



Egypt's Moment of Reform

A Reality or an Illusion?

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Introduction

The movement for democratic reform in Egypt seems to be gathering strength. Some of the factors that would make a good case for democratic transformation are rapidly converging: the formation of a wide spectrum of discontented segments in society; the mushrooming of pro-reform grass-roots movements that agree on a clear list of short-term demands; and a sympathetic pro-reform international context. With presidential and parliamentary elections scheduled to take place in September and November respectively, will Egypt finally experience its democratic spring? The answer to this question still seems uncertain. The reform movement faces numerous challenges: the possibility of being sidelined by an agreement between the regime and external actors for the sake of stability and containing change; regime repression of the reform movement; and the radicalisation of the movement itself and the possible eruption of sporadic violence or chaos. For reform to become a reality and not another missed opportunity, certain structural changes and institutional safeguards must be introduced.

Mounting discontent

Several developments at the beginning of 2005 sent clear signals that the year would be a difficult one for the Egyptian government. The regime has become a target for internal and external pressures to undertake qualitative democratic reforms. The pro-reform forces in the country became determined to publicly and forcefully challenge the regime's attempts to circumvent reform and outmanoeuvre the growing demands for ending the state of emergency, amending the constitution and allowing for a competitive presidential election. In an attempt to avert these pressures, the governing National Democratic Party (NDP) held a conference in September 2004 to launch its new vision for the country and propose ways to activate political life. But the NDP congress came as a big disappointment to the opposition, whose demands were all rejected.

The party insisted on setting its own reform agenda by giving priority to economic reforms and proposing minor political changes to some of the existing laws. In fact, the congress refused to even discuss the possibility of amending the constitution, changing the rules of the presidential elections or lifting the state of emergency. Instead, it focussed on superficial changes to the laws on party formation, public assembly and the practice of political rights. All the changes proposed sought to reinforce the party's grip over the pace of political reform.

It became obvious that the regime chose to derail the democratic reforms. Most alarming was the fact that the country was being prepared for a hereditary succession of power. President Hosni Mubarak, who is the head of the party, did not participate in the congress proceedings, except for the concluding session. The president's son, Gamal Mubarak, who also heads the party's Policies Committee, received wide publicity and most of the attention during the congress, as he appeared to be spearheading the reforms and the 'reformist wing' within the party. He assumed the role of explaining the party's plans, outlining the government's future vision and restructuring the party to increase the presence and influence of his own clients, the party's 'new guards'. As the presidential elections were at that time only one year down the road, and despite official denials, it became clear that the way would be open for Gamal Mubarak to become Egypt's next hereditary president – a scenario that all the pro-reform forces in the country vehemently reject and are willing to resist.

Another discernable development this year concerns the extent of the opposition to the regime's agenda. The spectrum of pro-reform movements has been expanding daily and has become wide enough to include a diversity of activists such as university students, professors, lawyers, doctors, engineers and journalists – and perhaps for the first time – judges and Azharite scholars. Strangely enough, through its reluctance to change and unresponsive policies the government has managed to alienate almost all of these groups, who have begun to feel that the fulfilment of their demands is directly linked to a larger process of reform.

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The case of Egypt's judges is worth elaborating upon because it could have significant political ramifications in the future. Traditionally, the judges have deliberately refrained from interfering in politics or taking a public political stand in order to ensure the independence and neutrality of the judicial branch. Yet last April, judges finally joined the movement and stressed the need for overall reforms. They pressed the government for certain demands in return for their supervision of the upcoming presidential and parliamentary elections. These demands included approving a new law for the judicial branch (which they had proposed but the regime had been stalling since 1991), to ensure complete independence of the judiciary from government interference. They insisted on their full supervision over the entire electoral process, from the preparation of the lists of voters to the announcement of the election results. The judges have been outspoken about past election irregularities and expressed their determination not to participate in future elections that could be rigged. Their stand received support from various organisations – representing lawyers, journalists, engineers, workers, the Muslim Brotherhood and the Egyptian Movement for Change, known as the '*Kifaya* [Enough]' movement, which consider the complete independence of the judiciary and its total supervision over the elections as a necessary safeguard for a democratic transition and the future of reform in the country.

