clear that the units were not directed against the Mediterranean partners, but were rather meant to increase cooperation and interoperability between Western forces. On 14 May 1997 France, Spain, Italy and Portugal issued a declaration stating that they were “prepared to implement actions of cooperation within the framework of EUROFOR and EUROMARFOR with Mediterranean countries, particularly those which maintain a dialogue with the Western European Union”.

In the framework of the setting-up of CSBMs “participation of those countries’ forces, in conjunction with EUROFOR and EUROMARFOR, in some operations provided for in the Petersberg Declaration” was envisaged. Joint operations (manoeuvres or even peacekeeping operations) involving troops from both sides of the Mediterranean would indeed be a very important CSBM and would considerably promote confidence between North and South and between the Southern countries. So far the offer, although successfully diluting the Southern countries’ mistrust, has not resulted in actual cooperation however, apart from allowing observers to EUROFOR and EUROMARFOR manoeuvres.

161. The great weakness of EUROFOR and EUROMARFOR was the absence of a framework for them to operate in. Given its limited substance and its lack of cooperation on concrete issues, WEU’s Mediterranean Dialogue did not constitute such a framework. Nor does the EMP as
long as it does not provide for arrangements for Euro-Mediterranean military operations for conflict prevention or crisis management. Without participation from the Southern shore of the Mediterranean, the creation of EUROFOR and EUROMARFOR, although these units were and are very valuable in the context of the development of a European defense policy, could thus not serve as a CSBM for the Mediterranean.158

2.6 Obstacles to a security partnership

2.6.1 Ongoing disputes and conflicts

162. Several factors explain why up to this day the achievements of the EMP in the field of security have remained so limited. The one major obstacle to the implementation of the political and security basket of the Barcelona Declaration is the lack of progress in the Middle East peace process. The ongoing Arab-Israeli conflict, which in spite of negotiations and agreements goes from one crisis to the next, continues to strain relations between Israel and the Arab countries and between the latter and the EU, which they reproach with a too passive attitude. The impact of the conflict transcends its geographic limitations and it thus influences all initiatives for Euro-Mediterranean cooperation. For the Arabs CSBMs can only be implemented if all partners accept the principles of international law, such as respect for sovereignty and territorial integrity, non-interference in domestic affairs and the right of peoples to self-determination, without which there is no basis upon which to establish confidence. Israeli occupation of Palestinian territory is seen as a violation of international law, so as long as the Middle East conflict has not been settled the Arab partners are not willing to discuss the security dimension of the EMP, especially not “hard” security. It is felt that first the existing conflicts and disputes, between Israelis and Palestinians, but also between Greeks and Turks, on Cyprus, in Algeria etc., should be solved before thinking of far-reaching arrangements for the prevention and resolution of future conflicts. In short, one cannot reasonably hope to establish security cooperation between countries which are involved in disputes or even, as in the case of the Israelis and Palestinians, in armed conflict.

163. By not addressing the ongoing conflicts and referring them to other fora, although in its Common Strategy the EU recognizes their resolution as preconditions for the achievement of the objectives of the EMP, the Partnership neglects the main security concerns of the Southern partners. It actually reduces its own chances of success, as until these conflicts are addressed, in the framework of the Partnership or by the EU, Southern partners are not willing to discuss other security issues. The security dimension of the EMP thus remains limited to the lowest common denominator: measures which because of their limited scope give no cause for controversy. Although the EMP is valuable in itself as a forum for dialogue and as a CSBM, the fact that up til now the Partnership has been able to survive the subsequent crises of the Middle East peace process does not say anything about the achievements of the EMP as such.159 Besides, the failure of the Marseilles Conferences and especially the non-attendance of Syria and Lebanon is a severe warning that ultimately the EMP will not survive if no action is taken to settle the conflict in the Middle East. Only at the Brussels Euro-Mediterranean Conference of November 2001, where in view of the pressing international situation clear-cut paragraphs regarding the peace process were adopted, did the partners for the first time “violate” the formal separation between the Partnership and the peace process.

164. A factor which is related to the predominance of the Arab-Israeli conflict over all other Mediterranean issues, including the EMP, is the impression among the Maghreb countries that
since the creation of the Partnership the attention of the EU has been diverted to the Middle East. It is often felt in these countries that their interests would have been better served by the further development of their bilateral relations with the EU, which predate the EMP, than they are now by the multilateral Barcelona Process.

165. The situation in the Middle East is compounded by the possession – never officially recognized, but widely acknowledged – by Israel of nuclear weapons and its refusal to sign the NPT, which is a stumbling-block to the adoption of CSBMs, notably in the field of arms control and disarmament. In Israel’s view accession to the NPT is possible only if peace treaties have been concluded with all Arab states, after which it will support the establishment of a WMD-free zone in the Middle East. Reasons given for not being willing to sign earlier are the country’s lack of strategic depth, because of its narrowness, the constant hostility of certain neighbouring countries, the proliferation of other WMD and of ballistic missiles in the region and the fact that in conventional weapons the balance of power is much less favourable to Israel. Furthermore because of its strategy of “deliberate ambiguity”, Israel has always refused even “softer” CSBMs in the field of nuclear weapons, such as public access to data or inspection of nuclear facilities. The Arab states refer to this Israeli stance to justify their refusal to agree to arms control and disarmament arrangements, especially in the field of WMD, which is why so far all initiatives towards this end have failed to produce significant results.160

166. Middle East and, by extension, Mediterranean arms control and disarmament were indeed put high on the agenda of the international community after the Gulf War. One of the first proposals, submitted in May 1991 by US President George Bush, called for a freeze on the acquisition and production of surface-to-surface ballistic missiles and of elements used in nuclear weapons and urged all countries to join the NPT, BTWC and CWC. It was never implemented because in reality it amounted to a situation in which Israel could maintain its nuclear weapons, while the Arab countries would be forced to abandon their chemical and biological weapons, which obviously was unacceptable to them as it would leave Israel as the only Southern Mediterranean country possessing WMD. Further proposals tabled by French President François Mitterrand (May 1991), by the UN Security Council (July 1991) and by Bush’s successor, Bill Clinton (September 1993), did not achieve anything either because they shared the same selective approach. In April 1990 Egyptian President Hosni Mubarak launched a plan calling for a Middle East zone free of all WMD, which meant banning nuclear, biological and chemical weapons, and for an effective verification regime and the adherence of all countries in the region to the NPT. This plan was forwarded to the UN, with the UN General Assembly voting a resolution on the establishment of a nuclear-weapon-free zone in the Middle East in 1992, but the Mubarak proposal too did not result in any measures on the ground, mainly because no consensus could be found as long as the conflict in the Middle East had not been settled.161

167. In fact it is very difficult to agree on WMD-related CSBMs in a situation of permanent strategic imbalance: countries having a monopoly on certain WMD are not motivated to abandon them, because it would reduce their strategic advantage, while other countries seek to acquire such weapons or other WMD to compensate for their disadvantage. Thus in such a situation of uneven distribution of WMD, in casu nuclear weapons, they no longer serve as a regional security guarantee, as they will not result in a stable deterrence but instead stimulate proliferation, because of the linkages between the different categories of WMD. The one-sided possession of nuclear weapons even encourages their use as a means of compulsion, as e.g.
Israel did during the 1973 war when deploying missiles with nuclear warheads in their firing positions in order to compel the US to enhance its areal supply effort of the country.\footnote{162}

168. The impact of neighbouring regions on the countries of the EMP is a further impeding factor, notably in the field of arms control and disarmament. Israel refuses to consider arrangements to this end which do not include the WMD of e.g. Iran and Iraq, countries which it perceives as equally threatening to its security as Syria e.g., but which are not members of the Barcelona Process, making it very difficult to agree on measures in the context of the EMP. Security in the Middle East and the Gulf is indeed very much intertwined. Maybe in the long run the Partnership is therefore not the most suitable framework for far-reaching arms control and disarmament schemes. But because of the other obstacles to its political and security basket, partners were not even able to agree on the most modest arms-related CSBM, even though there is a wide range of not quite so far-reaching measures to be taken in this field which could very well be adopted in the framework of the Partnership.

169. It should be mentioned that the EU countries themselves still account for a considerable portion of the arms sales to the Mediterranean. Measures for arms control and disarmament would thus also require an earnest effort on the side of the EU, the arms exports policy of which ought to be consistent with the objectives of its Mediterranean security policy.

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\footnote{163} EU deliveries of major conventional weapons to Mediterranean countries 1996-2001
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<td>2000</td>
<td>patrol craft</td>
<td>1 Greece</td>
</tr>
<tr>
<td>Year</td>
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<td>Country</td>
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<tr>
<td>2001</td>
<td>helicopter</td>
<td>2 Greece</td>
</tr>
<tr>
<td>1996</td>
<td>light helicopter</td>
<td>2 Netherlands</td>
</tr>
<tr>
<td>1997</td>
<td>minesweeper</td>
<td>1 Germany</td>
</tr>
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<td>1998</td>
<td>transport aircraft</td>
<td>1 UK</td>
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<tr>
<td>2000</td>
<td>trainer aircraft</td>
<td>4 UK</td>
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AAM Air-to-Air Missile
AEV Armoured Engineer Vehicle
AIFV Armoured Infantry Fighting vehicle
APC Armoured Personnel Carrier
ASW Anti-Submarine Warfare
CIWS Close-In Weapon System
FAC(M) Fast Attack Craft (Missile armed)
MBT Main Battle Tank
MCM Mine Countermeasures
OPV Offshore Patrol Vehicle
SAM Surface-to-Air Missile
ShAM Ship-to-Air Missile

170. Perhaps the willingness of Turkey to discuss “hard” security in the framework of the EMP should be doubted as well. Traditionally, Turkey, as a member of NATO, is a staunch ally of the US. Relations with the EU on the other hand have been clouded by frictions over the issue of Turkey’s accession to the Union. These frictions were enhanced by the development of the ESDP and the possibility of EU military operations being conducted outside the NATO framework, which Turkey saw as a discrimination of the non-EU European Allies, in spite of the fact that modalities for the extensive involvement of the six countries concerned (Iceland, Norway, Turkey, Poland, Hungary and the Czech Republic) were provided for by the EU. One can therefore question Turkey’s willingness to accept a security role for the EU in the Mediterranean, an area which has always been monopolized by the US.

2.6.2 Distrust between North and South

171. There also plays an important factor of a more psychological nature: the climate of distrust which more often than not clouds relations between the North and South of the Mediterranean when it comes to security matters. The Arab countries feel that the West mainly sees them as potential enemies, which is why any security measures they propose are viewed with suspicion. So in the Southern partner countries the concept of CSBMs is often resisted, particularly by the military establishment, because they are perceived as instruments by which the West hopes to gain an advantage. Export control regimes are seen as a way to limit the spread of modern science and technology, transparency measures can be a means of acquiring intelligence, arms control of limiting the armed forces of the South. CSBMs are thus feared to affect the countries’ defense capability. For the Arab states the economic and cultural baskets of the EMP are the most important ones and they feel that the EU because of its perceived preoccupation with security threats emanating from the Mediterranean basin, unduly emphasizes the security aspect of the Partnership. Their impression is that Europe just wants to contain threats from the Mediterranean and is therefore waging a very traditional defensive policy. The “securitization” of the migration issue and the visions of a “fortress Europe” which this evokes is another factor explaining this view. The 11 September 2001 attacks carried with them the risk of a dramatic increase of the distrust between the West and the Arab world. There was a great danger that the events would be interpreted as an act of aggression by “the” Arab world against “the” West. Political leaders in Europe and the US therefore made it clear that their was no question of a “war against islam”. The EU especially stressed that the perpetrators of the attacks, and they only, ought to be punished, provided their was hard evidence of their involvement, but that above all the underlying causes of extremism should be dealt with: the situation in the Middle East and poor socio-economic conditions, which make a good recruiting-ground for “martyrs”.
172. The Arab states also feel discriminated against because the West and especially the US seldom condemn Israel for its nuclear policy, while repeatedly and openly criticizing Arab proliferation of WMD. Israel does not want to engage in any CSBMs that would limit its military advantage over its neighbour countries or jeopardize its special relation with the US. The notion of strategic imbalance should also been seen in a North-South context. Arab countries do not feel very much inclined to limit proliferation and possession of WMD knowing that the European members of the EMP are covered by the nuclear umbrella of NATO, with the UK and France possessing nuclear weapons of their own. They further reject the perceived inclination of the West to military intervention, as demonstrated during the Gulf War and the 1999-2000 Kosovo crisis and by the creation of EUROFOR and EUROMARFOR. These interventions are seen to contrast sharply with Western unwillingness to force Israel to implement Security Council resolutions. The Arab countries are indeed very suspicious of any risk of foreign intervention. It is feared that agreement to certain principles in the framework of the EMP can be used by the West as a pretext for intervention, e.g. for the sake of human rights or international law, especially by those countries which are regularly criticized for their human rights record. This is also seen as being in contradiction with the principle of non-intervention in internal affairs proclaimed in the Barcelona Declaration. Of course, reactions to any given intervention will depend on the case at hand. During the Gulf War the large majority of the Arab regimes did support the military operations against Iraq. In the sense that each individual country perceives itself as a potential object of intervention however, one can say that a priori the Arab countries reject what they deem to be “Western interventionism”. The gradual development of the ESDP and the creation of a European rapid reaction force is seen through this same lens and therefore once again arouses Arab suspicion as to “Western interventionism”.

173. One should acknowledge that the Arab states lack the experience of a process of CSBMs like the one in which the West was engaged with the Soviet Union. This is a factor to be taken into account when explaining their reluctant attitude towards CSBMs. But at the same time this lack of trust evidently is a strong plea in favour of CSBMs. The few countries which have joined a number of arms control arrangements, Cyprus, Malta and Turkey, are exactly the most westernized among the Southern members of the EMP; the latter is of course a member of NATO. The suspicions of the Arab partner countries vis-à-vis European security policy make it clear that, although the risk of disputes and conflict is bigger between or in Southern states, there is also a strong need for North-South CSBMs, in order to create the basis on which to establish Euro-Mediterranean security cooperation.

174. Terrorism is another issue which creates tensions between the EU and its Mediterranean partners. The 11 September 2001 attacks on the US, on a scale never seen before, led to a massive increase in the attention devoted to terrorism. The first reaction of the West was naturally to call for measures to defend itself against terrorist strikes. But effectively combating terrorism is only possible via close cooperation between all countries, not just the Western states. Only a wide platform of countries has any chance of success against internationally organized terrorist groups. And an operation against islamist terrorist groups would only be politically acceptable to the Arab and islamic countries and to public opinion there if they too were involved. A coalition of Western countries only would again stimulate the image of a “clash between civilizations”, which ought to be avoided at all costs. One can therefore expect a stepped-up effort in the framework of the EMP as well. In fact the EU would thus finally provide an answer to a long-standing request of its Mediterranean partners. But cooperation on terrorism demands a commitment on the side of the latter as well, not too harbour terrorist groupings. In its declaration of 14 September 2001 the EU called on all
“open, democratic, multicultural and tolerant societies” to “join together in the battle against terrorist acts”. The main problem still remains the difficulty of finding an agreement on a definition of terrorism.

175. The persistent Arab perception that the West in the first place still considers the Arab countries as a potential source of security threats and the paralysis of the political and security basket of the EMP because of the stalled Middle East peace process, imply that the cooperative approach to security on which the Partnership is based has not, or at least insufficiently, been realized on the ground. One can assume though that the EU is earnestly committed to this cooperative concept of security. Besides, the Union does not currently possess the means to wage a unilateral policy on “hard” security and certainly did not at the time of the Barcelona Conference; even today the ESDP is still fully developing. Given Arab distrust, it appears that the Union now has to perform a difficult balancing exercise. On the one hand it must avoid that in the wake of 11 September relations with its Arab partners are purely seen in terms of security or even antagonism. On the other hand it does have to proceed with the realization of the ESDP and the political and security basket of the EMP.

2.6.3 An unequitable Partnership

176. The dynamic of the EMP is for a great part dependent on the level of interest of each consecutive EU Presidency in the Mediterranean, as on the EU-side it is mainly the Presidency which has to provide the necessary impetus for new actions and which has to host and inspire the Ministerial Conferences and preside over the Euro-Mediterranean Committee. This is especially so in the area of security, because the Commission departments, which otherwise often function as the engine of further action, are much less involved in preparation of policy in this field. On the other hand the regular meetings of senior officials at the different levels of the EMP assure that a certain dynamic will always be maintained. The repeated far-reaching proposals which they submit and the progressive elaboration of the Charter for Peace and Stability are proof of this. And although originally it were the Union’s Mediterranean Member States who pushed for an enhanced Mediterranean policy, nowadays all Member States are committed to the EMP, because the interests of the EU as a whole are at stake. Priorities can and will of course be different, but the organization of the Malta, Palermo and Stuttgart Ministerial Conferences by the Dutch, British and German Presidencies respectively and the adoption of the Common Strategy on the Mediterranean by the European Council are witness to the fact that the Barcelona Process will be high on the agenda of any Presidency. The administrative capacity of the consecutive Presidencies can differ greatly however, as smaller Member States have less means available for their very labour-intensive time as President-in-Office; this is a drawback of the CFSP in general.

177. Impetus, be it perhaps limited, is also provided by the policy-preparing bodies of the EU, such as the Political Committee, the Council Working Groups, the High Representative for the CFSP and the Policy Planning and Early Warning Unit and, much more noticeably, by the relevant departments of the Commission and by the work done by the senior officials in the organs of the EMP. The latter are very important as a driving force for the political and security partnership. The development of the ESDP and the enhancement of the administration of the CFSP by the inclusion of former WEU bodies and the creation of new structures which the elaboration of the ESDP implies, will positively influence the role of the Second Pillar bodies as actors in the political and security partnership who can initiate proposals. The need
to define a strategic concept for the ESDP forces the EU to consider in detail its Mediterranean security policy.

178. The EMP lacks an administration of its own however. There is no such thing as a EMP secretariat, even though the creation of such a permanent body has been proposed by a number of Southern partners. The quarterly meetings of the Euro-Mediterranean Committee are insufficient for it to manage the daily runnings of the Barcelona Process. Proposals by the Southern partners to strengthen the role of the Committee and to give it a more political role were rejected by the EU Member States, which fear a limitation of the Union’s freedom of action if the Committee is given more responsibilities. The necessary administrative and management tasks, including management of the MEDA Programme, are instead performed by the EU-bodies, in particular by the Commission departments. In combination with the fact that the EU Presidency chairs the Euro-Mediterranean Committee, thus giving it great power over agenda-setting within the EMP, this creates the impression that the Barcelona Process is rather EU- than Mediterranean-oriented, which is a cause for friction between the EU and the Southern partner countries. This was already the case at the very start of the Partnership: the Barcelona Declaration had been meticulously elaborated by the EU bodies, so at the Barcelona Conference the Southern countries were more or less put in a take it or leave it situation, without there being much room for amendments to the document. A separate EMP administration, dealing with the whole range of Euro-Mediterranean issues on a permanent basis and evenly composed of officials from the EU and from the partner countries, would make for a much more equitable Partnership and would most probably provide even more impetus to its further development. The impression of an unequitable Partnership is confirmed by the fact that most if not all meetings of the EMP are held either in the EU or on Malta, i.e. not in an Arab country, but it should be realized that this is not due to unwillingness on the European part, but to the divisions among the Southern partners (notably because of the Arab-Israeli conflict). Indeed, the dominance of the EU within the Partnership for a large part simply is the consequence of the inability of the Southern countries to reach some kind of preliminary coordination among themselves, let alone to speak with a single voice as the Fifteen do. This is another symptom of the weakness of regional integration on the Southern shore of the Mediterranean.

179. After the Marseilles conference, efforts were made to create a sense of “shared ownership” of the Partnership by revitalizing its bodies. The Euro-Mediterranean Committee was now “required regularly to examine the implementation of the various regional programmes or the launch of new programmes” and under the Swedish Presidency in the first half of 2001 each of its meetings was also made into a forum for dialogue between cultures and civilizations on topics such as fighting racism and xenophobia or cooperation between museums. The meetings of the senior officials were extended to exchanges of information on the development of the ESDP, which should contribute to diminish the Southern partners’ distrust on the Union security policy. But these measures did not fundamentally affect the organization of the EMP.

180. The EMP is an intergovernmental structure, meaning that all decisions are taken unanimously by all participating states. This consensus-based approach makes for a slow and cumbersome decision-making process. In spite of the existence of shared security interests between both sides of the Mediterranean, it is very difficult to find consensus between twenty-seven partners. There is in fact a double decision-making process, as first the Fifteen have to reach an agreement among themselves. The Mediterranean partners in themselves are a very diverse set of countries – the Mediterranean candidates for accession, Israel, and the Arab
countries of the Mashrek and Maghreb – and they are further divided by a number of ongoing disputes and conflicts. But this diversity, although making decision-making difficult, at the same time constitutes a reason why a system of majority-voting in the EMP is unimaginable at least for as long as the ongoing conflicts in the region have not been resolved. Such a system would lead to the isolation of certain partner countries – Israel is of course the first that comes to mind – which might lead to their retreat from the Partnership. Supranationality demands a high degree of integration and of trust between states, which at present do not exist in the Mediterranean. The EMP is therefore bound to continue as an intergovernmental structure.

181. One can discern a lack of “cross-pillar” functioning within the EMP. The goals of democratization and establishing security, economic prosperity and understanding between cultures ought to be achieved in a consistent manner. But in practice each of the three baskets of the Partnership is run in a more or less autonomous way, without much coordination with the other pillars. In theory the Euro-Mediterranean Agreements ought to include provisions on political dialogue, human rights, rule of law etc., but in the agreements which have so far been concluded these provisions remain limited to very general stipulations. Political conditionality is thus in effect absent from the Euro-Mediterranean Agreements. The regulations on the MEDA programme link economic support to the promotion of human rights, fundamental freedoms and good-neighbourly relations, but here too in actual practice conditionality is very limited.168 Thus economic support is not used as an instrument to further the objectives of the political and security basket, while such a “carrot” would be very useful in view of the non-binding character of the Barcelona Declaration and of the projected Charter for Peace and Stability.

182. Of course the EU should not impose too many conditions at once or it would risk alienating its Mediterranean partners, which might even pull back from the Partnership if they felt they were being confronted with conditions which they could not fulfill. One cannot hope to achieve all objectives at the same time; e.g. democratization or setting-up a framework of CSBMs is a gradual process. But the other extreme, granting economic support without any conditions at all, should be avoided as well. If not the EU ignores the fact that a number of regimes on the Southern shore of the Mediterranean are themselves responsible for a number of causes of instability, internal (e.g. lack of democracy, socio-economic problems) as well as external (e.g. confrontational foreign policies). Without a minimum of conditionality, the EU might end up supporting regimes that commit grave human rights violations. By granting unconditional support to regimes with limited legitimacy, the EU will also turn public opinion in the countries concerned against the West. “Cross-pillar” coordination is even more necessary after the events of 11 September, which brought with them the risk that governments will abuse the “terrorist” label to suppress all opposition.169

183. There is one positive side to the relative autonomy of the three baskets of the Partnership: the slowing down of one pillar does not necessarily impact on the others. So while the political and security partnership still lacks substance and progress of its objectives is blocked by the conflict in the Middle East, the economic partnership, even though it too has not fulfilled all expectations, has progressed much further. Ultimately however the Partnership cannot do without increased coordination. In this field too an “EMP secretariat” could play a useful role.

184. Finally there is the fact that the EU is still not seen by its Mediterranean partners as an international actor with sufficient political weight to effectively influence the security issues discussed in the EMP. This has to do with the relative inefficacy of the CFSP; the achievements
of the Second Pillar have indeed been limited because of its intergovernmental nature. It also has to do with the fact that the ESDP is still in a very early stage of development, which raises questions as to the capacity for action of the EU in the field of security and defence. There is of course also a connection with the impression of American dominance in the Mediterranean, specifically in the Middle East, which it is felt the EU is in no position to challenge. As a result the Southern partner countries are rather unwilling to discuss “hard” security issues with the EU, which they perceive as too feeble an actor in this field, proof of which the Arab countries find i.a. in the Union’s passive stance towards the Middle East peace process. Perhaps the relatively young age of the EU’s security dimension (up to Maastricht security was missing from the competencies of the EEC; officially only the economic and technological dimensions of security could be dealt with under EPC) and the limited experience and expertise of the Union in this field, can also partly explain why progress in the political and security partnership has been considerably slower than in the economic basket, which concerns the Union’s core competencies. Indeed, Member States are often rather jealous of their national sovereignty in the fields of foreign and security policy and not all of them are that enthusiastic about the Union dealing with “hard” security issues, so it is often difficult to find consensus between the Fifteen even before an item is tabled in the EMP.

2.7 Conclusion

185. Relations between the EEC, later the EU, and the Southern Mediterranean countries developed pragmatically. At first Europe’s Mediterranean policy had an almost exclusive economic orientation – although special relations were built with Greece and Turkey, for reasons of security. Gradually this Mediterranean policy was enhanced and extended to cover other fields, as the Community was urged to pay more attention to the Mediterranean by its Southern Member States, who because of geographic proximity were much more sensitive to developments in the area. The growing awareness, among all Member States, of the impact of Mediterranean security issues on the EU as a whole, which became especially poignant after the end of the Cold War, and of the need to step up Europe’s economic efforts in the Mediterranean, eventually led to the creation of the EMP. This includes a comprehensive security basket which covers “hard” security issues, instead of dealing with security only by means of economic and financial support.

186. The development of the security dimension of Europe’s Mediterranean policy is also linked to the gradual establishment of a European foreign and security policy. These matters were outside the scope of the EEC. Later EPC covered foreign policy, but it could only deal with the economic and technological aspects of security, and, being a mechanism for consultation, it did not involve actual common policies. Only after the creation of the CFSP did the addition of a real security dimension to Europe’s Mediterranean policy prove possible. Before, Europe lacked not only the institutions, instruments and procedures to make foreign and security policy, but also the experience and practice and the “culture” of working together on European policies in this field. The ongoing development of the CSFP and the ESDP will provide the Union with the means to use the whole range of foreign policy instruments, from diplomatic over economic to military ones. It should use this capacity to build an equitable security partnership with the Mediterranean.

187. The Union’s objective in the field of “hard” security in the Mediterranean, i.e. establishing a common area of peace and stability, and the ways by which to achieve it are defined in the Common Strategy on the Mediterranean. The Common strategy provides for
the creation of instruments for the whole range of conflict issues, from conflict prevention over crisis management and resolution of conflicts to post-conflict peacebuilding. If implemented it will thus guarantee the interests of the EU: keeping Europe free from direct military threats and spill-over of conflicts, ensuring the security of European citizens abroad and safeguarding its economic and political interests.

188. However, for the reasons stated above, the EU has so far not been able to reach agreement with its Mediterranean partners on the inclusion of all of these instruments into the security basket of the EMP. Up to date only a very limited number of CSBMs have been implemented in the framework of the EMP and these all of rather limited scope:

- training seminars for diplomats;
- the EuroMeSCo network of foreign policy institutes;
- a register of bilateral agreements among the partner countries;
- exchange of information on partner countries’ adherence to international conventions on human rights and arms control and disarmament;
- cooperation between civil protection services on natural and man-made disasters;
- the regular dialogue itself in the Euro-Mediterranean Committee and through the meetings of senior officials.

189. These measures are limited firstly in that they only concern conflict prevention and do not include crisis management (resolution of existing or future conflicts) and post-conflict peace-building. Secondly these are all “soft” CSBMs; no measures in the military field, such as exchange of information on defence expenditure, arms control and disarmament – notably absent in spite of proliferation being one of the major security issues in the region – or joint manoeuvres and operations, have so far been provided for. Terrorism, which originally was also mentioned in the third basket of the Barcelona Declaration, gradually was dealt with exclusively in the framework of the political and security partnership, but without this leading to any concrete actions being taken.

190. The Euro-Mediterranean Charter for Peace and Stability has been conceived as an instrument to implement the Political and Security dimension of the EMP, through the institutionalization of a security dialogue (being the creation of a policy-making entity), which should lead to the adoption of further CSBMs (including “hard” CSBMs) and the creation of mechanisms for crisis management and post-conflict peace-building. The adoption of the Charter should gradually lead to the filling of the gaps in the political and security chapter of the EMP. From a “long term possibility” mentioned in the Barcelona Declaration the Charter has thus gone to acquiring a pivotal role in the achievement of the security objectives of the Partnership. But once again it must be very clear that no progress is possible without significant steps towards the resolution of the ongoing conflicts in the region and without a fundamental reinforcement of confidence between both shores of the Mediterranean.


92 In fact it did not until 1 November 1993.

93 EUROPEAN COMMISSION, Report to the European Council in Lisbon on the likely development of the Common Foreign and Security Policy (CFSP) with a view to identifying areas open to joint action vis-à-vis particular countries or groups of countries. In: Bulletin of the European Communities, vol.25, 1992, 6, pp.18-22.


BARBÉ, Esther, En busca de la cooperación y la seguridad en el Mediterráneo o el “espíritu de Barcelona”. In: Amaurio Internacional CIDOB, vol.7, 1995, p.3.


BARBÉ, Esther, En busca de la cooperación y la seguridad en el Mediterráneo o el “espíritu de Barcelona”. In: Amaurio Internacional CIDOB, vol.7, 1995, pp.4-5.


PRESIDENCY OF THE EU, Statement on the meeting of the Euro-Mediterranean Committee for the Barcelona process. 17/04/1996.


119 The term “partnership building measures” (PBMs) is also intended to put more emphasis on the non-military aspects of security. In order to avoid conceptual confusion, the term CSBMs will be used throughout for all measures dealing with “hard” security, which is the main topic of this work, thus following Brauch’s suggestion to limit the term PBMs to measures in the economic, ecological and societal fields.


Common strategy of the European Union on the Mediterranean region.

Although Claire Spencer, when interviewing the Political Director of the UK’s Foreign and Commonwealth Office in 2000 noted a rather different motivation: “When it was concluded that there should be four strategies, there was a deal between the Member States, frankly. The acceptance of Russia should be first; the Ukraine logically followed and then five Member States who are very obvious said: ‘What about us? What about the South?’ The deal was the next one would be the Mediterranean. I do not think it unfair to say that it did not have more attention than that at that stage and then someone said, ‘The Balkans are a big issue. Let us now take the Balkans as the fourth.’”


Several of the Mediterranean countries still have to cope with minefields constructed during World War Two.


EU/European summit-terrorism: Heads of State agree anti-terrorism action plan and Member States say they are prepared to support targeted US action, each state according to its means. In: Europe, 49, 2001, 8054, p.2.


On 27 December 2001 the EU itself adopted a common position on combating terrorism (2001/930/CFSP), with the aim of reinforcing cooperation among the Member States in this field. A second common position of the same day (2001/931/CFSP) defined “terrorist acts” and included a list of persons, groups and entities involved in terrorism.

The participation of all EU Member States in the Euro-Mediterranean Commitee, which originally was not provided for, resulted from the (informal) decision to combine Committee meetings with those of the senior officials in the political and security partnership, where all of the Fifteen were represented. Die Mittelmeerpolitik im Anschluß an die Konferenz von Barcelona. Europäisches Parlament, Generaldirektion Wissenschaft, Arbeitsdokument, Reihe Politik, POLI 103DE, 1998, pp.29-30.


147 These are the 10 full members, 5 observers, 6 associate members and 7 associate partners.


A risk which, by the way, is not limited to the Union’s Mediterranean partners: the US too have adopted draconian anti-terrorism laws, which have provoked strong protest from human rights and civil liberties organizations.
CHAPTER 3

THE EASTERN MEDITERRANEAN

3.1 Turkey and Europe

3.1.1 A candidate for accession

191. Europe’s vital partner in the Eastern Mediterranean is Turkey. Ever since World War Two Turkey has been an important ally of the West and a part of the Western security architecture. As a member of NATO it held a key strategic position against the increase of Soviet influence in the Mediterranean during the Cold War and tied down some 24 Soviet divisions. Its importance and reliability as an ally were evidenced during the Gulf War, when it allowed the Incirlik airbase to be used for operations against Iraq and supported the economic embargo against it, in spite of the serious damage to the Turkish economy which this caused. After the end of the Cold War and the demise of the Soviet Union, it became clear that Turkey’s location at the crossroads of the Balkans, the Black Sea region, the Caucasus and the Middle East and its close relations with the newly independent Turkic states in Central Asia give it a unique position. This implies challenges and opportunities at the same time. As a Western-oriented and secular state with a muslim people Turkey has the potential to serve as a bridge between the West and the Arab Mediterranean partners – and countries in adjacent regions – and as an example and a bulwark of stability. It can also serve as a bridgehead for European operations in the region, with its large armed forces (over 600 000 men) it can make a significant contribution to the ESDP and it insulates the EU from the Middle East. As such it is an obvious security partner for the EU. The political and strategic importance of the only muslim member of NATO became all the more apparent after the 11 September 2001 attacks on the US, when Turkey became a key actor in the international coalition against terrorism, diluting the impression of a “clash of civilizations”. But Turkey is confronted with many security risks emanating from the volatility of the security situation in its neighbouring regions and from the disputes in which it is involved itself, notably over Cyprus and the Aegean. Turkey also faces internal problems, such as the Kurdish issue and political instability. So the interest of the West in keeping Turkey as a stable ally and in maintaining its Western orientation and the close security cooperation with the country has increased rather than decreased since the end of the Cold War. From a flank member of the Atlantic Alliance Turkey has effectively become a front-line state.170

192. Very soon after the foundation of the EEC Turkey sought a close relationship with the Community. In 1959 already, two months after Greece, it applied for association with the Community, because of the benefits of an institutionalized link with Western Europe: support for Turkey’s economic development and inclusion in the Western security structures. The application was also motivated by the Turkish wish to join the same international structures as Greece (both countries had joined NATO in 1952), so as not to let it monopolize the European arena. The Association or Ankara Agreement, accompanied by a financial protocol, was signed on 12 September 1963 and entered into force on 1 December 1964. Cornerstone of the agreement was the creation of a customs union in three stages; an additional protocol of 1973 stipulated that it was to be completed by the end of 1995. The Ankara Agreement further included the objective of full membership at a later stage. A number of economic objections were raised against the Association Agreement from the side of the Community, but in the end security considerations prevailed: it was felt that in the context of the Cold War Turkey’s
economy needed to be bolstered, so as to ensure the West of a stable ally. In view of the tensions between both countries it was also felt that the Community should treat Turkey on an equal footing with Greece (the Association Agreement with Athens had been signed in 1962). Having also joined the OECD and the Council of Europe in 1948 and 1949 respectively and in spite of its internal difficulties, Turkey was thus fully part of the Western bloc; its status as a “Western” country and its importance for Western security were at that time undeniable.

193. After the military coup of 1980 relations with Turkey were frozen by the Community, not to be resumed until 1986 and even then only very gradually. Merely a year later, in 1987, Turkey applied for full membership of the EEC. This decision had originally been taken by the military government of 1980-1983 in response to the accession of Greece in 1981; it was realized belatedly that as a member of the Community Greece was in a more advantageous position than Turkey to further its interests concerning Cyprus and the Aegean. As a full member Turkey would also benefit from the EEC’s social and regional policies from which it was now excluded. The application was advised negatively in 1990 on the grounds that Turkey first needed to further modernize its economy and that no accession negotiations would be opened before the completion of the single market (per 1 January 1993) anyway; the Commission also raised the issue of human rights and minorities (a reference to the Kurdish problem) and the dispute with Greece over Cyprus. Circumstances were not beneficial to Turkey’s application. The Community was preoccupied with its internal adaptation following the 1986 Single European Act and with events in Central and Eastern Europe, while Turkey’s significance in the post-Cold War environment had not yet become clear. 171

194. Importantly, eventual full membership was not excluded. On the contrary, the Commission provided for intensified cooperation with Turkey and recommended that the long-delayed customs union be completed. After arduous negotiations and a considerable effort by Turkey to adapt its legislation, this was achieved just in time, in December 1995. Turkey had also pushed through a number of last-minute reforms concerning human rights and a relaxation of the anti-terrorism laws, resulting in the release of eighty-one prisoners by the end of the year. In this way it was able to overcome the resistance of the EP, which had to ratify the new arrangements and which had objected because of the human rights situation in Turkey. On the eve of the vote, Turkish Prime Minister Tansu Ciller addressed an open letter “to the people of Europe on behalf of the citizens of Turkey”, in order to make them “better understand Turkey’s democracy as well as the hopes and concerns” of the inhabitants of this “vibrant Western democracy”. 172 Considerable pressure was also exerted by the capitals of the Member States, who considered expanded economic relations with Turkey an important way of supporting the stability of the secular regime and of ensuring its lasting commitment to Western security structures. 173 Greece could only be convinced to accept the conclusion of the customs union, which it had blocked the year before, by the EU announcement, in return, of a timetable for opening accession negotiations with Cyprus. The conclusion of the customs union made Turkey the non-member state which was most fully integrated in the EU, but at the same time Ankara quickly experienced the disadvantages of non-membership, notably the exclusion from the Community’s structural funds and the Common Agricultural Policy (CAP) and the absence of free movement of labour.

195. At the Luxembourg European Council of 12 December 1997 the EU decided to launch the accession process on 30 March 1998 for the ten Central and Eastern European applicant states and for Cyprus. Bilateral negotiations with a first group, comprising Hungary, Poland, Estonia, the Czech Republic, Slovenia and Cyprus, would begin in the spring of 1998. Turkey was not yet considered to be in a position to join the EU. The European Council did “confirm
Turkey’s eligibility for accession” and, while noting that “the political and economic conditions allowing accession negotiations to be envisaged [were] not satisfied”, considered it “nevertheless important for a strategy to be drawn up to prepare Turkey for accession by bringing it closer to the EU in every field”. Together with the other applicant states Turkey was invited to take part in a European Conference bringing together the Member States of the Union and the countries wishing to accede to it. But the European Council also recalled the conditions for strengthening Turkey’s links with the Union, which included a number of security issues: “pursuit of the political and economic reforms on which it has embarked, including the alignment of human rights standards and practices on those in force in the European Union; respect for and protection of minorities; the establishment of satisfactory and stable relations between Greece and Turkey; the settlement of disputes, in particular by legal process, including the International Court of Justice; and support for negotiations under the aegis of the UN of a political settlement in Cyprus on the basis of the relevant UN Security Council Resolutions”.174

196. The European Council decision provoked fierce reactions from Turkey. The Turkish government released a statement in which it rejected the European Council decision, claiming i.a. that “Turkey has not been evaluated within the same framework, the same well-intentioned approach and objective criteria as the other candidate countries”, that “partial, prejudiced and exaggerated assessments were made about Turkey’s internal structure and its foreign policy including the issue of Cyprus” and that “with these erroneous approaches, attempts have been made to impose unacceptable political conditions which have concealed intentions”.175 The invitation to the European Conference was declined and political dialogue with the Union in the framework of the Association Agreement was suspended, meaning that Turkey was no longer willing to discuss issues such as Greek-Turkish tensions, Cyprus or human rights with the EU. In spite of the fact that the prospect of membership at a later stage remained, in Turkey the Luxembourg decision was perceived as an outright rejection of its application. Ankara felt to have been discriminated, since of all the applicant states it had the closest links with the EU, notably through the customs union. For Turkey, full membership would just be the logical continuation of a process that had begun with the Ankara Agreement.

197. The fierceness of the Turkish reaction can further be explained by the view in Turkey of the postponement of accession as a direct blow to the aspiration of the Kemalist elite to be recognized as a European state, an aspiration which it has directly inherited from the founders of the secular state, who saw Westernization as the way to modernization. In the EU political conditions for accession, such as democratic institutions, the rule of law and respect for human rights and fundamental freedoms, had come much more to the foreground than purely economic criteria. In the context of the Cold War Turkey’s European identity had seemed to be evident, mostly out of strategic considerations and as opposed to the countries under Soviet influence. But now, because of the importance allocated to political conditions, its candidacy in the eyes of many became much more doubtful, given its human rights record and its implication in ongoing disputes with Greece and Cyprus. Turkey itself however felt to be unrightfully questioned on political, cultural and even religious grounds, while it considered its “Europeannes” to be unquestionable. That of all countries Cyprus was included in the core group destined for early accession of course only further inflamed Turkish public opinion.176

198. Europe’s policy of having Turkey not in, but also not out of the Union, thus resulted in a weakening of relations and created the danger of Turkey abandoning its European aspirations and moving its focus elsewhere, which would imply the loss of a vital partner for Europe’s
Mediterranean security policy. This would also mean that the EU would no longer be able to use the prospect of membership as an instrument to influence Turkish policies and that Turkey would be even less inclined to look for a compromise in its disputes with Greece and on the Cyprus issue. These risks clearly made the EU uneasy. Because of its strategic position, the Union cannot afford an Eastward-looking Turkey. So very much as during the Cold War, it were security considerations that prompted the EU to bind Turkey to Europe. And Turkey, in the light of its long-standing links with Europe, will not be satisfied with any form of association with the EU less than membership, which is why eventually the prospect of accession emerged again. The Cardiff European Council (15-16 June 1998) tasked the Commission to take forward the strategy to prepare Turkey for membership. The Commission presented a report about Turkey’s progress towards accession at the same time as about the other applicants. A rapprochement was in the making.

199. At the European Council in Helsinki (10-11 December 1999) Turkey then formally obtained the status of candidate state, “destined to join the Union on the basis of the same criteria as applied to the other candidate states”, and was included in the accession process. Like the other applicants, it could benefit henceforth from an Accession Partnership designed to help it meet the Copenhagen criteria for accession. This Partnership defines the priority areas where action is to be taken by the applicant through a National Programme. In the case of Turkey the priority areas include important security issues. The general principles of the Accession Partnership with Turkey, which was defined by the Council on 8 March 2001, include peaceful settlement of disputes, resolving any outstanding disputes, and stability of institutions guaranteeing human rights and respect for and protection of minorities. One of the objectives to be completed or taken substantially forward by Turkey by the end of 2001 is the obligation to “strongly support the UN Secretary General’s efforts to bring a successful conclusion to the process of finding a comprehensive settlement of the Cyprus problem”. Among the medium-term objectives, which are expected to take longer to complete but work on which should begin in 2001, is the duty to “make every effort to resolve any outstanding border disputes and other related issues” and to “lift the remaining state of emergency in the South-East”, the area where Turkish military forces are involved in operations against Kurdish guerrillas. The European Council will “review the situation relating to any outstanding disputes, in particular concerning the repercussions on the accession process and in order to promote their settlement through the International Court of Justice, at the latest by the end of 2004”. It was stressed that compliance with the political criteria laid down at Copenhagen is a prerequisite for accession. In other words, Turkey’s accession is dependent on its attitude in the Cyprus issue and on progress in its relations with Greece and it is up to the European Council to decide whether its conduct has been satisfactory. The prospect of accession, which the EU cannot deny Turkey because of its strategic importance, is thus at the same time used as an instrument to incite Ankara to actively contribute to the resolution of the outstanding disputes in which it is involved.

200. So Turkey is now on the path to accession. Political Dialogue between Brussels and Ankara was resumed when the Association Council met again in April 2000. At what time Turkey will eventually join the EU depends on its fulfillment of the Copenhagen criteria; given the enormous task ahead for Turkey and the internal institutional issues which the EU wants to see resolved first, this might not be but for a very long time. The challenges facing Turkey in the economic field and in the field of democracy and human rights are daunting. But clearly the security objectives included in the political criteria, i.e. the resolution of the disputes with Cyprus and Greece and of the Kurdish issue, will be among the most difficult to achieve and might still cause considerable friction. Significantly, resolution of disputes was
only mentioned in the introduction to Turkey’s National programme, which states that “Turkey will continue to undertake initiatives and efforts towards the settlement of bilateral problems with Greece through dialogue; [and to] support the efforts of the UN Secretary General, in the context of his good-offices mission aiming at a mutually acceptable settlement with a view to establishing a new partnership in Cyprus based on the sovereign equality of the two parties and the realities on the Island.” No concrete measures on security were included in the Programme’s chapter on political criteria, except where it says that “the lifting of the state of emergency, introduced to fight terrorism, in the remaining four provinces is an integral part of the comprehensive strategy for economic, social and cultural development in the area. The state of emergency will be lifted with due regard to threat assessment and developments on the ground with respect to security.” Security issues continue to be the most sensitive aspect of the accession process.

201. The Laeken European Council (14-15 December 2001) stated that progress in complying with the political criteria “has brought forward the prospect of the opening of accession negotiations with Turkey”. The country was invited to participate in the Convention to prepare the future of Europe.

3.1.2 A contributor to Europe’s foreign policy

202. As a candidate for accession and a member of NATO Turkey is very closely involved in the elaboration of the ESDP, the security and defense dimension of the CFSP. At the European Council of Nice (7-9 December 2000) it was decided that during each Presidency at least two meetings each will be held with the applicants for accession and the non-EU European NATO members (“EU+15 format”) and with the latter separately (“EU+6 format”) “on ESDP matters and their possible implications for the countries concerned”; Turkey of course fits into both categories. At least one meeting with each group will be held at ministerial level, other meetings will take place at the level of the Military Committees of both organizations and at expert level. Each country can further “appoint a representative from its mission to the EU to follow the ESDP and act as an interlocutor with regard to the Political and Security Committee (PSC)” and “may appoint an officer accredited to the EU Military Staff who will serve as contact”. In the event of a crisis, dialogue will be intensified in order to “provide an opportunity for exchanges of view and situation assessment and discussion of the concerns raised by the countries affected, particularly when they consider their security interests to be involved”. If the EU decides to launch a military operation in response to a crisis, the non-EU European NATO members can participate in any operation having recourse to NATO assets; the Council can decide to invite them to take part in operations which do not make use of Alliance assets. Non-EU countries participating in an EU-operation will have the same rights and obligations as the Member States concerning its day-to-day management, to be exercised through a Committee of Contributors, but the PSC retains the political control and strategic direction of the operation.

203. As these very comprehensive arrangements provide for extensive consultation of all Allies and the possibility for them to participate in European operations, they meet the concerns of the non-EU members of NATO, voiced by US Secretary of State Madeleine Albright as the “three D’s”: decoupling, duplication and discrimination. Turkey has offered to contribute a brigade to the Union’s “headline goal”, i.e. the ambition to create a 50 to 60 000 men rapid reaction corps by 2003. But in spite of what this commitment might suggest, so far these arrangements have not satisfied Turkey however. In view of its long-time membership
of NATO and the important role which it played during the Cold War, Ankara feels it is now unjustly excluded from the Fifteen’s security and defense policy. Taking into account its strategic position, which implies that most of the potential areas for EU operations are in its immediate neighbourhood, and the large numbers of troops which it could contribute to European operations, Turkey demands greater involvement in the ESDP. It now feels marginalized and therefore the importance it attaches to NATO has increased. Ankara also doubts whether the Member States of the EU have the political will to really commit the necessary means to build up an effective military capacity. An aggravating factor in the eyes of Turkey is the advantageous position of Greece, which, having threatened not to ratify the Maastricht Treaty if it were not allowed to accede to WEU, in 1995 became a full member of this organization, where the foundations of the ESDP were laid.

204. In another way as well Turkey is dissatisfied with the Allies’ attitude towards its security concerns. It should be noted that in Part III of WEU’s June 1992 Petersberg Declaration, which is an integral part of the protocol of accession, it is stated “that the security guarantees and defense commitments in the Treaties which bind the Member States within WEU and which bind them within the Atlantic Alliance […] will not be invoked […] in disputes between Member States of either of the two organizations”. In other words, it was made clear that the collective defense guarantees in both the WEU and NATO Treaties are considered not to be applicable to the Greek-Turkish dispute and, by extension, the Cyprus issue, nor can they be invoked in the case of internal unrest, such as that caused by the Kurdish movement.

205. Because of its dissatisfaction, Turkey in the North Atlantic Council blocks the conclusion of an agreement on the modalities for use of NATO assets for EU operations. Turkey states that the Atlantic Alliance should retain full control of all its assets, which is not compatible with the EU demand to have a guaranteed access to NATO’s planning capabilities and to have the power to decide when NATO assets used for an EU operation can be returned (except when an Article 5 situation should arise, i.e. collective defence, which has priority). One can assume that in this it is silently supported by the US or at least has its sympathy, as Washington above all wants to maintain the cohesion and indivisibility and the centrality of NATO. The US continue to put considerable pressure on Europe to induce it to include all Allies in the development of the ESDP to the fullest possible extent and, more specifically, have always strongly backed Turkey’s candidacy for membership of the EU. Reputedly pressure from Washington was vital in getting the customs union approved and when the Luxembourg European Council excluded Turkey from the prospect of short term membership the US publicly voiced their dissatisfaction with this decision. The Americans attach particular importance to Turkey as a bridgehead for operations in the Middle East and the Gulf and as a partner in the Caucasus and Central Asia. So for the US Turkey’s strategic position is paramount, while European policymakers attach more importance to the question of how Turkey will be integrated in the EU’s political and security structures and what consequences Turkey’s accession might have for the Union.

206. Ankara could use its veto power in NATO as a trump card in its relations with the EU. The question is of course whether Turkey’s uncooperative attitude, rather than leading to changes in the ESDP, does not strengthen Europe in its resolve to create a military capacity of its own which can operate autonomously, even, if needs be, without having recourse to NATO assets and thus without being dependent on the consent of non-EU members. Clearly, the Union cannot detract from its autonomy of decisionmaking in favour of non-Member States. It is hard to imagine how the Union can involve Turkey even closer in the ESDP than it already is, without doing so. Eventually this issue will of course resolve itself when Turkey accedes to
the Union, but until then it is a further factor increasing tension between Brussels and Ankara and which makes the accession process even more difficult.\textsuperscript{184}

207. The months leading up to the December 2001 Laeken European Council saw intense diplomatic efforts by the US and the UK to settle the issue of the EU-NATO agreement. Strenuous negotiations failed to produce an agreement however. A personal visit by Belgian Prime Minister Guy Verhofstadt, President of the European Council, did not produce any results either – diplomats spoke of “a semi-miracle” being needed to find a settlement.\textsuperscript{185} The Presidency stated that a continued Turkish veto would not stop the European Council from adopting a planned declaration on the operationality of the ESDP. In the end it took further intensive mediation by British and American officials, including US Secretary of State Colin Powell himself, to reach an agreement. Ankara dropped its veto to the EU-NATO agreement, apparently in exchange for assurances that it would always be consulted, on a case-by-case basis, for operations in its region, notably with regard to Cyprus and the Aegean. Given Turkey’s already close involvement in the ESDP, as a NATO member, this does not seem to represent very much, since it would be unimaginable that the NATO Allies would not be consulted anyhow. Verhofstadt explicitly denied that Ankara would be able to veto EU operations.\textsuperscript{186} This compromise was then rejected by Greece however, which felt that it undermined the autonomy of the Union and which now in its turn demanded assurances that a NATO country, read Turkey, could not block the participation of a candidate country, read Cyprus, in the ESDP.\textsuperscript{187} Presumably, Greece suspected that in reality, more substantial promises had been made to Turkey, notably with regard to accession. As a result, the conclusion of the EU-NATO agreement, which is essential to the operationality of the ESDP, as it concerns the vital planning capacity, was once again blocked. No breakthrough could be achieved, so the Laeken European Council could only conclude that “the Union is determined to finalise swiftly arrangements with NATO”.\textsuperscript{188} This goes to show that both Greece and Turkey can be equally obstinate when their interests are involved, even if their actions are detrimental to the policies of the EU.

208. It should be noted that Turkey is not fully satisfied with recent evolutions in NATO either. As the Member State which because of its position faces the most effective threats to its territory, Turkey feels uncomfortable about the Alliance’s shift of focus from the traditional mission of collective defense to new tasks in the field of crisis management.\textsuperscript{189}

209. The ESDP is only one aspect of the CFSP. When it accedes to the Union, it is of vital importance that Turkey is fully integrated in the whole of the CFSP. The EU as a security community is focussed on self-defense, which is organized in the NATO framework, and on prevention of conflict and contributing to international peace, as is pointed out in the general objectives of the CFSP. For the latter task the EU is now developing a military capacity, the ESDP, to complete its range of policy instruments. The EU cannot accept as a Member State any country seeking an independent role as a regional power or which sees war as an acceptable means to solve disputes, as this would not fit into the Union’s concept of foreign and security policy; any applicant should fully commit itself to the CFSP. In the case of Turkey this means in the first place that Ankara should shelve its aspiration to play an independent power role through its relations with the newly independent Turkic states in Central Asia, an aspiration which arose shortly after the demise of the Soviet Union, but which already has been tuned down – not all of the countries concerned were keen on a dominant Turkey watching over them. The EU can also not afford to take in an applicant state if this means getting the Union imbroiled in serious security issues or jeopardizing its policies vis-à-vis certain countries or regions. So Turkey, next to settling the Cyprus issue and its disputes with
Greece, should avoid actions likely to increase tensions with Iran, with Iraq, on the territory of which there have been several Turkish incursions in the context of operations against the Kurds, and with Syria. The latter claims the Turkish province of Hatay, while Turkey accuses it of supporting the PKK, which even led it to the threat of taking military action. Taking into account that after Turkey’s accession the EU will border on all three of these countries, it is important that already now Turkey aligns its policies towards them with the CFSP. In spite of their shared religion, Turkey’s relations with the Arab countries of the Middle East are generally not very cordial. This animosity reflects the historic legacy of the century-long Ottoman domination of the region. Other factors are Turkey’s predominantly Western orientation, control over water resources and Turkey’s close relations with Israel, themselves a consequence of the tensions between Ankara and Damascus.  

210. In 1995 the Association Council laid down arrangements for an enhanced EU-Turkey political dialogue: twice yearly senior officials meet at troika level, the Presidency or the General Secretariat keep Turkey informed of the outcome of European Council meetings and there are consultations at expert-level in a number of the CFSP Working Groups (OSCE, security, Eastern Europe and Central Asia etc.), in which Turkey has very actively participated. The Association Council also provided for annual meetings between Turkey’s Head of State or Government and the Presidents of the Council and the Commission and for two yearly meetings of foreign ministers. Turkey is thus already involved in the CFSP; since the Helsinki European Council it has regularly associated itself with joint actions, common positions and declarations under the CFSP. E.g. its policy on Iraq, leaving aside the military interventions, is closer to that of the EU than to that of the US. Because of the economic damage the embargo causes (before the Gulf War Iraq was Turkey’s third largest trading partner and its largest oil supplier), Turkey like Europe is in favour of lifting the sanctions regime.

211. Committing to the CFSP implies commitment to the EMP. Turkey is a member of the EMP, but in Turkish foreign policy, the Partnership is not a priority issue. Above all, Turkey attaches much more importance to the customs union and its candidacy for accession, for which the EMP is no alternative. In as far as it places Turkey on a equal footing with other Mediterranean countries for which membership is not an option, Turkey feels that the EMP diminishes its status. Ankara refuses to accept the EMP vision of Turkey as part of the European periphery rather than as a future Member State. Since the Helsinki Summit Turkey has increased its involvement in the economic and social dimensions of the EMP, but it remains highly sceptical of the political and security partnership, which it perceives as further detracting from its status. As with the ESDP Turkey feels that being a member of NATO, unlike the other Mediterranean partners, it is unjustly excluded from the decision-making side of the table. Turkey feels that it should participate in the making of Europe’s Mediterranean security policy and cannot be the object of such a policy. It therefore keeps its participation in the political and security dimension of the EMP to a minimum and emphasizes the importance of NATO as the preferred framework for Mediterranean security initiatives. In the eyes of Turkey the Öcalan-case also demonstrated the inefficacy of the EMP in the field of terrorism, a further reason for it not to devote too much energy to it. Another ground for Turkey’s reluctance is the fact that in its foreign policy it has never dealt with the Mediterranean as such, but always with its subregions. Again as with the ESDP, Turkey’s attitude would most probably change once it were a member of the EU and could fully participate in the definition of its Mediterranean policy.
212. As a full member of the EU, fully integrated in the CFSP and the ESDP, and especially if whole-heartedly committed to the political and security basket of the EMP, Turkey would indeed be very valuable for the achievement of the objectives of the Union’s Mediterranean security policy. But first of all this requires the settlement of the ongoing disputes in the Eastern Mediterranean, in all of which Turkey is directly implicated.

3.2 Turkey and Greece

3.2.1 A protracted dispute

213. Animosity between Greece and Turkey has its historic roots in the century-long Ottoman rule over Greece. Since World War Two tensions have concentrated around a number of issues, most of them related to control over the Aegean Sea. To the Greeks the Aegean is an essential part of the “national whole”, linking together the mainland of Greece and its numerous islands (about 3000, only some 130 of which are inhabited); to the Turks it is the maritime artery linking the Dardanelles to its Mediterranean coast, while the flight corridors above it are its closest connection to the West. An open conflict between the two Allies would cause considerable damage to the Atlantic Alliance and would imply the failure of the EU’s security policy in the Eastern Mediterranean; the credibility and efficacy of both would be heavily and perhaps fatally undermined. A clash would certainly result in the estrangement of Turkey from the West, which, given its strategic position, neither the EU nor NATO could afford, on political as well as operational grounds. 193

214. A first dispute between Athens and Ankara has to do with the militarization of a number of Aegean islands. By the 1923 Lausanne Treaty and the 1947 Treaty of Paris Athens agreed to station only lightly-armed security forces on a number of Eastern islands and to refrain from building fortifications on them, but after 1964 militarization of selected islands was nonetheless begun and it has continued ever since, in spite of Turkish protests. Since the discovery of oil deposits off the island of Thasos in 1974, control over the seabed became another contentious issue, as both countries were unable to find an agreement on the delimitation of the continental shelf. In 1978 the International Court of Justice (ICJ) took a “non-jurisdiction” decision on the issue. In 1981 the ensuing bilateral negotiations were broken off by Greece, which initiated seismic and drilling activities in disputed parts of the continental shelf, which led to a severe crisis between Greece and Turkey in 1987. By the Davos Agreement Athens and Ankara agreed on a number of CSBMs (“the Davos Process”), but although tensions over the continental shelf have lessened, due to the fact that the potential oil reserves did not turn out to be as significant as first hoped, most of these measures remained without implementation.

215. Tensions have also arisen over the extension of territorial waters. In 1936 Greece unilaterally extended its territorial waters from three to six miles, a move which was later reciprocated by Turkey; Greece now possesses 43,68% of the Aegean and Turkey 7,47%, the remaining 48,85% being high seas. In 1995, following the entry into force of the 1985 Law of the Sea Treaty, Greece stated its intention to further extend its territorial waters to twelve miles, as allowed by this treaty, which Turkey has refused to sign. As it would give Athens control over 73% of the Aegean, such an extension would obstruct Turkish transportation lines and would place the disputed continental shelf under Greek sovereignty, which is why Ankara warned that it would regard the extension as a casus belli. The Turkish parliament voted to give the government the right to use military force if Greece would turn its intention
into reality. Greece’s provocative statement thus resulted in yet another escalation of the frictions between the two countries. Closely connected to the delimitation of the territorial waters is the issue of airspace control. National airspace corresponds with the extent of the territorial waters, but since 1931 Greece claims an airspace of ten rather than six miles. This claim has not been recognized by Turkey, and overflights are conducted systematically in the four mile grey zone by Turkish military aircraft, which are then intercepted by Greek fighters. Over the years this has resulted in several airplane crashes. The unilateral extension of Greek airspace has also led to frequent disturbances between Greece and its other NATO Allies, as the Alliance as well takes the six mile limit as a basis for the organization of its military exercises. Both countries further accuse each other of violating the rights of minorities, notably of the Greek community in Istanbul and the Turkish people in Western Thrace. Finally, the Cyprus issue is another major factor that continues to cloud Greek-Turkish relations. All of them combined, these disputes have led to a very tense situation in the Eastern Mediterranean, where the risk of outright military conflict was always near.

216. When Greece joined the Community in 1981, the tensions between Athens and Ankara were no longer an external issue for the EEC, but Europe became directly implicated in them, as they now involved a Member State. For this reason the EU has a vital security interest in peacefully resolving the Greek-Turkish conflict and all related disputes. Back in 1980 the Community explicitly promised Ankara that relations between Europe and Turkey would not be affected by Greek accession. But in spite of this Greece has repeatedly used its position as a Member State to slow down or to halt EU-Turkish relations; this has indeed become an all too often used instrument of its policy vis-à-vis Turkey. E.g. it was only during the temporary Greek-Turkish rapprochement of the Davos Process, so more than seven years after its accession, that Greece consented to signing the protocol for the application of the EU-Turkey Association Agreement. But even after that Greece blocked the fourth financial protocol to the Association Agreement, which had been initialled back in 1980. As most decisions concerning relations with Turkey require unanimity, Greece can effectively veto the further development of EU-Turkey relations against the wishes of its fellow Member States, who can only exert political pressure on Athens to try and convince it to submit to established EU policy towards Turkey. In the Turkish perception however the other Member States often hide behind Greece to mask their own objections to e.g. Turkey’s accession or at least do not seriously attempt to dissuade Greece from voting as it does.

3.2.2 The CFSP and the Greek-Turkish dispute

217. The most severe crisis between Greece and Turkey since the start of the CFSP, which demonstrated the intensity of their disputes and consequently the fragility of stability in the Eastern Mediterranean, had as its object an uninhabited rocky islet four miles off the Turkish coast, known in Greek as Imia and in Turkish as Kardak. On Christmas Day 1995 a Turkish freighter ran aground on Imia and was towed to the nearest Turkish port by a Greek tug. The Greek captain claimed his salvage fee, but this was protested by the freighter captain, who argued that he had been in Turkish territory, awaiting Turkish tugs. The case was dealt with through normal administrative procedures, which finally led to a note from the Turkish Foreign Ministry to its Greek counterpart asking to whom the island belonged. Before an answer could be delivered, on 20 January 1996 the mayor of the nearest inhabited Greek island raised the Greek flag on Imia. When Greek Foreign Minister Theodoros Pangalos mentioned the issue in an interview, it was picked up in Turkey and on 27 January Turkish journalists replaced the Greek flag with a Turkish one and made the story public. The
following day Greek commandos on orders from Defence Minister Arsenis landed on the island and restored the Greek flag; Greek armed forces were placed on high alert and the navy was sent into the Aegean. The Turkish military reacted with a build-up of forces of its own. Turkey changed its position and now asserted that the island was Turkish, which was unacceptable to Greece as this implied that its sovereignty over hundreds of similar islands could be questioned. In both countries a lack of communication between departments and the weakness of the government led to the military taking the lead, while the political leaders downplayed the seriousness of the issue through diplomatic channels (Greece called the EU ambassadors for a joint consultative meeting), leaving the outside world in the dark as to the gravity and the causes of the situation. When Turkish commandos were landed on a nearby islet on 30 January, Greek forces were withdrawn from Imia in order to avoid open war. Greece claimed a victory because it had not entered into negotiations with Turkey over the sovereignty of part of its territory, Turkey did likewise because it had forced the Greek armed forces to evacuate the island. The disputed sovereignty over the barren islet had brought the two Allies to the brink of a full-scale war.

218. Involvement of third parties in the Imia crisis was very limited, due to the rapidness of developments and the lack of information. Any mediation effort would have been neigh impossible, because for Greece having to negotiate on what it considered to be its undisputable sovereignty over the island was in itself a defeat. The most active role was played by the US, which above all wanted to avoid a confrontation between the two NATO Allies. Contrary to Greece’s expectations, Washington did not back its claims and just advised it to withdraw its forces in view of the Turkish military superiority. After the crisis an American offer for mediation between the two countries on all outstanding issues was rejected by Greece, which kept to its traditional legalistic view that dialogue was unnecessary as all of Ankara’s claims were clearly unrightful and would therefore easily be dealt with by juridical means. Greece was also displeased with initial US support for Ankara’s view that the Imia case should be resolved through dialogue, while Athens, regarding the case as being very clear-cut, wanted to take it to the ICJ.196

219. In spite of Greek requests for support to its fellow Member States, the EU as well, which did not want to jeopardize its relations with Turkey, refused to pick sides, in order to demonstrate that resort to force by either party would just lead to isolation from the Western institutions. The Commission expressed “its wholehearted solidarity with Greece, Member State of the European Union”, but at the same time stated that “tension in the area has to be reduced in a lasting way and good-neighbourly relations established between Greece and Turkey”. The Commission noted that the customs union was “precisely intended to create the conditions for a high level of relations, based on the respect of the principles of democracy and international law and definitively excluding any recourse to force”.197 A motion by Greece according to which EU financial aid to Turkey was to be made dependent on the commitment not to resort to the use of force, to respect the status quo in the Aegean and to bring the Imia case before the ICJ was rejected by the Council of Ministers on 26 February. Greece’s isolation was also the result of its earlier use of the EU forum to wage a confrontation policy towards Turkey; the other Member States refused to be dragged into Greek-Turkish tensions or to let EU policy be dictated by Greek animosity towards Turkey. In reaction to this decision, Greece blocked the first financial aid package of 250 million EURO, which was to be granted to Turkey in the context of the customs union, and the whole of the MEDA Programme, from which Turkey would also benefit as one of the twelve Mediterranean partner countries. This move caused great irritation on the part of the other Member States. In a reaction Turkey stated that “we now see that Greece is engaged in attacking Turkey’s
interests in the international fora, especially the European Union”, adding that “should Greece continue its policy of hostility instead of friendship, it will have to bear the responsibility for the ensuing negative consequences”.198 Because Ankara threatened to ignore the customs union as long as the financial assistance package was blocked, it was feared that the whole of the customs union might collapse.

