

D.6.1. state-of-the-art on EU-ENP security initiatives, premises, and consequences in the Mediterranean

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**Converging and conflicting ethical values
in the internal/external security continuum in Europe**

Workpackage 6

by

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This paper is the first one the reports produced by Workpackage 6 of the INEX project. It is a state-of-the-art report presenting an analytical overview of what we know about European Union security policy-making in and toward the Mediterranean. The paper begins by presenting a brief overview of European Union policy-making toward the Mediterranean. The following three parts present a review of the scholarly and policy literature on three specific aspects of this relationship: EU policies toward the Mediterranean (Part 2), EU discourses on the Mediterranean (Part 3) and EU security practices and their ethical implications (Part 4).

1. A brief overview of European Union policies towards the Mediterranean

While actors such as the International Peace Research Association (IPRA), the IPRA Commission on Peace Building in the Middle East, and the European Peace Research Association (EUPRA) have also encouraged and supported the search for security within a Mediterranean framework, since the 1990s, the European Union has almost single-handedly sought to construct (what it came to refer to as) the ‘Euro-Mediterranean’ region to meet its economic, societal, and, more recently, military security needs and interests.¹

Since 1995, when the Barcelona Conference jump-started the European Union’s concerted effort toward the Mediterranean, EU policy-making has gone through two important phases, namely: the Euro-Mediterranean Partnership (1995) and the European Neighbourhood Policy (2003) (compare 1995, 1995, Europeancommission, 2002, 2003a).² Before going on to present an overview of these phases of EU policies towards the Mediterranean, a few words on the historical context is in order.

a. Historical Context

The European Union’s (then the European Community) close interest in the Middle East in general and the Mediterranean in particular go back to the early 1970s—a period marked by the OPEC oil embargo that intertwined with the 1973 Arab-Israeli War. The Global Mediterranean Policy (GMP) of 1972 marked the beginning of the EC’s engagement with its Mediterranean neighbours as a whole towards furthering trade relations across the Mediterranean. Until then EC had engaged with different North African countries separately or in groups but not within a Mediterranean

framework. While a series of 'cooperation agreements' were signed and put into effect with southern neighbours,³ GMP was abandoned in 1989 while some of the other smaller schemes continued. In 1989, EC supported the formation of the Arab Maghreb Union as a means of fostering intra Maghreb political integration. Libya, Tunisia, Morocco, Mauritania and Algeria joined. In 1990, France initiated a cooperation scheme between 5 Northern Mediterranean EC members and 5 AMU members. As part of the 5+5 Process, ministerial level meetings were organised dealing with issues of economic development and environmental management. The same year, Spain and Italy proposed the formation of a Conference in Security and Cooperation in the Mediterranean, modelled after the Helsinki process.

As the Cold War came to an end, the Soviet Union came apart and the two Germanys united, the European Community turned inward and eventually emerged as a 'Union'. It was only after this process was completed that EU actors once again turned their gaze towards the Mediterranean. In the early 1990s, the Global Mediterranean Policy was revamped as Redirected (Renewed) Mediterranean Policy. RMP tripled the amount of Mediterranean funds in the new financial protocols concluded with the Mediterranean neighbours. Increase in funding was supplemented by improved conditions of access to EU markets in that, by the mid-1990s, Mediterranean neighbours were sending a greater share of their total exports to the north.

The European Union set up the Euro-Mediterranean Partnership in 1995 capitalising on the vacuum created by the post-Gulf War (1990-91) disarray in the Arab World and the momentum generated by Palestinian-Israeli peace-making. That said it was not only the suitability of circumstances but also EU's changing concerns that paved the way for EMP. The EU's return to a Mediterranean framework in the mid-1990s, then, has its roots in the domestic societal concerns of EU policy-makers and a re-thinking of security in the European Union against the backdrop of migration from the Middle East; increasing restlessness within Middle Eastern diasporas in the EU that has at times taken the form of militant activism; and the civil war in Algeria, which accelerated the pace of the first two processes.

b. Euro-Mediterranean Partnership (EMP)

The Euro-Mediterranean partnership (EMP) was institutionalised at the Barcelona Conference of November 1995 that brought together Algeria, Cyprus, Egypt, Jordan,

Israel, Lebanon, Malta, Morocco, Syria, the Palestinian Authority, Tunisia, and Turkey.⁴ The Conference agreed on establishing a partnership in three areas: political and security relations, economic and financial relations, and social, cultural and human relations. The Conference was concluded with the issuing of the Barcelona Declaration—an 8-page document with another 8-page addendum consisting of a work programme designed to concretise the objectives set out in the declaration (1995, 1995).

In order to give practical expression to this scheme, the Conference envisaged activities in a multilateral framework that brought in the private sector to play a role in transferring additional resources, both technological and financial. The cornerstone of EMP was the creation of a free-trade zone in industrial goods and services over a twelve-year period. The purpose behind this formation was stated as not only one of creating an expanded trading bloc, but also transforming the Mediterranean environment as stated in the original wording of the document:

The participants emphasize the importance they attach to sustainable and balanced economic and social development with a view to achieving their objective of creating an area of shared prosperity (1995, 1995).

As such, the EMP scheme was based on liberal (if not functionalist) assumptions as can be deduced from then British Foreign Secretary Malcolm Rifkind's address to the Barcelona Conference where he said that the EMP had 'two main themes: political stability . . . and economic growth. In reality these are actually only one subject'.⁵

The first one of the three partnerships set up through the Barcelona Declaration was the Political and Security Partnership, whose aim was stated as one of creating 'an area of peace and stability in the Mediterranean'. The signatory countries' responsibilities towards international law, democracy, human rights and non-proliferation were stated under this heading. The document read:

The participants express their conviction that the peace, stability and security of the Mediterranean region are a common asset which they pledge to promote and strengthen by all means at their disposal. To this end they agree to conduct a strengthened political dialogue at regular intervals, based on observance of essential principles of international law, and reaffirm a number of common objectives in matters of internal and external stability (1995, 1995).

As such, the EMP went further than any previous Euro-Arab scheme and sought to cohere security practices of the signatories. Yet, the failure of the Middle East Peace

Process at the end of 1990s stalled the implementation of the confidence building measures.⁶

In September 2000, the European Commission issued a communication advising the Council and European Parliament to 'reinvigorate' EMP. The Commission suggested that Association Agreements with the Mediterranean partners should be given upmost priority. EU also launched the Common Mediterranean Strategy, re-evaluating the aims and instruments of EMP in view of the internal and external developments of the past five years. In less than two years later, during Spain's Presidency, the Valencia Conference of 2002 sought to give the EMP an impetus through adopting an Action Plan. The Valencia Action Plan called for institutionalising the Euro-Mediterranean Parliamentary Forum into an assembly, declaring support for interregional Mediterranean initiatives like Agadir, adopting 'The Framework Document on Justice and Home Affairs' towards combating against drugs, terrorism, organized crime and illegal immigration, launching the Tempus higher education exchange programme and initiating the establishment of the Anna Lindh Foundation to strengthen dialogue on cultures and civilisations.

Yet, the impression remained that the EU was not doing enough about the Mediterranean. By 2005, the ten-year anniversary of the Barcelona Conference, there was very little concrete achievement of the EMP to 'show'.⁷ High Representative Javier Solana's following words gave urgency to reflect on the achievements of EMP:

Let us look at what we have done right in the past ten years. But let us also assess where we can do more or better. We owe it to ourselves and our publics to be frank. We must stay true to our guiding philosophy of partnership and inclusiveness. But we should update our work to radically changed realities and new expectations. In everything we do we should inject a greater dose of urgency. Time is not on our side (Solana, 2005).