Pro-reform movements from the grass-roots level

Egyptian political life has for a long time been monopolised by an over-dominant state party. Its strength has not been driven by its popularity or clear vision, but has emanated simply from its close association with the state administration and control over an elaborate patronage system. This monopoly over the political arena has been recently challenged and broken by the emergence of several pro-reform movements from the grass-roots level, which have managed to attract various segments of the country's 'dormant' and 'ineffective' counter-elites and mobilise its 'silent' and 'apathetic' public. Reform movements have been proliferating over a relatively short time. In one year, more than 14 pro-reform movements have emerged in opposition to the possibility of renewing Mr Mubarak's presidency for a fifth term and to a hereditary succession.

'Change' seems to be the buzzword or the common denominator among all these movements. An inventory of the recently formed movements includes: the *Kifaya* movement, the National Rally for Democratic Transformation, Journalists for Change, Doctors for Change, Intellectuals for Change, Writers for Change, Youth for Change, the Association of Egyptian Mothers and the Movement of White Ribbons. Obviously these groups vary in influence and impact, but their rapid growth has several indications. It is a clear sign that the existing legal political parties are not effective in articulating the demands of the people; that professional or particular reform interests cannot be achieved unless

overall transformation occurs; and that the collective momentum for change requires the solidarity of various groups. All these forces seem to agree on a clear list of demands that call for ending the state of emergency, rejecting hereditary succession, holding free and clean elections and changing the constitution. The following sections address some of these movements for their potential future significance, particularly *Kifaya* and the National Rally for Democratic Transformation, as well as the Muslim Brotherhood, which has witnessed a clear change in its strategy over the past few months.

The *Kifaya* movement

The *Kifaya* movement appeared in August 2004, as a non-partisan, umbrella pressure group that reflects the major political trends in society. Its founders consist of a wide range of political activists, professionals and intellectuals, representing the Nasserites, Islamists, liberals and leftists, in addition to independents. *Kifaya* started with the formulation of basic reform demands on which all the political activists could agree, such as preventing the re-election of the incumbent president and hereditary rule. It also expressed its opposition to any foreign intervention in the reform process. *Kifaya*'s objectives started to evolve as the movement gathered initial support from different political forces. It decided to take its demands directly to the streets. The movement organised its first demonstration on 12 February 2005, which has since been followed by several more throughout the country. Despite its relatively short history and limited influence, last April it was able to organise 14 demonstrations in different parts of the country in one day. As a sign of further evolution, the movement is planning to hold a conference on democracy, to which it has invited all the key political forces and intellectuals to discuss the future of democracy in the country. It is also planning to form popular committees to monitor the presidential and parliamentary elections.¹

Since its establishment, the *Kifaya* movement has become the focus of heated controversy. Even some of its founders are uncertain about its future or how it will evolve. Some question the objectives behind the formation of the movement and the reasons for the government's toleration of some of its activities. The tamed political parties (those that have accepted to engage in a dialogue with the regime) are wary of the movement and are keen to discredit it. They consider the movement as a sporadic phenomenon and accuse it of being elitist and of maintaining foreign links. The Muslim Brotherhood, which participates in the movement and its demonstrations, expresses reservations regarding the language and the slogans used by the movement in these events. The Brotherhood also harbours some concerns about the possibility that *Kifaya* may evolve or be used to undermine its popular influence and presence among the public. In a sign of growing divergence from reality, the

¹ "Kifaya Resorts to the International Crime Tribunal", *Hayat*, 3 June 2005, p. 5.

government accuses the movement of being foreign-inspired and of receiving finances from external sources. Referring to the *Kifaya* movement in an interview by Le Figaro, President Mubarak stated that “some movements are being dropped [in] by the outside”.² In an attempt to undermine the impact of *Kifaya*, he hinted that it was easy for him to establish a counter-movement in support of the regime, entitled ‘*mush Kifaya* [not enough]’.