220. The EU then put pressure on Turkey to take a step towards reconciliation with Greece in order to normalize its relations with the Union. On 24 March 1996 Ankara issued an invitation to Athens to discuss all outstanding Aegean matters, “without preconditions”. Turkey’s proposal further mentioned the possibility of issuing a political declaration on the principles governing relations between the two countries or of concluding a friendship and cooperation agreement; it did not even rule out the option of taking the Imia case before the ICJ.199 NATO also joined in and proposed a set of CSBMs. Talks began but were soon broken off by Greece when Turkey publicly stated that they would revolve around the issue of “grey areas”, i.e. areas which in the eyes of Turkey had been left uncharted by international treaties, a concept which was new and totally unacceptable to Greece. Turkey clearly overplayed its hand when it stated that the island of Gavdos was such a grey area, although it was hundreds of miles away from Turkey and inhabited by 200 Greeks. Following strong reactions from the West, this claim was quickly withdrawn.

221. In the meantime the EU also increased the pressure on Greece to lift its veto on financial assistance to Turkey. The other Member States threatened that if Greece continued to jeopardize the customs union with Turkey, this would have consequences for the accession negotiations with Cyprus. Athens responded by threatening itself to veto the enlargement of the Union towards Central and Eastern Europe, stating that in return for starting negotiations with Cyprus it had already voted in favour of the customs union with Turkey. That the implementation of this was now delayed was, according to the Greeks, the consequence of Turkish aggression and should not be linked to the Cyprus issue. Athens finally agreed to lift its veto on the release of only the MEDA funds on the condition that the EU issue a declaration calling on Turkey to take the Imia case to the ICJ and that Turkey take into consideration EU advice; the Commission should link financial assistance to Turkey to its consistent observance of these conditions. The Union released a CFSP declaration on 15 July 1996, in which it attempted to strike a balance between “on the one hand, a Member State with which a natural solidarity exists and, on the other hand, a neighbouring country with which the European Community wishes to develop further a relationship of dialogue and cooperation”. The Council called for “restraint and avoidance of any action liable to increase tensions, and specifically the use or threat of force” and for a dialogue to “be pursued along the lines which have emerged in previous contacts between the parties which may contribute to the improvement of bilateral relations as well as to the establishment of a crisis prevention mechanism”. The Council then specifically underlined “that cases of disputes created by territorial claims, such as the Imia Islet issue, should be submitted to the International Court of Justice”, which by then was also the view taken by the US. Greece lifted its veto on the same day, although the Commission had rejected its proposal to make financial aid to Turkey conditional.

222. Several attempts to revive the talks were made during the following months; NATO again proposed certain CSBMs. In April 1997 both parties, in spite of initial reservations, agreed to a proposal by the Dutch Presidency of the EU to set up a “committee of wise men” to discuss their outstanding bilateral disputes. The participation of specialists from third parties was rejected and both Athens and Ankara made it clear that the committee’s reports would not be
binding, but talks were resumed. Two teams of experts from both countries each made up a memorandum for the Presidency containing recommendations on the way to settle Greek-Turkish differences. A few months later, on 9 July 1997, in the margin of the NATO summit in Madrid, Greece and Turkey issued a joint declaration, following efforts by the US, in which they committed themselves to respect international law, each other’s sovereignty and their vital and legal interests in the Aegean. They undertook not to use violence or the threat of violence or to take any unilateral actions, so as to avoid conflicts resulting from misunderstanding. Although Prime Minister Kostas Simitis made statements to the contrary, this could be said to mean implicitly that Greece at least temporarily renounced its right to extend its territorial waters. No reference was made to the Cyprus issue, since this was not a bilateral question. The Madrid declaration coincided with a temporary opening on Cyprus though, where under American auspices another round of talks between the parties began. This illustrates the close connection between the Cyprus question and the bilateral Greek-Turkish disputes: a rise or fall of tensions over one issue is quickly reflected in the other.200

223. Joint EU-US efforts thus after a lengthy and difficult process succeeded in bringing the two parties together and in compelling the Greek government to abandon its long-held policy of “no talks with Turkey”. The willingness to talk was clearly motivated, at least in part, by the wish to maintain good relations with the EU, which for both parties was a political priority. The EU made use of this to play a mediating role and made sure to treat both parties to the dispute on an equal footing. Another factor was the internal political situation. In Greece the new Prime Minister Kostas Simitis, who had succeeded Andreas Papandreou in January 1996, gradually grew stronger in power and thus was in a position to steer a reconciliation course rather than let himself be guided by an easily excited public opinion. In Turkey, the military and the traditional establishment needed to halt the rise of the islamist party and therefore i.a. sought to improve relations with the West.201

224. But the talks were interrupted by renewed tensions. In December 1997, as part of its move to freeze all dialogue with the EU in reaction to the decision of the Luxembourg European Council not to open accession negotiations just yet, Turkey terminated the “wise men process”. The Union’s hesitant and perhaps inconsistent policy on EU membership for Turkey thus resulted in alienating the country and in the breaking-off of its mediation efforts, which until then had been quite succesful.

225. The following year relations were further soured by the Öcalan case. On 12 November 1998, after PKK-leader Abdullah Öcalan was expelled from Syria, from where he conducted the armed struggle against Turkey, he was arrested in Rome on the basis of a German arrest warrant. Ankara, recalling the commitment of all NATO Allies to combat terrorism, immediately called for his extradition, but this was refused by Italy on the ground that in Turkey he would risk the death penalty and therefore extradition was forbidden by its Constitution. On the other hand Italy was reluctant to provide a safe haven to such a controversial figure. Germany declined to demand the extradition out of fear for internal unrest between its large Turkish and Kurdish communities. The other Member States of the EU backed Rome and Berlin. In a declaration on 23 November the EU “expresses full solidarity with Italy in her determination to fully implement her laws and treaty obligations”. On 9 December 1998 the Austrian Presidency made an oral statement to the effect that, “in the context of its legislation”, Italy had “acted correctly”. The Presidency condemned terrorist networks, mentioning the PKK explicitly, and stated that the Kurdish problem “must be tackled at European level in the context of bilateral or multilateral dialogue with Turkey”. But coming to the fate of Öcalan himself, this was claimed not to be an EU matter; reference
was made to the Council of Europe as a more suitable forum to deal with the issue. Öcalan was thus able to leave Italy. With the help of Greeks supporting the Kurdish cause (including former high-ranking officials) and travelling under a false name, with a Cypriot passport, on 2 February 1999 he was smuggled into Kenya, where he was hidden for several days in the Greek embassy, presumably to await the permission of some African country to accept him as a resident. Under pressure from the Kenian and the American government Öcalan was forced to leave the embassy on 15 February and was then arrested and brought to Turkey by Turkish agents.

226. The whole affair again increased tensions between Greece and Turkey and further chilled Ankara’s relations with the EU. Greece’s meddling in the affair, without ever consulting its fellow Member States, proved to be very unlucky. Even assuming that the initial steps to assist Öcalan were taken by private individuals, the eventual official involvement could not but enrage Turkey. As a consequence of the incident three Ministers, including Foreign Minister Pangalos, known for his uncompromising stance towards Turkey, had to step down. The other Member States, in spite of their anti-terrorist rhetoric, which was meant to assuage Turkey, were just intent of assuring Turkey, were just intent of getting rid of Öcalan as soon as possible. They did not address the matter as part of the broader Kurdish issue or align their actions with overall Union policy on the matter, in spite of the announcement by Germany and Italy that they would launch a European initiative “to contribute to a peaceful solution in South Western Turkey and to bring Turkey closer to the European Union”. Turkey reacted by stating that any “politically motivated initiatives are in contradiction with the principle of the supremacy of the law”; the idea of a European conference on the issue was deemed to be “totally out of place”.

227. After Öcalan’s arrest the EU released another declaration (22 February) in which it “reiterates its condemnation of all forms of terrorism”, noting that “legitimate interests must be expressed through a political process, not through violence”, but adding that “the legitimate fight against terrorism must be conducted in full respect of human rights, the rule of law and democratic norms”. Further the Union “strongly deplores the fact that the arrest of Abdullah Öcalan has sparked massive unrest and violent acts which have resulted in death, hostage-taking, intimidation and excessive destruction” all over Europe and especially in Germany. The Union took “note of the assurance of the Turkish government that Abdullah Öcalan will have a fair trial” and “underlines once more its strict opposition to the death penalty”. On 29 June 1999 Öcalan would indeed be sentenced to the death penalty, but just as with all other convictions since the beginning of the 1980s, this sentence was not applied. In a declaration on the same day the EU recalled its opposition in principle to the death penalty and its condemnation of all forms of terrorism. The Union called on Turkey to continue its practice of not applying the death sentence, noting that “in light of Turkey’s aspirations to membership of the EU, it should be emphasized that non-application of the death penalty is one of the shared values, and consequently part of the acquis, of the European Union”. Thus was closed a very unfortunate incident, to which the EU had reacted in a manner which was very inconsistent with its principles and policies.

228. Later that year relations between Greece and Turkey improved considerably. In the spring of 1999 both Allies were involved together in the NATO air campaign over Kosovo. For the first time Turkish military aircraft flew over Greece, carrying humanitarian aid for Kosovo. Military cooperation had in fact been initiated the year before: on 26 September 1998 the Southeast European Brigade (SEEBRIG) was established, a 5000-strong multinational force for peace support operations comprising troops from Greece, Turkey, Italy, Albania, Bulgaria, Macedonia and Romenia. In May and June 1999 Foreign Ministers George Papandreou and
Ismail Cem exchanged a series of letters, which on 30 June led to the agreement to hold meetings at senior official level on a number of less sensitive issues, including tourism, culture, the environment, trade and commerce, multilateral cooperation, organized crime, illegal immigration, drug trafficking and terrorism. Later a number of working groups were created and a steering committee was set up to coordinate these talks; by now several treaties have been produced, which have been signed sequentially.

229. The earthquakes hitting Turkey on 17 August and Greece on 7 September 1999 caused an unprecedented and mutual wave of popular support for the victims. Both antagonists sent help to each other through private and official channels. The natural disaster thus made the process of reconciliation which had already begun acceptable to the public opinion in the two countries. Greece accepted the unfreezing of 150 million EURO in financial aid for Turkey connected to the European strategy for Turkey (but it still refused to lift its veto on the release of financial aid in the framework of the customs union). The EU as well gave aid to the victims. Additional military CSBMs were agreed in the framework of NATO, e.g. on pre-notification of military exercises. The formal designation of Turkey as a candidate for accession at the Helsinki European Council, with Greek support, further improved relations between Athens and Ankara and with the EU and increased the willingness of the parties to earnestly engage in a process of creating mutual understanding. In January 2000 Papandreou visited Turkey, the first Greek Foreign Minister to do so in forty years. In May-June 2000 Turkish troops took part in NATO’s exercise Dynamic Mix 2000 which took place in Greece. In the wake of the Helsinki European Council Greece and Turkey decided to set up cooperation on EU matters. The first meeting of the Turkey-Greece EU Committee took place on 28 February 2000. Since then seminars have been held on i.a. customs and financial issues, agricultural matters and judicial and police cooperation.

230. In Helsinki Turkey’s European vocation was recognized, but at the same time this was linked to the resolution of its disputes with Greece. Both parties, it seems, have come to realize that allowing their relationship to be ruled by antagonism and nationalism, with the ever-present risk of escalation which this implied, worked against their strategic interests, notably their desire to be fully integrated in and accepted by the EU. Greece and Turkey also have a number of mutual security interests, such as the stabilization of the Balkans, preventing proliferation of WMD in the Eastern Mediterranean and combatting terrorism. Relations between the two countries are clearly growing stronger, but so far cooperation concerns mainly technical and politically less sensitive matters. The core issues of their disputes have yet to be tackled. From the Helsinki decisions settlement of all border disputes with Greece appears as a precondition for Turkey’s accession to the EU. A permanent solution has indeed to be found, for the EU cannot allow itself to internalize potentially disruptive conflicts. Of course the existing cooperation schemes provide a foundation on which further steps can be based. Now that relations between the two antagonists have improved, the EU should make use of this positive atmosphere to renew its earlier, “pre-Luxembourg” mediation efforts and try and find a permanent solution to the remaining disputes. In the accession process the Union has a powerful instrument at hand to exert pressure.

**Box 1: CFSP acts on Greek-Turkish tensions**

<table>
<thead>
<tr>
<th>Date</th>
<th>Declaration</th>
</tr>
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<tbody>
<tr>
<td>15/07/1996</td>
<td>Declaration by the European Union on Turkey</td>
</tr>
<tr>
<td>23/11/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the Öcalan case</td>
</tr>
<tr>
<td>22/02/1999</td>
<td>Declaration of the European Union</td>
</tr>
<tr>
<td>29/06/1999</td>
<td>Declaration by the Presidency on behalf of the European Union on the Öcalan case</td>
</tr>
</tbody>
</table>
3.3 Turkey, Greece and Cyprus

3.3.1 Roots of the conflict

231. After a bloody struggle Cyprus gained independence from the UK in 1960. The UK, Greece and Turkey were designated guarantors of its independence; the former retained the right to maintain two military bases on the island. This settlement came into being under intense pressure from the US, which wanted to stop the tensions between NATO members Greece and Turkey from escalating, so as to ensure the security of the Alliance’s Southern flank. But the settlement failed to deal with the internal strife between the Greek and Turkish Cypriots, which had been fed by the British to block the Greek Cypriot movement for unification with Greece (Enosis); the Turks in their turn demanded partition of the island (Taksim). Differences on the application of the power-sharing constitution led to violent unrest. In March 1964 a UN peacekeeping force (UNFICYP) was deployed to prevent a recurrence of the fighting between the two communities and to restore law and order. In 1974 a coup against the government of Cyprus, mastercrafted by the military regime in Athens, failed. The coup provoked a Turkish invasion of the island, which might have been considered rightful had it stopped at the restoration of the status quo ante, which would have been within Turkey’s commitments as guarantor power. But instead the Turkish forces went on to permanently occupy more than one third of the island (38% of the territory), driving away the Greek Cypriots living in the Northern part and reportedly killing two to four thousand Greek Cypriot citizens. Fearing retaliations, the Turkish Cypriots in their turn fled from the Southern part of Cyprus.

232. The invasion resulted in the division of the island, which has persisted ever since. UNFICYP’s mandate was broadened to include supervision of the de facto ceasefire and maintaining a buffer zone (the “Green Line”) which runs for 180 km across the island, varying in width from 7 km to a mere 20 metres. The Cyprus question became another issue in the conflictual relationship between Athens and Ankara, which each support their related Cypriot community. On 15 November 1983 the leader of the Turkish Cypriots, Rauf Denktash, declared independence and the formation of a “Turkish Republic of Northern Cyprus” (TRNC), which has been recognized only by Turkey, as the international community wants to see the unity of the island preserved. Suffering from international isolation, the Northern part of the island, which to all intents and purposes can be considered a Turkish protectorate, did not keep pace with economic development in the South; average income in the North is less than a third of that in the South (but higher than in mainland Turkey). On the other hand the Southern part of the island, which is economically oriented towards the EU, has known full employment since 1978; GDP per capita is higher than in EU Member States Greece and Portugal e.g.\textsuperscript{210}

233. For Turkey control over Cyprus, located at just 80 kms from the “soft belly” of Anatolia, is essential for the protection of the Turkish mainland. The Cyprus issue is also related to the Turkish plans to construct pipelines to transport oil and gas from the Caucasus and Central Asia to the Mediterranean, pipelines which would end in the Anatolian ports. Consequently Turkey maintains a force of some 35 000 soldiers on the island, in addition to a Turkish Cypriot security force of 4 500, which is commaned by an officer from mainland Turkey. Ankara has colonized the Northern part of the island; settlers from Anatolia (about 110 000) nowadays outnumber the original Turkish Cypriot population (about 89 000). About half of the TRNC’s budget comes in loans and subsidies from Turkey; Turkish officials in every ministry supervize the use of these funds. Greek Cypriot forces are much smaller, even
though the Southern part of the island has by far the largest population. The Greek Cypriot National Guard numbers about 10 000 and Greece has a contingent of about 2 000 men on the island; the Southern part has about 660 000 inhabitants. An arms build-up has been going on on both sides of the buffer zone ever since it was established. UNFICYP has a strength of about 1 250 troops from Argentina, Canada, Hungary, Nepal and Slovenia and from EU Member States Austria, Finland, Ireland, the Netherlands and the UK; the latter provides the majority of the force, some 750 men. Since the establishment of UNFICYP over 160 peacekeepers have died. Additionally, 3 500 British troops are stationed at the UK’s two large military bases in the South of the island; these bases, which constitute a very important bridgehead in the Middle East, are also extensively used by the US.

Map 2: Cyprus

234. Since 1974 all attempts to mediate between the parties, most of them undertaken under the auspices of the UN, have failed, because of the irreconcilable viewpoints of the antagonists and the apparent unwillingness to compromise, especially on the side of Denktash. The Turkish Cypriots want to establish a loose confederation, the Southern and Northern parts of which would be closely associated with Greece and Turkey respectively. This would in effect equal the preservation of the status quo, i.e. the division of the island and the Northern part’s virtual integration into Turkey. The Greek Cypriots on the other hand, stressing the unity of the island, aim to create a closer federal structure and want to see freedom of movement between both parts of the island and resettlement of displaced persons; since 1993 they have been proposing the demilitarization of Cyprus.

3.3.2 Europe and the Cyprus issue

235. Cyprus first sought association with the EEC in 1962, largely because of Britain’s application for membership: as Cyprus was heavily dependent on exports to the UK, it wanted it to be possible for British tariff concessions, which had continued after independence, to be maintained. When the British application was withdrawn, Cyprus’s interest in as association with the Community declined too, to be revived in 1971, almost simultaneously with the
renewal of Britain’s membership application. An EEC-Cyprus Association Agreement was concluded in 1972, the implementation of which was very much slowed down by the Turkish invasion, which badly damaged the Cypriot economy. Nonetheless the Community contributed little to the efforts to resolve the conflict. Initially under French leadership a common stand was reached. For the first time a meeting under EPC was held in the margin of a regular Council meeting; a precise call for a cease-fire was adopted. But differences between the Member States and a lack of political will with those potentially able to influence the parties to the conflict (notably France and Germany vis-à-vis the Greeks and Turks respectively and the UK as guarantor power) resulted in the absence of any combined effort to achieve something on the ground. Apart from providing food aid to both parts of the island, the Community further limited itself to releasing statements of support for the UN resolutions and mediation efforts.

236. In its Resolution 186 of 4 March 1964 the Security Council recognized the wholly Greek Cypriot government as the government of Cyprus. Resolution 353 of 20 July 1974 is the first of a series calling for the withdrawal of “foreign military personnel”, reminding Turkey that its right to intervention as guarantor power is limited to upholding “the sovereignty, independence and territorial integrity of Cyprus”. The creation of the TRNC was condemned in Resolution 541 of 18 November 1983. Since 1975 all resolutions call for a solution on the basis of single sovereignty, citizenship and international personality and politically equal communities in a bi-zonal (as to the territory) and bi-communal (as to the constitution and the organs of the state) federation. The signature of a Protocol between the Community and Cyprus in 1987, providing for the gradual establishment of the customs union already included in the original 1972 Association Agreement, implicitly confirmed the EEC’s support for what it considered to be the only rightful government of Cyprus.

237. EU interests in the settlement of the Cyprus conflict increased after the application for membership by the Greek Cypriot government (3 July 1990), which was backed by all Greek Cypriot political parties. The application was explicitly motivated by the desire to speed up reconciliation and reunification. Accession was seen as a way to ward off the danger of further Turkish military intervention, as Ankara would never take action against a Member State of the EU, and as a means of inciting Europe to play a much more active role in the settlement of the conflict. Another motivation was the hope that adoption of the acquis communautaire would eventually bring about the realization of a number of Greek Cypriot demands, such as free movement of persons over the whole of the island. Cyprus’s bid for membership was of course strongly supported by Greece, which after 1974 no longer strived after Enosis but took on an attitude of “Cyprus decides, Greece supports”. Cyprus’s application was advised positively by the Commission on 30 June 1993; the Commission stated that Cyprus’s European identity is “beyond all doubt”. By Cyprus’s accession the EU would internalize the conflict and of course the accession process would be inextricably linked to the Union’s relations with Turkey and its role in the Greek-Turkish antagonism in general. Europe could thus no longer ignore the Cyprus issue. But the Commission purposely took its time to draft its Opinion, hoping for a breakthrough in the intercommunal talks which were initiated by the UN in 1991.

238. Turkey opposes the idea of Cyprus joining the EU before it has acceded to the Union itself, as it fears that Cyprus would then veto Turkey’s own application. Accession without simultaneous accession of Turkey is considered a form of Enosis, putting Cyprus under Greek influence within an EU from which Turkey is excluded and opening it up for Greek immigration, while Turkish immigrants would be barred. Turkish officials have therefore
repeatedly declared that in that event, the Northern part of Cyprus would be completely united with Turkey. Turkey has thus used the Cyprus issue to put pressure on Europe to accept it as a candidate for accession. The Turkish Cypriots reject the legality of the membership application on behalf of the whole of the island. They claim that it only binds the Southern part, as they have not been consulted. In the words of Denktash: “If the EU accepts an illegal application by one sector of a bicomunal country and pretends that this is a legitimate application by Cyprus by the whole population, this will be such a blow to us that we shall have to retaliate. [...] Entry into Europe of the Greek Cypriot side will mean integration of the Turkish side into Turkey”. According to the Turkish Cypriots accession would further be illegal because the 1960 Treaty of Guarantee aimed to forbid Cyprus to join any body of which Greece and Turkey are not both a member. But in the view of the Union this stipulation, which meant to prevent Greece or Turkey from annexing the island, does not prohibit accession to a sui generis organization such as the EU. Reference is made to a similar provision in Austria’s 1955 State Treaty, meant to prevent a reunion with Germany, which did not stop it from joining the EU. Besides, now that Turkey too is officially a candidate for accession, the prospect that all three guarantor powers will indeed be Member States of the EU has become realistic.

240. In its June 1993 Opinion on Cyprus’s application the Commission stated that “Cyprus’s integration with the Community implies a peaceful, balanced and lasting settlement of the Cyprus question”, which “should create the appropriate conditions for Cyprus to participate in the decision-making process of the European Community and in the correct application of Community law throughout the island”. The Commission therefore concluded that “as soon as the prospect of a settlement is surer, the Community is ready to start the process with Cyprus that should eventually lead to its accession”. In the meantime “a positive signal should be sent to the authorities and the people of Cyprus confirming the Community considers Cyprus as eligible for membership”. So the Commission preferred that the dispute over the island be settled first, in order to avoid its internalization by the EU. However, the Commission also took into account “the possibility of the failure of the intercommunal talks to produce a political settlement of the Cyprus question in the foreseeable future”, in which case it advized that “the situation should be reassessed in view of the positions adopted by each party in the talks” and “the question of Cyprus accession to the Community should be reconsidered in January 1995”. This latter advice was meant to prevent Turkey and the Turkish Cypriots from acquiring the de facto power to veto Cyprus’s accession by blocking the attempts to resolve the conflict. The Commission Opinion added that “the United Nations Secretary-General is aware that he can count on the Community’s support in his continued endeavours to produce a political settlement of the Cyprus question”.

241. But in fact the EU took only limited initiatives to actively seek a solution to the conflict, in spite of its interest in settling an issue in which a Member State and two applicants are so closely involved. Of course one has to take into account the extensive and repeated efforts by the UN and, to a lesser extent, the US to resolve the conflict. Already in 1993 the EU had sent an observer to the talks between the communities that then took place under UN auspices. On 8 February 1994 a senior official of the Commission, Serge Abou, was appointed as European observer to the intercommunal talks, with the task of “periodically reporting to the Council on the implications of political developments in Cyprus for the requirements of the Union’s ‘acquis communautaire’, including the progress of the mission of good offices of the Secretary General of the United Nations”. However, Abou was the author of the 1993 Commission Opinion and as such was persona non grata to the Turkish Cypriots, so the efficacy and opportunity of his appointment can be doubted. In his reports he confirmed the
findings of the UN Secretary General that the lack of progress was mainly due to the absence of political will on the part of the Turkish Cypriots. He also concluded that “the issue of Cyprus’s membership of the EU is now fixed in the minds of all those concerned, something which obviously gives the EU a particular responsibility, namely […] to play an active part in efforts to find a solution to the Cyprus problem”. Abou as well was of the view that first progress towards a settlement was required, before further steps towards accession could be considered. Mentioning the conviction of the Greek Cypriot government “that only setting a date for the beginning of Cyprus’s accession negotiations to the EU would be of a nature to act as a catalyst in efforts at finding a solution to the Cypriot question”, Abou also noted that “the prospect of accession negotiations constituted a subject of concern for the Turkish part of Cyprus as well as for Turkey”. Therefore he concluded that from the viewpoint of the EU progress towards a settlement remained “eminently desirable both in the perspective of reexamining Cyprus’s application and of strengthening relations between the Union and Turkey”.

242. In 1996 the Italian Presidency appointed a European coordinator for Cypriot affairs, Federico di Roberto. Since then each Presidency has nominated its special representative. These have the task of facilitating negotiations through talks with the parties and supporting the efforts of the UN and the US. Turkish reactions were not very encouraging however. In reaction to the appointment of di Roberto, the Turkish Foreign Ministry stated that it was “natural that the EU should look at the Cyprus issue”, but that “a positive contribution to a solution to the Cyprus problem can only be achieved by recognition on the part of the EU of both communities on the island”. The statement went on to say that it would be difficult to “conceive of an impartial and constructive contribution to the Cyprus problem” on the part of a Union of which Greece is a member and Turkey is not. Several Member States of the EU have appointed special representatives of their own, as have a number of other states and international organizations, a fact which raises questions as to the coordination and efficiency of the diplomatic efforts of the international community. The Union did not take initiatives at mediation of its own, and made it clear that it did not want to intervene in the arrangements to be agreed by the parties, but that it was available to advise on the compatibility of any arrangements with the Union acquis.

243. Apparently it was estimated that the possibility of membership and the benefits this would entail for Cyprus as a whole and for Turkey would suffice to induce both Ankara and the Turkish Cypriots to find a compromise on the Cyprus issue, which preferably should predate accession. On the request of the Council the Commission delegation in Nicosia established regular contacts with the Turkish Cypriots to inform them about the advantages of membership, notably in the economic field, which in view of the economic backwardness of the Northern part of the island should be very appealing. But the development of the accession process provoked very negative reactions instead, at least with the Turkish and Turkish Cypriot authorities. The fact that the EU earnestly considered to take the whole of Cyprus into the Union made the Turkish Cypriots stress their bid for sovereignty even more.

244. In March 1995 the EU announced that accession negotiations with Cyprus would be opened six months after the end of the Intergovernmental Conference starting in 1996; in June this decision was confirmed by the Cannes European Council. For the first time prior settlement of the conflict was not mentioned as being a precondition for accession; neither did the Union explicitly state that it was not a precondition, thus keeping open all possibilities. All of this was part of a package deal with Greece, brokered by the French Presidency: in return for setting a date for accession negotiations with Cyprus, Athens agreed no longer to block the
conclusion of the customs union with Turkey, which it had vetoed in December 1994. According to the Commission, the Union’s commitment to open accession negotiations should “encourage the two Cypriot communities to intensify efforts for reaching a compromise on the islands’ future status”, while the conclusion of the customs union was described as “an important gesture towards Turkey (something which the Ankara authorities have been requesting for some time now), a gesture that should anchor this country to Europe”. But instead of bringing a settlement any closer, this decision further estranged Turkey and the Turkish Cypriots from the EU. Ankara reacted by threatening to integrate the Northern part of the island if the Union would proceed with its intention of starting accession talks with Cyprus. Turkish Foreign Minister Karayalcin declared that “in such an undesirable eventuality, Turkey will be left with no option but to take steps towards achieving a similar integration with the Turkish Republic of Northern Cyprus”. He affirmed that “Turkey will continue to be politically and legally opposed to the membership of Cyprus, in whole or in part, before its own accession to the EU as a full member like the other guarantor powers” and deemed “the Council’s decision on the membership of Cyprus [...] an unfortunate step which could lead to the permanent division of the island”. French Foreign Minister Alain Juppé, President in office of the Council, stated, in order to meet Greek concerns over the Turkish reaction, that he considered these comments to be “null and void”, adding that the EU could not accept “a veto from anyone” on its plans.

245. When in the summer of 1997 the Commission recommended, in Agenda 2000, not to start accession negotiations with Turkey just yet, a recommendation which would be followed by the Luxembourg European Council in December of that same year, while negotiations with Cyprus were scheduled for 1998, Turkey and the Northern part of Cyprus announced a partial integration agreement. This provided for an association council, the improvement of transportation links, economic and financial unity and a joint defense policy. The Turkish side further refused to take part in the UN-sponsored negotiations of July and August 1997 unless the accession process be freezed. The Union’s decision to open accession negotiations with Cyprus was denounced as a “historic mistake” and it was stated that “every step taken by the Greek Cypriot administration on the course of unilateral membership in the EU will speed up the integration process between the TRNC and Turkey”. Denying, in the eyes of Ankara, Turkey’s European vocation, the Luxembourg summit thus removed the incentive to show some will to compromise and led to the end of the political dialogue between the EU and Turkey. International recognition of the TRNC was set as a precondition for participation in any further negotiations. EU policy overlooked the fact that security and sovereignty issues rule the Cyprus conflict and not economic prosperity, which is why the economic benefits of membership by themselves proved to be far less of an incitement for the Turkish Cypriots to negotiate than had been expected. Turkish spokesmen referred to the situation of the Turkish minority in Western Thrace, claimed to be living in poor conditions because of Greek discrimination, in spite of them being citizens of a Member State of the Union. The European Council decision led to muted criticism from other actors, such as the UN and the US, who felt that the Union’s accession process rather than bringing a settlement nearer had complicated the issue.

246. Commissioner Hans van den Broek, discussing the Cyprus issue with US Secretary of State Madeleine Albright in Washington, replied to Turkey’s threat of fully integrating the TRNC by saying that if this were to lead to membership of a divided Cyprus, it could preclude Turkey’s own ambitions for membership. On 26 August 1997 the EU reacted with a CFSP declaration which stated that “the position adopted by Mr. Denktash which makes continuation of the [UN sponsored] talks conditional upon a freeze of accession negotiations
with Cyprus is unacceptable” and that “likewise the ‘association agreement’ signed between Turkey and the self-proclaimed Turkish Republic of Northern Cyprus is not valid against the international community and cannot call into question the territorial integrity of the Republic of Cyprus”. The declaration explicitly “confirms that the negotiations will open in any case early next year”. In its declaration of 8 July 1997 on the UN-sponsored negotiations the Union had already stated that it “fully supports this United Nations initiative” and that it would “do everything within its power to achieve a positive outcome to these direct talks, with an eye in particular to the prospective opening of the process for its enlargement”.

247. Stipulating that “the accession of Cyprus should benefit all communities and help to bring about civil peace and reconciliation”, the Luxembourg European Council requested that “the willingness of the government of Cyprus to include representatives of the Turkish Cypriot community in the accession negotiating delegation be enacted upon”, an offer which, by the way, had only been made by the Greek Cypriots under EU pressure. But the Turkish Cypriots rejected the offer as in their eyes participation in the negotiations would imply recognition of the application for membership as having been made on behalf of the whole of the island. On 10 March 1998 the Turkish Cypriot parliament adopted a resolution stating that participation in the accession process was “out of the question”. Accession negotiations were opened on 31 March 1998 by British Foreign Minister Robin Cook, who stated that “the Union regrets that it has not been possible to achieve a political solution to the continuing division of Cyprus in time for the accession negotiations” and repeated that the EU objective “remains a bi-communal, bi-zonal federation on the basis of a comprehensive political settlement in accordance with UN Security Council Resolutions”. Cook reaffirmed the Union’s view that “progress towards accession and towards a just and viable solution to the Cyprus problem will naturally reinforce each other” and once more expressed the Union’s “full support for the search for a solution which is now proceeding through talks under the aegis of the UN”. In other words, the EU did not let itself be intimidated and continued the accession process with Cyprus, thus reconfirming its support for the Greek Cypriot government as the sole legitimate authority on the island, but once again refrained from intervening itself in the negotiations and left the field to the UN.

248. During these first years of the CFSP there were several instances of increased tension and even violence on Cyprus. In June 1996 tension rose when Turkish Cypriot forces shot dead an unarmed Greek Cypriot National Guardsman who had entered the buffer zone. In August two civilians were killed when riots broke out between Greek and Turkish Cypriots in the buffer zone. This prompted the EU to issue the first CFSP declaration on Cyprus (16 August 1996), in which it “strongly deplores the recent violence in Cyprus and the disproportionate use of force by the security forces in the North of Cyprus to unauthorized entry into the buffer zone”. Following further incidents, a second declaration was issued on 16 October, endorsing “the principle stated by the UN peacekeeping force in Cyprus that deadly force must not be used by either side against persons who cross the respective cease-fire lines, or enter the UN buffer zone”. The Union “would repeat its call for restraint on all sides, in order to avert further such tragic deaths. It believes that these events only underline the need to redouble efforts to seek progress on dialogue between both communities, with the objective of achieving a comprehensive political settlement to the Cyprus question, under the aegis of the United Nations”. Other than this declaration of support for the UN, the EU did not take any specific action.

249. Tensions over Cyprus escalated again when in January 1997 the Greek Cypriot government announced its decision to purchase a Russian surface-to-air missile system, the S-
300, as a defensive measure against a possible Turkish attack. The US, the UK and others tried to dissuade it from doing so, but the Cypriot government pushed through, claiming its right to self defense against a “Turkish occupation army”. The Greek Cypriots hoped to use the arms deal to attract the attention of the international community to the conflict and to force a breakthrough, stating that the missiles, scheduled to be delivered in mid-1998, would be installed unless by then a settlement for the Cyprus issue had been found. Turkey reacted fiercely to what it deemed a change in the military balance that would undermine peace in the region, and vowed to prevent the installation of the missiles, if necessary by force. Or, as then Foreign Minister Tansu Ciller put it, “we will do what is needed, if that means they need to be hit, they will be hit”. Much more important than a change in the balance of power, given Turkey’s massive military superiority, was Ankara’s fear that the installation of the missiles would lead to permanent Greek military entrenchment on the island. Already an airbase on which Greek fighter planes could be deployed had been constructed, in the context of Athens’ 1993 announcement that Cyprus was part of its new defense doctrine. Intensive diplomatic activity by the UN, the US and the EU followed the decision of the Greek Cypriot government. Only under intense pressure from Washington did President Glafkos Clerides finally give way. In December 1998 he agreed to the Greek suggestion to place the missiles on Crete.230 Cypriot Foreign Minister Ioannis Kassoulides presented this as a voluntary decision and deemed it “Cyprus’s contribution to the CFSP”, stating that “being aware of its size”, Cyprus had opted for “the road to stability and security” and had wished to show itself a “credible partner for the Union”. He added that “without the prospect of Cyprus’ entry into the Union, the missiles would be on the island”.231

250. This decision was welcomed by the EU in its declaration of 30 December 1998, in which it expressed its hope that the decision would “encourage progress towards a just and lasting settlement of the Cyprus conflict”, adding that “it should be followed by gestures also from Turkish side”. The Union further stated, in what seems to be a very positive interpretation of its role in the events, that “President Clerides’ decision [...] shows that the increasingly strong ties between Cyprus and the European Union are able to contribute to the reduction of tensions and to the search for a political solution”. On the whole EU involvement in the mediation efforts was rather limited. Earlier the EU had expressed its support for a general mediation effort launched by UN Secretary-General Kofi Annan in early 1997, bringing the parties together in direct talks, but again its active involvement was limited. The prospect of accession would of course have been an important factor taken into account by the Greek Cypriot government, but it seems that by far the bigger part in the diplomatic activity was played by the US.

251. Apparently no further mediation efforts were considered by the EU after the missile incident was closed. Support for the UN efforts was repeated in the EU’s declaration of 31 October 2000, on the occasion of the resumption of (indirect) talks under UN auspices, which stated that “the European Union considers the status quo in Cyprus to be unacceptable and supports the United Nations Secretary-General’s efforts for a negotiated, comprehensive, just and lasting settlement consistent with the relevant UN Security Council resolutions”. The Union called “upon the two communities to conduct substantive talks during this session and to contribute actively to a settlement”. However, there were hardly any prospects on a positive outcome of the UN-led negotiations in the near future. In September 2001 the invitation by UN Secretary General Kofi Annan to take part in the next round of negotiations was rejected by Denktash, to the disappointment of the international community. Negotiations were thus at a dead end. In a declaration released on 23 October the EU voiced its support for the views expressed in the Security Council, notably “the disappointment [...] at the refusal of the
The November 2001 meeting of the UN General Assembly saw a further clash between the parties involved. While President Clerides called on Turkey to withdraw its threat of annexation should Cyprus join the Union before a settlement were found, Ankara reacted by demanding that “the EU has to clearly say that Cyprus will not be a member as long as a solution has not been found by the protagonists”; talks with the EU were qualified as “a dialogue of the deaf”. Greece in turn stated that in that case it would block the whole enlargement process. In the European Parliament the Commission for Enlargement, Günter Verheugen, declared that annexation of Northern Cyprus would lead to “the most difficult crisis ever between the EU and Turkey”, adding that in such an event he did not see how the Union could emerge from that crisis. Verheugen also expressed his doubts about the legitimacy of the Turkish position, claiming that the majority of Turkish Cypriots are in favour of EU membership.

Finally on 4 December 2001, following a Clerides-Denktash meeting, the first in four years, in the UN zone on Cyprus in the presence of the UN Secretary General’s Special Advisor on Cyprus, Alvaro de Soto, an agreement could be announced to resume direct negotiations in January 2002, at the invitation of the Secretary General. Turkish Foreign Minister Ismail Cem declared that “an acceptable solution to the issue of Cyprus should be reached by the end of the year”. At the same time Cem called on the new Spanish Presidency “to pursue the positive process carried out by the Belgian Presidency on the issue of Turkey’s accession”, which according to him “would first involve deciding at what moment accession negotiations would be started.”

3.3.3 Which role for the EU?

There is some unease about the accession process among the Member States, because of the fear of the possible implications for the EU of the accession of a divided Cyprus, should negotiations fail to produce a settlement. The EU would then itself become a party to the dispute and would thus face an increased risk of involvement in unrest on the island or even in armed conflict. Another cause for unease lies in the fact that the Turkish Cypriot side is not represented in the accession negotiations, which raises questions as to the political legitimacy of the application and public support for it in the Northern part of the island. On the other hand the EU cannot shelve the application of a European country which meets all other accession criteria. Nor can the Union allow to let a non-Member State veto the accession of any applicant, especially not if this state acts in support of a regime which is not recognized by the EU.

At the Helsinki European Council the Union’s strategy concerning accession was changed. The European Council reiterated the view that “a political settlement will facilitate the accession of Cyprus”, which fulfills all political and economic criteria for membership. But in view of the absolute lack of progress in the negotiations, it was now explicitly added that “if no settlement has been reached by the completion of the accession negotiations, the Council’s decision on accession will be made without the above being a precondition”. Further and more importantly, Turkey was formally accepted as a candidate for accession, thus restoring to it the prospect of membership, but this was to be conditional on its attitude...
regarding its disputes with Greece and the Cyprus issue. The accession process was thus turned into a powerful incentive for Turkey and the Turkish Cypriots to accept a compromise on Cyprus. This view was confirmed in a report by Belgian senators Philippe Monfils and François Roelants du Vivier, who went on a mission to Cyprus on 14-16 November 2001, at the request of the Belgian Presidency. They concluded that the EU should do its uttermost to find an institutional solution before accession, but that in the case of failure accession should go ahead as planned; if Turkey would carry out its threats of annexation, that would ruin its own prospects of EU membership altogether. The two senators further recommended that if a solution were found, the EU should put itself up as guarantor and send a European force to ensure security on the island.237

256. Still it seems that the Union, by not taking any actual initiatives to further reconciliation and by limiting itself instead to supporting attempts by other actors, mainly the UN, failed to fully exploit this incentive, in spite of its great interest in the resolution of the Cyprus problem and its long-standing and oft-repeated commitment to the creation of a bi-communal and bi-zonal federation. It seems likely that because of the Union’s leverage, active EU involvement would have considerable speeded up negotiations between the parties. The inactivity of the EU is reflected in the absence of common positions or joint actions on the Cyprus issue. One should also ask whether the EU has given sufficient incentives to the Greek Cypriots to negotiate; a settlement requires political will on both sides. On the other hand, in a reaction to the terms of the Accession Partnership, Turkey stated that it “has never accepted any linkage between the efforts to find a solution to the Cyprus issue and its candidacy to the EU”, claiming that the former is an issue just “between the Turkish Republic of Northern Cyprus and the Greek Cypriot administration of Southern Cyprus”.238 The prospect of accession very probably was a substantial factor contributing to the December 2001 agreement to resume direct negotiations. But once again this agreement in the first place was the result of active UN mediation. While Commissioner Verheugen was probably right in saying that “the European Union has brought some movement through the planned accession. Otherwise nothing would have moved”, it does seem that progress could have been achieved much sooner had the decisions of the Helsinki European Council been followed by active EU mediation efforts.239

257. Now that direct talks have been resumed the EU should work on the finding of a settlement jointly with the UN, who so far have acted as the driving force of the attempts to resolve the conflict, be it without succes. The resumption of direct talks is the ideal occasion for the Union to join in. An ad hoc structure could be created to take the lead in a renewed and joint effort at mediation. If they are willing to commit themselves the US could participate too. Using the carrot and stick approach, the EU should make full use of the possibilities offered by the accession process to broker an agreement. The Member States should be willing to commit the necessary forces to provide the security guarantees which both sides to the conflict would want, in the framework of either a remodelled UNFICYP or a new EU operation. A settlement should of course be followed by economic and financial support for peace-building.

258. The status quo is not an option for Cyprus. The apparent stability is only superficial: on the ground the situation remains tense and the past eruptions of violence could easily repeat itself – the militarization of the island has increased the potential for violent conflict. As long as the conflict on Cyprus persists, it will continue to fuel Greek-Turkish tensions and thus make a settlement of Athens’ and Ankara’s bilateral disputes more difficult. And of course accession of a divided Cyprus remains problematic. Accession before a solution has been found is possible and the Northern part of the island could always join the EU at a later stage,
like East Germany. But even though the possibility exists, internalizing a still potentially violent dispute is clearly not the most desirable option. Besides, accession of a divided Cyprus would create the remarkable situation, to say the least, that part of the territory of a Member State would be virtually occupied by the armed forces of a candidate for accession. It should also be noted that the notion of status quo is misleading: in the years since 1974 immigration from the Turkish mainland has affected the demographic balance on the island and the TRNC has grown ever closer to Ankara, thus effectively changing conditions on the ground. Formal partition of the island into two independent states is not a viable option either. It would send the wrong message as to the acceptability of violence as an instrument in international politics and the possibility of peaceful coexistence of different ethnic groups. It would probably also inflame Greek-Turkish tensions again and undo the recent rapprochement, since partition would constitute a victory for Ankara’s past nationalist policies and would provoke a Greek counter-reaction and further militarization.

259. As a country with an undeniable European identity, but which is situated in the heart of the Middle East, and which maintains cordial relations with the whole of this region, Cyprus could serve as an example of democratic institutions and as a bridgehead of the Union. Furthermore Cyprus, because of its proximity to the unstable Middle East, is firmly committed to the EMP and the realization of the security objectives of the Partnership. Already it aligns its foreign policy with the CFSP and it is willing to participate in the development of the ESDP and abandon the non-aligned status which it maintained until now. The accession of a reunited Cyprus would therefore be of enormous value to the Union’s Mediterranean policy.

Box 2: CFSP acts on the Cyprus issue

<table>
<thead>
<tr>
<th>Date</th>
<th>Declaration by the Presidency on behalf of the European Union</th>
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<tbody>
<tr>
<td>16/08/1996</td>
<td>on the recent violence in Cyprus</td>
</tr>
<tr>
<td>16/10/1996</td>
<td>on the recent killing in Cyprus</td>
</tr>
<tr>
<td>08/07/1997</td>
<td>concerning Cyprus</td>
</tr>
<tr>
<td>26/08/1997</td>
<td>on behalf of the European Union on Cyprus</td>
</tr>
<tr>
<td>30/12/1997</td>
<td>on the decision of President Clerides concerning missiles</td>
</tr>
<tr>
<td>28/01/2000</td>
<td>on the abolition of the death penalty in Cyprus</td>
</tr>
<tr>
<td>31/10/2000</td>
<td>on behalf of the European Union on Cyprus</td>
</tr>
<tr>
<td>23/10/2001</td>
<td>on Cyprus – United Nations process</td>
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</tbody>
</table>

3.4 Turkey, the Kurds and human rights

260. The Kemalist regime was founded as a centralized nation-state, in which there was no place for ethnic minorities or regional autonomy (though three religious minorities were recognized by the Lausanne Treaty and granted the right to manage their own churches, schools and hospitals: Armenians, Jews and Greeks). After massive population exchanges with Greece and a number of Kurdish rebellions in the early 1920s, a process of forced “Turkification” was begun; the existence of a Kurdish minority in the South East of the country, estimated today at between 8 and 15 million, was virtually denied. Over the years this policy evolved into discrimination, neglect of the economic underdevelopment of the South East and harsh repression of any movement claiming equal rights for the Kurds.
Ironically, this policy of repression, which made it impossible to achieve improved conditions for the Kurds through democratic means, drove them to the use of violence. The Kurdistan Workers Party (PKK) started a guerilla campaign with the aim of creating an independent Kurdistan, which led to a brutal civil war in the South East. The state of emergency was declared, giving the authorities extraordinary powers to combat terrorism, which resulted in restrictions on the normal exercise of civil and political rights. Government measures included mass deportations, forced resettlement and destruction of villages, but atrocities were committed by both sides – as usual the civilian population was the main victim. Added to this was internal Kurdish strife, between rival armed groups. In the meantime repression of democratic activists of the Kurdish cause and of human rights activists in general continued, on the ground of laws prohibiting any action which might be interpreted as questioning the unity of the Turkish state. Kurdish members of parliament expressing their views on the Kurdish issue were prosecuted and Kurdish parties prohibited.

261. After the fall of the Ottoman Empire the Kurds were divided over four states: Turkey, Syria, Iran and Iraq. In the early 1980s PKK fighters trained in Syria and the Syrian-controlled Beqa’ Valley; Syrian support for the PKK caused severe tensions between Ankara and Damascus. Later Kurdish guerillas operated from Northern Iraq, making use of the absence of strong state authority there since the establishment of a safe zone to protect the Iraqi Kurds from the regime of Saddam Hussein after the Gulf War. This in turn led to Turkish incursions into Iraq in order to destroy PKK bases there. So there also is an important international dimension to the Kurdish issue, which is all the more significant because of the volatile security situation in the Middle East. In this way a peaceful settlement of the Kurdish question is not only matter of Turkey’s internal security and domestic political reform, but is related to international security as well.

262. In recent years the intensity of the conflict has decreased. After the capture of Öcalan and renewed large-scale operations by the Turkish army, the PKK has been more or less neutralized. The main issues of the problem remain as yet unresolved however. Economic underdevelopment will remain a problem for a long time to come. The massive South East Anatolia Project or GAP (Güneydoğu Anadolu Projesi), involving the construction of dams on the Tigris and Euphrates Rivers, is meant to give an incentive to the region’s economy, but progress is slow. A number of measures have been taken, but the question is whether Kurdish demands for equal rights and some degree of (especially cultural) autonomy have really been met. Therefore the root causes of the conflict are still present and underlying tensions persist. The cost of this internal war, apart from the human suffering (the death toll of the conflict is estimated at 40 000), was (and still is) enormous. With a defense budget of well over eight billion EURO Turkey spends 4,5% of its GDP and over 40% of the state’s budget on defense. Over 200 000 troops are deployed in the South East, in part of which the state of emergency still applies.

263. The Kurdish question is very damaging to Turkey’s image. It continues to raise doubts about respect for human rights in Turkey and consequently about its eligibility for membership of the EU. The European Parliament especially always is very critical of Turkey’s posture in the fields of democracy and human rights. The Kurdish diaspora in Europe continues to support Kurds in Turkey and exerts significant influence on European policymakers, i.a. through the media (Kurdish assets include a television station: MED-TV). In the West a certain sympathy exists for the Kurdish cause. People like Öcalan, which in Turkey are seen purely as terrorists, are often seen as freedom fighters in the West, although resort to violence is always condemned.
The EU has always adopted a balanced approach, condemning terrorism, but at the same time condemning also the way terrorism is fought and recognizing the legitimacy of a number of Kurdish demands. In the first declaration on Turkey issued in the framework of the CFSP (31 March 1994) the Union stated that “it has repeatedly condemned terrorist acts in Turkey, but it believes that the fight against terrorism should be conducted within the law and with full respect for human rights. It further wishes to reiterate its appeal for a political solution of the problems in south-eastern Turkey”. The declaration specifically addressed “the lifting of the immunity of six deputies of the Turkish democracy party” (or DEP, one of the Kurdish political parties founded successively after one after the other was prohibited by the authorities), in order for them to be prosecuted on the charge of separatist activities. The Union underlined “that the right to express freely one’s ideas and convictions is a fundamental freedom for all, and a fortiori for members of parliament” and called “on the Turkish government to fulfil its earlier undertaking on constitutional reforms in the area of human rights”. In a subsequent declaration (9 December 1994) the EU took note “with concern of the sentences announced today by the Court of State Security in Ankara, against 8 former members of the Great Turkish National Assembly” and reminded Turkey of the fact that “governments of Member States of the European Union have on various occasions and firmly expressed their preoccupation in view of measures taken by the Turkish authorities against freely elected members of parliament”. The February 1999 declaration following the arrest of Öcalan gives a clear picture of the Union’s view. It states that “the EU fully upholds the territorial integrity of Turkey”, but adds that “at the same time, the EU expects Turkey to resolve its problems by political means with full respect for human rights, the rule of law in a democratic society and in full accordance with Turkey’s commitments as a member of the Council of Europe”. Therefore the EU “welcomes all genuine efforts to separate the fight against terrorism from the search for political solutions and to promote conciliation” and “in support of this […] stands ready to contribute, including through continued financial assistance”. It should be noted that the Union’s concern over the Kurdish issue was also partly motivated by the exodus of Kurdish asylum seekers to Europe, especially to Italy.

The EU especially condemned the repeated Turkish interventions in Northern Iraq, which by expanding the conflict into another country complicated the already tense security situation in the Middle East. Having in mind the prospect of EU membership for Turkey and the alignment with the CFSP which this implies, the Union cannot tolerate such actions. In its declaration of 5 April 1995 the EU “expressed its concern at Turkey’s intervention in Northern Iraq and the risks incurred by civilians, particularly refugees. It asked for that operation to be swiftly brought to an end”. On 11 April the Union, although being “aware of the seriousness of the terrorist threat facing Turkey”, reiterated “its concern at the military intervention in Northern Iraq”. “The European Union takes note of the Turkish authorities’ announcement of the withdrawal of a brigade of three thousand men from Northern Iraq. The European Union sees this as a positive but inadequate move and reaffirms its hope that the withdrawal of all Turkish troops operating in Northern Iraq will be completed without delay”. When total withdrawal was finally completed, the EU welcomed this in its declaration of 9 May, adding that it hoped “that Ankara will deal similarly with the other concerns voiced by the European Union in recent months concerning democracy and human rights, thus creating more favourable conditions for the bringing about of the desired rapprochement between the European Union and Turkey, with a view in particular to the implementation of the agreement on the customs union”. On 23 March 1995 the troika, on a visit to Ankara, had already made clear that operations like these would make it “even more difficult to obtain the European Parliament’s approval for the customs union” and had asked for a rapid withdrawal. The customs union and the prospect of membership was thus used as a carrot.
to influence Ankara’s policy, but the efficacy of this instrument must be doubted, for on 16 May 1997 the EU was forced to note “with concern the fact that the Turkish armed forces have once again entered Northern Iraq”. “Notwithstanding its understanding of the Turkish wish to end terrorist actions, the EU Presidency stresses that a solution to the Kurdish problem can only be achieved politically, not militarily. It calls on Turkey to exercise the utmost restraint, to respect human rights, not to endanger the lives of innocent civilians and to withdraw its military forces from Iraqi territory as soon as possible.”

266. In the same spirit the EU has voiced its concerns at the tensions between Turkey and Syria, which also are related to the Kurdish issue. Syria provided support to the PKK and harboured its leader Öcalan. In October 1998, presumably with the silent backing of Israel and the US, militarily far superior Turkey threatened Syria with military action if it would not expel Öcalan from Damascus and end support to the PKK. Mediation followed and on 20 October 1998 Turkey and Syria signed an agreement providing for an immediate end to all aid to the PKK. Öcalan and about 3 000 fighters were forced to leave the country, Öcalan to start an odyssey which would eventually end with his arrest by Turkish agents. In its declaration of 27 October the EU welcomed the signing of the Turkish-Syrian agreement, expressing the hope that it “will lead to a lasting relaxation of the tensions between the two countries, which the European Union has been following with great concern” and that “the implementation in full of that agreement will guide the future relations between Damascus and Ankara in the interest of peace, security and stability in the region”. Relations with both Iraq and Syria are still tense however, due mostly to these countries’ resistance to the South East Anatolia Project. Baghdad and Damascus, which are both downstream from Turkey, fear that its realization would affect their own water supply. As a way of compensation, Turkey has proposed the so-called “peace pipeline”, which would transport water from the Turkish rivers Ceyhan and Seyhan to the Arab countries. But although it is technically feasible, this project faces political objections, such as the vulnerability of such a pipeline running through instable areas, mistrust between the states through the territory of which the pipeline would pass and the high degree of dependency on Turkey which it would imply.246

267. Next to the Kurdish question, the EU in the framework of the CFSP has also addressed the human rights situation in Turkey in general. This particular concern with democracy and human rights has of course to do with Turkey’s application for membership and its compliance with the Copenhagen criteria. On 21 January 1998 the Union noted “with regret the decision of the Turkish Constitutional Court on 16 January 1998 to order the closure of the Welfare [or Refah] Party, to confiscate its property, and to ban certain present and former members of that party from being members of the Turkish parliament or from further political activity for five years”. The Union added its concern “at the implications for democratic pluralism and freedom of expression, and hopes that Turkey will make clear its continuing commitment to these fundamental democratic principles”. In a similar declaration on 25 September 1998 the EU noted “with regret the ruling of a Turkish Appeals Court to uphold a jail sentence imposed on the Mayor of Istanbul, Mr.Tayyip Erdogan, a member of the Facilet (Virtue) Party, by State-Security Court in April 1998”. The Union repeated its “concern at the implications for democratic pluralism and freedom of expression,which prosecution of democratically elected politicians for non-violent expression of their views is bound to have” and “while recognizing the independence of Turkish court authorities”, underlined “the importance it attaches to respect for human rights by all countries, and especially by those which are concerned by the Copenhagen criteria”.

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268. Another issue addressed by the EU was the shooting of Akin Birdal, Chairman of the Human Rights Association. In its declaration of 3 May 1998 the Union expressed its “shock and dismay of the shooting” and its support for “statements by the Turkish authorities that every effort will be made to bring to justice those responsible”. On 30 March 2000 the EU issued a declaration stating that it regretted the fact that Birdal was detained once again and that “the renewed detention of Mr. Birdal constitutes a serious setback for the freedom of expression in Turkey and is not in accordance with the spirit of the Helsinki conclusions”. The Union went on to say that it “is closely monitoring the political and human rights developments in Turkey and recalls, in the context of the Copenhagen criteria for accession to the European Union, the importance of respect for the rule of law and international standards of human rights”. The explicit references to the Copenhagen criteria were clearly meant to remind Turkey that its conduct in the field of human rights would not be without consequences for its chances of joining the EU. The same references are to be found in the Union’s declaration of 25 June 2001, in which it noted “with concern the decision of the Turkish Constitutional Court on 22 June to order the closure of the Virtue Party, to confiscate its assets and to ban certain members from being members of the Turkish Grand National Assembly or from further political activities for five years”. The Union stated that this “decision highlights the need for Turkey to move ahead with political reforms in order to implement the priorities of the Accession Partnership adopted by the EU”. The decision of the Constitutional Court was indeed evidence of the fact that, in spite of progress made, Turkey still has a long way to go towards full respect for human rights and fundamental freedoms.

269. The EU has taken firm viewpoints on the issue of respect for human rights. Because it is so directly linked to accession, it seems that the Union has been able to influence Turkish policy in this field. This was witnessed e.g. by the reforms undertaken by Turkey in order to ensure that the customs union would pass the European Parliament. In its declaration of 23 October 2001 the EU welcomed further constitutional reforms, deeming them “an encouraging step in the democratization of the country and a first stage in the swift implementation of the National Programme for the Adoption of the Acquis”. The human rights situation in general should now further improve. Apparently Ankara realizes that it is a condition sine qua non for membership, especially because accession requires the assent of the European Parliament, which has adopted a very firm attitude in this regard – it should press through effective changes on the ground. As regards the Kurdish issue and the incursions into Northern Iraq however, it seems that considerations of national interest outweighed the condemnations by the EU and the potential implications for EU membership. It can also be said that the EU missed the opportunity to actively work towards a peaceful settlement of the conflict when, instead of trying to broker some kind of agreement when Öcalan was found to be staying within the Union, the EU’s only aspiration appeared to be to get rid of him as quickly as possible. Only because of the arrest of Öcalan and the successful military operations which followed did the conflict gradually phase out – the Union was not able to impose its view that the issue demands a political solution instead of a military one. Turkey should now continue its policy of economic development and should earnestly consider ways of meeting the Kurdish demands for some degree of autonomy, in order to prevent the rekindling of the conflict.

**Box 3: CFSP acts on human rights in Turkey and on the Kurdish and related issues**

<table>
<thead>
<tr>
<th>Date</th>
<th>Statement</th>
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<tbody>
<tr>
<td>31/03/1994</td>
<td>Statement on human rights in Turkey</td>
</tr>
<tr>
<td>09/12/1994</td>
<td>Statement on Turkey on behalf of the European Union and Austria, Finland and Sweden</td>
</tr>
<tr>
<td>05/04/1995</td>
<td>Statement on the Turkish intervention in Northern Iraq</td>
</tr>
<tr>
<td>11/04/1995</td>
<td>Statement on Turkey</td>
</tr>
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270. Unlike the other two Mediterranean applicant states, Malta is not involved in any dispute or conflict. The Republic of Malta gained independence from the UK in 1964. Under a Nationalist government, Malta allowed Britain, which was the country’s most important trading partner, and NATO to continue to make full use of the military installations on the island and close links were sought with the West. In 1965 Malta joined the Council of Europe and in 1970 an Association Agreement was signed with the EEC. As was the case with Cyprus, the latter was inspired by prospect of UK membership of the Community. From 1971 onwards the new Labour government introduced a shift towards non-alignment and eventually neutrality. This resulted i.a. in a rather slack implementation of the Association Agreement; the customs union which it provided for never got under way. In 1980 Malta requested a “special relationship” with the EEC, which would comprise the main benefits of membership, such as aid from the Community’s structural funds, but without the obligations. As such a special category of membership was not provided for by the Rome Treaty and as its introduction would create difficulties for the Community’s future relations with third countries, Brussels rejected this proposal. By the 1980 Treaty of Neutrality between Malta and Italy, Malta became a neutral state. Its neutrality was guaranteed by Italy and has been recognized by a number of other countries, including France, Greece, Algeria, Tunisia and Libya. Foreign military installations on the island were closed down. The motivations for this policy were economic: the idea was to free the country from the traditional dependence on spending associated with the British military presence and to be able to bring in economic aid from either bloc; in this regard it proved to be very successful. But there were also political and ideological grounds. It was felt that because of its strategic position in the Mediterranean, in between Italy and the North African coast, Malta could play an independent role between East and West. Malta always waged an active policy of neutrality, taking numerous initiatives to promote security and cooperation in the Mediterranean. Hence e.g. its continued efforts to strengthen the Mediterranean dimension of the CSCE/OSCE, its strong support for the CSCM initiative and its own 1992 proposal to set up a Mediterranean Council.248

271. In 1987 the Nationalists came to power again and reversed Malta’s policy of non-alignment. Believing Malta’s economic and political future to be in Europe, on 16 July 1990 the government applied for membership of the Community. The Commission Opinion on Malta’s application was delivered on 30 June 1993.249 It stated that “bearing in mind the country’s democratic status and its consistent respect for human rights, Malta is entirely

<table>
<thead>
<tr>
<th>Date</th>
<th>Declaration</th>
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<tbody>
<tr>
<td>09/05/1995</td>
<td>Statement on the withdrawal of Turkish troops from Northern Iraq</td>
</tr>
<tr>
<td>16/05/1997</td>
<td>Declaration by the Presidency on behalf of the European Union on the Turkish incursion into Iraq</td>
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<td>21/01/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the banning of the Refah Party in Turkey</td>
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<td>03/05/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on Turkey</td>
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<td>25/09/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on Turkey</td>
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<td>27/10/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on Turkish-Syrian relations</td>
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<td>30/03/2000</td>
<td>Declaration by the Presidency on behalf of the European Union on Mr. Birdal’s re-imprisonment</td>
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<td>25/06/2001</td>
<td>Declaration by the Presidency on behalf of the European Union on the dissolution of the Virtue Party</td>
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<td>23/10/2001</td>
<td>Declaration by the Presidency on behalf of the European Union concerning constitutional reform in Turkey</td>
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justified in asserting its vocation of membership of the European Union”. The Commission noted however “the need to reform the overall regulatory framework of the Maltese economy”, which because of the lack of implementation of the Association Agreement had not been brought in line with Community standards. Therefore the Commission advised to announce “that the Community is willing to open accession negotiations with Malta as soon as conditions allow”, as a signal to the Maltese government and people “to encourage them to undertake vigorously the requisite reforms to transform Malta’s economy into an open and competitive one”. In view of the considerable efforts undertaken by Malta, the Cannes European Council (June 1995) decided that accession negotiations with Malta, as those with Cyprus, would be opened six months after the end of the IGC. A structured dialogue between the EU and Malta was opened that same month. Malta’s application was strongly supported by Italy, which wanted to see the Union’s Mediterranean dimension reinforced and, more specifically, views EU membership as a way of linking Malta to the European security system and thus of reducing its own role as guarantor of Malta’s neutrality.

272. When in 1996 Labour returned to power, the new government froze Malta’s application for membership. EU membership was seen as threatening Malta’s stability. The Labour government preferred instead to conclude a free trade agreement with the EU, to be accompanied by a protocol providing guarantees for Malta’s security, while non-military agreements would be sought with the country’s other neighbours. Although the Labour government did not close the door completely and clearly retained a European orientation, the structured dialogue was suspended and Malta was not included in the group of countries with which accession negotiations were opened on 31 March 1998. This proved to be only a temporary delay: in September 1998 general elections brought the Nationalists back to power and the new government reactivated the application for membership. The Commission issued an update of its Opinion on Malta’s accession, stating that “a particular effort is now needed on the part of Malta to give a new impetus to its preparations for membership”. Accession negotiations were opened in February 2000.

273. A difficulty with regard to the accession process, which was already noted by the Commission in its 1993 Opinion, is the alignment of Malta’s foreign policy with the CFSP, because of the country’s neutrality. In 1987 the Maltese constitution was amended to state that “Malta is a neutral state actively pursuing peace, security and social progress among all nations by adhering to a policy of non-alignment and refusing to participate in any military alliance”; the constitution further prohibits the installation of foreign military bases on Maltese territory. In September 1992 in a memorandum addressed to the Community, Malta stated that it “believes it to be in Malta’s interest to subscribe to the European Union’s common foreign and security policy, including the framing of a common defense policy which might in time lead to a common defense”. But the Commission was forced to note that this “does not alter the fact that it might be necessary to amend the constitution if Malta is to participate fully in that policy as it develops over the next few years. Any such amendment requires a two-thirds majority in parliament”. The view of the Nationalist Party is that the concepts of neutrality and non-alignment have been superseded by the changes since the end of the Cold War. As Malta cannot defend its neutrality on its own, it has to seek guarantees by other powers anyway and thus had better joined the EU. According to the Nationalists, alignment with the CFSP does not require a change in the constitution; they claim that Malta’s neutrality is sui generis and simply prohibits any foreign military deployment on its territory. Just like other EU Member States with some form of neutral status Malta could thus fully participate in the CFSP. Labour however takes the opposite view and fears that Malta will be transformed in a kind of fortress guarding Europe’s frontier with the Arab world.
274. Malta maintains close relations with Libya. These were established during the period of Labour rule from 1971 to 1987, when the government sought to distance itself from the Western bloc and established close relations with other countries. Libya has important economic interests on Malta. On 19 November 1984 both countries signed a Treaty of Friendship and Cooperation. Libya has always sought to prevent Malta being used as a potential base for military operations against its territory. The Treaty provides that the policies of the signatories “are built on neutrality, rejection of foreign military bases on their territory, as well as membership of military alliances”. The two countries “undertake not to participate in any military alliance which may affect the security interests of the other side” and “pledge not to allow the establishment of foreign military bases on their territories to be used militarily against the security and territorial integrity of the other party”.\(^{254}\) EU membership and participation in the CFSP and ESDP might be perceived by Libya as a threat to its security interests and a violation of the 1984 Treaty. On the other hand, given Libya’s tense relations with the West, it could easily be argued that it has more interests in maintaining its good relations with Malta than in antagonizing it, especially if Malta joins the EU, where it could then speak more favourably of Libya than is usually done. Reversely, Malta’s relations with Libya would also be an asset to the EU, notably in the framework of the EMP. Malta could thus play an important part in reconciling Tripoli and Brussels and in promoting Libya’s integration into the EMP.