Indeed, the ten-year anniversary was marked by statements of disappointment over the limited nature of progress achieved, notwithstanding the commitment and contributions of myriad governmental and non-governmental actors on both sides of the Mediterranean (see, for example, Almubadara, 2005, Amnesty International, 2005). The historical juncture at which this anniversary was set also did not help. That said it was not only the European Union that was responsible for the limited enthusiasm for the Euro-Mediterranean partnership in its tenth anniversary. The US-led invasion of Iraq (2003) and the predicament of the Iraqi people, al-Qaeda linked

bombings in İstanbul (November 2003), Madrid (March 2004) and London (July 2005) and the rise of anti-immigrant (often anti-Arab and/or anti-Muslim) feelings in Western Europe, when coupled with the impasse in Palestinian-Israeli peacemaking and the omnipresence of the threat of 'global jihadism' in 'Western' policy lexicon, had alienated the two shores of the Mediterranean.⁸ It is in this sombre climate that the European Union launched a new initiative re-stating its interest in the Mediterranean as part of its broader interest in its 'neighbourhood'.

c. European Neighbourhood Policy (ENP)

On 11 March 2003, the European Commission adopted a Communication that outlined a new framework entitled 'Wider Europe—New Neighbourhood' (European Commission, 2003b). Following intense discussions regarding the name as well as the substance of such policy invigoration, the Thessalonica European Council formally launched 'European Neighbourhood Policy' (ENP) in May/June 2003. Through ENP, European policy-makers sought to bring under the same framework their policies towards the neighbours in the East and the South. They also sought to devise an instrument, short-of extending membership, to bring about transformation in their neighbourhood. Commissioner for External Relations Benita Ferrero-Waldner described the European Neighbourhood Policy as follows:

The EU's aim is to expand the zone of prosperity, stability and security beyond our borders. The question is how to use our soft power to leverage the kinds of reforms that would make that possible. The answer, in the decade following the fall of the Berlin wall, was enlargement. This has been a tremendously successful policy, with a momentous impact on the European continent. EU enlargement has made an extraordinary contribution to peace and prosperity, thanks to our strategic use of the incentives on offer. Nor is it over—we still have work to do to consolidate 2004's enlargement and there are new enlargement commitments on which we must deliver. Yet it is clear that the EU cannot enlarge ad infinitum. So how else can we pursue our geostrategic interest in expanding the zone of stability, security and prosperity beyond our borders? How best can we support our neighbours' political and economic transitions, and so tackle our own citizens' concerns? ENP provides the answer (Ferrero-Waldner, 2006: 139-140).

While the same liberal assumptions were at work in the making of the ENP as with the EMP, there were also significant differences. Differentiation, ownership and bilateralism were identified as the main pillars of ENP. The EMP's emphasis on

region-building and horizontal cooperation was replaced with North-South cooperation managed through bilaterally agreed 'Action Plans'. Morocco, Jordan and Tunisia were the fastest to start negotiations. Egypt and Lebanon followed suit a year later. Algeria remained sceptical of ENP's value added and has preferred to proceed within the Association Agreement signed within EMP framework.⁹

If the EMP was strongly in favour of transformation understood as liberalisation of the economy and democratisation of politics in rhetoric if not necessarily in action, the ENP defined transformation mostly in terms of liberalisation of the economy and stability of domestic politics in the neighbourhood—in rhetoric and in action. From EMP to ENP, in just under ten years, the European Union had refined its instruments and lowered its expectations vis-à-vis the Mediterranean.

That said ENP was a response not only to the failings of the EMP but also the changing security environment in Europe and beyond as well as the global ambitions of the European Union. The latter crystallised in the European Security Strategy (ESS) document published in 2003 (European Council, 2003). ENP's relation with the ESS was observed in its emphasis on cross-border cooperation on issues such as terrorism, environment, immigration and trafficking.

This brief overview of EU policies toward the Mediterranean was intended to set the context. The following three sections are designed to present overviews of the (scholarly and policy) literature on EU policies, EU discourse, and EU security practices and their ethical implications.

2. An Overview of the Literature on EU policies towards the Mediterranean

EU policy-making toward the Mediterranean has had an uneven record, and the literature reflects this. In what follows, the paper will highlight the basic arguments as found in scholarly and policy writings. As will be seen, a majority of the literature is characterised by an important limitation in terms of incorporating insights of the Mediterranean partners. Darbouche (2008) highlighted how the limits of the literature in this regard has resulted in distorted understandings of Algeria's dynamics. While various collective efforts (as with Euromesco's paper series)¹⁰ have sought to remedy this problem, there is still a long way to go.

a. The Mediterranean has once again become a framework for thinking and action.

Perhaps the most concrete achievement of EMP is the revival of the 'Mediterranean'. While there is a long and rich history to the Mediterranean, from the mid-1990s onwards, the European Union has, almost single-handedly, revitalised the Mediterranean as a framework for thinking and action (Moulakis, 2005, Bilgin, 2008). Pace (Pace, 2002, 2006) presented a comprehensive overview of the evolution of the Union's Mediterranean. Bilgin (2004a, 2005) juxtaposed the 'Mediterranean' as a region with competing conceptions of 'region' and 'security' in the broader geography of North Africa and Southwest Asia. Among others, Biscop (2003) and Bremberg Heijl (2007) questioned whether the Mediterranean could be considered as a security whole. Adler (1998, Adler & Crawford, 2002, 2004, also see Adler, Crawford, Bicchi & Raffaella, 2006) explored the potential of the Mediterranean as a security community, whereas Spencer was more sceptical. She suggested that it might be better to give up the regional approach and handle relations in a 'thematic rather than strictly geopolitical terms' (Spencer, 2001: 136).

b. EMP was more ambitious than any other previous scheme by making politics and security aspects of dialogue in the Mediterranean

The way EMP sought to link progress in democracy and human rights on the one hand and economic aid and cooperation on the other was a politically daring move previously unseen. Galli (2008: 19) highlighted this aspect when she wrote that 'the political and security chapter of the Barcelona Process is the essential aspect distinguishing this policy from previous European initiatives for the Mediterranean'. Youngs (Youngs, 2004: 55) located the essence of EMP's difference in how, for the first time, cooperation over the promotion of democracy and human rights was declared an 'integral part' of Euro-Mediterranean relations. Duke (2004) pointed to how this attempt marked EU's difference from the US —an instance of EU casting itself as a 'normative power'.

While not much progress has been achieved in this first chapter compared to the other two (where there was precedent of dialogue and cooperation), a significant achievement was the Union's empowerment of non-state actors in the Mediterranean neighbours in a manner previously unseen. Bilgin (2002, 2004b, 2005) underscored how this alone rendered the European Union and its alliance with civil societal actors

as the most promising security dynamic in this part of world. Schmid (2004: 404-5) highlighted how ‘all bilateral agreements signed with the MPCs now include a clause explicitly urging respect for human rights and democratic principles’ and that this became ‘a fundamental principle or dream for political activists’ notwithstanding the fact that ‘it has never been activated’.

Others have suggested that the European Union’s confidence in civil society activism may have its problems for reasons to do with the limits of civil society in this part of the world (Norton, 1993, 1995, Schwedler, 1995). Yet non-state actors are not always to be blamed for lack of progress. For, the Mediterranean neighbours have not always been forthcoming in allowing civil societal actors to empower themselves through EU backing (Balfour, 2006: 127). The European Union, on the other hand, has not always exhibited tact and/or skills in seeking to support civil societal actors. In particular, EU’s attempts to distance itself from Islamist actors (even before 9/11) made its efforts seem at odds with its pro-democracy rhetoric (Balfour, 2006, Youngs, 2006).

c. EMP was never intended to support human rights and democracy but self-interests of the EU, narrowly defined

While it has become commonplace in the post-9/11 era to criticise the European Union for having become a ‘Fortress Europe’(Albrecht, 2002) by putting aside its ‘normative power’ aspirations and pursuing its not-so-enlightened self-interests, such criticisms were raised even in the early days of EMP. In 1995, participants to an ‘alternative conference’ than ran in parallel to the Barcelona conference had claimed that the real purpose of the Union was not to establish ‘closer relations’ but ‘greater *isolation*’. The real purpose of EU being,

to formalize agreements which would inhibit migration from the Middle East, especially the movement of people perceived by European governments and the EU as bearing malign political and cultural influences, notably those associated with Islam (Marfleet, 2000: 267)

Some analysts concurred. Youngs (2004: 56) viewed EMP as an ‘avowedly security-focused equivalent of the OSCE’. Volpi characterised EMP at best ‘a piecemeal process’ whose impact is ‘cosmetic’ (Volpi, 2004: 160). Spencer approvingly cited Chourou’s following definition of the Union’s aims: ‘Europe wanted a secure access to oil and gas and protection against waves of immigrants’ (Chourou cited in

