

Zentrum für Europäische Integrationsforschung
Center for European Integration Studies
Rheinische Friedrich-Wilhelms-Universität Bonn

Thomas Demmelhuber

**The European
Neighbourhood Policy (ENP)
and its Implementation in
the Southern Mediterranean
The Case of Egypt**

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Center for European Integration Studies
Rheinische Friedrich-Wilhelms-Universität Bonn

Walter-Flex-Straße 3
D-53113 Bonn
Germany

Tel.: +49-228-73-4952
Fax: +49-228-73-1788
<http://www.zei.de>

Thomas Demmelhuber, Junior Fellow at the Center for European Integration Studies (ZEI) in Bonn, Doctoral Candidate at the Department of Political Science at Erlangen University (Section Politics & History of the Modern Middle East), and scholar of the Konrad Adenauer Foundation is a graduate student in Political Science from the Friedrich-Alexander-Universität Erlangen-Nürnberg. He is writing his doctoral thesis on the reform process in the Arab Republic of Egypt in the context of the Euro-Mediterranean Partnership. The following paper is based on a broad array of field work conducted in Egypt from 2005 to 2006.

Thomas Demmelhuber

The European Neighbourhood Policy (ENP) and its Implementation in the Southern Mediterranean

The Case of Egypt

“Arab states succeeded in convincing the European partner of the Arab vision regarding the issue of reform and the Arab states' rejection of any external attempts to interfere in their domestic affairs. The reform process will take place in Arab states in a way that suits each country's historical, cultural and social context.”¹

Bridging the gap

The promotion of democracy as an internationally recognised foreign policy objective is in critical condition. The continuing war on terror in Afghanistan and elsewhere, the on-going civil war in Iraq which shows no signs of ending, the prompt isolation of a democratically elected Palestinian government and the vivid «duckling» of the West in terms of the unsolved democracy vs. stability dilemma have damaged the credibility of democracy promotion in the Southern Mediterranean. The act of promoting democracy is currently outdated. During conversations with government

The author thanks Michelle Pace, Bo Ram Kwon, Andreas Marchetti, Stefan Krompaß, Jens Kutscher and Rafael Raum for their valuable comments on the manuscript.

1 Statement by H.E. Ahmed Abul-Gheit, Egyptian Minister of Foreign Affairs, cf. Magda el-Ghitany, «Ten Years On», in: al-Ahram weekly, 2-8 June 2005, 745/2005.

officials and civil society actors in the Southern Mediterranean alike, reactions of denial are most likely when talking about political conditionality, e.g. from the EU in promoting the rule of law, good governance, and democracy in its Southern neighbourhood. At least rhetorically, rule of law, good governance, and democratic reform processes are based on a common interest but both parties are following a differing agenda of objectives on the ground. EU-Egyptian relations are deeply shaped by a differing understanding of democratic reform with both actors following an agenda of different priorities.

Regarding this perception gap the following paper aims at analysing a Southern perspective (here: the case of Egypt) on the European Neighbourhood Policy (ENP) in order to draw conclusions for the EU's foreign policy objectives. In particular, after being in place for more than two years, a critical assessment of the reception of this new EU initiative is of utmost importance if one only considers more than 15 months of difficult negotiations for the EU-Egyptian «Action Plan».² What are the reasons on behalf of Egypt for these obstacles compared to the smooth negotiations for the «Action Plans» with Morocco, Tunisia or Jordan? Analysing the Southern perspective on the ENP, keeping in mind the complexity among Arab Mediterranean partner countries (MPC), one is obliged to do specific case studies for all involved MPCs in order to find commonalities among them and eventually get the grand picture for the Southern perspective. The scope of this paper would not be sufficient for such an extensive study. Following the ENP statute of *multiple* and *differentiated bilateralism* this paper focuses solely on the Egyptian perspective.

2 January 2007 has seen an agreement concerning the disputes over the language of certain parts and aspects of the «Action Plan». Following information of the EC Delegation in Cairo, the document is going to be ready for signature in March 2007.

The ENP's general approach and its genuine interests

The enlargement round of the European Union with ten new members³ in May 2004 created a two-fold challenge for the EU. Domestically it implied a new institutional and socio-political challenge both in terms of institutional capacity and the necessity to sharpen the EU's identity among its populations to mitigate scepticism, particularly in those countries bordering the new member states.⁴ As a new geopolitical reality which incorporates the aforementioned enlargement round and the upcoming rounds (the Balkans⁵ and Turkey), the EU faces a new and possibly final external border. Rising from the latter the EU made an assessment that the most successful foreign policy instrument, i.e. the incentive of future membership, must be substituted for a new definition of incentives. Only a couple of days after the celebrations for the enlargement round in May 2004, the EU Commission presented a strategy paper incorporating a framework with basic principles for a new neighbourhood policy.⁶ Mentioning the central interest to be surrounded by a ring of friends, the EU tries to associate new neighbours by offering them a deepening of cooperation and an upgrading of relations in contrast to the periphery beyond those newly defined target

3 The three Baltic states, Poland, Czech Republic, Slovakia, Slovenia, Hungary, Malta and Cyprus.

4 EOS Gallup Europe, Enlargement of the European Union, Flash Eurobarometer 140, Brussels 2003. The same accounts for the latest enlargement round with Bulgaria and Romania on January 1, 2007.

