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Regional Integration and Conflict Resolution in the Mediterranean Neighborhood: One Step Forward, Two Steps Back?

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In the Mediterranean region, two protracted conflicts have a distinctive regional dimension: the conflicts in Israel-Palestine and Western Sahara.

The Israeli-Palestinian conflict provides, in theory, good grounds for encouraging regional cooperation as a strategy for conflict transformation: the conflict is regional in nature and Europe's geographical proximity and colonial 'baggage' makes the European Union the ideal model for region to emulate. However, this has not been the case. The EU has not pursued a tangible regional cooperation strategy to transform the conflict and there has been a distinctive disconnect between rhetoric and actions. Instead, regional cooperation has been used as a tool to strengthen economies within the Mediterranean while the EU has maintained its role as a 'payer not player' in the conflict. Moreover, any EU initiatives have been derailed by its refusal to acknowledge Hamas and continued efforts to keep a flailing PA in power. Using both the *compulsory* and *changing context* paths of influence, the EU has nevertheless largely failed in using either approach to impact the conflict in a direct and significant way.

On the Western Mediterranean, the historical ties that some European member states like France and Spain share with the Maghrebi states, and that contribute to developing a special relationship with this sub-region, seem to be a double-edged sword for the EU. On one hand, they place Brussels in a unique position to understand its southern neighbors. On the other hand, the interests these member states still retain in the region prevent the EU from adopting a coherent approach, which is sometimes in conflict with its core values of democracy and human rights and creates a dichotomy between the EU declared goals and its practices. While Europe's impact on the Maghreb has been *indirect* through *model-setting* and both *direct intentional* and *unintentional* through the way of *compulsion*, the Eurocentric conception of regional integration and partnership is often at odds with that of the local actors. Moreover, the EU official 'neutrality' and possible added-value to the resolution of the Western Sahara conflict is increasingly being challenged given the systematic exclusion of the Sahrawis from any Euro-Mediterranean initiative and the fisheries agreements it concludes with Morocco.

1. Introduction to the conflicts

1.1 Israel-Palestine

With an undeniable regional component and unparalleled international significance, the ongoing Israeli-Palestinian conflict has never just been a struggle between two sets of people. According to one Palestinian diplomat 'the conflict is played out on a world stage specifically because the audience and actors are indistinguishable from one another' (Interview Palestinian diplomat, Amman 2013). There are valid and widely recognized reasons for this. Not only is the conflict a direct consequence of colonial decision-making; its geographical proximity to Europe and those former colonial masters has effectively turned them into stakeholders of peace within the Mediterranean. Moreover, unlike the Western Sahara case, the Palestinian question has long been considered a wider Arab problem, partly because of the 1967 Arab-Israeli war and partly because of the dynamics of the region - what one Palestinian analyst calls the 'dictatorship of geography' (Interview Shaban, Gaza 2013).

The conflict began with the first Arab-Israeli War following the establishment of Israel as a Jewish state on Palestinian territories. The resultant exodus of Palestinian refugees into neighboring Arab states changed the nature of the conflict forever. Ensuing decades witnessed the emergence of other wars, making the continuation of violence and armed struggle an enduring dimension of the conflict. Predominant among these were the 1956 tripartite invasion of Egypt, the Six Day War (1967), the Yom Kippur War (1973), Israel's invasion of Lebanon (1982), the First Intifada (1987-93), the Second Intifada (2000-5) and Gaza War (2008-9). Many of the most important issues today stem from the Six Day War in 1967, which saw Israel invade Jordan's West Bank and East Jerusalem, Syria's Golan Heights and the Gaza Strip and Sinai Peninsula from Egypt, following a period of increasing tensions in the region. These included an exchange of hostilities between the PLO and Syria on the one hand and Israel on the other, as well as increasing tension between Egypt and Israel, culminating in the deployment of Egyptian troops on the border with Israel. Since the end of the war, the number of Jewish settlements on these territories has steadily risen, making the return of the territories – a UN-sanctioned demand – an increasingly unlikely outcome.

Conflict resolution and management efforts have similarly been a near-constant fixture of the Israeli-Palestinian conflict. The most important issues dominating any negotiations during the conflict have been the status of Jerusalem; Israeli settlements; Palestinian refugees and the right to return; the ownership and sovereignty over certain lands; and Palestinian statehood. As the first Arab country to formally recognize Israel, Egypt signed a peace treaty with the Israelis in 1979 in exchange for the return of the Sinai Peninsula. This was followed by the 1993 Oslo Accords, which saw the Palestinian Liberation Organization (PLO) and Israel sign a Declaration of Principles, enabling the establishment of the Palestinian Authority (PA). The functions of this new body were primarily to assume responsibility over a portion of the Occupied Palestinian Territories (OPT). Moreover, the PLO and Israel both agreed to recognize one another as partners in permanent status negotiations. A year later, Jordan and Israel signed a significantly comprehensive peace treaty that covered a number of key issues including diplomatic relations, security, the Jordan-Israel border and water ownership.

However, it was not until 2000 and the Camp David talks that a comprehensive final status agreement between Israel and the Palestinians was given prominence again. The talks failed and the Second Intifada then effectively ended hopes for a US-brokered peace plan. Instead, it was King Abdullah's regional peace proposal in 2002 – the Arab Peace Initiative (API) – that first proposed a comprehensive peace agreement between Israel and all Arab League member states in exchange for a return to the 1967 borders. The Israelis have never taken the proposal seriously and much like the Roadmap for peace proposed by the Middle East Quartet (MEQ), it has been re-introduced over the years only to be shelved again. Nevertheless, it remains the sole regional peace plan on offer.

While the conflict dominates domestic and foreign policy on both sides, the Palestinians also face the dilemma of a fractured government in the form of the Fatah-Hamas split. After Hamas' 2006 victory in the Palestinian legislative elections, the PA was split into two groups – the Fatah-ruled Palestinian National Government

(PNG) and the Hamas Government in Gaza. The rivalry between both parties has often escalated into armed conflict since then, despite the signing of mediated reconciliation agreements in 2007 and 2011-12.

Two important realities dominate any study or discussion of the Israeli-Palestinian conflict in the conflict transformation context: the importance of external intervention and the presence of non-state actors. External intervention to manage or resolve this conflict has oscillated predominantly between multilateralism and bilateralism (Pace, 2007: 663). Until the API, what had become increasingly apparent was the gradually fading importance of regionalism. The 1994 peace treaty between Jordan and Israel, for example, was seen to symbolize the demise of both the Lebanese and Syrian tracks by only focusing on issues relevant to Jordan and Israel (Interview Aknouk, OIC Jeddah 2013).