275. Since the reactivation of its membership application, Malta has aligned its foreign policy with the CFSP. As a state which is strongly committed to the EMP, its accession would be very positive for the Union’s Mediterranean policy. The question is however whether another change in government might not again lead to a reversal of Malta’s foreign policy. Opposition leader Alfred Sant repeatedly stated, as in his speech to the Maltese parliament in March 2000, that “neither today nor in the foreseeable future does Labour believe that Malta’s option forward should be that of becoming a full member of the European Union”.\(^{255}\) Therefore one should ask whether Malta will be a reliable contributor to the CFSP and the other policies of the Union.

### 3.6 Conclusion

276. The Union’s central instrument for promoting peace and stability in the Eastern Mediterranean is the accession process. Given the strong desire of all three Mediterranean applicant states to join the EU, this is a potentially very powerful instrument indeed. Malta does not pose any problems in the field of security, but the disputes involving Greece, Cyprus and Turkey require an EU policy on “hard” security vis-à-vis the area. It is clear that resort to violent solutions would immediately entail the loss or at least the long-term postponement of the prospect of membership. But in itself, if it is not accompanied by actual mediation efforts on the part of the EU, the possibility of accession does not suffice to incite the parties to the conflicts in the area to find a settlement for their disputes. An active EU policy is needed, aimed at bringing the parties together to work out their differences and making use of the accession process to pressurize all parties. The important security interests of the Union in the area, notably because of the direct implication of a Member State and two applicants, one of which is a member of NATO, in the ongoing disputes, demand an EU initiative. Resolution of the ongoing disputes in the Eastern Mediterranean is also a precondition for the realization of the broader security objectives of the EMP, e.g. in the field of arms control and disarmament.
277. Progress has been made, but one has to ask whether this is really due to EU involvement. There have e.g. been considerable EU efforts vis-à-vis the Greek-Turkish tensions, but the recent improvement in their relations seems to have much more to do with an increased willingness of the parties themselves than with EU policy. While in the years immediately following the Imia crisis the EU, alongside the US, played an active role as mediator between the two parties, in recent years the Union adopted a much more passive stance. The Kurdish conflict has in fact been ended by military means, in spite of repeated EU calls for a political settlement. In this regard the EU has not been able to bring its influence to bear on Turkey. In the field of human rights more results have been achieved, although here too a lot remains to be done. The Cyprus issue demonstrates that simple support for efforts by the UN and the US is insufficient. The Union’s repeated declarations of support should have been backed by much more active involvement in the negotiations. Without this involvement the important decision of the Helsinki European Council to drop a settlement as a precondition for Cyprus’ accession remained without effects on the ground for two years. Another problem straining the relations between Greece and Turkey and rendering conflict resolution in the area more difficult is the Greek attitude within the EU and Athens’ use of its membership to obstruct certain Turkish claims, which is perhaps not countered enough by the other Member States.

278. The lack of an active policy on the side of the EU is witnessed by the absence of joint actions and common positions on the Eastern Mediterranean. There is a large task ahead for the CFSP, which demands political will on the side of the EU. Now that a breakthrough seems possible, given the improved relations between Greece and Turkey, the restoration of relative stability in the Kurdish parts of Turkey and the resumption of talks between the two Cypriot communities, the EU should seize the occasion. A further passive attitude would not be reconcilable with the security objectives of the CFSP and the ESDP. In order to strengthen the parties’ resolve to find a settlement and to give a clear signal of its willingness to contribute, the EU could announce the opening of accession negotiations with Turkey in the short term. Turkey’s long-standing desire for membership would thus finally be translated into action, which would make a compromise on the outstanding disputes more acceptable to Turkey’s government and public opinion. Making full use of the leverage provided by the accession process, a short term settlement should be possible.


175 (anon.), EU/Turkey: Ankara rejects offer from European Council of Luxembourg and breaks political dialogue with the EU. In: Europe, vol.45, 1997, 7122, pp.6-7.


181 The non-EU European NATO members are Norway, Iceland, Hungary, Poland, the Czech Republic and Turkey, of which the latter four are candidates for accession together with Estonia, Slovenia, Romania, Slovakia, Latvia, Lithuania, Bulgaria, Malta and Cyprus.


184 KHALILZAD, Zalmay, LESSER, Ian O., LARRABEE, Stephen F., The future of Turkish-Western relations: toward a strategic plan. Santa Monica (Ca.), Rand, 2000, pp. 41-48.


187 (anon.), EU/defense: EU-NATO Ministerial Meeting turns to cooperation, terrorism and the Balkans – Greece still needs to provide its go-ahead for agreement with Turkey over use of NATO assets. In: Europe, 49, 2001, 8108, p.4.


189 KHALILZAD, Zalmay, LESSER, Ian O., LARRABEE, Stephen F., The future of Turkish-Western relations: toward a strategic plan. Santa Monica (Ca.), Rand, 2000, p.42.

DEL RÍO LUELMO, Jesús, *Turkey’s role in the Middle East as a member of NATO: its importance for the Atlantic external security*. NATO Fellowship Research Paper, 1997, pp.31-35.

KHALILZAD, Zalmay, LESSER, Ian O., LARRABEE, Stephen F., *The future of Turkish-Western relations: toward a strategic plan*. Santa Monica (Ca.), Rand, 2000, pp.11-16.


198 (anon.), *EU/Greece/Turkey: Irritation on the part of certain Member States over Greece’s blocking of the implementation of the agreements with Turkey*. In: Europe, vol.44, 1996, 6674, pp.7-7bis.

199 (anon.), *EU/Greece/Turkey: Mr. Yilmaz proposes talks on all the differences in the Aegean*. In: Europe, vol.44, 1996, 6695, p.3.


202 It is interesting to note the use of an “oral statement by the Presidency”, an instrument new to the CFSP. This innovation was clearly due to the wish of the Member States to avoid taking a formal position on the sensitive issue, but it can hardly be said to add to the transparency of the CFSP, nor does it plead in favour of the Member States’ political courage.

203 The precise circumstances of Öcalan’s arrest remain unclear. Reportedly, the Mossad was involved in his capture and subsequent transportation to Turkey.

204 (anon.), *EU/Turkey: Bonn and Rome hope to launch EU initiative for contributing to political settlement of the Öcalan affair, but Ankara continues to call for extradition of Kurdish leader*. In: Europe, vol.46, 1998, 7353, p.5.


207 (anon.), EU/Turkey: Now that some financial aid has been unblocked, Mr. Cem is invited to the General Affairs Council of 13 September – Mr. Papandreou has positive attitude but there is no announcement of unfreezing of the financial protocol. In: Europe, 47, 1999, 7545, pp.5-6.


215 (anon.), EU/Cyprus: Mr. Denktash on accession to the EU. In: Europe, vol.42, 1994, 6353, p.4.

216 COM(93)313 final, 30/06/1993, Commission Opinion on the application by the Republic of Cyprus for membership.


220 (anon.), EU/Cyprus: According to Turkey, the EU can contribute to a solution to the Cyprus problem only by recognizing the “political and legal” equality of the two communities. In: Europe, vol.44, 1996, 6659, p.5.

EU/Turkey/Cyprus/Malta: For the Commission, EU commitment to open negotiations with Cyprus and Malta six months after the end of the IGC will make Greece accept customs union with Turkey. In: Europe, vol.43, 1995, 6412, p.8.

EU/Turkey: Completion of the customs union on 1 January 1996 agreed, but Turkish comments on Cyprus lead Greece to call for the convening of a special General Affairs Council. In: Europe, vol.43, 1995, 6435, pp.4-6.

EU/Cyprus/Turkey: The Presidency tells Turkey that Ankara should not have interfered in the Fifteen’s policy over Cyprus, which tempers Greek disquiet. In: Europe, vol.43, 1995, 6436, p.5.

1998 Regular report from the Commission on Turkey’s progress towards accession, p.20.


EU/Cyprus: Mr. Kassoulides affirms Nicosia has renounced missiles in the prospect of accession, to take place “in 2005 at the latest”. In: Europe, vol.47, 1999, 7397, p.3.

EU/Turkey: Ankara considers the Commission document to be an important step towards accession negotiations, but does not accept linkage with Cyprus affair. In: Europe, 48, 2000, 7842, p.3.


(anonymous), EU/Turkey: The troika to be in Ankara on 23 and 24 March and to ask for clarification on the action against the Kurds in Iraq. In: Europe, vol.43, 1995, 6446, p.3.

(anonymous), EU/Turkey: The troika calls for the rapid withdrawal of Turkish forces from Northern Iraq. In: Europe, vol.43, 1995, 6447, p.2.


DEL RÍO LUELMO, Jesús, Turkey’s role in the Middle East as a member of NATO: its importance for the Atlantic external security. NATO Fellowship Research Paper, 1997, pp.40-47.


COM(93)312 final, 30/06/1993, Commission Opinion on Malta’s application for membership.


COM(99)69, 18/02/1999, Report updating the Commission’s Opinion on Malta’s application for membership.


(anonymous), EU/Malta: Opposition leader Alfred Sant makes clear Labour Party believes EU membership is not and will not be in Malta’s interest. In: Europe, 48, 2000, 7675, p.6.
CHAPTER 4
THE MIDDLE EAST PEACE PROCESS

4.1 The origins of Europe’s Middle East policy

4.1.1 The start of EPC and the Euro-Arab Dialogue

279. From its very beginning in 1970, the Middle East was high on the agenda of European Political Cooperation (EPC), the Community’s new informal foreign policy coordination mechanism. The Middle East was one of two priority issues considered by EPC, the other one being the CSCE-process. Member States were highly divided over the Middle East however, with France and the Netherlands especially being on opposite ends of the scale. Following the Six Day War of 1967, during which Israel occupied Sinai, the Golan, the West Bank, Gaza and East Jerusalem, the former fiercely condemned the Israeli aggression, while the latter resolutely backed Israel. The Italian government was divided, Germany proclaimed its neutrality but was in fact rather more benevolent towards Israel and Belgium and Luxembourg simply referred to Security Council Resolution 242. This called for the “withdrawal of Israeli armed forces from territories occupied in the recent conflict” and “respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force”.256 The failure of the Member States to adopt a common position, which was due also to the absence of foreign policy in the competencies of the Community, was in fact one of the major motivations for the creation of EPC, the first attempt at harmonizing European foreign policy.

Map 3: The Middle East

The Perry-Castañeda Library Map Collection, University of Texas, http://www.lib.utexas.edu/Libs/PCL/Map_collection/middle_east.html
280. A common position was finally reached on 17 May 1971 with the adoption of the Schumann Paper, named after the French Minister of Foreign Affairs. This was the first time that a – limited – European policy was defined on the situation in the Middle East. The adoption of the paper, which leaned towards the French view, confirmed Israel’s fears that harmonization of European policy on the Middle East could only mean a weakening of the support it received from its “allies” among the Six. The Schumann Paper called for an overall Israeli withdrawal, with minor border adjustments, the internationalization of Jerusalem, the establishment of demilitarized zones, in which international forces would be stationed, and the postponement of any definite solution regarding East Jerusalem. The Palestinians were not mentioned explicitly; the paper just stated that “Arab refugees” were to be given the choice between an indemnity or returning home. The paper was fiercely criticized in the German press, which led German Foreign Minister Walter Scheel to declare that it was only a working document, which in turn provoked angry reactions from Paris. 1971 also saw the beginning of EEC aid to the Palestinians; help was accorded indirectly to the Palestinian refugees, through the United Nations Relief and Work Agency (UNRWA). 257

281. The Schumann Paper thus did not completely erase divisions within the Community, which was clearly demonstrated when the Member States again adopted divergent positions regarding the surprise attack by Egypt and Syria on 6 October 1973, the start of the Yom Kippur War. They could only agree on a vague declaration (13 October 1973) calling for a cease-fire and for a solution based on Resolution 242. The Security Council in Resolution 338 also called for a cease-fire, the immediate implementation of Resolution 242 and negotiations to establish a durable peace. 258 Subsequently however, the danger that the USA and the USSR would monopolize the diplomatic arena (they had convened a peace conference in Geneva) convinced the Member States, stimulated by France and Britain, of the necessity to define a common policy and adopt a declaration in the framework of EPC. The other motivating factor was the oil crisis: the Netherlands and the US were put under a petrol embargo, because of their pro-Israeli stance, while production of petrol was lowered, leading to the quadruplication of oil prices. The Brussels Declaration (6 November 1973) 259 reconfirmed the stipulations and the policy objectives of the Schumann Paper: “the inadmissibility of the acquisition of territory by force”, “the need for Israel to end the territorial occupation” and “respect for the sovereignty, territorial integrity and independence of every state in the area and their right to live in peace within recognized and secure boundaries”. Importantly, the Declaration added that “in the establishment of a just and lasting peace account must be taken of the legitimate rights of the Palestinians”. Although the declaration did not include any further specifications on what this implied, this very significant stipulation did elevate the Palestinian question from a simple refugee problem to a matter of the rights of a people. 260 Other renovations were the exclusion of references to border adjustments and the conviction that negotiations to achieve peace should take place in the framework of the UN and that any settlement should provide international guarantees, including the possibility of deploying peacekeeping forces.

282. The Brussels Declaration demonstrated the ability of the Community to agree on common policy objectives, even on such a highly sensitive issue as the Middle East. It was welcomed by the Arab countries, but it met with very strong reactions in Israel, which rejected the idea of Europe dictating the principles of a peace settlement. In the Israeli view, Europe ought to limit its interventions to the facilitation of a settlement by providing a meeting-place, offering good offices etc., but should not interfere with its actual terms. The US as well, which during the Yom Kippur War had clearly assumed the role of Israel’s protector and which had taken note of Europe’s reluctance to help it airlifting provisions to Israel, sought to limit European influence. 261
283. The aftermath of the Yom Kippur War saw the start of the Euro-Arab Dialogue. The Arab League Summit (Algiers, 26-29 November 1973) addressed a declaration to Western Europe, calling upon it to strive towards the evacuation of the occupied territories by Israel and “the restoration of the national rights of the Palestinian people”. Europe was invited to engage in “a framework of confidence and mutually advantageous cooperation”. Four Arab ministers presented this proposal for a dialogue in the margin of the Copenhagen Summit of the EEC (10-14 December 1973), where the Brussels Declaration was confirmed. On 4 March 1974 the Commission was mandated to open official contacts with the Arab League, but was stopped from doing so by a British veto, which was only withdrawn on 10 June after the petrol embargo against the Netherlands had been lifted.262 Contacts were then established at ministerial level (Paris, 31 June 1974), followed by an interparliamentary conference on Euro-Arab cooperation (Damas, 14-17 December 1974). The Arab League accepted the principle of the Dialogue at the Rabat Summit (26-29 October 1974), but following the recognition of the PLO as the sole representative of the Palestinian people at the same Summit, the Arab League demanded that the PLO as such be allowed to participate in the Dialogue, which Europe refused. The “Dublin Compromise” of 14 February 1975 rounded the issue by conceiving the Dialogue as being between two groups, the Nine and the Arab League, each of which was free to compose its delegation, rather than between individual states, thus allowing the inclusion of Palestinian representatives in the Arab League delegation.263

284. The Euro-Arab Dialogue was then effectively launched on 10-14 June 1975 in Cairo, with a first experts meeting, which agreed on the objectives of the Dialogue: the establishment of special relations between the two groups and cooperation towards the development of the Arab world, which should promote stability and security. A second experts meeting created seven working groups, all on socio-economic issues, the work of which was reviewed by the next meeting in Abu Dhabi (22-27 November 1975).264 On 18-20 May 1976 the first meeting of the General Commission was held, the leading organ of the Dialogue, to meet twice a year at ambassadorial level. In the final communiqués of this and the next meeting of the General Commission (Tunis, 10-11 February 1977) reference was made to the recognition, by both parties to the Dialogue, of the legitimate rights of the Palestinian people as a matter to be taken into account by any peace settlement. This reflected the position adopted by Europe in the Brussels Declaration; the latter communiqué also stated Europe’s opposition to Israel’s colonization policy. For the Arab countries the Dialogue was in the first place a way of involving Europe in the Middle East conflict and especially of influencing European policy on the Palestinian issue. The European side on the other hand tended to avoid sensitive political questions and focussed instead on economic matters, with the safe supply of petrol being the main issue, although this is of course linked to stability in the region in general. By way of compromise between these two approaches the working groups were mainly devoted to practical issues, while the General Commission meetings also dealt with high-level political issues.

285. The early years of EPC were thus marked by a gradual shift in position of the EEC Member States towards a recognition of the rights of the Palestinians and away from unconditional support for Israel, even among its staunchest supporters, the Netherlands and Germany. The media, in which the problems of the Palestinians were widely covered, and the start of the Community’s Global Mediterranean Policy in 1972, involving enhanced economic relations with all Mediterranean countries, were important driving factors for this move. On the other hand this did not stop the EEC from concluding a trade agreement with Israel in 1975, in the framework of the GMP, in spite of protestations from the Arab countries, which dubbed this “a bonus for the occupation”. The security of the borders of all states, including
Israel, was always emphasized as a necessary element of a peace settlement. European policy was exclusively declaratory though: the Community stated its policy objectives, but did not take actions to actively contribute to the achievement of these goals. The gradual development of a European Middle East policy was important however in that it stimulated actors in the region and the international community in general to take into account the views of the Palestinians.

4.1.2 An active Community: the London and Venice Declarations

286. Europe’s change of attitude towards Israel was accelerated by the coming to power of a Likud government in May 1977, led by Menahim Begin. Essentially his policies were not that different from those of the preceding Labour governments, but he did adopt a tougher line, notably regarding his claims to all territories of the historic Eretz-Yisrael or Greater Israel and regarding the Jewish settlements in the occupied territories. There also played a personal factor: as a man who had been involved in terrorist strikes against British troops in the 1940s and who after independence had led a violent campaign against the normalization of relations with Germany, Begin was viewed with particular mistrust by governments in Europe.

287. The London European Council (29 June 1977) adopted a new declaration on the Middle East. The “legitimate rights of the Palestinian people” were now defined as their right “to give effective expression to [their] national identity […], which would take into account the need for a homeland”. Although the term “statehood” was avoided, it was clear to all parties concerned that the notion of a “homeland” obviously carried with it the expectation of the eventual establishment of some sort of Palestinian state. This interpretation was also held by Israel, which therefore fiercely rejected the London Declaration; the Jews themselves had used the notion of “homeland” to justify their presence in Palestine before the independence of Israel. The declaration further stated that representatives of the Palestinian people must participate in the negotiations; who these representatives should be was not specified. At the third meeting of the General Commission of the Euro-Arab Dialogue (October 1977) the Arab delegation asked Europe to go even further and recognize the PLO as the sole representative of the Palestinian people. The Community was also requested to suspend its economic and military assistance to Israel. Both questions were turned down however. The London Declaration did also state that “the Arab side must be ready to recognize the right of Israel to live in peace within secure and recognized boundaries”.

288. The Community was taken by surprise by Egyptian President Anwar Sadat’s visit to Jerusalem (19-21 November 1977) and the subsequent negotiations between Egypt and Israel under the auspices of US President Jimmy Carter, which led to the Camp David Accords (17 September 1978). Camp David put the Community in a difficult position: on the one hand it did not want to jeopardize this unexpected opportunity for peace, but on the other hand it wanted to maintain its good relations with the Arab countries, which at the Arab League Summit in Baghdad (November 1978) condemned Sadat’s initiative and suspended Egypt’s membership. The separate Israeli-Egyptian peace talks were contrary to Community policy as stated in the London Declaration in that this called for a global settlement. Another reason for Europe’s reluctance was that Camp David made no mention of a “homeland” as a solution to the Palestinian question (although the Camp David Accords did refer to some degree of autonomy for the Palestinians). Immediately after Sadat’s visit the Nine therefore issued a communiqué (22 November 1977) which expressed their support for “Sadat’s bold initiative” and “the unprecedented dialogue began in Jerusalem”, but at the same time they stressed the
need for “comprehensive negotiations leading to a just and lasting overall settlement”. Such settlement should be according to the principles of the London Declaration, notably the creation of a homeland for the Palestinians. After the accords had been signed the Community praised Sadat, Begin and Carter for their efforts and expressed the hope that these efforts would lead to a just and lasting peace (19 September 1978). In the framework of the Euro-Arab Dialogue the Arab countries again asked Europe to officially recognize the PLO, but the Nine limited themselves to recalling “the centrality of the Palestinian issue”.

289. So essentially, European reactions to Camp David were reserved. Following the conclusion of the Israeli-Egyptian peace treaty (26 March 1979) the Community repeated its wish for a global settlement, including the right of the Palestinian people to a homeland, and concluded that a “difficult road remains to be trodden” towards the full implementation of Resolution 242. Peace between Egypt and Israel was of course welcomed, as a first step in this direction. In a further declaration on 18 June 1979 the Community reiterated the London Declaration and explicitly mentioned Israel’s claim to sovereignty over the occupied territories and the implantation of Jewish settlements as the main obstacles to the establishment of peace. The declaration also expressed the support of the Nine for the independence, sovereignty and territorial integrity of Lebanon and, without naming it, condemned Israel for its attacks on the country – 14 March 1978 had seen the first large-scale Israeli operation in South Lebanon, with the objective of establishing a security zone to prevent further attacks from the PLO on Israel.

290. Camp David made the US into the decisive actor in the Middle East and pushed Europe into the margin of events. From a significant actor, even though its interventions were mostly declaratory, the Community now became an observer without much influence on the sequence of events, which were directed by US diplomacy and to which the EEC could only react. Because of its contribution to peace, the Community never rejected the achievements of Camp David and always presented its own policy as being complementary to it, but it was felt that Europe should now launch its own initiative for peace in the Middle East, so as to try and realize its often repeated policy objectives and so as not to completely abandon the stage to the US. There was also great pressure to this end from the Arab countries, while Washington tried to exert pressure to prevent Europe from taking a new initiative, which was presented as being hostile to American policy. The European initiative would be centred on the PLO’s role in the peace process, in order to convince the other Arab countries to join it and because the Camp David talks had failed to achieve any results regarding Palestinian autonomy of some kind.

291. This urge for a European initiative resulted in the Venice Declaration, which was adopted by the European Council on 13 June 1980. It stated that the Palestinian people must be allowed “to exercise fully its right to self-determination” and that the PLO “will have to be associated with the negotiations”. The declaration emphasized “the right to existence and to security of all states in the region, including Israel”. The Nine undertook “to play a special role” in the Middle East and “to work in a more concrete way towards peace”, indicating their intention to move from a reactive and declaratory to a much more active policy. They would “make the necessary contacts with all the parties concerned” in order to “determine the form which an initiative on their part could take”. Israel reacted furiously to the recognition of the PLO, which it deemed a terrorist organization, all the more so because the Arabs had themselves never recognized Israel’s right of existence. The PLO expressed its disappointment too, regretting that the declaration did not live up to the high expectations which had been created, as it did not call for a modification of Resolution 242, recognize
the PLO as the sole representative of the Palestinians nor reject the partial Camp David settlement. For these same reasons, the US, whose pressure on Europe could be said to have been effective, reacted positively, as they did not see anything contrary to American policy in the Venice declaration.

292. In order to implement the Venice Declaration, the Nine sent a mission to the Middle East, led by Luxembourg Minister Gaston Thorn (Luxembourg held the Presidency at the time). On two consecutive trips Thorn had contacts with a number of parties, including Yasser Arafat. But his mission did not produce any concrete results: the views of Israel and the PLO were once again shown to be completely opposed and Europe did not make any new proposals to try and amend this situation. Conditions were unfavourable to a new initiative in the Middle East. The Arab world was sharply divided over the Iran-Iraq War, while the US increased pressure on Europe to stop it from taking a separate initiative. Few conclusions were drawn from the mission; the Luxembourg European Council (December 1980) simply reviewed the actions taken since Venice and announced further contacts with the parties concerned. A second mission in February 1981, led by Dutch Minister Chris Van der Klaauw, who consciously kept a very low profile, did not bring any further progress. No further actions and no alternative instruments were considered to implement Community policy. Thus the high hopes which had been raised by the Venice Declaration were disappointed.

4.1.3 The Community in retreat: from Venice to Madrid

293. Following Europe’s failure to launch a concrete plan for peace, the Community reverted to its declaratory policy of before and did not take any new initiatives. The assassination of Sadat on 6 October 1981 was an obstacle to any peace initiative. The participation of four Member States of the Community, France, the UK, Italy and the Netherlands, in the Multinational Sinai Force and Observers (MFO), which was interposed between Egypt and Israel after the latter completed its withdrawal from Sinai (25 April 1982), could not but be based on the Camp David Accords and thus acknowledge the US’ Middle East policy. This caused frictions between Europe on the one hand and the PLO and the Arab countries on the other hand, even though the Community reasserted its commitment to the principles of the Venice Declaration. The Euro-Arab Dialogue ground to a halt. It had been suspended after Camp David and Egypt’s suspension from the Arab League, which itself was paralyzed by internal divisions over the Iran-Iraq War. A Euro-Arab meeting was finally held in Luxembourg on 12-13 November 1980 and set in motion preparations for a meeting at ministerial level to be held before the summer of 1981, but this was postponed. The General Commission did meet in Athens on 14 December 1983, but failed to adopt a final communiqué.272

294. The chances for peace were further diminished by the Israeli invasion of Lebanon, operation “Peace in Galilee”, on 6 June 1982. The Community adopted a declaration (Bonn, 29 June 1982) in which it “vigorously condemned” the invasion, which was deemed “a flagrant violation of international law”, and called upon Israel to withdraw its forces immediately and unconditionally. If Israel should not comply with the resolutions of the Security Council, “the ten would examine the possibilities for further measures in the future”, which was a first-time but also rather vague reference to the possibility of economic sanctions as an instrument of Middle East policy, an issue over which the Member States were greatly divided. Humanitarian aid was promised to “the victims of these events”, but due to an Israeli refusal this could not be realized. On 14 June 1982 a list of ten points was delivered to Israel on
which it was asked to give “assurances”, which Israel refused on the ground that such a “form of imperative questionnaire is unacceptable”.

295. The Brussels European Council (29 June 1982) maintained the demand that Israeli forces be withdrawn, as well as all other foreign troops. Significantly, the European Council referred to the use by the Palestinians of “political means”. This implied a rejection of military means, which was linked to the US demand that the PLO should explicitly abandon terrorism. By way of sanctioning Israel, the signing of the second financial protocol to the EEC-Israel agreement of 1975 was suspended, which meant that its implementation was frozen, but the agreement itself remained in existence. This half-hearted measure reflected the internal divisions in the Community over the use of economic sanctions. The Community then took no further steps and left the initiative to US President Ronald Reagan, whose peace plan it welcomed in its declaration of 21 September 1982, in which it also condemned the massacre of Palestinian refugees in the camps Sabra and Shatilah. Neither effective economic sanctions nor concrete proposals for peace were contemplated.273

Map 4: Lebanon

296. After the invasion of Lebanon the Community did not take any new initiative in the Middle East for several years. The grand schemes were left to the UN and the Community focussed instead on concrete aid to the Palestinians. In their declaration of 23 February 1987 the Twelve pronounced themselves in favour of an international peace conference under the auspices of the UN and confirmed their decisions of October 1986 to grant financial aid to the Palestinian population of the occupied territories (3 million ECU were provided) and to allow certain products from the territories preferential access to the Community market. These economic decisions, taken in the framework of the Global Mediterranean Policy, were highly politically significant: by dealing directly with the occupied territories now instead of only through UNRWA, the Community recognized them as a distinct entity and denounced Israeli claims to sovereignty over the area. So while at the time the Community kept to a low profile in the field of high politics, its views on the Middle East found expression in its economic policy. Israel attempted to stop the decisions from taking effect by blocking its ports for Palestinian products, but gave in after the European Parliament in 1988 used its power to delay the adoption of further protocols to the 1975 EEC-Israel agreement.274
297. December 1987 saw the beginning of the Palestinian uprising or *Intifada* in the occupied territories. This led the Community to reemphasize the need for an international conference in a number of declarations and to express its concern over Israeli repression, but without considering peace proposals or the adoption of sanctions. In the declaration of 21 November 1988 the Community dubbed the decisions taken by the PLO in Algiers on 12-15 November, which included the proclamation of the Palestinian state, an expression of the will of the Palestinian people to affirm its national identity. More importantly it welcomed the acceptance by the PLO of Resolution 242, by which the Palestinians implicitly accepted the right of existence of Israel, and its explicit condemnation of terrorism. Consequently the Madrid European Council declared on 27 June 1989 that the PLO should participate in the negotiations, rather than “be associated” with them. In this declaration the Community also endorsed the principle of “land for peace” as the basis for future negotiations and expressed its support for the organization of elections in the occupied territories. At the Dublin European Council (26 June 1990) it was decided that the European Commission should send a permanent representative to the occupied territories, to coordinate the ever increasing aid to the Palestinians.

298. At the end of the 1980s the outbreak of the *Intifada*, which put the Palestinian issue on the forefront again, and the revival of Arab regional structures following Egypt’s reintegration into the Arab League and the creation of the Arab Maghreb Union, provided the right conditions for a reactivation of the Euro-Arab Dialogue, which was proposed by French President François Mitterrand. At a ministerial conference in Paris on 22 December 1989 the Dialogue was taken up again, with the General Commission and the working groups continuing their work in the economic field, but with political issues now being dealt with annually at ministerial level.

299. But the outbreak of the Gulf War (Iraq invaded Kuwait on 2 August 1990) again broke Arab consensus and paralyzed the Dialogue, which was never resumed. The Community was forced to distance itself from the PLO because of its repeated declarations of support for Iraqi President Saddam Hussein. The declaration of 26 February 1991 stated that under these circumstances there could be no high level contacts between the EEC Presidency and the PLO, but at the same time it stressed that this decision did not put into question the role of the PLO or the rights of the Palestinian people. The aid to the Palestinians was continued and steadily increased, reaching 10 million ECU in 1991 and 17 million in 1992, with extra help being provided to counter the negative consequences of the Gulf War (22 July 1991). The American-led operations to end the war and the subsequent US initiative for a Middle East peace conference then pushed Europe into the sideline of events. The Community had announced that after the war it would launch a European peace initiative, but because of internal divisions this idea was abandoned and the Member States decided to support the American-sponsored peace conference instead.

4.1.4 EPC and the Middle East: the balance

300. The Community gradually moved away from the pro-Israeli position of the majority of the original Member States and adopted declarations which took much more account of the Palestinian view, which culminated in the demand that the PLO should participate in any peace negotiations and the recognition of the need for a homeland for and the right to self-determination of the Palestinian people. At the same time the Community did stress that the Arabs should in return recognize Israel’s right of existence and its right to live in peace within
secure borders. By adopting these positions favouring the Palestinian demands the Community became an important diplomatic actor in the Middle East, with considerable influence on the parties concerned, and was appreciated as such by the Arab countries. Recognition by the Community was instrumental in the world-wide acceptation of the Palestinian claims as legitimate demands. Good relations were established with the Arab world in the framework of the Euro-Arab Dialogue, but apart from having perhaps influenced the evolution of the European position, this did not result in any concrete realisations; few of the actions decided upon in the framework of the Dialogue were actually implemented. 278

301. Viewing the US’ efforts as being insufficient and too exclusively tailored to Israel’s needs to achieve an equitable and durable peace, the Community aspired to play a more active role itself and to launch its own proposals for peace. Its interventions were rejected by Israel however, which often reacted fiercely to European policies, and by the US, which did not favour separate European initiatives. The absence of cooperation with the US, the Israeli refusal to make concessions and intra-Arab divisions finally led to the failure of the European attempt, announced in the Venice Declaration, to launch a peace plan. Another factor was the Community’s difficult position between its criticisms on Camp David, and Arab pressure to denounce it, and its wish not to mortgage the chances for peace which it did offer. A factor of a more general nature was the limited scope of EPC, which as a consultation mechanism did not provide arrangements for joint action in the field, a fact which was exacerbated by divisions among the Member States on Middle East policy, even though these diminished over the years. It can indeed by said that the merit of EPC lies in the gradual harmonization of Member States’ views and the eventual definition of a common policy for the Middle East. The successive crises in the Middle East forced the Member States to define a position and thus greatly stimulated EPC. 279

Box 4: The objectives of Europe’s Middle East policy as defined by EPC

1. implementation of Resolutions 242 and 338, which enshrine the principle of land for peace;
2. realizing the right to self-determination of the Palestinian people;
3. security for all states in the region within recognized borders.

302. After the failed attempt to wage an active policy the Community reverted to a declaratory policy. A noticeable exception was the imposing of limited sanctions on Israel in 1982 and 1990. Also the Community, having failed its political ambitions, took to the initiative in the economic field and created a major aid programme for the occupied territories. The Community thus made active use of its core competencies in the economic field to further its Middle East policy objectives in an indirect way.

4.2 The Madrid Conference and the Oslo Process

4.2.1 The start of the peace process

303. The peace conference for the Middle East was opened in Madrid on 30 October 1991 under combined American-Russian sponsorship, but with the US clearly being the dominant actor. Participants were the parties directly involved in the conflict and a number of Arab states from the Maghreb and the Gulf. The Palestinians were not separately represented but were incorporated into the Jordanian delegation. A number of other countries took part as “extra-regional parties”. The UN were only present in a (silent) observer status. The
Community was invited to participate as such next to its Member States, but was granted only a minor role, in spite of the fact that Europe provided the venue for the conference. That Washington chose the declining Soviet Union rather than the EEC to co-sponsor the conference was an indication of the limited role which the US had in mind for Europe. For the US, which had come triumphantly out of the Gulf War and talked of a “New World Order”, its interests in the Middle East were too important to share responsibilities there with Europe. Israel rejected European involvement because it considered the Community as being far too favourable to the Arab views. In order to direct its participation in the conference, the Community created an EPC working group on the peace process. The objectives of the Community’s Middle East remain the same.

304. The peace process comprised two tracks. The bilateral track provided for three sets of direct negotiations between Israel and its Arab neighbours (Syria, Lebanon and Jordan/Palestinians) on the basic issues of territorial control and sovereignty, border demarcations, security arrangements and the rights of the Palestinians. Negotiations started on 3 November 1991 in Washington. A troika delegation of the EEC’s peace process working group attended each bilateral session in Washington. The Community did not have a formal role in the bilateral track however; it only attended the sessions as an observer and therefore did not play a part of any significance in it. The multilateral track, which was launched in Moscow on 28 January 1992, would deal with a number of regional issues. It was hoped that cooperation on these issues would create a positive atmosphere and could serve as a confidence building mechanism and facilitate progress in the bilateral negotiations. At the opening session of the multilateral track the Community representative highlighted the exemplary function of the EEC as a successful case of regional cooperation and integration, reminding the participants of the philosophy underlying its foundation, which should also inspire the multilateral track: “to make war not merely unthinkable, but materially impossible”. Originally the multilateral track consisted of five working groups: Refugees, Water Resources, Environment, Regional Economic Development (REDWG) and Arms Control and Regional Security (ACRS). These were coordinated by the Multilateral Steering Group. In 1993 the Ad Hoc Liaison Committee (AHLC) for the coordination of international assistance to the Palestinians was added. Syria and Lebanon refused to participate in the multilateral track.

305. In a number of consecutive declarations (8 April, 3 May, 29 June, 29 July 1991) the Community at first limited itself to expressing its support for the American initiative, which it welcomed as an opportunity to make progress towards peace in the region. Only on 17 February 1992 did the Community voice its views on the way the peace process was being organized. The Community notably claimed a larger political involvement next to its role as supplier of funds. The Twelve demanded “a formula allowing for a broader Palestinian participation”, a greater involvement of the UN and, for themselves, the right to participate fully in all five working groups of the multilateral track, notably “in working groups of a clearly political nature”, such as ACRS, in which originally Israel wanted only the regional parties and the US and the USSR to participate. The Community put pressure on Israel by slowing down negotiations on the conclusion of a completely new association agreement with the country to replace the old 1975 agreement, something which Israel was keen on and had been lobbying for since the end of the 1980s, in view of the start of the Single Market and its increasing and ever more complex trade relations with the EEC. Subsequently the Palestinians were allowed to take part in the five working groups with a delegation of their own (though because of Israeli objections this could not include members of the PLO or residents of East Jerusalem) and the UN were admitted to all talks as an “extra-regional party”.

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Box 5: Participants in the multilateral track of the Middle East peace process

Regional parties:
Algeria, Bahrein, Egypt, Israel, Jordan, Kuwait, Morocco, Oman, Palestinians, Qatar, Saudi Arabia, Tunisia, United Arab Emirates, Yemen

Extra-regional parties:
European Union and the fifteen individual Member States, Canada, China, Iceland, India, Japan, Mauretania, Norway, Russia, Switzerland, Turkey, Ukraine, UN, USA

Invited but not participating:
Lebanon, Syria

306. Community and, from 1 November 1993 onwards, EU participation in the multilateral track was then as follows:

- Multilateral Steering Group (chaired by the US and Russia) and AHLC (rotating chair): participation by the EU, which is represented by the Presidency.
- ACRS (chaired by the US and Russia): following its February 1992 Declaration, the EU was invited and was represented by the troika. The Member States also wanted to be represented individually however; this request was granted to them at the first round of the Multilateral Steering Group in Lisbon on 27 May 1992 and they were finally invited to the fourth round of ACRS in Qatar in 1994.
- Water Resources (chaired by the US), Environment (chaired by Japan), Refugees (chaired by Canada) and REDWG (chaired by the EU Presidency): both the EU and the individual Member States participate.

307. Progress in the bilateral talks was slow. In the end it took a Labour victory in the June 1992 elections in Israel and secret negotiations between Israel and the PLO in Oslo, with Norway as mediator, to achieve a breakthrough. On 9 and 10 September 1993 Israel and the PLO, represented by Prime Minister Yitzhak Rabin and Yasser Arafat, mutually recognized each other and on 13 September at the White House they signed the Declaration of Principles on Interim Self-Government. The Community was represented at the ceremony by Jacques Delors, President of the Commission, and by Belgian Foreign Minister Willy Claes, acting President of the Council, but their role was limited to issuing statements of support. The Declaration of Principles provided for the establishment of a Palestinian interim authority in the West Bank and the Gaza Strip for a five-year transitional period, awaiting a final settlement, which should cover the highly sensitive issues of Jerusalem, refugees, security arrangements, borders and Israeli settlements. Certain powers were transferred to the Palestinian Authority, which would also create a police force. An interim agreement should be concluded on the gradual withdrawal of Israeli troops from the occupied territories.

308. Israel had thus finally adopted Europe’s view, first put forward (in careful terms) in the Venice Declaration, that direct negotiations with the PLO were inevitable. However, as in the formal bilateral track, the Twelve played no part in these negotiations. Indeed, Norway very probably was acceptable to the Israelis as a mediator precisely because it was not a Member State, while the Twelve were seen as being too much in favour of the Palestinians. It was also telling that the agreement was signed in Washington and not in Oslo or Madrid. The parties clearly felt that an agreement could only be credible if it was concluded under the auspices and with the full support of the US. After the signing of the Declaration of Principles relations
between the EU and Israel improved however, which was also due to the change of government in Israel.\textsuperscript{283}

4.2.2 ACRS and confidence and security building

309. Following the breakthrough which was the Declaration of Principles, the multilateral track as well could really take off. As it was not involved in the bilateral track, the EU wanted to play its full part in these negotiations.

310. At the fourth round of the Multilateral Steering Group (Tokyo, 15-16 December 1993) a number of Arab countries, at the instigation of the EU, criticized the working of this group, which up till then had merely dealt with dates and venues for the consecutive rounds of each of the working groups, and demanded that it play a more political role. This resulted in the Draft Declaration of Principles on the Multilateral Track of the Peace Process in the Middle East (10 February 1994), which would serve as a reference document for the Multilateral Steering Group. Its main guidelines are that the multilateral track should complement and create a favourable climate for progress in the bilateral negotiations, that the multilateral track should focus on the planning and implementation of concrete projects and that it should develop a vision on the outlook of the region after the establishment of peace by the conclusion of the bilateral track, with special attention for the creation of regional institutions. Specific objectives were defined for each of the working groups.

311. For ACRS these were “\textit{preventing conflict from occurring through misunderstanding or miscalculation by adopting confidence and security building measures, limiting military spending in the region, reducing stockpiles of conventional arms and preventing a conventional arms race, moving toward force structures that do not exceed legitimate defence requirements, and establishing a zone free of all weapons of mass destruction}.”\textsuperscript{284} Until the creation of the EMP, ACRS was the only forum where Israel and the Arab states met to discuss “hard” security issues such as arms control. Its objectives in this field are very similar to the principles to which the Mediterranean states would later commit in the framework of the first basket of the EMP.

312. In the first stage of negotiations the parties participating in ACRS were presented with the history and provisions of arms control arrangements which had been implemented in the Middle East and other regions, notably in the framework of the CSCE, in order to familiarize them with the concept of arms control. The parties also submitted papers on their long-term security goals and their approach to ACRS, so as to get to know one another and each others’ security concerns and objectives. The first rounds were held in Washington and Moscow; from 1994 onwards, following the progress in the bilateral track, meetings were held in the region itself.

313. During the second stage of the talks the parties reviewed a number of concrete CSBMs, on the basis of a list of different measures adopted worldwide, and considered which CSBMs would be suitable for implementation in the Middle East. Here a sharp division arose between Israel and the Arab states. The latter, led by Egypt, wanted to focus on WMD as the most important issue for arms control and sought to put the matter of Israel’s nuclear capacity and the strategic disequilibrium which this creates on the agenda, which for them was the main obstacle to the establishment of arms control arrangements. Their goal was the creation of a nuclear weapons-free zone in the Middle East, the signing of the NPT by Israel and the
opening up of its nuclear installations to IAEA inspections. In return for a reduction of Israel’s nuclear capacity the Arab countries could then reduce their conventional, chemical and biological weapons. Israel on the other hand refused to discuss the issue of WMD and wanted to center negotiations on the initiation of a process of confidence and security building, including a whole range of CSBMs, such as pre-notification of military manoeuvres, exchange of information, development of hotlines etc. The discussion and possible adoption of measures on strategic systems, including nuclear weapons, could only be the end of such a process. According to Israel, the arms control process should develop in parallel with the resolution of existing conflicts, it should not diminish the security of any state or allow that a state or group of states acquires a military advantage over another country and it should make sure that each state enjoys an equal level of security, meaning that structural vulnerabilities should be compensated for in terms of capabilities – clearly a reference to Israel’s wish to maintain a nuclear capacity. This division led to very high tensions. At one time Egypt threatened to withhold support for the indefinite extension of the NPT, which was on the agenda of the NPT Extension and Review Conference in New York (May-April 1995), if Israel would not sign.\textsuperscript{285}

314. In order to overcome this division, negotiations were separated into two baskets. An “operational basket” dealt with CSBMs suitable for implementation in the short term. This resulted in an agreement on a number of measures concerning pre-notification of military moves implying more than 4 000 men or 110 tanks, cooperation on maritime search and rescue operations, reducing the risk of naval accidents by the prevention of incidents at sea, voluntary invitations to visit defense installations and exchange of military information. It was also decided to set up a database on arms control and security matters, to create a regional communications network, using the network infrastructure of the OSCE in The Hague until the completion of a permanent capacity in Cairo, and to establish regional security centres in Amman, Qatar and Tunis. In conjunction with the communications network, these would function as conflict prevention centres; their further tasks included organizing seminars on arms control and regional security and encouraging education and training on issues related to the peace process.\textsuperscript{286} These achievements were possible because the parties had agreed that participation in these activities was voluntary, thus allowing the states who were willing to engage in CSBMs to do so, without letting the more reluctant states block the process.

315. In the “conceptual basket” the longer term objectives of the arms control process were discussed. The aim was to agree upon a set of principles that would govern the future relations between the participating states, on which the further negotiations in ACRS could then be based. These talks resulted in the drafting of a “Declaration on regional security and arms control in the Middle East”, which consisted of three parts: a set of principles governing security relations among the states in the region, a set of guidelines to direct the arms control process and a statement on the long-terms goals of ACRS. The declaration i.a. advocated the establishment of a zone free of all WMD. This declaration was not formally adopted however. A number of Arab countries, led by Saudi Arabia, thought it premature to adopt such a declaration before the conclusion of a comprehensive peace agreement and rejected the inclusion of clauses on the political relations between states.

316. The negotiations and associated activities resulted in the development of a cadre of officials and military personnel who are versed in arms control and CSBMs, with which the Arab states and Israel have only limited experience. Delegations from the regional parties visited the MFO, a British air base, a German nuclear power plant and Swiss and Finnish chemical weapons verification facilities and observed a NATO military exercise in Denmark.
Seminars were hosted on i.a. verification, telecommunications, avoiding incidents at sea and cooperative search and rescue arrangements.\textsuperscript{287}

317. However, because of the breakdown of the peace process, none of the measures which had been agreed upon was implemented or implementation was halted at an early stage and the negotiations were de facto suspended. The last formal plenary meeting of ACRS was held in September 1995. Thus the first sincere dialogue between Israel and the Arab states on CSBMs was paralyzed. This dialogue was a CSBM in itself, especially because a number of the participating Arab countries, who were not involved in the bilateral track, had no other relations with Israel than those in ACRS. Considering the history of the conflict in the Middle East, it was very significant that the regional parties had been able to find consensus on a number of important measures. This was highlighted by the Israelo-Jordanian peace treaty, signed on 26 October 1994, which referred to ACRS as the framework to elaborate arms control and security arrangements for the region. Israel and Jordan undertook “to work as a matter of priority, and as soon as possible in the context of the Multilateral Working Group on Arms Control and Regional Security, and jointly, towards the following: (1) the creation in the Middle East of a region free from hostile alliances and coalitions; (2) the creation of a Middle East free from weapons of mass destruction, both conventional and non-conventional, in the context of a comprehensive, lasting and stable peace, characterised by the renunciation of the use of force, reconciliation and goodwill”.\textsuperscript{288} It was therefore all the more regrettable that the agreed CSBMs could not be implemented on the ground. On the positive side, theoretically the measures already agreed upon can be implemented at any given moment if the parties so decide, as this depends only on a political decision. But today it seems unlikely that the multilateral talks will be resumed. Most probably, because of the long suspension of the multilateral track and the successive crises of the peace process, the measures agreed upon in ACRS can no longer be considered as an “acquis” and negotiations on arms control and other “hard” security issues will have to start from scratch again.

318. Besides on the main issue, the initiation of an arms control process, no agreement had been reached, basically for the same reasons which would later hamper progress in the political and security basket of the EMP: the unwillingness to consider farreaching CSBMs and arms control arrangements as long as the current conflict is not resolved on the one hand and the strategic disequilibrium between Israel and the Arab countries on the other hand. The separation of negotiations into two baskets proved to be insufficient to overcome this fundamental division, which led to a freeze of activities in ACRS even before the suspension of the multilateral track in general. ACRS was of course also seriously hindered by the absence of Syria and Lebanon, two indispensable actors if an arms control arrangement for the region is to be found. In the Syrian view, CSBMs had worked in the context of the Cold War because there had not been a war between East and West; in the Middle East premature introduction of CSBMs, while Israel is still occupying the territories, could only serve to weaken the pressure on Israel to retreat from them and would thus place the Arabs at a disadvantage. This attitude too would appear again during negotiations in the framework of the EMP.\textsuperscript{289}

319. Europe’s contribution to ACRS was limited. According to the EU, the negotiations ought to be based on a number of principles: (1) disarmament is but one element of the overall political process aimed at the establishment of peace; (2) it is only credible if the parties concerned consent to it; (3) it should be aimed for progressively; (4) it is in itself not a guarantee for security, but only one of the instruments to achieve increased security; and (5) any arrangements should take into account the geographic and strategic particularities of the region. The EU thus seemed to take account of the particular strategic situation of Israel and
of the Israeli point of view that arms control arrangements should go hand in hand with progress in the peace process. At the same time, within the negotiations on the indefinite extension of the NPT, the EU called on Israel to sign the NPT and submit to IAEA inspections, recognizing its refusal as a major hindrance to arms control measures in the Middle East. So Europe adopted a midway position between Israeli and Arab demands. Within ACRS Europe’s role was mostly limited to supporting the talks between the regional parties and providing information on experiences with CSBMs in the context of the OSCE; of the extra-regional parties the leading part was played by the US. It should also be taken into account that at the time the CFSP was still in a very early stage of development and the EU as such had very little experience in dealing with “hard” security issues.

4.2.3 REDWG and economic assistance

320. As the “gavel-holder” of REDWG and with economic assistance falling under the authority of the Community, the most strongly developed pillar of the EU, Europe made its biggest efforts in the economic basket of the multilateral track. This was also intended to demonstrate Europe’s lasting commitment to the peace process and to convince the other actors involved that it had an important role to play in the Middle East.

321. On the eve of the Declaration of Principles, on 8 September 1993, the Commission adopted a communication to the Council on “Future relations and cooperation between the Community and the Middle East”. The purpose of this communicaton was “to explore longer term perspectives for involving Egypt, Israel, Jordan, Lebanon, the occupied territories and Syria in a process of regional cooperation, supported by the Community, which should consolidate the emerging peace settlement”. The Community saw itself as being well-placed to initiate such a process, because of its own experience with regional cooperation, because of its involvement in the peace process and its close contacts with all the parties, which requested it to help them develop such an approach, and because of its own strong interests in the security and stability of the Middle East. The idea was that, once peace had been established between the parties, regional economic cooperation between them should make peace irreversible. By “small steps rather than ambitious undertakings”, a common regional vision ought to be developed, which should lead to: “a future Middle Eastern economic area, implying, at some stage, freedom of movement for goods, services, capital and labour; efficient regional infrastructures in areas such as transport, communications, energy, water management; [and] better use of available resources in tourism, education, research, agriculture, industry”. The Community would actively support this process and would offer the countries of the Mashreq an economic partnership. This subregional approach, which distinguished between the Middle East and the Maghreb rather than dealing with the Mediterranean as a whole, was in line with the creation of a Euro-Maghreb Partnership as envisaged by the June 1992 Lisbon European Council.

322. In a further communication, of 29 September 1993, on “EC support to the Middle East peace process”, the Commission proposed an aid package for the occupied territories of 500 million ECU for the period 1994-1998, which was adopted by the Council on 11 July 1994, making Europe the primary donor. The aid package was to deal “with the most urgent and specific needs, to help the Palestinians succeed in their move towards autonomy” and should create “the perception by the populations concerned that the first steps towards peace are bringing an immediate improvement in material conditions”, in order to win their support for the peace process. Immediate support to the Palestinians for the amount of 35 million ECU
was provided under the 1993 budget. Also on 29 April 1991 the Community market was further opened to products from the Palestinian territories.\footnote{292}

323. Under the leadership of the EU REDWG became one of the most active working groups of the peace process. During the first three rounds of talks (Brussels, May 1992, Paris, October 1992 and Rome, May 1993) ten spheres of activity were defined, with “shepherds” being assigned to each of them, to take responsibility for the running of projects: communications and transport, energy, tourism, agriculture, financial markets, trade, training, networks, institutions, sectors and principles and bibliography. Following the signing of the Declaration of Principles the working of REDWG was intensified. At the fourth round in Copenhagen (8-9 November 1993) the Copenhagen Action Plan was adopted, defining 34 workshops and studies in the different spheres of activity; the EU allocated over 10 million ECU to finance these activities. The EU stimulated regional cooperation between the parties. At the next round, in Rabat (June 1994), the regional parties agreed upon a number of guidelines, including the pooling of capacities, a joint approach to common problems and the encouragement of the free flow of people, goods, services, capital and information within the region. A Monitoring Committee was set up to allow the core regional parties (Egypt, Israel, Jordan and the Palestinians) to be maximally involved in the implementation of the Action Plan and a secretariat was created to help with the management of the programme of activities.\footnote{293}

324. In the framework of the working group on the environment a number of projects were implemented and in 1994 the “Bahrain Environmental Code of Conduct for the Middle East” was adopted. The other working groups were less successful, because of the contested and highly political nature of the issues they dealt with, water and refugees, which meant that they would better have been included in the bilateral negotiations. Israel simply rejected the return of all refugees, while it proved to be impossible to find consensus on the geopolitically highly sensitive issue of the division of water. The most that could be achieved was the establishment of databases on these issues.\footnote{294}

325. The US tried to gain the initiative in the economic field as well, stepping up its aid to the region and causing frictions with Europe by its wish to have the World Bank coordinate all aid, instead of the multilateral working groups. This led to the creation of the AHLC in order to coordinate international assistance to the Palestinians and promote cooperation among donors; the Paris seat of the World Bank acts as secretariat to the AHLC. The ambitious plan for a Middle Eastern free trade area, announced by the Commission in its communication of 8 September 1993, would eventually be abandoned, together with the project of a Euro-Maghreb Partnership, in favour of the EMP, encompassing the whole of the Mediterranean in one partnership.\footnote{295}

326. The EU’s leading role within REDWG and its huge financial efforts could not hide the fact that the main questions were being dealt with in the American-led bilateral negotiations, in which the EU played no significant part, in spite of its willingness to do so. The multilateral track, however important, could not in itself lead to the establishment of peace. At the most it could create circumstances favourable to the conclusion of an agreement, but most of the actions decided upon in the multilateral working groups could only reach full effect after peace was established, if consensus was even possible before that. The multilateral negotiations were also hampered by the non-participation of Syria and Lebanon. In April 1997 the Arab League formally decided to freeze participation in the multilateral track, which by then had already been paralyzed by the breakdown of the peace process following the
coming to power of Netanyahu in 1996. The EU thus kept to its now well established Middle East policy objectives, but its only significant role was in the application of indirect, economic instruments to further the peace process; it was not really involved in the negotiations on the directly security-related issues of the peace process.

4.3 The CFSP and the Middle East

4.3.1 The start of CFSP: commitment to Madrid

327. From its very start the Middle East was one of the primary areas of focus for the CFSP. The Lisbon European Council (June 1992), when discussing the likely development of the CFSP and identifying the countries and regions where the EU should take joint action, noted that “the instability which has been a permanent feature of this region affects international security and the interests of the Union”. To achieve the Union objectives, i.e. “to ensure the stability of the area and a relationship of cooperation and dialogue”, a number of domains were seen as being potentially open to joint action: support to the peace process launched in Madrid and ensuring the Union’s active involvement therein; promoting regional integration and arms control and disarmament; the fight against terrorism and drugs; and efforts to persuade Israel to change its settlement policy and the Arab countries to renounce their trade boycott of Israel.296 So in spite of the fact that in Madrid it had been more or less sidelined by the US, the EU seemed to aspire an active and ambitious role in the peace process.

328. On 29 October 1993 the European Council, meeting in Brussels, identified the Middle East as one of the five priority areas for the implementation of joint actions, with the objective of “accompanying the Middle East peace process by use of the political, economic and financial means provided by the Union in support of a comprehensive peace plan”.297 At a further meeting in Brussels (10-11 December 1993) the European Council defined the areas suitable for joint action:

- supporting a peace settlement in the framework of the peace process launched in Madrid;
- building regional cooperation, in particular through REDWG, and providing aid to the parties in the bilateral negotiations of the peace process;
- promoting regional security and CSBMs through ACRS;
- assisting with the setting-up of the Palestinian Authority by providing aid, notably via the AHLC, and by helping, if requested, with the organization of elections.298

329. The working groups of the Council in the field of CFSP include an Ad Hoc Group on the Middle East peace process.

330. The first joint action in support of the Middle East peace process was adopted by the Council on 19 April 1994 and closely followed the decisions of the European Council. The EU decided:

- “to participate in international arrangements agreed by the parties to guarantee peace in the context of the process begun in Madrid” and “to use its influence to encourage all the parties to support the peace process unconditionally”;
- to contribute to ACRS and to pursue CSBMs for the region;
- to continue its role in REDWG and the AHLC, to rapidly implement its aid programmes to the Palestinians and “to provide aid to the other parties to the bilateral negotiations as they progress substantially towards peace”;
- to participate, at the request of the parties, in a temporary international presence in the occupied territories in order to protect the Palestinian people;
- “to pursue démarches to the Arab states with the aim of securing an end to the boycott of Israel” and to Israel about its settlement policy;
- to provide assistance “in order to contribute actively and urgently to the creation of a Palestinian police force”, which was provided for in the Declaration of Principles, notably by making available 10 million ECU from the Community budget and by coordinating the Member States’ bilateral aid in this field;
- to assist, at the request of the parties, in preparing for and observing the elections in the occupied territories.

331. This joint action created the policy framework for the Union’s involvement in the Middle East, in all fields. It outlined the instruments to be applied by the EU to achieve its Middle East policy objectives. These objectives were not mentioned explicitly in the text of the joint action, perhaps because they were felt to be evident. Including them would have made for greater clarity and consistency in policy-making, but they can be safely assumed to be those objectives which were developed during the years of EPC and which formed the basis of the Union’s participation in the Madrid process. Most of the instruments were described rather briefly and in very general terms.

332. For a large part the joint action merely confirmed the Union’s contribution to the multilateral track of the peace process, a contribution which was thus put into the framework of the new CFSP. The bilateral track, in which the Union played only a minimal part, was not mentioned explicitly. The references to ACRS and the need for CSBMs were rather vague, which reflected the Union’s limited influence on the security dimension of the multilateral track. The commitments in the joint action regarding economic and financial assistance to the occupied territories and to the regional parties also just confirmed the Union’s ongoing efforts in these fields. Aid too was thus included in the CFSP framework, although the actual implementation of Middle East aid policy was managed by the Commission and financed from the Community budget. With this joint action the EU clearly committed itself to the Madrid peace talks. But at the same time it can also be seen as a confirmation of the Union’s limited role in the peace process. By limiting the joint action to the fields in which it already was active, instead of aiming to extend its involvement into other domains as well, the Union seemed to accept the role in the peace process which was allocated to it by the US. When comparing it to the decisions of the 1992 Lisbon European Council, the joint action seems to be less ambitious. It certainly puts much more emphasis on the Union’s economic and financial contribution to the peace process than on security issues, which in Lisbon were much more prominent. Whereas the Lisbon European Council still foresaw an extensive role for the EU, the joint action, which was adopted nearly two years after the start of the peace process, rather more reflected the actual situation on the ground.

333. The reference in the joint action to a temporary international presence to protect the Palestinians, was an important indication of the Union’s willingness to play a direct part in the region’s security. It should be read in the specific context of events that had happened two months earlier. On 25 February 1994 the Jewish settler Baruch Goldstein had murdered 29 Palestinians in a mosque in Hebron. Yasser Arafat had directly informed the Prime Minister of Greece, Andreas Papandreou, then holding the Presidency, of the Palestinian view of the
event and had announced that the PLO would withdraw from the negotiations if Israel would not agree to an international presence in Hebron. In two subsequent declarations the Union had strongly condemned this act of violence. The Union had called for measures to guarantee the safety of the Palestinians in the occupied territories and for “a full and immediate enquiry into the circumstances of the massacre”, holding that “the authorities in the occupied territories must take full responsibility for protecting the inhabitants” (declaration of 26 February). The EU stated that it supported the establishment of an international presence (declaration of 8 March). Starting on 2 March 1994 Greek Foreign Minister Karolos Papoulias and Commissioner Hans van den Broek made a six-day tour of the Middle East taking them to Cairo, Jerusalem, Damascus and Amman to convince the parties to resume negotiations and to press the European view. Russia too declared that the idea of an international presence “should be given serious consideration”.

334. In Resolution 904 of 18 March 1994, after the US gave way, the Security Council then called for an international presence to protect the Palestinians, a possibility which was provided for by the Declaration of Principles in the context of the gradual withdrawing of Israeli forces from the parts of the territories over which the Palestinian Authority would assume responsibility. A Temporary International Presence in Hebron (TIPH), consisting of 160 observers carrying light weapons (only for their own security), was sent there on 8 May 1994, after an agreement was reached between Israel, the Palestinians and the three European countries who participated in it: Norway (which contributed 90 observers) and two Member States of the EU, Denmark and Italy (which contributed 35 observers each). The TIPH was to provide a sense of security for the Palestinian inhabitants of Hebron and to make possible the return to stability and a normal life in the city. As the PLO and Israel could not reach an agreement on the extension of its mandate, the TIPH was withdrawn on 8 August 1994.

335. The Union thus aspired to play a role of its own in the peace process and in this case contributed to having the demand for an international presence accepted by the Security Council. But on the whole Europe’s influence on the negotiations, which were resumed on 29 March 1994, remained marginal. This became apparent once again at the time of the conclusion of the Gaza-Jericho Agreement between Israel and the Palestinians in Cairo on 4 May 1994. Originally to be signed in December 1993, this agreement covered the transfer of limited powers from the Israeli government to the Palestinian Authority and the scheduled withdrawal of Israeli armed forces; the agreement marked the beginning of Palestinian autonomy. The EU was not involved in the negotiations leading up to the agreement, which was witnessed by the American and Russian Foreign Ministers, Warren Christopher and Andrei Kozyrev, and by Egyptian President Mubarak; on behalf of the EU the Vice-President of the Commission, Manuel Marín, merely attended the ceremony. The Union welcomed the agreement in a statement, released on the same day, in which it called for “the full and early implementation of the Declaration of Principles, towards which the Agreement on Gaza-Jericho is an important step”. The EU also stressed its commitment to the peace process, as reaffirmed by the April 1994 joint action. The Corfu European Council (24-25 June 1994) reaffirmed this declaration in more or less the same words.

336. The EU issued several other declarations expressing its support for the peace process and in which it welcomed Arafat’s first visit to the Gaza Strip and the Jericho area (7 July 1994) and the meeting between King Hussein of Jordan and Israeli Prime Minister Rabin (26 July 1994). The successful conclusion of the Israeli-Jordanian bilateral negotiations, resulting in a peace treaty signed on 26 October 1994, which was witnessed by US President Bill Clinton, also took place without EU involvement. At the signing ceremony the Union was represented...
by German Foreign Minister Klaus Kinkel for the Presidency and Commissioner Hans van den Broeck for the Commission. On the day of its conclusion the EU warmly welcomed the peace treaty. The Union noted in particular the reference, in Article 4 of the treaty, to its role in the development of the CSCE, which was to serve as an example for the Middle East, but its involvement did not go much further than that.

337. Europe’s role in the political and security dimension of the process was mostly limited to the issuing of declarations of support for the peace process, urging the parties to continue the peace talks and not to allow violent extremists from both sides wishing to halt the peace process to paralyze the negotiations. The EU had condemned an attack by Palestinian extremists inflicting a number of Jewish casualties in Afula on 6 April 1994. The declaration of 20 October 1994 expressed the outrage of the Union at a bomb attack in Jerusalem by Hamas and a number of earlier attacks. On 5 January 1995, at a time when the peace process was going through a difficult period because of the continuing violence, the EU reaffirmed “its condemnation of all acts of violence, whatever its origin”. The EU also pointed out “that the total cessation of work on [Israeli] settlements is vital to the smooth operation of the peace process”. A further condemnation of the use of violence was expressed in a declaration on 31 January 1995. The parties were encouraged to continue negotiations in a declaration on 6 February 1995, in which the EU welcomed the meeting in Cairo, four days earlier, between the Heads of State and Government of Egypt, Israel and Jordan and Arafat.

338. This declaration was issued on the eve of a troika visit to Damascus, Gaza, Jerusalem and Beirut, which was meant to incite the parties to uphold their commitment to the peace process. The mission did not really achieve any results however. Syrian Foreign Minister Farouk al-Chareh called for a stronger European role, notably to “help all parties apply the Security Council resolutions”, but also declared that Syria’s participation in the peace process did not go through Brussels and that only the US could act as guarantor. The troika did visit the Orient House, the Palestinian headquarters in East Jerusalem, a politically significant visit and one opposed by Israel, because this denied the Palestinian authorities the right to exercise political activities in the city, as the final status of this had not yet been negotiated. On 15 May 1995, following the expropriation of land in East Jerusalem, the Union again condemned Israeli settlement policy as being contrary to the spirit of the Declaration of Principles and a risk to the peace process. The ongoing violence was rejected in two further declarations of 24 July and 22 August 1995.

339. In spite of the violence, on 24 September 1995 Israel and the Palestinians finally initialed the Interim or Oslo II Agreement in the Egyptian city of Taba. This agreement provided for the election of a Palestinian Council and the extension of autonomy to the West Bank. The PLO undertook to rescind all articles of the Palestinian National Charter referring to the destruction of Israel. The permanent status negotiations were scheduled to start on 5 May 1996. The EU, which welcomed the agreement in a declaration on 25 September, was admitted for the first time to officially witness the signing of the agreement, in Washington on 28 September 1995, where it was represented by Spanish Prime Minister Felipe Gonzalez. Europe’s presence had been demanded by Arafat and could be interpreted as a signal that, mainly because of its economic support to the region, it could not be ignored as an important actor. As such its presence had an undeniable symbolic importance. On the other hand the Union was still not involved in the actual negotiations. A troika visit to the region in October 1995, mostly aimed at the resumption of the Israeli-Syrian negotiations, did not produce any concrete results. The Euro-Mediterranean Conference in Barcelona (27-28 November 1995) intentionally did not address the Middle East peace process. The preamble
to the Barcelona Declaration just stated that “the participants support the realization of a just, comprehensive and lasting peace settlement in the Middle East based on the relevant United Nations Security Council resolutions and principles mentioned in the letter of invitation to the Madrid Middle East peace conference, including the principle of land for peace, with all that this implies”.

4.3.2 Supporting the Palestinian Authority

340. Two specific instruments which were mentioned in the April 1994 joint action and which, next to the reference to an international presence, were the only additional instruments to the Union’s ongoing efforts in the framework of the Madrid process, were assistance with the creation of a Palestinian police force and with the organization of elections in the Palestinian territories. By supporting the Palestinian Authority in these fields, the Union was able to play a very significant role in a domain which was not directly part of the bilateral or multilateral negotiations. Putting to use the instrument of financial and organizational support the EU could thus, to some extent at least, compensate for its lack of influence on the actual negotiations.