5 Bosnia-Herzegovina, Serbia, Montenegro, and Albania have recognized membership perspectives. Croatia and Macedonia have gained the status of accession candidates (cf. <http://ec.europa.eu/enlargement/index_en.htm> January 27, 2007).

6 Commission of the European Communities, Communication from the Commission. European Neighbourhood Policy – Strategy Paper, Com (2004) 373 final, Brussels 2004. Apart from the latter there were also other driving forces for this new policy proposal following former initiatives such as the European Security Strategy (ESS) in 2003, which emphasized “that even in an era of globalisation, geography is important” and that “it is in the European interest that countries on our borders are well-governed.” (cf. The Council of the European Union, A Secure Europe in a Better World – The European Security Strategy, Brussels 2003, p. 7). Regarding the ESS the EU stressed that it is one of its genuine interests to support sustainable reform processes aimed at promoting stability in the region surrounding the EU. Based on this assumption the ENP may be called the regional policy consequence of the global framework as laid down in the ESS.

countries.⁷ As a consequence, one may argue that by embarking on this new policy initiative the EU has created a new «semi-periphery».⁸ It encompasses such diverse regions like Eastern Europe, where the final question on possible memberships has not been answered yet, and the Southern and Eastern Mediterranean shaped by a complex political, economic, and cultural heterogeneity. On behalf of the EU the common denominator of these diverse countries and regions – making it the target of a common policy initiative – is their geopolitical meaning for the EU whereas for the new neighbourhood's countries the common sense may lie in their expected motivation to embark on the EU's offer for closer cooperation. In other words, for the EU the «win-win-situation» consists of security and stability on its borders by fostering trade and the spread of its values, whereas for the partner countries it brings even closer cooperation and – among others – a possible stake in the internal market.

The central instruments of the ENP are bilateral «Action Plans» based on prior existing «Cooperation and Partnership Agreements» with Eastern European countries and «Association Agreements» put in place through the framework of the Barcelona Process, i.e. the «Euro-Mediterranean Partnership» (EMP). The «Action Plans»⁹ are mutually negotiated, resulting in country-specific working programmes that outline specific medium- and long-term agendas of political and economic reforms («benchmarking»).

7 Cf. central documents for the genesis of the ENP: Commission of the European Communities, Communication from the Commission to the Council and the European Parliament: Wider Europe – Neighbourhood: A New Framework for Relations with Our Eastern and Southern Neighbours, Com (2003) 104 final, Brussels 2003; Commission of the European Communities, Communication from the Commission. Paving the Way for a New Neighbourhood Instrument, Com (2003) 393 final, Brussels 2003; Commission of the European Communities, Communication from the Commission. European Neighbourhood Policy – Strategy Paper, Com (2004) 373 final, Brussels 2004; The Council of the European Union, Council Conclusions on European Neighbourhood Policy, 10189/04 (Press 195), Luxembourg 2004, pp. 11-14; The Council of the European Union, Brussels European Council 17/18 June 2004 – Presidency Conclusions, 10679/2/04 REV 2, Brussels 2004, p. 14.

8 Cf. for a discussion of the term «semi-periphery» and its basic geopolitical meaning, Andreas Marchetti, «The European Neighbourhood Policy: Foreign Policy at the EU's Periphery», in: ZEI Discussion Paper, C158, Bonn 2006.

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The EU avoids any general approach and embarks on a bilateral differentiated approach (despite the recognition of a possible regional track). Going beyond the former approach of *negative conditionality*¹⁰, meaning the possible suspension of elements of the «Association Agreements», the EU now pursues a model of *positive conditionality* by granting more aid to those actors being fast in the implementation of their «Action Plan» («governance facility»)¹¹. As Fernandez and Youngs called it, through the “everything except the institutions” logic, the EU offers a vast array of possible benefits.¹² In principle, the EU offers a possible stake in the internal market, a deepening of the trade relations, an integration into EU networks in the fields of transport, telecommunication, and energy, support for more foreign direct investment (FDI), support for consecutive integration into the global market, financial and technical aid for migration, a fostered cooperation of the judiciary (including EUROPOL & EUROJUST), and cooperation in border-control, combating organised crime and drug trafficking.¹³

Regarding the financial framework, January 2007 has seen the beginning of the new «European Neighbourhood Policy and Partnership Instrument» (ENPI) with a total amount of € 11.181 billion of which 95 per cent shall be allocated to country-specific forms of cooperation for the financial pe-

- 9 Another precondition is the draft of a «Country Report» which is similar to those «Country Strategy Reports» drafted under the EMP framework.
- 10 Previously it was the EU (i.e. the member states in the Council), who could in theory and still may suspend concessions and measures of cooperation as granted in the «Association Agreement». Keeping in mind that it has never happened so far, the stakes for suspension are high and the political repercussions uncertain. It needs an initiative put forward by the European Commission, agreed on by the Council with a qualified majority vote (QMV).
- 11 € 300 million will be set aside to provide additional support to those partner countries which have made most progress in implementing their «Action Plans» (Press release of the EU-Commission’s Delegation to Cairo, Egypt and the European Union - Shared Past, Common Future. Strengthening the European Neighbourhood Policy, December 4, 2006, Cairo).
- 12 Richard Youngs / Haizam Amirah Fernandez, «Introduction», in: Richard Youngs / Haizam Amirah Fernandez (eds.), *The Euro-Mediterranean Partnership: Assessing the First Decade*, Madrid 2005, p. 17.
- 13 Commission of the European Communities, Com (2004) 373 final, [Fn. 6], pp. 12-23.