The United States is generally considered to be the most influential and important mediator of peace initiatives and it has always given precedence to bilateral talks. 'The US approach has always been non-regional,' explains Professor Rosemary Hollis, 'by involving the smallest possible group in negotiations' (Interview Hollis, 2013). Despite this, the EU and UN are both significantly involved in the peace process. The UN has ratified more than 600 resolutions on the conflict since 1947, ending with the de facto recognition of a Palestinian state in 2012. The EU has been involved in an intervening role since the European Commission's (EC) Venice Declaration in 1980 that supported the Palestinians' right to self-determination alongside Israel's right to exist. Paradoxically, the Palestinians have always considered the EU less biased than the United States, despite the EU's colonial baggage. This is partly because of the EU's unwavering support for the two-state solution and a return to the 1967 borders as well as its immense financial contribution to relieve the humanitarian crisis in the OPT. From the 1995 Euro-Mediterranean Partnership (EMP) to the European Neighborhood Policy (ENP) and the Union for the Mediterranean (UfM), EU policy has orchestrated a bilateral shift - from normative regionalism to normative bilateralism - with the UfM functioning on an intergovernmental level (Pace, 2007: 668).

Despite extensive international interest and involvement, however, the conflict is essentially a regional one, with key core issues that are exclusive to stakeholders in the region whose security is interlinked to a significant degree. Arab states have largely remained involved either directly (as in the case of Saudi Arabia) or indirectly through the Arab League. The Saudi stance, for instance, has historically emphasized the inclusion of a regional component within any peace plan as opposed to bilateral peace (Kostiner, 2009: 421). It is generally assumed that since the Palestinians are 'utterly dependent on their neighbors', any peace proposal originating from the region will almost certainly need to include a solid regional dimension (Interview Hollis, 2013). The situation in Gaza is indicative of this. After the Muslim Brotherhood came to power in Egypt, the Rafah border crossing became comparatively more relaxed. And after recent events, the border has returned to how it was under Mubarak (Interview Bouris, 2013). With the increasingly complicated security situation in Syria and to a lesser extent, Egypt, however, it is not surprising that the Israeli-Palestinian conflict has been on the back burner for a while.

1.2 Western Sahara

In contrast to the Israeli Palestinian dispute, the Western Sahara conflict, located at the other end of the Mediterranean region, has never been a primary concern or priority for the international public opinion nor has it reached the top of the world leaders' agenda. Commonly referred to as a 'forgotten' conflict (Zoubir 1990, Darbouche Colombo, 2010), this decades-long dispute erupted in the mid-seventies following Spain's withdrawal from its colony known as "Spanish Sahara" and the subsequent Mauritanian and Moroccan occupation of the territory without the consent of the local population, the Sahrawis. As a result, the Western Sahara dispute is one of the last remaining illustrations of a decolonization conflict. To this day, no country has officially recognized Morocco's sovereignty over Western Sahara and the UN considers this territory as Africa's last colony, "occupied *de jure* by Spain and *de facto* by Morocco" (Gresham, 2011).

Following the wave of wars of independence that arose on the African continent, the United Nations (UN) prompted Spain, the administrative power since 1884, to start decolonizing the Spanish Sahara, also requesting the organization of a referendum on self-determination.¹ In the meantime, a liberation movement, the Polisario Front, which echoed the UN demands, established itself in 1973 as the unique representative of the Sahrawi people. Hence, under the pressures coming from the local population and the international community, Spain eventually agreed to relinquish the territory after the Saharawis exercised their right to vote (Layachi, 1994). Yet, Spain had not reckoned on the aspirations of Morocco, which had claimed sovereignty over the Sahara since its independence in 1956 and whose King, Hassan II, had always fiercely opposed a referendum on self-determination with independence as an option (Interview Dumas, 2013). In reaction to Spain's declaration, Morocco, alongside Mauritania, requested the nonbinding advisory opinion of the International Court of Justice (ICJ) on the principle of territorial integrity that was eventually rejected by the ICJ on October 1975 which stated that, despite the fact that it attested a legal tie of allegiance between the Moroccan Sultan and some Sahrawi tribes, it did not find any international recognition nor the existence of legal ties of territorial sovereignty between Western Sahara and Morocco (ICJ, 1975; Jensen, 2005). Despite the court's decision, King Hassan II of Morocco launched the 'Green March' of hundreds of thousands of Moroccans to Western Sahara on the 6th of November, calling it a 'peaceful repossession of [Morocco's] provinces' (Benabdallah, 2009). The fate of Western Sahara was sealed a week after when Spain backtracked on its decision to hold a referendum and ceded control of its colony to both Mauritania and Morocco with the secret signing of the tripartite Madrid Accords.

Deprived of their right to self-determination, the Polisario front engaged in armed struggle with Mauritania and Morocco and proclaimed the independence of the Sahrawi Arab Democratic Republic (SADR) in February 1976. The war precipitated the overthrow of the Mauritanian president and the new regime signed a peace

¹ The Fourth Committee of the United Nations General Assembly (UNGA) recognized Western Sahara as a non-self-governing territory in 1963 according to the 1960 UNGA resolution 1514 (xv) and called for the holding of a referendum via the UNGA resolution 2229.

agreement with the Polisario in 1979, which terminated Mauritania's claim over the Sahrawi territory. As a result, Morocco annexed Mauritania's share of the Western Sahara, leaving the Polisario in possession of only 15% of the territory, and the two remaining parties to the conflict continued fighting until the implementation of the 1991 ceasefire under the auspices of the UN (Gresham, 2011). The latter, in collaboration with the Organization of African Unity (OAU), had proposed its mediation to the conflict, which was accepted by both parties. The settlement plan proposed by the UN saw the establishment of the UN mission for the Referendum in Western Sahara (MINURSO), envisaging the holding of a referendum within 24 weeks after a ceasefire enters into effect (UN, 1991). Yet, because of divergences in positions between the Polisario and Morocco, especially on the identification of the electorate, the referendum has constantly been postponed and the peace process frozen. In the years 2000s, new UN-led negotiations were launched but the two proposals intended to replace the 1991 settlement plan by the UN secretary general's special envoy, James Baker, were rejected by the parties, the Baker Plan I by the Polisario and the Baker Plan II by Morocco (Zunes and Mundy, 2010). Since then, each party has proposed new settlement plans but no progress has been made, as their positions were unchanged and gradually made the conflict intractable.

