The Arab Spring: A Litmus Test for the EU's Women's Rights Policy in the Euro-Mediterranean Area?

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Abstract

The promotion of women's rights is described as a priority within the external action of the European Union (EU). As a result of the Arab Spring uprisings which have been ongoing since 2011, democracy and human rights have been pushed to the forefront of European policy towards the Euro-Mediterranean region. The EU could capitalise on these transformations to help positively reshape gender relations or it could fail to adapt. Thus, the Arab Spring can be seen to serve as a litmus test for the EU's women's rights policy. This paper examines how and to what extent the EU diffuses women's rights in this region, by using Ian Manners' 'Normative Power Europe' as the conceptual framework. It argues that while the EU tries to behave as a normative force for women's empowerment by way of 'informational diffusion', 'transference' 'procedural diffusion' and 'overt diffusion'; its efforts could, and should, be strengthened. There are reservations over the EU's credibility, choice of engagement and its commitment in the face of security and ideological concerns. Moreover, it seems that the EU focuses more intently on women's political rights than on their social and economic freedoms.

Introduction: Arab Women and the EU's Role

The Arab revolutions of 2011 were triggered by the peoples' wish for freedom and justice, the aspiration to influence one's future and the desire to be full and respected citizens of their countries. Side by side with the men of the region, Arab women were equally engaged in making these demands, which repressive authoritarian regimes had denied for so long. In some instances they have even been the principal agents of change. Despite this, their role in the revolutions and more importantly their rights are being neglected, and in some cases even further restricted or violated in the transitions. Many Arab women now find themselves in a situation that is worse-off than before. As the Euro-Mediterranean Human Rights Network (EMHRN) says, it can be seen that "[w]hile women were, and still are pivotal during the uprisings [...] a pattern of marginalizing them is emerging from recent legislative and practical developments".

Considering that the revolutions were at least partly concerned with the struggle for democracy and human rights, such exclusion of, and discrimination against half the population not only denies social justice, but also means that the aims of the uprisings are yet to be achieved. In order for the legacy of the Arab Spring to be a positive one, many commentators have voiced the opinion that it is vital for women's rights to be recognised in these societies.

International actors, including the European Union (EU), are being encouraged by non-governmental organisations (NGOs) and civil society organisations (CSOs) to support positive and inclusive reform processes in these societies, in order to help make this a reality. While acknowledging that the revolutions have stemmed from internal movements, it is widely thought that the reaction of the international community can have a significant, and on occasion even a decisive impact on the authority and credibility of a regime and their activities. As Dworkin of the European Council on Foreign Relations explains,

Legitimacy is part of the currency of power in the transitional countries – and foreign approval and engagement bolsters the credibility of political leaders.

¹ Roth, Kenneth, "Time to abandon the autocrats and embrace rights", New York, *Human Rights Watch*, 2011.

 $^{^2}$ Power, Carla, "Silent No More: The Women of the Arab Revolutions", New York, TIME magazine - World section, 24 March 2011.

³ "International Women's Day 2013", Euro-Mediterranean Human Rights Network, 8 March 2013.

The EU should not hesitate to speak out, both privately and publicly, about the direction that governments are taking.⁴

The European External Action Service (EEAS), led by the High Representative for Common Foreign and Security Policy (HR), Catherine Ashton, has made the promotion of women's rights in the EU's relations with third countries a priority field of action. Despite recent negative trends that have damaged women's rights in the Euro-Mediterranean region, there is still the opportunity and space for gender relations to be positively re-shaped as long as many of these countries remain in the process of change. Thus the EU's reaction to the Arab Spring revolutions can be said to serve as a decisive indicator of whether the EU lives up to the commitments it has made on women's rights. 6

In light of such considerations, this paper focuses on looking at how and to what extent the EU diffuses women's rights in the Euro-Mediterranean region, with a particular emphasis on Egypt and Tunisia. The aim is to identify the different instruments and methods employed by the EU in its efforts to foster and promote women's empowerment in the area.

As its conceptual framework the paper uses Ian Manners' 'Normative Power Europe' (NPE), which is a conception of the EU's behaviour and function in international affairs that emphasises the importance of what the EU is.7 Normative power derives its power from the ability to exert ideational influence. Manners argues that the EU can determine common beliefs, attitudes and understandings of what is accepted as routine or commonplace; thus sculpting the perceptions and identities of other international actors to correspond with EU norms and values.8

He identifies five core and four minor norms, which he believes the EU to represent and diffuse. ⁹ This EU normative agenda is said to be diffused via six different channels, of which the following four will be looked at for this paper: 'informational

⁴ Dworkin, Andrew, "The Struggle for Pluralism after the North African Revolutions", ECFR Policy brief, no. 74, London, European Council on Foreign Relations, March 2013, p. 39.

⁵ European Commission and the High Representative for European Union Foreign and Security Affairs, Joint Communication: Human Rights and Democracy at the Heart of EU External Action - Towards a More Effective Approach, COM (2011) 886 final, Brussels, 12 December 2011, p. 6.

⁶ Ibid., p. 5.

⁷ Manners, Ian, "Normative Power Europe: A Contradiction in Terms?", Journal of Common Market Studies, vol. 40, no. 2, 2002, p. 239.

⁸ Ibid.

⁹ *Ibid.*, pp. 242-244.

diffusion', 'transference', 'procedural diffusion' and 'overt diffusion'. As 'contagion' and the EU's ability to act as a 'cultural filter' are not easily identifiable or measurable, these diffusion mechanisms will not be looked at.