341. The EU contributed 10 million ECU to the establishment of the Palestinian police force, which was provided for by the Gaza-Jericho Agreement of May 1994, in order to ensure public order during the interim period. Originally limited to 9 000 personnel, its allowed strength was increased to 30 000 by the Oslo II Agreement.307

342. In a declaration on 10 April 1995 the EU confirmed its commitment to help organize the elections and announced a decision on the exact contribution to be made “as soon as it received a request on the basis of an Israeli-Palestinian agreement covering all the electoral arrangements”. On 1 June 1995 the Council decided to provide a maximum amount of 10 million ECU for the organization of the elections, to be charged to the Community budget. Following the Oslo II Agreement, which provided for the organization of the elections and which designated the EU as the coordinator of all observer activities, the Union created a European Electoral Unit (25 September 1995). This unit was responsible for the organization of the European observation mission, which comprised 285 observers, and for coordinating all other international observation operations, comprising 390 observers from 18 countries, international organizations and NGO’s. The first 66 observers arrived in November 1995 to verify the regularity of the preparations for the elections, such as the registering of the voters. EU support further included funds for a voter education campaign, for the creation of election press centres in the West Bank and the Gaza Strip and for the provision of all materials needed for the polling stations. This joint action was implemented by the Presidency, with the Ad Hoc Working Group on the Middle East peace process functioning as advisory group; the Commission took care of finance and logistics.308

343. After a period of uncertainty and postponements, the elections finally took place on 20 January 1996. Just over 1 million voters elected 88 members of the Palestinian Council out of 676 candidates. The Palestinian police assured the security of 1 200 polling stations, with Israeli security forces surveying operations in Hebron and East Jerusalem. Arafat’s Fatah-party gained 55 seats, while he himself was elected President of the Council with 88.1% of the votes. There was one noticeable intervention by the European Electoral Unit when former Swedish Minister of Justice Carl Lidbom, head of the unit, issued a communiqué titled “That’s enough”, after the Palestinian authorities shortened the length of the election
campaign from 22 to 14 days without explanation, thus reducing the chances of opposition and independent candidates. The communiqué called for an end to the “irregularities and improvisations” or otherwise “the credibility of the elections [would] be placed into question both locally and abroad”. The Palestinian Electoral Commission subsequently revised the earlier decision. In a joint communiqué the observers stated that the elections “may reasonably be considered an exact expression of the will of the electors on the day of the ballot”, despite “certain shortcomings”. It should be noted though that not all reports give the same positive account of the elections.

Chart 2: The European Electoral Unit in Palestine

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<td>Deputy</td>
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<td>Central Office</td>
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<td>Operational branch:</td>
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<td>- legal adviser</td>
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<td>- election organisation adviser</td>
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<td>- media adviser</td>
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<td>- voter education adviser</td>
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<td>- survey and analysis adviser</td>
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<tr>
<td>- computer adviser</td>
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<td>Technical support branch:</td>
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<tr>
<td>- logistics and communication adviser</td>
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<td>- personnel, training and liaison adviser</td>
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<td>- security adviser and spokesman</td>
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<td>- administration and finance adviser</td>
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<td>International Observation Coordination:</td>
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<td>- coordinators (8)</td>
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Regional Offices

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<td>- regional coordinator</td>
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<td>- deputy</td>
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<td>Jericho:</td>
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<tr>
<td>- regional coordinator</td>
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<td>- deputy</td>
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<td>- security advisor</td>
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<td>Bethlehem:</td>
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<td>- regional coordinator</td>
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344. The troika attended the proclamation of the results of the elections. In a rather triumphant declaration, on 22 January 1996, the EU “congratulates the Palestinian people for [its] political maturity”. Confirming the conclusions of the Electoral Unit, the Union “welcomes the fact that the electoral process itself was conducted in a generally peaceful atmosphere in which potentially disruptive and divisive incidents did not cast a shadow over proceedings or give rise to tension or violence which might have undermined the democratic process”. Finally the Union expressed its pride “to have had a leading role in the international observation of the Palestinian elections” and “thanks the Palestinian Authority and the Government of Israel for [their] trust and confidence”.

345. By focussing on support for the organization of elections and a police force, two elements which are very closely linked with the notion of statehood, EU aid to the Palestinians assumed a clearly political character. By applying this instrument the EU thus directly contributed to the achievement of one of the by now traditional objectives of its Middle East policy: realizing the right to self-determination of the Palestinian people. The elections also ensured that Arafat enjoyed the support of the population and provided him with the necessary democratic legitimacy to pursue negotiations with Israel on behalf of the Palestinian people, while it was demonstrated that the opponents to the peace process were but a small minority. This further reinforced Arafat’s position within the PLO, which enabled him to push through the rescission of the articles of the National Charter referring to the destruction of Israel in the Palestine National Council, the leading body of the PLO (24 April 1996). The EU welcomed this decision in its declaration of 26 April 1996. These were all prerequisites for the succesful continuation of the peace process. The international
observation mission, which guaranteed the correctness of the electoral proceedings, thus indirectly contributed to the peace talks themselves, in which the EU’s direct involvement was limited. Or, as the Union itself put it in the CFSP declaration on the occasion of the elections, it “underlines the importance of the successful conclusion of the Palestinian elections for the Middle East peace process as a whole”, as “they conferred democratic legitimacy on the Palestinian Authority” and “confirmed the commitment of the Palestinian people [...] to the peaceful resolution of the Middle East conflict”, thus “confound[ing] opponents of the Middle East peace process who seek to undermine it through violence and terror”. The EU did also urge “the Palestinian people to build on these elections to establish their democratic institutions and strengthen the rule of law and the respect for human rights”, a clear reference to the need for democratization of the Palestinian Authority.

346. The EU continued its humanitarian aid to the Palestinian refugees through UNRWA. A new convention between both organizations, providing for a 106 million ECU aid programme, was announced in the Union’s declaration of 22 October 1996. Next to this, direct aid to the Palestinian Authority kept increasing steadily, eventually reaching an average of 180 million EURO annually. This means that the EU and its Member States provide more than half of all international aid to the Palestinians, a fact which cannot be ignored and an argument for Europe to use when claiming a larger political role in the Middle East. The Union’s economic commitment further ensures its good relations with the Palestinian Authority; as the biggest donor, the EU has more leverage with the Palestinians than any other international actor. The extensive aid programmes reflect the Union’s conviction that the economic and social development of the Palestinian people is the best guarantee for Israel’s security. Increased prosperity takes away the breeding-ground for extremism and strengthens commitment to the peace process.

347. Following the conclusion of the Interim Agreement, the Council had invited the Commission to start exploratory talks regarding the conclusion of an interim association agreement with the Palestinian Authority. The “Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part” was signed on 24 February 1997. Like the EU support for the Palestinian police and for the elections, the conclusion of the Interim Association Agreement was highly politically significant, as it placed the Palestinian Authority on an equal footing with the other members of the EMP, which are all sovereign states. For this reason the agreement was fiercely denounced by Israel as an act which might prejudice the final status negotiations. Article 75 of the Interim Association Agreement provides that negotiations on the conclusion of a Euro-Mediterranean Association Agreement shall commence no later than 4 May 1999, the end of the Oslo framework interim period, but due to the political situation, these have not yet started. Implementation of the Interim Association Agreement has been difficult because of restrictions imposed by Israel and the frequent closures of the Palestinian territories, which greatly hinder their economic development. The EU repeatedly made available additional funds, at very short notice, to cover the budgetary deficiencies of the Palestinian Authority which were the consequence of the closures, so as to allow it to continue to function.

348. By helping to organize the first elections and to set up a police force and through its massive aid, the EU was instrumental to the creation, and certainly to the survival, of the Palestinian Authority. This in itself is an indirect, but a huge contribution to the peace negotiations. Without EU support, the Palestinian Authority could not have survived.
4.3.3 In search of a role in the political and security field

349. In mid-February 1996 the troika, composed of the Italian, Spanish and Irish Foreign Ministers, Susanna Agnelli (President-in-Office), Carlos Westendorp and Dick Spring, again visited the Middle East. This time the troika met with positive reactions. Yasser Arafat, Syrian President Hafez Al-Assad and, significantly, the new Israeli Prime Minister Shimon Peres all officially stated their wish that the EU participate alongside the US in the peace negotiations.

350. The beginning of 1996 was mostly marked however by an upsurge of political violence. Following the murder of Hamas bombmaker Yehia Ayache by the Israeli secret services, a number of terrorist attacks were committed in Jerusalem, Tel Aviv and Ashqelon, which were fiercely condemned by the EU in its declarations of 26 February and 3 March 1996, because every act of terrorism threatens to paralyze the peace process. The Union always tried to act even-handedly and did not hesitate to condemn acts by either side if it considered them harmful to the peace process. In the declaration of 10 March the Union “acknowledges the need for though measures to assure the safety of the Israeli population” and urged on Arafat “the need as a matter of the highest priority and urgency to take every step within his power to arrest those responsible for terrorism”. The Union reaffirmed its “absolute condemnation of terrorism in all its forms, whatever the motivation and whoever the perpetrators” and called for “international agreement on measures to bring to justice perpetrators of terrorist acts”, while urging “all states […] not to support terrorism actively or passively”. It was announced that terrorism would be “a central point in the troika visits in the region”. But at
the same time the Union also recognized “the hardship imposed on the Palestinian population resulting from the closure by Israel for security reasons of all land and sea borders with Gaza and the West Bank” and therefore called on Israel “to allow humanitarian assistance and materials for internationally financed reconstruction programmes to go through, under appropriate security safeguards but without undue delay”.

351. On 10 April 1996 Israel launched operation “Grapes of wrath” in South Lebanon in response to repeated Hezbollah attacks from Lebanon against Israel in March. The Union expressed “grave concern at the recent increase in tension in Galilee and Lebanon”, and expressed the hope that “the recent explosion of violence in the region will not result in a chain reaction which could bring about new crises and will not threaten the peace process”. The EU therefore called “on all parties to show the greatest moderation and to cease military activities” (15 April 1996). The aim of the Israeli operation was to destroy Hezbollah’s power base; it implied heavy bombings, in which on 18 April 98 civilian refugees in a UN camp at Cana were killed.

352. Instead of attending the emergency meeting of the Council, where a position on the crisis was to be adopted, on 14 April French Foreign Minister Hervé de Charette travelled to the region to offer his mediation. This solo action led to sharp reactions from a number of Member States, notably from Spain and the UK. In order to maintain consensus and the efficacy of the CFSP, the Union could not let this shine through though and therefore it could not but support the French initiative in its declaration of 22 April. The EU deplored “the suffering inflicted on the civilian populations of both countries, in particular the tragedy at Cana” and appealed for an immediate cease-fire. Confirming “its willingness to contribute actively to the search in progress for an immediate halt to hostilities”, the Union supported “the action undertaken by the Presidency, the troika and the Member States, notably France, who have been in the region or made representations”. The aim was to be “the elaboration of a lasting agreement”, which should “contribute towards guaranteeing Israel’s security and preserving Lebanon’s sovereignty, in accordance with Security Council Resolution 425 to which the European Union remains committed”. Finally the Union called for free access for humanitarian assistance.

353. Besides France, the Presidency and the troika also toured the region’s capitals in an attempt to contribute to ending the hostilities. These mediation efforts were not always greeted with enthusiasm by the parties concerned. Shimon Peres declared that there should be “a single channel for negotiations” which should pass through the US. France’s intervention though, which was inspired by its historic ties with Lebanon, being the former mandate power, and by its long-standing relationship with the Maronite community in the country, was widely seen as having effectively contributed to the agreement of a cease-fire on 27 April 1996. This cease-fire was welcomed by the EU in its declaration of 29 April, in which it also announced its intention of launching a European plan for the reconstruction of Lebanon. The cease-fire included the establishment of a Monitoring Group, tasked with de-escalating tensions and protecting civilians and which comprises Israel, Syria, Lebanon, the US and France, thanks to its active involvement in reaching an understanding. A Consultative Group was also established, in which France was instrumental, for the purpose of assisting in the reconstruction needs of Lebanon and consisting of the US, Russia, France and the EU. Logically speaking, the EU should have been represented in the Monitoring Group as well, but this was not considered by Paris and thus never really discussed. On the whole this was a success for French diplomacy, even though it had acted outside the framework of the CFSP and without really consulting its fellow Member States. These events demonstrated that
not all Member States were at all times fully committed to the CFSP, which was then still in its early years, before the first amendment of the TEU by the 1997 Amsterdam Treaty. The larger Member States especially tend to let national interests or specific relations with certain countries outweigh the need for a true European foreign and security policy.

354. The French initiative in effect more or less hid the inefficacy of the EU’s actions, the mediation offers of which met with cool reactions from the parties and were also disapproved of by the US. Italian Minister Agnelli stated to believe “that the fact that the European Union has presented no peace plan but has voiced its support for different projects would be appreciated as much by Israel as by Syria and Lebanon” and stressed “the importance of France being on location”, “for reasons linked to its past and its relations with Lebanon”. She also said however that the EU should have “an instrument enabling it to have more contacts with countries that wanted to take an initiative”, an indication of the friction which the French intervention did cause within the EU. In spite of the lack of succes, the mediation attempts by the Presidency and the troika did mark a renewed aspiration on the side of the EU to play an active part in the region’s security and to take initiatives of its own to achieve its Middle East policy objectives. This aspiration was for a great part caused by the unanimous European rejection of Israel’s military intervention. It followed a period in which the Union in the political and security field had mostly limited itself to a declaratory policy in support of the Madrid process and had focussed on economic and financial support to the Palestinian Authority, but which had also seen the gradual development of a more active policy, notably through repeated troika visits to the Middle East.

355. On 29 April 1996 the Israeli elections were won by Likud-leader Benyamin Netanyahu, who formed a government of right-wing and religious parties, the commitment of which to the peace process and its achievements so far was questionable. This led the EU to the release of a declaration (22 June 1996) in which it urged all parties “to re-engage themselves in the peace process, to respect and implement fully all the agreements already reached and to resume negotiations as soon as possible on the basis of the principles already accepted by all parties under the Madrid and Oslo frameworks”. The Union explicitly recalled these principles: “self-determination for the Palestinians, with all that this implies, and land for peace” as enshrined in Resolutions 242, 338 and 425. In early May the troika again made a visit to the region, on the occasion of which several Arab leaders expressed their wish for a greater European role in the peace process in order to undo the unbalance created by the fact that the US, which are de facto the sole sponsor of the peace process, bend more towards Israel.

356. The peace process came to a new crisis however when on 23 September 1996 the Jewish municipality of Jerusalem opened up a tunnel under the Mosque Esplanade, which provoked an outburst of violence which spread to the whole of the occupied territories and eventually caused 76 deaths. A few days later Germany, France and the UK wrote a joint letter to the Israeli government, calling upon it to close the tunnel. The EU then responded with a declaration holding a severe condemnation of Israeli policy (1 October 1996). The Union called upon both parties “to exercise the utmost restraint and to refrain from any actions or words which might lead to further violence” and urged them “to avoid resorting to disproportionate force, in particular the use of firearms, tanks and helicopter gunships”. The latter stipulation was clearly aimed at the Israeli government, which was also called upon “to prevent its forces from re-entering autonomous areas […] contrary to the spirit and the letter of the Interim Agreement”. The Union considered that “the absence of any real progress in the peace process […] is the root of the unrest” and called on Israel “to match its stated commitment to the peace process with concrete actions to fulfill its obligations”. The blame
for the stalemate in the peace process was thus clearly put on Israel. The declaration also contained a specific reference to the question of East Jerusalem. Noting that “the particular events which triggered the current crisis concerned the fears of Palestinians that their position in Jerusalem was being further eroded”, the Union reaffirmed its earlier position on this issue: being “subject to the principles set out in UN Security Council Resolution 242, notably the inadmissibility of the acquisition of territory by force”, East Jerusalem “is therefore not under Israeli sovereignty”.

357. The Union called for a number of specific measures to be taken in order to revive the peace process:

- “timely implementation of the agreements reached, including completion of the first phase of Israel’s troop redeployment [...] and the release of Palestinian prisoners”;
- “positive steps to alleviate the economic plight of the Palestinians, including the early lifting of the closures”; in response to a request from Arafat the EU made available 20 million ECU to cover the budgetary deficit of the Palestinian Authority;
- “resumption of full cooperation in order to ensure internal security”;
- “refraining from measures that prejudge the outcome of the final status negotiations, including annexation of land, demolition of houses, new settlement construction and expansion of settlements”.

358. The EU’s statement was followed by increased diplomatic activity on the European side. The declaration was timed to coincide with an emergency summit in Washington between Israelis and Palestinians, convened by US President Bill Clinton on 1 and 2 October to prevent the violence from escalating. The EU was not invited by the Americans, but the Union invited Arafat to Luxembourg where on 30 September, so prior to him going to the US, the troika voiced Europe’s concerns about Israeli policy and Arafat presented the Palestinian view to the EU. The troika then spoke with Israeli Foreign Minister David Levy in New York. Still, the fact that it was not involved in the actual negotiations, was telling for the lack of recognition of the EU as an actor of importance in the Middle East, especially by the US. This was confirmed by Irish Foreign Minister Dick Spring, President-in-Office, who stated that the Union’s contribution to the peace process “would have been far better reflected by its presence for the talks” in Washington, which then would have been “more complete”. 

Pressure was put on Israel: EU officials hinted that ratification of the new Euro-Mediterranean association agreement, which had been signed on 20 November 1995, might be postponed if no concessions were made. At an extraordinary European Council meeting in Dublin on 5 October 1996 it was decided to send Spring to the Middle East with a message of support for the peace process from the EU and to press for accelerated negotiations; Arafat, Netanyahu and Clinton were also to be sent a message reflecting the Union declaration of 1 October. The European Council further decided to request the General Affairs Council to appoint a special envoy for the Middle East peace process. Spring met Arafat, Netanyahu and Mubarak, but was not involved in the actual negotiations.

359. From 19 to 25 October 1996 French President Jacques Chirac made a highly publicized tour of the Middle East, which took him to Syria, Israel, Gaza, the West Bank, Egypt, Jordan and Lebanon. In stronger words than ever, Chirac made the case for a greater European role in the peace process, demanding co-sponsorship next to the US and Russia. The French President called for a total Israeli withdrawal from the Golan Heights and Lebanon, and in a speech to the Palestinian Legislative Council he asserted that in his view a true and lasting peace could only be achieved by the establishment of a Palestinian state. French Secretary of State for
Public Health, Henri Gaymard, visited the Orient House, stating that the aim of his visit was to make clear that as long as a definite understanding had not been found regarding the future status of Jerusalem, the status quo should be maintained. Chirac himself, while visiting the old city in Jerusalem, attracted public attention when being involved in a scuffle with Israeli bodyguards, whom he claimed deliberately attempted to prevent him from having any contacts with Palestinians. Italian Prime Minister Romano Prodi, on visit to Cairo, also demanded “global involvement for the EU” in the Middle East.323

360. Again, this French initiative drew criticism for being taken without much consultation with the European partners and for being inspired by national rather than European interests. Chirac’s visit was quickly followed by a much more low-key trip by British Foreign Secretary Malcolm Rifkind, to make clear that the French President did not necessarily represent the views of the whole of the EU. Nevertheless Rifkind too reminded Israel that its settlement policy was viewed as illegal and an obstacle to the peace process. This indicated that there were no fundamental differences of view between the Member States of the EU. Rifkind also launched a British proposal to create a new security structure for the Middle East, the Organization for Cooperation in the Middle East (OCME), modelled on the OSCE.324

361. Chirac’s high-profile visit had the merit of stimulating debate about the role the EU should play in the peace process. It can indeed be argued that the more or less unilateral French initiatives, setting aside the friction which they did cause between Member States and with Israel and the US, acted as a driving force in stimulating the Union to adopt itself a more active policy.325 The aspiration within the Union to play a much more active part in the peace process grew steadily. The first cause was dissatisfaction with Israeli policy and the slow pace of the peace process. The April 1996 operations against Lebanon had already attracted fierce criticism from the EU; now the Union was exasperated by the policies of the Netanyahu Government, which led to a breakdown of the peace process. It was also felt in Europe that an active participation on behalf of the EU was necessary to ensure that sufficient thought was given to the interests of the Palestinians; Washington was seen as being too favourable towards Israel to function as a neutral mediator. Finally the Union considered itself entitled to a role in the political field of the peace process, taking into account its leading role in the economic and financial support to the parties involved, and was no longer satisfied with the American monopoly in this area.326

362. These concerns were voiced in an informal document presented by European Commissioner Manuel Marin to the General Affairs Council on 29 October 1996. Marin observed that the Union is “systematically excluded from the most important negotiations” and “is not a co-sponsor of the peace process”, while Russia “without the least financial contribution, appears to be an international sponsor of the process”. It was noted that “provided the political will exists”, the existing institutional arrangements for the peace process sufficed, a reference to the US’ and Israel’s unwillingness to include the EU in the leading bodies of the process. The document also urged “all the Member States to make a firmer commitment not to stray from a policy of common action, strengthened by previous, systematic consultations” and called for much more coherent, visible, quick and firm action by the EU.327

363. Europe’s activeness was of course welcomed by the Palestinians, with Arafat calling for total European involvement in the negotiations with Israel, as a counterbalance to the US. Israeli spokesmen regretted what they called the threatening tone of Europe’s declarations, which they considered did not further the peace process. It was said Europe had played a very
positive role in the economic field, but that it was “inconceivable” to bring in another mediator; the idea of an EU special envoy was therefore rejected. The US too were not very enthusiastic about European involvement in the peace talks; Secretary of State Warren Christopher declared that not in any case could the bilateral character of the negotiations be modified. The US were the only member of the Security Council to abstain on the vote on Resolution 1073 of 28 September 1996, which called for “the immediate cessation and reversal of all acts which have resulted in the aggravation of the situation and which have negative implications for the Middle East peace process”.\textsuperscript{328} In view of the international demand for firmness towards Israel Washington thus left a vacuum to be filled.

### Box 7: CFSP acts on the Middle East 1996

<table>
<thead>
<tr>
<th>Date</th>
<th>Act Description</th>
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<tbody>
<tr>
<td>22/01/1996</td>
<td>Declaration by the Presidency on behalf of the European Union on the Palestinian elections</td>
</tr>
<tr>
<td>26/02/1996</td>
<td>Declaration of the European Union on the bomb attacks in Jerusalem and Ashqelon</td>
</tr>
<tr>
<td>03/03/1996</td>
<td>Declaration by the Presidency on behalf of the European Union on the terrorist attack in Jerusalem</td>
</tr>
<tr>
<td>10/03/1996</td>
<td>Presidency statement on the Middle East peace process following discussion at the informal meeting of EU Foreign Ministers, Palermo, 9-10 March 1996</td>
</tr>
<tr>
<td>15/04/1996</td>
<td>Declaration by the Presidency on behalf of the European Union on the situation in the Middle East</td>
</tr>
<tr>
<td>22/04/1996</td>
<td>Declaration by the European Union on Lebanon</td>
</tr>
<tr>
<td>26/04/1996</td>
<td>Declaration by the Presidency on behalf of the European Union about the decision taken by the Palestinian National Council on the Palestinian Charter</td>
</tr>
<tr>
<td>29/04/1996</td>
<td>Declaration by the Presidency on behalf of the European Union on the cease-fire in Lebanon</td>
</tr>
<tr>
<td>22/06/1996</td>
<td>Declaration by the European Council on the Middle East peace process</td>
</tr>
<tr>
<td>01/10/1996</td>
<td>Declaration by the Presidency on behalf of the European Union on the Middle East peace process</td>
</tr>
<tr>
<td>22/10/1996</td>
<td>Statement on the signature of the EC-UNRWA convention on aid to Palestinian refugees</td>
</tr>
<tr>
<td>25/11/1996</td>
<td>Joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union in relation to the nomination of an EU special envoy for the Middle East peace process (96/676/CFSP)</td>
</tr>
<tr>
<td>14/12/1996</td>
<td>Declaration by the European Council on the Middle East peace process</td>
</tr>
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</table>

### 4.3.4 The EU special envoy for the Middle East peace process

364. The Union’s aspiration for an active part found an outlet in the decision of the General Affairs Council on 29 October 1996 to appoint a special envoy for the Middle East peace process. The idea to appoint an “EU mediator” to monitor the continuation of the peace process was first launched by Spanish Prime Minister Felipe Gonzalez while on a tour of the Middle East in September 1995.\textsuperscript{329} The idea was picked up by the October 1996 Dublin European Council, following the tunnel incident, but without all Member States completely backing it. Germany in particular had its doubts; Foreign Minister Klaus Kinkel spoke of the “risk Europeans would be running by assuming an overly important role as mediators”, but Kinkel later denied that Germany was opposed to the idea.\textsuperscript{330} The General Affairs Council now deemed that “the situation created by the deterioration in the peace process has underlined the need for the EU to contribute actively to advancing the peace process, commensurate with its substantial political and economic engagement in the region”.\textsuperscript{331}

365. Accordingly on 25 November 1996 the Council adopted a joint action appointing Miguel Angel Moratinos as special envoy. Moratinos is a Spanish diplomat who at that time was serving as ambassador to Israel and who had a lot of experience in North Africa and the Middle East; he had notably been very much involved in the 1995 Barcelona Conference. His mandate, originally for a period of one year, is mainly one of observation of and support to
the peace process. The special envoy is to “maintain close contact with all the parties to the peace process, other countries of the region, the US and other interested countries, as well as relevant international organizations”. He is “to observe peace negotiations between the parties, and be ready to offer the EU’s advice and good offices should the parties request this” and “contribute where requested to the implementation of international agreements reached between parties, and to engage with them diplomatically in the event of non-compliance with the terms of these agreements”. Further the special envoy is “to monitor actions by either side which might prejudice the outcome of the final status negotiations” and should promote respect for human rights and the rule of law. The work of the special envoy is guided by the Presidency; he is “to report to the Council’s bodies on the possibilities for EU intervention in the peace process, and on the best way of pursuing EU initiatives and ongoing Middle East peace process-related EU business including the political aspects of relevant EU development projects”. The Commission is fully associated with these tasks. The special envoy is financed from the general Community budget. He has his offices in the Secretariat-General of the Council in Brussels, where he is assisted by four permanent advisors and one liaison officer with the Presidency.

366. Moratinos’ mandate was formulated in rather general terms. On the one hand this meant that in the beginning the exact portent of his mission was unclear, but on the other hand this allowed him to carve out a role for himself. At the same time sufficient control by the Member States was assured by the provisions on guidance by the Presidency and reports to the Council bodies. The role of the special envoy as it emerges from the stipulations of the joint action can be interpreted as being a rather passive one, observing and supporting the peace process rather than aspiring to guide it in a certain direction. The EU indeed did not obtain the official status of co-sponsor of the peace process, which a number of the Member States coveted. The idea of co-sponsorship was not retained by the Dublin European Council in its declaration on the peace process (13-14 October 1996), which instead was limited to an expression of support for the special envoy. The joint action rather envisaged a role for the EU which is complementary to the US and to the existing framework for the peace process and which is less institutionalized. However, the appointment of a special envoy enhanced Europe’s political standing and gave it a much more prominent and visible role in the peace process. The presence of a special envoy ensures that the EU’s views are expressed with one voice and provides continuity in its representation in the region; the consecutive Presidencies can rely on the experience accumulated by the special envoy. It further enables the Union to respond immediately to developments on the ground and provides all parties in the region with a permanent point of contact whom they can address at short notice. In this way the creation of the position of special envoy was an important addition to the range of instruments applied by the EU in the Middle East.

367. Moratinos’ appointment was at first greeted with scepticism, also by a number of Arab leaders, who doubted that he could have much influence on events. However, he gained the confidence of the regional leaders after a series of tours of the region during the first months of his mandate, during which he acquainted himself with all the parties, including Israel. One of his first deeds was to cooperate with US envoy Dennis Ross, with whom he established good working relations, to mediate an agreement between Israelis and Palestinians on Hebron. Moratinos kept to the background, but behind the curtains he effectively contributed to the conclusion of an agreement on 15 January 1997. Arafat was supplied with an EU letter of guarantee assuring him that the Union would “use all its political and moral weight to ensure that all the provisions in the agreements already reached will be fully implemented”. At a meeting in The Hague on 4 February 1997 with Wim Kok and Hans Van Mierlo, Prime
Minister and Foreign Minister of the Netherlands, then holding the Presidency, Arafat revealed that the letter of guarantee had been a determining factor and stipulated that he had insisted on obtaining it before signing the agreement. Moratinos’ contribution was also stressed by Commission President Jacques Santer when he welcomed the conclusion of the agreement and was symbolized by Moratinos’ presence at the signing ceremony. The agreement provided for redeployment of Israeli forces, the start of which was welcomed by the EU in its declaration of 10 March 1997, and for the transfer of civil powers in the Palestinian part of the city. In a subsequent agreement on 21 January a new TIPH was set up, comprising observers from Norway, Switzerland and Turkey and from EU Member States Italy, Denmark and Sweden, and replacing an exclusively Norwegian advance guard which, awaiting Israeli redeployment, had been present since 12 May 1996.

368. Following the agreement on Hebron, Moratinos turned his attention to the Israeli-Syrian negotiations, hoping to be able to make use of the favourable climate and of the additional diplomatic channel which his mandate provided to revive this slumbering part of the bilateral track. To this end he spent considerable time shuttling between Jerusalem, Damascus and Washington and he was able to develop a good relationship with the Syrian President, which allowed him to act as go-between in talks between Syria and Israel. During a visit to Beirut on 11 March 1997 Moratinos announced his intention, in order to reactivate the peace process, of trying to win the parties for a new formula for Lebanon: “total withdrawal against total security”, with the Arabs seeking Israeli withdrawal from their territories and Israel seeking total security. Lebanese Foreign Minister Fares Boueiz expressed his interest in the concept, saying that it could “constitute a bridge towards land against peace”. Israeli reactions at the EU’s efforts to resume the talks with Syria and Lebanon were very sceptical however and in spite of repeated contacts with all the parties concerned nothing much resulted from Moratinos’ efforts.

369. In February 1997, also at the instigation of the special envoy, delegations from the Knesset and the Palestinian Legislative Council were received on an equal footing by the European Parliament. February also saw an EU declaration condemning the decision by the Israeli government to build the Jewish settlement of Har Homa in the Arab sector of Jerusalem and confirming the Union’s position on the city. Israeli settlement policy thus again created difficulties for the Israeli-Palestinian track of the negotiations. On 14 March 1997 the EU confirmed its readiness to support the process, notably through the special envoy, who would attempt to reconcile both parties and try and find options to overcome the existing differences. For the first time the EU took an initiative aimed at reinvigorating the peace process in general. In the light of increasing violence between Israelis and Palestinians, the Union proposed to the US to take joint action to relaunch the peace process. Moratinos announced that the EU was drafting a code of conduct to be followed by Israelis and Palestinians as a means of “creating a climate of confidence” and “restoring dynamism to their dialogue”. The code of conduct would not replace the agreements already reached, but was meant to facilitate their full and early implementation. It would stipulate that both parties should refrain from unilateral actions, that the Palestinian Authority should step up its commitment to fight terrorism and that Israeli settlement policy should be freeze. The code further provided for the creation of a permanent Israel-Palestinian security committee, which should not be allowed to cease functioning under any circumstances. This should allow the parties to undertake joint crisis management and to address any security incident at an early stage, in order to prevent it from affecting the whole of the peace talks. The code should thus prevent tensions from rising between the parties and it should create conditions favourable to
the continuation of negotiations. According to Moratinos this general and innovative initiative was also a “first step meant to strengthen the philosophy of EU/US complimentarity”.

370. The idea of a code was immediately rejected by Netanyahu; his spokesman refuted “any attempt to place at the same level murders committed by terrorists and the building of homes”. The Presidency met with Arafat and Netanyahu separately in mid-April, but the latter still refused to make any concessions. Another meeting between Arafat and Israeli Foreign Minister David Levy was set up by Moratinos and the Presidency in the margin of the Malta Euro-Mediterranean Conference (15-16 April 1997). Also present were Egyptian and French Foreign Ministers Amr Moussa and Hervé de Charette. Nothing substantial resulted from the event, but it was afterwards described as “a very warm exchange of views”. The conclusions of the conference itself as regarded the peace process were limited, as was to be expected. The participants expressed “their deep concern about the obstacles which are blocking the Middle East peace process” and stressed the need for “a just, comprehensive and lasting peace in the Middle East”, while “reiterating that this Euro-Mediterranean initiative is not intended to replace the other activities and initiatives undertaken in the interest of peace, stability and development in the region, but that it will contribute to their success”. In spite of the severe difficulties which the crisis of the peace process caused for the EMP, the formal separation between both was maintained. Efforts at bringing the two parties together continued throughout the following months.

371. On 29 April 1997 the EU took another initiative which led it even further into the political and security dimension of the peace process. The Council adopted a joint action establishing an assistance programme “to support the Palestinian Authority in its efforts to counter terrorist activities emanating from the territories under its control and to assist in the establishment of related Palestinian administrative structures”. The programme included “training in surveillance, search and interview techniques; the establishment of a technical investigation bureau with forensic capability; training of management personnel of the security and police agencies involved to bring about cooperation and effective reaction concerning acts of terrorism; [and] assistance to senior management of the various services for effective administration”. It was complemented by “procurement of equipment and services, information technology, secure communications and explosive ordnance disposal”. The Union attaches great importance to respect for human rights by the Palestinian authorities, which is why the programme also included human rights training. The joint action stipulated that the programme would be suspended “if the Palestinian Authority fails to cooperate fully in the implementation of the programme, to take appropriate measures to ensure respect for human rights in the implementation of the programme [or] to allow EU monitoring and/or periodic external evaluations to that effect”. An EU adviser was appointed “to oversee the implementation of the programme [and] to monitor the proper use of EU-provided capabilities”; he is guided by the Presidency and reports to the Council. The programma was financed from the general Community budget. The Israeli government continually reproached the Palestinian Authority for the terrorist attacks emanating from the territories under its control, which were often invoked by Israel as a reason for not proceeding with the negotiations. By adopting this joint action, a concrete instrument in support of its diplomatic initiatives, the EU attempted to directly address Israel’s security concerns and lift one of the barriers to the progress of the peace process.

372. April 1997 also saw the start of an EU-Israeli Joint Dialogue uniting experts from both sides to develop solutions on how to overcome obstacles to Palestinian economic development. Five working groups were established, dealing with the passage of goods and
people, labour issues, financial and fiscal issues, Gaza port and airport and medium and long term economic potential. A number of measures have been devised to allow for greater flexibility without compromising Israel’s security.339

373. The anti-terrorism programme was built on in later years. On 9 April 1998 an EU-Palestinian Permanent Security Committee was set up in which representatives of the Palestinian security forces and the EU meet regularly to coordinate cooperation on security issues and to help prepare the Palestinian security agencies for tasks likely to devolve to them in the future from the political negotiations. The joint action on counter-terrorism was extended until 31 May 2002 by Council decision of 6 July 1999. On 13 April 2000 a new joint action, repealing the 1997 and 1999 decisions, extended the programme by three years. The programme, which was accorded 10 million EURO, would henceforth be focussed on individual projects aiming at “improved organizational capacity, improved operational capacity and post-incident management”. “Specific implementing decisions regarding individual projects” are taken by the Presidency; a committee was created, chaired by the Presidency and composed of national anti-terrorism experts, to advise it on these issues. The EU adviser was confirmed in his tasks. This focus on terrorism contrasts with the limited attention devoted to the subject by the EU in the framework of the EMP, at least before the 11 September 2001 attacks on the US. The EMP did not include general Euro-Mediterranean arrangements for cooperation in the fight against terrorism, while because of the formal separation between the EMP and the peace process, terrorism issues specific to the Middle East were not dealt with by the Barcelona Process. The EU could not but recognize however that terrorism constitutes a major obstacle to the peace process, hence its joint action on the issue.

374. The Amsterdam European Council (16 June 1997) recalled the EU’s Middle East policy objectives and called upon “the peoples and governments of the Middle East to renew the spirit of mutual confidence”; the stagnation of the Palestinian, Syrian and Lebanese tracks of the peace process was deemed “a permanent threat to the security of all”. When dealing with the Israeli-Palestinians talks specifically, the European Council called “on the people of Israel to recognize the right of the Palestinians to exercise self-determination, without excluding the option of a state”. “The creation of a viable and peaceful sovereign Palestinian entity” was considered “the best guarantee of Israel’s security”. At the same time the European Council called “upon the Palestinian people to reaffirm their commitment to the legitimate right of Israel to live within safe, recognized borders”. For the first time a European declaration explicitly mentioned the possibility of a Palestinian state as a way to realize the Palestinians’ right to self-determination, one of the Union’s established Middle East policy objectives. This was a clear indication of the importance which the Union attached to the Palestinian question and also of its exasperation with Israeli intransigence which led to such an explicit statement. In its statement of 4 July 1997 the EU recalled that “it is vital to abstain from unilateral actions prejudging the permanent status issues and maintain full security cooperation with the aim of fighting terrorism”.

375. After further strenuous negotiations and an Arafat-Levy meeting in Brussels on 22 July 1997, the EU could finally announce a breakthrough. Under the aegis of the Presidency and Moratinos, Israelis and Palestinians reached an agreement on the adoption in the near future of a code of good conduct that should prevent tensions from rising and reassure both parties of each other’s intentions. The Palestinians formally undertook to put an end to the violence which for the Israelis constituted the main cause of the deadlock of the peace process, while the latter committed themselves to lifting the blockade of the Palestinian territories and thus
stop the deterioration of living conditions. Working groups would elaborate detailed measures to implement these commitments.\textsuperscript{340}

376. The agreement on the early adoption of a code of conduct, which was an exclusively European initiative, was a big success for European diplomacy. It was the first time that the EU, mainly through the efforts of its special envoy, had brokered a breakthrough in the peace process. The Union had proved that it had a significant role to play in the political and security dimension of the Middle East peace process. The nomination of a special envoy for the Middle East, who could occupy himself full-time with the peace process, had clearly increased the efficacy of EU foreign policy and had given a new impetus to it. Partly, this success was also due to the temporary absence of American initiatives, with the US being relatively inactive in the first months of 1997. Moratinos could thus fill the diplomatic vacuum created by a reduced American presence. This does not detract however from the merit of the Union for being the only one to continue its attempts to keep the peace process alive at one of its - many - difficult moments.\textsuperscript{341} Both Arafat and Levy welcomed the Union’s role as mediator in reaching the agreement, which was essentially based on the recognition of shared interests and security threats by Israel and the Palestinian Authority. On 22 July 1997 the Council extended Moratinos’ mandate as special envoy.

377. The breakthrough was again followed by acts of violence however, which were committed by extremist opponents of the peace process. In its declaration of 31 July 1997 the Union condemned the terrorist attack in Jerusalem of the day before and called upon Israel “not to give way to the provocations of those who want to torpedo peace”, but Israel announced that the resumption of contacts with the Palestinians was postponed and the Palestinian territories were again sealed off. Pleas were made by Moratinos to Netanyahu to end the blockade on 4 August 1997 and again on 8 August, following a request from Arafat to Luxembourg Council President Jacques Poos to intervene personally. In his reply to Arafat, Poos acknowledged that many of the measures taken by the Israelis “are new and seem to be excessive” and, while considering it “absolutely necessary that the Palestinian Authority cooperates fully with the Israelis on security matters”, also noted that “Israel cannot expect that the Palestinian Authority searches for terrorists in the territories under its control if it cannot pay its police”. Further attacks in Jerusalem killing eight people and wounding over 150 led to a new condemnation by the EU on 5 September 1997 and a renewed appeal to Israel and the Palestinian Authority to combat terrorism together. On 7 September the EU again proposed the creation of a permanent Israeli-Palestinian security committee, to institutionalize security cooperation between both parties and to symbolize their commitment to joint crisis management along a set of common guidelines such as the EU-proposed code of conduct. In the end it took further hard bargaining by Moratinos and, with Washington now being active again, by US Secretary of State Madeleine Albright personally before the Israeli-Palestinian talks were finally resumed in early October.

378. The Council welcomed this decision in its session of 7 October 1997 and instructed the special envoy “to remain in contact with the parties and with the US and to examine with them the ideas of the EU, particularly with regard to the code of conduct it has proposed for the negotiations”. The Council also finalized the draft of the code of conduct, which needed only technical adjustments in consultation with the US; the general principles of the code were positively received by Israel, with some reservations. Ultimately the parties failed to reach a final agreement on the code of conduct however, so it was never put into practice, although several of the concepts it contained were implemented in other fora, e.g. in the framework of the EU-Palestinian Security Committee and the EU-Israeli Joint Dialogue. The troika would
visit the Middle East to reaffirm the Union’s support for the peace process. Following a visit to the region, Poos recapitulated the EU position on the Middle East peace process for the Council, i.e. a settlement based on “land for peace”. Poos concluded that “the CFSP works particularly well in this region”, as all parties recognize a political role for the EU. He advised not to put too much pressure on Israel. Because “a relentless pursuit of policy could withdraw Israel from the obligations it has undertaken”, the Union would instead “continue dialogue [in order to] persuade the Israeli government to fulfil its obligations, as the Palestinian Authority has fulfilled its obligations as far as security is concerned”. Finally Poos stated that the EU would “continue to work in close liaison with the US”. But the fact remained that the much awaited breakthrough which the EU had hoped it had realized with the code of conduct in the end did not materialize.

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>27/02/1997</td>
<td>Declaration by the Presidency on behalf of the European Union on the decision of the Israeli government to approve construction plans for Har Homa/Jabal Abu Ghneim</td>
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<tr>
<td>10/03/1997</td>
<td>Declaration by the Presidency on behalf of the European Union on the latest developments in the Middle East peace process</td>
</tr>
<tr>
<td>14/03/1997</td>
<td>Declaration by the Presidency on behalf of the European Union on the Middle East peace process</td>
</tr>
<tr>
<td>29/04/1997</td>
<td>Joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the establishment of a European Union assistance programme to support the Palestinian Authority in its efforts to counter terrorist activities emanating from the territories under its control (97/289/CFSP)</td>
</tr>
<tr>
<td>16/06/1997</td>
<td>Declaration by the European Council: European call for peace in the Middle East</td>
</tr>
<tr>
<td>04/07/1997</td>
<td>Statement on the situation in Hebron</td>
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<tr>
<td>22/07/1997</td>
<td>Council decision continuing the application of joint action 96/676/CFSP adopted by the Council on the basis of Article J.3 of the Treaty on European Union in relation to the nomination of an EU special envoy for the Middle East peace process (97/475/CFSP)</td>
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<td>31/07/1997</td>
<td>Declaration by the Presidency on behalf of the European Union on the Middle East peace process</td>
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<td>05/09/1997</td>
<td>Declaration by the Presidency on behalf of the European Union on the bomb attacks in Jerusalem</td>
</tr>
<tr>
<td>13/12/1997</td>
<td>Declaration by the European Council on the Middle East peace process</td>
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</tbody>
</table>

4.3.5 Back to the sidelines?

379. The Luxembourg European Council (12-13 December 1997) once again called on Israelis and Palestinians to fully implement agreements already reached in the short term and to avoid “counterproductive unilateral actions, for instance on settlements and Jerusalem”. The European Council further emphasized the need for “credible and significant redeployments”, the importance of cooperation in the fight against terrorism and “the removal of obstacles to Palestinian economic development”. In the longer term, the EU “expressed [its] readiness to contribute to permanent status negotiations, by offering specific suggestions to the parties on related subjects, including possible Palestinian statehood, borders/security arrangements, settlements, refugees, Jerusalem and water issues”. On the Syrian and Lebanese tracks of the peace process, the Union just “reiterated the importance which [it] attaches to the relaunching of negotiations”. Israel reacted very negatively to the declaration by the European Council, which can be seen as an indication of its political importance. The Israelis did not like the idea of Europe (or anybody else for that matter) meddling in the terms of a settlement. Foreign Minister Levy stated that Europe was trying to “impose its partial point of view” and was excluding itself from “any positive role in the peace process”. Shortly
afterwards however Netanyahu had a meeting with the Presidency, following which the Israeli Prime Minister declared that Israel did want the EU to play a political role too and wanted it to serve as mediator by promoting comprehension between Israelis and Palestinians. The EU from its side confirmed its understanding of Israel’s security concerns – Israel often reproached the EU for not grasping the nature of its security situation – and committed itself to communicate this to the Palestinians. 344

380. Soon after this apparent rapprochement however Israel announced the enlargement of one of the settlements in the occupied territories, which was later followed by the announcement of the decision to construct no less than 30 000 new housing units in the West Bank, a move which the Union on 12 January 1998 condemned as being “both illegal under international law and damaging to the peace process”. The peace process again came to a standstill, which led Arafat to state that he was “expecting something important” from the EU, considering that it “has a fundamental political and moral responsibility for seeing to it that peace reigns in the Middle East”. In the light of the continuing delays by Israel in implementing existing agreements and the US’ apparent unwillingness to intervene, other Arab countries too expressed their wish for a European initiative to Commission President Jacques Santer, who visited the region in mid-February. Santer rather euphemistically noted “contradictions” in the attitude of the Israeli government. On the one hand the Israelis stated that closer contacts with the EU special envoy would be acceptable and recognized that the prosperity of the Palestinians was the best guarantee for peace. But at the same time they raised security problems and took measures that prevented economic development of the Palestinian territories and they did not authorize the Palestinian Authority to boost its security forces. The Council called for an intensification of the “dialogue with Israel on the removal of obstacles to Palestinian development”, while several Member States pleaded for “a firm tone with those impeding the peace process”, which was diplomatic language for the need to put some pressure on Israel. 345

381. In early March 1998 therefore the British Presidency announced an EU initiative to rekindle the peace process. British Foreign Secretary Robin Cook called for “substantial, credible and urgent” redeployments by Israel and a halt to the expansion of settlements, while the Palestinians should commit themselves to implement all security agreements. 346 From 15 to 19 March 1998 Cook, accompanied by Moratinos, visited Israel and the Palestinian territories. The visit took place in a heated atmosphere however and any hope for results was crushed by a diplomatic incident. Because of Israeli objections, Cook had decided not to visit the disputed settlement of Har Homa in the presence of Faisal Husseini, the Palestinian official responsible for Jerusalem, but only to meet an Israeli government Minister there. When on arrival he was faced with a demonstration of far-right Israelis and one by Palestinians, he shook hands with a number of the latter. This led to a sharp reprimand from Netanyahu, who in reaction to this “incident” cancelled a planned dinner. It was stated that Cook’s visit prejudiced the final status negotiations on Jerusalem and “expressed biased opposition”. Cook responded by declaring that it was exactly the purpose of the visit to Har Homa to underline the detrimental effect of Israeli settlement policy on the peace process. This incident again demonstrated the difficulty the EU had in promoting the peace process in the face of an intransigent Israeli government hostile to foreign intervention in general and to European initiatives in particular. Cook’s reaction was backed by the Council. But instead of considering a renewed and consistent European effort, the Council now called for a US proposal to renew Israeli-Palestinian negotiations. 347
In view of this decision to more or less leave the field to the US, a next visit to the Middle East, by British Prime Minister Tony Blair (19-21 April 1998) was much more low-profile, with Blair avoiding any potentially controversial actions or statements. Rather than putting forward European initiatives, which would have been nothing more than the continuation of EU policy since the start of the CFSP, Blair saw for the Union a role complimentary to the leading role of the US. His trip was thus placed in the light of a US-led meeting between Israelis and Palestinians which Blair wanted to host in London. This meeting, which took place on 4 and 5 May 1998, resulted in a reopening of negotiations under US auspices. The Union’s contribution in convincing both parties to attend the meeting had been very important. In its declaration of 7 May the EU welcomed the US efforts and offered its assistance, but the talks were then continued in Washington without any significant European involvement. An appeal by French and Egyptian Presidents Chirac and Mubarak to organize a conference on the revival of the peace process with a number of countries prepared to sponsor it, including the permanent members of the Security Council, but without the regional parties themselves, was quickly rejected by Israel and the US. The former feared to be placed on the accused’s stand, while the latter wanted to preserve their monopoly on the patronage of the peace process. The conclusions of the Cardiff European Council (15-16 June 1998) reflected the rather timid and much more Transatlantic-minded Middle East policy of the British Presidency. The European Council just took note of the Union’s “recent positive inputs, including the Franco-Egyptian call for peace and the proposals made by the special envoy”, but did not really back these initiatives. The European Council declaration mainly amounted to the reconfirmation of “the EU’s strong support for the efforts of the US”. In the following months EU involvement was limited to the issuing of a number of statements condemning Israeli settlement policy in Jerusalem (23 June) and the Golan Heights (28 August).

The American-led talks led to the Wye River Memorandum (23 October 1998) which provided for further Israeli redeployments in exchange for increased Palestinian action against movements hostile to the peace process; Palestinian anti-terrorist actions were to be monitored by the CIA. In spite of its initial vital role in bringing about the talks, the participation of the EU in these negotiations was minimal, even though it was kept informed of developments through the presence of its special envoy, Moratinos. When differences between the parties threatened to lead to a stalemate, Washington invited King Hussein of Jordan to act as mediator; apparently inviting the EU was not considered. Arafat presented a detailed account of the negotiations to the Heads of State and Government of the EU united in Pörtschach in Austria (24 October) and on this occasion he thanked the Union for its support to the Palestinians. The Union welcomed the agreement in its declaration of 26 October, which called for “sustained political commitment by the parties and the determination to resist extremists and others wanting to frustrate progress towards peace”. The EU also hoped for an “early revival of the Syrian and Lebanese tracks”, thus calling attention to these remaining parts of the bilateral negotiations. On the same day Moratinos’ mandate was again extended with one year and the development of joint cooperation on security issues within the EU-Palestinian Permanent Security Committee was formally added to his tasks.

The EU did closely follow up the implementation of the Wye River Memorandum, which was frustrated by further violence. In its declaration of 4 December 1998 the Union stated to be “greatly concerned by the recent announcement by the Israeli government that it will not proceed with further implementation unless the Palestinians give additional assurances which go beyond the Wye Memorandum” and stressed “the need for the obligations […] to be fulfilled as signed”. Deploring “the recent violence between Israelis and Palestinians in the
occupied territories”, it added that “the right response is for both sides to exercise restraint both in their action and in their public statements”. This appeal was repeated by the Vienna European Council (11-12 December). On 18 December however, the Israeli government suspended the application of the Memorandum, a decision for which the EU expressed its regret, noting that “this step contravenes both the spirit and the letter of the Memorandum” and expecting “both sides to implement the Wye Memorandum fully, without the introduction of new conditions and punctually according to the agreed timeline”. On the 21 December the Knesset dissolved itself; elections were to be held on 17 May 1999. The peace process and with it Israeli politics had gotten into an impasse, because of the impossibility to reconcile the commitments undertaken in the framework of the peace process on the one hand and the demands of extreme nationalists on the other hand.

385. In a way the British Presidency broke with the policies of the previous EU Presidencies. Since the beginning of the CFSP, the EU has aspired to increase its involvement in the Middle East and extend it into the political and security dimensions of the peace process. This had culminated in the appointment of a special envoy and the initiative to propose a code of conduct, which was an attempt to relaunch the peace process in general. This attempt in the end proved unsuccessful and EU involvement did not amount to the position of co-sponsor. But it seems that the British Presidency opted for a much more low-profile role, a role complementary to the US rather than a leading one. One reason is that any EU initiative was confronted with the fierce rejection of intervention of the Netanyahu government. A second important factor is that the US clearly were not prepared to allow the EU to play the part of co-sponsor. Because of its “special relationship” with the US, the UK would naturally have been the most sensitive to American imperatives in this sense.

<table>
<thead>
<tr>
<th>Date</th>
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<tr>
<td>12/01/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the construction by Israel of</td>
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<td>housing units in the West Bank</td>
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<td>07/05/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the Middle East peace process</td>
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<tr>
<td>16/06/1998</td>
<td>Declaration by the European Council on the Middle East peace process</td>
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<td>23/06/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the decision to enlarge the</td>
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<td>limits of Jerusalem</td>
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<td>28/08/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the expansion of settlements</td>
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<td>on the Golan Heights</td>
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<tr>
<td>26/10/1998</td>
<td>Council decision modifying joint action 96/676/CFSP adopted by the Council on the basis of</td>
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<td>Article J.3 of the Treaty on European Union in relation to the nomination of an EU special</td>
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<td>envoy to the Middle East peace process (98/608/CFSP)</td>
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<tr>
<td>26/10/1998</td>
<td>Declaration by the European Union on the Middle East peace process</td>
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<tr>
<td>04/12/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the Middle East peace process</td>
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<tr>
<td>12/12/1998</td>
<td>Declaration by the European Council on the Middle East peace process</td>
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<tr>
<td>23/12/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the decision by the Israeli</td>
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<td></td>
<td>government to halt implementation of the Wye Memorandum</td>
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4.3.6 Renewed hope, renewed activism

386. The interim period provided for in the 1993 Declaration of Principles would end on 4 May 1999. Because of the blockage of the peace talks and in the absence of any near time prospect on the final status negotiations, Arafat had announced the proclamation of an independent Palestinian state. As such a move would very probably inaugurate a severe crisis
and possibly even the end of the peace process, the EU, now under German Presidency, stepped up its involvement again. It was also feared that the proclamation would influence the upcoming Israeli elections and notably that it would preclude the possibility of a Labour victory, while it was widely expected that a Labour government would adopt a much more benevolent attitude towards the peace process. Behind the scenes EU diplomacy made good use of Europe’s close relations with the Palestinians to work towards a postponement of the proclamation of independence in order to save the peace process. Moratinos declared that the EU, the US and the Arab countries insisted that the Palestinians renounce at the proclamation, which could permanently compromise the dynamic of peace.351

387. All this activity resulted in the important declaration by the Berlin European Council (24-25 March 1999). The European Council “urges the parties to agree on an extension of the transitional period established by the Oslo agreements”. This should be followed by the “early resumption of final status negotiations in the coming months” and this “on an accelerated basis” and “to be brought to a prompt conclusion and not prolonged indefinitely”. According to the EU “it should be possible to conclude the negotiations within a target period of one year”. This represented a concession by the Palestinians, who would have to agree to postpone the proclamation of independence and allow more time still for the final status negotiations (which of course also demanded a firm commitment by the Israelis in order to succeed). In return for this concession the EU made a very explicit policy statement on the issue of a Palestinian state. The Union “reaffirms the continuing and unqualified Palestinian right to self-determination including the option of a state and looks forward to the early fulfilment of this right”. “It appeals to the parties to strive in good faith for a negotiated solution on the basis of the existing agreements, without prejudice to this right, which is not subject to any veto” and “declares its readiness to consider the recognition of a Palestinian state in due course”.

388. This was the most explicit EU declaration yet in favour of the right to self-determination of the Palestinians; it voiced the Union’s clear support for the creation of a Palestinian state. On the other hand the Berlin declaration also meant EU acquiescence in the Israeli rejection of the unilateral proclamation of a Palestinian state and Israel’s demand for a prolongation of the transitional period. Nonetheless, Israel reacted vehemently. Stating that the declaration was “counter-productive in so far as it dictates the results of negotiations in advance”, the Netanyahu government declared that it would not accept any such “diktat”. The Berlin declaration put the EU on the stage again; it was proof once more of the significant role the Union can play in the Middle East. It also proved that diplomatic declarations like this one, which was crafted in close coordination with the US, could be in themselves an important instrument of policy. Together with a letter by US President Clinton, in which he assured Arafat that he would do everything in his power to ensure conclusion of the final status negotiations in one year, the EU declaration sufficed to make the Palestinian Council agree to postpone the proclamation of an independent state. This was a demonstration of the Union’s leverage on the Palestinians, which it had built thanks to its support to the Palestinian Authority and its long-standing regard for the Palestinian demands. For Moratinos, the Berlin Declaration constituted a victory for the CFSP. Noting that Washington might have immense diplomatic powers, but that the EU has an influence of its own on this, he also considered it a demonstration of the complementarity of the Union’s policies with those of the US. 352 The Stuttgart Euro-Mediterranean Ministerial Conference (15-16 April 1999) again confirmed the partners’ commitment to peace in the Middle East; the Chairman’s Formal Conclusions noted that “many Ministers welcomed the recent declaration of the Berlin European Council”.

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“Ministers encouraged the EU to continue increasing its role in support of the Middle East peace process”.

389. When on top of this succesful avoidance of a crisis the Israeli elections were won by the Labour party and its candidate Ehud Barak became Prime Minister, high hopes were raised for the conclusion of negotiations and the establishment of a comprehensive peace. Following the elections the Cologne European Council (3-4 June 1999) publicly expressed its trust in the new Labour government. The European Council welcomed “the intention expressed by the newly elected Israeli Prime Minister to resume negotiations with the Palestinians and Syrians and his plans to seek a rapid solution to the problem of the withdrawal of Israeli troops from Lebanon”. Renewal of negotiations with Syria and retreating from Lebanon would indeed amount to an important breakthrough in the peace process. Barak’s intentions in this regard predicted well for the near future. However, under the ensuing Finnish Presidency the EU rather surprisingly took little or no initiative to play a part in the negotiations and make use of its regained status to further the peace process according to its well-established Middle East policy. The Presidency thus neglected Arafat’s call on Finnish President Ahtisaari to act as intermediary in the negotiations. While on a visit to the region, Finnish Foreign Minister Tarja Hallonen even declared that the EU “can bring economic aid to the Palestinians and support the results of negotiations, but the EU cannot, itself, take part in the negotiations”, adding that “we are neither messengers nor negotiators”. This attitude must probably be explained by Finland’s limited interest in Middle Eastern or Mediterranean matters; naturally, because of its geographic location, the country’s foreign policy is much more preoccupied with the “Northern dimension” of the Union.

390. But regardless of EU inactivity, the talks were succesfully resumed and resulted in the Sharm el-Sheikh Memorandum (4 September 1999), which redefined the timeline for the Wye River Memorandum and which provided for further redeployment of the Israeli army and the opening of two safe passages between Gaza and the West Bank. According to the Wye River Memorandum a comprehensive agreement on all permanent status issues should be concluded by 13 September 2000 at the latest. The EU welcomed the agreement in its declaration of 7 September. This was repeated by the Helsinki European Council (10-11 December 1999), which also welcomed “the courageous decision of President Assad and Prime Minister Barak to resume negotiations on the Syrian track in Washington in mid-December”, which effectively happened on 15 December. On 11 October the Council meanwhile had amended the mandate of special envoy Moratinos by adding to his tasks “to contribute to the better understanding of the Union’s role among opinion leaders in the region”. On Moratinos’ initiative an EU-Israel Forum was established, bringing together European and Israeli opinion leaders in a series of conferences. The aim of these is to make Europe’s role in the Middle East better understood in Israel and thus create an atmosphere which is more receptive to European initiatives on the peace process. On 17 December Moratinos’ mandate was again extended by one year.

391. The multilateral track of the peace process was resumed as well. On 1 February 2000 the Multilateral Steering Group met for the first time since 1995; the EU was represented by the troika, Moratinos and the High Representative for the CFSP, Javier Solana. Meetings of REDWG and of the working groups on water, the environment and refugees were announced for the first half of 2000, while the Steering Group Ministers called on the regional parties to agree on an agenda for ACRS; “they also expressed their support for the early participation of Syria and Lebanon in the multilaterals”. It was agreed that the EU would host the next meeting of the Steering Group in July 2000.
392. Hopes for progress in the Israeli-Syrian part of the bilateral track were soon shattered however. Negotiations were broken off again in March 2000, as the parties failed to find any common ground. Syria demands that Israel withdraw from the Golan Heights to the 1967 line, otherwise no agreement with Israel and on the restoration of peace in Lebanon can be concluded, but Israel claims the 1923 borders, which would leave it in control of important water resources. Already, violence had flared up again in Lebanon, in spite of Israel’s stated intention to withdraw from the country. This led to renewed EU concern for the country, which until then had received relatively little attention from the CFSP. During the preceding years the Union’s Middle East policy had tended to focus on the Israeli-Palestinian negotiations, left aside indicental declarations like that of 2 March 1999 in which the EU had condemned “the new military confrontations in Lebanon” and had called on “all parties to put an immediate end to the violence”. Now, on 9 February 2000, the EU “expresses its deep concern at the escalation of hostilities” and “calls on all sides to show restraint and to observe strictly the terms of the cease-fire understanding of 1996”. Noting that “Israel has launched air attacks [...] causing Lebanese civilian casualties”, the Union emphasized that the “understanding in particular aims to protect civilians from attack”. The Union repeated its concerns in another declaration on 6 May. In the end Israeli withdrawal, originally scheduled to begin on 7 July 2000, was rushed through in May, following a Hezbollah offensive and the collapse of the South Lebanon Army (SLA), the Christian militia army financed and trained by Israel with a view to control the Israeli security zone in the South of Lebanon. This move was welcomed by the EU as “a significant step towards a just, lasting and comprehensive peace in the region” in its declaration of 25 May. Moratinos was to visit the country “to assess the situation and report back to the [...] Council”.

393. Tension also increased between Israelis and Palestinians, because of the slow progress of the talks and the continuing Israeli settlement policy. Doubts were raised as to the timely conclusion of the final status negotiations. On 22 May the Union stated to deplore “the recent escalation of tension and violence that has taken place in the occupied territories”. The Union called on Palestinians and Israelis to urgently conclude the final status negotiations and to refrain from unilateral acts that could prejudge them, “express[ing] particular concern about renewed Israeli settlement activity”. The Santa Maria da Feira European Council (19-20 June 2000) repeated this call for intensified efforts and appealed to “the personal engagement of the leaders of Israel and of the Palestinian Authority”. Reconfirming its view that the best way to realize the Palestinian right to self-determination is the creation of a state and that the well-being of the Palestinian population is the best guarantee of Israel’s security, the Union stressed that “it is particularly important in the discussion of permanent status issues now taking place that the viability of any resulting Palestinian state is fully taken into account”. Finally the EU called on Barak and the new Syrian President, Bashar al-Assad (his father Hafez al-Assad had died on 10 June), to resume Israeli-Syrian negotiations.

394. From 11 to 24 July 2000 Barak and Arafat met at Camp David to try and reach an agreement on permanent status, under the auspices of Clinton and Albright. In this they failed, but the two sides did “commit themselves to continue their efforts to conclude an agreement on all permanent status issues as soon as possible”, agreed “that negotiations based on UN Security Council Resolutions 242 and 338 are the only way to achieve such an agreement” and stated to “understand the importance of avoiding unilateral actions that prejudice the outcome of negotiations”. The EU welcomed the summit in its declaration of 26 July, praising “the personal commitment” of the leaders involved and noting that “the weeks of negotiations demonstrated that all the issues, even the most difficult, were discussed in full”. “For the first
time taboos were broken” and “positions that still seemed, only a short time ago, irreconcilable, have moved on thanks to the sense of responsibility of the parties”. Alas, this would appear to be an all too positive interpretation of the Camp David negotiations. Solana declared that “there is no alternative to continuing negotiations. They will have all my support and that of the EU”. The EU had not been directly associated with the conference, Moratinos was just present in the corridors.355

395. In order to keep the peace process going, the EU once again successfully used its influence with the Palestinians to try and convince Arafat to postpone for a second time the proclamation of an independent Palestinian state, which had been scheduled for September 2000. Clinton too had warned against this, as it would almost certainly lead to the breaking-off of all negotiations. After meeting with President Chirac and Prime Minister Lionel Jospin at the end of July, Arafat declared that “we shall consider the appropriate moment for the proclamation”, taking into account “all the recommendations of our friends”, and eventually the Palestinians agreed on a further postponement.356 The EU welcomed this decision in its declaration of 12 September 2000, noting that “there is still a chance for peace in order to achieve, in the weeks ahead, a mutually satisfactory agreement between Israelis and Palestinians”. The Union also expressly stipulated that this further postponement did not touch upon the Palestinian right to self-determination as such: “the right of the Palestinian people to build a sovereign, democratic, viable and peaceful state may not be brought into question. This right is established. There remains the choice of timing which belongs to the Palestinian people”. So after another period of lesser involvement, the EU again actively contributed to the peace process.

Box 10: CFSP acts on the Middle East 1999-2000

<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>02/03/1999</td>
<td>Declaration by the Presidency on behalf of the European Union on the recent escalation of tension in Lebanon</td>
</tr>
<tr>
<td>25/03/1999</td>
<td>Declaration by the European Council on the Middle East peace process</td>
</tr>
<tr>
<td>04/06/1999</td>
<td>Declaration by the European Council on the Middle East peace process</td>
</tr>
<tr>
<td>06/07/1999</td>
<td>Council decision concerning the extension of joint action 97/289/CFSP on the establishment of a European Union assistance programme to support the Palestinian Authority in its efforts to counter terrorist activities emanating from the territories under its control (1999/440/CFSP)</td>
</tr>
<tr>
<td>07/09/1999</td>
<td>Declaration by the Presidency on behalf of the European Union on the Sharm el-Sheikh Memorandum</td>
</tr>
<tr>
<td>11/10/1999</td>
<td>Council joint action amending joint action 96/676/CFSP in relation to the nomination of an EU special envoy for the Middle East peace process (1999/664/CFSP)</td>
</tr>
<tr>
<td>11/12/1999</td>
<td>Declaration by the European Council on the Middle East peace process</td>
</tr>
<tr>
<td>17/12/1999</td>
<td>Council joint action extending and amending joint action 96/676/CFSP in relation to the nomination of an EU special envoy for the Middle East peace process (1999/843/CFSP)</td>
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<td>13/04/2000</td>
<td>Joint action on a European Union assistance programme to support the Palestinian Authority in its efforts to counter terrorist activities emanating from the territories under its control (2000/298/CFSP)</td>
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<td>09/02/2000</td>
<td>Declaration by the Presidency on behalf of the European Union on Lebanon</td>
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<tr>
<td>06/05/2000</td>
<td>Declaration by the Presidency on behalf of the European Union on Lebanon</td>
</tr>
<tr>
<td>22/05/2000</td>
<td>Declaration by the European Union on the Middle East peace process</td>
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<td>25/05/2000</td>
<td>Declaration by the Presidency on behalf of the European Union on Lebanon</td>
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<td>20/06/2000</td>
<td>Declaration by the European Council on the Middle East peace process</td>
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<td>26/07/2000</td>
<td>Declaration by the Presidency on behalf of the European Union on the Middle East peace process</td>
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<tr>
<td>12/09/2000</td>
<td>Declaration by the European Union on the Middle East peace process</td>
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4.3.7 The final crisis?