riod from 2007 to 2013.¹⁴ ENPI merges former instruments such as MEDA¹⁵ for the Mediterranean, TACIS¹⁶ for Eastern Europe or the EIDHR¹⁷ and reduces its financial instruments from previously more than 30 to six.¹⁸ Additionally, the European Investment Bank (EIB) has recently renewed its mandate for external lending in the Mediterranean and Eastern Europe, i.e. in the newly defined European neighbourhood. Similar to the ENPI with almost 70 per cent allocated to the Mediterranean, about 60 per cent, in total € 8.7 billion, shall be allocated to Mediterranean countries.¹⁹

The ENP is a security and stability policy aimed at promoting wealth and democratisation. Specifically, with the decision to include the MPCs in the ENP as a complementary part and a strengthening effort of the EMP, the EU showed commitment to the recognition that there is need to pursue and to further upgrade the bilateral track to fulfil the provisions of the new agenda, which is similar to the provisions of the EMP but stricter, more rigorous and concrete in its national approach. In terms of the Mediterranean this *multiple bilateralism* shows recognition by the EU to the notion that the Mediterranean and its conflict-woven subparts consist of independent national actors which *still* challenge any unifying idea and therefore still *thwart* any multilateral approach.²⁰ Upgrading the bilateral track also

14 Council of the European Union, Council Approves Financing Instrument to Provide More than EUR 11 Billion for European Neighbourhood Policy, 14087/06 (Press 292), Luxembourg 2006.

15 Mésures d'accompagnement financiers et techniques.

16 Technical Aid to the Commonwealth of Independent States.

17 European Initiative for Democracy and Human Rights.

18 Commission of the European Communities, On the Instruments of External Assistance under the Future Financial Perspective 2007-2013, Com (2004) 626 final, Brussels 2004, pp. 7-10.

19 The Council of the European Union, Council Agrees on Renewed Mandate for External Lending by the European Investment Bank, 15787/06 (Press 339), Brussels 2006.

20 Cf. European Commission – DG Press and Communication, Speech by EU Commissioner on External Relations and European Neighbourhood Policy at the «Conférence des Organes Spécialisés en Affaires Communautaires», Speech 06/325, Vienna, May 22, 2006. During the last decade, with the Middle East Peace Process turning out to be in severe trouble, the multilateral track of the EMP remained alive in theory but in fact it was the bilateral track that allocated the vast majority of the funds committed to the region. The bilateral track was the only functioning and vi-

reflects the interests of the MPCs (here: Egypt) in the South despite regular callings for intra-Arab integration, which is proceeding slowly and gradually. The point of reference still remains a deep-rooted sense of national identity that puts possible merits for the nation state on the top of the agenda. The stereotypical Western approach considers Arab common sense to be shaped by religion, culture, and currently by religious-inspired violence while in fact the Arab approach – taking the cultural factor as granted – is much more focused on the ideal of a political entity put forward by Arab Nationalism. Indeed, there is a connecting cultural factor across the Arab world resulting from religion, custom, and common descent. But in terms of daily politics Arab unity remains a rather unrealistic vision due to the lack of commitment to integrate and the lack of credibility and feasibility among all Arab countries to undertake sustainable integration on a political scale. Moreover it is simply the extent of *heterogeneity* let alone the common factors that (still) make any discussion on regional unity futile.²¹ Sustainable development for the region will rather depend on the successful integration into the global market (among others such as fighting poverty), therefore putting the search for partners high on the agenda of each single state in the region. The same accounts for the Arab MPCs that are part of the EMP/ENP.²² Based on this assumption and regarding the objectives of the EMP/ENP, as stated earlier in this paper, it must be in the interest of both sides of the Mediterranean to embark on this effort of reciprocal integration. Looking at the perception of the EMP and the ENP alike by the Egyptian regime there is a striking mood of concern challenging the potential benefits of reciprocal integration.

able dimension of the EMP. For further information on that issue cf. Euromed Information Notes, Euro-Mediterranean Partnership and MEDA Regional Activities, Brussels 2005, pp. 13ff.

- 21 Cf. for a valuable discussion of these varying perceptions in the Mediterranean region, Michelle Pace, «The Ugly Duckling of Europe: The Mediterranean in the Foreign Policy of the European Union», in: *Journal of European Area Studies*, vol. 10, n°2 (2002).
- 22 Morocco, Algeria, Tunisia, Libya (so far only ENP), Egypt, Jordan, Palestinian Authority, Lebanon and Syria.