Women's rights, while not specified as one of Manner's core or minor norms, certainly falls under the more general category of 'human rights' which Manners identifies. Arguably, the promotion of women's empowerment is also linked to the further core norms of 'democracy', 'liberty' and 'peace', not to mention the four minor norms of 'anti-discrimination', 'good governance', 'social solidarity' and 'sustainable development'. This is because the EU very much views women's rights and empowerment as playing a vital role in guaranteeing that these other values can be realised. Within the development discourse women are seen as the prime advocates of peace. They often maintain the social fabric of societies and when given the opportunity to participate, have shown that their involvement in post-conflict stabilisation processes contributes to sustainable peace and more prosperous societies. 10 Moreover, it cannot be said that 'democracy' or 'good governance' exists in a society if there are active elements preventing women's participation in their country's affairs, either through restrictive laws or due to its patriarchal culture. Nor is there 'social solidarity', 'liberty' or 'anti-discrimination' if the rights of women are not respected and gender equality is not an aim of society.

Special reference will be made to Egypt and Tunisia as both countries are at a particularly critical moment in their transitions, with women's rights in these two countries especially under threat. It is therefore arguable that the EU should be focusing a great deal of time, energy, effort and money in these countries before the transition 'window of opportunity' closes. Moreover, Egypt is one of the biggest Arab countries which is currently experiencing change and also one of the most significant, due not only to its size but because of the role it plays in the regional balance of power, making it essential to observe unfolding events closely. Meanwhile Tunisia, although much smaller in size, was the birthplace of the Arab uprisings and as such can be said to be viewed by other Arab states and onlookers, as a test case, making it ever more important that the direction it takes is positive.

¹⁰ Sherriff, Andrew & Barnes, Karen, "Enhancing the EU response to women and armed conflict with particular reference to Development Policy", European Centre for Development Policy Management Discussion Paper, no. 84, Maastricht, April 2008, p. 7.

In general it is argued in this paper that EU external action does support the EU's policy objectives of promoting women's rights in the Euro-Mediterranean area. However, the EU could do more, especially in the fields of economic and social freedoms. The EU is generally strong in its use of rhetoric; meaning that the EU often employs 'informational' diffusion. This would seem to be the case as not only are words easier than actions for the EU, but because declarations and proclamations help to contribute to support the categorisation of the EU as a normative power.

While efforts have been made to procedurally diffuse women's rights, there are questions over the EU's commitment, which are again raised when analysing the mechanism of transference. Despite the EU having utilised a range of instruments in its promotion of women's rights externally, its approach remains very top-down and concerned with dealing with the issue on a political level. The EU's diffusion would benefit from being more inclusive of society in general, with a broader and more visible engagement with civil society also helping to appease critics of the EU. The EU is, however, willing to try out new methods, such as capitalising on the latest technological advances, and it recognises the added-value that its Member States lend to the cause, often utilising them to great effect.

This paper examines each of the four diffusion mechanisms in turn, with both the EU's perceived strengths and weaknesses in its use of each being assessed. 'Transference' is looked at first, as there are many EU actions to analyse in this category, before the paper moves onto examine what the EU does to 'overtly' diffuse women's rights norms in the region. This is followed by an evaluation of the EU's 'procedural' dissemination efforts and finally its 'informational' diffusion mechanisms are addressed, before the paper concludes with an overall assessment of the EU's performance.

Transference

As a prominent method of EU norm diffusion Manners has identified what he refers to as 'transference'. This is the practice of values being transmitted in the process of international trading and in the delivery of aid, skills, knowledge and capacity-building support. ¹¹ Consequently, the EU's provision of expertise, its financial aid instruments and its use of conditionality in the region will be looked at.

¹¹ Manners, *op.cit.*, p. 245.

'More for More'

Conditionality implies that there is a set of criteria to be fulfilled in return for rewards such as funds or political support. Therefore, it becomes easy to identify which norms the EU is trying to diffuse via the method of transference. In the Southern Mediterranean, the major policy in which conditionality can be detected is the revised European Neighbourhood Policy, which contains the much discussed 'More for More' principle. ¹² This is generally perceived as an example of positive conditionality as incentives, such as increased access to the EU's Single European Market, larger aid packages, greater mobility partnerships and an improved political relationship are on offer in return for changes aimed at fostering democratic restructuring and a greater respect for human rights. The EU describes these conditions as follows:

free and fair elections; freedom of association, expression and assembly and a free press and media, the rule of law administered by an independent judiciary and right to a fair trial; fighting against corruption; security and law enforcement sector reform (including the police) and the establishment of democratic control over armed and security forces. ¹³

These are the criteria to which the EU has dedicated itself for the evaluation of progress within the region and adjusting its degree of assistance to each country accordingly. Notably there is no mention of women's rights. Therefore, on its release, this new ENP strategy was heavily criticised by human rights defenders, civil society and the European Parliament. The High Representative and the Commissioner for European Neighbourhood Policy reacted to this criticism by correcting the omission, and sent correspondence to the European Foreign Ministers to indicate that further benchmarks, including "non-discrimination on the basis of gender or sexual orientation" will now be considered when assessing progress made by the Southern Mediterranean countries. 14 So the EU is now conditioning its assistance on the basis of women's rights.

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¹² European Commission and the High Representative for European Union Foreign and Security Affairs, Joint Communication: A new Response to a Changing Neighbourhood: A Review of European Neighbourhood Policy, {SEC (2011) 637-652}, COM (2011) 303 final, Brussels, 25 May 2011, pp. 1-24.

¹³ Ibid.

¹⁴ "EU policies towards Southern Mediterranean countries: Implementation of the 'new ENP approach' should match commitments", *Euro-Mediterranean Human Rights Network*, 10 December 2012.

Considering that the EU has consistently acknowledged the unique role that women play in the reshaping of a transitioning society and the fact that women's rights are supposed to be a priority in the EU's external action, it would have been unsustainable and indeed damaging to the EU's credibility and its promotion of women's rights, if EU aid had not been made to be conditional on this basis. This is especially true because it quickly became obvious that women were being marginalised and excluded in the transitions.