Spencer, 2001: 136). Nicolaidis and Nicolaidis went further than others and characterised EMP as a 'contract between democratic and non-democratic states which bribes the latter for accepting some interference in their affairs through the exercise of EU financial and normative power' (Nicolaidis & Nicolaidis, 2004: 20). Youngs (2004) and Balfour (2006) thought the EU put aside its own principles when its material interests were at stake. Finally, Crawford suggested that the Euro-Mediterranean Partnership was better understood as a neo-colonial project in post-colonial garb (Crawford, 2005: 16).

d. European policymakers' irresoluteness has rendered EMP dead-born

While the EMP was designed as an ambitious scheme, it was not always clear, not even to its most ardent supporters, how it was going to be brought into action given the sensitive and unexplored nature of dialogue on matters of politics and security. On the one hand, ambiguity allowed the process to keep going. Spencer (2001: 136) observed that 'the political and diplomatic aspects of Barcelona are acceptable only insofar as they remain unspecific, universal, and inapplicable to real crises or internal affairs'. That said, to external observers it seemed like the Mediterranean aspect of EU policies was, like any other aspect, plagued by what Hill referred to as the 'capability-expectations gap' (Hill, 1993).

In the mid-1990's, having recently gone through a process of transformation (and later enlargement in 2004), the Union's priorities were in a state of flux. Schmid (2004: 405) observed that:

the specific constraints of European decision-making, combined with the very particular spirit of consensus that informs the EMP makes it very difficult to bring about any coercive measure sanctioning abusive behavior. Strictly defined political conditionality is not a reality within the EMP framework, with the result that it cannot be used effectively to defend human rights.

Bengtsson (2008) maintained that the roots of such irresoluteness ran deeper in that it was a function of the contradictions within EMP (which, he argued, remained to be resolved through ENP, see below). The contradiction, he argued, had to do with EU's image of its neighbourhood, which places the EU in a hierarchical position vis-à-vis the South whilst also pointing to mutual security dependence. He wrote:

the EU image of the neighbourhood holds partly contradictory aspects. The neighbourhood is a source of potential insecurity for the EU, the logical conclusion of which is to engage in a self-interested

fashion to promote change in the direction desired by the EU. At the same time, the EU position is weakened by the fact that for a number of reasons, ranging from the relational character of security to material aspects such as energy supply, the EU is involved in an interdependent relationship with the neighbourhood (Bengtsson, 2008: 609).

As will be discussed in Part 4, EU image of the Mediterranean neighbours, as gleaned from its policy discourse, is considered to be problematic by others as well. While authors differ on the definition of the problem, they agree that it incorporates contradictory elements. Whether these contradictions are to do with policy irresoluteness or reflective of EU's 'ambivalence' toward the South is debated.

e. Mediterranean neighbours have had different priorities

To say that Mediterranean neighbours have had different priorities compared to their EU counterparts was to state the obvious even in 1995. Indeed it was that very difference in priorities that EMP had sought to build upon. In line with their liberal assumptions, the architects of EMP offered the Mediterranean neighbours something that was a priority for them (economic aid and access to EU markets) and in return asked for something they themselves prioritised—i.e., improvement in democratic rights and freedoms. Yet, what was expected to be a productive tension between the priorities of Mediterranean neighbours and their EU counterparts did not transpire. The non-productive nature of the tension surfaced early on over the issue of the treatment of Islamist actors. Galli (2008) explained that whereas Mediterranean neighbours wanted to treat Islamist actors within the framework of 'terrorism', i.e., military security, their EU counterparts at the time still considered the issue in terms of societal security, i.e. non-military (also see Waever, Buzan, Kelstrup & Lemaitre, 1993). While the latter were also unwilling to support or be seen as supporting Islamist actors even within the broader effort of enhancing rights and freedoms, they nevertheless refrained from agreeing to frame the issue as one of military security. Well until 9/11, Madrid and London bombings, which affirmed EU's status not only as a target but also as a 'base' of terrorism, noted Galli (2008), EU policy-makers sustained this policy of refusing to establish a linkage between Islamist activism-migration-terrorism—at least in rhetoric if not in practice (also see Lutterbeck, 2006) (see Part 4).

The priorities of the Mediterranean neighbours, on the other hand, remained more or less the same from the very beginning: development through receiving economic aid and gaining access to EU markets.¹¹ Bensaad (2007) pointed to Morocco's development needs. Bayoumi (2007) underscored the differing priorities from an Egyptian perspective. Whereas EU actors considered the monitoring of migration in general and the cessation of illegal migration in particular a top priority initially from a societal and later from a military security perspective, the Mediterranean neighbours considered migrants an economic asset. Testas (2001: 71) clarified this clash of perspectives as follows:

Maghreb politicians may not cooperate to the full with the EU partners in issues regarding migration because they see the latter as assisting economic efforts. Given the significant share of remittances in total GDP of the Maghreb, North African governments may in fact wish to see their workers migrate.

Testas' research on the Maghreb confirmed the centrality of workers' remittances to economy and development especially in Morocco and Tunisia but less so in Algeria. The latter were more willing to cooperate only in the monitoring of asylum seekers who happened to be anti-regime Islamist activists. In that case, their EU counterparts were not forthcoming; for, in pre-9/11 world politics, they had fewer qualms.

Yet it was not merely economic development that the Mediterranean neighbours were after—as it is often assumed. They also sought stability that would allow for development to take place. Even Algeria, noted Darbouche (2008), which was not always forthcoming in cooperating within the framework of EMP (and even less so in ENP) due partly to its natural gas income has sought to anchor its struggle against Islamist activism in EU rhetoric and practices. For Algeria, he wrote:

EMP provided a diplomatic window of opportunity. Isolated at the time, the regime in Algiers wanted to use the overture to canvass support over the domestic crisis and to assert its prevalence over the Islamist insurgency (Darbouche, 2008: 375).

His point being, for the Mediterranean neighbours, EMP mattered in more ways than one.

f. ENP is likely to address many of EMP's problems

While the ENP was not initially designed with the Mediterranean neighbours in mind, it soon became a policy towards the European Union's (almost) all neighbours in response to the concerns of the latter who were worried of being left out. That the

European Neighbourhood Policy was not designed with the Mediterranean neighbours in mind is not necessarily a problem argued Joenniemi (2007), for the way in which ENP was set up made it fit for the purposes of all sides. After all, he argued, EMP had fallen short of achieving multilateralism even when EU policy rhetoric called for it. That ENP gave up this ambition was not a weakness, but a meeting of rhetoric and action, he thought. He wrote:

Once the countries of the South have proved themselves unwilling and unable to exploit the option of region-building, why not settle for a bilateralism based on conditionality and the benchmarking component of the ENP? That the ENP has formally given up on multilateralism in favour of bilateral cooperation makes it fit for the reality on the ground if not the ideals of the architects of EMP (Joenniemi, 2007).

If your deeds cannot keep up with your words, why not amend your words?

While Joenniemi's praise for the ENP was regarding its conformity with developments on the ground, Comelli et al. (2007: 204) considered the new policy to be an improvement over EMP for different reasons. They wrote: 'the ENP can be viewed as an attempt to respond to two potentially contradictory border-related demands: first, the efforts to define where the 'final borders' of the EU lie, second, the challenge to transform the EU's external borders from boundaries into borderlands'. As such, Comelli et al. offered the ENP as a response to the very contradictions that prevented the EMP from functioning successfully (see above). Further, they considered the ENP as the right kind of framework for the EU to finally realize its aspirations to become as a 'normative power'.