EMP vs. ENP and Egyptian concerns

With regard to the official stance of the Egyptian government, there is a fear that the Barcelona Process might be diluted by the new ENP initiative. In conversations with Egyptian negotiators and academics alike a widespread lack of comprehension is heard why the EU embarks on a new policy initiative only two and a half years after the ratification of the «Association Agreement» under the EMP banner.²³ The official agenda of the ENP in the Mediterranean framework, which is based on the Agreement and tries to enhance and strengthen the implementation of the latter, is not considered. The fear of being sidelined in the new foreign policy of the EU is built on the assumption that for Eastern European countries a small hope of a future membership remains, while the Mediterranean countries do not have such perspective, thus making them second-class partners. Even the fact that more than two thirds of the committed funds are directed to the Mediterranean partner countries up till 2013 does not mitigate the criticism. Regarding the fact that the EMP remains intact under the wider framework of the ENP, one of the reasons for Egypt's cautious and in parts reluctant approach may lie in the policy shift towards more positive conditionality by the EU, as put forward by Javier Solana:

“We want to continue using Europe's power to attract, stabilize and transform. EU enlargement is an amazing success story, creating a widening area of freedom, democracy and stability. [...] The guiding principle of our European

23 Interview with Amb. Nihad Abdel-Latif, Secretary-General of the Permanent Secretariat of European-Egyptian Association Agreement, November 5, 2006; Conference proceedings of «Egyptian-European Economy Forum», held at the International Centre for Future and Strategic Studies (Cairo) on October 31, 2006 and Conference on «From Partnership to Neighbourhood. New Paths to a Successful Euro-Mediterranean Future», at Nile Hilton (Cairo) on November 7, 2006; Conference coverage of al-Ahram daily and weekly newspaper: Khalifa Adha, «12 miliyar euru musa'ada urubbiyya khilala as-sanawat as-sab'a al-muqbila 69% minha li-duwal al-mintaqa», in: al-Ahram, November 8, 2006; Fatamah Farag, «Love Thy Neighbour», in: al-Ahram weekly, 9-15 November 2006, 819/2006; Sherine Nasr, «Partnership Revisited», in: al-Ahram weekly, 16-22 November 2006, 820/2006.

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neighbourhood policy is that those countries that advance faster on the path of reform will be rewarded with closer relations with the union.²⁴

Regarding the failed attempt of more than one decade to link economic support to the promotion of human rights, fundamental freedoms, and sustainable reforms under the «Association Agreements», the EU has gone a step further. Firstly, the ENP recognizes the necessary country-specific approach in order to be more flexible but more specific in rewarding possible reform efforts.²⁵ Secondly, based on this differentiated bilateralism and experience with enlargement, the EU seems to be ready to offer a «real carrot» to dilute the impression that it prefers stability over democratisation and reform. This new initiative is at the centre of the argument that the ENP strengthens the EMP as it eventually establishes a real opportunity to foster the envisaged cross-pillar functioning of the EMP that aims at supporting sustainable transformation processes in the region.²⁶

ENP and Egypt – an Overview

Considering the fact that the prospective «Action Plan» is based on formerly concluded bilateral agreements, one has to look at the genesis of the EU-Egyptian «Association Agreement» as the legal basis of EU-Egyptian relations, signed after five years of negotiations in Luxembourg on June 25, 2001. The main objectives of the «Association Agreements» are to strengthen the links between the EU and its Mediterranean partners in order to establish long-lasting relationships, based on reciprocity, solidarity, partnership, and co-development.²⁷ Regarding the ENP, the Commission pre-

24 Javier Solana, «Europe's Leading Role in the Spread of Democracy», in: Financial Times, March 14, 2005.

25 Cf. Fn. 11.

26 The EMP, based on the Barcelona Declaration of the year 1995, consists of three pillars: [1] Political & Security Partnership [2] Economic & Financial Partnership [3] Social, Human and Cultural Partnership.

27 Commission of the European Communities, Communication from the Commission to the Council and the European Parliament. Reinvigorating EU Actions on Human Rights and Democratisation with Mediterranean Partners – Strategic Guidelines, Com (2003) 294 final, Brussels 2003, p. 2.

compares «Country Reports»²⁸ – in practice similar to previous «Country Strategy Reports» with its «National Indicative Programme» under the EMP framework – assessing precisely the political and economic situation as well as institutional aspects in order to benchmark a prospective deepening of EU-Egyptian relations. The speed and intensity of this deepening phase shall depend on the will and capability of Egypt to engage in this broad agenda by fulfilling the mutually agreed tasks of the «Action Plan». Moreover it shall then be the task of Egypt to decide whether to follow those incentives put forward by the «Action Plan» in order to qualify for more EU support, mutual cooperation, and integration. Notwithstanding those offers and incentives, the EU remains vague about the framework of this possible enhanced partnership if the «Action Plans» are implemented. It seems as if the EU intentionally created some kind of diplomatic room for manoeuvre in order to adapt to possible future scenarios not yet predictable at this early point of the new policy initiative. Apart from that, by preserving room for diplomatic action the EU is likely to pay tribute to the complexity among the ring of states neighbouring the EU. On the one hand in Eastern Europe the last decision on possible EU memberships has not yet been drawn.²⁹ On the other hand the potential of inter-state conflicts and the longevity of authoritarian regimes in the Mediterranean remain a heavy burden that makes any long-term strategy on behalf of the EU more difficult.