While the EMHRN has welcomed the broadening of the criteria, it has noted with concern that these conditions are yet to be applied consistently when decisions are being made as to whether to boost engagement or not. 15 It is therefore calling on the EU to live up to its promises. This is in line with the European Parliament, which in March 2013 adopted a resolution on the situation in Egypt, which "[u]rges the VP/HR and the Commission to develop the 'More for More' principle, with a particular focus on civil society, women's rights and minority rights, in a more coherent and practical way". 16 This highlights that the EU's methods are inconsistent, rather abstract, and theoretical in the promotion of the advancement of women via the use of 'transference'.

Questioning of EU Motives

The EU's inconsistency in applying conditionality, combined with the fact that the EU was not more pro-active, has led some observers to wonder, as Balfour-Paul of Oxfam does, "what is really behind the policy framework, the extent of conditionality, and the process for adoption of decisions [which] has called into question the EU's good intentions". 17 In line with realist thought, there has been the suggestion from some quarters that while the EU presents itself as a normative power and great promoter of women's rights, this is in fact simply a means to legitimise its actions while instead continuing to practice *realpolitik*; the protection of its interests. This is something which many would agree has been previously witnessed in the EU's support of authoritarian regimes in the region. Boubakri has commented that until now relations between the EU and the Arab world have been monopolised by two

¹⁵ *Ibid*.

¹⁶ European Parliament, "Resolution of 14 March 2013 on the Situation of Women in Egypt", P7_TA-PROV(2013)0095, Strasbourg.

¹⁷ Balfour-Paul, Jaime, "Power to the People? Reactions to the EU's response to the Arab Spring", Oxfam Briefing Note, Oxford, Oxfam International, 15 November 2011, p. 3.

principal aims; the enhancement of economic ties and the underpinning of security assistance. ¹⁸ He argues that while they are both justifiable, they have been followed to the detriment of human rights and democracy.

There is considerable discussion surrounding the 'values versus interests' debate, with some commentators suggesting that that the EU will never fully apply such strict conditionality where there is the possibility that EU commercial, energy or security interests could be harmed as a result. Balfour-Paul is suspicious of the revised ENP, warning that "[t]he inconsistent interpretation of More for More, taken together with the track record of the EU on turning a blind eye to dictatorship, creates a fear that agendas additional to democracy and human rights are at play". 19

It is certainly true that in the Euro-Mediterranean region, the EU has an array of significant interests. A considerable proportion of the EU's energy supplies come from Algeria, for instance, and, more generally, it is desirable that there is stability in the region not only for fears of migration but because of trade links. This demonstrates that there are indeed severe limitations to the EU's potential normative influence due to concern for its geopolitical interests.

In practice, the 'More for More' policy should provide for a meritocratic allocation of funds, which allows neighbours to be set apart from each other on the basis of their behaviour. However, some commentators such as Popescu of the European Council on Foreign Relations believe that "'More for more' runs up against geography and geopolitics as other key criteria for capturing EU attention. Geography is unbeatable in many ways". ²⁰ This likely explains the difference in the EU's application of conditionality, from one country to the next within the ENP and demonstrates that the EU's willingness and ability to act as a normative power can waver and be uneven.

'Less for Less'

A persistent question which is raised with regard to the 'More for More' concept is whether this conversely implies 'less for less'. EU officials from both the EEAS and the

¹⁸ Boubakri, Amor, The Impact of the European Union's Policies on the Role of the State in Democracy Building in the Arab World, Stockholm, International Institute for Democracy and Electoral Assistance, 2010.

¹⁹ Balfour-Paul, op.cit., p. 6.

²⁰ Popescu, Nicu, "More for More in the Neighbourhood", euobserver.com, Brussels, 22 March 2011.

Directorate General for Development Cooperation (DG DevCo) were very cautious in their responses. While they agreed that in theory 'less for less' could be applied in respect of women's rights violations, Mr Cortezon-Gomez of DG DevCo, for instance, indicated that this would be unlikely in practice as a certain level of funds need to be secured to provide foreign governments with a degree of assurance so that they can plan projects which contribute to reform processes. "The idea is to secure a certain percentage of funds and from there, apply the 'More for More'." ²¹

Opinion is divided over whether 'less for less', which would be a form of negative conditionality, should be an available policy option to the EU or not. The Euro-Mediterranean Human Rights Network has heartily encouraged the EU to make it one, seeing this as a way for the EU to uphold its commitments to women's rights.²² However, there are robust arguments which advise against the EU withdrawing aid or trade links with countries that are in the process of democratisation. As Dworkin highlights, "Egypt and Tunisia already face serious economic and social problems, and further hardship is likely to fuel public unrest and the flight to political extremism".²³ EU officials who were interviewed by the author were of a similar opinion. It was argued that by applying 'less for less' it is only likely that the local population will be hurt while not achieving the stated objectives either.²⁴

Any Remaining EU Credibility and Leverage?

The EU's policy towards the Southern Mediterranean before the Arab Spring revolutions can be described as one of containment. Concerned by the prospect of terrorism, illegal migration, political Islam and transnational criminal networks involved in smuggling, the EU chose to cooperate with the authoritarian regimes in the region. In return for maintaining stability, these governments were, as Roth puts it, compensated by the EU with a whole host of aid and trade packages. Now that these dictators have fallen and the EU has adapted its strategy to the changed context, with a heavy emphasis on conditionality linked to democracy promotion and human rights, questions have been asked regarding the EU's credibility, and in turn, leverage in the region.

²¹ Interview with Alberto Cortezon-Gomez, DG Development Cooperation, European Commission, Brussels, 18 March 2013.

²² EMHRN, "EU should match 'ENP' commitments", op.cit.

²³ Dworkin, op.cit., p. 37.

²⁴ Cortezon-Gomez, op.cit.

²⁵ Roth, op.cit.

The problem of EU credibility matters enormously for the diffusion of women's rights. If local populations do not see the EU as a legitimate actor but instead as fickle and even contradictory, the values and messages which the EU is attempting to transmit will not be internalised and the EU will have a problem with winning the hearts and minds of the population. Therefore, it would seem wise that the EU tackles this issue of credibility. Delivering on its promises in relation to women's rights conditionality would certainly be a good place to start.