Dannreuther (2008) saw what the ENP was doing differently: to change the instruments so that deeds can catch up with words. The author praised the ENP not in terms of its philosophy but the precision of its new instruments. Diagnosing the EMP's problem as one of the bluntness of its instruments, the ENP, he argued, invented a 'silver carrot'—a relationship with the EU short of full membership (i.e. the 'golden carrot')—which he expected to move things forward. Dannreuther (2008) also argued that the ENP's shift towards a more selective and differentiated approach did not decrease from but added to the ENP's 'coherence and consistency'.

g. ENP has inherited EMP's problems

The change in rhetoric introduced by ENP did not impress all for, they considered the EU presently incapable of realising these set of goals—even in their amended

version (Wallace, 2003, Stetter, 2005). Dannreuther, for instance, was not optimistic about the EU taking such a turn given the agenda set by the ESS. He wrote:

The main problem or internal challenge that the European Union faces is that its clear interest in promoting economic and political transformation in its neighbourhood is counter-balanced by a number of strategic and security-driven interests which support a more conservative and status-quo driven approach. In many ways, the ESS can be seen to exacerbate these tensions, as the document arguably concentrates more on the security threats posed by the European Union's neighbours than on their prospect for change and transformation. The challenge, though, is to undermine this strategic orientalism and shift the balance of interests from the more conservative security-driven set of concerns to the transformational agenda (Dannreuther, 2008: 72).

Another group of authors were critical of ENP not in terms of the realisability of its goals but in terms of their 'regressive' character. While EMP was about seeking common security and others learning from EU's own experiences in terms of creating a security community, Joenniemi (2007) argued, the ENP is about closing the door not in terms of membership alone but also in terms of the potential form a security community. Although assumptions behind the making of EMP were 'liberal', the language of the Barcelona declaration was of 'common security', reminded Joenniemi. Whereas, he argued, with ENP, EU policy-makers dropped the language of common security altogether (145). He wrote:

There is regress in the sense that, in addition to de-bordering performed at the edges to sort out those who are foreign, the ENP aims—as an aspect of a concentric configuration, with the EU as a closed and ready-made configuration—above all a bordering and keeping out (Joenniemi, 2007: 156).

Schmid (2004) concurred. The ENP, she argued, constituted a step back from the EMP. With the EMP, she argued, the rhetoric and aspirations were there even if they remained unfulfilled. With the ENP, she maintained, the rhetoric is also gone (also see Darbouche, 2008). She wrote:

The 'Neighbourhood' initiative seems to confirm the normalization of the EMP, which is explicitly embedded in a wider foreign perspective...However, when compared to the terms of the Barcelona declaration, the strategic ambition of the project appears rather diluted..it is becoming increasingly problematic to systematically presuppose that the bad will of the MPCs is solely to account for their failure in implementing a sustainable model of development (Schmid, 2004: 415).

Whereas some such as Schmid were critical of ENP's re-emphasis on the liberal assumptions of the EMP on grounds that human rights were given a back seat to the economy, Martin (2004) criticised the same liberal assumptions of the EU in terms of their consequences for the Mediterranean neighbours' economies. He wrote:

The creation of Euro-Mediterranean free trade areas alone, without a set of complementary accompanying measures contributing to a fully-fledged strategy for meeting the social and economic challenges faced by the MPCs and easing transition to a more modern and liberalized economy, will have a substantially negative impact on the population's social and economic conditions and rights (Martin, 2004: 441).

This critique brought him back to the issue of social and economic—but not necessarily political—rights:

To work properly, the Barcelona scheme needs to be complemented in one way or another by a minimum guaranteed standard of social and economic rights (that is, an effective social safety net). This may be the only way to solve the timing problem mentioned above (Martin, 2004: 450).

Notwithstanding the differences (if not contradictions) among these arguments, they agree on one thing—the centrality of the tension between security and democracy to EMP and ENP. While authors disagree as to whether it is democracy or security that has been given priority, they argue that this is the tension that has characterised EU policy-making toward the Mediterranean (Olsen, 2000). Scholars who analyse not EU policies but discourses arrive at different conclusions as to where the tension is. This is what the paper turns to now.

3. An Overview of the literature on EU official discourse on the Mediterranean

The literature on EU official discourse on the Mediterranean is critical of one of three things: Paternalism, EU's differentiated discourse concerning its Eastern v. Southern neighbours and its double-discourse on the Mediterranean/security. This may be an unwinnable argument for the Union. For, when it differentiates between its Eastern and Southern neighbours in accordance with its own visions of their cultural proximity and economic and political capacity, it is criticised for discriminating between the two. When it does not, and calls for political as well as economic transformation throughout its entire neighbourhood but then fails to back it up with policy action, it is

criticised for not living up to its own rhetoric. In what follows the paper will present a brief overview of these three major arguments as found in the literature on EU official discourse.

a. EU discourse is characterised by a paternalistic attitude toward the Mediterranean

Paternalism in EU discourse an issue that the Mediterranean neighbours as well as some domestic critics have been sensitive to. Presenting an Egyptian perspective on Euro-Mediterranean relations, Bayoumi (2007) pointed to 'paternalistic interference' as one of the three major concerns of Egyptians. Bengtsson (2008: 597) seemed to agree:

EU perceives itself as the Motor of European security and as superior to the neighbourhood, but also that EU representatives simultaneously note the interdependent character of the relationship and frame the ENP policy programme in terms of joint ownership.

Analysing EU discourse on the Mediterranean, Holm also detected a hierarchy being established via EU policy-makers' statements. Pointing to the then EU President Romano Prodi's use of the term 'responsibility' towards the Mediterranean to extend 'a set of principles, values and standards which define the very essence of the European Union', Holm argued that

the notion of responsibility refers to a father's responsibility for the education of his kids. The EU thus constructs a structure of symmetry but being aware of being accused of behaving as a colonizer, Prodi simultaneously declares that the EU is open to coexistence on equal footing with the neighbours that have mutual commitment to common values. The principle of egalitarianism between the EU and the neighbours is thus established but it is countered by the construction of the asymmetry between the teacher and the pupil (Holm, 2005: 18).

A similar point could be made about the use of the term 'the logic of generosity' (Dannreuther, 2008) in reference to the European Union's stance toward the Mediterranean neighbours.

That said it is not always easy to decide which attitude is more paternalistic: wanting to 'teach' others or declaring others beyond one's 'educational' responsibility for reasons of cultural distance. After all, while the prior smacks of paternalism (if not

neo-colonialism, see (Crawford, 2005)) the latter leaves non-governmental actors at the mercy of authoritarian regimes. Indeed, as Nicolaidis and Nicolaidis (2004: 163) have argued, such cultural or 'civilisational rhetoric' has allowed the Union to 'turn a blind eye' to abuses in some Mediterranean neighbours. While some Mediterranean governments may consider the latter stance more preferable on grounds of being less paternalistic, some non-governmental actors struggling for the very same 'values' in their own context feel the rug being pulled from under them when they are told that these are 'European' values and that their own governments and/or opinion leaders know better which values they should live by. From the perspective of non-governmental actors in Mediterranean neighbours, being told that the 'father at home' knows best may come across as no less paternalistic.¹²

b. EU has adopted a double-discourse on the Mediterranean/security

The history of peoples living around the Mediterranean Sea has been characterised by peace and war, inter-cultural dialogue and clash, co-existence and conflict. Holm (2004) has shown that usually one aspect of history is highlighted while the other is underplayed depending on the kind of message the speaker delivers. In EU discourse, she wrote, the concept of the Mediterranean is either defined as a common sphere of shared values, of shared civilizational identity, or a conflict ridden zone' (10). Indeed, those who warn about a coming 'clash of civilizations' point to how the term 'Cold War' was first used when talking about the relationship between Muslims and Christians living in and around today's Spain. Those who underscore the need to avoid such a clash point to the same geography to highlight the history of actual give and take and potential for co-existence.

Since the early days of the EC/EU's interest in developing relations with the Mediterranean neighbours, there has been a tension between those who favoured either one of these two competing discourses. Indeed, even before the media and politicians' resort to alarmist rhetoric about the coming 'invasion' from the South (i.e. 'Green Menace'), EC's then functionalist discourse was criticised by the Mediterranean neighbours for failing to mention Mediterranean partners shared culture and history. When EC declared the Global Mediterranean Policy in 1972, an early reaction by the Arab Summit invited their European counterparts to remember

what they are 'linked to the Arab countries across the Mediterranean by deep affinities of civilisation and by vital interests which could not be developed except in a situation of trusting and mutually beneficial cooperation' (Marfleet, 2000: 263). In the years that followed, it became customary at Mediterranean meetings of various kinds to make references to such shared history and culture.