Differing Perceptions

Officially, the «bible» of the European Commission's Delegation to Egypt is based on the Barcelona Process but the current focus is shifted towards the ENP with efforts channelled to complete the EU-Egyptian «Action Plan». By the end of 2006 ninety-nine per cent of the «Action Plan» were ready but the finalization throughout 2006 turned out to be tricky and overloaded with diplomatic manoeuvres, particularly on the Egyptian side.

28 «Country Report Egypt», Com (2005) 72 final.

29 Cf. for this aspect the EU-Ukraine Summit in October 2006: Dan Bilefsky, «EU Not Ready to Invite Ukraine to Join the Bloc», in: International Herald Tribune, October 17, 2006.

January 2007 has finally seen an agreement concerning the disputes over the language of certain parts and aspects of the «Action Plan».³⁰ During interviews, Egyptian negotiators claimed that the EU wanted to impose its model in a region that was completely different to Eastern Europe. From their point of view the EU should accompany the reform process but refrain from imposing the agenda in a language that implies a master-servant atmosphere while further diluting the EMP.³¹ Negotiations on the «Action Plan» have been going on for more than 15 months and the initial intention to finish the document by the end of 2006 (originally planned for the end of 2005) was far from realistic from both sides.³² Numerous interviews with Egyptian representatives of the political and business sector have shown the lack of knowledge on behalf of the Egyptian side regarding the ENP.³³ Moreover, the EMP as a matter of fact in daily operations, interactions with European partners and in particular for those being engaged in the export market still remains the primary framework of cooperation.

Considering the coverage in the Egyptian press,³⁴ the Barcelona Process is still much more featured than the ENP. The bottom line of those rather few

30 This is the common denominator of various conversations held with representatives of the European Commission's Delegation to Egypt/Cairo, held by the author in the second half of 2006. Additionally, the Common Foreign and Security Policy (CFSP) of the EU is an on-going process with many involved actors thus making it difficult to find a common stance on certain things. The latter may also delay decision making.

31 Cf. Interview with Amb. Nihad Abdel-Latif [Fn. 23].

32 Following information of the EC Delegation in Cairo, the signature shall be in March 2007. For further information on the negotiations, cf. Dina Ezzat / Niveen Wahish, «Out in the Cold», in: al-Ahram weekly, 12-18 May 2005, 742/2005.

33 Former Member of Parliament (2000-2005) and former Sub-Governor of the Central Bank of Egypt, Dr. Faika El-Refaie, supported this argument during the «Egyptian-European Economy Forum», held at the International Centre for Future and Strategic Studies (Cairo) on October 31, 2006.

34 The Egyptian Press is very complex and diverse. It may be subdivided into four categories: [1] semi-official Egyptian-based papers with the state owning approximately one half of it (e.g.: al-Ahram) [2] opposition i.e. party papers – Egyptian-based (e.g.: al-Wafd) [3] privately-owned and independent papers – Egyptian-based (e.g.: al-Masri al-Yowm) [4] privately-owned but foreign-based papers (e.g.: ad-Dustour). The chief editors and the holders of leading positions in state-owned newspapers and media authorities are appointed by the Supreme Council of the

articles is fear that the ENP is risking to further dilute the Barcelona Process.³⁵ In addition, those minor reports on the ENP continue to be mostly restricted to government-loyal newspapers, in which they are most likely to be placed in the economic section, therefore undermining the overall more politically-based approach of the ENP, i.e. the linkage of political and economic reforms with the commitment to cooperation.³⁶ The rare coverage by the fractured opposition press agrees in demanding of the EU to articulate binding reform benchmarks in approaching the Egyptian scene in order to speed up the slow and selective reform process.³⁷ That would be in line with the ENP and its «Action Plans» but it needs to be added that the latter is a narrow path of common sense. Many among the opposition press have severe doubts concerning the serious commitment of the EU to promote democracy. Others wonder about the real (conspiring) intentions. However binding reform benchmarks remain the clear red line for the overwhelming majority of both secular and Islamist actors as laid down by the opposition press.

Whereas the EU wants to enhance an interdependent political and economic agenda, the Egyptian regime shows only minor enthusiasm for the political reform agenda set forth by the EU. The understanding of political reform is far from being a common conviction and vision. For the last years

Press, associated to the regime-dominated upper house of parliament, Maglis as-Shura (cf.: § 211 Egyptian Constitution). Opposition papers and privately-owned independent papers (both Egyptian-based) though not subject to direct censorship are far more dependent on resources, have to be more focused on the specific target group and pursue some kind of self-censorship on certain issues (e.g. direct criticism of the presidential family remains a taboo). Privately-owned and foreign-based papers are subject to prior censorship by the Ministry of Information.

35 Cf. Niveen Wahish, «Questioning Barcelona», in: al-Ahram weekly, 21-27 April 2005, 739/2005.

36 Cf. the news coverage of the Conference on November 7, 2006 (Cairo), «From Partnership to Neighbourhood: New Paths to a Successful Euro-Mediterranean Future» in the semi-official al-Ahram (al-Ahram, November 8, 2006, [Fn. 23].