The fact of the matter is that *Kifaya* is an evolving political movement, with genuine concerns for reform and for not leaving the political spectrum widely open to the manipulation of the regime or the influence of the Muslim Brotherhood. It has adopted effective protest tactics and achieved some successes in crystallising agreed-upon reform demands. It certainly reflects popular requests for change, and that could be a reason for its growing influence despite the relatively limited number of its supporters (estimated at 3000, mostly through the Internet). In addition, the movement has demonstrated high skills in using the Arab and foreign media. The *Kifaya* movement phenomenon also reveals the ineffectiveness of the existing legal political parties and their inability to mobilise the people. This reason may explain why ‘tamed’ political parties are suspicious of the movement. The movement also presents a clear source of pressure on the regime, which has resorted to an unconvincing way to discredit the movement through accusations of foreign links. In fact, *Kifaya* is a transitional movement with short-term demands and it is unlikely that it would evolve into a political party, because of the nature of its formation through representatives of various political parties. *Kifaya* acknowledges that it has not articulated a comprehensive, long-term vision for reform; however, it could become a residual force that could assume a monitoring role for the process of democratisation in the Egypt and appeal to ‘the street’ whenever violations occur.

The National Rally for Democratic Transition

Another potentially important movement is the National Rally for Democratic Transition. It was created by a group of politicians and intellectuals in June 2005. The Rally is led by former Prime Minister Aziz Sidqi and includes former officials, diplomats, university professors and well-known experts in economics, education, diplomacy, media and law. In a press conference that was attended by more than 100 prominent figures, the group appealed to all the national forces to join together for the purpose of creating a ‘national front’ to crystallise and reach an agreement over a strategic vision of political change and democratic transition in Egypt. The founders confirmed their intentions not to organise demonstrations or compete for power, but to formulate ideas that would “rescue Egypt from the current state of stagnation and check the alliance of corruption and authoritarianism that

blocks reform”.³ The group eventually seeks to hold a general conference of the national and democratic forces and form a constituent committee representing all the political and intellectual trends. The main task of this committee is to write a new constitution for Egypt. It is still too soon to assess whether this newly established movement will be successful. The most important aspect about the group is the idea it stands for and its attempt to devise a futuristic vision that would generate the agreement of the main political actors. This challenge is not an easy one.

The Muslim Brotherhood

Many have noticed a clear change in the strategy of the Muslim Brotherhood in their relationship with the regime and in the reform agenda they have proposed. This change was observed in March 2005, when the Muslim Brotherhood insisted on carrying out a demonstration to demand a faster pace for the reforms and for increasing public freedoms. Despite a refusal by Egyptian state security to grant permission for the group to demonstrate, the Muslim Brotherhood defied the ban and organised a ‘symbolic’ demonstration in which 10,000 persons participated. The government responded with the subsequent arrests of hundreds (thousands, according to some reports) of the Brotherhood’s followers. The show of force by both the state and the Muslim Brotherhood seemed to be heading towards a major escalation, or what some have already called a ‘bone-crushing phase’.

In a clear break from past practices, the group refused to relent and continued with even larger intermittent demonstrations over a period of three weeks. The Muslim Brotherhood did not promulgate its usual traditional slogans in these demonstrations, but adopted an appealing reform agenda that called for ending the state of emergency, allowing public freedoms, precipitating the pace of reform, holding clean presidential elections under total judicial supervision and releasing all political detainees (estimated at 20,000). In one day last May, it organised 41 ‘surprise’ rallies in which 70,000 persons participated in 18 governorates. The surprise element was necessary to avoid the pre-emptive arrests of organisers and prevent state security from blocking the roads leading to the destinations of the demonstrations – a practice state security forces have been following recently. The group withheld the time and locations of the demonstrations from the media, which were only informed on the same day. The ability of the Muslim Brotherhood to organise these demonstrations despite government harassment attests to its organisational skills and popular influence.