While it could be and indeed has been argued that such duality in representations of the Mediterranean reflect EU's lack of sincerity in its engagement with the Mediterranean, others have pointed to a confusion and/or tension within the EU as the source. The difference according to these authors, between the Mediterranean neighbours and EU members is not merely one of different conceptions of security as Spencer (2001), Bayoumi (2007) and Bilgin (2008) suggested, but that there are different and competing conceptions of Mediterranean/security within the Union itself. According to Holm, EU discourse refers to two Mediterraneans, which, in turn, warrant two different border policies:

One [representation] is about the Mediterranean as a cradle of great civilizations that fertilize each other, and the other is about the Mediterranean as a conflict-ridden zone. The EU's self-representation as an exporter of political and economic liberalism to the neighbours and the EU fear of organized crime, Islamist fundamentalism, terror, immigration are embedded in these two discourses (Holm, 2005: 4).

Looking at the same texts, Malmvig saw two different conceptions of security. He argued that the difficult choice for EU policy-makers is not an existential one between democracy and security. Rather, it is one between two conceptions of security only one of which incorporates a conception of security as democracy. Malmvig wrote:

Security is given a dual and conflicting meaning in the EU's Mediterranean policies, and...the notion of democracy promotion is entrenched in one of the discourses on security...The EU simultaneously articulates two contradictory versions of security in relation to the Mediterranean. At the same time, and often in the same statements, one will find conflicting discursive answers to what kind of security threats the Union face, how such threats should be tackled, and what the Mediterranean is in relation to the EU. The Union is torn *not* between ideals and interests, but between two conflicting versions of security. The EU is engaged in a paradoxical practice, where it simultaneously (re)produces two conflicting security discourses: a liberal reform discourse and a cooperative security discourse (Malmvig, 2006: 344).

Holm and Malvig's arguments do not out-rule each other. Rather, from a perspective that views regional conceptions and security as 'co-constitutive' (Bilgin, 2005), EU double discourses on conceptions of the Mediterranean and security mutually constitute each other. While such confusion may be regarded as undesirable from the perspective of EU actors and their Mediterranean counterparts, a clear shift from one to the other (as (Holm, 2008) observed) may not necessarily may be more desirable.

c. EU discourse has distinguished between Eastern and Southern neighbours in terms of cultural distance to 'Europe'

What some scholars found problematic was not that the European Union has had a double discourse on the Mediterranean/security per se, but that its discourse on the Eastern neighbours did not show such signs of 'confusion' or 'tension'. While during the early 1990s an alarmist discourse had coloured public debates on the 'East' as well, observed scholars, it did not seem to find a similar resonance among EU officials. The media did indeed warn of 'a new spectre haunted Europe: that of an influx from the East—mass migration on a scale not seen since the collapse of the Roman Empire' (cited in Marfleet, 2000: 274-5). As Burgess explained, this alarmism was with reference to not 'real analysis or experience' but long-standing prejudices about an 'unstable East' (cited in Marfleet, 2000: 275). However, when that 'influx' failed to transpire, public's attention shifted to migrants from North Africa. What was different in the case of migrants from the East versus the South was that in the case of the latter, EU policy-makers' rhetoric followed and fed into public perceptions.

The discourse on the migrants from the Middle East in general and Mediterranean in particular was coloured by public perceptions of a 'Green Menace' from the very beginning. According to Marfleet, such public perceptions were not products of a cultural distance but one of internal EC/EU political dynamics. Pointing to the fact that no similar perception of 'Green Menace' followed the Iranian Revolution of 1978-79, he maintained that the emergence of such a discourse should be viewed within the context of an EC/EU in transition, societies in flux and the rise of the extreme right (and racism) in some European societies. Marfleet wrote:

EU officials now argued more aggressively that population pressures in the Maghreb were producing a 'demographic gradient', along

which hordes of migrants could be expected to advance. In 1991 a report to for the Western European Union warned that emigration from the region was likely to affect Europe's internal stability and the conduct of its economic affairs. At the same time, the EU produced a study focusing on the implications for migration of the 'population explosion in the Maghreb' (Marfleet, 2000: 275).

While it was not always EU officials but also (perhaps more so) politicians and the media that helped produce an alarmist discourse about Muslim migrants, the Union's differentiated treatment of its neighbours to the East and the South did not escape the attention of analysts. Pace (2004) pointed to how the Union's discourse on North Africa was exclusionary. Rumelili (2003, 2007) looked at the cases of Morocco and Turkey on the one hand and East Europe on the other to highlight how the Union has fallen short of designing a 'postmodern identity' for itself. The EU, she wrote, 'constructed the identities of those states as primarily non-European, not as less but as anti-self, ruling out the possibility that they may become part of self, one day' (Rumelili, 2007: 53). Bilgin highlighted the same issue with reference to the case of Turkey and pointed to how the Eastern neighbours are depicted as 'returning to Europe' whereas the Mediterranean neighbours, including Turkey, were represented as 'non Europe'. She questioned whether this differentiation in EU discourse marked a return of 'civilizational geopolitics' (Bilgin, 2004a).

The argument these authors offered was not that the EU should expand endlessly. Nor did they suggest that EU member states should not decide whether to draw a line regarding migration and asylum. Rather, their point was that the discourse through which the European Union chose to justify the lines it drew on membership and rights of entry pointed to assumptions of cultural distance—termed as 'civilizational difference' (Bilgin, 2004a) or definitions of 'Europeanity' (Marfleet, 2000: 276).

That said Bicchi and Martin's (2006) analysis of EU and member states' discourse suggest that the Union's record has been mixed on expressing statements of cultural distance as compared to that of member states. The authors found that

There is a securitization process involving Islam, but it is predominantly at the national level. The coherence, and with it the integrity of the securitization process, gets lost as we shift from the national to the EU level and to the EMP level (Bicchi & Martin, 2006: 191).

This, the authors suggested may have had to do with the push and pull of different items on the Union's agenda and 'had not been particularly affected by the events of 9/11'. This is because, they maintained,

On the one hand, the EU internal strategy to fight against terrorism, as well as the European Security Strategy (ESS) approved in December 2003, point to the direction of securitizing relations with political Islam. On the other hand, other trends pull the EU in opposite directions. Most notably, the EU's calls for more democracy and human rights in the Arab World clashes with the EU's attempt to avoid any position in relation to parties and non-governmental organizations (NGOs) proposing an agenda constructed in Islamic terms. This contradiction goes back to the early days of the Euro-Med partnership and it has not been particularly affected by the events of 9/11...

Whereas the EU 'domestic' debate and its general security discourse thus tend to depict political Islam as a problem, some components of its foreign policy discourse have ignored the issue, while others are now forced to face it. The overall picture is thus of confusion and parallel voices (Bicchi & Martin, 2006: 196).

What Bicchi and Martin's analysis confirm is that the duality in EU discourse as identified by some scholars is not merely one of security v. democracy, but a more complex tension made up of several competing conceptions of security and its relationship to democracy and difference. While some in the EU (especially at the 'domestic' level) may indeed be operating with assumptions of cultural distance, some others (especially at the EU level) are seeking to prevent such assumptions from influencing policy—to the extent that they are cognisant of them.

That said acquiring such cognisance requires reflection on the implications of one's assumptions and policies, which is what Part 4 looks at: EU security practices and their ethical implications as reported in the literature.

4. An overview of the literature on EU security practices and their ethical implications

Throughout the 1980s and 1990s, EU policies toward the Mediterranean had been shaped around three major concerns: energy (understood as sustained flow of oil and natural gas at reasonable prices); stability (domestic stability in the geographically close North Africa); the cessation of Israel/Palestine conflict. More recently, terrorism was added to EU's list of top security concerns vis-à-vis the Mediterranean (European Council, 2003). As such, EU's practices in the

Mediterranean have been shaped around a broad conception of security cognisant of its non-military dimension that are understood to call for 'soft power' practices—offered as an alternative to US 'hard power' (Ferrero-Waldner, 2006). Those who were keen on marking EU's difference from the US and/or affirming its distinct international identity also used the term 'normative power' (Manners, 2002, 2006) signalling that it was not merely instruments where EU differed but also the purposes to serve which those instruments were made use of. The importance of the Mediterranean neighbours, from this perspective, was, according to Dannreuther:

that it is also the principal testing ground for the European Union's claim to have developed a unique capacity to promote the internal transformation of states, which is driven less by a realist calculus of military power than by the civilian tools of economic integration and moral persuasion (Dannreuther, 2008: 63).