37 The author refers to general comments on external democracy promotion. Apart from that, cf. the long interview with former Egyptian chief negotiator (negotiations on «Association Agreement») Amb. Gamal Bayumi (in: al-Wafd, October 28, 2006) to learn that most topics rally around Arab economic integration with only two questions on the possible benefits arising out of the EU-Egyptian «Association Agreement».

Egypt has embarked on tremendous economic and political reforms but one has to question the substantial content of the latter and its compliance with EU principles. The EU's approach to reform is directed towards sustainable liberalisation aiming at democratisation. In fact, reform policies in Egypt have been a masterpiece in avoiding liberalisation. In the political sector, reform policies that did not threaten the status quo were initiated, whereas the tremendous reforms and privatisation efforts in the economy led to no liberalisation.³⁸ Moreover the business sector set up by technocrats of a few family-based business tycoons (e.g. Orascom Company Holding or Mansour Group)³⁹ has gained incredible power within the ruling elite⁴⁰ by benefiting from the increase in EU-Egyptian trade and by getting influential seats in the cabinet or in parliament. On behalf of Egypt, economic development based on a long-term Industrial Development Strategy has utmost priority.⁴¹ Economic cooperation in order to boost domestic growth and to attract FDI shapes Egyptian efforts while only reluctantly embarking on the political agenda.⁴² It remains to be seen and shall be subject of evaluation

38 Kienle called it «the Grand Delusion», cf. Eberhard Kienle, *The Grand Delusion. Democracy and Economic Reform in Egypt*, London / New York 2000.

39 For instance the Orascom Company Holding of the Coptic Sawiris-Family includes three branches consisting of a telecommunication (OTH), construction (OCI) and tourist company (OHD), each belonging to one of the three sons of Onsi Sawiris, the founding father of Orascom in the 1980s. For a further insight into this so-called «crony capitalism», cf. Clement M. Henry / Robert Springborg, *Globalization and the Politics of Development in the Middle East*, Cambridge University Press 2001, pp. 134-167.

40 Cf. opposition press article: Ahmed Fakri, «Maglis idara al-gam'iyya al-lati tahkumu misr», in: *al-Ghad*, October 29, 2006.

41 Cf. Ministry of Industry & Technology (Arab Republic of Egypt), *Egypt's Industrial Development Strategy. Industry: The Engine of Growth*, Cairo 2005 (unpublished version).

42 The latest selling of 80 per cent of the former public Bank of Alexandria (BoA) to the Italian investment group San Paolo revealed that the paid sum of LE 9.2 billion (about € 1.3 billion) – celebrated as FDI by various ministries – was immediately circumvented for public debt services. Certainly, it is a legitimate action to spend the money on public debt service but one has to keep in mind that the government invested a huge amount of money to settle non-profit-loans (NPL) of the former public bank. Market analysts estimate that the government spent more money to get the bank ready for privatisation than it actually received in the end (cf. Sherine Abdel-Razek «Going Italian», in: *al-Ahram weekly*, 19-25 October 2006, 817/2006).

after the successful finalization of the «Action Plan» and the then following regular evaluation of implementation to be undertaken by a subcommittee of the «Association Council»⁴³ if the Egyptian stance on that view, driven by the transformative power of the latter, is subject to change.⁴⁴

Summing up, the central flaw of EU-Egyptian relation is differing understanding of reform rising from the still missing mutual understanding after eleven years of partnership. On behalf of the EU, reform is directed towards sustainable liberalisation aiming at democratisation. The ruling elite in Egypt has embarked on a reform process but adheres to its own understanding of it, which is gradualism and a top-down approach, fully in line with furthering the power structure of the ruling elite and neglecting any true political and economic liberalism.

Searching for Reasons

The reasons for Egypt's cautious approach towards more commitment on political reforms can be seen as two-fold. *Primarily*, one has learned to live with the EMP and to get the best out of it while adhering to the domestic power structure. The Barcelona Process has created space for dialogue and cooperation but has not served as a «wind of change» in the region.⁴⁵ During the first decade, after a long warm-up period with MEDA II (2000-2006) and the finalization of the «Association Agreement», Egypt benefited increasingly from the partnership.⁴⁶ By pointing regularly at the Bar-

43 The «Association Council» is the highest forum of interaction and evaluation of the «Association Agreement», implemented by the latter (here: EU-Egyptian «Association Agreement», Title VIII, § 74).

44 Cf. European Commission – DG Press and Communication, Speech 06/325, [Fn. 20]; Michelle Pace, «The Construction of EU Normative Power», in: *Journal of Common Market Studies*, September 2007 (forthcoming).

45 Cf. for a further insight into that issue: Andreas Jacobs / Hanspeter Mattes, *Unpolitische Partnerschaft. Eine Bilanz politischer Reformen in Nordafrika*, Konrad-Adenauer-Stiftung e.V., Sankt Augustin 2005.