Questions related to EU leverage are also being asked because of global power shifts to the East, which are challenging the supremacy of the EU and of the West in general. The Gulf states in particular seem to be exerting more influence in the Euro-Mediterranean region. ²⁶ Their ability to provide funding without 'strings' related to human rights and democracy could be argued to be weakening the relevance of the EU and its ability to diffuse women's rights norms, especially when their value systems may indeed downplay the status of women.

European Instrument for Democracy and Human Rights

Moving away from the EU's use of conditionality, it can be seen that there are many funding tools which the EU employs within the Euro-Mediterranean region. While the European Neighbourhood and Partnership Instrument (ENPI) provides the main framework for the delivery of EU aid to the region, the European Instrument for Democracy and Human Rights (EIDHR) is unique in its characteristics and thus has been selected for analysis because it is interesting to look at the added value it brings to the EU's diffusion of women's rights externally. The additional worth of this financial instrument stems from the freedom it has from governments. ²⁷ In other words, the host country in which it operates does not need to grant permission for it to intervene, thus coordinating directly with CSOs. The EU explains that "[t]hanks to its independence from governments, the EIDHR is able to focus on sensitive political issues and innovative approaches". ²⁸

²⁶ Haykel, Bernard, "Saudi Arabia and Qatar in a Time of Revolution", *Gulf Analysis Paper*, Washington, D.C., Center for Strategic and International Studies: Middle East Program, February 2013, p. 1.

²⁷ European Commission: DG for Development and Cooperation, *Delivering on the Arab Spring: Highlights of the Semester July-December 2011*, Brussels, 2012, p. 9. ²⁸ *Ibid.*

Women's rights and empowerment form part of the EIDHR's focus areas.²⁹ It has become clear that the EU is willing to use this instrument for such purposes in the Euro-Mediterranean region. The Commission has provided the example of the EU's support to the 'Jasmine Revolution' in Tunisia. In 2010, before the transition, the EIDHR was involved in assisting the Tunisian Association of Democrat Women (ATFD), among others, for actions that were not permitted in the country under the previous government. The Commission states that the "[I]ack of publicity for EIDHR involvement at the time could have been interpreted as abandonment or lack of responsiveness; EIDHR was in fact very active and ultimately successful". ³⁰

This highlights that the EU is in some instances prepared to work not only in partnership to diffuse women's rights in the Euro-Mediterranean area, but covertly should difficult situations demand it. While this does mean that the EU suffers from a lack of visibility in some cases, it shows that the EU is also acting responsibly in its diffusion of women's rights as it seeks to protect its local partners in sensitive situations, where such values are not welcomed.

Transference as Expertise

A very obvious example of the EU engaging in the use of 'transference' to support women's rights is the ongoing expertise it is providing in the drafting of the Tunisian Constitution. The High Representative confirmed that "[n]umerous contacts and discrete demarches have taken place to express to the authorities and to the different political forces the EU's point of view on some aspects of the draft text which have raised concern". ³¹

This is an example of the EU working quietly but effectively behind the scenes to diffuse women's rights. Moreover, it is arguable that this is an example of the EU exercising its normative power in a way which may have helped to maintain the status quo in Tunisia. It is possible that without such efforts, legislative attempts to change the Constitution, which would have been to the detriment of women's rights, may have succeeded and the situation for women could have deteriorated.

³⁰ Ibid., p. 9.

²⁹ Ibid., p. 6.

³¹ European Parliament, Ashton, Catherine, "Answer given by High Representative/Vice-President Ashton on behalf of the Commission", E000682-13, Strasbourg, 12 March 2013.

Overt Diffusion

Manners employs the use of 'overt diffusion' to explain the role played by EU Delegations in a third country, and any visits made by EU officials.³² Hence, the presence and contributions of a number of high-profile and visible EU actors who have travelled to the region recently will be looked at, as will the role of the Delegations who liaise with local civil society organisations and engage in a series of human rights dialogues with the authorities of the Euro-Mediterranean countries.

EU Delegations and Human Rights Guidelines

A series of eight human rights guidelines have been developed for EU actors, to follow and implement in their activities, including statements and demarches. Number seven is dedicated to 'Violence against women and girls and combating all forms of discrimination against them'.³³ The existence of these guidelines symbolises the political will and commitment behind them. They provide Delegations with a standardised reference point, which should contribute to greater consistency in EU dissemination of women's rights norms. Within the guidelines on women, it states that the EU "must in particular focus on legislation and public policies which discriminate against women and girls, and the lack of diligence in combating discrimination practised in the private sphere and gender-stereotyping".³⁴

Having spoken with an EU Delegation official in Egypt, it is clear that these instructions, especially in relation to an emphasis on tackling insufficient legislation, are indeed implemented on the ground, and in respect to third country representatives within multilateral forums such as the United Nations. ³⁵ Communication is strong between various EU actors, as well as with EU Member States representatives. Concerted efforts are made to ensure that messages used in lobbying and demarches in different settings remain uniform and constant. ³⁶ In spring 2013, for example, possible linkages between the situation of women in Egypt

³² Manners, *op.cit.*, p. 245.

³³ "EU guidelines on violence against women and girls and combating all forms of discrimination against them", *European Commission: DG RELEX*, Brussels, 8 December 2008, pp. 1-19.

³⁴ Ibid., p. 2.

³⁵ Interview with EU Delegation Official, EEAS, via telephone, 23 April 2013.

³⁶ Ibid.

and lobbying towards an agreed resolution on 'Violence against Women' in the UN Commission on the Status of Women were identified and exploited.³⁷

Additionally, the EU often takes advantage of its Member States by using them as another diffusion channel to help communicate and complement certain women's rights messages. This serves to increase pressure on countries which are performing poorly in the realm of women's rights.³⁸ It certainly seems that the EU has a highly coordinated approach to its diffusion. Its frequent communication and burdensharing of tasks with Member States shows that the EU often harnesses the collective weight of its Member States to transmit its values to greater effect.