As migration came to be considered in relation to terrorism (i.e. military security) as opposed to a threat to 'Europeanity' (i.e. societal security) security practices of the Union also began to take a (para)military turn (see Lutterbeck, 2004). While the Union's 'hard power' continues to lag behind its aspirations, its security practices in the Mediterranean have come to incorporate the military instrument in making use of the advances in security technologies. So far, the paper looked at studies that pointed to how non-military (soft power) practices of the European Union have had consequences for the EU itself and the Mediterranean neighbourhood. In what follows the paper will present an overview of the literature on the Union's security practices on the Union's borders and that of their Mediterranean subcontractors.

The literature on EU's security practices in the Mediterranean is currently evolving. There is now a sizeable body of work detailing the evolution of EU border management and its country-specific aspects as well as their ethical implications. Whereas some have pointed to the human costs of EU security practices for the migrants on the move (and asylum seekers), and others highlighted the societal costs for the Mediterranean neighbours who sub-contract for the EU, some others have looked the issue from the Union's perspective, in terms of the in terms of its identity as a 'normative power'. Before moving on to outline these three sets of arguments, it is useful to get a glimpse of a disagreement in the literature as to the centrality of 9/11 as a turning point in the evolution of EU security practices.

a. Since 9/11 EU security practices vis-à-vis the Mediterranean have taken a different turn

Viewed from the outside, 9/11 seems to be a significant turning point in terms of EU treatment of (legal and illegal) migrants and asylum seekers from North Africa with reference to terrorism (military security) as opposed to societal security. Some consider this seeming turn in EU thinking as a product of 9/11 and other al-Qaida linked bombings in Madrid and London driving home the lesson that terrorism, especially Islamist activism is a threat to security—a threat that calls for more traditional measures making use of military and police measures. Writing on the Algerian context, Darbouche pointed to what he considered to be a change of heart on the part of the Union. Whereas the Union previously refused to integrate counter-terrorism clauses in Algeria's Association agreement, considering Islamist activism to be a problem to be addressed through consolidating democracy, wrote Darbouche, in the aftermath of 9/11 it not only gave in to Algeria's demands on the issue of dealing with terrorism (the Association Agreement was finalised in 2002) but also backtracked on the issue of encouraging democratic consolidation. Darbouche observed that since then 'Algeria's rhetoric on this subject has become more assertive, and conversely, Europe's conspicuously retracted' (Darbouche, 2008: 383).

An easing of EU rhetoric on the democracy-security linkage since 9/11 was observed by other authors as well. Holm, for example, wrote that whereas prior to 9/11 the Union

saw terrorism as a police matter—something to be combated in order to promote peace and stability in the Mediterranean. It was not seen as something which fundamentally threatened European identity. The discourse on terrorism after 9/11 constructs terrorism as something dramatically exceptional, as something which totally might change the perceived identity of Europe. Terrorism is represented as destroying the very building blocks of European values political liberalism: democracy, rule of law and human rights. The referent object of the securitization is thus the whole European value system that transgresses states, nations, societies because it is a securitization of the very foundation of who we are (Holm, 2004: 7-8).

In tandem with this shift in the representation of terrorism and the referent object deemed to be under threat, argued Holm, EU conception of security vis-a-vis the Mediterranean was re-defined. Whereas it used to be that the motto 'security is

democracy' shaped EU practices, it now became: 'security is status quo' (Holm, 2008: 34).

Lutterbeck was also of the opinion that 9/11 mattered. While migration has been a concern on EU agenda for a long time, in the aftermath of 9/11 and 11/3, he wrote, 'immigration is particular form the south has also increasingly been linked to international and especially Islamist terrorism' (Lutterbeck, 2006: 59).

Galli (2008) gave this argument a different twist when she wrote that since 9/11, what is observable in terms of security dynamics across the Mediterranean is 'externalisation in reverse' understood as opposed to EU's own externalisation (see below). Galli argued that it is not the Union that first securitized migration by establishing the Islamist-activism-migrant-terrorism linkage. Migrants have, for long, been securitized by the more authoritarian regimes among the Mediterranean neighbours whereas the Union, for a long time, refused to buy into this linkage in rhetoric and practice. Galli suggested that what happened after 9/11 is that EU policy-makers 'came off from their normative high horse' and bought into their Mediterranean neighbours' discourse on the Islamist activism-migration-terrorism linkage. The 9/11 attacks and other al-Qaida linked bombings have played a crucial role in this transformation thought Galli in that these dynamics helped

elide Northern Mediterranean and Southern Mediterranean policies in ways that were unimaginable before the dawn of this decade. The prime aspect of this has been the replacement in Europe of normative policies reflecting issues of governance and human liberties by securitized policies of collective protection that demonstrate the state's dominant role over the individual in achieving such outcomes...the individual is manifestly less protected on both sides of the Mediterranean than was the case before 9/11 (Galli, 2008: 10).

Whether it is 9/11 that has caused this turn in EU stance or empowered an already existing stance within the EU is a debate that is yet to be resolved. Nicolaidis and Nicolaidis are among the group of analysts who support the latter opinion. They wrote:

Europeans seized upon the 'Islamist threat' as a pretext for closing their eyes to the hardening of authoritarian regimes that suddenly found new life in the context of the 'struggle against terrorism' (Nicolaidis & Dimitri, 2007: 163).

While some authors saw 9/11 as a significant turning point and others emphasized EU's own dynamics (see below), Bicchi and Martin offered a somewhat different

argument. While agreeing that 9/11 made a difference, they nevertheless maintained that

after an initial moment of deep convergence in the aftermath of 9/11, profound splits are beginning to emerge between the Europeans and all of its Mediterranean partners. The impossibility to find an agreed definition and prescription on terrorism ten years after the Barcelona Declaration underlines how a commonality of views is increasingly out of the question, despite substantial cooperation on the ground (Bicchi & Martin, 2006: 191).

Galli disagreed. According to her, a meeting of minds regarding the definitions of threats was observable across the Mediterranean. What was missing, she argued was agreement as to 'how these security threats should be tackled and what practices need to be promoted in order to do so' (Galli, 2008: 19). That said this strand of the literature puts emphasis on differences thereby overlooking significant cooperation on the ground. While significant disagreements exist on definitions of threats and the appropriateness of technological practices, security agencies have been cooperating across the Mediterranean. The result is oversight of security agencies, and private security companies currently active in the field. Considering the already dire state of security sector reform and oversight in the Mediterranean partner states (Luethold, 2004), the emerging complexity is a challenge for all those concerned with the ethical aspects of security practices.

b. EU security practices vis-a-vis the Mediterranean have transformed in tandem with EU's internal transformation

While aware of the significance of 9/11 and other al-Qaida linked bombings in the world in terms of transforming definitions of threats and practices of security worldwide, one aspect of the literature has nevertheless put emphasis on EU's own dynamics as decisive factor in bringing about changes in EU security practices.

During the 1980s, changes in the societies of EU-member states as a result of the growth of Middle Eastern diasporas in Western Europe had begun to lead EU policy-makers to re-think their priorities, and come to consider stability in the Middle East (especially the Mediterranean-rim North African countries) as an integral part of security in 'Europe'. The shift in EU's priorities from economic cooperation and enhanced trade relations towards focusing on security in the Mediterranean could be understood within a context created, over the years, by a convergence of domestic

societal as well as economic concerns. The presence of large and growing Middle Eastern diasporas in the EU has meant that the de-stabilisation of Mediterranean neighbours could be detrimental to security and stability in the EU. At this stage, concerns of the EU were structured around illegal migration and its effects on European societies.

The turning point in terms of EU practices vis-a-vis the external world in general and the Mediterranean in particular is the merging of internal and external dimensions of security, which has been going on for a while but gained pace in the last decade. Wolff points to the 1999 Tampere summit and the emergence of the Justice and Home Affairs external dimension (JHAE) as the beginning of this transformation. She considers external events such as 9/11 to be mere 'catalysts' in this process (Wolff, 2008: 255). She identifies the publication of ESS as the second turning point, which, she argued, 'inaugurated a change in the traditional approach to JHAE'.