The government considered this continued defiance as a clear violation of all its redlines and stepped up its crackdown on the group by arresting some of its top leadership, particularly those in charge of preparing for the Brotherhood’s participation in the coming parliamentary elections as well as many of the group’s

² Muhammad Gamal Arafa, “The Brotherhood and the Regime at Crossroads” (retrieved from www.Islamionline.net), 23 March 2005.

³ “Egyptian Intellectuals Call for Rescuing the Country from Corruption and Despotism”, *Hayat*, 4 June 2005, p. 6.

potential parliamentary candidates. Two days later, the group organised another demonstration. That day was later dubbed 'Black Friday', because of the violent confrontations that led to the death of one demonstrator, the injury of tens and the arrest of hundreds. This prompted the supreme guide of the Muslim Brotherhood to threaten "civil disobedience if that was the only way to achieve freedom and justice for the Egyptian people" and to insist on achieving comprehensive reforms.⁴

The explanations behind the Brotherhood's change of strategy varied. The government, its official media and critics of the group tried to attribute this change to external pressures. This view was widely publicised in order to discredit the group through claims of foreign affiliation and clandestine contacts and dialogue between the Muslim Brotherhood and the US and the EU. It was argued that the Muslim Brotherhood had become emboldened by the statements of American officials, indicating acceptance of the results of a democratic process even if it brings Islamists to power, and by some EU officials, who have considered engaging the moderate Islamic movements in the reform process.

Yet it is more likely that the change in the Muslim Brotherhood's strategy is related to the rapid political developments and alterations in the balance of power that have been taking place in the country over the past year and a half. The general political atmosphere has been generating new (and reviving old) forces for change and reform in which various groups are competing for a place and a role. The government and the 'legal' opposition have opted for the exclusion of the Muslim Brotherhood, the most organised popular force. In March 2004, the group issued a comprehensive reform initiative that reflected a noticeable difference in its language and views. The main objective behind this initiative was to provide a common ground for discussion and agreement on basic reforms, over which the opposition would rally against the regime. The legal opposition, however, preferred to engage in a 'national' dialogue with the regime and exclude the Muslim Brotherhood from the negotiation process. This dialogue was completely manipulated by the regime, which used it to give the impression that its intended reform measures had been discussed and sanctioned by the opposition. In addition, the emergence of new movements (particularly *Kifaya*), which have succeeded in gaining publicity in a relatively short time and in acquiring a *de facto* recognition, must have moved the Muslim Brotherhood to try to reassert its presence as a significant player and to avoid being marginalised or perceived as a non-recognised political actor.

Another probable explanation for the change in the Muslim Brotherhood's strategy is the mounting pressures on the government and the feeling that the moment is ripe for extracting concessions and gaining new ground from a faltering regime. For the past year, the government has

been exposed to domestic and external pressures to introduce meaningful political reforms and effective democratic advances. All its attempts to pay lip-service to reform and outmanoeuvre the pressures by introducing changes that could be described at this stage as more than cosmetic but less than profound have raised the expectations of its opponents and made the regime even more vulnerable. A calculated show of force and a popular presence on the part of the Muslim Brotherhood could add to these pressures, helping the group to reach a negotiated agreement with the regime that would perhaps grant them a larger representation in the next parliamentary elections in return for preventing the grass-roots supporters from plunging into total chaos and extremism.