396. But soon after this successful EU intervention the peace process came to an abrupt standstill. On 28 September a visit to the Al-Aqsa precinct in Jerusalem by Likud leader Sharon provoked Palestinian demonstrations that were violently repressed by the Israeli police. In the next few days the violence spread all over the occupied territories and among the Israeli Arabs; the severity of the Israeli repression, which included the use of helicopters and rockets, resulted in dozens of Palestinians killed and hundreds wounded. The EU reacted with two declarations on 2 October, in which it condemned “the acts of provocation and violence committed as well as those perpetrated over the last few days in the Gaza Strip and on the West Bank” and called “on the leaders of both parties to take all necessary measures to ensure that the violence ceases and that new provocative action is avoided”. According to the Union the “events show to what extent provocative action in a tense situation can have tragic consequences”. The Union also warned against “the unjustified use of force”, all indications of Europe’s rejection of what it deemed excessive repression by Israeli security forces. On 3 October the EU issued a further declaration, confirming this view. It stated that the Union “considers that the disproportionate recourse to force can only further aggravate the situation, increase the already particularly heavy toll of deaths and injuries and cause the prospect of peace to recede at a moment when it seemed that it would before long become a reality”. The Union expressed its support for the creation of an international commission to investigate the events and its readiness to contribute to it. Two more declarations were issued on 9 October, in which the EU condemned the profanation of Joseph’s tomb in Nablus and made another pressing call on both parties, stating “that it is a matter of absolute priority for the parties […] to take in parallel the necessary de-escalation measures and to avoid any fresh provocation”.

397. The Council instructed Solana to travel to the region urgently to offer his mediation. US Secretary of State Albright and UN Secretary-General Kofi Annan as well attempted to reconcile the parties, but no agreement could be reached, while the violence continued. On 16 and 17 October a last chance-meeting between Arafat and Barak was set up in Sharm el-Sheikh, in the presence of Clinton, Mubarak, Annan, King Abdallah of Jordan and Solana. In close cooperation with the UN, the EU made several proposals on the way to relaunch the peace process. Barak and Arafat agreed to put an end to the violence and to resume negotiations. Israel accepted to lift the closure of the occupied territories and to allow an international fact-finding committee to look into the violent clashes, on the condition that its members were designated by the US President and the UN Secretary-General. This latter decision was an important concession on the part of Israel, which had always refused any sort of international investigation or observer mission on the grounds that the international community should not intervene in its internal affairs. The Union welcomed the agreement in its declaration of 19 October and called on the parties “to implement [it] without delay”. The EU’s request to be represented on the committee was granted when on 8 November the White House announced that Solana would be part of it, next to former US senators George Mitchell (chairing the committee) and Warren Rudman, Norwegian Foreign Minister Thorbjørn Jagland and former Turkish President Suleyman Demirel. Solana’s appointment was greeted as a recognition of the Union’s political role in the Middle East. It was indeed the first time that the US agreed to such open and official involvement of the EU in the political dimension of the peace process. At the same time one should take care not to overestimate the importance of participating in the “Mitchell Committee”, as it would come to be known. At this time the US were still intent on maintaining their monopoly on the “high politics” of the peace process.
398. In spite of the Sharm el-Sheikh agreement, the violence continued however. The parties failed to meet their commitments and the peace talks were not resumed. The Presidency’s Formal Conclusions of the Marseilles Euro-Mediterranean Ministerial Conference (15-16 November 2000) stated that “Ministers held a lengthy discussion on the situation in the Middle East”, at which they expressed their “deep concern”. Ministers called for the “full and immediate implementation” of the measures agreed upon and wished for “greater involvement of the EU vis-à-vis all parties to foster dialogue and restore trust and confidence”. But exactly because of the crisis in the Middle East the Marseilles Conference was a failure.

399. On 20 November 2000 the EU again urged “the Israeli and Palestinian leaderships to implement fully and without delay all the commitments made”. The Union’s declaration listed a number of specific actions to be taken in order to halt the violence and create conditions in which negotiations would again be possible. The Israeli authorities were called upon to “pull back their forces [...] and put an end to the restrictions to the circulation of goods and persons in the Palestinian territories; lift financial sanctions against the Palestinian Authority; [and] use, where the intervention of the security forces is deemed strictly necessary, only non-lethal material”. The Palestinian Authority was urged to “do all it can to halt violence; [and] give strict instructions to the security forces to stop shooting at Israelis”. The Union expressed understanding for the bitterness of the Palestinians. The declaration noted that “the lack of progress in the peace process, including on the settlement issue, lies at the heart of the Palestinian population’s frustration and of violence”. The Union further called for “the fact-finding mission [...] to start swiftly its work on the ground”. Next to this the Union also supported “the UN Secretary-General’s move to examine with the parties the modalities for the deployment of an observer mission”. The idea of sending an observer mission went much beyond the concept of a fact-finding committee. If accepted by the parties it might prove very successful in preventing further violence. Of course such an initiative also demands the willingness of the Member States of the UN to provide the necessary forces. In this context the declaration stated that “the EU is ready to assume its responsibilities”. A similar declaration was issued by the Nice European Council (7-9 December 2000), which further called for “the establishment of a mechanism for confidence-building measures”. The EU thus declared its readiness to contribute with troops on the ground to the success of a peace agreement.

400. In the meantime the EU renewed Moratinos’ mandate and extended it to the end of 2001. Following the adoption on 30 March 2000 of guidelines on the appointing procedure and administrative arrangements for the special representatives, the original 1996 joint action was repealed and replaced by a new one on 14 December 2000. The tasks of the special envoy went unchanged, but the joint action now specified that he reports directly to the High Representative, through whom he shall also report regularly to the Council, on his own initiative or when requested. The joint action thus took into account the amendments made to the provisions on the CFSP by the Amsterdam Treaty, notably the important role accorded to the High Representative. It further stipulated that Member States and EU institutions may second personnel to the staff of the special envoy, at their own expense.

401. Britain and France joined efforts in the Security Council to try and obtain an agreement of principle on the deployment of a 2 000-strong observer force, but they had to face the strong reticence of Israel and the US. The fact-finding committee met for the first time in New York on 27 November 2000 and heard Palestinian and Israeli representatives on their views on the causes of the violence, but soon afterwards the Israeli government decided to suspend the works of the committee until after the elections for a new Prime Minister, following
Barak’s resignation on 10 December – the committee would resume its work on the ground in the spring of 2001. Solana had contact with all the parties concerned to express EU support for the peace plan which Bill Clinton, then in his final days as US President, tried to force through. It was again made clear that this support could also include a European contribution to an international verification force. Israelis and Palestinians met in Washington from 19 to 23 December 2000 and again in Taba from 21 to 27 January 2001 for yet another round of “last chance talks”. The Council invited Solana and Moratinos to continue their contacts with the parties, with the US and with UN Secretary-General Annan. In spite of stepped-up US efforts the Taba talks did not result in an agreement and negotiations were then postponed until after the Israeli elections. On 2 February 2001 the Presidency and Annan issued a joint declaration to “encourage the parties vigorously to continue the peace process”.358 But European efforts to set up another summit, in Europe, before the elections of 6 February did not succeed.359 It seems that after the successive rounds of talks of the last few weeks, which all took place in a crisis atmosphere, the parties were exhausted and needed a pause and did not see any more chance of success in the European initiative.

402. The elections were won by Likud-candidate Ariel Sharon, who formed a coalition with Labour. The EU, in its declaration of 7 February 2001, expressed the hope that Sharon would “maintain the momentum of the peace process”, and recalled that “much ground [had] already been covered in open and frank negotiations between the Israeli government and the Palestinian Authority”, which fact “should form the basis for future talks on the permanent status”. Sharon was widely known to be a hawk. Even in Israel his irreconcilable views and his personal record of harsh military action were contested. As a young officer a unit under his command had exterminated a Palestinian village and an enquiry committee had held him personally responsible for the massacre of Palestinian refugees in the camps of Sabra and Shatilah in 1982. It was feared that with him as Prime Minister the peace process would decline even further, which is why the EU wanted to send a clear message. In the same declaration the Union made a new appeal to try and restart negotiations on the other part of the bilateral track. The declaration stated that “the Union also looks forward to a prompt resumption of the negotiations between Israel on one hand, Syria and Lebanon on the other hand”.

403. Violence continued however, on both sides, which were equally condemned by the EU. On 14 February the Union severely condemned “the practice of so-called ‘eliminations’ or extra-judicial killings of Palestinians carried out by Israeli security forces”, holding that this “policy […] is unacceptable and contrary to the rule of law”. On the following day in another declaration the Union equally condemned a terrorist attack against Israelis in Tel Aviv, calling it “essential that concrete steps are taken by both sides to resume and intensify security cooperation between the parties”. Violence was again condemned and a resumption of the peace process called for in a declaration on 30 March. But on the whole the EU kept to a very low profile. The Union did not appear to take any major initiatives to try and relaunch the peace process and this in spite of the inactivity of the new US administration of George Bush jr., which in its first months was still settling in, which at that time resulted in a relative American retreat from the Middle East. Until then periods of limited American involvement had always witnessed increased EU activeness, but now this did not seem to be the case. The consequence of this situation was the temporary absence of international pressure on the parties to find a settlement.

404. Only on 1 April 2001 did the EU again take a limited initiative, when at the instigation of Solana, Israeli Foreign Minister Shimon Peres met with two Ministers of the Palestinian
Authority in the fringe of another conference for the first high-level talks since months. Solana’s spokesman called the meeting “a very encouraging sign for the resumption of dialogue”, but it did not stop the violence or the continued provocations by both sides. Significantly, Palestinian Minister for International Cooperation Nabil Shaat called for a greater European effort to revive the peace process; he also referred to the role of the US as “negative”. This was the expression of the Palestinian wish for a European initiative to try and stop the cycle of violence. In the absence of any American initiative, this was all the more necessary, in order to avoid the peace process from coming to a definite end. On 5 April the EU condemned Israel’s continuing settlement activities in the Palestinian territories, deeming them “illegal” and “a major obstacle to peace”, and called on the Israeli government “to reverse its settlement policy as regards the occupied territories, including East Jerusalem”. On 17 April a further declaration was issued, in which the EU stated to deplore “the dangerous and dramatic escalation of violence on both sides”. The Union in particular condemned “the Israeli attack on the Palestinian refugee camp of Khan Yunis in the Gaza Strip […] constituting the first large-scale incursion by Israeli forces into Palestinian-ruled territory”, and “the repeated mortar-attacks form Palestinian administered territories against Israeli civilian targets”. The declaration read that “the European Union remains at the disposal of the two parties should they so wish”, but the Union did not announce any particular peace initiative.

405. Following further escalation of the violence, notably an Israeli attack on Syrian objectives in Lebanon, the EU on 18 April released a declaration in which it severely condemned Israel. The attack on Lebanon was deemed “an excessive and disproportionate reply”. The Union stated that “the excessive use of the army and the disproportionate Israeli reply to mortar attacks from Palestinian administered territories on Israeli targets further escalate violence and aggravate the conflict”. “Israeli incursions into Palestinian controlled territories” of the day before were again condemned for being “illegal”. This declaration provoked a strong reaction from Israel. Harry Kney-Tal, Israeli ambassador to the EU, called it “a further sign of the partiality which has historically characterized European policy statements on the Middle East”, adding that “by ignoring the Palestinian responsibility for the current spiral of violence, […] the EU undermines its own responsibility as an honest broker”. Belgian Foreign Minister Louis Michel, touring the region in preparation of the upcoming Belgian Presidency, voiced his intention of increasing EU involvement in the peace process, but he also called for action by the US. Only a combined EU-US effort would have a serious chance of success, but did this not seem to be forthcoming. The large-scale Israeli incursion into the Gaza Strip of 17 April did lead to a reprimand from Washington, which felt it to be excessive too, and this resulted in the quick withdrawal of Israeli forces, but the US still did not take the lead in the efforts to reanimate the peace process. Michel also expressed EU support for an Egyptian-Jordanian proposal to resume the peace process, which had been drafted with the help of the EU. Shimon Peres viewed this draft as a useful basis for negotiations, but added that it needed to be worked on before it would be acceptable to the Israeli government. Solana brought the subject up with Nabil Shaat. At the beginning of May the High Representative made a tour of the region himself to discuss the peace plan with all the parties. Finally the Union seemed to take action.

406. At an informal gathering in Nyköping, where Solana and the troika reported on their talks in the region, the Foreign Ministers of the Fifteen asserted their desire to support the Egyptian-Jordanian peace plan. Michel expressed his opinion that what he diplomatically called the “less possessive” attitude of the Bush administration as compared to the Clinton government left a larger margin for the EU to play a role in the Middle East. At the same time
he stressed that the Union “must manage the credibility of its neutrality”, so as to be acceptable as an actor to all parties involved in the conflict. The Union could not hope to act as mediator without being fully accepted as such by both parties. The Stockholm European Council (23-24 March 2001) invited Solana to report by the next European Council meeting “on how the European Union can play an enhanced role in promoting the resumption of the peace process”.

407. The EU strongly supported the recommendations of the Mitchell Committee, which had reached a conclusion – the terms of the Committee’s report and the Egyptian-Jordanian proposal were actually quite similar. The Mitchell Report called for an immediate and unconditional ceasefire, a complete freeze of all Israeli settlement activities and effective action by the Palestinian Authority against terrorism. In a declaration issued on 19 May the EU urged both sides “to return to the negotiating table as soon as possible”, adding that “the parties should be inspired by the proposals of the Mitchell Report”. The very balanced declaration urged on both sides to end the violence, stipulating that “both parties have miscalculated that it is the other side that bears the sole responsibility for the escalation of the conflict and the stalemate in the peace process”. Another declaration of 22 May stated that “the European Union welcomes the publication of the report of the Sharm el Sheikh Fact Finding Committee (Mitchell Committee) and fully endorses its recommendations”, and added that “the Union expects the parties to take immediate and unconditional steps to cease all violence, to resume security cooperation and to exchange confidence building measures, including a halt to settlement activities”. From 20 to 30 May Solana made another tour of the region to press leaders personally to endorse the recommendations of the Committee, which were also fully backed by the US. After a period of limited involvement during the first months of the Bush administration, Secretary of State Colin Powell now initiated a renewed diplomatic effort. Powell named the American ambassador to Jordan his special assistant for the Middle East conflict.

408. The spiral of violence continued however, with Palestinian suicide strikes being followed by Israeli retaliation. On 31 May, a few days before a long-planned visit by Sharon, Arafat met the leading figures of the EU in Brussels. Commission President Romano Prodi made known the EU intentions during the visit: “reaffirm the full support of the Union for the recommendations made by the Mitchell Committee and the Egyptian-Jordanian initiative; call on Mr. Arafat to do his utmost for violence to end, notably by exercising control over the radical forces within Palestinian society and by working towards preventing terrorist acts and incitements; confirm the EU position according to which the Israeli settlements in the territories are illegal and the economic blockade of the Palestinian territories must be lifted”.

The core issue that was discussed was Arafat’s plea to send international observers to the region. This met with prudent reactions from the EU. The Union had at several instances stated its willingness to contribute to such a mission, but it stressed that sending observers would only be effective if it was accepted by all parties, which was not the case.

409. A particularly bloody suicide strike against a disco in Tel Aviv on 1 June, causing over 20 deaths, led to a severe declaration (2 June 2001), in which the EU, “appalled by the news of the deaths and injuries”, “condemns the terrorist attack in Tel Aviv in the strongest possible terms”. The Union “again appeals to the Palestinian Authority to do everything within its power to prevent terrorist attacks and to bring those responsible to justice”, while calling on Israel “not to take measures which result in a further escalation of the cycle of violence”. Following this attack, Sharon cancelled his planned visit to Brussels, but unlike what had happened on previous occasions he did not order a retaliation attack. This was probably due to
the announcement by Arafat on the day after the attack of a cease-fire, which was joined by Hamas. Apparently the presence of German Foreign Minister Joshka Fischer, who happened to be on a visit in Israel, was instrumental in this: reputedly it was Fischer who convinced Arafat to immediately condemn the terrorist attack in strong words and to announce a cease-fire, as the only way to stop the cycle of violence. Fischer’s successful intervention again was proof of the Union’s leverage on the Palestinians. A few days later Solana called for an international initiative, if the situation should remain calm, to make use of this announcement to revive the peace process. Further intensive American mediation efforts followed, notably by CIA chief George Tenet, which finally resulted in a cease-fire understanding and the acceptance of the recommendations of the Mitchell Committee by both parties.

410. The Göteborg European Council (15-16 June 2001) expressed its “full support for the recommendations of the Sharm el-Sheikh Fact Finding Committee”, deemed to be “the best basis for the resumption of the peace process”. According to the EU, good use should now be made of the “window of opportunity” which the acceptance of the Committee’s recommendations by the parties created, first to make an end to the violence and then to revive the peace process. The European Council stated that to that end “it is essential to agree rapidly on the steps to be taken and on a timetable for their full implementation” and that “a ‘cooling-off period’ should start as soon as possible in order to allow the implementation of additional confidence building measures leading to resumption of full and meaningful negotiations for the Final Status Agreement on the basis of United Nations Security Council Resolutions 242 and 338”. European leaders also called for “a complete freezing of settlements activity”, in order to remove another obstacle to the resumption of the peace process.

411. These European Council statements were based on Solana’s report on the Middle East, which he presented in Göteborg and which was annexed to the Presidency Conclusions. Perhaps rather surprisingly Solana in his report put the emphasis on the Union’s economic and financial contribution to the peace process and not on an enhanced political role for Europe. Next to the threat of regional destabilization in case the peace process would definitively collapse and the violence would escalate, Solana identified two main risks, both connected to the economic situation: “Palestinian despair” of the chances for peace, because of the paralysis of daily life and the severe economic crisis in the occupied territories caused by the Israeli blockades, and, as a result of Israel’s economic and financial measures, a dangerous weakening of the Palestinian Authority. These conditions create a fertile breeding-ground for extremist movements opposing the peace process. Under the heading “giving the Palestinian economy another chance” the High Representative therefore in the first place recommended a substantial effort to support the Palestinian Authority financially, after “a collective evaluation [...] to indicate the best way of repairing the damage, resuming the projects which have had to be suspended, and reviewing priorities”. Solana also referred to the EMP, mainly to the bilateral Euro-Mediterranean Association Agreements, which he saw as a complementary instrument to provide economic assistance to the region and to promote the values on which the Partnership is based. No mention was made of the political and security basket of the Partnership and the possibility of implementing certain CSBMs in this framework, even if it were just dialogue in itself. The other main action proposed by Solana was support for “people to people programmes”, in order to revive confidence and to promote cooperation between the Israeli and Palestinian civil societies.

412. The words of the report on the Union’s political role in the peace process were much vaguer. Solana noted that “the more markedly common nature of our appeals and the
coordination of our contacts and our visits have [...] resulted in increased European visibility within the region” and spoke of “a European Union which is more present and more coherent in the Middle East, and more often listened to by our other partners in the international community”. He mentioned in particular the successful intervention by Joshka Fisher: “on the occasion of the atrocity that struck Tel Aviv on the night of 1 June, European coordination, with one of us present on the ground, made it possible to avert further escalation”. The report then went on to say that “the need for third party involvement to facilitate the [peace] process will remain important”. The document also stressed the importance of being able to act rapidly in a crisis situation. But these conclusions just led Solana to the general recommendations that, as “it is for the parties to define the kind of outside assistance they consider useful”, “we should be able to offer our good offices”, and that the Union “requires a more rapid capacity to act and react”. These recommendations seemed to be far less ambitious than might have been expected, when one considers the important contribution the Union has proved it is able to make in the political field, e.g. in relation to the postponement of the proclamation of an independent Palestinian state or after the terrorist attack in Tel Aviv, and when one takes into account the continuing development of the CFSP in general. The recommendations of the report did certainly not amount to giving the Union the status of co-sponsor of the peace process, next to the US. In this sense Solana’s report was disappointing to observers who had expected that the EU would now show the political will to claim a role as mediator and to commit the necessary means to that end. Further the report repeated the Union’s appeal that attention should also be given to resumption of negotiations with Syria and Lebanon, in order to achieve a durable peace for the whole of the region.

413. Consequently to Solana’s modest view on a political part for the EU, the Göteborg European Council did not make important decisions on the Union’s role in the peace process. It confirmed the findings of the report that “rebuilding confidence needs urgent improvement of the situation on the ground; rebuilding faith in peace needs our support for the restoration of cooperation between civil societies; [and] aid to the Palestinian institutions and economy remains a European commitment we should maintain, as part of an international effort”. Making a link to the EMP, the European Council added that it “attaches priority also to stability and prosperity in the whole Mediterranean region” and that “to that end, the European Union will continue to make full use of the Barcelona Process including the Association Agreements”, but how this might be done was not detailed. The Heads of State and Government concluded simply by inviting “the High Representative to pursue his efforts in close cooperation with the Presidency and the Commission as well as with the parties, the United States and other actors, with a view to a continuing active EU role” and “to make new policy recommendations as appropriate”. Perhaps the not quite Mediterranean or Middle Eastern focus of the Swedish Presidency was partly the cause of this rather disappointing European Council declaration.

414. In spite of the cease-fire understanding, there were regular outbursts of violence on both sides, which rendered the resumption of negotiations and the implementation of the Mitchell Report impossible. In one of its first declarations, on 2 July 2001, the Belgian Presidency condemned “the acts of violence which have occurred these past few days in the Middle East” and stated to be “consulting with its partners in order to prepare an appropriate response of the 15 to the recent events in the Middle East”. Other declarations condemning the violence and all acts which hindered the peace process followed. On 10 July the Presidency stated that “the EU is extremely concerned by the demolition of Palestinian houses by the Jerusalem municipal authority in the Shufat sector of Jerusalem on 9 July” and called “on the Israeli authorities to put an immediate end to this sort of activity, which can only complicate further
the efforts of the international community and the parties themselves to seek a solution to end
the crisis through the full implementation of the recommendations set out in the Fact Finding
Committee’s report (Mitchell report)”. On 16 July the Union condemned the suicide attack in
Binyamina on that same day and on 20 July it “strongly condemns the attack perpetrated by
Israeli settlers against Palestinian civilians near Hebron on 19 July”.

415. Because of the continuing violence the General Affairs Council concluded on 16 July
that “a third-party monitoring mechanism is needed in order to overcome any obstacles that
might impede the application of the recommendations” and that this “would serve the interests
of both parties”. So under the Belgian Presidency the Union again took a significant initiative.
French Foreign Minister Hubert Védrine, who had suggested this call for the deployment of
independent observers, emphasized that “the sending of observers means an agreement
between the parties”. Three days later the Foreign Ministers of the G8, convened in Genoa,
adopted a declaration on the Middle East in which they too recommended to send
international observers. The European participants had been able to convince the US, which
up til then had always supported Israel in its resistance against such a proposal. Israel
however confirmed its rejection of any international mission. Solana, now with the backing of
the G8, then started on a tour of the region to gain the endorsement of all parties for the
observer mission. As Israel, under American pressure, indicated that it might be willing to
accept what it called an increased presence of CIA agents or other US officials, Solana stated
that for the Union the nationality of the observers was not important, the important thing
being that there should be an international presence on the ground which should have the
confidence of both parties. The Palestinians on the other hand, fearing that the measure might
come to naught if it were limited to an increased American presence, expressed their
preference for a truly multinational presence as suggested by the G8.367

416. Terrorist strikes by Palestinian extremists and attacks by the Israeli army continued to
follow each other in a deadly cycle however. Therefore on 1 August the EU released a
declaration in which it “urgently calls on the parties to show the utmost restraint and make
concrete and immediate gestures to respond to the expectations expressed by the international
community and widely reflected in the GAC conclusions (16 July) and in the declaration of the
G8 summit (21 July)”. The declaration reiterated the Union’s “conviction as to the urgency of
full implementation of the recommendation of the Mitchell Committee and the interest for
both parties in actively cooperating in the rapid establishment of an impartial monitoring
mechanism”. The Union again added its “rejection of targeted assassinations of Palestinian
militants by Israel”, deeming this to be “illegal by international law”, and stated that “this
type of unilateral and provocative action can only reactivate the escalation and delay by as
much the return to calm”. At the same time the Union “urges the Palestinian Authority to
intensify with determination its efforts against the violence of extremists and against
terrorism”. In a further, strongly-worded declaration the EU “unreservedly condemns the
bombing of a Jerusalem shopping centre today, 9 August”, a particularly bloody suicide attack
which claimed sixteen lives. Noting that “attacks of this kind merely serve to aggravate the
further decline of what is already a worrying situation in the Middle East and render
ineffectual all attempts being made by the international community to relaunch the stalled
political process”, the Union stated that “it is high time that the parties to this conflict regained
their self-control and adopted a resolutely forward-looking approach, working
together to restore a climate of mutual trust that will be essential if the vicious cycle of attacks
and revenge attacks is to be broken”. The Union stressed that “the civilian populations on
both sides cannot indefinitely remain hostages to a conflict that has surely already gone on
too long” and concluded that “after ten months of fighting it is now clear that only
negotiation, with the necessary compromises this entails, is capable of leading to a definitive solution to the Palestinian issue and ensuring lasting peace and stability in the region”.

417. The terrorist strike of 9 August was followed by more suicide attacks, while Israel in reaction occupied the Orient House. In its declaration of 13 August the EU again condemned “in the most energetic manner the recent suicide attacks in the Middle East and all assistance for organizations that practice terrorism, be it in the form of financial aid, supply of weapons or training” and reiterated its call on the Palestinian Authority to “stop and take to court the authors, instigators and sponsors of such acts of terror”. The Union also stated however that the closure of the Orient House “does not serve the interest of peace and can but weaken the Palestinian leadership at a time when it is being asked to engage with determination in the fight against extremism”. Stressing that “unilateral acts will not alter the constant position of the international community concerning the status of the occupied territories, including East Jerusalem”, the Union called on Israel “to continue to observe the greatest reserve in the use of military force” and again encouraged both parties “to begin dialogue without delay to break the deadlock”. In that respect, the Union expressed its support for Israeli Foreign Minister Shimon Peres, who had declared that the Orient House should be handed back and that talks with the Palestinians were necessary. A renewed condemnation of the violence was found in the declaration of 27 August 2001, in which the Union, following the assassination of Abu Ali Mustafa, the head of the Popular Front for the Liberation of Palestine (PFLP), the second-biggest party in the PLO after Fatah, also reiterated its rejection of the targeted killings of Palestinian activists.

418. In the light of the persisting violence and, consequently, the impossibility of implementing the Mitchell Report and resuming the peace process, the EU stepped up its diplomatic efforts. This resulted in a series of visits to the region in August and September, i.a. by Solana, Michel, Italian Foreign Minister Renato Ruggiero and by Fisher, who managed to obtain agreement from Sharon and Arafat with a view to a meeting, but this was later undone. A combined intervention by Moratinos, Michel and Solana and American diplomats was able to secure the withdrawal of the Israeli forces from the village of Beit Jala, which had been occupied on the ground that it harboured the perpetrators of attacks against Israelis. Solana also pressed for a meeting between Arafat and Peres, the most reconciliation-minded member of the Israeli government, as a way of getting dialogue started again, but this was repeatedly forbidden by Sharon. At the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban (31 August – 7 September) the EU, represented by Michel, won a diplomatic victory. In spite of the crisis caused by the demand by Arab participants to equate Zionism to racism and Israel’s and the US’ refusal to attend, the EU was able to secure consensus on the conference’s final declaration. In this the participants state that “we recognize the inalienable right of the Palestinian people to self-determination and to the establishment of an independent state and we recognize the right to security for all states in the region, including Israel, and call upon all states to support the peace process and bring it to an early conclusion.”

419. Speaking before the European Parliament Michel called for a joint effort by the EU, the US and Russia to put greater pressure on the parties to relaunch dialogue; a note to this end was delivered to his American and Russian counterparts, Colin Powell and Igor Ivanov. This was yet another expression of the view that only a combined EU-US effort can make a difference. In the words of Michel, Russia should be involved in the resolution of the conflict as well because it “has a certain aptitude for that and wants to be recognized as a global actor”. On 10 September 2001 in a CFSP declaration the Union once again appealed to the
parties to end the violence. All mediation efforts came to nothing however, because of the ongoing violence and the uncompromising stance of the parties, specifically of Sharon. In the absence of a significant American effort, the EU on its own was not able to force a breakthrough.

420. Besides, the Belgian Presidency was in a very difficult position. In June 2001 next of kin of victims of the Sabra and Shatilah massacres had filed a complaint against Sharon, making use of the 1993 law which makes it possible for persons suspected of genocide or crimes against humanity to be charged and trialled in Belgium. An investigation was duly started, which provoked a very fierce reaction from Israel, which considered the case to be yet another proof of Europe’s biased views. This resulted in a complete alienation between Israel and Belgium. As a result, all EU initiatives were handicapped from the start and the Belgian Presidency, which before the beginning of its term had announced major initiatives on the Middle East, was more or less paralyzed. That the Presidency emphasized that it wanted to maintain “an equidistant policy towards both parties” could not mend this situation.370

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The aftermath of 11 September

421. The events of 11 September 2001 had an immediate impact on the situation in the Middle East. The days just following the attacks saw a pause in the violence, especially on the Palestinian side. Any act of violence committed by Arabs would be seen in a very different light and, most importantly, it was feared that Sharon would abuse the situation to strike back harder than ever before or to create a fait accompli on the ground, by reoccupying certain territories. On 18 September Arafat announced a cease-fire and made known that the Palestinian Authority was willing to participate in the international coalition against terrorism which the US were setting up. In a declaration on the same day this move was welcomed by the EU, which deemed it a “message of peace and overture” that “opens perspectives that the European Union will wholeheartedly support”.

422. The European Council met on 21 September in extraordinary session to assess the international situation. One of the underlying reasons for the attacks against the US can be assumed to be American policy on the Middle East and notably its support for Israel. While the European Council confirmed the legitimacy of an American riposte, through “targeted actions”, against the “perpetrators, sponsors and accomplices” of the attacks, the Union also called for a broad approach dealing with the underlying causes of terrorism. As part of its response to the events the European Council therefore stated that “the fight against terrorism requires of the Union that it play a greater part in the efforts of the international community to prevent and stabilize regional conflicts” and that “in particular, the European Union, in close collaboration with the United States, the Russian Federation and partners in the Arab and Muslim world, will make every endeavour to bring the parties to the Middle East conflict to a lasting understanding on the basis of the relevant United Nations resolutions”. Belgian Prime Minister Guy Verhofstadt announced a six-point plan whereby the EU would press for (1) the immediate reopening of direct dialogue, notably through a meeting, as soon as possible, between Arafat and Peres; (2) the immediate resumption of security cooperation between the two parties; (3) moderation on both sides; and (4) the easing of restrictions on the circulation of goods and people; while the Union intended (5) to maintain a long-term presence in the region and (6) to strengthen concertation with the US, Russia and other partners. The troika and several European leaders started on a tour of the Middle East and a number of other Islamic countries to express the European view on the events and to try and win partners for the resumption of the peace process. This way the Union hoped to be able to make use of the temporary pause in the violence, which popably presented the biggest opportunity to bring the parties around the table again since the beginning of the Al-Aqsa Intifada a year earlier.

423. This did not prove easy however. Number of Arab countries refused to discuss the violence in the Middle East in terms of terrorism, while Israel reacted fiercely to any
connection being made between the situation in the occupied territories and the causes of terrorism. A Peres-Arafat meeting did finally take place though. But the pause in the violence did not last for long. At the end of September Israelis and Palestinians clashed again. This renewed outbreak of violence, on both sides, was strongly condemned by the Union in two declarations of 29 September and 3 October 2001; in the former declaration the Union expressly condemned the participation of Palestinian school aged children in demonstrations “due to the serious risk they are thus exposed to”. That the window of opportunity threatened to go by unused was to a great part due to the intransigence of the Sharon government and the absence, still, of any American initiative to join the EU in its effort to revive the peace process. Sharon expressed the view that the Arab and islamic countries should not be invited to join the global anti-terrorist coalition and went so far as to compare the American efforts to this end to the 1938 Munich Agreement whereby Europe sacrificed Czechoslovakia in the vain hope to appease Hitler. This statement led to a very strong reaction from the US against its ally.

424. In order to win the support of the Arab and islamic countries and to demonstrate that its reaction to the attacks would not be purely military, Washington declared that had it not been for the events of 11 September, Secretary of State Colin Powell would have announced a very concrete peace plan for the Middle East, including a Palestinian state, at the meeting of the UN General Assembly, which was however cancelled for security reasons. Once more the necessity of a combined EU-US effort imposed itself. In its declaration of 10 October the Council welcomed “President Bush’s declaration acknowledging the right of the Palestinians to a viable state provided that Israel’s right to exist is guaranteed”, adding that “this has long been the EU’s position”. In order to achieve that aim, the Union “emphasizes the full importance of an enhanced dialogue between the EU and the United States” and “urges the United States to exert all its influence with a view to a settlement of the conflict in the Middle East”. The Union also called on the parties themselves “to agree on an impartial surveillance mechanism which can help them to overcome their differences and the obstacles they are encountering in their efforts to achieve reconciliation” and offered to contribute to such a mechanism.

425. Following Bush’s statement a major initiative for peace seemed imminent, but in the meantime the violence continued and escalated still. On 17 October the far-right Israeli Minister for Tourism, Rehavam Ze’evi, was murdered. In a declaration on the same day the EU strongly condemned this act and expressed the hope that it would not interrupt the efforts to return to dialogue, but this proved to be in vain. Although Arafat outlawed the PFLP, which had claimed responsibility for the assassination, Israel occupied six Palestinians cities. Even a strong American call to withdraw from them immediately was to no avail.

426. At the informal meeting in Ghent on 19 October 2001 the European Council re-emphasized “the crucial need to relaunch the Middle East peace process without any preconditions”. The European Council confirmed the Union’s view that “Resolutions 242 and 338 must remain the foundation for a political settlement, based on the establishment of a Palestinian state and the right of Israel to live in peace and security”. Verhofstadt announced that he himself would now go on a tour of the region – the first time the President of the European Council would do so, indicating a stepped-up effort on the side of the Union to finally force a breakthrough.

427. This was also noticeable at the Euro-Mediterranean Conference, meeting in Brussels on 5-6 November 2001, where the Middle East was the focus of attention. For the first the EMP
was used as a forum to adopt a very outspoken view on the steps to be taken to resume negotiations and on the objectives which these negotiations should achieve. The Presidency Conclusions of the Conference repeated almost literally the words of the CFSF declaration released by the Council on 29 October on the occasion of the tenth anniversary of the Madrid Conference. In this the EU had reiterated “its conviction that the ‘peace process’ framework so laboriously worked out in the course of negotiations and agreements between the various parties constitutes the only reasonable hope of putting an end to [the] conflict”. In view of the international situation, which demanded a breakthrough in the Middle East in order to rally the Arab countries behind the international coalition against terrorism and to signal that the West and the Arab world are partners yet, the Conference, at which Israel was represented by Shimon Peres, thus left the formal separation between the Partnership and the peace process, be it that this implied what was described as “heated discussion”. Participants even went so far as to call for a Palestinian state: “Ministers stressed that negotiations should lead: for the Palestinians, to the establishment of an independent, viable and democratic state and an end to the occupation of their territories; for the Israelis, to live in peace and safety within internationally recognized borders”. It was added that a comprehensive and lasting peace should also provide a solution to the refugee problem and should cover the Syrian and Lebanese tracks of the peace process as well. In order to make negotiations possible, Ministers urged for the immediate and unconditional implementation of the Mitchell Report. These explicit statements on behalf of the Partnership as a whole must be considered an important achievement of the Belgian Presidency and constituted an additional strong signal of the urgent need for a settlement in the wake of 11 September.

428. At the Conference the EU Presidency called on Israel to withdraw immediately from areas under exclusive Palestinian administration (“areas A”) and on the Palestinian Authority to bring to justice those responsible for acts of violence against Israel. In the margin of the Conference the Belgian Presidency organized a meeting between Arafat and Peres who a few days before had had a fruitless meeting in Spain. According to the Presidency, some new ideas emerged from the meeting, notably to first realize the Palestinian state in Gaza. Although the meeting pushed to the background the actual Conference, relations were too tense to allow for any substantial achievements. Hopes of significant progress at the occasion of the Euro-Mediterranean Conference were therefore disappointed.

429. Attention was then focussed on the UN General Assembly on 10-11 November, where the long-awaited US initiative might be launched. Contrary to expectations however, this did not materialize. Indeed, rather than bringing a settlement any closer, the General Assembly meeting was marked by a deterioration of US-Palestinian relations. President Bush refused to meet with Arafat, a move which outraged the Arab countries; Arafat even considered not showing up in New York at all. Only after intense mediation by Louis Michel, present on behalf of the EU, did a meeting between Arafat and Secretary of State Powell prove possible. In his speech, Bush limited himself to stating that the US were “working toward the day when two states – Israel and Palestine – live peacefully together within secure and recognized borders as called for by the Security Council Resolutions”. There was some symbolic significance to this, as it was the first time that the US dubbed the future Palestinian state “Palestine”, a notion hitherto only used to refer to the pre-1948 British mandate territory. But Bush did not announce any concrete initiative, thus leaving unanswered the increased effort on the part of the EU and the strong Arab call for a move in the Middle East in return for their support for the anti-terrorist coalition and the military operations in Afghanistan.
Without a concrete US initiative, the EU mission to the Middle East, which included Verhofstadt, Michel and Solana, was handicapped from the start. On 18 November 2001 the delegation met with a very cold welcome from Israel, which still viewed the Belgian Presidency in a bad light because of the law suit against Sharon. The broadcasting on Belgian television of a – British – documentary about Sharon’s implication in the Sabra and Chatilah massacres a few days before the start of the mission was broadly publicized in Israel as proof of Belgian prejudices against the country. On the eve of the visit, Ehud Olmert, Likud mayor of Jerusalem, even called on Sharon not to meet with the Belgian Prime Minister and instead “send him to hell”, an insult from which Sharon did not explicitly distance himself. While Verhofstadt called for the implementation of the Mitchell plan in order to achieve the resumption of negotiations, in view of the fact that the last twelve days had been relatively quiet, Sharon stuck to his old demand of an absolute quiet for seven days before this could be considered, although such condition is not part of the Mitchell plan. Solana deemed this “stupidity”, as “it gives the most violent the power to break the peace process”. But Sharon remained intransigent, saw only an economic contribution of the Union to the peace process and even in that field warned the EU better not to “transfer your funds to the Palestinian Authority, as your money will be used to buy arms”. So instead of being able to advance the peace process, the EU mission was forced to concentrate on defending its neutrality and its political role in the region. Michel afterwards declared that “I do not have the feeling that this mission has resulted in regression. We reaffirmed our position and our commitment to resuming dialogue”. But in spite of such more or less optimistic statements, European leaders could not hide their disappointment with the mission’s results.

The EU also clearly regretted the lack of American initiative, without which the troika visit in effect was just the last in a series of well-intended European missions, but which could not hope to achieve a breakthrough if the US would not simultaneously put pressure on Israel. Bush’s speech at the UN General Assembly had not met expectations. A speech by Colin Powell on 19 November, which was announced as a significant policy statement, did not bring much news either. Powell repeated Bush’s vision of two states, Israel and Palestine, and twice described Israel’s hold on the Palestinian territories as an occupation. He also announced that American envoys would soon travel the region as part of a renewed effort: Powell’s assistant, William Burns, would go to the region for consultations and retired general Anthony Zinni would help the parties in establishing a durable ceasefire. But still the US did not put any significant pressure on Israel, without which any progress towards the resumption of negotiations is impossible. Besides, the American mission was handicapped from the start by Sharon’s decision to appoint former general Meir Dagan to be their interlocutor instead of Peres. In a statement on behalf of the Union on the same day Verhofstadt did say to “salute and welcome the vision and commitment” of the US, but actually frustration with the lack of American involvement was growing.

The combination of a lack of American pressure on the Israeli side and Sharon’s intransigence did indeed prove disastrous. Solana’s warning that the extremists would take control came true when in the weekend of 1-2 December murderous suicide attacks were committed in Haifa and Jerusalem. What followed was one of the worst crises of the peace process since its beginning in Madrid. The EU reacted to the terrorist strikes with a declaration expressing “its greatest revulsion and its firm condemnation of the attacks” and urged the Palestinian Authority “to do everything in its power to arrest and bring to justice the perpetrators of these awful acts” (2 December 2001). On 4 December another statement followed, in which the EU repeated that “the Palestinian Authority must convincingly and relentlessly pursue its efforts to stamp out terrorism”, but also stressed that “destabilising the
Palestinian Authority would not help stop the cycle of violence. On the contrary, the Palestinian Authority should be helped to assume all of its responsibilities”. Israel had indeed reacted very strongly to the attacks. New violent reprisals followed and an ultimatum was posed to Arafat to end terrorism. As the measures taken by him against Hamas and Jihad were deemed insufficient, Israeli reprisals continued. Eventually, the Sharon government stated no longer to consider Arafat as an interlocutor and to regard the Palestinian Authority as an entity supporting terrorist organizations, a decision with wide implications, which if pushed through would equal the end of the peace process. Arafat was left between the hammer and the anvil, pressurized by Israel and the US on the one hand to take action against terrorism, and by the impatient Palestinian people on the other hand, which in its despair started doubting any chance of a peaceful solution. The Commission decided to grant 7.5 million EUR of emergency food aid to the occupied territories, to alleviate the effects of the worsening economic crisis.379

433. All these events did not bring any change to Washington’s passive attitude. Rather the US supported Israel’s harsh stand or at least did not discourage it – in the wake of 11 September and because of the label of “anti-terrorism” applied to it the Bush government apparently accepted Israeli policy. This left the EU as the only international actor still attempting to mediate between the parties and convincing them to return to negotiations. The Belgian Presidency invited Peres and Nabil Chaath, the Palestinian Minister for International Cooperation, each to separately present their views to the General Affairs Council on 10 December. In the ensuing declaration the Council strongly emphasized “that only determined and concerted action by the European Union, the United Nations, the United States and the Russian Federation can help the parties to break the cycle of violence and commit themselves once again to the search for peace”, a clear appeal to Washington to actively join the Union in its mediation efforts. In view of the difficult situation, the Union urged the Palestinian Authority more clearly than ever to effectively combat terrorism, demanding of it “the dismantling of Hamas’ and Islamic Jihad’s terrorist networks, including the arrest and prosecution of all suspects; a public appeal in Arabic for an end to the armed intifada”. This call was later confirmed in the common position of 27 December 2001 on the application of specific measures to combat terrorism, which included “Hamas-Izz al-Din al-Qassem (terrorist wing of Hamas)” and “Palestinian Islamic Jihad (PIJ)” in a list of “persons, groups and entities involved in terrorist acts”.

434. This Council statement provoked criticism in the Arab world; voices were heard that the EU had adopted the American and Israeli view. But in fact the Union maintained its even-handed approach, for the Council also made demands on Israel, which received far less attention in the media however: “the withdrawal of its military forces and a stop to extrajudicial executions; the lifting of closures and of all restrictions imposed on the Palestinian people; a freeze on settlements”. Louis Michel also stipulated that the declaration meant that the armed wings of Hamas and Jihad should be dismantled, not the organizations as such. After the meeting, Chaath underlined the difficulty of tackling terrorism when Israel is targetting Palestinian police stations; he also repeated the call for international observers.380

435. At the request of the Council, Solana left for the region to impress the European view on the parties involved and to report to the Laeken European Council (14-15 December 2001). The European Council repeated the Council declaration, and added that “Israel needs the Palestinian Authority and its elected President, Yasser Arafat, as a partner to negotiate with, both in order to eradicate terrorism and to work towards peace” and that “its capacity to fight terrorism must not be weakened” – a very outspoken condemnation of Israel’s decision to
break off contact with Arafat. Immediately following the European Council, Arafat made another public call for a total halt to the violence, which the EU in its declaration of 17 December welcomed as “an important step along the way to bringing about an effective cease-fire, provided that the Palestinian Authority continues to take specific measures to combat terrorism”.

436. The lack of change on the ground proved however the necessity of a joint international initiative, for in spite of its activeness the EU on its own does not have the necessary leverage to force a breakthrough. It was therefore decided that “very soon” a common analysis with the US should be reached that should lead to a common initiative to relaunch the peace process. This did not materialize though. On the contrary, the Israeli government persevered in its unwillingness to resume negotiations, regardless of positive developments in the field, notably a relative pause in the violence following Arafat’s call and Fatah’s and, reportedly, even Hamas’ subsequent appeal to end the fighting. Israel instead ignored the period of quiet at the end of December and used the seizure of the Karin A, a ship which it claimed to contain arms deliveries destined for the Palestinians, as an excuse to ward off the reopening of talks. The Israeli ban on Arafat travelling to Bethlehem at Christmas created wide international indignation and earned the Palestinians a lot of sympathy. But in the end it was still Israel, with the support of the US, which released harsh statements vis-à-vis the Palestinian Authority, which determined the cause of events.

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4.4 The EU: a necessary mediator in the peace process

4.4.1 Israeli reticence, Arab encouragement

437. European aspirations to play a bigger political part in the peace process have always been rejected by Israel, and this pretty much regardless of the party in power, Likud or Labour. In the eyes of the Israelis the EU cannot act as an “honest broker” because it is biased
in favour of the Arabs. In Israel the EU’s repeated allegedly “pro-Arab” declarations, making demands on Israel without expecting reciprocal concessions on the part of the Arabs, are seen as proof of this. A number of Israelis even hold the opinion that Europe makes use of the Arab cause and exaggerates Israeli repression to free itself of the guilt complex caused by the holocaust of World War II. It is also felt that the EU does not fully appreciate the extent of Israel’s security concerns and the necessities implied by its strategic situation, hence its failure to understand Israeli policies. The EU is furthermore perceived as being far too weak an actor in the field of international politics and security, without even the means to live up to the role which it claims for itself. With this judgement, Israel has always been very close to the views of its foremost military ally, the US, which have always wanted to maintain their de facto leadership position in the political and security dimensions of the peace process. The view of Washington and Tel Aviv is that the regional parties should work out an agreement themselves without interference from outside parties, which should limit themselves to facilitating the negotiations and should not try to further their own policy objectives or influence the terms of a settlement.

438. This Israeli condemnation of EU policy ignores the fact that the Union has always tried to act even-handedly. The EU has indeed time and again condemned Israeli settlement policy, the disproportional repression of Palestinian protests and other acts which it judged to be obstacles to the progress of the peace process. But the EU has always condemned violence and extremism on both sides and has repeatedly urged the Palestinian Authority to deal with terrorists operating from within the Palestinian territories, even to the extent of setting up a special programme to assist the Palestinian Authority in taking counter-terrorist measures. One of the primary objectives of the Union’s Middle East policy has always been security for all states in the region. On the basis of this policy the EU should therefore be in a position to act as mediator in the peace process.

439. The frequent disagreements with Israel over the Middle East peace process have never interrupted the development of ever closer economic relations between the EU and Israel. The Union is Israel’s major trading partner; trade with the EU represents over 30% of Israeli exports and almost 50% of its imports. Under the new Euro-Mediterranean Association Agreement, which entered into force on 1 June 2000 and which confirmed the free trade regime for industrial products, cooperation was increased by the establishment of an institutional political dialogue, reflecting Europe’s attachment to Israel as the only working democracy in the Middle East. Although at times the threat of slowing down negotiations on the conclusion of the Association Agreement was used to pressurize Israel, the EU never really made use of the instrument of economic sanctions against Israel to further its Middle East policy, in spite of its potential efficacy and of the Arab demand to do so. The ratification of the Association Agreement was indeed delayed, but because of the refusal of the Belgian and French parliaments and not because of a deliberate EU policy. The EU chose not to use economic sanctions, as this would completely antagonize Israel and preclude a possible role as mediator for the Union and thus the possibility to steer the peace process in a direction more favourable to its policy objectives. Or as Belgian Foreign Minister Louis Michel put it when asked in the European Parliament why suspending the Association Agreement as a way of putting pressure on Israel was not considered: “I’m not sure this is the most subtle way of going about things”. By adopting a lenient attitude towards Israel in the economic field the EU hoped to soften Israeli resistance to its involvement in the peace process in return.

440. But even Europe’s economic policy is not always appreciated in Israel, which claims special treatment within the EMP because of its much higher state of development when
compared to the other Southern partners. The EMP, which economically is based on a North-South approach, is seen to undermine Israel’s special economic status. Europe’s economic policy is of course consistent with its foreign policy, which is why, following differences over the subject with Israel, the Commission explicitly stated that the Association Agreement only covers Israeli territory as per the 1967 borders and not the Palestinian territories, to which the separate Interim Association Agreement of 1997 applies.

441. The Arab countries on the other hand have welcomed the EU’s Middle East policy, notably its critical attitude towards Israel and its position in favour of the realization of the Palestinian right to self-determination. For the Arabs the EU is a necessary counterweight to the influence of the US and its, in the eyes of the Arabs, almost unconditional support for Israel. The Arabs have therefore at several instances called for greater European involvement in the peace process. At the same time they also realize of course that, because of its superpower status, the US can be a very effective broker. Furthermore several Arab regimes rely on US support to stay in power. For these reasons Arab countries have at crucial moments repeatedly chosen the side of the US instead of backing the European view on the peace process, in spite of their pro-European rhetoric. But the US do not always make use of this potential to further the peace process and often lapse into a passive attitude. A larger European involvement would potentially provide a more constant impetus to the peace process and would make sure that diplomatic effort is maintained at all times. The EU also has close economic relations with the Arab countries of the Middle East. A Euro-Mediterranean Association Agreement was signed with Jordan in 1997, negotiations with Egypt were concluded in 1999, the agreement with Lebanon was initialled on 10 January 2002 and talks with Syria are in progress. A role as co-sponsor would reflect Europe’s position as the main donor to the peace process. It cannot be that the actor who contributes the most in the economic and financial field is not comparably represented in the political negotiations.

442. Because of its good relations with the Arab parties and the trust these have in the EU, the Union should act as a mediator alongside the US, to ensure that the views of both sides of the conflict are given equal attention, whereas now it seems that the Israeli position is over-represented. The US have indeed provided Israel with unparalleled amounts of economic and military aid, have been essential in ensuring its military superiority over its neighbours and, though often being critical of Israeli policies, have usually excused or defended its behaviour, especially in the Security Council. With the US and the EU both acting as mediators a balance would be reached between the parties. And while the US has the biggest potential influence on Israel, the EU has more leverage than the US when it comes to influencing the views of the Arab parties and convincing them to make certain concessions. Proof of this was provided by the Union’s repeated succesful intervention with the Palestinians to have the proclamation of an independent state postponed, and this in close coordination with the US. These occasions thus demonstrated that Washington and Brussels can work together succesfully and on an equal footing to further the peace process and that a greater EU involvement would add value to the negotiations. The EU’s leverage on the Palestinian side is indeed the single most important reason why the Union should act as mediator in the peace process alongside the US.

443. History has proved that on its own the US cannot settle the conflict. But in times of lesser American involvement in the peace process, the EU, without denying numerous significant achievements, has not been able to force a solution either. Only a combined and fully coordinated EU-US effort can succeed. Each of them should make full use of their leverage on the respective parties to put serious pressure on them to find a settlement. To put it more bluntly: although it could show its willingness to take into account its specific interests, the
EU should not try to convince Israel of the justness of its policies, nor should the US do the same vis-à-vis the Arab side, because in the end they are not considered as “honest brokers” by these respective parties. What they should do is use their power to actually force the parties on which they do have leverage to find a settlement. Besides, one should take into account that continued US passivity will end up undermining EU leverage on the Palestinians, for the longer the stalemate of the peace process persists, the more Arafat loses popular support to the extremists in Palestinian society. Israel might just end up with the radicals taking power in Palestine and then all chances for dialogue would be effectively lost.

444. The US’ economic presence in the region is smaller than that of the EU, in relative as well as in absolute figures, it imports about three times less petrol from North Africa and the Middle East than the Union and almost no gas, and its efforts as an international donor are much smaller. But in spite of these facts the US have always wanted to retain their position as the de facto sole sponsor of the peace process and are not willing to share responsibilities with the EU, at least not in the politico-military field. They thus perpetuate Europe’s frustration for being welcomed as a donor but not as a political actor. This frustration is exacerbated by Israel’s wanton destruction of Palestinian infrastructure financed by the EU and its Member States, such as the Gaza port and airport. The main difference between Washington and Brussels in their approach to the peace process is that the former focuses on the process as such and the latter on the outcome. The US leave it to the regional parties themselves to decide on a suitable peace arrangement and offer only their good offices, without defending any one specific option. This attitude is reflected in the Americans’ unwillingness to pressurize Israel to change such or such a policy. The EU on the other hand clearly takes position on a number of outstanding issues and puts forward itself elements which it considers necessary for the achievement of a durable peace. So e.g. the EU spoke out in favour of a Palestinian presence in Jerusalem and of a Palestinian state. If parties take actions which go against EU views on a peace agreement, they are explicitly rebuked in the CFSP declarations. Furthermore the EU in its declarations attaches more importance to the respect for international law and the implementation of Security Council resolutions, while for the US it is more important that the parties reach consensus, even if this does not fully reflect international law. These are not fundamental differences however; broadly speaking, both the EU and the US strive after an equitable and lasting peace in the Middle East and they could thus very well work together. Besides, the fact in itself that, after several decades of negotiating, the conflict has still not been resolved, should lead to the awareness in Washington that the US by themselves will not end it.

445. Another reason why the EU should claim a larger involvement in the peace process is because of the huge impact of the situation in the Middle East on the development of the EMP. To start with, the EMP simply could never have gotten off the ground if it had not been for the positive atmosphere created by the conclusion of the 1993 Israeli-Palestinian agreement and the subsequent progress made in the Oslo framework. But most importantly, the EU very soon was forced to realize that the separation between the Partnership and the peace process, which was inscribed in the Barcelona Declaration and which worked well as long as the peace process stayed on track, was untenable. When the peace process broke down, the implementation of the political and security partnership of the EMP ground to a halt as well, as the Southern partners refuse to discuss future Mediterranean security arrangements as long as the outstanding conflicts have not been resolved. The overwhelming influence of the peace
process is evident in other areas as well, e.g. the negotiations on the Euro-Mediterranean Association Agreements, which to a large extent run parallel with the improvement of relations between the parties in the context of the peace process. The achievement of the objectives defined by the Barcelona Declaration is thus dependent on the progress of the peace process, which is why the EU should assume greater responsibility in it.

446. The correlation between the EMP and the peace process works both ways. At times when the peace process was in crisis, parties continued to meet and talk, be it sometimes at a reduced level, in the framework of the Barcelona Process, which thus in itself functioned as a CSBM complementary to the peace negotiations. This became particularly evident after the multilateral track of the peace process broke down and the EMP became the only forum where the regional parties meet in a multilateral framework. The Partnership thus more or less assumed the multilateral track’s complementary function, i.e. reinforcing trust between the parties which should pave the way for success in the bilateral negotiations. Another example of the linkages between the EMP and the peace process is the treatment, within the Barcelona Process, of the Palestinian Authority on an equal footing with the sovereign states that have joined the Partnership – the political significance is clear.

447. This is one of the reasons why Israel is far from a staunch supporter of the Barcelona Process, another reason being, as already mentioned, that the EMP is felt not to take into account Israel’s special economic position as compared to the other Mediterranean partner countries. On the other hand one could argue that the 1995 Association Agreement with Israel was only possible in the framework of the EMP, for on its own, as a purely bilateral initiative, it would have been unacceptable to the Arab countries.

448. The overriding importance of the link between the peace process and the EMP was recognized by the EU in the June 2000 Common Strategy on the Mediterranean Region, where it is stated that “the EU is convinced that the successful conclusion of the Middle East peace process, and the resolution of other conflicts in the region, are important prerequisites for peace and stability in the Mediterranean”. But “while the EU will continue to play its full role in the Middle East peace process [...] , this Common Strategy will cover the EU’s contribution to the consolidation of peace in the Middle East once a comprehensive peace settlement has been achieved”. The objectives which the EU set itself in the Common Strategy are therefore only a confirmation of the above all complementary role which it played in the peace process up till then and do not envisage a fundamental qualitative increase of the Union’s involvement. The EU will “provide its expertise, submit ideas and make available its good offices [...] in order to facilitate the conclusion of peace agreements”. Once an agreement has been reached, the Union will “promote conditions which will help the parties implement agreements concluded among themselves” and “contribute to the consolidation of peace in the region”, “notably through support to regional economic cooperation and integration and the expansion of trade flows”. The EU would also, “in the context of a comprehensive settlement, and upon request by the core parties, give consideration to the participation of Member States in the implementation of security arrangements on the ground”. Finally and on a more general level, the Union will “work towards strengthening stability in the Middle East [...] through its contributions to the implementation of the Euro-Mediterranean Charter for Peace and Stability once it is adopted and has entered into force”.

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4.5 Conclusion

449. A role as mediator or co-sponsor of the peace process would indeed demand a bigger commitment on the part of the EU. In the first place there is the field of policy-making itself. Up til now EU policy objectives have never been formally summed up. They can of course be derived from the different CFSP acts on the Middle East, but there does not exist a common position to clearly outline, in one binding document, Union objectives. The joint actions on the Middle East concern policy instruments and do not refer to policy objectives. For such an important area of policy, vis-à-vis a region in which the EU is very active, not in the least as a financial donor and economic partner, a common position would be very useful as a policy framework, and would add continuity and a clear sense of direction. The formal definition of policy objectives for the Middle East would also further diminish the possibility of solo actions by Member States outside the CFSP framework, which affect the credibility of the Union and the effectiveness of its actions. The EU cannot allow internal divisions and has to speak with one voice in all international fora, which e.g. in the different bodies of the UN has not always been the case. Although there are differences in their approach, the Member States do agree on the fundamentals of Middle East policy however. Besides, the Member States should realize that none of them any longer has the ability to significantly influence events in the Middle East on its own.

450. More importantly, EU policy still is, to too great an extent, declaratory. At the beginning of the CFSP the Union fully committed itself to the Madrid process which had then just been initiated and which provided the first chance for a comprehensive peace settlement. But in this the EU got to play only a secondary role. Its involvement in the bilateral track of the process, which is the main channel of negotiations, was minimal. In the complimentary multilateral track the Union had a bigger part to play, but even here it was sidelined in the most important working group in the politico-military field, ACRS. The EU therefore concentrated on the field in which its involvement was not contested and in which its institutions were most experienced: economic and financial support to the Palestinians. The Union emerged as the main donor to the region. Its support to the Palestinian territories culminated in the 1997 Interim Association Agreement. The EU also supported the establishment of the Palestinian Authority, notably by assisting with the creation of a police force and with the organization of the first Palestinian elections and by providing financial support at very short term in times of need. Without European support, the Palestinian Authority could not survive. All these actions contributed directly to the realizaton of the Palestinian’s right to self-determination and therefore were highly politically significant, but they could not hide the fact that the EU was absent from the main stage of the peace process, from the field of “high politics”, where the actual peace arrangements were discussed.

451. Only at the end of 1996, after several years of very limited political involvement and because of frustration over the slow pace of the Oslo process and the intransigent policies of Israel, did the EU take the initiative to try and increase its involvement and steer the peace process in the direction it desired. The appointment of a special envoy and the temporary reticence of the US to assume the initiative resulted in a period of European activism and, after a period of hard work behind the scene, a number of important achievements: the agreement on Hebron, the joint action establishing a counter-terrorism programme and the agreement on a code of conduct (although the latter ultimately was not implemented). But it seems that these successes of European diplomacy were not sufficiently pursued; neither the level of effort nor the momentum of the peace process itself could be maintained. The EU failed to obtain the status of co-sponsor of the peace process and let itself be sidelined again by the US,
only to be called upon when Washington temporarily could not take the lead, because of a change of government for instance, or when its influence had to be brought to bear on the Palestinians, notably to have the proclamation of an independent state postponed. The Union has also shown little attention for the Syrian and Lebanese tracks of the peace process and has concentrated on the Israeli-Palestinian negotiations.

452. There thus seems to be a lack of continuity in EU efforts concerning the Middle East peace process and especially a lack of actions to try and implement its policies. The two main policy instruments used by the EU are still economic and financial support, mostly to the Palestinians, and the issuing of declarations – ninety-nine were released on the Middle East from 1 November 1993 up to 31 December 2001. Four major joint actions were taken, followed by nine decisions amending or extending the original joint actions: on support for the peace process in general, on the organization of the Palestinians elections, on the counter-terrorism programme and on the appointment of a special envoy. The December 2001 common position on combatting terrorism is not specific to the Middle East. In spite of the presence of the special envoy, EU action is too dependent on the interest of any particular Presidency for the region or on its political will. Diplomatic activity can thus significantly vary from one Presidency to another. This has resulted in a lack of consistent effort to advance the peace process and the failure to follow up the successes that were achieved. Consequently, the Union’s Middle East policy often does not surpass the stage of well-phrased declarations. The success of the Union’s efforts of course partly depends on the US too. The Union has been able to achieve significant breakthroughs on its own on a few exceptional occasions, but a lasting achievement needs the backing of both Brussels and Washington. On the other hand, if this situation continues the Union’s credibility with the Palestinians might be seriously undermined and its influence on the Palestinians affected. The CFSP needs results if the Union is to be recognized as an international actor of any significance. It also seems that in recent years Moratinos has been more or less overshadowed by Solana. Sending in the High Representative on every occasion which is considered that extra more important, while the special envoy tends to keep a very low profile, detracts from the latter’s status as representative of the Union and the advantages of having a permanent envoy on the spot are lost or at least diminished.

453. Of course work behind the scene continues and the Union has made a significant contribution to the peace process, but it does appear that the EU could play a much bigger part. Europe, for the reasons cited above, should resolutely claim its role as mediator alongside the US and should together with the US initiate concrete peace proposals and work actively to implement them. In order to be able to really act jointly and use the available means in the most efficient and efficacious way, a permanent ad hoc structure should be set up to act as the driving-force of the peace process. All third party actors should be represented in this: in the first place the EU and the US, but the UN and Russia, which in Madrid was assigned a role as co-sponsor and aspires a renewed international status, have an important part to play too. The Union’s representative can be the Special Envoy, who should re-assume the high-profile role of the early days of Moratinos’ appointment, so as to become once again the influential and respected figure-head of European involvement in the peace process. This ad hoc structure should also tackle the Syrian and Lebanese tracks of the peace process. Brussels and Washington should make full use of their leverage and exert pressure on the respective parties, in order to bring peace to the Middle East as early as possible. If needs be, one can imagine the use of economic instruments to force the parties to the negotiation table: both Israel and the Palestinian Authority depend heavily on economic and financial relations with the US and Europe.
454. The Union’s claim to a role as co-mediator must be backed, as was done in recent CFSP declarations, by the willingness to contribute with observers or peacekeeping forces on the ground and to continue to provide the necessary means to finance accompanying measures and programmes, such as economic development of the Palestinian territories, institution-building, security measures etc. Here again the adoption of a common position on the Middle East, or even, considering the importance of the region, a common strategy, might prove fruitful, to force all Member States of the EU to fully commit themselves not only to the Union’s policy objectives, but also to a continuous and upgraded EU role in all tracks of the peace process as the way to achieve peace along these lines. In the first place, this demands political will, which in the past the EU has not had sufficiently.

455. In a speech back in 1998 Special Envoy Moratinos neatly summarized the principles on which peace should be based:

- “right of all states and peoples in the region to live in peace within safe, recognized borders;
- respect for the legitimate aspiration of the Palestinian people to exercise self-determination, without excluding the option of a state;
- exchange of land for peace;
- non-acceptability of the annexation of land by force;
- rejection of terrorism of all kinds;
- good relations between neighbours;
- compliance with existing agreements and rejection of counterproductive unilateral initiatives.”

456. Moratinos also outlined the necessary steps to be taken in order to arrive at this peace; sadly enough his list remains as valid today as it was in 1998:

- “no further settlement activity;
- no measures that pre-empt the final status negotiations;
- a further redeployment that is meaningful and makes a real contribution to building confidence;
- security measures that give confidence to all the citizens, Israelis and Palestinians;
- other confidence-building measures, such as developments with the Gaza airport and port, and the safe passage between Gaza and the West Bank.”

457. The role which the EU has played in the Middle East peace process has indeed been too low-profile, which contrasts sharply with the unambiguous and ambitious objectives of Union policy for the region. From the early days of EPC, European foreign policy gradually evolved from rather vague and general declarations to much more precise policy statements, forging together the originally divergent views of the Member States and culminating in the clear expression of EU support for the foundation of a Palestinian state in the 1999 Berlin Declaration. The Union thus functioned as a catalyst of ideas to advance the peace process and contributed, to a very large extent, to the international acceptance of the claims of the Palestinians as being legitimate demands.