Indeed, what is referred to as 'externalisation' in EU lexicon is a process that took off in the 9/11 era but as an extension of pre-9/11 and post-2004 enlargement dynamics in EU-wide efforts to address the problem of migration. Aubarell et al. (AubarellZapata-Barrero & Aragall, 2009: 10) define 'externalisation' as

reproduction of European internal migration policy at the external level, which entails burden-sharing in the policing of European borders with bordering countries, and the setting up of migration management policies in the countries of origin; particularly concerning illegal migration, in line with European interests.

This aspect of the literature maintains that this way of managing migration, also referred to in the literature as security 'outsourcing', 'sub-contracting' or 'remote control' has expanded in the last decade in an environment of transformation in the Union also shaped by post-9/11 dynamics.

c. The development external dimension to EU security practices has had 'human costs'

The literature looks at the issue of the development of the external dimension to EU security practices in terms of its costs and benefits for the Union itself, as well as human costs. Those who look at the issue in terms of EU costs and benefits, seem to agree that the surveillance approach to migration which has also brought the re-

emergence of gendarmerie-type efforts on the borders of the EU and subcontracting in the Mediterranean neighbours have not been as effective as the numbers seem to suggest. In terms of the former, argued Lutterbeck (2006: 75-77), the decrease in numbers may be misleading in that 'most of the traffic has come under the control of human smugglers as a result of the upgrading of EU's external frontiers', who have, in response to EU's use of 'more and faster patrol boats and the use of ever more sophisticated—including military-style-surveillance equipment' have become ever more professionalised (also see Monzini, 2007). While the number of migrants arriving at the 'known' ports may have been decreasing, it is also known that human smugglers have been directing their clients to more dangerous ports, thus the increase in human costs. While precise data about 'deaths' is not available, wrote Spijkerboer, 'as matters stand now, it seems more likely [and contrary to what European governments claim] that...border deaths increase as a consequence of intensified border control' (Spijkerboer, 2007: 139).

As such, the material implications of EU security practices include the militarisation of border control, expansion of gendarmerie-type forces and investment into technologising. Lutterbeck (2006: 78) also suggested that the problem is one of EU's own making in that 'it has been the consequence of their increasingly strict immigration, visa and asylum policies, which have left clandestine entry as practically the only possibility to enter the EU'.

In addition to the material dimension, the literature also highlights the 'human costs' of those who seek to enter through illegal means. Monzini wrote:

It is clear that migrants leaving North Africa pay high prices for a service that is really unsafe, and no compensation is envisaged for them in case of apprehension at the border and repatriation...Violence against migrants is higher in this case as traffickers consider them as just cargo with no rights at all, persons to be loaded onto an old ship and left alone to face the journey (Monzini, 2007: 181).

As Spijkerboer (2007) has highlighted, the smugglers are not incorrect to think that migrants have next-to-no rights. In international law, there currently is no state responsibility for these fatalities, writes Spijkerboer. It is worth quoting him at length:

Under the International Law Commission's Articles on the Responsibility of States for Internationally Wrongful Acts, States cannot be held responsible for fatalities that result indirectly from controlling their borders because border control, in itself, is not a wrongful act. Under some circumstances, a State may be held

responsible for damage that arises out of acts not prohibited by international law, as when it undertakes a hazardous activity, defined by the International Law Commission as ‘an activist which involves a risk of causing significant harm’. The question remains, however, whether increased border controls themselves cause these fatalities. One may argue that they are a contributing factor but that, in themselves, increased border controls do not cause the fatalities. Other factors may be more important, such as the willingness of migrants to take considerable risks, as well as factors beyond anyone’s control, such as the weather during migration. Hence, States are not responsible in the legal sense for fatalities that occur indirectly as a consequence of controlling their borders (Spijkerboer, 2007: 136-7).

Viewed from a strictly legal perspective, then, there is not much EU member states can be held responsible for in terms of the human costs incurred as a consequence of the expansion of external dimension to EU security practices. Spijkerboer, however, insisted that there indeed is something to be done. He wrote:

The obligation of a State to take appropriate steps to safeguard lives is not conditioned on a causal relationship between the State’s actions and someone’s death. Rather, the obligation is triggered by the State’s knowledge that a particular life is at risk and that same State’s ability to do something about it (Spijkerboer, 2007: 138).

Accordingly, the author invites EU policy-makers to shoulder the responsibility in terms of the human costs of EU security practices.

One last implication of EU security practices in terms of their human costs is the impact this process has had on asylum policies across the Union. Mazella (2007: 43) has argued that as part of this process, a notion of ‘false asylum seekers has become ‘omnipresent’. As a consequence, she suggested, conventional asylum policies seem to be on their way to abandonment. ‘To whom do wish to grant asylum?’ she maintained, is an ‘ethical question’ that seems to be less and less frequently asked in recent years.

d. Externalisation has had implications for EU’s identity as a ‘normative power identity

This is yet another concern on the part of some authors—that the Union’s identity as a ‘normative power’ is at stake in the way in which externalisation is managed. As Dannreuther (2008) argued,

for a Union which closely identifies itself with ‘European value’ of economic freedom, human rights and democracy, the proximity of

countries with a high degree of relative poverty and the presence of authoritarian governments represents both a developmental and moral challenge (Dannreuther, 2008: 72-73).

That said it is one thing if the Union fails to transform its neighbourhood for the better. But it is entirely another thing if the Union makes use of the Mediterranean neighbours' lagging behind in terms of democratic transformation to further its own security interest while running the risk of exporting its societal insecurities which play out differently in different settings.

The case of Libya crystallizes what is at stake here. Libya's rehabilitation into the international society of states took place as part of this very process owing in large part to Italy's lobbying in regard to its own concerns with illegal migration. Libya is reported to have made use of this opportunity to 'negotiate its return' and 'with Algeria, demand the extension of the lifting of the embargo on certain military surveillance equipment' (Bensaad, 2007: 58). Wolff neatly summarized what is at stake for the EU in this case:

The development of BM [border management] technologies by Mediterranean partners and of an ESS [European Security Strategy] by the EU posit a double issue. First, it questions the objectives of the EU in building a Euro-Mediterranean region in which fences and borders are increasingly erected. Second, the cooperation of Mediterranean partners on BM technologies projects raises the use of technologies in countries where the rule of law is weak. This raises ethical responsibility issues for EU member states who are willing to delegate, to export or to extraterritorialize the management of their internal security to authoritarian regimes. Indeed, if the EU desires internal security, it cannot disregard implications for Mediterranean citizens who do not enjoy the checks and balances which, to a certain extent, protect EU citizens from their governments (Wolff, 2008: 266).

There is also the case of migrants from Mediterranean neighbours who live in EU member states. Their trials and travails remain under-research as noted by Zapata-Barrero and Gonzales (2006).

e. Externalisation has given rise to societal insecurities in the Mediterranean neighbours

This aspect of ethical implications of EU security practices remains under-studied. While it is frequently criticised the way in which the EU leaves migrants at the mercy of authoritarian governments, such practices are costly for the society as well as

individual human beings. Among others Holm (2008: 27) pointed to racism being on the rise in Mediterranean neighbour societies against Sub-Saharan migrants. For, as a result of subcontracting of border management, EU borders have moved southwards. A process Bensaad (2007: 52) summarized in one sentence: 'Schengen exports its tensions'. As part of this process, Maghreb governments seem to have internalised EU security concerns while importing some of their security practices. Different from the 'North-South securitization' Benantar (2006: 185) identified, this process involves security concerns of the North being exported to the South. As different societies have different dynamics, the relationship between migrants and host society plays out differently.

In the case of Southern Mediterranean Bensaad reported the following:

A slavery economy is being built, with a mix of local notables and entrepreneurs, local and south-Saharan mafias, and agents of the state: a slave market of labourers for construction and for domestic work, white slavery (although in this case, it is 'blacks') for prostitution, network of 'racketeers', and 'mules' for transit (Bensaad, 2007: 63-4).

Hence the rise of societal insecurities in Mediterranean neighbours with implications for Sub-Saharan migrants.