Human Rights Dialogues

Within the Euro-Mediterranean region, the EU engages in a series of Human Rights dialogues, with women's rights featuring heavily. Many commentators are, however, sceptical of their value. Phillips, of the EU Observer, has branded such meetings as 'soft talk'. ³⁹ They are also seen by many as being an example of the EU trying to push a 'Europeanised' conception of human rights in a very top-down, even paternalistic approach.

An EU Delegation official disputed such an accusation by maintaining that the EU is putting pressure on these governments to act.⁴⁰ She said that the EU was currently working hard to raise a series of pertinent concerns with the appropriate Egyptian authorities over the lack of protection that the Penal Code provides for women, especially in terms of personal status laws and domestic violence. It is clear from this that EU Delegation officials are certainly working hard to diffuse women's rights but that this is rather more on an official and legislative level as opposed to on a more essentially societal basis.

Diffusion by Proxy

The Delegation has also been working to combat female genital mutilation practices in partnership with the United Nations Development Programme (UNDP). 41

³⁷ Ibid.

³⁸ Ibid.

³⁹ Phillips, Leigh, "EU human-rights dialogues exposed as 'soft talk'", euobserver.com, Brussels, 24 January 2011.

⁴⁰ Interview with EU Delegation Official, EEAS, via telephone, 23 April 2013.

⁴¹ Ibid.

Furthermore, she talked of the contract which was signed in March 2013, giving funds for UN Women to implement a project aimed at empowering women from all social circumstances. This indicates that the EU often promotes women's rights by proxy, which is what EU officials believe can to some extent explain the EU's lack of visibility amongst local populations, as well as a lack of external recognition of EU efforts. Such cooperation and use of another actor has also been highlighted in a further partnership with the UN; a project entitled 'Spring Forward for Women'. This programme has the objective of assisting local, regional and national initiatives "to ensure women's active engagement in decision-making, empower women economically and enhance regional knowledge and experience-sharing on women's political and economic rights". 42

'Spring Forward for Women' recognises that the sustainability of change is dependent on local ownership and leadership. This is an important example of the EU adopting a more grassroots approach towards women's empowerment in the Euro-Mediterranean region, as engaging with CSOs is more likely to be perceived by local populations as a partnership instead of a case of imposition. This project is a positive example of what all EU officials have tried to press upon in interviews. They maintain that the EU is in the process of transitioning towards the pursuit of a differentiated, tailored strategy, which is welcoming of civil society organisations' input, as opposed to a diffusion of norms which is top-down and open to accusations of paternalism.

Partnering with Civil Society

The notion of the EU reaching out to civil society organisations is rather disputed by NGOs and grassroots organisations in both Europe and the Euro-Mediterranean region. While the EU is ready with available funds, involvement in programming activities has not materialised. Balfour-Paul has stated that the ENP review and revision was predominantly conducted in Brussels, while "[c]ivil society in the region has found it hard to engage in the articulation and development of the new policy ['More for More']".43 Moreover, the EMHRN expressed its strong disappointment that within the framework of the EU's new diplomatic instrument, the Taskforce, which was applied within Jordan, Egypt and Tunisia, "the EU's invitation to Egyptian human

⁴² UN Women, "EU Commission – UN Women launch new partnership on women's empowerment", Press Release, Brussels, 17 October 2012.

⁴³ Balfour-Paul, op.cit., p. 3.

rights NGOs for a civil society consultation meeting [...] was withdrawn due to pressure from the Egyptian authorities". ⁴⁴ This again highlights that the EU's rhetoric on partnering with civil society in the region is not matched in reality and that the EU is letting itself be bullied. This is highly damaging to the credibility of the EU and its commitment to the dissemination of its values. On a positive note, the EU has provided the funds to support its rhetoric of engaging with civil society. In 2011 a Civil Society Facility for North Africa and the Middle East was launched. ⁴⁵

Absent Stakeholders

Another notable omission from the EU's engagement in the region is contact and liaison with Islamic organisations. The EU seems reluctant to deal with political Islam unless forced to do so in instances such as the Muslim Brotherhood in Egypt. However, as the influence of Islam is clearly very prominent within Arab societies this would appear to be quite a serious oversight. Many commentators believe that it is vital that the EU enters into dialogue with all stakeholders, without selectively choosing only those which are in accordance with the EU view. As Isabelle Ioannides from the Bureau of European Policy Advisers has stated, the EU

should avoid isolating interlocutors who do not agree with 'our line' by refusing to talk to them, as was done with the PLO for decades and with Hamas and the Taliban in recent years. There are lessons to be learned from these experiences.⁴⁶

Roth agrees with such an assessment and believes that the EU must recognise that political Islam represents a 'majority preference', and as such the EU cannot disregard this popularity as it would mean contravening democratic principles. ⁴⁷ He emphasises that accepting political Islam, does not equate to disregarding human rights. Roth states that "[i]t is important to nurture the rights-respecting elements of political Islam while standing firm against repression in its name". ⁴⁸ It would seem to only make sense that, especially on the issue of women's rights promotion, the EU should try to engage with Islam, as this would appear to be where many divergences arise. While human rights and women's rights should be seen as

⁴⁴ EMHRN, "EU should match 'ENP' commitments", op.cit.

⁴⁵ EURO Step, "EU launches Civil Society Facility for North Africa and Middle East", EURO Step, Brussels, 2011.

⁴⁶ Ioannides, Isabelle, "Debate: Q. Transformations in the Arab World: What next?, A. Regional Cooperation", EU Institute for Security Studies, Paris, 28 December 2011.

⁴⁷ Roth, op.cit.