The involvement of the international community shows the profound implications of the conflict for the Maghreb and its international ramifications given the region's geostrategic position. Located at the crossroads of Morocco, Mauritania and Algeria, the Western Sahara conflict hampers the development and the stability of the Maghreb. Since Spain's withdrawal, three out of the five countries constituting the Maghreb region and one non-state actor have been the key players in the conflict, namely Morocco, the Polisario Front, Mauritania and Algeria. From a Moroccan perspective, Algeria is a party to the conflict and the Polisario just a façade. However, international law recognizes Morocco and the Polisario as the sole and unique parties to the conflict as illustrated by the 2007 UN-led Manhasset talks where Algeria and Mauritania, were invited as neighbors and 'concerned' or 'interested' third parties (Souaré, 2007; Zoubir, 1996) due to the fact that Mauritania had occupied the territory and that Algeria is "the main champion of the pro-independence movement (Polisario)" (Interview Algerian diplomat, 2013; Gillepsie, 2010).

Indeed, the Western Sahara question has been the cause of the breaking of already-tense diplomatic relations between Algeria and Morocco in 1976, following the former's recognition of the SADR (Jensen, 2005). Algeria, which has always supported the Sahrawi right to self-determination against Morocco's irredentism, hosts a major part of the Sahrawi government-in-exile as well as the majority of the Sahrawis refugees that fled their territory since 1975 in its Southern province of Tindouf (Zoubir, 1996). Therefore, the Western Sahara conflict represents one of the top contentious issues between the two main sub-regional powers, Algeria and Morocco, which alone represent over three-quarters of the Maghreb's population and two-thirds of its GDP. Also, it largely contributes to paralyzing the Maghreb, making it the least integrated region in the world with less than 3 percent intra-regional trade (Tunis REI Conference Report, 2013; World Bank, 2010)².

² In comparison, intra-regional trade approximates 60% for the EU, 22 % for the Association of South East Asian Nations (ASEAN) and 20% for the Mercado Común del Sur.

2. Overview of regional integration in the region

The gradual collapse of UN capabilities, and therefore ambitions, has corresponded with the ‘growth of regional security mechanisms’ (Tavares, 2010: 223). In the Middle East, though regional security has historically been closely linked to the Israeli-Palestinian conflict, there is still no de facto regional security mechanism that can help manage the conflict. One important reason for this is the absence of any regional organization that represents both the Arabs and Israelis in one forum and wields enough political clout to address the conflict. That is not to say that there are no regional organizations or initiatives in the region. The 22-member Arab League is the region’s foremost regional organization while Euro-Mediterranean initiatives like the Union for the Mediterranean (UfM) have managed to bring together the Israelis and Palestinians in one room. However, regional integration has not always been pursued as an intentional goal and focuses overwhelmingly on economic rather than political cooperation whenever it is part of the agenda. Most importantly, the absence of Israel from any Arab regional initiative renders regional cooperation obsolete in the context of the conflict.

Regional cooperation in the Middle East essentially began with the creation of the Arab League in 1945, which made Palestine a full member and has maintained a high level of involvement with the conflict, and. In theory, it aims to ‘draw closer the relations between member states and coordinate collaboration between them, to safeguard their independence and sovereignty’ (Pact of the League of Arab States, 1945). In practice, however, the Arab League has not succeeded in becoming a political union. The League certainly supports the idea of regional integration in rhetoric, but has never articulated it as a strategy for conflict transformation. And it is not difficult to understand why. Structurally designed to be a weak organization, the League consists of member states that have not been willing to delegate sovereignty to any organization (Barnett and Solingen, 2007). Since decisions must be reached by consensus and members are under no obligation to abide by resolutions, any policy-making mechanisms are therefore very weak (Interview Muasher, Amman 2013).

It is also the only organization in the region that has attempted to create some kind of a regional security mechanism. Historically, however, most initiatives were launched in direct response to the conflict and proposed a united Arab military force against Israel. Efforts for a collective security mechanism date from 1950 when the Arab Joint Security Pact was signed, although most have initiatives have never actually materialized and the rest have failed. The United Arab Command (UAC), for instance, was formed by the Arab League in 1964 as a pan-Arab collective security mechanism in direct response to Israeli’s proposed diversion of water from Lake Tiberias. Envisaged as a sort of military wing of the organization, its inactivity during the 1967 war, however, soon turned it into a defunct security option (Shemesh, 2003: 123).

(MERCOSUR) and the Economic Community of West African States (ECOWAS) (Lahcen 2012).

Though the 57-member Organization of Islamic Cooperation (OIC) is an international organization rather than a regional one, it pays particular attention to the Israeli-Palestinian conflict (Hossain, 2012: 295). Established in 1969 as a direct consequence of the Six Day War, the organization's charter lists the Palestinian issue as one of its key concerns. Paradoxically, it is the Palestinians who do not look to the OIC for political support, instead using the organization's status and resources for 'soft support' such as voting at the UN. For political support, the Arab League and individual states like Saudi Arabia are approached instead. 'The Palestinians themselves have put the OIC in the backseat,' claims a political officer at the OIC (Interview Awawdeh, OIC Jeddah 2013).

Other regional organizations like the Gulf Cooperation Council (GCC) and the Arab-Maghreb Union (AMU) have increasingly pursued economic objectives rather than political initiatives and since neither the Palestinians nor the Israelis are members, the conflict has stayed off their agendas. The Council of Arab Economic Unity (CAEU) was established in 1957 by 12 Arab states, including Palestine, and began functioning in 1964 with the aim to achieve economic unity among the member states. The Greater Arab Free Trade Area (GAFTA), launched in 1997, similarly aimed to create a pan-Arab, free trade area between 14 Arab states. More recently, the Agadir Agreement in 2004 sought to establish a free trade area between Jordan, Egypt, Tunisia and Morocco and has since then merged into the GAFTA. On an institutional level, the Arab Monetary Fund (AMF) and Islamic Development Bank (IDB) are both regional entities promoting economic cooperation in trade and investment. Within the context of the Israeli-Palestinian conflict, however, this regional economic cooperation has contributed very little of value. One possible exception to this might have been the Paris Protocol (1994), part of the Gaza-Jericho Agreement between Israel and PA after Oslo, which envisaged economic cooperation and the semi-integration of economies on both sides (Interview Hollis, 2013). The Barcelona Process has similarly inspired Arab partner states to start cooperating amongst themselves, resulting in the aforementioned Agadir Agreement, which allowed member countries to dismantle trade barriers between them and qualify for the EU aid that had been allocated for south-south cooperation.