Notably, even when the tension between the government and the Brotherhood was mounting, both exchanged direct hints for easing the situation. President Mubarak declared in April that he did not hold any enmity towards the Muslim Brotherhood and would not mind the group's participation in the political process as members of existing parties. The Brotherhood returned this courteous gesture. The group continued to confirm that they were not seeking to topple the regime and that they were interested in a dialogue. The supreme guide, himself a member of the *Kifaya* movement, criticised *Kifaya*, for not showing enough respect to the head of the state and for using insulting language against the president. This move should not come as a surprise. In fact, it is in the interest of both sides to prevent an all-out escalation and reach a compromise. The Brotherhood cannot afford the destruction of the organisational structures that it has worked for years to rebuild. Further, there is no reason for the time being to offer itself as the only scapegoat for government wrath, particularly in the absence of a supportive stance from the liberal and secular opposition. Likewise, by crushing the Muslim Brotherhood, the government would remove a moderate Islamist movement and indirectly contribute to the emergence of radical Islamic groups. This scenario is not difficult to imagine, taking into consideration the re-emergence of such groups and the bombings that took place earlier this year.

External actors

Over the past few months, the US and EU have become more vocal in their support of real democratic changes and political reforms in the region. Unfortunately, the signals that the external actors have been sending are mixed and in some cases contradictory. There are clear inconsistencies and even retreats. To mention but a few examples, the regime's sham constitutional amendment to Art. 76 concerning candidates for presidential elections has been described as 'historic'; news about a possible EU engagement of moderate Islamic movements has been vehemently denied; human rights violations are selectively condemned. More importantly, and perhaps disappointingly, it is not yet clear which side either of these two external actors has decided to support: that of stability with reformed autocrats or change with

⁴ "The Brotherhood Supreme Guide Threatens with Civil Disobedience", *Hayat*, 9 May 2005, p. 6.

unreliable reformers. There are growing indications that the choice might be 'change with stability'. Ironically, that is exactly the slogan that the autocratic rulers in the region have been expounding for a long time.

The Egyptian government has been exploiting this state of indecisiveness to pit domestic and external actors against each other. It has intimidated the pro-reform movements and the independent, non-governmental organisations by raising issues of national sovereignty, violation of the country's independence and even treason. The official press is accusing *Kifaya* of foreign funding and the president himself has threatened to take action against the Muslim Brotherhood upon proof that it has had contacts with external actors. Meanwhile, the regime continues to use the Islamist threat as a scarecrow to fend off the US and the EU. This strategy seems to be working. Almost all the pro-reform forces have gone at length to deny any foreign contacts and even condemn any external attempt to bring about reforms, despite the fact that this could run against their interests in the long run.

Nevertheless, external actors can play a role in supporting the pro-reform movement. They can:

- limit the government's ability to circumvent reform and outmanoeuvre the demands for effective and substantive democratic changes;
- send clear, unequivocal signals to the regime that they would not allow it to crush the opposition or violate basic human and public rights (the right to demonstrate, articulate demands, assemble, form political parties, etc.);
- urge the state to include all the non-violent and moderate groups in the political process;
- support the demands of Egyptian judges for ensuring the independence of the judiciary;
- insist on free and clean presidential and parliamentary elections; and
- support effective, independent domestic monitoring of the elections.

This task has to be handled in a highly diplomatic way. In general, the pro-reform forces are suspicious of US and EU intentions. There is a strong objection to any possible outside interference. Some may even fear that the external actors might be contemplating a forceful regime change, which, despite opposition to the government, is unacceptable.

Obstacles to the democratic spring

The movement towards transition can turn into a democratic spring or a democratic mirage. It faces several challenges that could arrest this potential opportunity for transformation. A major challenge is that the regime might succeed in aborting this momentum for change by striking a deal with the US and the EU. The government could plea for a transitional phase to introduce gradual reforms in return for maintaining stability. Such an

initiative could be carried out through appropriating some of the demands of the opposition, yet adapting them to legalise the continuation of certain restrictions and maximising the gains. A good case in point is the constitutional amendment to Art. 76. It scuppered a major demand of the opposition to prevent hereditary succession and ensure competitive presidential elections by introducing a structural change that legalises the ascendancy of Gamal Mubarak to power in a nominally competitive presidential election, in which, given the conditionalities of the amendment, only the candidate of the official state party can stand a chance. In a similar vein, the new package of laws that the regime has recently proposed for the parliament, presidential elections, party formation and the practice of political rights promise only superficial changes.