⁴⁸ Ibid.

universal, the EU should start by looking for the compatibilities between Islam and women's rights. By not engaging with all stakeholders in the region, and especially one as influential as political Islam, it would seem that the EU is rendering its own diffusion less effective. Not only this, but it contradicts its own belief in the value of working with local and regional groups.

EU Representatives

The EU's physical presence in the region is made-up of EU Delegation officials and the EU Special Representative for the Southern Mediterranean (EUSR), whose mandate includes fighting violence and discrimination against women. ⁴⁹ There are a number of other EU representatives who have visited the region recently, including the High Representative, who has been strong in her commitment to the diffusion of women's rights. In February 2012, for example, she travelled to Egypt and delivered her keynote speech at an EU conference entitled 'Egyptian Women: The Way Forward'.

The EU Special Representative for Human Rights; Stavros Lambrinidis, has also been to the region on a number of occasions since the uprisings. He has called on the Egyptian authorities to do more to protect women's rights and stated that the EU will increase its efforts to share

[b]est practice on how to achieve equal pay for equal work, equal opportunities for participation in the political process and decision making, protecting and preserving women's dignity and integrity and working for an end to gender-based violence. ⁵⁰

Interestingly he also appealed to the media to assist the EU in creating awareness of the need for equality and asked them to do so through balanced reporting.⁵¹ This is an example of the EU's willingness to again use a proxy to help transmit its messages concerning women's rights. Catherine Ashton also indicated that Helga Schmidt, the EEAS Political Director, had been to Egypt to help in "drafting a national strategy for combating violence against women as a basis for a comprehensive law". ⁵² This

⁴⁹ Council of the European Union, "Council Decision (2011/424/CFSP) of 18 July 2011 on Appointing a European Union Special Representative for the Southern Mediterranean region", Official Journal of the European Union, L188/24, 19 July 20011, p. 2.

⁵⁰ EEAS, "Joint Statement by Ambassadors of the European Union in Egypt on International Women Day", Delegation of the European Union to Egypt, Cairo, 7 March 2013.

⁵¹ Ibid.

⁵² C. Ashton, EU High Representative for Foreign and Security Affairs, "Statement on the current situation in Egypt", Speech 13/221, European Parliament, Strasbourg, 13 March 2013.

certainly shows that EU actors who visit the region on an *ad hoc* basis have undoubtedly made the diffusion of women's rights, and especially their protection from violence, a priority.

Procedural Diffusion

Manners has identified and categorised 'procedural' diffusion to refer to the institutionalisation of relations between a third party and the EU.⁵³ This translates to mean a number of different things in practice, including looking at the behaviour and actions of the EU within international organisations and analysing the formalised framework of agreements between the EU and a third party.

Association Agreements, Action Plans and Progress Reports

Association Agreements are international accords which the EU has established with third countries, in an attempt to create an all-encompassing structure which provides the basis for governing bilateral relations. The aim of these agreements is to initiate and foster close cooperation of both an economic and political nature, which consequently leads to an advantageous relationship between the EU and its partner country.⁵⁴

It is significant to note that these agreements are legally binding in nature and yet having analysed the Association Agreements for both Egypt and Tunisia, it has been found that there is little mention of women's rights or empowerment in either document. There are merely two references in the Egyptian accord; art. 42 which relates to women in higher education and art. 65 which refers to the role of women in economic and social development. ⁵⁵ The latter appears as art. 71 in the Tunisian agreement, and is in fact the only mention with regards to women. ⁵⁶ While these agreements were signed previous to the EEAS's focus on women's empowerment, it

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⁵³ Manners, *op.cit.*, p. 244.

⁵⁴ European Union External Action, "Association Agreements", Brussels, European External Action Service, 2013.

⁵⁵ European Union, "Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part", Official Journal of the European Union, L 304, 30 September 2004, p. 38.

⁵⁶ European Union, "Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part", Official Journal of the European Union, L 97, 30 March 1998, p. 1.

indicates that the EU struggles to procedurally diffuse women's rights norms within this framework.

It should be noted, however, that all Association Agreements are required to contain an 'essential elements' clause. ⁵⁷ This means that should a partner country or indeed the EU, violate human rights, the agreement can be suspended. In theory this appears to be a robust mechanism to serve for the protection of women's rights. However, as the EU does not use this tool at its disposal, having only withdrawn unilateral trade preferences in less than a handful of extreme cases, and never within reciprocal trade agreements, it cannot be said in practice to do anything for women's rights diffusion.

In stark contrast to the Association Agreements, the Action Plans contain a multitude of references to women's rights. 58 These documents are a central component of the primarily bilateral European Neighbourhood Policy and, as opposed to the Association Agreements, are only politically binding. The EU explains the Action Plans as developing a programme based on short-term priorities. 59 While it is encouraging to see that there is EU political will to raise the issue of gender equality with partner countries, the value of the commitments in the Association Agreements and the Action Plans are not equal, which matters for the question of accountability. As Action Plans are merely political and not legally binding, the EU lacks any real means of recourse or any kind of enforcement mechanism to ensure that partner countries uphold their commitments, especially as 'less for less' has been confirmed as not being an option.

To partly mitigate the problem of accountability, the EU also uses 'Progress Reports'. These documents jointly produced by the European Commission and the EEAS monitor and evaluate developments in a partner country. This helps to inform EU policy-making towards the country in question. However, there have been suggestions that the content of Progress Reports is open to influence from governments or other actors and therefore often does not accurately reflect the

⁵⁷ European Union External Action, "Association Agreements", Brussels, European External Action Service, 2013.

⁵⁸ European Union External Action, "Arab Republic of Egypt: Action Plan", Brussels, European External Action Service, 2007.

European Union External Action, "Republic of Tunisia: Action Plan", Brussels, European External Action Service, 2004.