At the other end of the Mediterranean, the Maghrebi countries, despite evident historical and cultural commonalities, struggle to cooperate and regional integration presents itself once more as one of the sub-region's biggest challenges. The idea of having a unified Maghreb was first evoked by Mohamed V, king of Morocco, in 1947 but concrete attempts at establishing closer cooperation among the Maghrebi neighbors only date back to 1958 when the Moroccan and Tunisian nationalist parties together with the Algerian *Front de Libération Nationale* (FLN) held the Maghreb Unity Congress in Tangiers (McKeon, 1991; Finaish and Bell, 1994). Unfortunately, this cooperative endeavor did not achieve anything as the Maghrebi neighbors' priority was geared toward the construction of their respective newly independent states (Finaish and Bell, 1994). It was not until 1964 that the first Maghrebi institution was created with the first conference of the Maghrebi economic ministers whereby Algeria, Libya, Morocco and Tunisia decided to launch a "coherent system of joint institutions", the *Conseil Permanent Consultatif du Maghreb* (CPCM) (Messaoudi, 1994; Finaish and Bell, 1994). The main goal of the CPCM was to achieve the economic integration of the region through the establishment of plans aimed at

harmonizing the countries' development schemes, intra-regional trade and relations with the EU (Finaish, Bell, 1994). These plans failed to materialize because of the lack of political will, mutual mistrust, and divergences over the Western Sahara issue.

Nevertheless, some experts point out that it is paradoxically the intensification of conflicts, such as the Western Sahara dispute in the 1980s, or perceived threats, like the enlargement of the European Union, that acted as stimuli to Maghrebi integration (Zoubir, 2012). Indeed, the creation of the Arab Maghreb Union (AMU) is a case in point to demonstrate the reactive nature of integration in the Maghreb region. Established in 1989 with the treaty of Marrakech following the 1988 rapprochement between Morocco and Algeria, the AMU is the organization that, for the first time gathered together the five Maghrebi countries. As an integration venture to institute a common economic front against a common external threat, Europe, the AMU endeavored to implement a multilateral policy in the fields of foreign policy, defense, economy and culture and built several institutions such as the Presidential Council, composed of the head of states, or the Judicial authority (AMU treaty, article three, 1989; McKeon, 1999). Yet, the prospects for establishing a custom union by 1995 as elaborated during the 1991 third Presidential council and a common market by 2000 were rapidly dashed when some of the Maghrebi neighbors started defecting from the meetings by the year 1992 before officially 'freezing' the union in 1994 (Mortimer, 1999). Apart from the project of a Trans-Maghreb Motorway and the construction of the gas pipeline from Algeria to Spain through Morocco undertaken in the early years of the union, the AMU has largely remained and is seen by the local actors as an empty shell, that does not exist on the political level (Interviews Moutik, 2013; Algerian diplomat, 2013). The lack of political will and the deterioration of the inter-Maghrebi relations have been advanced as reasons that precipitated the interruption of the AMU but the main factor blocking the functioning of the organization is its highly top-down structure. According to article 6 of the treaty of Marrakech, "only the Presidential Council shall have the authority to take decisions, and its decisions shall be taken unanimously" (AMU treaty, 1989). Since 1994, there have been a few attempts to hold a summit of the heads of state and revive the AMU, once again, in reaction to the EU enlargement eastward (Biad, 2013). Unfortunately, the summits planned for 2002, 2003 and 2006 were aborted due to the disagreement between Algeria and Morocco over the Western Sahara issue (Baghzouz, 2007). Most recently, the 2011 Arab uprisings raised hopes to see the revival of the AMU when Tunisian President Marzouki officially declared the holding of an AMU summit for October 2012. The Algerians criticized the Tunisian president for clumsily announcing the holding of a summit without prior consultation of his Maghrebi counterparts and, again, the summit did not take place (Interview Algerian diplomat, 2013).

Besides, while security concerns among the Maghrebi neighbors are tackled, the Western Sahara issue has always been sidelined in order for the AMU to work and also because the union's main objective has been focused on development and economic cooperation among the partners. As Gillepsie observes, "Rather than address or dilute the Saharan problem, the regional initiative has attempted (unsuccessfully) to sidestep it" (Gillepsie, 2004). The only regional organization that endeavored to address the Western Sahara issue was the OAU. This triggered the biggest crisis in the organization's history, going as far as threatening its very existence (Damis, 1984). Indeed, the OAU's decision to grant membership and full recognition to the RASD engendered Morocco's withdrawal from the organization

and left the OAU's members divided on the issue. Morocco, that considers Algeria as its interlocutor, has for long refused to enter into direct negotiations with the Polisario and seems to make of the exclusion of the Polisario a precondition to its participation in any organization. Therefore, this situation can explain why some countries or organizations are reluctant to have relations with the Polisario for fear of upsetting an economic or political partner such as Morocco.

3. EU activities in the region

Unlike the other prominent external actors in the Israeli-Palestinian conflict, the EU is in a unique position of influence, serving both as a model for regional cooperation and as a powerful external actor that can use incentives, sticks and carrots, to help resolve the conflict (Noutcheva *et al*, 2004: 34). In contrast to its policy toward the Western Sahara conflict, however, the EU has adopted a much more multifaceted approach toward the Israeli-Palestinian conflict. While pursuing a policy of effective multilateralism on the one hand, it has also increasingly implemented a bilateral shift in its general approach toward the region, impacting key actors via the strong economic partnerships forged between Brussels and individual Mediterranean states.

EU involvement in the conflict is primarily, although not exclusively, economic. As the biggest donor to the Palestinians and Israel's most important trading partner, therefore, it enjoys a position of great influence. Financial assistance to the Palestinians, in particular, is provided in the context of the conflict and seeks to address issues arising from it. Humanitarian aid is provided via UNRWA, the EC's Directorate General for Humanitarian Aid (ECHO) and civil society/nongovernmental organizations, and is therefore largely unconditional. Conversely, grants and loans to Israelis and Palestinians normally serve a social or political agenda. For example, the EU's PEGASE mechanism, which provides direct financial assistance to the PA, only covers costs associated with the Palestinian Reform and Development Plan's (PRDP) various programmes³.