Another major obstacle is the lack, so far, of a clear alternative to the existing regime either at the level of a popular presidential candidate backed by the opposition or a future political alternative. It is true that the pro-reform movements are in agreement on a short-term list of reform demands. This is a remarkable achievement that should not be undermined. But the problem is 'what next?'. Most of the proposed demands are partial measures for reform. Admittedly, the regime is in no other position but to respond to the mounting domestic pressures; however, it will do so in its own manipulative way. Will that be enough to achieve a democratic reform or must a real transfer of power come about? Are the pro-reform movements ready – with candidates, programmes and alternatives – for such a possibility? This situation really calls for a national conference that includes all the pro-reform forces in the country to debate and formulate a future vision and concrete alternatives for the country. In fact, the Muslim Brotherhood, *Kifaya* and the National Rally for Democratic Transition have all called for such a step.

This last point raises a number of concerns. The multiplicity of reform movements with similar demands, but different objectives, can easily generate competition, discord and potential fragmentation of the reform momentum. It also underscores the continued absence of a mainstream organisation that can aggregate the bulk of these objectives and represent the majority of the public. Despite the coordination between the Muslim Brotherhood and other pro-reform movements, tension transpires every now and then. It is natural at this stage that many of the members of the Muslim Brotherhood feel disappointed by the inadequate support given to them by other movements, despite the fact that they have been subjected to government condemnation the most. Undoubtedly, the regime will not spare any opportunity to create divisions and fragment its opponents. It will use its typical tactics of selective repression, toleration and co-option in order to break down their temporary and fragile unity.

A serious obstacle to a democratic transition is the possible loss of control and deterioration of the situation into a state of chaos and violence. This remote, but

possible scenario could arise if the government insists on repressing the moderate opposition. In a transitional process, both the regime and the pro-reform movements should have an interest in avoiding an all-out escalation that could turn the process into a violent one. Such an escalation would give radical elements the opportunity to sabotage the entire reform movement. Radical forces within the government could use the pretext of the spread of violence for repression in order to restore stability; a radical opposition could easily undermine the moderates and validate arguments to resort to violence.

Structural changes and institutional safeguards

It is impossible to build a democratic system on authoritarian structures and dynamics. The existing constitution, state structures and political culture in Egypt would turn the most idealist of democrats into a repressive dictator. The system has a history-old tradition of making 'pharaohs'. In addition, the existing distrust and mutual fear among almost all the players, regime and pro-reform forces alike, cannot be addressed by good intentions alone. Likewise, the practice of guilt by association unfairly excludes an important group, namely the moderate Islamists, from the right of inclusion in the political process. All this calls for the need to construct institutional guarantees and strong safeguards that would prevent any force – radical Islamic, radical secular or a military junta – from sabotaging any future democratic gains.

Most likely, Mr Mubarak's regime will continue for a term or less, depending on his state of health and his

government's ability to handle the domestic pressures. The pro-reform movements should use this transitional phase to continue to push for: 1) dismantling the structures of authoritarianism; and 2) constructing structural safeguards. They seem to be clear about the first step. It is the second step, however, that needs some elaboration.

Democracy by nature allows for different visions and perspectives. The expectation that an agreement must be reached on a universal vision for the future of the country is closer to totalitarianism than democracy. This is exactly where the role of political parties comes in, as they compete for support for their particular visions and plans. In other words, each party has the right to have and propose its vision, with the voters being the decisive element. Yet, a successful transition requires agreement on certain political practices and processes, which could be enshrined in a national charter for political action or in a new constitution. Such a charter cannot avoid addressing three main issues: identity, economic growth and public liberties (citizenship rights). It has to secure the consent of all political forces, regardless of their orientations, on principles concerning the transfer of power, free and fair elections, the condemnation of violence, respect for public and individual freedoms, the freedom of association, an independent judiciary and de-politicisation of the military. These measures could provide assurances to all the political forces that they can have a chance to compete in a stable and fair process.

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