⁵⁹ European Commission, "The Policy: How does the European Neighbourhood Policy work", Brussels, 2013.

situation in a country. This in turn casts doubt over the value and credibility of Progress Reports and it can be said that the EU, by not using this mechanism correctly, is missing out on an opportunity to put human rights protection at the top of the agenda in its relations with partner countries. Recently the EMHRN has indicated that, "[s]ome reports still have gaps concerning assessment of progress towards human rights and gender equality". 60 It would therefore seem that the EU is not particularly strong in its 'procedural' diffusion of women's rights when it comes to Association Agreements, Action Plans or Progress Reports.

Union for the Mediterranean

The Union for the Mediterranean (UfM) is a multilateral partnership between the EU and the Southern Mediterranean area, with the aim being to boost cooperation on a regional basis through more pragmatic means. In terms of the UfM's relevance to the EU's diffusion of women's rights, it would seem to be a platform which is being utilised ever more to place emphasis on the issue. While women's empowerment does not explicitly form part of the six priority areas, there are a number of initiatives concerned with women's rights. Significantly, these projects focus on women's economic and social freedoms, as opposed to their political rights which the EU seems to strongly promote via the other diffusion channels. A project entitled 'Young Women as Job Creators', which assists in developing young female entrepreneurs and promotes self-employment, is just one example.⁶¹

While activities are on a small scale, this would seem to be the first substantial indication that the EU's approach to diffusing women's rights is not completely top-down, but that there is an element of trying to use some bottom-up methods. This is an approach which is likely to be more successful in the long term at helping to internalise ideas of women's empowerment and equality as it is on a more local level. Moreover, it can be argued to have a positive-multiplier effect; meaning that the skills developed through these projects can be further shared. While these projects are relatively limited, their impact, if more frequently employed, could potentially be relatively big. In general, it is a positive example of the EU's diffusion of women's rights and empowerment, especially in terms of economic and social freedoms.

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⁶⁰ EMHRN, "EU should match 'ENP' commitments", op.cit.

⁶¹ Union for the Mediterranean, "Young Women as Job Creators", Barcelona, Union for the Mediterranean, 26 September 2011.

Informational Diffusion

The last diffusion mechanism which will be looked at is categorised as 'informational'. Manners has identified this as being exemplified by strategic communications, targeted policy initiatives and declaratory pronouncements. 62 Thus a range of pertinent documents, including press releases and social media exchanges, will be analysed.

Euro-Mediterranean Communications

Until July 2013 there have been five strategic communications specific to the Euro-Mediterranean region which the EU has released since the Arab Spring uprisings. 63 Having analysed these documents, it would seem that they are rather lacking in reference to women's rights in comparison with the overarching guidelines and policy documents which steer general EU external action and make women's rights a priority of EU foreign policy. 64 Only a handful of references are made to women's rights and empowerment. In particular, the 2012 ENP Roadmap was criticised by the EMHRN which was concerned that it "does not include women's rights and gender equality, neither in the objectives for building sustainable democracies nor in the objectives for inclusive development and growth." 65 This suggests that there is a lack of ambition from the EU and is just one example of how weak the EU's diffusion of women's rights is within strategic policy documents specific to the region. Moreover, these communications are again an example of a very top-down diffusion of women's rights.

⁶² Manners, *op.cit.*, p. 244.

European Commission and the High Representative, "Response to a Changing Neighbourhood", op.cit., pp. 1-24; European Commission and the High Representative for European Union Foreign and Security Affairs, Joint Communication: A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, COM (2011) 200 final, Brussels, 8 March 2011, pp.1-17; European Commission and the High Representative for European Union Foreign and Security Affairs, Joint Communication: Delivering on a new European Neighbourhood Policy {SWD (2012)110-124 final}, COM (2012) 14 final, Brussels, 15 May 2012, pp. 1-22; European Commission and the High Representative for European Union Foreign and Security Affairs, Joint Communication: European Neighbourhood Policy: Working towards a Stronger Partnership {SWD (2013) 79-93}, JOIN (2013) 4 final, Brussels, 20 March 2013, pp. 1-22; European Commission and the High Representative for European Union Foreign and Security Affairs, Joint Communication: Partnership for Democracy and Shared Prosperity: Report on Activities in 2011 and Roadmap for Future Action {SWD (2012) 110-124}, JOIN(2012) 121 final, Brussels, 15 May 2012, pp. 1-26.

⁶⁴ European Commission and the High Representative, "Human Rights and Democracy at the Heart of EU External Action", op.cit., p. 5.

⁶⁵ EMHRN, "EU should match 'ENP' commitments", op.cit.

Through its communications the EU places great emphasis upon women's participation in political life. When it was suggested to EU officials that this was to the detriment of the EU's dissemination of women's social and economic freedoms, this was disputed. 66 It was argued that while the EU perhaps does not rhetorically emphasise women's social rights, the EU does work consistently on the issue; it is simply more discrete, and purposefully so, in order to avoid controversy. "Social quarrels between the EU and host countries can generate bad publicity, which is undesirable." 67 So the EU often works in partnership with the likes of the UN and keeps a low-key, behind-the-scenes approach, which would seem to indicate a good understanding of the cultural context in which the EU is working and the need to maintain a constructive image in the region to be successful in its aims.

Interactive and Responsive Diffusion

Moving away from policy documents and initiatives, it can be seen that the EU is extremely active in its use of other declaratory instruments such as statements, press releases and social media platforms such as Twitter and Facebook. In particular, the EU often uses these tools in a reactionary manner. In the first six months of 2013 the High Representative released a number of statements relating to female empowerment, including for example the situation of women's rights in Egypt and a statement to celebrate international women's day.⁶⁸ While EU officials recognise that "very few people read these statements which indeed could have much stronger language", ⁶⁹ it is thought that they remain important for their symbolic value, as they signal the EU's intent to keep publicly pressurising governments which violate women's rights.