Indeed, Brussels has always considered state building an effective tool for conflict transformation, particularly in the context of the Israeli-Palestinian conflict. The logic behind building or improving Palestinian state institutions has been to create a functioning Palestinian state that could then ask the international community to recognize it as such (Interview Bouris, 2013). Accordingly, the EU has adopted a comprehensive state-building approach over the years, providing funds, training and support for a number of projects in all relevant state sectors. This was most apparent in 2002 when the MEQ had just been established and adopted Palestinian reforms as one of its foremost concerns, largely at the insistence of the EU, which was not in the favor of the American idea of simply removing Arafat from Palestinian leadership (Tocci, 2011: 36). As the first step of the 2003 'Roadmap', the MEQ established an international task force to organize reforms in financial accountability, civil society, local government elections, the judiciary, administration and market economy.

Judicial reforms include the 'Empowerment of the Judicial System' programme, which provided institutional support, the development of a permanent professional

³ These include the following: Governance, Social Development, Economic and Private Sector Development and Public Infrastructure Development.

training system, refurbishment of courts and provision of equipment (European Commission, 2007). Within the education sphere, the EU helped build 20 new primary and secondary schools in the West Bank and Gaza (European Commission, 2007). And while the EC's Humanitarian Office routinely liaises with UNRWA and both local and international NGOs to provide health services to Palestinians, the EU also provides hospitals with training and technical assistance. Notable too is the European Gaza Hospital, established almost entirely by EU funds.

Security sector reform was not included in this overhaul and has largely been an independent EU objective. It is also the most significant state building measure to actively adopt a distinctive regional component. In 2007, the EU established the European Union Coordinating Office for Palestinian Police Support (EUPOL COPPS). The rationale behind this was that a 'professionally trained and self-sufficient Palestinian Civil Police' that would lead to a 'secure and independent Palestinian state' (Council of the European Union, 2005). The EU's second 'civilian crisis management mission' in OPT came in the form of the EU Border Assistance Mission at the Rafah border crossing (EU BAM Rafah) in 2005, which made the EU - alongside Egypt, Israel and the PA - responsible for the Rafah Crossing Point (RCP), in order to create greater trust between the Israelis and Palestinians.

On a purely bilateral level, Brussels has always supported Israel's right to exist and sought to improve the relationship. Until the 1991 Gulf War, however, it had refused to consider Israeli requests to revise institutional relations to address the restrictive rules-of-origin. Moreover, the Madrid Conference in 1991 introduced the EC's double track approach, which stated that Israel had to improve relations with its neighbors before it could do so with the EU (Tovias, 2003: 45). Post-Oslo negotiations for a new EU-Israel agreement formally began in 1994 and culminated in the 1995 Association Agreement, which included free trade arrangements for industrial goods and concessions for agricultural products. However, goods from Israeli settlements in the OPT are not officially subjected to the free trade agreement, as the territories are considered disputed and therefore not under Israeli sovereignty (Harpaz, 2004: 41).

The EU has also used its Euro-Mediterranean initiatives over the years to direct funds into projects that address specific issues contributing to the grievances on either side. The UfM's Gaza Desalination Project, for example, was unanimously adopted in June 2011 by all 43 member-states – including Israel – as the organization's first major joint initiative (UfM Secretariat, 2011). The Arab-EU co-financed project involves the construction of a desalination plant in Gaza. With the availability of fresh water in the OPT amongst the lowest in the world, the only source of water in the Gaza Strip is from a badly deteriorating coastal aquifer underlying the strip as well as Israel and Egypt, so the project directly addresses a critical humanitarian issue in the Gaza Strip. Moreover, since water is already a thorny geopolitical issue in the region, both Egypt and Israel have a vested interest in safeguarding this shared source of fresh water.

On a regional level, the EU communicates with existing organizations like the Arab League on regional political issues, although there is no clear strategy behind this and the Israeli-Palestinian conflict is rarely singled out for attention. One recent exception to this is the 2012 joint declaration by the EU and Arab League that agreed on the need to continue to support Palestinian state building efforts politically and financially. Notable too is the League's extensive financial cooperation with Brussels

via UNRWA on the subject of Palestinian refugees. Nevertheless, most collaboration is through ad hoc arrangements such as the partly EU-funded Crisis Room at the Arab League headquarters in Cairo⁴.

In the Maghreb, inter-regional trade with the EU amounts for 70 percent of the region's external trade, a number that is in sharp contrast with the 3 percent of inter-Maghrebi trade and displays the EU economic involvement in the region (Lamrani, 2013). In the absence of a functional AMU, the EU has launched sector-based cooperation initiatives in order to create an integrated Euro-Mediterranean space that would ensure stability and security on its southern borders. Aiming at establishing closer cooperation, especially in the economic and security sectors, the 5+5 dialogue, the Euro-Mediterranean Partnership (EMP) and its upgraded version, the Union for the Mediterranean (UfM), are of particular relevance for the Maghreb region. More concretely, these initiatives allow for the implementation of Euro-Mediterranean policies, principally in the fields of migration, energy and trade (especially in the fisheries sector), the main drivers behind the EU's promotion of regional integration in the Western Mediterranean (Interview Volkel, 2013).

New security threats such as migration or terrorism have become an increasing source of concern for the EU policy-makers (Interview Sahel, 2013). Within the EMP framework, the Barcelona Declaration places the migration issue under the third pillar of social, cultural and human affairs (Barcelona Declaration, 1995). However, while the EMP is a multilateral framework, the policies that have been implemented through the Association Agreements vary among the Maghrebi partners. Illegal migration, which is now almost always linked to terrorism in the EU documents, is perceived as the main problem in the field of migration but the solutions offered in the agreements differ between Morocco and Algeria (Collyer, 2008; Calleya, 2003). The subsequent ENP action plans also widened the gap between migration policies among the Maghrebi countries as the EU focused on furthering its cooperation with Morocco on border control.⁵ At a more informal level, issues of illegal migration are also tackled within the 5+5 dialogue. It is a more flexible forum for discussion, whereby the five Maghrebi countries gather together with five Euro-Mediterranean states (France, Italy, Malta, Portugal and Spain) and share ideas instead of negotiating individually elaborated frameworks by and with the EU. Since the revival of the 5+5 dialogue in 2001, meetings are held every year whereby less ambitious goals such as information sharing and common training programs are implemented (Collyer, 2008). Moreover the 5+5 have invited Mali, Senegal and Niger as observers to participate jointly in their effort to combat illegal migration, drug trafficking and terrorism since 2008 (5+5 Dialogue, 2013).

In addition to migration, EU activities in the Maghreb region are also centered on the energy sector, which is one of the foundations of "economic and social integration, as it was for the European Community" (Duhamel and Beaussant, 2011). The two main objectives in the Mediterranean are to establish electricity and gas rings around the Mediterranean (Interview Volkel, 2013). As an example, the construction of a gas

⁴ Funding comes from the EU's Instrument for Stability (IfS), part of the European External Action Service (EEAS).