458. The objective of the Union’s Middle East policy can now be defined as the establishment of an equitable and lasting peace through the implementation of Security Council resolutions – which implies that Israeli withdrawal from all occupied territories, including East Jerusalem, is the starting point from which negotiations should then begin. This peace
arrangement should further provide for the realization of the right to self-determination of the Palestinian people, in which context the Union supports the creation of a state as the most viable option, and for security for all states in the region within recognized borders. The achievement of peace and stability in the Middle East would of course contribute to the realization of the EU’s objectives vis-à-vis the Mediterranean as a whole and is indeed no less than an absolute precondition for any significant progress in the Political and Security Partnership of the Barcelona Process, which defines the general framework for relations between the Fifteen and all of the Twelve Mediterranean partners in all fields. As such the Middle East peace process should be a major priority for the EU.


262 Restrictions regarding the other Member States of the Community had been suppressed on 19 November 1973, which reflected Arab approval of the Brussels Declaration.


264 Industrialization, infrastructure, agricultural and rural development, financial cooperation, trade, scientific and technological cooperation and cultural and social matters.


The PLO aspired to have the word “refugee” replaced with “Palestinian” in paragraph 2 (a): “For achieving a just settlement of the refugee problem”.


The only measure taken was the temporary freezing of scientific cooperation with Israel early in 1990, in order to obtain the reopening of the Palestinian universities in the occupied territories.

Since the Resolution demands “respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force”. (author’s emphasis)


COM(93)375 final, 08/09/1993, Future relations and cooperation between the Community and the Middle East.

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308 (anon.), EU/Palestine: The PLO rejects accusations on the part of European observers over irregularities in organizing the elections. In: Europe, vol.44, 1996, 6637, p.5.
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On 4 November 1995 Prime Minister Yitzhak Rabin had been assassinated by a Jewish right wing extremist, Yigal Amir.


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330 (anon.), *EU/Middle East: Mr. Spring meets Messrs. Netanyahu, Arafat and Mubarak – Israeli government opposes appointment of special EU representative*. In: *Europe*, vol.44, 1996, 6828, p.3.

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335 (anon.), *EU/Middle East: Mr. Moratinos tests new formula to relaunch peace process*. In: *Europe*, vol.45, 1997, 6932, p.3.


337 (anon.), *EU/Middle East: Mr. Netanyahu rejects the idea of a “code of conduct”*. In: *Europe*, vol.45, 1997, 6951, p.2.

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340 (anon.), EU/Middle East: Levy-Arafat meeting in the presence of Mr. Poos and Mr. Moratinos. In: Europe, vol.45, 1997, 7021, p.4.

(anon.), EU/Middle East: Peace process off the ground again under Union aegis – Israel and Palestinians agree on a “code of conduct”. In: Europe, vol.45, 1997, 7022, p.2.


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351 (anon.), *EP/Middle East: Mr. Moratinos fears Middle East peace process will bog down*. In: Europe, 47, 1999, 7376, p.5.

(anon.), *EU/Middle East: Israel rejects declaration adopted by the EU at the Berlin summit*. In: Europe, 47, 1999, 7435, p.6.

353 (anon.), *EU/Middle East: Peace process the focus of Mrs. Halonen’s visit*. In: Europe, 47, 1999, 7521, p.2.


(anon.), *EU/Middle East: EU Presidency and Solana welcome progress achieved at Camp David on path to peace*. In: Europe, 48, 2000, 7766, p.3.  
(anon.), *EU/Middle East: Mr. Moratinos confirms progress achieved at Camp David*. In: Europe, 48, 2000, 7767, p.3.

356 (anon.), *EU/Middle East: Arafat meets Chirac and Jospin*. In: Europe, 48, 2000, 7769, p.4.

357 (anon.), *EU/Middle East: Mr. Solana indicates that EU made, at Sharm el-Sheikh summit, proposals with UN*. In: Europe, 48, 2000, 7824, p.3.  
(anon.), *EU/Middle East: Javier Solana member of the committee for shedding light on wave of violence between Israelis and Palestinians*. In: Europe, 48, 2000, 7838, p.4.

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359 (anon.), *EU/Middle East: Solana takes part in initial meeting of Sharm El-Sheik fact-finding committee*. In: Europe, 48, 2000, 7850, p.6.  
(anon.), *EU/Middle East: Mr. Moratinos asserts that EU is doing utmost to restore calm in region. Joint Franco-British action in UN*. In: Europe, 48, 2000, 7858, p.8.  
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360 (anon.), *EU/Middle East: Solana meets Peres and Shaat*. In: Europe, 49, 2001, 7939, p.4.

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369 (anon.), EU/Middle East: Michel recommends convening meeting between EU, US and Russia to relaunch the peace process. In: Europe, 49, 2001, 8035, p.2.
(anon.), EU/Middle East: Solana to begin next week with trip to Middle East. In: Europe, 49, 2001, 8037, p.2.
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370 (anon.), EU/Middle East: Neyts affirms need for EU to remain “equidistant” between conflicting parties. In: Europe, 49, 2001, 8040, pp.4-5.


375 (anon.), EU/Mediterranean: Brussels Conference calls for resumption of negotiations in Middle East and joint effort against terrorism. In: Europe, 49, 2001, 8086, p.4.


377 (anon.), EU/Middle East: Ariel Sharon confirms his intransigence towards EU troika, which he calls on to end supporting Palestinian Authority. In: Europe, 49, 2001, 8094, p.8.
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CHAPTER 5

NORTH AFRICA

5.1 Algeria

5.1.1 The civil war

459. The security situation in the Western Mediterranean is dominated by the long-lasting civil war in Algeria. The origins of the war can be traced back to 1988, when serious riots occurred. These were triggered by mass unemployment of the young people (over 60% of the Algerians are under thirty) and by their disillusionment with the dictatorship and the corruption of the FLN-regime (Front de Libération National), ruling the country since independence, and its inability to provide for the wellbeing of the population. The sparkle that lit the fuse was an increase in the prices of basic goods that had been ordered by the IMF. The regime reacted to the popular protest by introducing a new constitution and the multi-party system. In the wake of the riots the islamist opposition, which had been able to win popular support through its extensive network of teachers, mosques and charity organizations, united itself in the Front Islamique du Salut (FIS), while other movements, lacking a popular and organizational base, found it much more difficult to organize themselves into political parties. The FIS accordingly won a massive victory in the 1990 local elections, the first to be held under the new system. The islams gained control over 853 out of 1551 towns, including majorities in all the major cities. When on 26 December 1991, after some delay, the first round of the national elections was held, the FIS again won a decisive victory, gaining 188 of 231 seats. The FIS seemed certain to win the second round as well, but before this could take place, the army on 9 January 1992 organized a coup. President Chadli Benjedid was forced to resign and replaced by a High Committee of State (Haut Comité d’État or HCE) appointed by the military. The elections were suspended, martial law was declared, the FIS was outlawed and its leaders imprisoned and the process of economic reforms begun in 1986 was halted. As in response to the militar coup the islamist opposition radicalized and resorted to violence, the country was plunged into a gruesome civil war.395

460. The self-proclaimed mandate of the High Committee of State was to expire at the end of 1994, but because of the continuing violence a return to democracy was deemed impossible. The civil war had escalated, with the Armée Islamique du Salut (AIS), the armed branch of the FIS, attacking security forces and state employees, while the more radical Groupe Islamique Armée (GIA) also targetted journalists, intellectuals, foreigners and civilians in general, including women and children. Defense Minister Liamine Zeroual was appointed Head of State. In November of the following year presidential elections were held which, in spite of an islamist boycott, proved to be a victory for Zeroual, who gained 61,34% of the votes, while 75% of the voters took part, more than in 1991. This result seemed to express the support of the population for the regime. Another step taken by the regime in its aspiration to acquire democratic legitimacy was the new constitution, approved by popular referendum in November 1996, which concentrated power in the hands of the President and forbade religious parties. This was followed in June 1997 by parliamentary elections out of which the pro-regime and military-backed parties, notably the President’s Rassemblement National pour la Démocratie (RND), emerged as the strongest, while legalized islamist parties gained about 25% of the seats. The elections were widely believed to have been rigged however.396 Local elections later that year gave similar results.
The Algerian establishment is divided between the so-called *éradicateurs*, who want to crush islamism by force, and the *dialoguistes* or *conciliateurs*, who to some extent favour dialogue. Zeroual was claimed to favour the latter option. A number of FIS leaders were released, in reaction to which the AIS declared a unilateral truce and started joint operations with the army against the GIA, which was left as the main armed opponent of the regime. But the struggle for power within the elite and the fact that his hands were tied by the hardliners prompted Zeroual to resign before the end of his term, in September 1998. On the eve of the presidential elections of 15 April 1999 six out of seven candidates withdrew in protest to election fraud, leaving the candidate of the regime, Abdelaziz Bouteflika, as winner.

In spite of the harsh repression, the military have not been able to eradicate the violent opposition. But because of the huge efforts of the military and because of the internal divisions and even conflicts among the islamist groups, these also no longer are able to effectively threaten the survival of the regime. In fact the regime has successfully contained the violence and has secured the production and transport of oil and gas, its main source of income. The steady flow of oil and gas is vital if the regime is to receive the continued support of the West and therefore apparently more important to it than the security of the population. Low-intensity violence continues however, with atrocities being committed by both sides. So the climate of terror persists along with a condition of permanent instability. The ongoing violence is used by the military regime as an excuse for postponing democratic reform. Neither the government, nor the islamists, which have splintered into rival factions, which often are no more than armed bandits, fully control all of their forces. The result of this is random violence, which more often than not is directed against innocent civilians and is inspired by vendettas or brigandage rather than by any political or religious motivation. The population has been alienated from the islamists, which have lost popular support because of the wanton violence, but the regime itself has lost legitimacy as well following allegations of indiscriminate state-organized murder and torture. Since the beginning of the violence, the civil war is estimated to have claimed at least 100,000 lives. In the Spring of 2001 a new upsurge of social unrest occurred, starting with the Berber population, who feel discriminated by the central government and who have always maintained a certain degree of autonomy vis-à-vis the authorities as well as the islamists. Because of massive unemployment, demonstrations soon spread across the country, only to meet with harsh repression from the police forces. The beginning of 2002 witnessed a renewed outbreak of violence.

Europe’s response

With the revolution in Iran in mind, the crisis in Algeria provoked fear in the West for the emergence of an islamist state on the borders of Europe if the armed islamists were to succeed in overthrowing the regime. The establishment of an islamist regime in Algeria, if it were to adopt anti-Western policies, would seriously undermine the Euro-Mediterranean construction, of which Algeria up till now has always been a firm supporter. Especially in the field of security, the definition of common interests and actual cooperation would be greatly hindered, if not made impossible. An islamist victory was further feared because, if the islamists were to carry their armed struggle over the Algerian borders, they could support violent opposition movements in neighbouring countries and provoke unrest there, thus potentially destabilizing the whole of the Maghreb. Violence could even be exported to Europe, directed against the countries supporting the pro-Western regimes in the South. Such was the case in 1995, when the GIA admitted responsibility for eight terrorist strikes in France, causing 9 killed and 130 wounded. Police forces in different countries found out several
criminal networks linked to Algerian terrorists, notably active in the field of arms smuggling, e.g. in Belgium. The last terrorist attack in France occurred in December 1996. It was feared that an anti-Western regime might serve as a base for increased terrorist campaigns against Europe, although in reality the terrorist threat to Europe emanating from the Mediterranean basin is very limited. There also was fear that an islamist victory would lead to an exodus of refugees to Europe, especially if the neighbouring countries as well would be affected, and that it would provoke unrest among European citizens of North African origin, which would be cause for domestic political difficulties in the Member States of the EU.

464. On the other hand an islamist regime need not necessarily be anti-Western. The main objectives of the islamist opposition are indeed internal. Another, perhaps more convincing argument for the Western governments, is that an islamist regime too must face the economic realities and would therefore probably continue to trade with the West. One of the West’s main concerns is indeed a guaranteed energy supply from Algeria, which notably accounts for a high share of Europe’s gas supply. As this supply is dependent on a fixed pipeline structure, procurement elsewhere would be very difficult in the short term. Algeria did not fail to remind the EU of this. At the fourth session of the EU-Algeria Cooperation Council e.g. (which was created under the 1976 Cooperation Agreement), Algerian Foreign Minister Mohamed Salah Dembri when asking for European aid for his country, referred to its “responsibility for secure energy supplies” to the EU as one of the reasons why the Union should support the regime. However, these considerations seemed to have little impact on the West’s assessment of the threat caused by the crisis in Algeria. Apparently having found a new enemy after the demise of the Soviet Union, Europe’s attention and that of the West in general focussed on the extremist islamists, those who rejected democracy and resorted to violence. The West tended to ignore the underlying socio-economic and political causes which had led to the conflict in the first place and the more than legitimate demands of the democratic opposition parties.

465. Initial European reactions to the results of the 1991 elections and the ensuing military take-over were cautious. On the one hand the fears associated with an islamist victory made for it that Europe was not unsympathetic towards the military regime. On the other hand however, given its longstanding policy of promoting democratization and economic liberalization, Europe could hardly welcome the cancellation of democratic elections, even if it was uncomfortable with their outcome. The military regime was thus only condoned as the lesser of two evils. That the military had announced the state of emergency to be temporary was an important factor in Europe’s reluctant acceptance of the situation. In its first official reaction on 11 January 1992, France expressed its solidarity with the Algerian people and refrained from any comments on President Chadli’s resignation and the installation of the military regime. Later French Foreign Minister Alain Juppé expressed the hope that the state of emergency would allow for the necessary reforms, after which the Algerian people would be able to pronounce their choice “en toute connaissance de cause”.

466. As the former colonial power and the Member State with the closest relations with and the most reliable intelligence on Algeria, France would greatly influence Europe’s policy towards the country. In a first reaction to the events, the EPC declaration of 24 January 1992, the Twelve made public their hope for a return to normal institutional life, in order to allow for a peaceful dialogue between the parties concerned. Expressing their profound commitment to respect for human rights and fundamental freedoms, the Twelve announced their intention to closely follow the evolution of the situation in Algeria, notably as concerned the implementation of these basic principles, which was linked to eventual cooperation with and
economic aid to the country. The Community in its statement thus initially went further than France. Paris adopted a policy of support for the military regime, in order to allow it to redress the situation by introducing reforms and thus prevent the FIS from coming to power, and of economic aid, without this being conditional upon respect for human rights, in order to help the Algerian people and eliminate what the French considered to be the sole cause of the crisis, i.e. the economic distress of the Algerians. As the former colonial power France found it difficult to intervene diplomatically in the crisis, which is why the economic instrument was chosen, without making this dependent on a previous agreement with the islamist opposition, as it was felt that such a precondition would only serve to strengthen their position. France did initiate a political dialogue with the Algerian regime though. The arrangements of this dialogue i.a. provided for twice-yearly meetings of Foreign Ministers. Although arms deliveries to Algeria were blocked after the suspension of the elections, France continued to export material to be used in the struggle against terrorism, notably helicopters – clearer evidence of its support for the regime and its policy of repression cannot be found.

467. Under strong influence from Paris, Community policy was soon altered along the lines of the French position. In their following EPC statement (17 February) the Twelve pronounced themselves in favour of increased Community support for the economic reforms and the efforts to reinstall democracy to be undertaken by the Algerian authorities. The Twelve did express the hope that this transition process would be conducted with full respect for human rights, tolerance and political pluralism, but this was no longer considered the principal criterium guiding Euro-Algerian cooperation nor was it made an explicit precondition for economic support. Although the Twelve repeated their wish for a dialogue between all concerned parties, they followed the French lead by viewing enhanced economic cooperation with the military regime, which was trusted to introduce the necessary reforms, as the way out of the crisis. The Community wanted to integrate this economic support for Algeria in a wider regional framework. On the eve of their declaration of 17 February, the Twelve had invited the Commission to submit a proposal on a framework for the development of economic cooperation with the Maghreb countries. In June 1992 the European Council endorsed the strategy proposed by the Commission of creating a Euro-Maghreb Partnership providing for political, economic, cultural and social cooperation. While in the Middle East the conditions for such an initiative were not present as long as the peace process was not advanced further, the Maghreb was considered to be a fertile region for an enhanced Mediterranean policy. The international isolation of Libya, the paralysis of the AMU and the persistence of the crisis in Algeria would soon belie this subregional strategy, which would then give way to the wider EMP covering the whole of the Mediterranean. But in 1992 prospects for the subregional option seemed good. Dealing with the Algerian crisis through the regional channel of the Euro-Maghreb Partnership was considered to be the best strategy for redressing the country’s economic situation and thus removing the breeding ground of extremism. Immediately following the Lisbon European Council, the Commission took steps to implement the economic cooperation which had been decided upon, with a technical mission visiting Algeria in July 1992.

468. France continued to dominate Europe’s policy towards Algeria. Still believing in economic reform as the instrument to end the crisis, Paris put strong pressure on the Algerian regime to give up its resistance against an agreement with the IMF on structural reform. After long and arduous negotiations, an agreement was finally concluded in April 1994 by the newly appointed President Zeroual, following French commitments to plead at the international level for a review of the Algerian debt and for increased bilateral and multilateral aid. France, which itself was the main donor to the country, then intervened
succesfully with the EU and with the individual Member States to step up aid to Algeria. While pleading at the same time for a Mediterranean policy which would encompass the whole of the region instead of just the Maghreb, Juppé drew the picture of a domino-effect destabilizing the whole of the Western Mediterranean if support for Algeria was not increased. The French Foreign Minister further referred to the opening of a political dialogue by Zeroual, which included the leaders of the FIS, as proof of the regime’s dedication to democracy, which the EU should honorate with additional aid. Because of the escalation of the violence in Algeria, which also led to the targeting of foreigners, mostly French citizens, France next to its policy of economic support had also started to call for a political dialogue with all democratic forces, including those religious parties that renounced violence. But as this call for dialogue was not backed up by specific initiatives or linked to the economic support, its effect remained limited. 403

469. Both lines of action, increased economic support and promotion of political dialogue, can be found in the conclusions of the Corfu European Council (24-25 June 1994), which “encourages the rigorous pursuit of the national dialogue and the process of structural reform which is essential for the liberalization of the Algerian economy and its better integration into the world economy. The French call for increased economic support did not go unheard. The European Council noted “with approval the recent ECOFIN decision to consider favourably a proposal for further assistance of the order of 200 Mecu, subject to Algeria’s continuing implementation of its IMF programme”. 404 This statement reflected the positive report of the troika, which had visited Algiers in May 1994. The troika returned from Algiers with “the conviction that the Algerian government is determined to boost national political dialogue with all the nation’s active forces”, as Belgian Foreign Minister Willy Claes put it, while his Greek counterpart Georges Papandreou noted “the sincerity of the Algerian government in its will to face its political and economic challenges” and told the regime that “we want you to know that Europe is with you and supports you in your reform process”. 405

470. The views of the European Council were confirmed in the first CFSP statement on Algeria (26 September 1994), in which “the European Union reaffirms its willingness to support a policy of democratic development and economic restructuring in Algeria and condemns all forms of violence there”. The Union “calls upon those parties which have not yet taken part in the dialogue to do so and encourages all sides to create the basis for the development of a democratic society”. Noting that “it is necessary for all sides to participate with the aim of achieving political reconciliation and the restoration of stability so that normal life without the constant threat of terrorist violence may resume”, the Union “particularly welcomes the measures taken by the Algerian government to involve the political leaders of the islamist movement in the dialogue”, a reference to Zeroual’s decision to include the FIS, and “calls upon all sides to cease all acts of violence immediately to allow a peaceful dialogue”. The Union gave considerable financial aid, but when in October 1993 Algeria had requested the opening of negotiations with the aim of concluding an Association Agreement in the framework of the Euro-Maghreb Partnership, the Commission had only taken note of this request, without acting upon it. In the summer of 1994 even the Commission offices in Algiers were closed because of the terrorist strikes against foreigners. Only after the opening of political dialogue by Zeroual were informal exploratory talks on an Association Agreement initiated, but these proceeded at a very slow pace and were soon halted, even though France pressed for the formal opening of negotiations. Feeling that the conclusion of an Association Agreement first demanded a fundamental improvement of the political situation, the EU concentrated on the provision of economic and financial aid and
postponed full-scale association. In general however, France was able to have its own policy adopted, and therefore its effect reinforced, by the EU.

471. This situation France naturally tried to maintain when it took on the Presidency of the EU in the first half of 1995. In the beginning of the year representatives of the Algerian government party and of the opposition, including the external leadership of the FIS, met in Rome in the convent of Sant’Egidio, under the auspices of the catholic lay community of the same name, which had played a decisive part in bringing about peace in Mozambique. The GIA was invited but did not attend. The participants adopted a platform for a political and peaceful solution of the Algerian crisis, which was an offer of peace to the regime. The platform provided i.a. for the rejection of violence as a way to gain power and the acceptance of political pluralism and of alternation of power through universal suffrage, while it also called for the lifting of the ban on the FIS and the release of all FIS officials. The regime in Algeria reacted angrily to these unofficial peace talks and many observers doubted the capacity of the external leaders of the FIS to effectively commit their brethren in Algeria to a renouncement of violence.406

472. But on the other hand the hijacking of an Air France airplane during the Christmas days of 1994 had made Paris realize that the Algerian government was as yet incapable of ending the civil war and that for that reason dialogue with the islamist opposition was inevitable. In its statement of 23 January 1995 the Presidency, without explicitly mentioning the Sant’Egidio meeting, therefore declared that, as “it is for the Algerian people to find a solution to the crisis which is afflicting their country”, “the European Union has followed with interest recent developments which have allowed a certain number of individuals to come together to reflect on the future of their country” and that the Union “encourages all participants in Algerian political life to agree on the ways and means of developing the spirit of this dialogue and pursuing the concrete ideas that may arise from it”. Because of the resistance of the regime in Algiers, which saw its power base threatened and which still believed in the eradication of the islamist opposition, nothing eventually came of the initiative however. In the wake of the Sant’Egidio meeting the socialist French President François Mitterrand, taking another view than the conservative French government, called for a peace conference under the auspices of the EU, to “be based on the different ideas being expressed lately, in particular those voiced at the opposition conference in Rome”. To this suggestion the Algerian government reacted even more fiercely, stating that it would accept no interference in its internal affairs and recalling its ambassador from Paris for consultations.407

473. On 1 February 1995 the EU condemned “in the most vigorous terms the barbaric attack which took place on 30 January in the centre of Algiers and claimed dozens of victims, most of them women and children” and “in these tragic circumstances” renewed “its appeal to all those active in Algerian political life to agree on the ways and means of developing the spirit of dialogue, necessary now more than ever, and to urge them to seek a peaceful solution to the crisis”. On 30 January the EU in a statement had also welcomed Algeria’s (belated) accession to the NPT. The Union further kept silent on the Algerian crisis, with the Cannes European Council (26/27 June 1995) limiting itself to renewing “its appeal to all those involved in political life to break the cycle of violence and find a political solution through peaceful dialogue and free and fair elections” and reaffirming “its readiness to support an economic restructuring policy in Algeria”.408

474. This lack of initiative had to do with the wave of terrorist attacks hitting France in the summer of 1995. The Algerian regime tended to object fiercely to any statement which it
thought to interfere too much in the country’s internal affairs. When e.g. French President Jacques Chirac shortly after his election announced that he would link aid to democratization, his Algerian counterpart deemed this an insult to the honour of the Algerian nation and cancelled a planned meeting. Now it was found that statements of support for the regime on the other hand provoked violent attacks within France. The result was that Paris refrained even more from taking an active stance on Algeria and focused instead on its own internal security, dealing with matters such as immigration and the role of Islam in France. Paris took hard action against suspected Islamist activists living in France and called on its fellow Member States to do the same. This demonstrates that to France Algeria is as much a domestic as an international issue.

475. France also again emphasized the importance of the EMP as a wider regional framework for dealing with security issues in the Mediterranean. In September 1995, following favourable reports by the IMF, the EU restarted the informal talks on an Association Agreement. One of the Union’s motivations was that it wanted to secure Algeria’s support for the upcoming Euro-Mediterranean Conference in Barcelona. But although France was working actively for enhanced economic aid from the EU and although in the same period it demanded a bigger role for the Union in the Middle East peace process, at the same time Paris clearly rejected an increased political role for the EU (or for any other international organization for that matter) in the Algerian crisis, still considering itself to be much more directly implicated and more qualified to deal with it – a position which contrasted with its actual passive attitude vis-à-vis the settlement of the conflict.

476. Later that year, in its statement of 20 November 1995 on the presidential elections which were won convincingly by Liamine Zeroual, the EU welcomed “the fact that the elections were held in an atmosphere of calm”. The outcome of the elections was seen to confer legitimacy on President Zeroual. Inciting him to continue the political dialogue, the Union stated that “the observed level of participation reflects the firm will of the Algerian people to find solutions to their problems by peaceful means”. This perceived democratic legitimacy was rewarded by the intention of the Union to “intensify its cooperation in order to develop the potential for economic partnership, as well as sustain activities and programmes for economic adjustment and reform in Algeria, taking account of the relationship which exists between resolving political problems and the viability of such reforms”. The result of the elections strengthened the EU in its resolve to continue its policy of support for the regime and economic aid in order to facilitate reform and a political solution to the crisis. The Madrid European Council (16 December 1995), noting “with satisfaction the recent presidential elections in Algeria” and trusting “that there will shortly be new moves towards restoring a normal political situation in the country through dialogue and the holding of free and above-board general and local elections”, decided that formal negotiations on an Association Agreement could now be opened. In spite of initial good prospects, these negotiations dragged on for years, because of the persistence of the crisis and because of a number of differences between the EU and Algeria, e.g. on the latter’s demand to step up cooperation in the field of justice and home affairs in the framework of the EMP, in order to jointly combat terrorism. Algiers further demands to be treated differently from the other Southern Mediterranean countries because of its peculiar economic situation, notably its dependence on hydrocarbons, for which it deems the standard Euro-Mediterranean Association Agreements to be unfit.

477. The EU took not a single initiative during the whole of 1996. This was a clear demonstration of the lack of political will on the side of the Union to play an active and direct
part in the resolution of the ongoing conflict. The next declaration to be released was that of 10 June 1997 on the legislative elections in Algeria, in which the Union expressed “its satisfaction at the holding of legislative elections on 5 June 1997, which enabled the Algerian electorate to vote in orderly and safe conditions”. The UN had provided an electoral assistance mission of over a hundred personnel, in which i.a. Greece, Italy and the UK participated, but not France. The Union took note of “the declaration made by the joint group of international observers, confirming that polling took place under generally satisfactory conditions, although some notable imperfections were recorded”. Stating that “the holding of these elections marks a step forward in the process of political reform and bears witness to the Algerian people’s wish to take charge of its future and to participate directly in the building of a democratic and non-violent society”, the Union expressed the hope that “the new Assembly will act as a driving force in the process of democratization and economic restructuring in Algeria”. This seemed to be an over-positive interpretation of the elections, which were marked by a large number of absentees and the participation of the legalized Islamist parties only. Furthermore the Union’s declaration did not really reflect the actually far more critical tone of the report of the UN mission. In the country itself the fairness of the ballot was widely questioned. In reality therefore the elections could not serve as a basis for reconciliation. From the summer of 1997 onwards there was another horrible escalation of violence. On the 12 September the EU stated to be “deeply shocked at the wave of killings and other atrocities which have plunged Algeria into bloodshed” and reiterated “its encouragement for the political and economic reform process in Algeria”. Apparently sticking to its positive interpretation of the previous elections, the Union voiced “the hope that the local elections due to be held on 23 October 1997 can help build a democratic society free from violence”.

478. France’s non-participation in the electoral assistance mission was another symptom of its passive attitude vis-à-vis the Algerian crisis. Because of the improving economic situation in Algeria France had also decreased its bilateral aid in favour of enhanced multilateral support in the framework of the EMP – this bilateral aid had originally been meant to replace diplomatic intervention in the crisis, which was deemed unfeasible for the former colonial power. The coming to power of a new socialist government in France, led by Lionel Jospin, brought another change in French policy. In view of the increasing violence (the Ramadan of 1998 saw another outburst of killing) and the regime’s seeming inability to end it and given its own difficult position, France for the first time accepted a political role for the EU in the conflict.

479. Already on 27 October 1997 the Fifteen had decided to organize a meeting between the President-in-office of the Council, Luxembourg Foreign Minister Jacques Poos, and his Algerian colleague Ahmed Attaf. In an oral statement to the press Poos repeated the Union’s condemnation of terrorism and underscored the right of the population to protection. He encouraged President Zeroual “to broaden the dialogue with all democratic forces, i.e. with those that reject violence” and “to complete the institutional construction and to pursue democratization” and stated that the Union was ready “for any action that the protagonists – and foremost the authorities – may ask of us to facilitate a political solution”. With this initiative for a reinforced dialogue EU policy towards Algeria took on a somewhat higher profile, although it was stressed that it did not amount to a mediation offer and that there could be no negotiations with terrorists. Nevertheless the Algerian government summoned the Luxembourg ambassador to make clear that it rejected any “interference in its internal affairs, regardless of its origin or form”. At the end of November 1997 Attaf did meet with Poos in Luxembourg, but their talks mainly were about the Algerian demand for effective cooperation
in the fight against terrorism. The Algerian Foreign Minister denounced what he deemed to be “logistical support networks for terrorist groups” operating in several European countries “under the cover of the right of asylum”. Any European initiative to try and promote a settlement was thus severely handicapped by the extremely protective attitude of the Algerian government.

480. The Poos-Attaf meeting was followed on 5 January 1998 by the proposal of German Foreign Minister Klaus Kinkel, which Paris now also supported, to send the troika to Algeria, in order to offer the Algerian government the Union’s cooperation to fight terrorism and to help the victims. Kinkel’s proposal was provoked by indignation over a massacre in Relizane in which over 400 civilians died. “It is not possible for the international community to remain silent and powerless before such horrible acts perpetrated by fanatics”, stated the Minister. Paris also reacted favourably to a declaration by the British Presidency on the following day, in which it stated that “the European Union supports and encourages all efforts of the Algerian Authorities, within the rule of law and consistent with human rights, to protect their citizens from terrorism” and that it “will explore with the government of Algeria and NGOs ways and means of helping the victims of terrorism”. The sending of the troika was backed by Washington.

481. The troika mission (19-20 January 1998), the first political initiative of the Union which went beyond the mere issuing of a declaration and tried to really get to grips with the situation, took a bad start. At first the troika was invited by Algeria, under intense pressure, but this invitation was later withdrawn, only to be reiterated shortly afterwards. The reasons for this were that Algeria objected to a delegation composed only of high officials, as was originally envisaged by the EU, and to the Union’s refusal to include a political dialogue on terrorism in the mission. The Union gave in on both issues and the troika was composed at the level of Secretaries of State. This confused start proved to be a bad omen and the mission produced but meagre results. The regime did not allow the Union’s representatives to have contact with the Algerian people or to visit the sites of the massacres, which made it very difficult to fully realize the stated objective of improving the Union’s understanding of the situation. As to the other aim of the mission, i.e. to continue and to widen the political dialogue between Algeria and the Union which had been initiated in the framework of the EMP, progress was limited. The Algerians were requesting dialogue and cooperation on terrorism and Algerian Foreign Minister Ahmed Attaf accepted the British Presidency’s invitation to Brussels. But the Algerians rejected European proposals to send an observer mission of the UN Commission on Human Rights to the country, as they did proposals by the European delegation to send humanitarian aid to the victims of the violence. Algeria stated that, being a donor country itself, it did not need humanitarian assistance; what it requested was an effective contribution by the EU to the fight against terrorism, notably on the European mainland. It was on the instigation of Algeria and Egypt that a clause on terrorism was included in the Barcelona Declaration and Algiers wants to see Euro-Mediterranean cooperation on this issue deepened. The troika did not return with a very positive image of the Algerian regime, but this did not result in a change of policy on behalf of the EU.

482. After the troika had reported, the 2066th General Affairs Council (26 January 1998) “called for greater transparency on the part of the government of Algeria about the situation” and “regretted that the Algerian Authorities have felt unable to provide unhindered access for international organizations, NGOs and the media”. The Council also “regretted that offers of humanitarian assistance have not been taken up, but agreed they remain on the table should the Algerian authorities see scope for a meaningful role for neighbourly assistance”. The
Union remained committed to support for the regime however. Noting that “the visit of the troika should be regarded as a key step towards an extensive dialogue with the Algerian government” and that “taking forward talks on the EU-Algeria Association Agreement would be instrumental in pursuing the dialogue”, the Council expressed the hope that “through this intensified expression of international concern and support [...] the Algerian government would be in a better position to engage in finding the solution to the terrorist problem”.416

483. The negative image of the regime engendered by the troika mission was hardly corrected by a visit of a delegation of the EP some weeks later. Unlike the troika the MEPs had contacts with representatives of the civil society, but they too hurt themselves on Algerian intransigence when it came to allowing international observers into the country. A concrete result of the EP mission was the intensification of interparliamentary dialogue between the Union and Algeria; Algerian MPs visited Brussels later in 1998. More importantly, on the occasion of the visit the Algerian government announced that it would submit a report to the UN Commission on Human Rights; this was certainly partly due to the insistence of the EU on this issue. A strange incident occurred during the EP visit. When the delegation members received a letter from the FIS, they refused to open it and tore it up, referring to the agreement on the conditions of the visit, which provided that the MEPs would not meet with any of the banned formations. This gesture considerably damaged the delegation’s credibility, as did their report on the situation in Algeria, which was remarkably positive on the role of the government.417

484. Indeed after the dubious results of the troika and EP missions, the EU lapsed back into passivity and limited itself to supporting the initiative which the UN now took. After a period of inactivity on the part of the UN, Secretary-General Kofi Annan had first called for a UN initiative in the summer of 1997. In March 1998 an urgent request by the UN to allow an investigative mission by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the UN Special Rapporteur on torture was rejected by the Algerian government. Under mounting pressure Algeria then submitted a report to the Commission on Human Rights and in July 1998 accepted to invite a “Panel of eminent persons” to visit the country. In its declaration of 8 July the Union welcomed the Panel and “the readiness as well as the spirit of openness of the Algerian government to fully support the work of this high-level mission”, which was deemed “an important step for Algerian democracy”. The Panel, headed by former Portuguese President Mario Soares, lacked a clear mandate, as the Algerian regime still rejected the idea of a full investigative mission, and spent some two weeks in the country, talking to trade union leaders, opposition parties, women’s groups, lawyers and a few victims of the violence. While the Commission on Human Rights in its report of August 1998 condemned grave violations of human rights by the Algerian security forces and stated that the allegations of government involvement in the massacres demanded an international enquiry, the Panel one month later presented a remarkably mild report. The massacres were attributed to terrorism only and there was no condemnation of human rights violations by the government but an indirect one, in the call for reform of the security forces and the judiciary.418 The Panel’s report thus only served to confirm the military regime in its resolve to combat the opposition by violent means.

485. In spite of this the Union on 22 September 1998 welcomed “the detailed report of the United Nations Panel of Eminent Persons to gather information on the situation in Algeria in order to provide the international community with greater clarity of that situation”. The visit of the Panel was seen as “an important step in the dialogue between the international community and Algeria”. The Union did implicitly voice some criticism in that it stated that
“it hopes the report will help the Algerian government in its effort to develop the rule of law and to strengthen the democratic process and the reforms to which Algeria is committed” and that “Algeria will engage United Nations human rights mechanisms in its cooperation with the international community”. The Union added that “it is indispensable to strengthen democratic pluralism and to reinforce the civilian element in government, which is now feasible”. But the declaration ended with the confirmation of the Union’s support for “the Algerian government’s efforts to consolidate democracy and to protect its citizens from terrorism” and of “its commitment to a political dialogue with Algeria”. In other words, the Union continued its policy of support for the regime, still trusting it to introduce the required political and economic reforms.

486. This view was repeated in the Union’s next declaration, a full seven months later, on 21 April 1999, on the presidential elections of that year. The Union recalled that it “has supported and encouraged the democratization process embarked upon in Algeria since November 1995” and “that it is by promoting democracy and the rule of law and by continuing with economic and social reforms that Algeria will be able to emerge from the crisis”. But the Union then just “noted the decision by six of the seven candidates to withdraw from the election and the reasons given by them for their decision” and, quite contrary to the actual events and to the atmosphere in the country, declared that “by taking an active part in the election campaign, Algeria’s citizens showed the store they set by a free, open, pluralist poll, as promised by the Algerian authorities”. Later that year, on 21 September, the EU expressed its support for the referendum on civil concord and peace organized by the new President, Bouteflika, and welcomed its adoption (98.6% voted in favour of it). In that declaration the Union again confirmed “its readiness to support and encourage the reform process in Algeria, particularly by way of Euro-Mediterranean cooperation, including the speedy resumption of negotiations on the conclusion of a Euro-Mediterranean Association Agreement”.

487. No more declarations have been issued, let alone has any initiative been taken, since then. In April 2001 Solana and the Swedish Foreign Minister Anna Lindh, then holding the Presidency, visited Algiers. They expressed their concern over the continuing high level of violence and especially over the disappearances, arbitrary arrests and torture. No new steps to find a solution to the conflict were announced however, while the negotiations on the Association Agreement were still continuing. In the wake of the events of 11 September 2001 the Union and the Algerian regime seem to have drawn even closer. On the occasion of a visit by Bouteflika to Brussels on 12 October 2001, Commission President Romano Prodi and the Algerian President stated that they hoped to be able to bring the negotiations to a conclusion before the end of the year. Prodi stressed the will of the Union to intensify the political and economic links with Algeria at what he deemed a “historic moment characterized by an anti-terrorism consensus” and spoke of the EU and Algeria living together as brothers and cooperating in the fight against terrorism. These statements were of course welcomed by Bouteflika, who saw the support for his regime confirmed. Deploring that, in his words, Algeria had long been alone in suffering from terrorism, he was glad that now the international community was aware of this “global scourge”. Clearly in this atmosphere of a worldwide joint fight against terrorism, no critical attitude vis-à-vis the Algerian regime was to be expected from the EU. Accordingly the Association Agreement was initialled on 19 December 2001 on the occasion of a new Brussels visit by Bouteflika.
5.1.3 The inactivity of the Union

488. One cannot but conclude that the EU has adopted a very passive attitude indeed towards the crisis in Algeria. No common positions or joint actions have been adopted, only a very limited number of declarations has been issued. At just one occasion did the Union take a political initiative, which even then was quite limited in scope: the troika visit to Algeria. This was badly managed however and did not produce any lasting results. Since then, as before, the Union has refrained from taking any initiative regarding the country, showing a regrettable lack of political will. Union policy on Algeria thus does not surpass rhetorical support for democracy and human rights.

489. At the same time the Union still continues its policy of economic and financial support for the regime in order to enable it to introduce political and economic reforms, which in the view of the Union will lead to reconciliation. This support de facto has been more or less unconditional and has not been linked to the opening of sincere negotiations with the opposition movements and respect for democracy and human rights. The EU did not make use of the economic instrument to pressurize the military regime, which instead has been able to count on the rather uncritical attitude of the Union and which has acquired complete control over the state. Instead the continuing purchase of Algerian oil and gas have been vital for the survival of the regime and have presented it worldwide as a respectable trading partner and a legitimate government. The revenue from the oil and gas trade is the main factor keeping the regime in power and, probably, at the same time its main motivation for staying in power. Hydrocarbons represent 95% of Algerian exports, 30% of the GDP and 60% of the national budget. Western petrol companies have invested billions in their operations in Algeria, which are heavily guarded and which, it seems, the Western governments are not willing to put at risk. Union policy thus neglects the obvious fact that the persistence of the violence for by now almost a decade has clearly demonstrated that the military regime is unable or unwilling to find a lasting and equitable solution to the crisis and is even involved itself in the massacres.
490. The question should be asked whether under these circumstances the Union ought to have concluded the negotiations on a Euro-Mediterranean Association Agreement with Algeria, which was a further token of support for the regime. This is especially so as the political content of these Association Agreements has tended to be limited, emphasis being put on economic cooperation, without real political preconditions being imposed. This is a clear example of a – deliberate – lack of coordination between the different baskets of the EMP. Economic support under the second basket of the Partnership continues in spite of the fact that Algeria obviously does not live up to the principles which it agreed to in the framework of the political and security partnership. Rather than “admiring the courage of this Algerian administration to throw open their country’s society and to conclude this Association Agreement with Europe”, as chief EU negotiator Robert van der Meulen put it, one should deplore the Union’s lack of regard for actual conditions in the country.422

491. An explanation for the rigidity of Union policy and the EU’s lack of initiative can be found in a number of reasons. When the crisis first erupted the policies of the Twelve were to a very great extent influenced by those of France, which because of the colonial past was recognized by the other Member States as possessing greater expertise on Algeria and as having larger interests at stake. France adopted a very passive stance; up to this day EU policy reflects the basic French view of economic support for the regime, without too many preconditions, so as to allow it to solve the crisis. France has always shielded Algeria from international criticism and has repeatedly blocked proposals for intervention, while the few occasions of international involvement, such as the troika mission and the Panel, were limited in scope and produced at best limited results.423 Remarkably, to a great extent the US too followed the French lead. Having limited interests in Algeria, except in the hydrocarbon sector, Washington as well adopted a rather passive attitude. The US did make discreet efforts to promote dialogue between the regime and the FIS, but ultimately their policy was more or less the same as that of France and the EU. Probably being the country which most dreads a second Iran and fearing the potential impact on the Middle East peace process and on stability in the whole of the Mediterranean, the US do not want to see the Islamists gain power and therefore they too support the military regime. A clear example of this was the invitation extended to Algeria in March 2000 to join NATO’s Mediterranean Dialogue, which includes a number of military cooperation activities.424 This move should be seen as a very explicit expression of support for the regime, for when NATO’s Mediterranean Dialogue was first launched in 1995 Algeria was not included because of its internal situation – ergo the Alliance in 2000 considered conditions in the country to be acceptable.

492. Another factor is of course the sheer complexity of the situation and the neigimpossibility of bringing around the table the military hard-liners on the one hand and the different rivalling armed Islamist groups on the other hand. The fact that neither of them completely controls all of its forces complicates matters even further. In between the government and the armed opposition are the opposition parties which do not resort to violence, Islamist and other. In this situation any mediation effort would meet with immense difficulties and would certainly involve protracted negotiations. EU involvement is further discouraged by the regime’s rejection of any foreign intervention. Algiers opposes international investigations or mediation efforts, claiming that the perpetrators of the murders are well-known, that its own security forces and judiciary are able to deal with them, and that an investigation or dialogue with the Islamists would only serve to strengthen their position and provide them with legitimacy. Demands for foreign intervention are viewed as interference in Algerian internal affairs and even as contempt for the country’s democratic institutions; the violence is done away with as acts of revenge by the Islamists because of their
loss in the latest elections. Algiers demands instead that the EU should take action against networks on the European continent supporting Algerian terrorist groups. At the same time any initiative not to the liking of the violent islamist groups might provoke terrorist strikes against Europe, a fear which at least in the years 1995-1996 was very real. Obviously, the fears engendered by the prospect of an islamist regime in Algeria still persist, even though islamism does not pose a direct threat to the West nor does an islamist state necessarily has to be anti-Western.

493. Besides, the Member States of the Union are divided among themselves over the direction which a “new Algerian policy” should take. The Northern Member States seem to be more willing to engage actively in some kind of conflict resolution, while most Southern Member States fear the uncertainties implied by a replacement of the current regime. One of the dividing factors is the degree of credibility which the Fifteen attach to the “official” thesis of the regime that all massacres are committed by islamist groups, while the indications of the involvement of the regime itself in large-scale torture and killings rise daily in number. And of course the dilemma remains that the Union does not want to substitute one undemocratic regime for the other, wanting to make sure that it does not pave the way for undemocratic islamist currents. As the crisis has had little or no direct impact on Europe, apart from the terrorist wave hitting France, which can be said to have been provoked by France’s support to the regime, there is little incentive for an active policy. In the climate reigning after the attacks of 11 September 2001 and the general spirit of a common fight against terrorism, and against islamist terrorism in particular, the Algerian regime’s version of the story has the ear of the West even more than before. In such a situation an initiative aimed at bringing the parties around the table seems unimaginable.

5.1.4 The risk of spill-over

494. The main security threat affecting the other countries of the region is spill-over of the conflict in Algeria. A victory of the armed islamists in Algeria would almost certainly lead to unrest in the other North African countries and might provoke the emergence of similar violent groups, with or without the support of an extremist Algerian regime. Both Morocco and Tunisia have increased surveillance on their borders with Algeria, to prevent incursions into their territory; there have been a number of border incidents. But as in Algeria the armed islamists have been contained and because of the firm policies of the governments of Morocco, Tunisia and Egypt (with Libya being something of a special case), luckily the effects up till now have mainly been limited to the existence of networks supporting Algerian armed groups. Since the armed islamists in Algeria no longer are in a position to threaten the regime, the risk of spill-over now seems to be very limited.

495. Given the absence of military security issues, EU policy vis-à-vis Morocco, Tunisia and Egypt has been aiming primarily at the improvement of socio-economic conditions, through trade and by providing economic support in the framework of the second basket of the EMP. Another important policy objective has been the promotion of democracy and human rights, which is covered by the first and by the third, social and cultural, basket of the Partnership. The aim is to take away the breeding ground for extremist islamism by improving living conditions and at the same time to avoid unduly repressive government policies (which increase rather diminish extremism).
496. Still there have been a number of violent outbursts, especially in Egypt, which in the early and mid-1990s saw large-scale fighting between armed Islamists and security forces and where a number of terrorist attacks against tourists occurred. To one of these the EU reacted with a declaration (22 April 1996) in which it “expresses its deepest sympathy to the families of the victims of the murderous attack against innocent Greek tourists in Cairo”, “condemns once more the senseless act of violence” and “confirms the determination of all its Members to confront terrorism decisively in all its forms”. On another occasion (28 May 2001) the Union reacted against what it considered to be “harsh sentences handed down by the Egyptian Supreme State Security Court on 21 May 2001 against Dr. Saad Eddin Ibrahim and staff members of the Ibn Khaldoun Centre”, who were convicted to sentences of up to seven years imprisonment for “accepting foreign funding without authorization (including from the EU) and for harming Egypt’s reputation abroad”. The Union was concerned that “the Court did not take fully into account evidence for the defense”. Referring to the reason why the Union was particularly concerned over this specific case, the declaration further stated that “the European Union has cooperated with the Ibn Khaldoun Centre for several years and has i.a. funded women’s projects and voter education”, activities which “are in line with the principles of the Barcelona Declaration, adopted in 1995 by the 15 European Union Member States and the 12 Mediterranean partners, including Egypt”.

497. On the whole however the EU has kept to a low profile on the issue of Islamism in the other North African countries and the policies of their governments on the subject. The Union probably has its own interests in mind and wants to avoid any cause for confrontation with the regimes concerned or with Islamist and other opposition movements. One can therefore assume that the Union does not want to interfere as long as these countries are succesful in preventing the rise of extremist Islamism and as long as repression, against non-violent opposition movements especially, is not unduly excessive. The Union thus limits itself to economic and financial support and to – modest – support for democratization and respect for human rights. In the case of Egypt it should also be noted that this country is considered to be a very important partner in the Middle East peace process, as an Arab state which has concluded a peace agreement with Israel, which time and again lends strong support to all initiatives aimed to bring peace to that region and with which for those reasons close relations should be maintained.

Box 14: CFSP acts on Egypt

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>22/04/1996</td>
<td>Declaration by the Presidency on behalf of the European Union on the killing of Greek tourists in Cairo</td>
</tr>
<tr>
<td>28/05/2001</td>
<td>Declaration by the Presidency on behalf of the European Union on the sentences against Dr. Saad Eddin Ibrahim / Ibn Khaldoun Centre</td>
</tr>
</tbody>
</table>

5.2 Western Sahara

498. Next to the crisis in Algeria, another, often forgotten conflict, divides the Maghreb: the issue of Western Sahara. This territory was administered by Spain until 1976, when it was claimed by both Morocco and Mauritania. The latter renounced its claims in 1979, but fighting broke out between Morocco and the POLISARIO Front (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro), which declared an independent state (the Sahrawi Arab Democratic Republic or SADR) and which was supported by Algeria. A mission of good offices by the UN Secretary-General, in cooperation with the OAU (which accepted
the SADR as a member in 1982), led to a settlement proposal. On 30 August 1998 this proposal was accepted by Morocco and POLISARIO and a cease-fire was concluded. The settlement plan provided for a transitional period during which a Special Representative of the Secretary-General would have sole and exclusive responsibility over all matters relating to a referendum in which the people of Western Sahara would have to choose between independence and integration in Morocco. On 29 April 1991 the Security Council in Resolution 690 established the United Nations Mission for the Referendum in Western Sahara (MINURSO), an integrated mission of civilian, military and police staff, with the task of monitoring the cease-fire and assisting the Special Representative.

499. In spite of ongoing negotiations, the referendum has still not taken place, because of persisting differences over the criteria for the eligibility to vote and the identification of voters. Thousands of Moroccans have settled in the territory in a planned effort to shift the demographic balance and thus the referendum in Morocco’s favour, while over 150 000 Sahrawi refugees are still living in camps in Algeria. Moroccan authorities have repeatedly declared that Morocco will never give up control over Western Sahara, which is considered historically part of its territory. It is therefore doubtful whether Morocco will effectively let the referendum determine the status of Western Sahara. For Morocco the referendum can only confirm the Moroccan character of the territory to the international community, while for POLISARIO, which still has the support of Algeria, independence is still possible through the consultation of the authentic Sahrawi population. The divisions over Western Sahara were one of the main factors which led to the paralysis of the AMU.427 The Western Sahara issue has been instrumental to the survival of the Moroccan regime. The as yet successful attempt to gain control of the territory provided the monarchy with authority and legitimacy and allowed it to firmly establish its control over the army while this was occupied with operations against POLISARIO.

500. Very little attention has been paid to the issue of Western Sahara in the framework of the CFSP. Under EPC, declarations were issued in 1988 and 1991, welcoming the cease-fire and the settlement plan and the UN efforts in general. Ever since the EU has declined to become involved in the issue and has limited itself to verbally supporting the UN initiatives, and even that rather reservedly. Just two CFSP declarations have been issued on the topic of Western Sahara. On 29 December 1998 the Union “reiterates its full support for the settlement plan proposed by the United Nations Secretary-General for Western Sahara, which aims at the holding of a free, fair and impartial referendum on the self-determination of the people of Western Sahara”. Remaining “deeply concerned over the continuing differences”, the Union “warmly welcomes the arbitration presented to the parties by the Secretary-General of the United Nations in accordance with the United Nations settlement plan, in order to move the identification process forward” and “calls upon the parties to fully cooperate with the United Nations in order to make substantial and speedy progress in the implementation of the settlement plan in all its aspects”. A similar declaration of support for the ongoing efforts by the UN to implement the settlement plan was issued on 21 June 1999. The Union indirectly supports the Sahrawi refugees in Algeria, by financing projects of UN agencies and NGOs. Austria, Belgium, France, Greece, Ireland, Italy, Portugal and Sweden (and the Mediterranean partner countries Egypt and Jordan) contribute personnel to MINURSO, which is currently commanded by Belgian general Claude Buze.

501. Not only have there been only limited instances of EU support for the UN, actual EU behaviour even tends to favourize the Moroccan view of the issue, in spite of the Union’s verbal support for the settlement plan and the right to self-determination of the Sahrawis.
Officially none of the Member States accepts Morocco’s annexation of the territory in 1975, especially not since the ICJ rejected Morocco’s claims to sovereignty over the area. But the terms of the fishing treaty with Morocco, which is regularly renegotiated, remain ambiguous on the question of whether the Saharan waters are included, while European fishing practice effectively recognizes, and thus provides legitimacy to, Morocco’s presence in Western Sahara. The Euro-Mediterranean Association Agreement with Morocco does not take the issue into account at all. Apparently, the EU has preferred to maintain close relations with Morocco, which is an important supporter of the EMP, rather than antagonizing it by pushing for a solution of the Western Sahara issue. One of the factors influencing this attitude is that the other members of the AMU have come to accept Morocco’s claims, while the only country in the region which is still opposing them, Algeria, is prevented from exerting pressure by the internal crisis which is ravaging it. Morocco’s control over Western Sahara thus meets with little or no opposition within the Maghreb.\textsuperscript{428} If the principles of the Barcelona Declaration are to be fully applied, the Western Sahara issue should be settled according to the Resolutions of the Security Council and the EU should make use of its influence to put pressure on Morocco to implement them.

<table>
<thead>
<tr>
<th>Box 15: CFSP acts on Western Sahara</th>
</tr>
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<tbody>
<tr>
<td>29/12/1998</td>
</tr>
<tr>
<td>Declaration by the Presidency on behalf of the European Union on Western Sahara</td>
</tr>
<tr>
<td>21/06/1999</td>
</tr>
<tr>
<td>Declaration by the Presidency on behalf of the European Union on Western Sahara</td>
</tr>
</tbody>
</table>

### 5.3 Libya

502. Libya is well known for being an \textit{Einzelgänger} in international politics and is very much closed to the outside world. The EMP was handicapped from the onset by the absence of the country, which has been more and more internationally isolated ever since Muammar Qadhafi came to power in 1969. The Qadhafi regime adopted a nationalist and confrontational foreign policy, leading to grave tensions with several of the neighbouring countries and with the international community at large. This policy was accompanied by a high degree of militarization. Libya does not have the largest army of the region, but it has relatively more equipment. The regime was also marked by its virulently anti-Western rhetoric, aimed especially against the US, but also against westernized Arab elites.

503. Already in 1982 the US imposed a full trade embargo on Libya, because of the country’s alleged support to the revolution in Iran and to terrorist groups in the Middle East and because of the destruction of the American embassy in Tripoli by demonstrators protesting against the American asylum for the exiled Shah of Iran. Air strikes were executed against Tripoli and Benghazi by the US Air Force in 1986 and all American oil companies were withdrawn. In 1984 the UK suspended diplomatic relations following the assassination of a British police officer outside the Libyan embassy in London. On 21 December 1988 Pan Am Flight 103 exploded over Lockerbie in Scotland; all 259 passengers and crew and 11 people on the ground were killed. A similar incident was the explosion of a French airliner of the Union Transport Airline (UTA) over Niger on 19 September 1989, in which 171 people were killed. After investigations carried out by their security services, Washington, London and Paris accused Libyan agents of bringing down these aircraft. They brought the case before the Security Council, which adopted two Resolutions, 731 and 748 of December 1991 and March 1992 respectively, imposing an embargo on air links, equipment for oil exports and refinery supplies, banning the supply of arms and reducing diplomatic relations, as long as Libya...
refused to hand over the two Libyan nationals accused of the Lockerbie crash. In 1993 by Resolution 883, sanctions were extended to cover financial holdings and resources of the Libyan government abroad. Remarkably, the embargo did not cover oil and agricultural exports, so it did not strike at the heart of the Libyan economy. In 1996 the US also adopted the Iran-Libya Sanctions Act, providing for the penalization of non-US companies violating the UN sanctions against Libya or investing more than $40 billion in one year in its energy sector. 429

504. The EU has extensive trade relations with Libya. The Union accounts for nine-tenths of Libya’s oil exports. E.g. Libyan oil covers 51% of Italy’s requirements and 13% of Germany’s – not surprisingly, both countries played a big part in preventing an embargo on Libyan oil products. The Union is the main market for other Libyan export products as well, while more than half of Libya’s imports come from the EU. Because of the nature of the regime though, the country was not included in the Community policy of concluding cooperation agreements with the Mediterranean countries and the Community faithfully implemented all UN sanctions. In 1986 the Member States decided upon a number of measures against Libya, because of its support for terrorism: an embargo on the export of arms and other military equipment, restrictions on the freedom of movement of diplomatic and consular personnel, reduction of the staff of diplomatic and consular missions and stricter visa requirements and procedures. The UN sanctions were applied by the Community from 1992 onwards. On 22 November 1993, as one of the first decisions made in the framework of the CFSP, a common position was adopted in which it was decided that “economic relations with Libya shall be reduced in accordance with the relevant provisions of Resolution 883”.

505. On 12 September 1995 the EU issued a declaration in which it expressed “its grave concern at the announcement made on 1 September by the leader of the Libyan revolution, Colonel Qadhafi, of the expulsion of Palestinian citizens”. This move was prompted by Qadhafi’s opposition against the Middle East peace process and the emerging Israeli-Palestinian rapprochement at that time, a view of his which constituted another dividing factor between Libya and the West. “On humanitarian grounds”, the Union appealed to the Libyan authorities “to reconsider the implementation of this measure, which would seriously affect a large number of people”.

506. Because of the sanctions regime Libya was not invited to participate in the 1995 Barcelona Conference, in spite of a request to that end by the AMU. The absence of Libya from the EMP was a severe obstacle to the realization of its objectives. Clearly, region-wide confidence and security cannot be established without Libya taking part. The non-participation of this littoral state is an important gap in the global aspirations of the Partnership. For transparent and good-neighbourly North-South relations especially Libya’s participation is vital, given the distrust reigning relations between Tripoli and several if not most Western capitals. But there are tensions between the quixotic Libyan regime and its Southern neighbours as well. E.g. Tripoli has claims on Northern Niger and part of Southeastern Algeria and has supported opposition movements in several Arab countries. Thus the integration of Libya into the Partnership’s (planned) network of CSBMs would be very valuable to Mediterranean security. Recent developments concerning the sanctions regime and the international isolation of Libya were therefore potentially very beneficial for the future of the Partnership. Besides, regional integration among the Southern countries would also greatly benefit from a normalization of relations with Libya, especially through an amelioration of the functioning of the AMU.
507. Probably under pressure of the sanctions and its international isolation, Libya is slowly opening up. In 1994 already Libya had offered to allow the Lockerbie suspects to be tried by Scottish judges and under Scottish law but in another country. In 1997 this offer was specified by proposing the International Court of Justice in The Hague as location. At first London and Washington rejected these offers and insisted on the surrender of the suspects, but in the light of growing international support for the Libyan position, they offered a compromise proposal that was approved by the Security Council and accepted by Libya in August 1998. Resolution 1192 provided that the sanctions would be suspended immediately if the two suspects were handed over for trial in The Hague, which happened on 5 April 1999. The court found one of the accused guilty and acquitted the other. The sanctions are now suspended, but the final lifting of them requires a further Resolution. The Security Council wants to be satisfied that Libya complies with all requirements of the relevant Resolutions, i.a. to cease all forms of terrorist action and all assistance to terrorist groups.

508. The compromise proposal was welcomed by the EU in its declaration of 28 August 1998. On 16 April 1999 a common position was adopted by which the application of the UN sanctions was suspended according to Resolution 1192; the measures taken by the Member States in 1986 remained in force. In a joint declaration with the EU, the Central and Eastern European countries associated with the Union, Cyprus and Iceland joined this common position (26 April 1999). Following a report by the Secretary-General of the UN of 30 June 1999, which “cited several elements suggesting that recent acts by the Libyan authorities were indicative of the Libyan government’s renunciation of terrorism”, on 13 September a new common position was adopted, modifying that of 16 April. The bilateral sanctions of 1986 were now lifted as well, except for the arms embargo.

509. On 4 April 1999 the Union in a declaration welcomed “the transfer by the Libyan Arab Jamahiriya to the Netherlands of the two individuals charged with the bombing of Pan Am 103 for the purpose of trial as demanded by UNSCR 1192 (as well as its cooperation with the competent French authorities which has allowed a trial in the case of the bombing of UTA 772), thus bringing about the suspension of United Nations and European Union Lockerbie-related sanctions”. The Union stated that “full compliance with the stipulations of all relevant UNSCRs will enable the Libyan Arab Jamahiriya to regain its position as a full member of the international community in the near future”. The declaration noted in particular that “this will allow re-examining of the question of the Libyan Arab Jamahiriya’s participation in the Barcelona Process, which the European Union deems desirable”, because “it is in the interest of stability in the Mediterranean basin that an important country, in a strategic position, such as the Libyan Arab Jamahiriya, should not be excluded from this dialogue”. The Union thus immediately made use of the suspension of the sanctions to try and integrate Libya into the EMP, but added that “this presupposes that, however, the government of the Libyan Arab Jamahiriya must adopt and act in accordance with the basic principles laid down in the Barcelona Declaration”. It can indeed be argued that after the handing-over of the Lockerbie suspects and the trial, further isolation of Libya would be counterproductive. Confidence and security can only be established by interacting with the country and integrating it in the international community. In the EMP the Union possesses a prime instrument for doing so. Of course, this has to work both ways: if it wants the isolation and the sanctions to end, Libya should earnestly commit itself to the principles of international law and security, as they are e.g. included in the Barcelona Declaration. This view reflects the traditional differences between Europe and the US over the relations with what the Americans used to call “rogue states”. While Washington advocated complete economic isolation, the Europeans, partly to protect their economic interests of course, have always maintained that a so-called “critical
dialogue” would be much more effective in inciting the Libyan regime to alter its policies. The EU was also very much opposed to the unilateral Iran-Libya Sanctions Act. ⁴³²

510. The day after the suspension of the sanctions, Italian Foreign Minister Lamberto Dini visited Tripoli, where he announced that Italy would ask for Libya to be included in the EMP without delay, stating to believe that “development and peace in the region are not possible without Libya’s participation”.⁴³³ The Union invited Libya to attend the third Euro-Mediterranean Ministerial Conference in Stuttgart (15-16 April 1999) as a “special guest”, alongside Mauritania, the AMU and the Arab League. The request of the Arab partner countries to immediately allow it to participate as a full member was not granted, but the Conference did decide that the country would become a full member as soon as the UN sanctions were lifted and it had accepted the whole of the Partnership’s acquis. The troika visited Tripoli on 18-20 September 1999 and although the Libyan authorities voiced their dissatisfaction with the maintenance of the arms embargo, the troika was given assurances of Libya’s adherence to the Barcelona acquis, which were confirmed in writing in a letter to the Presidency of 4 January 2000. This letter mentioned as condition however that Israeli and Palestinian membership of the EMP should be suspended until the conclusion of the Middle East peace process. Such a condition clearly goes against the idea of the Partnership as a global and inclusive framework and is unacceptable to the EU.⁴³⁴ In a subsequent note verbale of 26 January Tripoli then stated that the previous note was to be considered null and void and that the matter was still under debate; Tripoli therefore proposed further discussions.

511. One of the consequences of this volatile attitude was that the EU decided not to invite Qadhafi to visit the European institutions in Brussels just yet, a wish which he had expressed in early January 2000. Commission President Romano Prodi declared that “an invitation would only be significant if we thus obtain a true breakthrough in our relations”, a point which he thought had not been reached yet, adding that “I have not spoken of an invitation to Qadhafi for starting up the fireworks – what I am interested in is peace in the Mediterranean”.⁴³⁵ So far talks and another visit by the troika (26-27 March 2000) have not produced any concrete results. While speaking encouragingly in bilateral contacts, Qadhafi continued to use anti-Western rhetoric in his public speeches, which made it difficult to build a strong relationship. At times he also stated not to be interested in the EMP and claimed to be wanting to speak on behalf of the whole of Africa, while in his view the Partnership divides the continent.⁴³⁶ On other occasions he stated that the countries of the Middle East should not take part in Euro-Mediterranean meetings, but that only the “African Arab countries” should participate.⁴³⁷ At first Libya declined the invitation to attend the November 2000 Marseilles Euro-Mediterranean Ministerial Conference, again as a special guest, but ultimately (and unexpectedly) it did take part. The country also participated, still with observer status, in the next Euro-Mediterranean Conference, in Brussels on 5-6 November 2001. Obviously, the fickle nature of the regime makes a normalization of relations difficult. Libya ought to realize that it can only benefit from its full integration in the international community and that this also requires an effort on its own part.

**Box 16: CFSP acts on Libya**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>22/11/1993</td>
<td>Common position defined on the basis of Article J.2 of the Treaty on European Union with regard to the reduction of economic relations with Libya (1993/614/CFSP)</td>
</tr>
<tr>
<td>12/09/1995</td>
<td>Statement on the expulsion of Palestinian citizens residing in Libya</td>
</tr>
<tr>
<td>28/08/1998</td>
<td>Declaration by the Presidency on behalf of the European Union on the recent developments in the Lockerbie case</td>
</tr>
<tr>
<td>16/04/1999</td>
<td>Common position defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning Libya (1999/261/CFSP)</td>
</tr>
</tbody>
</table>
5.4 Conclusion

512. EU security policy vis-à-vis the Maghreb has been rather passive. Apparently as long as the main interests of the Union concerning the region are satisfied, i.e. the steady supply of hydrocarbons and the prevention of the escalation of violent islamism to other countries than Algeria, the Union does not feel the need to become involved in the solution of the Algerian crisis. Regarding the issue of Western Sahara as well, the EU has adopted a very pragmatic attitude. Limiting itself to rhetoric support for the UN efforts to settle the issue, the Union has preferred not to take any initiative itself and not to let the matter influence its relations with Morocco. In the short term this attitude ensures good relations with the Algerian and Moroccan regimes and their continued support for the EMP. But in the long term, the objectives of the security dimension of the Partnership cannot be achieved as long as the EU persists in virtually ignoring these ongoing conflicts.

513. It seems that in the field of security, European attention is almost exclusively devoted to the Middle East peace process, to the detriment of the security situation in the Maghreb. This attitude contrasts sharply with the Union’s original approach to the Mediterranean, which was focussed much more on the Maghreb. The concept of the EMP itself grew out of earlier proposals aimed at creating some form of partnership between Europe and the Maghreb. The Union should not allow the Middle East peace process to be the sole focus of its Mediterranean security policy. Admittedly, the future of the peace process determines the future of the EMP, but a true Mediterranean approach, as it is written down in the Barcelona Declaration, has to be a balanced one, devoting attention to all of the region’s security issues. In the Maghreb as well an active policy of conflict resolution is needed. Besides, the crisis in Algeria, although it receives far less media-coverage, has equally negative effects on the prospect of enhancing the Euro-Mediterranean security partnership.