46 The Egyptian agricultural exports into the EU increased by 70 per cent in 2005, from € 248 million in 2003 to € 404 million since the ratification of the EU-Egypt «Association Agreement» in June 2004 (cf. Ahmad A. Namatella, «EU Agricultural Commissioner Urges Egyptian Exporters to Focus on Quality», in: *The Daily Star Egypt*, December 5, 2006).

celona Declaration and the clause which states “the right of each of them to choose and freely develop its own political, socio-cultural, economic, and judicial system”⁴⁷, the Egyptian regime developed its own way by selling the domestic reform agenda of gradualism as truly in the spirit as laid down in the Declaration but nonetheless coming from within, while viewing relationships with the EU primarily in donor-recipient terms. With the policy shift taken place and the stricter, more rigorous, and more specific national approach of the ENP, the strategy of the last decade seems to be outdated. It may be argued that on behalf of the Egyptian side the potential scope of the relationship that is offered from the EU, going beyond the donor-recipient relationship of the past, has not been acknowledged yet. It is going to be difficult – the regime is certainly aware of this – to continue the selling of reform as true liberalization following the spirit of EU principles as having done at its best during the first decade of the EMP. This explains the diplomatic manoeuvres during the negotiations for the «Action Plan» *and* the wish of the regime to keep it low on the agenda in the semi-official press and public debate at least until the second half of 2006.⁴⁸ Interested in gaining more partners and diversifying its economic potential to attract FDI, Egypt is currently much engaged in furthering and strengthening economic ties with China, Russia and other economic power weights in Asia.⁴⁹ Egypt follows a strict *modus* to enhance economic growth on which the whole political elite is dependent and its eroding legitimization based on.⁵⁰ It explains the strategy to diversify its economic partners but as well the wish to diversify external dependencies. Simply counting on the EU would make the ruling elite vulnerable, thus seeking for other trading partners in

47 «The Euro-Mediterranean Partnership – Barcelona Declaration», in: <http://europa.eu.int/comm/external_relations/euromed/bd.htm> (November 10, 2006).

48 Cf. Mohamed Amin al-Masri, «Mubarak yazuru madinat al-Qarna», in: al-Ahram, June 13, 2006.

49 Ahmed Namatella, «Business Recap», in: The Daily Star Egypt, September 29, 2006; Hadia Mostafa, «If Every Chinese Just Bought One Orange», in: BT-Business Today Egypt, vol. 12, n°10, October 2006; Hadia Mostafa, «The New China Syndrom», in: BT-Business Today Egypt, vol. 12, n°11, November 2006.

50 Egypt needs an annual growth of at least six per cent in order to create enough new jobs and to adapt to the growing work force of its young population.

the Eastern hemisphere, who do not ask critical questions for instance about the human rights accord, has topped the agenda.

Secondarily, post-9/11 has been shaped by various multi- and unilateral attempts to overcome the authoritarian strip stretching from the Western part of the Arab world to the Eastern part of the «Greater (Broader) Middle East», which is also composed of countries such as Iran, Afghanistan, and the Caucasus Region. Based on the normative agenda of democracy, the latter has lost much of its credibility on the ground for democratic advocates in Egypt yearning for an opening-up of the system. Moreover democracy has developed into a murky bubble with numerous interpretations. There are many languages of democracy as “democracy by nature allows for different visions and perspectives”⁵¹, but any western-inspired attempt of enhancing and supporting democratic reform processes is currently doomed to fail and therefore being in part a welcome opportunity for the incumbent regimes to present themselves as the guardian of stability and reliance in cooperation with their Western partners and to present themselves as the reliable advocate of gradual reform.⁵² Hamzawy is right by arguing that “discussing prospects for democratic reform in Egypt necessitates addressing the minefield of Western democracy promotion and articulating preferences about it.”⁵³ The vivid «duckling» of the West in terms of the unsolved democracy vs. stability dilemma have damaged the credibility of democracy. Authoritarian regimes all across the Arab world feel more self-confident than ever in their approach of gradual reform and their rejection of any external demands.⁵⁴

51 Emad El-Din Shahin, «Egypt’s Moment of Reform – A Reality or an Illusion?», in: CEPS Policy Brief, n°78/July 2005, Brussels, p. 6.

52 Cf. Larbi Sadiki, *The Search for Arab Democracy. Discourses and Counter-Discourses*, London 2004, pp. 47ff.; Michelle Pace, «Imagining Co-presence in Euro-Mediterranean Relations: The Role of Dialogue», in: *Mediterranean Politics*, vol. 10, n°3, November 2005, pp. 291-312.

53 Amr Hamzawy, «Euro-Mediterranean Partnership and Democratic Reform in Egypt: Contemporary Policy Debates», in: Youngs / Fernandez, *The Euro-Mediterranean Partnership: Assessing the First Decade* [Fn. 12], p. 133.

54 Cf. for the shift away from democracy promotion on behalf of US foreign policy, Michael Slackman, «News Analysis: Rice Speaks Softly in Egypt», in: *International Herald Tribune*, January 15, 2007.