⁵ On the EU migration policies implemented in Morocco see Wunderlich (2012).

pipeline from Algeria to Italy similar to the gas pipeline from Algeria to Spain previously mentioned has been discussed but has been recently interrupted (Interview Volkel, 2013; Duhamel and Beaussant, 2011). Besides, the development of transport infrastructures in order to enhance trade and economic integration is also a priority for the EU. The most notable project in this domain is the UfM-labeled project of the Trans-Maghreb Motorway Axis which aims at completing the portion of the road between Morocco and the Algerian border and Tunisia and the Algerian Border in order to facilitate trade through the implementation of logistic platforms (Dialogue 5+5, 2013). Unfortunately, the current lack of funding partly due to the financial crisis of the Eurozone has affected the functioning of the UfM and put on stand-by the almost completed construction of the motorway (Interview Fernandez, 2013; Lamrani, 2013).

While the EU has sought to encourage regional integration in the Maghreb, its policies towards the transformation or the resolution of the Western Sahara conflict remain limited to the provision of humanitarian aid to the Saharawis through the ECHO program (Darbouche and Colombo, 2010). With the introduction of the European Neighborhood Policy (ENP), the European Commission (EC) expressed its will to play an increasing role in conflict management, explicitly mentioning the Western Sahara along the Israeli-Palestinian dispute in its 2003 'Wider Europe Scheme' (Del Sarto and Schumacher, 2005). Yet, these official declarations did not materialize into concrete policies to address the conflict. Indeed, no Special Envoys, no border assistance missions, nor any other confidence-building measures were submitted, and the Action Plan elaborated for Morocco also eluded the way it could be used to alter the situation in Western Sahara (Darbouche and Colombo, 2010). Most importantly, the Sahrawis themselves have never been invited to take part in any European-led initiatives.

4. Evaluation and assessment of the EU impact

4.1 Broad impact

EU engagement in the Middle East Peace Process (MEPP) makes up only one part of a multifaceted EU approach toward the region that also covers Euro-Mediterranean relations, Iraq, Iran and the EU-GCC Dialogue (Hollis, 2012: 87). Since the Venice Declaration, EU rhetoric has remained more or less consistent and neofunctionalist in nature, operating on the assumption that conflicts can be positively transformed through cooperation on functional – economic and institutional – matters (Diez *et al*, 2006: 568). While EU policy has hence pursued conflict transformation as a tangible goal in the region, there is much less evidence to indicate the adoption of regional cooperation as a strategy to achieve that goal. Indeed, it is questionable whether Brussels has even seriously considered regional integration as a goal in itself for the Middle East. Moreover, EU policies have directly impacted the conflict but that impact has yielded negative as well as positive transformations.

Launched shortly after Oslo in 1995, the Barcelona Process signaled the EU's amplified efforts to become involved in the peace process. One of the EMP's main aims was to establish a common area of peace and stability through political dialogue (Asseburg, 2009a: 231). Instead of an integrated approach, however, the EMP became

characterized by a ‘hub and spokes arrangement’ with the EU connected to each Mediterranean state on a bilateral level (Xenakis and Chrysochoou, 2001: 147). There was therefore no scope for an integrated conflict transformation approach. Moreover, the eventual failure of the Oslo process and resumption of hostilities made it almost impossible for the EMP’s stability objective to materialize. The ENP, established in 2004, has been far clearer about its regional security objectives (Del Sarto and Schumacher, 2005: 21). In practice, however, the ENP has only really focused on economic cooperation and introduced no instruments for conflict transformation (Asseburg, 2009b: 22). Essentially designed to ‘improve the economic situation of Arab states and limit immigration to Europe’ (Interview Muasher, Amman 2013), the EU has ‘sought to free the flow of trade, finance and services, but not people’ (Hollis, 2009: 144).

As the EMP’s successor, the UfM’s impact is far more difficult to assess. Despite calling for a resolution to the conflict at the time of its inception, the UfM never reinforced this as an official objective and there has been no mention of a specific instrument for conflict transformation (Reiterer, 2009; cf. also Paris Summit 2008, article 7). The organization is essentially an example of ‘neofunctionalism in reverse’ (Reiterer, 2009: 320), which has consisted of downgrading the initial concept of a collective security initiative in the Mediterranean and ‘all idealistic notions about political reform and security cooperation’ to scale down its political leverage (Interview Hollis, 2013). While Israel does not consider the UfM a suitable forum for peace negotiations and initially took issue with the inclusion of the Arab League (Hollis, 2011: 104), the Palestinians are more hopeful but criticize its neofunctionalist approach (Khatib, 2010: 45). In reality, the UfM does not have a particularly good track record in the context of this conflict. The Gaza crisis in 2009, for instance, led to the de facto suspension of the development of UfM institutions as well as the cancellation of all talks (Balfour, 2009: 102). Moreover, initiatives like the Gaza water desalination project, do not address significant conflict issues or demand compromises from either side. There is no tangible Israeli involvement in the aforementioned project, for example. Without a definitive and comprehensive regional effort, the project is at risk of alienating non-state actors states excluded from project.

EU support for regional integration, in general, has been positive. It liaises regularly with the Arab League and OIC, providing expertise and training for specific initiatives (Interview Awawdeh, OIC Jeddah 2013). Support for regional integration as a strategy for conflict transformation, however, is more difficult to assess. When the API was re-launched in 2007, the EU released a statement declaring that it supported the API ‘wholeheartedly’ (Solana, 2007). Marwan al-Muasher was the Jordanian Foreign Minister at the time and was deeply involved in the development of both the API and the Roadmap. He remembers EU support for the proposal, although ‘they did this in stages and not straight away’ and their position evolved over a few months from ‘some support to very solid support’ (Interview Muasher, Amman 2013). In fact, the EU used their involvement in the quartet to push for the API as one of the 2003 Roadmap’s ‘terms of reference’ but it was all a lesson in futility as the US was not ‘serious’ about the quartet implementing the recommendations and the Roadmap was therefore ‘almost born dead’. The problem with the EU, he claims, is that it could ‘never take a position that is independent of the US’ (Interview Muasher, Amman 2013).