514. But the factors quoted above, combined with the fact that the regime has been able to assure the steady supply of oil and gas, which is one the EU’s main interests in the Mediterranean, and with the regime’s general pro-Western orientation, constitute a powerful argument against a more active European involvement in the Algerian crisis. This Western orientation is reflected in the regime’s strong support for the EMP, but it should be obvious that this is largely motivated by the desire to maintain Western support and to make use of the framework of the Partnership to increase the regime’s legitimacy and to promote cooperation in the fight against terrorism. Leaving the violence to endure clearly goes against the ideas and principles expressed in the Barcelona Declaration however. But the Union has only paid lip service to these in its declarations on Algeria. In spite of its rhetoric it has in fact taken not a single initiative to mediate in the conflict or to influence the regime through economic means in order to achieve the objective of its Mediterranean policy, i.e. peace and security in the Mediterranean. Although a passive and indirect policy of economic support might seem right in the short term and might seem to guarantee some sort of stability, in the long run the
EU cannot allow a situation of what is in fact a condition of inherent instability to persist. The current situation presents only “phantom stability”. An Algeria which is permanently in crisis would be a source of instability which might infect the whole area. The EMP can only progress in a stable and peaceful Mediterranean and if it is based on cooperation between democratic and legitimate governments. Like the other ongoing conflicts in the Mediterranean, the crisis in Algeria requires a solution before the Partnership, and certainly its security dimension, can advance.

Therefore the EU should maintain a “critical dialogue” with the regime and should clearly voice its concerns and objectives, preferably in a common position. At least a number of minimal conditions should be attached to the Union’s economic and financial support to the country. The Union should keep pressing for some form of dialogue between the regime and the opposition and security guarantees for all participants in it. The start of such a dialogue should have been a precondition for the signing of the Association Agreement, the conclusion of which in the present circumstances seems almost unethical. A similar “critical dialogue” should be the way to approach the other Maghreb partner countries: making careful use of the economic sticks and carrots which the Partnership provides to further its objectives.

405 (anon.), EU/Algeria: The troika ensures Algerian authorities of Union support for reforms – the Corfu summit will discuss the situation in Algeria. In: Europe, vol.42, 1994, 6241, p.3.

EU/Algeria: Algiers rejects Mitterrand’s proposal for a conference under EU auspices as “interference”. In: Europe, vol.43, 1995, 6414, p.4.


EU/Algeria: Mr. Kinkel’s initiative with the British Presidency to examine how the EU could help Algeria, where further massacres have taken place. In: Europe, vol.46, 1998, 7131, p.3.
EU/Algeria: Mr. Soulier says the delegation of MEPs has started coming up with ideas on how to develop greater cooperation with Algeria in the future. In: Europe, vol.46, 1998, 7157, pp.2-3.
EU/Algeria: Members discuss terrorism and human rights with Mr. Attaf – a message from the FIS is torn up without being read. In: Europe, vol.46, 1998, 7158, p.2.

EU/EP/Algeria: Mr. Soulier says the delegation of MEPs has started coming up with ideas on how to develop greater cooperation with Algeria in the future. In: Europe, vol.46, 1998, 7157, pp.2-3.


EU/Algeria: Both sides want to sign Association Agreement by end of year – President Bouteflika happy that Algeria is “no longer alone” in combating terrorism. In: Europe, 49, 2001, 8068, p.13.
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430 The suspects were to be tried in the Netherlands before a Scottish court under Scottish law, but the jury was replaced by a panel of three Scottish High Court Judges.


433 (anon.), *EU/Libya: Libya’s handing over the two suspects in the Lockerbie bomb attack opens the way for Libya’s inclusion in the Euro-Mediterranean process a week before the ministerial meeting of Stuttgart*. In: Europe, 47, 1999, 7439, p.7.


435 (anon.), *EU/Libya: Mr. Qadhafi says that he intends to visit the institutions in Brussels*. In: Europe, 48, 2000, 7627, p.3.

436 (anon.), *EU/Libya: Commission supports high level EU/Libya meeting*. In: Europe, 48, 2000, 7628, p.4.

437 (anon.), *EU/Libya: Colonel Qadhafi stresses dialogue must remain open*. In: Europe, 48, 2000, 7645, p.6.

438 (anon.), *EU/Libya: Qadhafi’s “double language” (encouraging in bilateral contacts, discouraging in public speech) disappoints European officials and distances prospects of normalization*. In: Europe, 48, 2000, 7691, p.4.

439 (anon.), *EU/Libya: Commission considers that progress occurred towards normalisation of relations, but Mr. Kadhafi confirmed his disinterest for Barcelona Process*. In: Europe, 48, 2000, 7692, p.4.
As he put it himself in his characteristic style: “Today, I feel more African than Arab. Don’t talk to me about Arabs: they have no taste or depth”.


CHAPTER 6

THE MEDITERRANEAN POLICIES OF NATO AND THE OSCE

6.1 NATO’s Mediterranean Dialogue

6.1.1 A Mediterranean initiative

516. During the Cold War the Mediterranean was only important to NATO as a secondary theatre. Primary attention was focussed on the Central and Eastern European “front”; this also went for the Alliance’s European pendant, WEU. The security situation in the Mediterranean was viewed through the lens of the risk of Soviet intrusion in the area and the security threats which this might pose to the West. In the 1960s an Expert Working Group on the Middle East and the Maghreb was established and later an Ad Hoc Group on the Mediterranean, both composed of specialists of the area from the Allied countries and both mainly devoted to the monitoring of Soviet activities in the region. Only after the fall of the Berlin Wall did Mediterranean security issues proper become prominent. Consequently, the Southern European Allies, with Spain and Italy taking the lead, began to demand that NATO should take a greater interest in the Mediterranean.

517. The growing importance of Mediterranean security issues to the security of Europe was recognized in the Alliance’s Strategic Concept, which was to take into account the new security situation after the end of the Cold War and which was adopted at the November 1991 Rome summit. In this the Allies stated to “also wish to maintain peaceful and non-adversarial relations with the countries in the Southern Mediterranean and Middle East” and declared that “the stability and peace of the countries on the Southern periphery of Europe are important for the security of the Alliance, as the 1991 Gulf War has shown”. The Allies particularly emphasized the threat of WMD, as they added that “this is all the more so because of the build-up of military power and the proliferation of weapons technologies in the area, including weapons of mass destruction and ballistic missiles capable of reaching the territory of some Member States of the Alliance”. The emphasis on the spread of WMD as a “new security risk” was also witnessed by the adoption in June 1994 of the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction, which notes that “a number of states on the periphery of the Alliance continue in their attempts to develop or acquire the capability to produce WMD and their delivery means or to acquire illegally such systems”, while “WMD and their delivery means can pose a direct military risk to the Member States of the Alliance and to their forces”. Although the document does not explicitly mention the Mediterranean, the reference to the European periphery is clear enough. So is that to the necessity of engaging in some form of dialogue with this region, in order to establish mutual confidence, as the document states that “a stable international order with a broad base of shared values is key to Allied security”, while “WMD proliferation can undermine the achievement of such a stable international order. Conversely, lack of confidence in the international order can prompt states to acquire WMD to meet perceived threats”. The Policy Framework on WMD thus is a factor to be taken into account when explaining the motivations for the creation of NATO’s Mediterranean dimension.

518. Against this background of newly emerging and shifting importance of security risks, the Alliance’s Southern Members States, just as in the EU, pressed for increased cooperation with the Southern Mediterranean littoral states, in order to balance the organization’s outreach
programmes to Central and Eastern Europe. At its January 1994 Brussels summit the Alliance welcomed the recent agreements concluded in the framework of the Middle East peace process and noted that “this much-awaited breakthrough has had a positive impact on the overall situation in the Mediterranean, thus opening the way to consider measures to promote dialogue, understanding and confidence-building between the countries in the region”. Accordingly, the Southern European Allies proposed several, often far-reaching schemes for the creation of a Mediterranean framework for cooperation. France e.g. tabled a proposal to create a “Partnership with the South”, while Spain submitted several plans, including the possibility of joint participation in humanitarian and peacekeeping operations. The decision to launch a Mediterranean initiative was taken in December 1994, when the Allies, reaffirming “the importance we attach to developments around the Mediterranean”, decided “to establish contacts, on a case-by-case basis, between the Alliance and Mediterranean non-member countries with a view to contributing to the strengthening of regional stability”.

519. On 8 February 1995 it was announced that this so-called Mediterranean Dialogue would include Egypt, Israel, Mauritania, Morocco and Tunisia, a very diverse group of countries from all parts of the Mediterranean. Mauritania is not even a Mediterranean state at all; its inclusion was promoted by Spain and Portugal, i.a. because of concerns over the safety of Madeira and the Canary Islands. It appears that the countries that were selected were those among the potential Mediterranean partners with whom there were the least political differences: they were all generally pro-Western and had (at that time at least) normalized their relations with Israel. It was decided that a second group of countries could be added on a later date. The Dialogue effectively took off in May of that year. On 8 November it was joined by Jordan, which had already requested to participate in February. Until its termination in 2000, all of these Dialogue countries also took part in WEU’s Mediterranean Dialogue. WEU’s initiative also included Algeria, but because of the worsened situation there by the time NATO’s Dialogue was launched, it was not invited to take part in that. In March 2000 however the situation was considered to be sufficiently stable and in spite of the ongoing violence and the massive indications of the military regime’s involvement, an invitation to join the Dialogue was extanted to Algeria, which accepted. The start of the Dialogue did not take place under the best of circumstances. Just a few days before the announcement of 8 February the now infamous interview in the Süddeutsche Zeitung had appeared in which then NATO Secretary-General Willy Claes declared islam fundamentalism to be a major threat to the Alliance and at least as dangerous as communism had been. Around the same time US Secretary of Defense William Perry had stated that North Africa poses a security threat to NATO. In the Arab world these statements were received very badly: they were seen as expressions of enmity against islam and as confirmations of Arab suspicions about NATO’s confrontational intentions.

520. The Mediterranean Dialogue has a much more limited scope than the Southern European Allies, which had a much more far-reaching Mediterranean dimension in mind, would have wished. Apparently, Canada and the Northern European Allies only agreed to the creation of the Dialogue on the conditions that, at least for the foreseeable future, it would remain limited to the diplomatic level, that it would be cost-free and that attention would not be diverted from Central and Eastern Europe, still considered the Alliance’s primary area of focus. The aims of the Dialogue are to contribute to security and stability in the Mediterranean, to achieve a better mutual understanding and to correct misperceptions about NATO among the Dialogue countries. The major points are the explanation of the Alliance’s objectives and the instruments by which it plans to attain them and the exposition of the interlocutors’ worries and interests concerning Mediterranean security, so as to do away with distrust between the
Northern and Southern shores of the Mediterranean. In this way the Dialogue is essentially a North-South CSBM. It is organized on a bilateral basis. Multilateral meetings are being held ad hoc, but principally the Dialogue is conducted with each of the Dialogue countries individually rather than with them all as a group. Consequently, the Dialogue need not be hindered by frictions among the Dialogue countries, such as the tensions caused by the Middle East peace process, and can progress with each interlocutor at its own pace, as each of them can choose the extent of its participation in the arrangements for consultation and cooperation which are equally offered to all, without any discrimination. This is also related to the progressive nature of the Dialogue, not only in terms of the participating countries, but also in terms of substance, so that its content can grow over time.

521. The Dialogue is held in Brussels, originally twice annually between the International Staff of the General Secretariat of NATO and the embassies of the Dialogue countries. At the July 1997 Madrid summit the Mediterranean Cooperation Group (MCG) was created and given overall responsibility for the Mediterranean Dialogue. The MCG, which replaces the Ad Hoc Group on the Mediterranean, normally meets at the level of political advisors from each of the Member States’ delegations at NATO Headquarters; the chairman of NATO’s Political Committee, the North Atlantic Council’s advisory body on political issues, can also chair the MCG. It is thus a much more influential and high-ranking body than the earlier Ad Hoc Group, which has increased the visibility of the Mediterranean Dialogue and which demonstrates the Alliance’s willingness, at the time, to raise the profile of its Mediterranean initiative. The MCG meets regularly to discuss issues relevant to the Dialogue and meets with each of the Dialogue countries annually in a “19+1” format, while the International Staff can also continue its meetings, but now only once a year, and additional multilateral informations sessions are held on an ad hoc basis in a “19+x” format.

522. Next to the political consultations, the Mediterranean Dialogue also comprises a number of activities. The major civil component of these are information activities, such as the organization by NATO of seminars on the Mediterranean, visits by officials, journalists and academics from the Dialogue countries to NATO Headquarters and the establishment of so-called Contact Point Embassies, a system by which NATO is represented by the embassy of one of its Member States in each of the Dialogue countries. Other civil components are participation by the Dialogue Countries in a number of the Alliance’s Civil Emergency Planning (CEP) activities and scientific cooperation through the NATO Science Programme. Military activities comprise courses at the NATO School in Oberammergau and the NATO Defense College in Rome and specific activities such as observing NATO and Partnership for Peace (PfP) exercises, visits to NATO military bodies and exchange of staff officers and, since 2001, the possibility of full participation in NATO exercises. In principle, all activities within the Dialogue take place on a self-funding basis; some activities are financed by NATO, on a case-by-case basis. The perhaps most significant example of cooperation between NATO and its Mediterranean interlocutors actually occurred outside the framework of the Dialogue: the participation of Egypt, Morocco and Jordan in IFOR/SFOR in Bosnia-Herzegovina and of the latter two in KFOR in Kosovo. Joint participation in actual military operations in the field is a very powerful, if not the single most powerful CSBM and reflects the good relations between the three countries concerned and the Alliance or, at a more general level, the West.

523. When discussing the Mediterranean Dialogue and its impact on Mediterranean security, one has to take into account that NATO has a strong military presence in the Mediterranean. The Alliance’s military command structure was reformed in 1999. Allied Forces Southern Europe (AFSOUTH) in Naples, one of the two regional commands of Allied Command Europe
(ACE), the other one being Allied Forces Northern Europe (AFNORTH) in Brunssum, is responsible for an area comprising Greece, Hungary, Italy, Spain, Turkey, the Black Sea, the Sea of Azov, the whole of the Mediterranean, the Atlantic approaches to the Strait of Gibraltar east of longitude 7º 23’ 48” W, and an area around the Canary Islands and its associated airspace. Its commander-in-chief (CINC SOUTH) is a four-star US Navy admiral. AFSOUTH comprises two component commands (CC), one for air and one for naval forces, each with region-wide responsibilities and both located in Naples: Allied Air Forces South (AIRSOUTH) and Allied Naval Forces South (NAVSOUTH). The latter has under its control two permanent multinational maritime units: the Standing Naval Force Mediterranean (STANAVFORMED), activated in April 1992, and the Mine Counter Measures Force Mediterranean (MCMFORMED), activated in May 1999. Both are permanently present in the Mediterranean; their composition varies, with the former consisting of about eight frigates and destroyers and the latter of about six mine counter measure vessels (MCMV). Next to these AFSOUTH also directly controls the Naval Striking and Support Forces Southern Europe (STRIKFORSOUTH), which is a rapid reaction force headquarters to which in times of crisis can be assigned air, naval and land forces capable of immediate power projection for crisis response operations. NATO’s Southern military structure is completed by four Joint Sub-Regional Commands (JSRC), which provide a geographically dispersed joint military planning and command and control capability: Joint Command South (JCSOUTH) in Verona, Joint Command Southcentre (JCSOUTHCENT) in Larissa, Joint Command Southeast (JCSOUTHEAST) in Izmir, and Joint Command Southwest (JCSOUTHWEST) in Madrid.

6.1.2 Upgrading the Mediterranean Dialogue?

524. Partly, NATO’s Mediterranean Dialogue suffers the same problem as did the now defunct WEU initiative. It is essentially centered on providing the Dialogue countries with information on NATO. As such it is an important and useful CSBM increasing trust between the Northern and Southern shores of the Mediterranean and improving the Alliance’s image with the Arab countries, which is much-needed. But because of its bilateral nature, the Dialogue does not affect relations between the Mediterranean non-member countries themselves, where tensions and the potential for conflict are far greater. Also, and again as was the case with WEU, the Dialogue is to a large part one-sided, as it tends to concentrate on dissemination of information from NATO to the Dialogue countries and to a far lesser extent in the other direction. In another way however the Dialogue has progressed far beyond its WEU counterpart. While the latter remained limited to consultations and did not reach the stage of actual cooperation, mainly because a lack of political will on the part of WEU itself, the former does include a number of important cooperation activities, including in the military field and culminating in the participation by three Dialogue countries in IFOR/SFOR and KFOR. This shows that the Dialogue has great potential, even though the Dialogue countries at times still are reluctant to participate in military activities alongside what were traditionally perceived as hostile foreign troops. The fact that most of the costs associated with the Dialogue have to be carried by the Dialogue countries themselves is another factor explaining their reluctance and hindering the further development of the Dialogue. And like all other efforts at international cooperation in the Mediterranean, the Dialogue has suffered the paralyzing effects of the stalled Middle East peace process.448

525. In order to increase its efficacy as an instrument to promote security in the Mediterranean as a whole, a number of shortcomings would have to be overcome however. The Dialogue should adopt a multilateral structure, Dialogue activities should be further
upgraded and its membership should be widened so as to include all Southern Mediterranean littoral states. It has therefore been proposed to transform the Dialogue into a kind of Partnership for the Mediterranean (PfM), analogous to the PfP, which would have a much higher political profile and which would include deepened military cooperation. The first to suggest this was Italian Defense Minister Giandomenico Corcione, back in 1995; a year later Portugal presented a similar proposal.449

526. At least for the time being however, the Allies do not seem to consider such a move. At the Alliance’s fiftieth anniversary summit in Washington in April 1999, a New Strategic Concept (NSC) was approved, which was to further adapt the Alliance to the rapidly evolving security situation. This document merely states that “the Alliance is committed to developing progressively the political, civil and military aspects of the Dialogue with the aim of achieving closer cooperation with, and more active involvement by, countries that are partners in this Dialogue”.450 The NSC has however widened the definition and the geographic scope of the risks which the Alliance faces. Whereas the 1991 Strategic Concept still stressed the threat traditionally posed by the Soviet Union, the NSC states that “the security of the Alliance remains subject to a wide variety of military and non-military risks which are multi-directional and often difficult to predict” and which “include uncertainty and instability in and around the Euro-Atlantic area and the possibility of regional crises at the periphery of the Alliance, which could evolve rapidly”. Great emphasis is put on the risks of WMD, a concern which already very much influenced the creation of the Mediterranean Dialogue, on the need to combat terrorism, and on the need to enhance NATO’s power-projection capabilities for non-Article 5 or “crisis response operations” as the Alliance’s main task in the foreseeable future, rather than traditional collective defense (Article 5). It is clear that these new risks for a great part emanate from the Mediterranean and that the new missions are most likely to be conducted in the Balkans and in the Alliance’s Mediterranean periphery. So without explicitly naming the region, the Alliance’s functional reorientation has effectively placed additional focus on the Mediterranean. The question is however how the Mediterranean countries will react to the view of the region as a source of security threats which the NSC propagates, without at the same time proposing any substantial reinforcement of NATO’s Mediterranean dimension.451

527. Probably, the majority of the Allies, and Canada and the Northern European members especially, wish the Alliance to remain focussed primarily on Central and Eastern Europe and do not see the need for a Mediterranean partnership similar to the PfP, which it is felt would detract from the Alliance’s core mission. This seems to be the prevalent view in the US as well, which furthermore want to avoid any interference with the Middle East peace process. The unwillingness to deepen NATO’s Mediterranean dimension also reflects the differences between the Allies on how to deal with Mediterranean security issues, notably between the US and the Member States of the EU. Washington often adopts rather more confrontational policies than Brussels, e.g. when dealing with what were formerly titled “rogue states”, such as Libya. This view is reflected in the Mediterranean Dialogue which, when read together with the NSC and Alliance policy on the proliferation of WMD, is very much inspired by a perception of the Mediterranean in terms of security threats to the Alliance. Even though care is taken to avoid confrontational language and to stress the benefits of mutual cooperation, so as not to antagonize the Dialogue countries, this underlying threat-based view emerges quite clearly. The Union on the other hand favours a “critical dialogue” with contested regimes and advocates a broad and cooperative approach to security issues, which is embodied in the three-pillar EMP. In this sense NATO’s Mediterranean Dialogue and the EMP are not fully compatible. Spain and Italy continue to be the main promotors of a deepening of the
Dialogue, but other countries do not want it to move beyond its current public relations function, i.e. creating a positive image of NATO in the South, or because of its different approach give preference to the EMP as the framework for dealing with Mediterranean security issues. An important consequence of the divisions between the Allies is that NATO lacks an overall strategy for the Mediterranean. Apart from the terms of reference of the Dialogue, there is no strategic document to guide its Mediterranean policy, only the general principles of the NSC in so far as they apply to the Mediterranean. This means that the ultimate objectives of the Alliance’s Mediterranean policy remain unclear. The Dialogue Countries themselves too differ as to how far they want cooperation with NATO to go. Israel would obviously accept full partnership at first hand, but several of its Arab counterparts are far more reluctant.

528. Besides, even if there were consensus among the Allies, the creation of a PfM would meet with a number of difficulties, not least the distrust concerning the Alliance’s intentions which is still very vivid in most Arab countries. During the Cold War, even though a number of Arab countries were associated with the Soviet Union, NATO was not perceived as directly concerning the Arabs. But when in the wake of the demise of the Soviet Union the Alliance started looking for a new role, a search which i.a. provoked a debate about “the threat from the South”, the Alliance became to be seen with distrust. In many parts NATO’s Mediterranean Dialogue is viewed as having been designed to serve only the security interests of the West and, perhaps more importantly, of Israel. The decision to invite only part of the Southern Mediterranean countries to join the Dialogue, on account of them being sufficiently pro-Western, will certainly not have had any positive effect on the others’ image of the Alliance – the remaining countries are not exactly queuing to participate in the Dialogue. This puts the countries which do participate in a difficult position too, for generally speaking and although reactions to actual cases might differ, Arab countries reject the exclusion of specific Arab states from fora where a number of them are represented, especially so if on the other hand Israel is included.

529. The 1999 Kosovo air campaign, which lacked a clear mandate by the UN, the reorientation of the Alliance as written down in the NSC, and the absence of clearly defined objectives for the Alliance’s Mediterranean policy have increased fears for NATO interventionism in the Mediterranean, provoking reactions similar to those on the creation of EUROFOR and EUROMARFOR by WEU. After 11 September 2001 and the Alliance’s invocation of Article 5 distrust would only have grown. It is felt that the main aim NATO wants to achieve through the Mediterranean Dialogue is to establish the bases for power-projection in the South. The reference to the Gulf War in the 1991 Strategic Concept’s paragraphs on the Mediterranean can be seen as an indication of this. The Alliance’s emphasis on WMD is a cause for distrust too. The Arab countries perceive an imbalance between repeated Western condemnations of proliferation of WMD among Arab countries and the silence on Israel’s nuclear capacity and, of course, the Western nuclear umbrella. Even though the existing regimes and elites often are to a high extent pro-Western or at least adopt a pragmatic attitude, these negative views of NATO are widely held by Arab public opinion, a fact which the regimes cannot ignore and which thus influences their policies. Unlike the EMP, the project of which does get the support of the Arab partners, even though its implementation is often criticized, NATO’s Mediterranean Dialogue is therefore kept outside the public debate. The difficulty of explaining the reasons for participating in a Dialogue which includes Israel but from which a number of Arab countries are purposely excluded is another factor in this. One could say that the Arab countries do not participate in the Mediterranean Dialogue out of conviction, but rather out of pragmatism, as they cannot afford not to answer such an initiative.
by the strongest military power in the area, NATO and the US. Only Israel views NATO involvement in the Mediterranean in an almost exclusively positive light, which is i.a. related to its close relations with NATO member Turkey, but it attaches much more importance to continued US support than to the Dialogue as such.\footnote{454}

530. Another factor to be taken into account when examining the potential of a PfM is that the success of the PfP is to a large extent based on the fact that it functions as a sort of antechamber for full membership of the Alliance and thus integration with Western Europe, which the partner countries, having been cut off from the rest of Europe for decades, whole-heartedly desire. The same obviously does not hold true for the Mediterranean, where membership of the Alliance is not envisaged by the Dialogue countries, nor by NATO itself. The security concerns of the Mediterranean Dialogue countries are very different from those of the Central and Eastern European partners: while the latter seek membership of NATO as a means to preempt any remaining potential threat from Russia, the security interests of the former, in view of the diverse challenges which they are facing, are indeed best served by a multilateral and “multi-issue” partnership such as the EMP.\footnote{455}

6.1.3 The Mediterranean Dialogue and the EMP

531. NATO’s Mediterranean Dialogue was meant to reinforce efforts by other international organizations to increase cooperation with the Mediterranean. The Dialogue, the EMP, the Middle East peace process and the Mediterranean initiatives of WEU and the OSCE are all seen as complimentary and mutually reinforcing. The objective has always been to avoid duplication as well as the creation of a division of labour, as the Alliance did not want to see its freedom of action limited by other organizations, without closing the door though for closer coordination between the different organizations involved.\footnote{456}

532. So far coordination between the Dialogue and the EMP has remained limited. Effective coordination is difficult because of NATO’s lack of an overall Mediterranean strategy. The Alliance ought to define its long-term objectives for the Mediterranean, so that these can be aligned with those of the EU as they are defined in the Barcelona Declaration and the Union’s Common Strategy for the Mediterranean. Although in fact Spain, Italy and Portugal rather than the US are the main proponents of NATO’s Mediterranean initiative, the Dialogue is often viewed in Europe as an instrument of US policy and as a means of increasing American influence in the Mediterranean through a different route after having been excluded from the Barcelona Process. On the other hand many in NATO view security and defense as the exclusive domain of the Alliance and therefore are suspicious of any EU role in this field, like in the security dimension of the EMP. Increased coordination between the Dialogue and the EMP is highly necessary though, since the political consultations in the framework of the former and the political and security basket of the latter clearly cover the same security issues. This overlap will only increase as both the Dialogue and the Partnership will evolve over time and more substantial consultations and cooperation will be developed in the security field. Given their different approach to Mediterranean security, care must therefore be taken to avoid that NATO and the EU send contradictory messages to their Mediterranean interlocutors, which could prejudice the success of their respective initiatives.

533. Of the two initiatives, the EMP obviously is the most global. The Partnership has a very broad approach to security: its three-basket structure covers all issues in Euro-Mediterranean relations and ensures that all aspects of security – military, political, social, economic,
ecological as well as cultural – are taken into account. The EMP thus meets the desires of the Mediterranean partner countries, who attach the most importance to economic and social factors of security, and the EU alike. In the field of “hard” security, the political and security basket provides for a wide range of measures in the field of conflict prevention and CSBMs, including in the field of disarmament and non-proliferation, while the project for the Euro-Mediterranean Charter on Peace and Stability and the Common Strategy include the prospect of arrangements for crisis management and post-conflict rehabilitation. Being a multilateral framework, the EMP addresses confidence and security between the Southern partners (South-South) instead of functioning only as a North-South CSBM. With the fifteen Member States of the EU and twelve Mediterranean partners (and Libya probably to join in the near future), the Partnership also has the broadest membership. Given the broad range of subjects which it covers, its multilateral structure and its comprehensive membership, the EMP clearly is the most suitable framework for the elaboration of a global programme of security measures to arrive at the ultimate objective of a Mediterranean area of peace and security. This is especially so considering the fact that internal divisions among the Allies over a Mediterranean strategy for NATO and a lack of trust on the side of the Southern Mediterranean countries in the ultimate objectives of the Alliance, make an upgrading of NATO’s Mediterranean Dialogue, into a PfM e.g., highly unlikely for a long time to come. Besides, a security dialogue and military cooperation only are too narrow a base for cooperation between the West and the Mediterranean to rest on, especially because of the Southern Mediterranean countries’ preoccupation with economic and social issues.

534. For these reasons NATO’s Mediterranean Dialogue is not suitable to function as the main framework for cooperation with the Mediterranean. Of course, the Dialogue is very useful as a North-South CSBM; the remaining distrust necessitates confidence-building between the Alliance and the South. The Dialogue should continue to function as such and an effort should be made to broaden its membership and to deepen cooperation, so as to increase its efficacy. Focussing on improving NATO’s image in the South, the Dialogue can then operate alongside and be complementary to the EMP, with which coordination should be increased, so as to avoid contradictory initiatives.

535. Some kind of formal coordination mechanism could be envisaged. E.g. the EU as such could be represented at meetings of NATO’s Mediterranean Dialogue. Vice versa the Union could work out arrangements for observers from NATO and/or from all Allies to attend EMP meetings dealing with security; such an arrangement would of course require the full consent of all Mediterranean partners. As in due course activities in the field of security cooperation would be further developed, the Union and NATO could set up a joint working group to align their respective programmes of activities. To ensure maximal complementarity, activities in the framework of NATO’s Mediterranean Dialogue could be focussed on the steps under discussion in the political and security chapter of the EMP. Eventually, NATO should be able to agree on a Mediterranean strategy, which should be fully aligned with the EMP. As a North-South CSBM, the Dialogue is complementary to the EMP. A Mediterranean strategy for the Alliance should take care however to avoid the confrontational tone which is apparent in the NSC and which is contradictory to the spirit of cooperation and partnership advocated by the Barcelona Process. A view of the Mediterranean only in terms of threats cannot be the basis for security cooperation and, as a self-fulfilling prophecy, will only serve to alienate the Southern Mediterranean countries from the West and increase suspicions and distrust.

536. In time, as confidence is established and all partner countries grow accustomed to security cooperation, all members of the Barcelona Process should be allowed to join NATO’s
Mediterranean Dialogue when they wish, so that full complementarity and transparency between both initiatives can be achieved. Conform to the spirit of the projected Euro-Mediterranean Charter, which provides for security cooperation on a voluntary basis, membership of the Mediterranean Dialogue should be open to all Mediterranean countries. Reversely, only one of the Dialogue countries, Mauritania, is not a member of the EMP. Membership of the Barcelona Process does not seem to be an option, as the country exceeds the geographical boundaries of the Partnership and is insufficiently developed economically to join it. But because of its close links to the Maghreb partner countries (Mauritania is a member of the AMU), it was granted observer status at the Euro-Mediterranean Ministerial Conferences, so this asymmetry in membership should not raise any problems. Turkey is of course a full member of the Alliance; when it will eventually also join the EU it will sit at the same side of the table in both organizations. Until then it participates in the EMP alongside the other Mediterranean partners.

537. The arrangements for coordination proposed above would fit in the effort to coordinate NATO and EU policies in the field of security and defense in general and the extensive structures and mechanisms created to that end; they would reflect the increasing role of the EU in international politics and the latest developments in the CFSP and the ESDP. As the Union assumes new tasks in the field of conflict prevention and crisis management, it is only logical that its priority objective will be the maintenance of peace and security in its periphery, where its security, political and economic interests are most directly concerned. Likewise, given the reinforcement of the ESDP and the creation of operational structures and given the need to find a division of labour between the EU and the crisis management tasks of NATO, it seems equally logical that in the future security issues arising in the European periphery will first be dealt with in the framework of the Union, with NATO only to be involved if EU means prove to be insufficient. Such a division of tasks would meet the repeated American demands for Europe to bear a greater part of the security burden, a justified question, but which implies that Europe should also be given greater responsibilities. No such division of labour between the EU and NATO has been formally agreed, but given the American demands for more burden-sharing, it can be expected that it will develop out of the day-to-day practice of both organizations. These developments too support the view that the NATO Mediterranean Dialogue should be complementary to the EMP, which as the global security framework already in place should get a priority role.

538. The place of NATO’s Mediterranean Dialogue is also related to the discussion about out-of-area operations going on within the Alliance. While collective defense remains the core task of the Alliance, it is clear that its security is not immediately threatened. So in the foreseeable future the Alliance will be mostly, if not exclusively, active in the field of non-Article 5 operations, in response to security issues in its periphery. This new role is emphasized in the NSC. There is wide consensus among the Allies on NATO’s involvement in the Balkans, keeping in mind that as the operational structures of the ESDP are set in place Europe could gradually take over part of the burden. The possibility of non-Article 5 operations in the Mediterranean is another thing however. At present there is no agreement between the Allies on NATO’s geographic scope of action. The US e.g. certainly do not see room for other countries’ involvement in the Middle East peace process, especially not in its politico-security dimension. NATO operations on the Southern shore of the Mediterranean would very probably meet with very hostile reactions from the Arab countries, given the remaining suspicions about the Alliance’s intentions in the Mediterranean and the general resentment of what is deemed Western interventionism. Such and other “hard” security matters require a high degree of trust between partners on both sides of the Mediterranean,
which can only be achieved gradually through a comprehensive and mutually beneficial partnership. Although, certainly for the time being, NATO is a more credible actor in the field of “hard” security than the EU, it is also to a high extent unacceptable to the Arab countries as an actor in Mediterranean affairs. Again, the EMP appears as the most suitable framework to try to develop cooperation on “hard” security matters, such as joint military operations.

539. Speaking in general terms, EU engagement in the Mediterranean, in the security, political, economic as well as cultural field, is vital to security and stability. One might even ask whether the Mediterranean partner countries could survive without the extensive European involvement in the region. The same is not true of NATO’s Mediterranean Dialogue, which can only be a complementary initiative to the broad EMP.

6.2 The Mediterranean dimension of the OSCE

6.2.1 The OSCE’s Mediterranean Partners for Cooperation

540. From the very beginning of the Helsinki process, attention was given to Mediterranean security. The Helsinki Final Act of 1975 included a chapter on Questions relating to security and cooperation in the Mediterranean. The participating states stated their conviction “that security in Europe is to be considered in the broader context of world security and is closely linked with security in the Mediterranean area as a whole, and that accordingly the process of improving security should not be confined to Europe but should extend to other parts of the world, and in particular to the Mediterranean area” and expressed the belief “that the strengthening of security and the intensification of co-operation in Europe would stimulate positive processes in the Mediterranean region”. They noted with appreciation the interest in the CSCE of what were called the Non-Participating Mediterranean States (NPMS). Accordingly, the participating states decided “to promote the development of good-neighbourly relations with the Non-Participating Mediterranean States” and “to seek, by further improving their relations with the Non-Participating Mediterranean States, to increase mutual confidence, so as to promote security and stability in the Mediterranean area as a whole”. In order to achieve these objectives, they further declared their intention of “maintaining and amplifying the contacts and dialogue as initiated by the CSCE with the Non-Participating Mediterranean States to include all the states of the Mediterranean, with the purpose of contributing to peace, reducing armed forces in the region, strengthening security, lessenning tensions in the region, and widening the scope of cooperation, ends in which all share a common interest, as well as with the purpose of defining further common objectives”.

541. Since 1975 the link between European and Mediterranean security has been underlined in several documents and the NPMS were invited to make written and oral contributions to the follow-up meetings after Helsinki. A number of meetings on Mediterranean issues were held, mostly on economic, environmental, scientific and cultural matters, to which the Mediterranean countries were invited. From 1992 onwards more structured relations with the NPMS were gradually established. In 1992 they were granted the right to participate in review conferences. In March 1994 five Mediterranean countries, Algeria, Egypt, Israel, Morocco and Tunisia, on their request were offered a closer association and were henceforward invited to Council of Ministers meetings, review conferences, regular meetings with the Troika and, on a case-by-case basis, to seminars and other ad hoc meetings in which they have a special interest. They were further given access to all documents and the right to submit views to the
Chairman-in-Office of the OSCE. Later that same year, in December, an open-ended Contact Group at expert level was established within the framework of the Permanent Council, “in order to facilitate the interchange of information of mutual interest and the generation of ideas”. This new framework for cooperation also provided for high-level consultations with the Troika and the Secretary-General and for the organization of Mediterranean seminars on topics of mutual interest. In 1995 the designation NPMS was changed into Mediterranean Partners for Cooperation (MPCs), a decision which reflected the enhanced level of cooperation. In order to benefit from OSCE experience in the field, in 1998 a decision was taken, on a proposal from the EU, to allow representatives from the MPCs to form part, on a case-by-case basis, of election observation teams and to make short-term visits to OSCE missions in the field. Researchers from the MPCs can participate in the Researchers in Residence Programme, designed to give researchers working on OSCE or OSCE-related topics the opportunity of carrying out research in the OSCE archives in Prague. The OSCE now has six MPCs, Jordan having joined the original group of five in May 1998.

542. The MPCs expressed great interest in participating in the discussions on “the security model for Europe for the twenty-first century”, which were launched by the 1994 Budapest Summit and which were to lead to the adoption of a Charter for European Security. The project was discussed in the Contact Group and one of the Mediterranean seminars was devoted to it. In their contribution to the debate, the MPCs defined as a priority the elaboration of concrete measures in areas where the OSCE has acquired specific expertise and experience which it could share with its Mediterranean partners, such as the development of CSBMs, preventive diplomacy, conflict prevention, human rights etc. They also emphasized issues such as terrorism, social and economic disparity and cultural and religious misconceptions. In spite of the MPCs’ eagerness to contribute to their drafting, the paragraphs of the Charter dealing with the Mediterranean are rather limited in scope. The November 1999 Istanbul Summit, at which the Charter was adopted, confirmed “that security in areas nearby, in particular the Mediterranean area as well as areas in direct proximity to participating States, such as those of Central Asia, is of increasing importance to the OSCE” and “that instability in these areas creates challenges that directly affect the security and prosperity of OSCE States”. The participating states recognized “the increased involvement in and support for the work of the OSCE by our Partners for Cooperation”. But the Charter remained vague on concrete actions. It contains only the commitment to “examine the recommendations emerging from the Contact Group and the Mediterranean seminars” and to “encourage the Mediterranean Partners for Cooperation to draw on our expertise in setting up structures and mechanisms in the Mediterranean for early warning, preventive diplomacy and conflict prevention”.

6.2.2 Aligning the OSCE and the EMP

543. The OSCE’s Mediterranean dimension thus remains rather limited in scope. Contrary to what the term MPCs suggests, it does not amount to a true partnership and can be more accurately described as a dialogue. Very much like NATO’s Mediterranean Dialogue, the OSCE’s Mediterranean initiative has resulted in talks between the OSCE on the one hand and the MPCs on the other hand, rather than in the integration of the Mediterranean countries into the OSCE. Again like the Alliance’s Mediterranean Dialogue it thus functions more as a North-South CSBM, instead of working as a CSBM between the MPCs. Although the meetings themselves have a multilateral character, the MPCs usually take positions separately and not as a group. With only six MPCs, membership is rather small. The number of cooperation
activities, next to the consultations and meetings, is limited, although the possibility to participate in observation teams and to visit missions in the field offers interesting prospects. But the MPCs still have no access e.g. to the Forum for Security Cooperation (FSC), the OSCE’s weekly meeting on arms control and CSBMs. Specific proposals by some of the MPCs, e.g. to set up a conflict prevention centre (CPC) for the Mediterranean analogous to the CPC operating within the OSCE Secretariat, have not been elaborated upon. Back at the start of the CSCE process, the participating states, and especially the US and the USSR, only reluctantly agreed to the inclusion of a Mediterranean chapter in the Helsinki Final Act and then only to open a dialogue with the Mediterranean countries. The large majority of them have never been willing to extend the working of the OSCE to cover the whole of the Mediterranean in its conflict prevention and confidence and security-building mechanisms. As in NATO, the OSCE participating states are divided over the question of just how far cooperation with the Mediterranean should go.

544. Unlike NATO, the OSCE is not regarded with distrust in the Mediterranean, although the MPCs do feel that the OSCE does not sufficiently value their contribution. The main importance of the OSCE’s Mediterranean initiative to the MPCs is therefore not to function as a North-South CSBM, like NATO’s Mediterranean Dialogue, be it that it is useful as such as well, but to provide the MPCs with an immense source of experience and expertise on conflict prevention and CSBMs. This experience and expertise should be put to use in a South-South framework, because tensions and therefore the risk of conflict are the greatest between the Southern Mediterranean states and not between the Northern and Southern shores. Given the limited scope of the OSCE’s Mediterranean dimension, an enhanced framework is needed in which this would be possible. Clearly, the OSCE participating states are not willing to open up membership of the OSCE to the Mediterranean countries, nor would these be ready or willing to engage immediately in the extensive and complex network of OSCE mechanisms. Besides, these mechanisms, which were developed over a long period of time and in a specific European context, cannot immediately be transferred and applied to the Mediterranean without amendments to take into account the specific characteristics of the security situation in that region. One could perhaps imagine the creation of a sort of Mediterranean sub-division of the OSCE, in which selected conflict prevention mechanisms and CSBMs could gradually be introduced between the MPCs. The establishment of such a separate framework would require a considerable effort on the side of both the OSCE and the MPCs however, for which at the moment the necessary political will does not seem to be present at either side. Besides, the limited number of MPCs would severely reduce the efficacy of such a framework from the start.

545. The most efficient and effective way to make use of the OSCE’s wealth of expertise would therefore be through the existing EMP, the political and security basket of which already provides for the introduction of a whole range of CSBMs. One the one hand, this requires an upgrading of the OSCE’s Mediterranean dimension, notably by stepping-up the exchange of information and expertise between the OSCE and the MPCs and by increasing the number and scope of cooperation activities, so as to allow the MPCs to gain useful experience for themselves in the field. The OSCE should also attempt to increase the number of MPCs. Eventually, just like NATO’s Mediterranean Dialogue, the OSCE’s Mediterranean Dimension should be open to all EMP partner countries. On the other hand, the Mediterranean activities of the OSCE should be closely coordinated with the EMP. Already, the Contact Group is being informed regularly on the work carried out in the framework of the EMP, usually by a representative of the Presidency of the EU. Representatives of the EU, NATO and other European organizations are invited to the Mediterranean seminars and other activities. Here
too, a joint working group could be created to align the programmes of activities of the OSCE and the EMP. The OSCE could e.g. focus its Mediterranean seminars on issues that are on the agenda of the Partnership. In a later stage, once the political and security chapter of the EMP really gets off the ground, the OSCE could contribute its expertise and practical support to the actual implementation of CSBMs. Cyprus, Malta and Turkey are participating states of the OSCE. As they are also candidates for accession to the EU, they will, eventually, take part as full members in the work of both organizations.

546. In this way, both initiatives would be truly mutually reinforcing, whereas now they operate alongside each other without much coordination or consultation between them. In fact, the EMP with its three-basket structure more or less equals an OSCE for the Mediterranean. The Partnership was clearly inspired by the proposal to create a Conference for Security and Cooperation in the Mediterranean or CSCM, which was actually launched at a CSCE meeting, in Palma de Mallorca in 1990, by Spain and Italy. The EMP and the OSCE share a cooperative approach to security, but the latter’s Mediterranean dimension is too limited in scope to really reflect this.

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6.3 Conclusion

547. Both the Mediterranean Dialogue of NATO and the Mediterranean initiative of the OSCE have an exclusive rather than an inclusive character. Instead of opening up both organizations to full membership or perhaps even some kind of associate membership of the Mediterranean countries, they have created a, mostly bilateral, dialogue between each organization on the one hand and a number of Mediterranean countries on the other hand. In so doing, instead of creating a partnership with the Mediterranean, they have created a dividing line between the Mediterranean and the West and have confirmed the prevailing view in the Southern Mediterranean countries that the West essentially sees the Mediterranean as a source of security threats. NATO’s approach to Mediterranean security especially seems to be too exclusively military and threat-based, while the OSCE’s basic co-operative approach to security is insufficiently reflected in its limited Mediterranean dimension.

548. At the same time both Mediterranean initiatives contain very useful elements. The main achievement of NATO’s Mediterranean Dialogue is the development of concrete military
cooperation activities, crowned by the participation of a number of Dialogue countries in NATO peace support operations on the European continent. The merit of the OSCE’s Mediterranean dimension lies in the dissemination of its expertise in the fields of conflict prevention and peaceful settlement of disputes, areas in which its MPCs have only limited experience. Because neither of these Mediterranean initiatives possesses the same wide membership as the EMP, nor its comprehensive and multilateral character, the EMP is the best suitable framework to achieve the objective of an area of peace and stability in the Mediterranean, as it is worded in the Barcelona Declaration. The Mediterranean policies of NATO and the OSCE can function in a way which is complementary to the global EMP framework and can thus contribute to the realization of its overall objectives. By aligning all three initiatives and creating a division of labour in this sense, the means of the three international organizations involved, NATO, the OSCE and the EU, can be put to use in the most efficient and effective way.

549. This is of course a long-term view. The suggested division of labour can only work if the political and security basket of the EMP really takes off. This itself depends on several factors, of which the most important, once again, is the resolution of the conflict in the Middle East, so as to allow the Mediterranean countries to engage in true security cooperation.


Seminars have been held on such topics as The OSCE experience in the field of confidence-building (Cairo, 1995), The OSCE as a platform for dialogue and the fostering of norms of behaviour (Tel Aviv, 1996), The security model for the twenty-first century: implications for the Mediterranean basin (Cairo, 1997), The human dimension of security, promoting democracy and the rule of law (Valetta, 1998), Implementation of human dimension commitments (Amman, 1999), and Confidence-building measures and confidence and security-building measures: the OSCE experience and its relevance for the Mediterranean region (Portoroz, 2000).


CHAPTER 7

TOWARDS A EURO-MEDITERRANEAN SECURITY PARTNERSHIP

7.1 Resolving ongoing disputes and conflicts

550. In order to establish a true Euro-Mediterranean security partnership, the EU should first and foremost commit itself to resolving all ongoing disputes and conflicts in the area. Only if this prime obstacle is overcome can ways of deepening the political and security basket of the EMP be considered, for quite simply as long as these conflicts persist the basic trust which is needed as a foundation for enhanced security cooperation is missing. Most if not all of the partner states are in some way or another involved, or perceive the risk of becoming so, in one of the three major enduring conflicts which divide the region: the Cyprus issue, the civil war in Algeria and the Israelo-Palestinian conflict. The latter issue especially provokes high-running emotions and tensions which have region-wide implications and thus is mainly responsible for paralyzing the Partnership’s security chapter. Under such circumstances, partners are focussed on maintaining a clear-cut profile in foreign policy, often under the pressure of public opinion, which does not leave room for the governments to discuss security cooperation. Paradoxical though it may sound, peace and stability must be established in the short term before arrangements to guarantee the maintenance of peace and stability in the long run, by providing for conflict prevention and arrangements for crisis management, can be agreed upon.

551. Resolving the ongoing conflicts is also a matter of establishing the credibility of the EU as an international actor in the fields covered by the CFSP. Generally speaking EU involvement in conflict resolution in the Mediterranean has been rather limited. In the Cyprus issue and the Algerian crisis the Union certainly plays a very passive role. The Union’s involvement in the Middle East peace process is much more substantial, be it that it has known its ups and downs, but in spite of this the Union so far has achieved limited durable results. In the partner countries this generally passive stance of the Union has raised fundamental doubts about the Union’s capacity and willingness to act in the field of security and defense. This also explains their reluctance to engage in security cooperation with a partner which in their eyes has proved very little in this field. So the Union should actively work towards the settlement of ongoing conflicts in the region, not only because security cooperation is impossible while they persist, but also to demonstrate its resolve and its ability to wage an effective foreign and security policy and to commit the means necessary to that end.

552. It will indeed have to be the EU that will take the lead, for one should acknowledge that the EMP itself is not a suitable forum for resolving the ongoing conflicts. On the contrary, these conflicts have prevented security cooperation in the Partnership from advancing far enough to include arrangements for conflict resolution and crisis management. The EMP was conceived as an instrument for prevention of future conflicts and not as a tool to resolve ongoing conflicts. This is the meaning of the Barcelona Declaration where it reads that the Partnership “is not intended to replace the other activities or initiatives undertaken in the interest of peace”. But practice has demonstrated that the separation between the Partnership and the Middle East peace process and, by extension, the other ongoing conflicts in the area, cannot be maintained: ignoring the partner countries’ main security concerns has led to the paralysis of the EMP. This is a vicious circle: ongoing conflicts block the progress of the Partnership’s security dimension, which thus lacks the means to deal with these conflicts.
The only way to break this deadlock is if the EU itself assumes responsibility for the maintenance of peace and stability in its periphery and takes the lead in settling these conflicts in order to remove the obstacles to an enhancement of the Partnership.

553. The EU should frame its actions in the overall objective of reinvigorating the EMP through, so as to give a clear signal to its Mediterranean partners of its will to make an earnest effort and to commit all the required means to achieve peace and stability for all states in the region. The Union could thus correct the prevailing impression in the partner countries that it is only interested in the security basket of the Partnership for the sake of its own security interests rather than earnestly aspiring to establish a Mediterranean area of peace and stability. Although the EMP itself cannot resolve the ongoing conflicts, it can contribute to their resolution, through the regular dialogue which it implies, by improving relations and increasing understanding between partners. The Union should take care to keep its Mediterranean partners fully informed of its actions, through the political dialogue of the EMP. One possibility would be to provide for “Euro-Mediterranean Middle East information gatherings”: regular and official but informal gatherings in which all partners are invited to participate on a voluntary basis, with the purpose of keeping all partners informed of events and policies that strongly influence the Partnership but are dealt with by partner countries outside the EMP framework. The Middle East peace process would be a priority subject of such gatherings, but other conflict areas could also be covered. Thus a privileged Euro-Mediterranean forum for dissemination of information would be created, next to the existing EMP meetings, which would serve to enhance the status of the Partnership. Besides informing all partners of its actions, the EU should also effectively involve in its actions those regional parties which are themselves concerned by any specific conflict, in a way best suitable for the case at hand. Unilateral EU action might increase distrust in the partner countries about the Union’s intentions and diminish the acceptability and thus the chances of success of any initiative. Action in close cooperation with the partner countries directly concerned on the other hand would benefit from increased legitimacy and would in itself function as a North-South CSBM.

554. The very limited number of common positions and joint actions on the Mediterranean is a witness to the general passivity of the EU. There are no common positions or joint actions on Greek-Turkish tensions and the Cyprus issue, the civil war in Algeria or the dispute over the Western Sahara. Common positions on the Maghreb are limited to those on the sanctions regime against Libya. On the Middle East originally four joint actions were taken, followed by a number of later decisions to amend or extend these. For the remainder the EU has limited itself to issuing declarations. This is not to say that declarations cannot have an important impact; the CFSP declarations in support of the creation of a Palestinian state e.g. are proof of the contrary. The absence of common positions and joint actions also does not necessarily imply total inactivity. Efforts at mediation and negotiation take place without being explicitated in a formal CFSP framework. With regard to some conflicts however, notably the issues of Algeria and the Western Sahara, EU passivity really is almost complete. And even where action is taken, in the Middle East and, to a far lesser extent, in the Eastern Mediterranean, the lack of common positions and joint actions has important drawbacks. While in some cases the policy objectives of the Union can be quite clearly derived from the consecutive CFSP declarations or European Council conclusions, in other cases EU policy remains very vague. A clear-cut common position or joint action would increase the visibility of the CFSP and would bind all the Member States to a clearly defined policy, which would leave less room for solo actions by individual Member States, which still happen all too often. A clearly defined policy should not only include a hierarchy of objectives, but should also
cover the diplomatic, economic and military instruments to be applied to attain these and should be followed by actual implementation on the ground. Policy objectives should be framed in the general objectives of the EMP.

555. Next to involving its Mediterranean partners, the EU should also seek cooperation with other potential partners. The UN are a first obvious partner for conflict resolution. In all of the ongoing conflicts in the region the EU supports the implementation of Security Council Resolutions and UN actions in the field, sometimes very actively, like in the Middle East, sometimes though with much less vigour or even only verbally, like on Cyprus and on the issue of Western Sahara. Regarding the conflict in Algeria the UN sadly have adopted the same passive attitude as the EU. So an active EU conflict resolution policy can be, and where the EU is active today already is, based on Security Council Resolutions, which provides EU actions with increased legitimacy. But cooperation between both international organizations can go much further than that. At the June 2001 Göteborg European Council the Swedish Presidency, in the framework of the elaboration of the ESDP, proposed the building of an effective partnership with the UN in the fields of conflict prevention and crisis management. Cooperation on conflict prevention would focus on collection and exchange of data, analysis of situations and diplomatic action. In the field of crisis management the idea is to ensure that the developing European military and civilian capacities, which will enlarge the international pool of means available for crisis management, provide real added value to the UN, by guaranteeing the compatibility of training, exchanging information on the planning and implementation of operations and coordinating operations on the ground. Next to the Balkans and Africa, the Middle East will be given highest priority in this reinforced cooperation.

556. In this philosophy the EU should not only step up its efforts at conflict resolution, but should also act jointly with the UN, so as to ensure that both organizations’ initiatives are fully consistent and that the available means are used in the most efficient and efficacious way. This is especially the case with regard to Cyprus and the Western Sahara, where the UN are the leading actor in the ongoing attempts at conflict resolution. In these two cases one can imagine that the Union and the UN, instead of operating separately, create an ad hoc structure and launch a single renewed initiative to find a final settlement. Regarding Algeria it is up to the EU, as part of an active conflict resolution policy, to propose options for increased UN involvement to the Security Council.

557. The second partner for conflict resolution are of course the US. They are still seen by the Mediterranean countries as the strongest international actor, which can bring the most pressure to bear. Experience has shown that often actions can only succeed if they have the explicit backing of the US. Over the years it has also become clear however that the US alone are not in a position to resolve the ongoing conflicts by themselves. Successful cases of EU-US cooperation, on Greek-Turkish tensions e.g. but especially in the Middle East, demonstrate that joint efforts have the biggest chance of success. The elaboration of the CFSP and the ESDP should not be seen as directed against the US. Although Washington has a different approach to Mediterranean security issues than Brussels, the EU and the US where they are both involved share the same basic objectives. Therefore, like with the UN, the EU should act jointly with the US through ad hoc structures where both Europeans and Americans are involved in conflict resolution efforts, notably in the Middle East, on Cyprus and regarding Greek-Turkish tensions.

558. The need to settle the ongoing conflicts before any further progress towards a security partnership can be achieved, was openly recognized by the EU in the aftermath of the 11
September 2001 attacks, at least with regard to the conflict in the Middle East. The Middle East attracted the most attention because the settlement of the conflict between Arabs and Israelis would greatly contribute to avoiding the perception of a “clash of civilizations” going on and would enable the US and Europe to rally Israel and the Arab countries alike in their global coalition against terrorism. Only Commission President Romano Prodi drew a more general picture at the extraordinary European Council meeting of 21 September, emphasizing the need to “extend the EU’s active participation in settling international crises and preventing conflicts, which will require a multiplication of efforts with regard to countries around the Mediterranean”.471

559. Next to conflict resolution, another matter demands attention as a necessary prerequisite for a successful Euro-Mediterranean security partnership: the inclusion of Libya in the EMP. Given the indivisibility of security in the region, the Partnership should cover all littoral states in order to be truly effective. This is especially so as Libya is at the heart of many tensions in the area.

7.2 A comprehensive security partnership

7.2.1 Opening up the ESDP

560. Once an active conflict resolution policy is underway, the implementation of further CSBMs additional to the limited measures already approved in the framework of the EMP can be considered. The EU can however give an immediate and very strong signal of its wish to engage in a true and equitable security partnership with its Mediterranean neighbours by opening up the ESDP to participation by all countries of the EMP.

561. Already the ESDP provides for far-reaching cooperation with the European members of NATO which are not part of the EU and with all applicant states to the EU. So Turkey, which fits into both categories, and Cyprus and Malta, the two Mediterranean partner countries with a European character, are already involved. These countries will be kept regularly informed of the development of the ESDP through meetings at the political, military and expert level, a dialogue which will be intensified in times of crisis, they will be allowed to detach liaison officers to the European Military Staff and they will have the possibility to participate in EU operations. The units which they earmark for possible participation will be included in the catalogue of available headquarters, forces and equipment, so an element of joint force planning is also implied. Close cooperation is also being developed with Canada, Russia and Ukraine and with NATO as an organization.

562. The EU could very well open up the ESDP to all Mediterranean partners in the same way.472 The advantages would be very substantial. In the first place, joint participation in military structures is a very powerful CSBM. The opening-up of the ESDP would entail a wide scope of military cooperation activities. It would allow for a large-scale exchange of information, it would offer the Mediterranean partners the possibility of being involved in the ongoing planning process and, in times of crisis, in decision-making, and this at an early stage; it would also make possible participation in military manoeuvres and in actual humanitarian, peacekeeping and peace enforcement operations performed by the EU in the Mediterranean and in other areas. Thus, it would function as a North-South CSBM, diluting the suspicions of the Arab countries regarding the development of a European military capacity by directly involving them. So an “open door policy” would affect the other important factor
explaining the failure to implement the security basket of the EMP, next to the EU’s passive attitude with regard to conflict resolution: the Arab countries’ perception that the Union in the first place still views them as potential enemies, rather than as partners for security cooperation, and their suspicions as to “Western interventionism”. In the wake of the events of 11 September 2001 the EU does indeed face a difficult balancing act: on the one hand the Union has to avoid that relations with its Arab partners are clouded by an atmosphere of suspicion and antagonism, but on the other hand the Union must proceed with the development of the ESDP which, given the Union’s important interests in the area, cannot but include the Mediterranean. Opening up the ESDP might just be the way of reconciling both policy imperatives. It would be a very strong signal indeed of the Union’s desire to seek cooperation with its Arab partners rather than confrontation. The advantages of joint participation in the ESDP also work horizontally of course, so at the same time the opening-up of the ESDP also constitutes an important South-South CSBM.

563. Another major advantage of this proposal is that from a purely practical point of view it is very easy to implement. The decision-making structures of the ESDP and the mechanisms for involving non-EU Member States are already in place and the military capacity is taking shape. Involving the Mediterranean partners in these existing structures is thus only a matter of political will on the side of the EU. The proposal as such does not imply any financial effort on the part of Europe. It would be recommendable though to subsidize the Mediterranean partners’ participation, for experience with NATO’s Mediterranean Dialogue has shown that the cost of cooperation activities and of delegating diplomatic and military personnel often works as an impediment to full participation. Opening up the ESDP would really amount to the continuation of the now defunct Mediterranean Dialogue of WEU in the EU framework, at a very much enhanced level. In fact, when WEU’s role as an operational organization was ended, the Mediterranean Dialogue should have been transferred to the EU along with WEU’s other operational elements, instead of just terminating it. Now the limited but nonetheless existing acquis of the WEU Dialogue has been lost and a gap has been created in relations between the EU and its Mediterranean partners as regards security and defense, just at the time when the Union is fully involved in developing its own capacities in these fields.

564. But even setting aside the advantages which it presents, opening up the ESDP is a necessity, precisely because of the South’s distrust towards the North, which such a decision would certainly help to diminish. In the Mediterranean, unilateral or “all-European” crisis management operations would be unacceptable to the Southern littoral states, in view of the current fear of “interventionism”. Such unilateral action would probably be even counterproductive and could lead to an antagonization of relations between both shores of the Mediterranean. So the “expeditionary logic” of an EU doted with specific military capacities suitable for interventions on the opposite shore, which should be able to quench every potential security threat, does not apply. The structural imbalance between both shores and, at the same time, their interdependence render any idea of a “Fortres Europe” guarding itself unilaterally against security threats issuing from the South completely unrealistic. Only joint Euro-Mediterranean operations, or at least operations which have been the subject of extensive consultations in a Euro-Mediterranean framework, would be politically acceptable to the governments and certainly to public opinion in the Southern partner countries. The EU could thus not hope to play its newly acquired crisis management role in the Mediterranean without fully involving its partners in the EMP. In other words, the cooperative approach to security which characterizes the Partnership should be introduced into the ESDP in order to make it possible for the Union to execute its crisis management task in the Mediterranean area.
In order to fully dispel all remaining distrust vis-à-vis the development of a European military capacity, the EU, besides opening up the ESDP, should also adopt a clear strategic concept for its security and defense policy, detailing which objectives the ESDP is meant to achieve, in which areas and with which instruments. With regard to the Union’s crisis management task in the Mediterranean, such a strategic concept should clearly confirm the “Euro-Mediterranean option” of jointly implementing crisis management in an “EU + 12” framework. That way the Southern partners would no longer have any reason to doubt the purpose of the ESDP. Besides, a strategic concept for the ESDP also is a necessity for technical reasons of policy-making: it should serve as a framework for the planning tasks of the EU Military Staff, the composition of the rapid reaction force depends on the types of operations to be implemented and on the geographical scope of the ESDP etc. Political considerations come into the game as well. Military operations demand uncontested legitimacy and thus have to be founded on documents that clearly define when military action is possible. Furthermore the adoption of a strategic concept could diminish the reluctance to engage in the ESDP of the Union “neutral” Member States, which fear the silent militarization of the CFSP.

The opening-up of the ESDP would be a relatively easy step, because it “simply” means involving the Mediterranean partners in an existing structure, and a very significant and far-reaching one at the same time, because it directly goes to the core of “hard” security cooperation: joint manoeuvres and operations. The latter part could be difficult to sell to public opinion in the partner countries. In the same philosophy as the cooperation arrangements provided for in the projected Euro-Mediterranean Charter, participation in the ESDP could be offered to the partner countries on a voluntary basis. This participation would evolve gradually, also because the ESDP is still in its early stages of development. Ultimately, the results of the opening-up of the ESDP depend on the successful further elaboration of the European security and defense dimension. The partners could start with the appointment of liaison officers and regular dialogue, with manoeuvres and operations following in a later stage. One can imagine that first significant progress should be made in the field of conflict resolution before the latter stages materialize. On the other hand opening up the ESDP and an active EU conflict resolution policy can go hand in hand – they are in fact mutually reinforcing. If conflict resolution should imply European military operations or an EU contribution to UN or other operations, an observer or peacekeeping force in the Middle East e.g., the legitimacy and acceptability of such operations would be far greater if the Mediterranean partners were already involved in the ESDP. If the EU should open up the ESDP, this would of course demand political will on the other side as well. All partners should participate for this CSBM to be most effective. And should they refuse an invitation to participate, the Southern countries can no longer complain about a lack of transparency or vagueness of intentions regarding the ESDP. In short, opening up the ESDP would force both sides of the Partnership to really bring their long-stated commitment to Euro-Mediterranean security cooperation into practice.

One should also not forget the civilian side of crisis management. Next to the ESDP, which constitutes the military arm of the CFSP, the EU also aims to develop a civilian crisis management capacity. Objectives include the creation of a pool of 5 000 police officers available for operations abroad; 200 prosecutors, judges and correctional officers to ensure a functioning criminal justice process; experts to take on assignments within the civilian administration; and civil protection intervention teams consisting of up to 2 000 personnel. In this field as well close involvement of the non-EU European members of NATO and the applicant states is provided for, so the civilian crisis management capacity could be opened for participation by the Mediterranean partners along the same lines too. In fact cooperation in
this non-military field would perhaps be more acceptable to the partner countries and could thus be a means of involving them in crisis management operations in a gradual way, starting with the civilian dimension.

7.2.2 From CSBMs to crisis management on the basis of the ESDP

568. Initiating an active conflict resolution policy and opening up the ESDP are the measures which the EU should take to make possible further steps towards a comprehensive Euro-Mediterranean security partnership, ranging from conflict prevention to crisis management and post-conflict peace-building, or in other words, towards the adoption and implementation of the Euro-Mediterranean Charter for Peace and Stability. Joint participation of all partners in the ESDP would be a suitable and firm basis on which these further steps could be founded.

569. As provided for in the Guidelines for the Charter, further measures for security cooperation should be framed in an enhanced political dialogue; such an institutionalized dialogue would then serve as the policy-making entity within the political and security basket of the EMP. In the framework of the ESDP a regular dialogue with all participating countries is already provided for, at the political, military and expert level, crowned by meetings at the level of Ministers for Foreign Affairs and Defense. Meetings at these levels will be held at least twice during each EU Presidency with the candidates for accession and the non-EU European members of NATO (“EU + 15 format”) and with the latter separately (“EU + 6 format”). If the ESDP were opened up to the Mediterranean partners, a third forum could easily be added, grouping the Fifteen and the twelve countries of the EMP (“EU + 12 format”). Overlaps between these groupings do not pose a problem, for next to the dissemination of information on the development of the ESDP, different subjects and regions would be covered by each forum. Besides, there already is a complete overlap between the “EU + 15” and “EU + 6” formats.

570. The meetings at “EU + 12 format”, next to their function of informing the Union’s Mediterranean partners about the development of the ESDP, could then at the same time serve as the enhanced political dialogue of the political and security partnership of the EMP. A single institutional framework would thus emerge, with meetings ranging from expert level, through the military and senior official/diplomatic level, to the level of Foreign and Defense Ministers. Contrary to the other baskets of the Partnership, there are now no meetings of sectoral Ministers within the political and security chapter. Security issues are only discussed at a ministerial level within the EMP at the general Euro-Mediterranean Ministerial Conferences. Meetings of Foreign and Defense Ministers in an “EU+12 format”, once each Presidency e.g., dealing only with the first basket of the EMP, could provide additional impetus to the security dimension of the Partnership and would certainly give it a higher profile. At these ministerial meetings the general programme of action for each Presidency could be discussed. The voluntary and consensual or intergovernmental character of security cooperation as agreed in the Guidelines can be maintained. At a time when even within the EU majority decision-making with regard to the CFSP, and the ESDP in particular, is still a far-off dream, one should not look for supranationality in the EMP, where the Southern partners especially are very careful of their national sovereignty. At all these different levels, from experts to ministers, with meetings at regular intervals and as required, the full scope of Euro-Mediterranean security issues could then be discussed, including the ESDP, and decisions could be taken by the twenty-seven partners, at the appropriate level, on the adoption of further CSBMs and arrangements for crisis management.
571. The advantage of combining participation in the ESDP and the security dimension of the EMP, resulting in a permanent security dialogue, is that the Mediterranean partners would be much more involved in policy-preparation and decision-making within the EU, at an early stage, so that eventually a truly joint Euro-Mediterranean security policy can emerge, rather than a policy which at first is exclusively defined by the Union in the appropriate EU bodies and which is then presented to its Southern partners in the framework of the EMP. Another advantage is that by directly linking participation in the ESDP to further Euro-Mediterranean CSBMs, even though they have a North-South and South-South effect at the same time, as these involve all twenty-seven partners, still the sense of reciprocity would be greater for the Southern partners. The adoption of further measures for security cooperation would be more acceptable to Southern governments and public opinion alike, as this would be matched by their countries’ involvement in the ESDP.