Coherence of Instruments and Strategies

Former attempts of the EU as a foreign policy actor were regularly misshaped by a lack of *coherence* regarding the normative agenda and the eventual *instruments* set up to achieve those objectives on the ground. Starting in 1995 with a highly ambitious multilateral and bilateral agenda to reshape its relations towards the South, the EU had to admit soon that the regional approach to the MPCs was too early to embark on, due to the ongoing high level of inter-state conflicts and the fact that the EMP was somehow hijacked by the latter. Focusing on bilateral approaches to its immediate neighbours or so-called «semi-periphery» (by not rejecting the multilateral track), the ENP in the Southern Mediterranean is a rational consequence of one decade EMP and its rather poor record. The inclusion of the Eastern «semi-periphery» or vice versa is no contradiction to the latter, due to its common denominator by sharing a common border with the EU. This overall security-related approach has to be diversified into country-specific approaches if it wants to be efficient on the ground. The shift from negative conditionality towards positive conditionality has equipped EU's foreign policy with more *coherence*. It may act as an *instrument* of real incentives and an *instrument* that shows potential of sustainable use by the EU in contrast to the previous instrument of negative conditionality that exists only in theory. The implementation and the leverage of positive conditionality will show the potential difference compared to the previous instrument of negative conditionality. Certainly it is no self-fulfilling prophecy that positive conditionality will change the EU's stance towards Egypt as it might end up like the instrument of negative conditionality.⁵⁵ Nonetheless, the strict EU approach during the negotiations for the «Action Plan» have given a clear hint of increased commitment by the EU to match words with deeds.

Eventually the latter instrument does not solve the problem of boosting sub-regional (here: South-South) integration, so crucial for the realization of the Mediterranean Free Trade Zone by 2010. Keeping this in mind, we must conclude that there is not only the need of *coherence* within the ENP

55 Cf. Fn. 10.

but also the need of an *inter-instrumental coherence* between the EMP and the ENP. The decision to use the subcommittee of the established «Association Councils» for the «Action Plans'» evaluation does not solve the problem, due to its remaining bilateral approach. In order to obtain *coherence* between ENP and the EMP, there should be an additional unifying *instrument* bringing together all «Action Plans» under one umbrella. Serving as a non-binding instance to evaluate the conclusions of all country-specific evaluations, it would enhance intra-regional competition, public visibility, and possibly public debate. Last but not least it would enhance the multilateral track.⁵⁶

In the long run, coherence of EU instruments is essential in narrowing perception gaps, which to overcome is so crucial. Certainly in the case of Egypt, complex domestic, regional, and international settings influence the furtherance of the reform process. Keeping in mind that external input is dependent on domestic issues and vice versa one must emphasize the necessity of a coherent approach *with* an inclusive *social dimension*. The complementary approach of the ENP towards the South has sent a clear message to the Southern partners' governments but the message to the people has not yet been heard. The EU is willing – of course primarily for the sake of its own interests, namely stability and security – to embark on a mutual partnership with the ruling elites. This willingness is based on the commitment towards more reform leading to an opening-up of the political systems on behalf of the MPCs. Actions on the ground must be a mirror of the agenda in order to sharpen the European Union's identity and thus in the long run to tackle the perception gap. Coherence of strategies and instruments must also imply to further strengthen the *social dimension*, the visibility of the EU agenda, and the dual mutual partnership with the ruling elites *and* the people on both sides of the Mediterranean. Relying simply on

56 One might think of an instrument similar to the «Peer Review Mechanism» under the NEPAD (New Partnership for Africa's Development) framework of the African Union. NEPAD, launched in July 2001, has succeeded in pushing forward Africa's development agenda in international relations. Its drafted political and economic programme identifies the promotion of democracy, rule of law, good governance, human rights as the most crucial indicators of the continent's development agenda.

the ruling elite will not be sufficient to achieve the coherence between strategies and instruments on the ground.⁵⁷

Finally, based on positive conditionality as a leading principle in EU-Egyptian relations, the *social dimension* should be upgraded by diversifying the partners in Egypt. The choice of potential partners in politics, business, and society shall not be restricted to regime loyalists and western-educated civil society actors in order to mirror the socio-political composition of Egyptian society. This would comprise the cooperation with representatives of Political Islam (here: Muslim Brotherhood)⁵⁸ as the dominant socio-political force in Egyptian society and on behalf of the EU it would convey a clear message:

“Democracy assistance does not focus on determining outcomes but on nurturing democratic culture, practices, and institutions.”⁵⁹

- 57 There are indeed promising developments underway. The Muslim Brotherhood parliamentary bloc of 88 members met the EU parliament’s delegation at the bloc’s headquarter in Cairo on November 22, 2006. The willingness to engage moderate voices of political Islam that recognize and abide by the principles of democracy is the right strategy to get more social visibility as the Muslim Brotherhood is one of the strongest socio-political movements in the country (cf. Press release by Muslim Brotherhood on Friday, November 24, 2006, in: <<http://www.ikhwanweb.com>> (November 27, 2006); Alaa el-Ghatrifi, «Wa qad al-barlaman al-urubbi yazuru nuwwab al-ikhwan fi maqarri-him bi-l-Manyal», in: al-Masri al-Yowm, November 11, 2006).
- 58 It shall be a partial inclusion of those actors adhering to the basic principles of political participation, i.e. taking actively part in Egyptian politics through elections, socio-political movements, syndicates, unions or associations.
- 59 Gershman / Allen, «The Assault on Democracy Assistance», in: Journal of Democracy, 2/2006, p. 49.

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