With 28 member states, the EU's foreign policy is determined through consensus, arguably making concrete EU measures both hard to formulate and implement. Not all EU member states have granted diplomatic status to a PLO representative, for instance⁶. Moreover, with the inclusion of more member states from 2004 onwards, the EU's bureaucracy and consensus issues have become amplified and hinder its capability to 'act with decisiveness' (Interview Muasher, Amman 2013). Individual European states also pursue their independent foreign policies and vested interests. So while Britain has long been considered the Americans' biggest EU ally, the French have increasingly become more sympathetic to the Palestinian cause and sought to direct European policy in a different direction (Hollis, 2011: 101). Member states are also independently involved in the management of the conflict. The developmental organization GIZ, for example, is owned by the German Federal Government and operates extensively in the OPT as well as Jordan, Syria and Lebanon for Palestinian refugees. Working independently of the EU, GIZ nevertheless enjoys close coordination with UNRWA for projects related to the Palestinian refugee crisis (Interview Jarchow, Amman 2013). GIZ has recently collaborated with UNRWA in developing a conflict transformation approach although GIZ's project advisor claims that the EU has shown no interest in working with the organization on this project (Interview Jarchow, Amman 2013). This reluctance indicates the EU's growing focus on effective multilateralism as a means to manage and transform the conflict.

In the Southern Mediterranean, Brussels has repeatedly expressed its enthusiasm to speed up the regional integration process. However, whether the EU has achieved its intended policy goals and whether the promotion of regional integration in the Maghreb region has been used as a strategy to transform the Western Sahara conflict remains questionable considering the bilateral shift the EU has gradually performed, especially since the implementation of the Euro-Mediterranean Partnership.

The Barcelona Process (BP) launched in 1995 in order to establish "a multilateral and lasting framework of relations based on a spirit of partnership" seems to present two major drawbacks for regional integration in the Maghreb (Barcelona Declaration, 1995, 2). First, it has been partly responsible for the interruption of the AMU and the 5+5 Dialogue. While the EU multiplied official statements manifesting its will to see the AMU succeed, it refused any negotiations that would have enticed the Maghrebi countries to participate as a united front on the grounds that Libya's membership to the organization was making it impossible for the EU to engage in direct negotiations with the AMU (Vanderwalle, 1999).⁷ Moreover, the 1992 events whereby the European Parliament (EP) decided to block a financial protocol to Morocco for its human rights violations and 'recalcitrance on the Western Sahara conflict' have had profound implications (White, 1999, 112). Surprisingly, the 'dispute' ended up in Morocco's favor and marked the beginning of bilateral relations between Europe and the Maghrebi countries. Morocco signed a new fisheries agreement with the EC and

⁶ Spain, France and Italy amongst those who have done so.

⁷ In 1992, the then director of the European Commission's Mediterranean, Near and Middle East directorate, Eberhard Rhein declared that the EU wanted the success of the AMU as "the prospect of a market in which the free movement of products is ensured would be definitely more attractive to European firms" (White, 1996).

started bilateral negotiations for the establishment of a free trade agreement and a special partnership by 1996 (White, 1999; Milano, 2006). Therefore, the very aim of the AMU to create a block to bargain with the EU became pointless, especially since the volume of trade between each AMU country and the EU was much more important than the volume of intra-Maghrebi trade (White, 1999; Mortimer, 1999). The fact that the bilateral nature of the Euro-Maghrebi relations has intensified with the establishment of the Association Agreements, and most notably the ENP Action Plans, without giving the Maghrebi partners incentives that would have encouraged inter-Maghrebi integration have rendered the idea of a ‘Great Maghreb’ even less palpable (Urdu, 2004; Biad, 2013).

Similarly, the 5+5 dialogue initiated in 1990 bore the brunt of the establishment of the EMP, the latter being a bigger project generating more resources. As a consequence, the Maghrebi countries were more interested in the Barcelona Process programs, which had a more generous financial endowment (Interview Algerian diplomat, 2013). Secondly, the Barcelona Process did not foster regional integration in the Maghreb, partly due to its format. It has focused on blocks that are not homogeneous and far less on the Maghreb as a regional block (Interview Algerian diplomat, 2013). Roland Dumas, the former French Foreign Minister who initiated the 5+5 Dialogue, also criticizes the global approach undertaken in the BP because:

“having an initiative encompassing the South Mediterranean countries as a whole entails the risk of transposing a localized conflict, which is the Israeli-Palestinian conflict, to the rest of the region and therefore monopolizing the North-South Mediterranean agenda instead of separately tackling South-Eastern and South-Western Mediterranean problems” (Interview Dumas, 2013)

The revival of the 5+5 dialogue in 2001 as a complement to the EMP further displays the inefficiency of the latter in fostering regional integration in the Maghreb (Gillepsie, 2010).

Apart from sporadic official declarations that it supports the UN peace process, the EU, which in principle has adopted a neutral position, has not manifested a great interest in playing an active role in the Western Sahara issue (Darbouche, Colombo, 2010). The conflict is not even explicitly mentioned in the EU-Morocco ENP Action Plan that limits itself to pledging to ‘contribute to the UN-efforts in the resolution of regional conflicts’ (Crombois, 2008). This is a substantive difference compared to the territorial conflicts the EU deals with in its neighborhood, as the conflict has been progressively silenced and excluded from negotiations to allow for a dialogue to take place (Interview Fernandez, 2013). A case in point is the May 2011 joint communication by the European Commission and Catherine Ashton that proposes to “enhance EU involvement in solving protracted conflicts” which constitute a “serious security challenge to the whole region”(European Commission, 2011). Mentioning the Western Sahara among other neighboring conflicts, the communication describes the EU involvement in the Israeli-Palestinian, the Georgia and the Transnistrian conflicts and even offers to “step up its involvement” in the Nagorno-Karabakh conflict but flagrantly omits to clarify what Brussels’ involvement would be in the Western Sahara dispute (European Commission, 2011).

The ‘passive’ neutrality of the EU can be explained by the multiple incoherencies between the EU institutions that result from the EU member states’ diverging

positions regarding the issue. Some of them deplore the fact that the EU is unable to tackle the Western Sahara conflict because of France and Spain (Zunes, Mundy, 2010, 86). Indeed, Spain and France, the two former colonizers of respectively Western Sahara and Morocco seem to have a constant ascendancy over the EU policies in the Maghreb. Being the first economic partner, investor and donor in development aid to Morocco, France has maintained close and friendly relations with Morocco (French Foreign Ministry, 2013). While it openly supported Morocco in the early years of the Western Sahara conflict and has been the only third party to intervene militarily into the dispute, France subsequently adopted a position of “positive neutrality in favor of Morocco” in 1983 when the socialists came to power and adopted a less pro-Moroccan stance (Zunes, Mundy, 2010; Berremdane, 1992). During that period, France pushed hard for Hassan II to agree to the idea of a referendum on self-determination but to no avail (Balta, 1986).⁸ Nevertheless, this episode did not deteriorate French-Moroccan relations as attested by the fact that Morocco’s candidature to the EU was made through France (Interview Dumas, 2013). Following the UN involvement in the dispute, France has been Morocco’s main support at the Security Council, backing Morocco’s Autonomy Plan and recently blocking the inclusion of a human rights clause in the MINURSO mandate (Gillepsie, 2010; Sahara Press Service, 2013a).