572. In order to really give body to the political dialogue, one could go even one step further than introducing regular meetings at all levels as in the “EU + 6” and “EU + 15 formats” and create an additional body: a sort of permanent council in an “EU + 12 format”, preferably at ambassadorial level, which, like the other levels, would at the same time function as a forum for participation in the ESDP and for an enhanced Euro-Mediterranean security dialogue. Within the political and security basket of the Partnership, this permanent council would be the highest organ, except for the less regular meetings of sectoral, i.e. Foreign and Defense Ministers, each Presidency; and except of course for the general Euro-Mediterranean Ministerial Conferences and the Euro-Mediterranean Committee, which cover all three baskets of the EMP. At ambassadorial level, a permanent council would increase the profile of the political dialogue and it would have the necessary authority to take decisions on security issues. As a permanent body it would be able to follow-up events much more closely and to have more extensive consultations and it would consolidate the habit of working together. The meetings of the permanent council could be prepared and its decisions implemented by meetings on the other levels: senior officials, military and experts. At these levels joint working groups with NATO and with the OSCE could be established in order to align the programme of activities of these organizations’ Mediterranean dimension with the Partnership. A permanent council is not provided for in the “EU + 15” and “EU + 6” formats, but in these groupings there is no need for such a body. A forum for permanent dialogue with the non-EU European members of NATO is already at hand, in the North Atlantic Council, while the “EU + 15 format” will eventually disappear as all applicant states successively join the EU. For most of the Mediterranean partners membership of the EU (or NATO for that matter) is not being envisaged though, so in this context a permanent body is in order so as to ensure the continuity of the dialogue with these countries.

573. The permanent council would then on the one hand be the main forum for dialogue with the Mediterranean partners with regard to the development of the ESDP and the cooperation activities developed in that framework. On the other hand in the framework of the EMP it would constitute a body which can deal with regular exchanges of information on agreed subjects and notification of unusual or unscheduled matters on a daily basis; appropriate mechanisms and procedures ought to be elaborated. It would thus assume a conflict prevention and early warning function. Next to this the permanent council would also follow-up the daily runnings of the political and security basket and the implementation of all agreed CSBMs. So the permanent council would replace the current meetings of senior officials as the managing body of the Partnership’s first basket.
In order to be able to perform these functions, the permanent council would have to be backed by the necessary organizational support. Several structures can be set up:

- A communications network between the Ministries of Foreign Affairs, at the diplomatic level, can allow for secure and rapid communication between the twenty-seven partners. This measure implies the elaboration of procedures, the designation of contact persons and the installation of the necessary soft- and hardware.

- A situation centre can collect and analyze data on a series of agreed items, which are provided by the partner countries on a regular basis, and can monitor the implementation of agreed CSBMs. For the purpose of crisis management it could monitor any situation which is under the consideration of the permanent council. One can imagine the establishment of a cell of analysts which through a series of agreements is granted access to intelligence made available by the individual partner countries and by similar bodies, notably the Policy Planning and Early Warning Capacity established within the CFSP, the Satellite Centre in Torrejón (Spain), which was transferred from the WEU to become an agency under the CFSP, and any other arrangements for pooling intelligence that might be established in the framework of the Union’s second pillar.

- A conflict prevention centre can develop and then manage permanent mechanisms for the notification of unusual or unscheduled events and, as the Guidelines for the Charter provide, “procedures of clarification, mediation and conciliation for settling disputes between parties by peaceful means of their own choice”. In these fields the experience and expertise of the OSCE would prove very useful; here the Mediterranean dimension of the OSCE and the EMP would be truly complementary. The Mediterranean activities of the OSCE could easily be focussed on issues relevant to a CPC for the Partnership. The OSCE’s Mediterranean Partners for Cooperation have in fact proposed the creation of a CPC for the Mediterranean analogous to the existing OSCE centre. Although this proposal has not been acted upon by the OSCE, it does show that there is room for such mechanisms in the Mediterranean. Examples of existing OSCE mechanisms relating to notification of events that could be adapted to the Mediterranean are the Mechanism for Consultation and Cooperation as regards Unusual Military Activities, providing for exchange of information on such events and the obligation of the state concerned to respond to requests for explanations; the Cooperation as regards Hazardous Indicents of a Military Nature, obliging states to designate a point of contact in the case of such incidents and inform other states in an expeditious manner; and the Mechanism for Consultation and Cooperation with regard to Emergency Situations or Berlin Mechanism, providing that in the case of serious emergencies states may seek clarification of the state or states concerned and call for an emergency meeting of the OSCE Senior Council. In the field of peaceful settlement of disputes current OSCE mechanisms could serve as an example as well, although it must be said that the wide range of procedures for conciliation established by the OSCE have been used very rarely, if at all. Perhaps a commitment to refer disputes to existing international bodies, such as the ICJ and the future International Criminal Court (ICC), would therefore be more in order rather than encumbering the EMP with an overload of tasks and procedures.

A similar construction was actually agreed upon in the framework of ACRS, before these talks were suspended, which indicates that under more favourable circumstances it ought to be quite feasible. The most important characteristic of the proposed structure is that it provides for truly Euro-Mediterranean bodies, i.e. at twenty-seven, at all levels, from
Ministers to experts, for preparation of policy, for decision-making as well as for the implementation of decisions. All CSBMs aim for full reciprocity, between North and South in the first place, so as to dispel any distrust, but since they are taken at twenty-seven, they have a South-South effect at the same time. The result should be an equitable security partnership and a Euro-Mediterranean security policy, based on joint assessment of security issues and joint definition of the way to respond to them.

576. The Charter for Peace and Stability should be the document establishing the basic structures and objectives of an enhanced Euro-Mediterranean security partnership. In order to signal its significance and ensure maximal compliance, the adoption of the Charter, preferably by a meeting of the Heads of State and Government of the Partnership, should be a solemn occasion. The ultimate aim should be a legally binding treaty, but this is a very long-term perspective. Even though the Charter, as has already been decided, would be politically binding only, which under the current circumstances is the only feasible way of adopting it, the institutionalization of the security partnership as described above would on its own ensure that dynamic is maintained, because of the permanent dialogue it would imply and because of the drive of each institution to prove its right of existence.

577. Once this basic framework is set up and building on the activities implied by the participation in the ESDP, other CSBMs can be implemented:

- A code of good conduct can be adopted, identifying the principles directing the relations between the partners. Examples of principles are: the indivisibility of security, meaning that all states have a right to security and that no state can increase its security to the detriment of another; the comprehensive nature of security, i.e. recognition of the fact that security is the sum of not only military, but of political, economic, demographic, ecological and other factors as well and that therefore measures must be taken in these fields too; the concept of sufficiency, implying that security policy is strictly defense-oriented and that states refrain from developing a military capacity going beyond their legitimate defense requirements; transparency, which is indeed the general principle underlying all CSBMs; and the principle of good faith in implementing all agreements. Such a code of good conduct would also reconfirm and detail a number of the principles already included in the Barcelona Declaration: respect for the sovereign equality and territorial integrity of states, for the inviolability of frontiers, for the fundamental rights and freedoms and for the right to self-determination of peoples; avoidance of the threat or the use of force; peaceful settlement of disputes; non-intervention in internal affairs; and the general principle of cooperation. The code could become an integral part of the Charter for Peace and Stability. Perhaps the elaboration of such a code could be the first task of a conflict prevention centre, so as to create the general framework first before moving on to the establishment of concrete mechanisms for early warning and dispute settlement.

- The expertise present in the EuroMeSCo network can be put to its full use by viewing the network as an extension of the capacities established in the EMP. Mechanisms should be defined allowing the Partnership to avail itself of EuroMeSCo when analysis of situations is needed or for the elaboration of proposed CSBMs.

- Observers can be exchanged, liaison officers detached and joint manoeuvres organized, not only in a South to North direction, in the framework of the South’s participation in the ESDP, but in the opposite direction and between the Southern partners as well. Other
possible measures for military cooperation are exchanges between military academies and other military bodies, cooperation between defense institutes, seminars on strategic doctrines, mutual visits, including to “sensitive areas”, etc.

- In order to reinforce the Euro-Mediterranean perspective in strategic thinking, the establishment of a Euro-Mediterranean institute for strategic or security studies might be considered. Such form of cooperation should lead to the development of a common strategic language. This exercise would contribute to avoiding conceptual and terminological misunderstandings and to dispelling prejudices; it would therefore be an important CSBM in its own right. As such an institute would gradually build up expertise, it could make an important contribution to policy-making in the EMP.

- Cooperation between border personnel, from joint training to joint patrolling, would contribute to avoiding border incidents and could achieve significant results in the fight against arms and drug trafficking, one of the “soft” security issues with which all EMP countries are confronted. Cooperation in this field would of course be very desirable to the EU Member States, which seek to stem illegal immigration from the Mediterranean area.

- Acting upon the proposals made by the Southern partners, cooperation in the fight against terrorism can be developed. Possible measures are the exchange of information between police services, setting-up a database on terrorist movements, compiling a catalogue of relevant national legislation in the partner countries, developing a joint approach to the financing of terrorist groups etc. The obstacle which still has to be overcome however is to find consensus on the definition of terrorism. This demands political will on both sides of the Mediterranean. The Arab countries should recognize that in the struggle against Israeli occupation not everything is permitted; EU Member States should limit political asylum to true political dissidents only and exclude terrorists.

- Land- and seemines constitute an important problem in the Mediterranean, notably on Cyprus, along the Greek-Turkish borders and in the Middle East, where Egypt especially faces an immense problem caused by left-over minefields from the Second World War and its own wars with Israel. Southern partners, with Egypt being the most prominent, have at several instances proposed Euro-Mediterranean cooperation in this field, in the framework of the now defunct Mediterranean Dialogue of WEU e.g., but these proposals have not been acted upon, in spite of Europe’s high profile role in the fight against anti-personnel landmines. A unit within the EMP could act as facilitator, bringing together Mediterranean states seeking assistance with demining and EU Member States and other countries and international organizations offering help. Such a unit could also function as coordinator of ongoing demining operations in the area and it could set up a database of the situation regarding mines in the partner countries.

- A similar task of coordination could be assumed in the field of disaster relief, on the basis of Southern partner’s participation in the CFSP’s civilian crisis management arrangements. The existing Steering Committee of the Euro-Med System for the Prevention, Mitigation and Management of Natural and Man-made Disasters, established at the june 1998 ad hoc meeting in Palermo, could be enhanced and organizational support could be supplied to it by a unit within the EMP. Its purpose would be to coordinate partner states’ contributions to civilian crisis management and the different cooperation activities taking place in this field. Coordination would notably be necessary with participation in the civil emergency
planning activities in the framework of NATO’s Mediterranean Dialogue. By focussing the Alliance's Mediterranean programme in this field on the EMP objectives, NATO and the Partnership would operate in a complementary way. In this field the link between the first and second pillars of the Partnership is evident. Disaster relief ranges from humanitarian aid to refugees in the case of armed conflict, to aid in the case of natural disasters or incidents causing pollution. In these fields monitoring by a situation centre would be useful too.

- The nature of the area calls for the implementation of naval CSBMs. The measures proposed above also apply to naval forces, e.g. exchange of information, prior warning of force movements, joint manoeuvres etc. To this more specific CSBMs could be added, e.g. cooperation in the fields of the prevention of naval incidents and search and rescue operations. One possibility in order to promote cooperation in these fields is the creation of a Euro-Mediterranean maritime agency. This could develop mechanisms for joint action, coordinate available means and set up an exercise programme. In the long run this could evolve into the creation of a Euro-Mediterranean coastguard, dealing not only with maritime safety, but also with maritime pollution and illegal trafficking.

- An important task not to be forgotten is the communication of the objectives of the security partnership to the general public, through the media. The averse public opinion is an important factor explaining the reluctance of number of partner countries to join in security cooperation with the West. The public, on both sides of the Mediterranean, should therefore be convinced of the mutual benefits of a security partnership.

578. Most of these CSBMs could also be implemented without the establishment of an institutionalized dialogue as provided for by the Charter for Peace and Stability. A number of the “soft” CSBMs especially might be implemented at an earlier stage, perhaps even before progress in the resolution of ongoing conflicts can be achieved. This would represent the gradual approach to the creation of a Euro-Mediterranean security partnership: starting with relatively “easy” CSBMs and gradually moving on to “hard” security issues. It seems however that in the Mediterranean this would imply a very long-term process indeed. The option of opening up the ESDP and building a security partnership on that basis therefore seems preferable; it might function as a sort of “shock therapy”.

579. The final touch to this network of CSBMs should then be the addition of arrangements for crisis management: Euro-Mediterranean humanitarian, peacekeeping and peace enforcement operations. Conflict prevention can indeed fail or can demand the presence of forces on the ground as the only means of avoiding the eruption of violence. Far-reaching and long-term though it may seem, opening up the ESDP could significantly speed up the establishment of such crisis management arrangements, as it goes right to the heart of security cooperation, and because of the positive effect of the experience of jointly participating in EU manoeuvres and operations on the invitation of the Council of the Union. In fact, once the ESDP is firmly established the most efficient way of organizing Euro-Mediterranean crisis management would most probably be to consider the opened-up ESDP as the military arm of both the EU and the Partnership at the same time. If events within the territory of the Partnership might demand an intervention of any kind, the case should first be considered within the EMP, by the Ministers of Foreign Affairs and Defense, acting upon a recommendation of the permanent council, who could decide to launch a Euro-Mediterranean operation. An operation initiated in such a Euro-Mediterranean framework would be viewed in a totally different perspective
by the Southern partners than unilateral European action and would greatly benefit from this increased legitimacy.

580. The existing capacities and procedures of the ESDP could then be used to implement the decision to launch an operation. Current arrangements for participation in the ESDP by non-Member States provide that these will take fully part in the daily management of the operation through a Contributors’ Committee, but that the EU, notably the Council and the Political and Security Committee, retains political control and strategic direction of the operation. If however an operation were initiated by the Ministers of the twenty-seven partner countries in the framework of the EMP, they and the permanent council should exercise political control and strategic direction, in order to guarantee a balance between the EU and the Mediterranean partners. This balance should also be ensured in the operational planning of the operation at hand, e.g. by temporarily expanding the responsible planning capacity with staff from the partner countries, and in the composition of the force headquarters on the ground. This planning capacity could be one of the national and multinational headquarters made available by the states participating in the ESDP, or the Union could avail itself of NATO capacities. Through their participation in the ESDP the Southern partners would also have an input in the permanent process of generic planning, i.e. the elaboration of a typology of operations, of the requirements in terms of headquarters, forces and equipment for the different types of interventions, and of rules of engagement. As in the EU and faithful to the voluntary character of the EMP, the rule should be that states who are not prepared to participate in a proposed operation should not prevent the states that are willing from taking an initiative – a kind of “constructive abstention” arrangement. Next to Euro-Mediterranean crisis management, partner countries could of course still be invited to participate in EU operations in other areas, according to the regular ESDP arrangements.

581. In the context of Euro-Mediterranean arrangements for crisis management, the two multinational European units with a Mediterranean character, EUROFOR and EUROMARFOR, should be opened for participation by the Southern partners too. The best way of dispelling any remaining distrust as to their purpose is to have the Mediterranean partners join these forces, on a permanent basis, so that they truly become Euro-Mediterranean units. As such they could be the ideal instrument for crisis management operations in the Euro-Mediterranean area. Both units have a flexible structure which would easily allow for the participation of additional countries. The limited permanent elements of both units should then be enhanced though, so as to allow for intensified cooperation through joint planning, manoeuvres etc. and in order to manage the catalogue of available forces. Again on the basis of existing structures, a permanent multinational regional crisis management force would thus emerge, comparable to similar initiatives undertaken by e.g. the Scandinavian countries (the Nordic Battalion) or in South-Eastern Europe (SEE BRIG).

582. In due course, as the spirit of cooperation increases, additional multinational Euro-Mediterranean units might be created. A force could be set up composed of contingents from the Maghreb countries e.g., which share French as a common military language. The important thing is that all forces should be open to participation by partners from both sides of the Mediterranean, in order to avoid any ambiguity as to their purpose. Several partner countries, notably Egypt and Jordan, have a wide experience with participating in peace support operations in a UN framework. Partners have even participated in IFOR and SFOR, in a NATO context. This proves that joint Euro-Mediterranean crisis management operations must be possible, both inside the territory covered by the Partnership and outside it, e.g. in Sub-Saharan Africa. Euro-Mediterranean multinational forces could indeed very well contribute to
UN operations; such joint actions would constitute a very strong CSBM. This joint Euro-Mediterranean military presence would constitute a counterbalance to the military presence of the US, in the form of the 6th Fleet, which is wholly unilateral in character and which is therefore viewed with suspicion by the Southern countries. Rather than seeking to establish its own military base in the Mediterranean, as the Soviet Union vainly tried during the Cold War, the EU should aim for this joint Euro-Mediterranean approach, which would have a far more positive effect on confidence and security in the area. 485

583. Specific training modules could be set up with regard to the whole range of crisis management operations, in the framework of the ESDP, in the framework of EUROFOR and EUROMARFOR and within the EMP, so that a Euro-Mediterranean training and exercise programme could emerge. Joint exercises strengthen ties between the countries and personnel involved and help to unify concepts, procedures etc. A Euro-Mediterranean institute for security or strategic studies could contribute to this, through its function of developing a common security vocabulary and by organizing staff courses for officers of the partner countries. A number of partner countries are already involved in bi- or multilateral military manoeuvres. Egypt e.g. plays a leading role in the Bright Star programme, large-scale manoeuvres involving air, land and sea forces from over a dozen countries, including the US, a number of EU Member States and several Arab countries, both members of the EMP and others. 486 This example shows that the will to participate in a multilateral exercise programme is present.

584. The voluntary character of the security partnership should be respected. Security cooperation is only possible on a voluntary basis – pressurizing states to participate will not result in increased confidence. It should therefore be possible that initially CSBMs are implemented with the participation of only part of the partner countries. The success of the first CSBMs to be introduced is the only argument that can convince other partner states to join the agreed measures and, on a general level, to continue the process of setting up a vast network of ever more far-reaching CSBMs. Creating a Euro-Mediterranean security partnership is a gradual process – one cannot hope to establish the desired structures and CSBMs all at once. But opening-up the ESDP might be the booster that is necessary for security cooperation in the Mediterranean to take off.

7.2.3 Arms control, disarmament and non-proliferation

585. With regard to arms control, disarmament and non-proliferation, obstacles to surmount before any measures can be adopted are considerably higher than in other fields, because of the particular circumstances in the Mediterranean and, specifically, in the Middle East.

586. A first major obstacle is constituted by the situation of strategic imbalance in the Middle East. Although its existence has never been officially admitted, Israel is not willing to relinquish its regional monopoly on the possession of nuclear weapons. At the same time this monopoly is used by Israel’s Arab neighbours as an argument against limits on their acquisition of biological and chemical weapons and on the conventional arms build-up, which they seek in order to counterbalance Israel’s strategic advantage. In the Arab philosophy introducing arms-related CSBMs in such a situation would perpetuate the condition of strategic imbalance. A consequence of this situation is that if it comes to disarmament, all categories of armaments, from WMD to conventional types, will have to be dealt with at the same time, in a global programme, because all categories combined define the balance of forces which the
regional parties want to achieve. No Arab country will be willing to consider limiting its forces if Israel’s nuclear capacity remains outside the negotiations.\textsuperscript{487} Evidently, a breakthrough would only be possible once peace in the Middle East has been firmly established and relations between the current antagonists are ruled by mutual confidence and security – actual disarmament is thus a very long-term perspective.

587. The second problem concerning arms-related measures is even more difficult to solve, as it surpasses the level of the EMP. The security of the partner states is of course not only a matter of relations with fellow partners, but is also influenced by countries which do not belong to the Partnership. Again, this is especially the case in the Middle East, where countries like Iraq and Iran have a substantial impact on the security situation. Partner states in this area are not willing to consider actual disarmament, if countries such as these are not also involved in any proposed arrangement. When it comes to nuclear weapons, one must even take into account states which are yet further off: India and Pakistan. One must therefore conclude that the EMP is too limited a forum for the adoption of substantial disarmament measures, especially with regard to WMD, but the same goes for conventional weapons as well. A way needs to be found of involving neighbouring states which have a significant influence on the security perception of partner countries, if disarmament in the region is to have any chance of success.\textsuperscript{488}

588. Still, a number of important arms-related CSBMs can and should be implemented within the Partnership, starting with CSBMs aimed at increasing transparency and moving on to non-proliferation measures, so as to freeze the existing amount of WMD and other armaments, to be followed in the long run by a disarmament programme.

589. In the first place transparency measures can be taken. As a first, “soft” CSBM partner countries should fully cooperate with the existing UN Register of Conventional Arms, registering imports and exports of a number of conventional weapons. Arab partner countries currently refuse cooperation with this initiative because they insist on the inclusion of WMD in the register. The creation of an enhanced register in a Euro-Mediterranean framework, including other categories of armaments and providing more detailed information, could therefore be the next step. The management of such a register could be entrusted to the Euro-Mediterranean situation centre proposed above. This measure should not pose a problem for the Arab countries, on the condition that Israel too would fully comply or, in other words, that it should end the ambiguity regarding its nuclear installations. This can best be done in the context of the NPT.

590. All partner countries should indeed become party to the major existing arms control agreements. Most of them already are, but a number of significant players still have to join the NPT, BTWC, CWC and CTBT. Adherence to these agreements is one of the undertakings which is explicitly mentioned in the Barcelona Declaration. The Palestinian Authority is not party to any of them, nor to the 1925 Geneva Protocol, which has been ratified by all other partner countries. Strictly legally speaking Palestine is not yet a state, though it certainly is an international actor sui generis, given e.g. its treatment in the EMP on an equal footing with the other participating states. Pending formal statehood, the Palestinian Authority could already make a unilateral statement in which it commits itself to comply with the provisions of the said agreements. Such a move would be an important signal and it would deny other partner countries the possibility of using Palestine’s non-commitment as an argument for not joining the agreements themselves. For the countries concerned, attention should also be given to the
implementation of the Pelindaba Treaty, which aims at the establishment of a nuclear weapons-free zone in Africa.

591. Membership of these agreements by all partners would be a significant step. First of all, all partners would then be in the same position, which should make it easier to discuss arms-related issues between them. Secondly, proliferation of the WMD covered by the agreements would at least be frozen at the current level. Speaking in security terms, even when taking into account the influence of non-partner countries on the security of partner states, this ought to be a feasible step. And thirdly transparency would be increased through the verification and inspection regimes included in a number of agreements, notably the CWC and the NPT. Following up partner states’ compliance could also be a task for the situation centre. Arrangements for joint Euro-Mediterranean verification could be elaborated, with the participation of partner states from North and South, as an important CSBM. Again, success depends on the willingness of Israel to disclose its nuclear installations to international inspection; given that all European countries and the US are subject to it as well, Israel has no rightful argument against joining the NPT. On the other hand the Arab countries could make the first move, as a token of good-will. At the same time all partner countries that possess nuclear weapons could make a unilateral statement in which they guarantee that they will not use these weapons, or the threat of them, against any other partner state.

592. At the same time as generalizing membership of these agreements, other non-proliferation measures must be taken as well. The partners should define criteria to govern the transfer of arms within the EMP. Arrangements can be modelled on existing EU export policy in the field of armaments and dual-use goods and on the guidelines of bodies as the Nuclear Suppliers Group, the Zangger Committee, the Australian Group, the MCTR and the Wassenaar Arrangement. Membership of these bodies should be promoted as well. Any arrangements should not only cover WMD technology and dual-use goods, but also conventional weapons, including small arms and light weapons. Arrangements should have a Euro-Mediterranean character; i.e. they should not only cover North-South arms transfers, but South-South transfers as well. These measures demand political will on the side of the EU as well; the Union should adhere to strict criteria regarding arms sales to countries in the area and should refrain from all transfers to countries involved in conflict or even disputes which potentially might evolve into conflict.

593. In the longer term actual disarmament measures can then be considered. A disarmament programme should refer to the notion of sufficiency, i.e. the commitment to refrain from developing a military capacity beyond legitimate defense requirements and to adopt a non-offensive defense posture, which was already included in the Barcelona Declaration and, in the framework of the Charter for Peace and Stability, is to be confirmed in a code of conduct. Through the permanent dialogue in the security partnership the concept of sufficiency should be more clearly defined; criteria can be elaborated in order to make its implementation on the ground possible. A system similar to the Treaty on Conventional Armed Forces in Europe (CFE) can be imagined. As the concept of sufficiency is taken into account, partners should arrive at a situation of “equal security” for all, in which no single state has a dominant position over any other partner country. The ultimate result should be a gradual programme for reduction of forces and armaments, conventional and non-conventional. The advantage of making sufficiency the central notion in a programme of disarmament is that the influence of non-EMP states on the security needs of partner countries can be taken into account. A certain degree of disarmament should thus be possible within the Partnership. In a later stage and when suitable fora have been found, further disarmament measures can then be elaborated.
with the participation of states neighbouring the EMP, notably in the Middle East. The project of creating a Middle East and, by extension, a Mediterranean zone free of WMD should be fitted in this context too. The commitment to pursue “a mutually and effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems” was already included in the Barcelona Declaration.

594. As with the other measures aimed at the creation of a Euro-Mediterranean security partnership, and when it comes to arms-related issues even more so, settlement of the ongoing conflicts in the Mediterranean and certainly in the Middle East is the precondition for the adoption of any CSBMs in this field. No matter how many measures are taken, as long as the causes of proliferation have not been dealt with, the demand for armaments will not decrease. Another important requirement when implementing arms-related CSBMs, as for the security partnership as a whole, is full reciprocity between the North and South of the Mediterranean. When setting up a Euro-Mediterranean arms register e.g. the EU Member States should disclose complete information as well and they should comply with all non-proliferation arrangements too. E.g. French intransigence in the 1990s regarding nuclear testing shows that this demands political will on the side of the EU too. In the field of armaments especially the Southern partners often feel discriminated against. They reject the exclusive focus on proliferation on the Southern shore of the Mediterranean and the condemnation of Arab countries for that reason, while the possession of WMD by the West is neglected. To put it differently, the Arab partners want to discuss not only “horizontal non-proliferation”, i.e. preventing additional, notably Arab, countries from acquiring WMD, but also “vertical non-proliferation”, i.e. the reduction and ultimately elimination of the existing stocks of WMD, notably on the Northern shore of the Mediterranean. Care should therefore be taken not to create the impression that arms-related measures are solely aimed at the Southern shore of the Mediterranean.

7.3 Organizing the EMP and the CFSP

7.3.1 A secretariat for the Partnership

595. The EMP lacks an administration of its own. This fact contributes to a large extent to the Southern partners’ perception of the Partnership as being unequitable, for in the absence of any Euro-Mediterranean body, the necessary management tasks are performed by the Commission departments. This leaves the daily running of Partnership activities almost exclusively in the hands of the European side of the EMP, which is contrary to the basic idea of cooperation underlying the Partnership. In this sense the Partnership is not Euro-Mediterranean at all.

596. An EMP secretariat should therefore be set up. This can be created by detaching officials and experts from the Commission and from the national administrations of the partner countries, to jointly administer the Partnership. The views of all partner states could then be taken more into account in every stage of policy-making, from the preparation of policy by meetings of diplomats, officials, experts and the military and by the secretariat to be created, over decision-making in the political bodies, to implementation of policy by the secretariat and the individual countries. A secretary general can be appointed, to assume the function of head of staff and to follow-up and coordinate the implementation of Partnership activities. In order to really create a sense of shared ownership, the secretary general had best been a national of one of the Southern partner countries. For the same reason, the secretariat had best
been located on the Southern shore of the Mediterranean. The bodies to be created in the framework of an institutionalized political and security partnership, notably a situation centre and a conflict prevention centre and any other organs, would be integrated in the secretariat. A separate EMP secretariat would have the extra benefit of giving additional impetus to the Partnership, for each administration seeks to prove its own usefulness. The creation of a secretariat would therefore certainly strengthen the internal dynamic of the Partnership.

7.3.2 Coordinating the three pillars of the Partnership

597. The achievement of the objective of creating a Euro-Mediterranean area of peace and stability does not solely depend on the security dimension of the EMP. Security cooperation can make a significant contribution to confidence and security-building and conflict prevention, and arrangements for crisis management are a necessary instrument of a Euro-Mediterranean security policy. But such “traditional” security cooperation represents only one side of security. Durable peace and effective long-term conflict prevention can only be achieved if cooperation in the field of “hard” security is accompanied by democratization, economic development and understanding between cultures. Lack of democratic institutions and the impossibility of expressing needs through regular political channels, the huge economic gap between the Northern and Southern shores of the Mediterranean and, within the South, between governing elites and poor masses, the general lack of understanding between the Arab and Western worlds: these are the factors that create instability and must therefore be tackled along with “traditional” threats to security. Such is the nature of the comprehensive approach to security on which the Partnership is based. A number of more specific reasons plead in favour of the comprehensive approach too. E.g. the growing number of intra-state conflicts cannot be prevented by CSBMs, because there is only one state-actor involved. Internal balances must be restored to prevent such conflicts. The particular nature of civil-military relations in the Mediterranean constitutes another reason. In several of the partner countries the military play a significant role in politics. In such cases engaging in security cooperation unconditionally, without taking into account the nature of civil-military relations, could be contrary to the Partnership’s objectives in the field of democratization and respect for human rights and fundamental freedoms.

598. Recognizing the comprehensive nature of security does not suffice however: it must also be implemented through the policies of the Partnership. Policies under all three baskets towards any given country or group of countries in the Euro-Mediterranean area should be effectively aligned and integrated. In other words, economic policy vis-à-vis a partner state should be consistent with that country’s respect for human rights and its willingness to engage in security cooperation; if necessary economic policy must be used as an instrument to promote the achievement of the objectives of the other baskets of the Partnership. Several measures are possible: economic pressure and the offering of benefits can be used as measures of crisis management; through different mechanisms economic support can be partly linked to increasing the budget for e.g. social policy and diminishing military expenditure, or to improving the human rights situation etc.

599. The economic instrument must be used carefully, in order to avoid alienating countries from the Partnership by putting exaggerated demands – chances of influencing countries’ policies are much higher within the Partnership than outside it. But it must be clear that unconditional economic and financial support is out of the question; a minimal degree of conditionality must be introduced. The EU should also provide the proverbial carrot however.
The Union can only hope to count on the goodwill of its Mediterranean partners regarding the security chapter of the Partnership, if Europe itself earnestly works for the achievement of a true free trade area as provided for in the economic basket of the EMP. As things are today, the economic partnership seems to benefit almost exclusively the EU side of the EMP, while the Southern partners are struggling with the difficulties implied by necessary, but painful economic reforms – this situation too cannot be allowed to continue.

600. The comprehensive character of security demands an integrated policy, covering all three baskets of the EMP. At the same time care should be taken not to induly “securitize” issues which should not be dealt with in the framework of a “hard” security policy. Migration is the most prominent example of such an issue.

7.3.3 Regional vs. sub-regional approach

601. It has been suggested that adopting a sub-regional approach would be a way of advancing the security basket of the Partnership. The idea is that in some specific sub-regions of the Mediterranean, the Maghreb or the Eastern Mediterranean e.g., circumstances are more favourable than in others or than in the Mediterranean as a whole, to advancing security cooperation. A sub-regional approach would circumvent the stalemate in the peace process and would make it possible to take into account the specific needs and characteristics of each sub-region. However, such an approach denies the indivisibility of security in the Mediterranean. In the field of “hard” security, the most prominent issues, e.g. proliferation and violent islamism, are not confined to certain sub-regions, but concern the whole of the Mediterranean and therefore demand a global approach. By focussing on the persisting conflict in the Middle East as the cause of the lack of progress of the Partnership’s security dimension, the advocates of the sub-regional approach further ignore that in fact the obstacles to progress as well concern the whole of the Mediterranean. Closer security cooperation is blocked, not only because of the ongoing Israelo-Palestinian conflict, but because of ongoing conflicts in the whole of the region, including in those sub-regions where conditions are supposed to be more favourable, and because of the distrust between both shores of the Mediterranean when it comes to security matters. For these reasons, continuation of the global Mediterranean approach is in order.

602. The global approach does not exclude the possibility of “constructive abstention” or “coopération renforcée” however, which is indeed evident because of the voluntary character of the security partnership. It is quite likely that at first not all partner states will be willing to adopt a proposed CSBM. Another possibility is that a limited number of partner states, because they are members of another international framework, or because they are involved in a dispute, propose certain specific CSBMs. Turkey and Greece e.g. could agree on certain naval CSBMs in the context of their dispute over the Aegean, or Spain and Morocco could propose joint measures, or the members of the AMU. In such cases the partner states that are “able and willing” should be allowed to advance and set an example, but the others should always have the possibility to join any arrangements at a later date, because the ultimate aim is a Euro-Mediterranean security partnership. This is the view taken by the Commission, which recommended that “partnership building measures should be implemented in a flexible way so that these questions could be adressed by a smaller number of partners wishing to advance more quickly, without prejudice to the principle that all Barcelona partners have the right to participate if they so wish”.493
603. The EU should indeed support regional integration in areas covered by all three baskets of the Partnership, such as in the AMU and the Arab League, for integration is a CSBM in itself. Specific measures aimed at supporting the existing structures should be part of the Partnership’s programme. The AMU, and other structures, can continue to attend the Euro-Mediterranean ministerial conferences with observer status. In these structures the Southern partners can consult each other and perhaps define common views on certain issues prior to Partnership meetings. This would at least partly redress the current situation, in which the EU can speak with a single voice while the partner states each act separately. The regional structures can however never be the Union’s official interlocutor in the Partnership, unless they unite all partner states. If not and e.g. the Arab League would represent its members in the EMP, this would leave Israel isolated, all the more so as Cyprus, Malta and Turkey will eventually join the Union. One option therefore is that Israel (and Turkey for that matter) should be allowed to join the Arab League, which should then change its name, so as to become a Middle Eastern regional organization.494

7.3.4 The Partnership and the CFSP

604. The importance of the Mediterranean to the EU and the CFSP is evidenced by the adoption of a common strategy regarding the region. The CFSP, and the ESDP in particular, are still developing, and so is, for that reason, the Union’s identity as an international actor. Yet its Mediterranean policy and the EMP which resulted from it can already be considered examples of what one hopes will constitute the specificity of this European identity in international politics. The comprehensive and cooperative approach to security and the whole concept of partnership as an instrument of foreign policy are indicators of a foreign policy which, far more than that of other actors, takes into account equity and cooperation between international actors, human rights and fundamental freedoms, economic development and understanding between cultures. Of course the interests of the Union are at the basis of its foreign policy, but one can hope that rather than being just “power politics”, the CFSP is much more driven by the ideals of the Union.

605. Because of the Union’s interests in the Mediterranean, the EMP should be one of the priorities of the CFSP. The success of the Partnership and of EU policy on the Mediterranean in all fields is not only vital to assuring the Union’s interests in its Southern periphery, it is also vital to the credibility of the CFSP as such. The Union cannot allow the EMP to fail, for that would at the same time be the failure of the CFSP. A stepped-up effort on the part of the EU with regard to conflict resolution and advancing security cooperation through the ESDP is therefore in order.

606. Union policies in the Mediterranean once again reveal the well-known weaknesses of the CFSP. Foremost comes the still prevailing declaratory character of Europe’s foreign policy. Ambitious objectives and strong commitments often stay without implementation on the ground. The Union’s verbal support to the UN efforts regarding Cyprus and the Western Sahara and its inactivity concerning Algeria are all cases in point. The second major point is the intergovernmental nature of the CFSP and the several weaknesses which this implies, notably a difficult decision-making process, because of the need for unanimity, and the tendency of the larger Member States especially to go solo. The latter is often the case when Member States have a special relationship with certain countries, because of a former colonial link e.g.; the UK and Cyprus, France and Lebanon and Algeria are just two examples. Sometimes action by an individual Member State can have a positive outcome, but essentially
solo action without consulting the fellow Member States undermines the CFSP. The same results when the larger Member States by keeping certain important decisions to a closed group create a “directoire”. This happened e.g. prior to the informal European summit in Ghent on 19 October 2001, when the UK, France and Germany met separately to discuss the military implications of the events of 11 September and operations in Afghanistan, in spite of the obvious importance of these matters to all Member States and the links to the Union’s Mediterranean policy. Organizational support for the CFSP at the level of the EU is still limited, which means that the successive Presidencies have to largely bear the burden. Substantial differences in capacity between the Presidencies thus have an influence on policy and long-term consistency is often lacking, as Presidencies concentrate the available means on policy areas in which they have a specific interest. Finally, the ESDP still lacks a strategic concept, defining where, how and when the Union’s military capacity is to be used.

607. These and other deficiencies have to be overcome in order to increase the efficiency and efficacy of the CFSP as a whole. Ultimately, “communautarisation”, i.e. integrating the CFSP into the first pillar of the Union, seems to be the only viable option.

608. Another matter to be adressed by the CFSP is the question of the links between security in the Euro-Mediterranean area and other regions. This link is very apparent in the field of arms control and disarmament, where partner states in the Middle East want to involve non-EMP countries because of their influence on their security situation. The link is also evident when it comes to hydrocarbons: the Mediterranean is a passageway for oil and gas from the Gulf and, ever more, from the Caucasus and Central Asia. The security situation of partner states bordering these regions is obviously also determined by developments there. The Union should therefore also develop a security policy vis-à-vis these regions.

7.4 Conclusion

609. As the most powerful international actor within the EMP, the Union should assume the responsibility for advancing the establishment of a true and equitable Euro-Mediterranean security partnership. The Union should find the political will to take to the initiative. An active conflict resolution policy and the opening-up of the ESDP are the steps which the Union can set to effectively launch the security basket of the Partnership. On that basis a comprehensive security partnership can be established in the most efficient and efficacious way. Then of course the Mediterranean partner countries too should live up to the commitments which they took upon themselves in the Barcelona Declaration.

610. Tackling the remaining disputes and conflicts in the Mediterranean demands a strong political will on the side of the EU and the commitment to provide all the required means. In the Middle East the EU and the US are the key actors who together have the necessary leverage to force the parties to establish a lasting peace. With regard to Cyprus and Greek-Turkish tensions, the EU should make use of the powerful instrument which the accession process provides to act jointly with the UN and, if they are willing, the US to find a settlement. As to the Maghreb, a critical dialogue with Algeria and Morocco is in order; careful use should be made of these countries’ economic dependence on the Union to pressurize Algiers to engage in dialogue with the opposition and Rabat to settle the matter of the Western Sahara according to UN Resolutions. Conflict resolution must of course be accompanied by peace-building programmes, providing for economic support, institution-building etc.
611. If the security dimension of the Partnership were enhanced on the basis of the Mediterranean partners’ participation in the ESDP, as proposed above, the EMP could function as a comprehensive system for conflict prevention and conflict resolution. The CSBMs implemented in the framework of the Partnership’s security dimension, together with support for democratization and respect for human rights, and with, in the other baskets, economic and financial support and the project of a free trade area, and the dialogue between cultures and civil societies, would all serve to prevent conflicts. Arrangements for the peaceful settlement of disputes and for crisis management would cover the field of conflict resolution. Programmes for post-conflict rehabilitation would be the endpiece. This ambitious programme demands firm political will on the side of both the EU and the Mediterranean partners. Opening up the ESDP would constitute a very clear signal though; Southern partners’ participation in the ESDP, going straight to the core of security cooperation, would be an excellent basis on which to found a comprehensive and equitable Euro-Mediterranean security partnership. The EU should therefore make the first step and open the doors of the ESDP.


471 (anon.), EU/European summit/terrorism: Heads of State agree anti-terrorism action plan and Member States say they are prepared to support targeted US action, each state according to its means. In: Europe, 49, 2001, 8054, p.2.


GENERAL CONCLUSION

612. If one looks at the Mediterranean through the lens of the CFSP, and of European policy towards the area with regard to “hard” security specifically, the obvious starting point of the analysis is the definition of the interests of the Union in the region. Which EU interests, in the economic, political and other fields, have to be safeguarded by a European security policy? One can then assess, on the basis of an analysis of the security situation in the Mediterranean, which are the potential security threats to these European interests. The next question then is which should be the objectives of a “hard” security policy for the Mediterranean and which instruments should be applied to attain them. At a broader level, a similar approach should in fact be adopted in order to arrive at the definition of a strategic concept for the CFSP in general. A strategic concept is a necessary policy framework for the daily running of the Union’s foreign and security policy, which it is currently lacking. Since the creation of the ESDP and the possibility of EU military operations which this implies especially, the need for a clearly defined strategic concept has become all the more urgent. A related issue is the need to establish to which degree the Union’s interests are shared by its Mediterranean partners, in order to determine whether these shared interests provide enough common ground to found a joint Euro-Mediterranean policy on “hard” security upon, or in other words to test the assumption underlying the security dimension of the EMP.

613. When analyzing the security situation in the Mediterranean, it immediately becomes clear that it still is a rather unstable region. Unlike its stable Northern counterpart, the Southern shore of the Mediterranean is characterized by the existence of important disputes and even violent conflicts, the most important of which, the Israeli-Palestinian issue, has been clouding the region for decades. Another important characteristic of the Mediterranean, as compared to other regions in the world, is its very high degree of militarization, in the conventional field, but also in the field of proliferation of WMD. Regional integration on the other hand is very limited, certainly in the field of security, in which regard the existing international organizations in the area are particularly weak. Hence the absence of adequate mechanisms for conflict prevention and crisis management. Next to these factors, which belong to the realm of “high politics”, a number of “soft” security issues are basic causes of instability in the area. Extreme poverty and a lack of democratic institutions undermine the legitimacy of existing regimes, which are often of a very authoritarian nature, and create a breeding ground for extremism of all kinds. A gap exists, between governing elites and poor masses within the Southern partner countries, and between the rich Northern and the underdeveloped Southern shores of the Mediterranean.

614. Yet contrary to the claims of certain alarmist observers, a closer look reveals that no direct security threat arises to the EU from the Mediterranean. The Southern littoral states would not have the military and technological means to pose a serious threat to the Union and of course they would have to take into account the prospect of massive retaliation by superior Western military means. But above all, it would simply not be in the interest of any of them to commit an act of aggression against the Union, in view of the strong economic interdependence between both shores of the Mediterranean. For most if not all of the Mediterranean littoral states the Union is the most important trading partner by far; conversely, the Union is highly dependent on the Mediterranean as a transport route for energy and on gas produced in the Mediterranean itself. Given the disputes dividing the countries of the region and the preeminence of contested authoritarian regimes, the risk of conflict is indeed foremost to be situated between and within the Southern Mediterranean countries, not between the Union and
the Southern states. Such South-South conflicts can endanger the security of EU citizens abroad though and do imply a certain risk of spill-over to Member States of the Union – think of the Cyprus issue e.g., which directly involves one Member State of the Union and two applicant countries.

615. The threat of extremist islamism and terrorism to the EU should not be exaggerated either, even though after 11 september 2001 it is tempting to consider this the main security threat facing the Union. First of all one should absolutely avoid to equate islamism and terrorism. Islamist movements seeking to obtain their goals through political action must be regarded as regular political actors, whether one agrees with their political programme or not. Secondly islamist movements in the first place have a domestic agenda, directed against the ruling regimes in the South; this also holds for extremist islamist factions which revert to violence as a way of achieving their objectives. So the Union is not their target, all the more so because of its evenhanded policies with regard to the Middle East and the Arab and Muslim world in general, which are very much appreciated in the South. Again, it are the Southern countries themselves that run by far the greatest risk.

616. Of course 11 september presents an exception in that a Western country was attacked directly. In the Arab and Muslim world the US are regarded as the cornerstone of Israel’s position in the Middle East which, through their uninterrupted and almost unconditional support for the country block the settlement of the Israeli-Palestinian conflict. This American policy has at least created a breeding ground for extremism, making it possible to recruit suicide attackers. The US’ almost exclusively military reaction to the events and its hardened attitude regarding the conflict in the Middle East have probably even reinforced anti-American feelings. The EU adopted a very different attitude however. Wanting to avoid the impression of a “clash of civilizations” at all costs, the Union called for a broad approach to the now omnipresent “war on terrorism”, an approach stressing the underlying causes of terrorism: bleak poverty and harsh repression. Once again the Union does therefore not come into the picture as a potential target of islamist terrorism.

617. Far more important therefore than the possibility of direct security threats to the EU, are the Union’s important, perhaps even vital, economic interests in the area, interests which it shares however with its Mediterranean partner countries. In the economic field both shores of the Mediterranean are in fact very much mutually dependent upon another, which implies that North and South have a strong common interest in maintaining peace and stability in the Mediterranean, in order to safeguard their common economic interests. The latter outweigh by far the security issues that could potentially arise between North and South and can therefore form the basis of a joint North-South, i.e. Euro-Mediterranean, security policy. Besides, care should be taken not to unduly “securitize” issues such as migration. Rather than viewing these as security issues, the underlying causes of these problems should be tackled, i.e. the economic and political situation in the South. Viewing them in a security context only serves to distract attention away from these real problems of the South. An EU policy based only on detection and repression of illegal immigration e.g., i.e. a policy which fights only the symptoms of underlying problems, can never hope to stem the waves of migration.

618. Finally, there also are political imperatives demanding an EU security policy for the Mediterranean: in order to assure its credibility as an international actor and to bring the ambitious objectives and principles of the CFSP and the developing ESDP into practice, the Union should assume responsibility for the maintenance of peace and stability in at least its periphery. Without an earnest effort in this regard, the Union will never gain the trust of its
Mediterranean partners. The focus of ESDP on the periphery of the Union can be justified by the fact that the Union’s means are not unlimited and should therefore be concentrated on those regions in which the Union’s interests are most directly at stake; a role as “policeman of the world” is neither possible, nor indeed wishful.

619. This analysis of both shores’ interests in the Mediterranean and of the security situation in the area leads to the conclusion that the Union, even though it does not face any direct military threats, does also require a Mediterranean policy on “hard” security. There is of course an evident need for a comprehensive approach to security, which integrates the economic, political, ecologic, cultural and other aspects. Social and economic disparity and the lack of democracy are the main causes of instability on the Southern shore of the Mediterranean. What one could call “long-term conflict prevention” therefore requires permanent and intensive efforts on the part of the Union to promote economic development and democratization. But next to this “soft” security policy, a “traditional” policy on “hard” security is needed: in order to ensure that the Union remains free from direct security threats; in order to prevent conflicts between or within Southern Mediterranean states, which can jeopardize the Union’s economic and political interests and the security of European citizens abroad and which, in a worst-case scenario, could imply spill-over to a Member State; and in order to resolve the ongoing conflicts and disputes in the region, which greatly hinder if not paralyze Euro-Mediterranean cooperation in all fields. These objectives demand an active policy on the part of the EU. On the one hand such a “hard” security policy should include a policy of conflict prevention, a process of confidence and security-building, which in view of the militarization of the region should give special attention to arms control, disarmament and non-proliferation. On the other hand mechanisms are required for the resolution of ongoing and possible future conflicts, including arrangements for crisis management and peaceful settlement of disputes. Arrangements for post-conflict rehabilitation should complete the picture.

620. The foundation for a joint Euro-Mediterranean policy in these fields exists: the common economic interests of all partner countries. A policy on “hard” security in the Mediterranean safeguarding the Union’s interests, which is of course the essential objective of any policy, could thus at the same time serve the interests of the Mediterranean partner countries. A joint policy does indeed seem to be the only one with any chance of success. A unilateral European security policy, based on the notions of power projection and intervention, would be politically unacceptable to the Southern partner countries and would certainly lead to an antagonization of North-South relations. The Union should therefore attempt to establish Euro-Mediterranean structures in the field of “hard” security as the sole means of realizing its security objectives with regard to the area.

621. Having established the need for a “hard” security policy vis-à-vis the Mediterranean, the objectives which it should achieve and the necessary components of such a policy, one can then look at actual Union policy. Policies towards the region as a whole, through the security basket of the EMP, should be considered, as well as policies towards specific conflicts and disputes. One can then assess the efficacy of EU policy in safeguarding the Union’s interests and one can establish whether the Union has effectively built on the existence of common interests to initiate truly joint Euro-Mediterranean policies.

622. It was indeed the need for a Mediterranean security policy that in 1995 resulted in the creation of the EMP. The Union’s Southern Member States, which were most concerned by the new-found prominence of Mediterranean security issues after the end of the Cold War,
were the driving forces behind this initiative. Their motivations were very pragmatic: fearing to be marginalized in a Union expanding eastwards, they demanded an enhanced Mediterranean initiative in order to balance off the Union’s extensive involvement in Central and Eastern Europe. But their lobbying did lead to the launching of a comprehensive partnership with the Mediterranean, replacing the bilateral and almost exclusively economic policies which had governed European relations with the region up till then. With regard to the first basket of the EMP, the political and security partnership, the Barcelona Declaration, the founding document, includes far-reaching principles and ambitious objectives in the field of “hard” security, mainly with regard to conflict prevention; it provides i.a. for an extensive system of CSBMs and substantial measures with regard to arms control, disarmament and non-proliferation. The projected Euro-Mediterranean Charter for Peace and Stability would add to this an institutionalized political dialogue and arrangements for crisis management and post-conflict peace-building. These objectives are reconﬁrmed in the Union’s Common Strategy for the Mediterranean, which outlines EU goals regarding the region and the basic strategy to achieve them, through the EMP. The overall objective is the creation of a Mediterranean area of peace and stability. The important common economic interests of the Union and the Southern Mediterranean countries were translated into an ambitious economic and ﬁnancial partnership with the ultimate aim of establishing a Mediterranean free trade area by 2010. The Partnership is completed by a social, cultural and human affairs basket.

623. With the take-off of the EMP, the Union abandoned the exclusive economic focus of its Mediterranean policy; for the ﬁrst time “hard” security was included as an issue to be covered by Euro-Mediterranean cooperation. Given the neglect for Mediterranean security issues which had prevailed during the Cold War and in view of the early stage of development of the CFSP at that time, this was a very ambitious and signiﬁcant step indeed. Furthermore the EMP is marked by an innovative approach to security policy, stressing a comprehensive and cooperative concept of security. Through the Partnership’s three baskets all dimensions of security are addressed. “Hard” security is included, but is not allowed to dominate relations with the Southern countries, to the beneﬁt of policies aimed at promoting economic development and democratization, which are considered the primary means to achieve peace and stability in the area; “hard” security measures are the necessary, but ultimate complement. Security is to be achieved through cooperation with the Mediterranean partners, so as to create a joint Euro-Mediterranean security policy, rather than through unilateral EU action. In the Barcelona Declaration the Mediterranean countries are considered to be partners for the Union’s security policy, rather than its subjects.

624. However, this innovative approach has not yet materialized on the ground, because the political and security partnership was paralyzed and until today has seen very little implementation of partners’ commitments. Only a very small number of CSBMs with a rather limited scope have been adopted, which do not come even close to realizing the ambitious undertakings in the Barcelona Declaration. The elaboration of the Charter was a signiﬁcant step, which is most noteworthy for complementing the Barcelona Declaration by providing for an enhanced political dialogue and by adding the establishment of arrangements for crisis management and post-conﬂict rehabilitation to the Partnership’s objectives in the security ﬁeld. But time and again the approval of the Charter has been postponed, so that it still is only an informal working document, to be formally adopted when political circumstances are more favourable. Implementation of the Partnership’s other baskets is far from optimal as well, although the economic and ﬁnancial partnership has progressed more than the others. The three pillars are, to some degree at least, up and running, so in this sense the Union is somehow bringing its comprehensive approach to security into practice: the “hard” security
issues on the Euro-Mediterranean agenda are integrated into a much broader network of multilateral and bilateral relations. Economic and financial cooperation are the main focus of the Partnership; indeed, given the deplorable lack of implementation of the security basket, it could hardly be otherwise. For in spite of the Union’s intentions, it was as yet unable to implement the cooperative approach to security advocated by the Partnership. As a consequence of the paralysis of the security partnership, political dialogue remained at a very low level and no joint Euro-Mediterranean security policy could be defined, let alone implemented. The few CSBMs which were adopted are the only concrete achievements so far; a general security policy for the area still has to follow. The high expectations of the Mediterranean partners were thus disappointed.

625. Two main causes can be discerned for the failure of a fully-fledged Euro-Mediterranean security partnership to materialize. The first reason is to be found in the Union’s inefficacious policy or often even the lack of policy regarding the different disputes and ongoing conflicts in the region. First and foremost, Euro-Mediterranean cooperation is blocked by the enduring conflict in the Middle East. The security basket in particular has been all but paralyzed ever since the peace process lost momentum following the coming to power of Netanyahu’s Likud government in 1996. As long as no durable and equitable settlement has been found for the persisting Arab-Israeli conflict, there is no basis for confidence between partners and hence no willingness to engage in a process of CSBMs, let alone to discuss further security cooperation, such as joint mechanisms for crisis management or arms control, disarmament and non-proliferation schemes.

626. The launching of the Partnership was possible precisely because of the positive spirit generated by the Oslo process – when this died, the spirit of cooperation in the EMP more or less died as well. In order to avoid the conflict in the Middle East from blocking the functioning of the Partnership, the two were in fact formally separated from the beginning, but practice has proved that this unrealistic separation cannot be maintained. One cannot realistically hope to exclude one of if not the participants’ most important security concern from the discussions if one wants to create a genuine security partnership. Every single one of the Euro-Mediterranean Ministerial Conferences which followed the 1995 Barcelona meeting was clouded by the successive crises in the Middle East, making progress in the security field all but impossible. All partners did continue their participation in the EMP, which makes it into the only multilateral forum where Israel and the Arab countries are still interacting and which demonstrates partners’ belief in the inherent value of the Partnership, but this situation cannot go on indefinitely. That the Partnership lived through all of the crises in the Middle East is a positive fact, but it can hardly be called a real achievement, as it is all too often done in official EU documents, especially so since in the security field its mere survival seems almost to be its only achievement. In the end, the Partnership will not survive if the peace process is not brought to a good end and effective measures for security cooperation can be adopted – dialogue just for the sake of dialogue is not basis enough to continue the EMP.

627. What the Union lacks is an active conflict resolution policy. Since the Partnership itself is not equipped to deal with current conflicts, as precisely because of them no such far-reaching security mechanisms were feasible, the Union itself should take the lead in finding a settlement for the ongoing conflicts in the Mediterranean. Arab countries expect the Union to transform its evenhanded policy with regard to the Middle East conflict, which is apparent from the Union’s successive CFSP statements, into actions on the ground and reproach the Union with an all too passive attitude, resulting in under-representation of its views and thus of the Palestinian interests in the peace process. This is of course also due to the American
unwillingness to allow the EU to act as mediator on an equal basis and also to plain passivity on the part of the US, especially after 11 September 2001, when the Union ended up as the only international actor still actively trying to revive the peace process. Without a joint European-American effort no progress is possible. The conflict in the Middle East is of course the most prominent, and the one in which the EU plays the most active role, but the same goes for the other ongoing conflicts and disputes in the Mediterranean: Western Sahara, Algeria, Cyprus, the Aegean. With regard to these equally urgent issues the Union has adopted a much more passive attitude, in spite of the potentially very efficacious instruments – economic relations and the enlargement process offer ample “sticks and carrots” – which it has at its disposal. A settlement of these issues must be achieved or significant progress must at least be made, before the Euro-Mediterranean security partnership can be substantially advanced: up to the Union to take the initiative.

628. The second major reason for the stagnation of the EMP is that all too often relations between partners, especially in the field of security, are overshadowed by a lack of trust, both between the Northern and Southern shores of the Mediterranean and, because of the ongoing disputes and conflicts, between the Southern littoral states themselves. In the perception of the Arab partners the EU in the first place still sees them as a source of security threats rather than as partners for security cooperation. They therefore feel that the Union puts far too much emphasis on the security basket of the EMP, while they themselves attach far more importance to the full implementation of the economic and financial partnership, which they feel the Union is reluctant to do. Having in mind the Gulf War and the intervention in Kosovo, the Arab partners fear to become the object of what they deem to be “Western interventionism”. In the mid-1990s the formation of two multinational military units by the Union’s Southern Member States, EUROFOR and EUROMARFOR, was already viewed with much suspicion. As they were not involved, the Southern littoral states considered these units to be mainly directed against them. The development of the ESDP and the creation of a rapid reaction force for the EU are now viewed in the same light.

629. In combination with the fact that, due to the paralysis caused mainly by the Middle East conflict, the security basket of the Partnership has not really come off the ground, which implies that the cooperative approach to security which was envisaged by the Barcelona Declaration has not materialized, it is understandable that the Southern partners are tempted all too easily to view the development of the ESDP as a return on the part of the Union to the earlier “interventionist” logic and the abandonment of the cooperative security concept. In the wake of the events of 11 September 2001 the danger is of course that mutual distrust rises even more and that relations will be dominated by a perception of antagonism. One should also take into account that contrary to the Member States of the EU the Southern partners have limited experience with CSBMs, which means that they are more reluctant to engage in a process of security cooperation than on reasonable grounds one might perhaps expect. The dominance of the European side within the different bodies of the Partnership is another factor explaining Southern unease with the EMP. With the EU Presidency chairing all meetings and the Commission departments managing finances – the MEDA programme – and all cooperation activities, the Partnership lacks a sense of shared ownership. Southern partners feel they have insufficient influence on the agenda of the Partnership and have to undergo the desiderata of the Union. Particularly with regard to the security basket, this situation creates a lack of confidence, which is a necessary prerequisite for enhanced security cooperation.
In order to overcome these obstacles to Euro-Mediterranean security cooperation, the EU should in the first place wage an active conflict resolution policy towards all ongoing conflicts and disputes in the area, something which it is lacking today.

With regard to the Middle East peace process, the EU should resolutely claim its role as co-sponsor alongside the US. A greater involvement of the Union would provide substantial added value to the peace process. With the US, which almost unconditionally support Israel, as only mediator, the Israeli side is over-represented; Washington’s in fact often passive attitude leaves Israel a free hand. The label of anti-terrorism, so popular with governments worldwide since 11 September, should not be abused as an excuse not to engage in dialogue with the Palestinians. Only negotiations can lead to a settlement; the alternative is that extremists gain the upper hand on both sides – in so far as that is not yet already the case. With the EU as additional mediator the interests of both sides would be equally represented. The most important – very practical – reason why the Union is needed as mediator is that, whereas the US have leverage on Israel, the Union has far more leverage on the Palestinian side. Both Israel and the Palestinian Authority depend on the vital support of Washington and Brussels respectively. Therefore a joint EU-US effort, making effective use of their leverage on the respective parties to pressurize them into returning to the negotiating table, is the only way that can lead to a settlement. Recent statements by the EU and several European leaders seem to indicate that this is the path the Union is willing to take – but of course the US must follow, if a European initiative is to have any chance of success.

In the Eastern Mediterranean as well the EU should assume responsibility and should actively work towards a settlement of the disputes between Greece, Turkey and the two Cypriot communities. The central instrument which the Union can apply to that end is the accession process. Given the strong wish of applicant states Turkey and Cyprus to join the Union, this would indeed be a very efficacious instrument. But on itself the prospect of membership and the conditions for accession imposed by the Union are insufficient to incite the parties to achieve a settlement of the outstanding disputes. The resuming of negotiations on Cyprus was indeed attributed to the pressure generated by the accession process, but is certainly not due to active EU involvement. It really seems that this breakthrough could have been achieved much earlier if the Union had made more effective use of the desire for membership of the parties concerned to pressurize them. By any means, the Union should play a much more active part now that negotiations are once again underway. Instead of limiting itself to verbal support for the efforts of the UN, it should join the UN in a joint effort to mediate between the parties and make full use of the accession process as a means of pressurizing them. The US can be part of such an initiative too. The direct involvement of one Member State and two applicant states in interrelated disputes over Cyprus and the Aegean which have led to violent incidents in the past and which on one occasion at least threatened to escalate into a full-scale war, demand an urgent and substantial EU contribution to the efforts to find a settlement.

EU security policy towards North Africa too has so far been very passive. It seems rather that the Union is not considering adopting a clear position regarding the ongoing violence in Algeria as long as the steady supply of gas is assured and their is no spill-over of the violence to neighbouring countries. By waging this overly pragmatic policy of containment the Union de facto supports the military regime and provides it with international legitimacy, in spite of now undeniable evidence of its implication in the killings. The conclusion of a Euro-Mediterranean Association Agreement with Algeria is the ultimate proof of the Union’s complete lack of regard for conditionality of its support to the country. Union policy
regarding the Western Sahara is characterized by the same – again all too – pragmatic approach: the Union limits itself to verbally supporting the UN actions to find a settlement, but essentially does not trouble the Moroccan government in any way concerning the matter. In its actual behaviour towards Morocco the Union even goes so far as to implicitly recognize its claims on Western Sahara. The other North African countries are not really troubled by any questions regarding their respect for the principles which they committed to in the Barcelona Declaration either. Only with regard to Libya does the Union – rightfully – adopt a stronger attitude, in order to pressurize the regime into conforming to internationally accepted principles, as a first step on the way to its integration into the EMP. The Union should at least have a critical dialogue with the regimes in question and should carefully make use of the economic instrument to influence their policies. Union policy towards North Africa demonstrates the lack of coordination between the three pillars of the Partnership: economic and financial support are provided under the EMP’s second basket without taking into account compliance with the political and security commitments of the first pillar. The Union thus undermines the comprehensive approach to security, by ignoring respect for human rights and democratization as factors of security and stability.

634. A significant effort at conflict resolution on the side of the EU must be the first step, in order to pave the way for enhanced security cooperation. At the same time, the Union could open up the ESDP for participation by all Mediterranean partners, along the same lines as it is now open to the candidates for accession, to the non-EU European members of NATO and to even Russia and Ukraine. Joint participation in the Union’s military structures would be a very powerful CSBM, both between the Northern and Southern shores of the Mediterranean and, because of the multilateral character of the ESDP, among the Southern littoral states themselves. Involving the Mediterranean partners would dissipate their distrust towards the development of the ESDP. It would thus provide an answer to the second major cause for the Partnership’s stagnation: the continuing distrust between North and South. At the same time, on the basis of the Mediterranean partners’ participation in the ESDP, a very close, institutionalized Euro-Mediterranean security dialogue could be constructed, from expert to ministerial level, covering all stages of policy-making, from preparation of policy to its implementation. Thus a truly joint Euro-Mediterranean security policy could be achieved. Indeed, such an effectively cooperative policy would be the only one with a chance of success, for unilateral European actions would not be acceptable to the Southern partners, which would quickly reject any initiative bearing only the semblance of "interventionism". Opening up the ESDP is a readily available instrument, which demands only political will on the side of the EU, but which would certainly constitute a very strong signal of trust and of the Union’s desire for cooperation rather than confrontation with its Mediterranean partners.

635. The enhanced security dialogue which can be built on the foundation of the ESDP could be optimized by the establishment of a permanent council at ambassadorial level within the first basket of the Partnership, to function as a permanent body for security dialogue with sufficient authority to make policy in the field of Euro-Mediterranean security. Such a permanent council ought to be supported by a communications network and bodies such as a situation centre and a conflict prevention centre, which are to provide the necessary capacity to monitor events, to give early warning and to manage the implementation of all CSBMs and cooperation activities. These bodies can be part of an EMP secretariat, the creation of which is necessary in order to make possible truly joint management of the activities of the Partnership by all twenty-seven partners; it would also promote coordination and integration of policies under all three baskets of the EMP, which currently is very limited. The appointment of a secretary general from one of the Mediterranean partners would crown this construction,
which should be sufficient to create a sense of shared ownership. Thus the framework would be created in which further CSBMs could be adopted, starting with transparency measures and with the ultimate aim of establishing Euro-Mediterranean arrangements for crisis management. The same gradual approach could be adopted in the field of arms control, disarmament and non-proliferation.

636. A European security policy towards the Mediterranean demands a difficult balancing act of the Union. On the one hand the Union must absolutely avoid that relations with the Mediterranean countries are dominated by “hard” security issues and distrust. The ample attention devoted in the CFSP to human rights, democratization, economic development, dialogue between cultures etc. is exactly one of the merits of the Union and certainly of the EMP. On the other hand the Union’s interests in the Mediterranean do demand a policy on “hard” security in the area, which cannot be excluded from the further development of the CFSP and the ESDP. The existence of common interests however, shared by all partner countries, provides the basis on which a common Euro-Mediterranean security policy can be founded. By opening up the ESDP to its Mediterranean partners and building enhanced security cooperation on that basis, the Union can achieve the creation of an equitable Euro-Mediterranean security partnership. In order to make this possible, a substantial effort in the field of conflict resolution is needed. The cooperative approach to security which can then be implemented seems to be the only way to realize the objective of a Mediterranean area of peace and stability.