Most EU Delegations and representatives such as the EUSR for Human Rights and the High Representative also have Facebook pages and Twitter accounts. This can be said to be an attempt by the EU to be less top-down in its diffusion as these platforms

⁶⁶ Interview with EEAS Diplomat, EEAS, Brussels, 18 March 2013.

⁶⁷ Ibid

⁶⁸ C. Ashton, EU High Representative for Foreign and Security Affairs, *Statement on the current situation in Egypt*, Speech 13/221, European Parliament, Strasbourg, 13 March 2013; C. Ashton, EU High Representative for Foreign and Security Affairs, *Statement by EU High Representative Catherine Ashton on International Women's Day*, A121/13, Press Release, Brussels, 8 March 2013.

⁶⁹ Interview with EEAS Diplomat, EEAS, Brussels, 18 March 2013.

are interactive and allow for engagement with local populations. ⁷⁰ However, it seems unlikely that many people within the Euro-Mediterranean region follow the EU on these platforms, either due to an inability, lack of interest or awareness and in some instances they may even be unable due to government restrictions.

Conclusion: Outcome of the Litmus Test

This paper has looked at how and to what extent the EU diffuses women's rights in the Euro-Mediterranean area. Through the application of Ian Manners' approach of Normative Power Europe, and the use of four of his six diffusion mechanisms ('informational', 'procedural', 'overt' and 'transference'), it has been found that the EU uses these channels to different effect, to support its foreign policy objective of promoting women's rights. In response to the Arab Spring, the EU has adapted its policy and certainly cannot be said to be ignoring the 'window of opportunity' which exists to positively reshape gender relations within the Euro-Mediterranean societies. The EU is living up to its promise to make the advancement of women a foreign policy objective.

Overall, the EU's approach has been found to be very top-down in nature, despite objections from EU officials that this is not the case. While it has been said that the EU itself is in the process of transitioning towards adopting a new strategy towards the region, it is yet to come to fruition, with little evidence of an extensive grassroots approach in existence. It has also been noted that the EU is particularly keen in its diffusion of women's political rights, more so than in their social and economic freedoms.

'Informational' diffusion is where the EU can be said to be particularly strong. While strategic documents specific to the region are not especially heavy in their reference to women, more general external relations guidelines do make it clear that women's rights are a priority of foreign policy. Furthermore, the EU does readily and persistently employ reactive press releases and statements in response to women's rights concerns or violations, even if the language utilised could often be stronger. It would seem appropriate and in line with the EU's normative basis that it is so rhetorically present, as words seem to come easier than actions for the EU. The EU has also adopted the use of new technology, harnessing the power of social media

 $^{^{70}}$ EEAS, "EU Delegation to Egypt", Facebook; EEAS, "Mission d'Observation Électorale UE Tunisie", Facebook.

platforms such as Twitter and Facebook which demonstrates the EU's desire to be more interactive in its engagement.

In terms of 'procedural' diffusion, the EU performs fairly poorly. EU Association Agreements and Progress Reports are lacklustre in their promotion of women's rights. Action Plans often include women's empowerment as an objective to be achieved; however, the lack of an enforcement mechanism means that without the political will of a partner country, the priorities contained within Action Plans are relatively useless.

The EU does perform better within the regional Union for the Mediterranean, which provides examples of more localised, tangible initiatives that the EU is using to promote women's empowerment. The actions within these settings demonstrate the EU to be focused on more than simply increasing women's political participation. Unfortunately, the scale of these projects is rather small to have a significant impact.

In relation to the 'overt' diffusion of women's rights, it seems fair to say that EU actors have demonstrated their worth in this field. EU Delegations seem especially active, consistent and dogmatic in communicating EU messages on women's rights. EU officials also recognise the added value that its Member States can lend to the cause and often utilises them to complement EU efforts to great effect.

It has also been demonstrated that the EU is content to use a proxy such as UNDP to implement more visible projects, especially in instances related to more socially controversial issues such as female genital mutilation. On the other hand, the EU seems less willing to embrace stakeholders more generally, especially if they do not follow the 'European' line. The EU's lack of engagement with political Islam in the region is an example of this, and while the EU is financially very supportive of civil society, participation of CSOs in programming is yet to be realised. It is considered that the EU's engagement in the region could benefit from a more inclusive approach towards society in general.

The EU's use of 'transference' also provides for a mixed report. The EU's employment of the EIDHR shows that it is willing to diffuse women's rights in a responsible yet covert manner should the situation demand it. The EU is also seen to be very strong in its provision of expertise, while conversely its use of conditionality, as articulated by the 'More for More' policy, is questionable. The late addition of women's rights as part of the policy conditions and the inconsistent implementation of the 'More for More' approach raise questions over the EU's commitment to women's rights within

the Euro-Mediterranean region. It would certainly seem that geostrategic interests are a limitation in the diffusion of women's rights.

Questions regarding the EU's credibility and leverage in the region do pose a considerable challenge to the EU's diffusion of women's rights in the region. However, if as EU officials insist, the EU is moving towards adopting a more grassroots approach, then this will certainly help to make future actions more readily accepted.⁷¹

In conclusion, the Arab Spring has proved to be a 'litmus test' for the EU's women's rights policy in the Euro-Mediterranean area. The findings indicate the EU's policy to have reasonably withstood the scrutiny. While the EU could improve its diffusion of women's rights in the Euro-Mediterranean region, it is certainly making an effort to ensure that social justice becomes a reality, so that the legacy of the Arab Spring is a positive one for women. However, not only does societal change take time, but it would seem that ultimately external efforts must be equally supported by internal impulses for change to be sustainable. From Saudi Arabia to Libya, Arab women have thus far made their voices heard, with the help of the international community; hopefully women's rights will become a reality in the Euro-Mediterranean region in the not too distant future.

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⁷¹ Interview with EEAS Diplomat, EEAS, Brussels, 18 March 2013; Interview with Alberto Cortezon-Gomez, DG Development Cooperation, European Commission, Brussels, 18 March 2013.

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