Bensaad offered the most comprehensive documentation and reflection in this regard:

These flows are feeding a paranoid vision: they are used to justify the holding zones Europe is creating on its Southern borders, as well as the militarization of North Africans or even Saharans as sentinels asked to operate camps or carry out cruel repression. This comes at the cost of further democratic and human failings, already extensive in these countries of further unsettling of already fragile societies by structural demands inspired by Europe; of ethnic or community tensions; and of geopolitical tensions (Bensaad, 2007: 53).

Aside from the costs to individual human beings, then, the implications for Mediterranean neighbours are terrifying. Bensaad reported 'spectacular repressions taking place in the Maghreb in the last couple of years'. Such repressions usually remain under the legal radar while societies remain oblivious to the physical side of repressions. According to Bensaad

Practically all North African countries, between 2003 and 2004 took restrictive measures regarding circulation in their territories, measures which seemed legally to cover repressive acts that infringe upon guarantees of individual protection, as well as public liberties in the countries doing their legislating (Bensaad, 2007: 59).

It is difficult to decide which of the following is more problematic: that subcontracting Mediterranean neighbours have imported EU's concerns and sought to address them through recourse to violent measures, or that society is militarised and divided as a part of this process, or that Mediterranean neighbour governments have now taken to 'vaunting themselves as a geographical value that can protect Europe' (Bensaad, 2007: 59).

5. Conclusion

While it has become commonplace to explain the merging of the internal and external dimensions of security as a response to developments out there—as with Kaplan's (1994) 'coming anarchy'—there are also dynamics in here. Contra the 'functionalist vision of security where security is explained through the evolution of insecurity (threats, risks, dangers, fears, and so on)' Bigo (2001: 92) has called for looking into the role played by security agencies in bringing about the aforementioned merge. From this perspective, insecurity is a product, the production of which requires looking into. As Burgess (2008a: 2) has argued,

Insecurity grows proportionately with the accelerated consideration of, and response to, security. Fighting various forms of threat most often leads to solutions that remove people and the individual from the picture. We build walls, construct fences, design detection systems, etc. These types of measures have many functions, and they prevent danger to some degree. But, they also have the effect of diminishing trust—trust in others, trust in society, trust in oneself. Less trust generates less security, or more insecurity, something that defeats the purposes of the desired effect.

As such, if internal and external dimensions of security have merged, giving rise to new insecurities, it is not only the insecurities per se, but the very process by which they have come about requires looking into. Since that process is not without agency (as Kaplan's 'coming anarchy' presupposes). The role played by the agent—in this case, security agencies—becomes a focus of analysis.

This is where ethics comes into the picture. What is understood by ethics insofar as the purposes of this project is concerned, is 'not a model of correct behaviour' but 'self-reflection'—it is about taking into account the consequences of one's actions cognisant of the fact that 'we have choices, that we have opportunities' (Burgess, 2008a: 4). As regards the specific interests of this project, we are interested in the insecurities that are 'caused both by the real, objective presence of

threat and by the very efforts of our authorities to protect us from threat' (Burgess, 2008b: 2).

With reference to the specific context of Euro-Mediterranean relations, the project is interested in the ways in which insecurities are produced as part of an attempt to address those and other insecurities. What we are interested in is uncovering the moral values embedded in already existing practices and their ethical consequences. In the Euro-Mediterranean context, the paper highlighted some very concrete examples as reflected in the literature. Yet, as it has become apparent, the literature has its limits.

This paper presented the state of the art on the European Union's security policies towards the Mediterranean with special focus on the value premises embedded. While there is a rich body of work on various aspects of EU policies in general and Euro-Mediterranean dynamics in particular, security policies of the Union remain relatively under-studied. This is partly because it is a new development. And partly because there is relatively little we know to be analytical about.

Two gaps can be identified in the literature. First, there is very little information about and reflection on the Mediterranean neighbours' perspectives on EU security policies. Mediterranean neighbours are mostly viewed as the subjects of this policy and given very little agency in analyses. Yet different Mediterranean neighbours have adopted different stances toward EU security policies. Some have used this opportunity to upgrade their relations with the European Union; others have utilised the new EU discourse on terrorism to frame their new/old policies on existing (internal/external) security concerns.

Second, there is very little research that specifically focuses on the value premises embedded in EU policies. While there is some critical literature that points to the gap between what the EU purports to do and what it ends up doing, stress is put on what else the EU is expected to do—not what it already does. What often remains under-examined is the already existing cooperation on security matters. While both EMP and ENP has failed to deliver what they promised, security practices across the Mediterranean have already begun to converge. The literature's stress on divergence does not seem to allow scrutinizing already existing security policy convergence. Research that looks at the implications of such convergence for human security is a scarce commodity indeed.

It is in filling this twin gaps in the literature that the in:ex project would invaluable.

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NOTES

¹ This, however, is not to suggest that the members of the European Union have adopted a single common approach or that EU policy-makers speak with one voice regarding any of these issues. On the contrary, EU-members do not all share the same sense of urgency or the need to adopt an independent and common European foreign policy towards the Middle East, or to assume a prominent role in Arab-Israeli peacemaking. Whilst France and other southern European states press for more assertive policy-making and implementation, Germany, the Netherlands and UK have at times cautioned against it. Nor is it to forget that the Mediterranean previously has served as a frame of reference for diverse actors including Alexander the Great, the Ottoman Empire and Egyptian President Gamal Abdel Nasser and the North Atlantic Treaty Organization (NATO).

² There is also the Union for the Mediterranean. Union for the Mediterranean, originally introduced as the Mediterranean Union by Nicolas Sarkozy, was formally established on 13 July 2008 and still in the process of formation. Union for the Mediterranean includes new states such as Albania, Croatia, Bosnia-Herzegovina, Montenegro, Libya, Monaco, Mauritania and plans to grant observer status to organisations such as the Arab Maghreb Union, European Investment Bank, Arab League, and the Islamic Development Bank. Although introduced as a new vigorous French initiative in order to end the standstill of the existing policies in the Mediterranean, it was later transformed to a revitalization tool for the Barcelona process with the efforts of Germany, Italy and Spain.

³ Algeria and Morocco concluded their cooperation agreement with the EC in 1976. Egypt followed suit one year later in 1977.

⁴ Libya was excluded from the conference. EU lifted sanctions against Libya in 2004. Currently Libya has observer status in Euro-Mediterranean partnership and is also eligible to benefit from assistance under the European Neighbourhood Policy instrument. It has also been a party to 5+5.

⁵ A similar logic was at the roots of the establishment of the multilateral negotiations of the Arab-Israeli peace process, which was coordinated by the European Union (European Commission, 1993).

⁶ The Adoption of a Pact for Stability and Peace in the Mediterranean had also been set as another goal under this section. That project also remained unrealized.

⁷ Three Maghreb countries, Algeria, Morocco and Tunisia received structural adjustment funds under the MEDA framework for purposes of economic liberalization. MEDA also provided funds for telecommunication, air traffic, and tourism and environment projects in the region. The European Investment Bank provided loans for construction projects such as the Maghreb-Europe gas pipeline. That said a significant portion of MEDA money remained unspent.

⁸ Followed by the Israeli operation in Lebanon (2006) which further strained already fragile relations.

⁹ Algeria's Association Agreement entered into force in September 2005 (signed in April 2002) almost ten years after the initiation of the Barcelona Process. Algeria does not have an Action Plan under the ENP framework. Morocco's Association Agreement was signed in February 1996 and entered into force in March 2000 replacing the 1976 Cooperation Agreement. Joint Action Plan between Morocco and the EU was officially adopted in July 2005. Egypt's Association Agreement entered into force in June 2004 (signed in June 2001) replacing the 1977 Cooperation Agreement. Within the European Neighbourhood Policy framework, the Joint Action Plan between Morocco and the EU was officially adopted in March 2007. For full texts of Action Plans and relevant documentation see:

http://ec.europa.eu/world/enp/documents_en.htm.

¹⁰ See <http://www.euromesco.net/>.

¹¹ This is not to underestimate rivalries between and disagreements among the South (Del Sarto, 2006).

¹² Consider Arab non-governmental organisations' despair at EU collaboration with authoritarian regimes. See (Bayoumi, 2007: 345).