Spain’s position and attitude towards the conflict is more delicate. On one hand, the country has moral responsibility and, unlike the rest of the European countries, the public opinion is highly aware of the conflict and strongly supports the Saharawis (Interview Dager, 2013). On the other hand, the Spanish government’s support of the Polisario would subvert Spanish political interests because of the dissent with Morocco over Ceuta and Melilla and the huge economic benefits derived from the fisheries agreement with Morocco. Indeed, as the world’s third-largest fishing fleet, Spain is the country that benefits the most from the EU-Morocco fisheries agreement (Zunes and Mundy, 2010; Jeannel, 1986). Above all, the 1984 Spanish-Morocco fisheries agreement was the absolute precondition for the country’s accession to the European Union (Interview Dumas, 2013).

Needless to say that, in this context, the predominant influence of these two European member states explains the incoherencies between the different EU institutions. Where their national positions are reflected or when economic interest is at stake, such as in the European Council, the conflict is barely mentioned to say the least. However, the European Parliament, which is the only directly elected body, is much more vocal on the issue and stands out for the respect of human rights in Western Sahara as illustrated by the 1992 event, the 2011 abrogation of the EU-Morocco fisheries agreement or the recent adoption of the Tannock report on the situation of human rights in the Sahel and Western Sahara (Bendabdallah, 2009; Sahara Press Service, 2013b).

⁸ In a meeting between Hassan II, François Mitterrand and Roland Dumas, the French officials sought to convince the King that if he were to organize a referendum, Morocco would win. However the King’s response was : «The Spanish Sahara for us, it’s like the Alsace-Lorraine for you. We want it back. You who are French patriots, you wouldn’t have organized a referendum on Alsace-Lorraine. For us, it’s exactly the same thing ! » - R. Dumas (personal communication, 20 November 2013).

4.2 Paths of influence

The two main pathways of influence employed by the EU in the context of the Israeli-Palestinian conflict are *compulsion* and *changing context through integration*, although both have seen very limited success in a tangible transformation of the conflict. When assessed as key features of the neofunctionalist logic, however, the two pathways arguably have more to offer in the context of this conflict. Moreover, since all four pathways enjoy a different timeframe for implementation and impact, it is difficult to compare their effectiveness and assess which pathway has led to a more positive transformation of the conflict. In this case study, for instance, *changing context through integration* has a much longer timeframe for possible impact than *compulsion* by its very nature. An International Committee of the Red Cross (ICRC) official working in Amman with Palestinian refugees also sees the possible future use of the *model setting* path of influence: ‘I see parallels with the French-German rivalry. They hate one another...but are very slowly realizing that they have to live side-by-side. So they may one day agree to arrangement like the EU’ (Interview ICRC Amman, 2013). Though reiterated by a few other sources, this pathway needs a great deal more time to be properly assessed. Currently, it is merely a theoretical possibility with no evidence to suggest that the EU has even considered it a possible path of influence.

One of the key problems of *compulsion* is that the option of future membership in the EU is not offered to southern Mediterranean states, even Israel. Accordingly, the EU has not been able to use conditionality to persuade either side to compromise on key issues during negotiations. The rationale underpinning the ENP’s bilateral shift was that Association Agreements – providing trade privileges and financial/technical assistance – could be rewarded to partner states for commitment to reforms. On the Israeli side, this has consisted of the 1975 and then 1995 Association Agreements as well as continued negotiations until 2009 for ‘advanced status’ ties with the EU. However, the compulsory track has not met with much success. This is partly because of Israel’s ‘manipulation of the EU carrot and stick approach’, which correctly assumes that EU-Israel economic ties are too important to be made contingent on progress in the peace process (Newman and Yacobi, 2004a: 23). Nevertheless, the denial or postponement of carrots has been employed as a EU strategy to influence Israel. The adoption of the EU directive on settlement products in 2013 means that EU financial assistance will no longer be awarded to Israeli entities in the occupied territories (Bouris and Schumacher, 2013: 5).

The compulsory pathway is also evident in EU-Palestinian relations. However, both the framework of the 1997 Interim Association Agreement on Trade and Cooperation and the 2005 ENP Action Plan are described as futile because Israel controls all official commercial exit and entry points (Interview Palestinian diplomat, Amman, 2013). Moreover, EU-backed joint Israeli-Palestinian ventures – often a pre-condition for funding – for example, are not always well received by some sections of Palestinian society, making the collaborating organizations ‘look bad in front of ordinary Palestinians’ (Interview Awawdeh, OIC Jeddah 2013). Similarly, though the Roadmap’s logic was that Palestinian reforms were a prerequisite for negotiations (Tocci, 2011: 40), the institutional reforms installed between 2002 and 2004 were reversed after the 2006 elections to re-establish the superiority of the presidential

office over Hamas (Asseburg, 2009b: 179), making a ‘mockery’ of the EU’s normative approach (Interview Palestinian diplomat, Amman 2013).

In fact, the EU policy to not recognize Hamas or engage with it, has led to a ‘one-way policy of no inclusion’ (Bouris, 2010: 388) that undermines most of the EU’s conflict transformation policies in the Palestinian territories. Key EU missions have failed because of this reason. EUPOL-COPPS, for instance, lacks an official mandate – making it both undemocratic and illegitimate – because of the EU’s Fatah bias (Asseburg, 2009b: 5). After Hamas won the legislative elections in 2006, the EU devised a Temporary International Mechanism (TIM) in order to resume direct financial assistance to the Palestinians by bypassing Hamas. This resulted in a doubling of EU aid from 2005 to 2007 (Tocci, 2011: 43) and formed part of a more general EU policy of ‘pouring money into keeping the [...] PA afloat in the name of defying the Israeli claim that there was no partner for peace’ (Interview Hollis, 2013). The ‘West Bank first’ approach has led to accusations that by maintaining order within the West Bank, the EU has relieved the Israelis of policing the territory and therefore, facilitating the occupation (Interview Hollis, 2013).

Accordingly, one of the key accusations leveled against the EU by the Palestinians is that they are pursuing a policy of ‘normalization without peace’ and effectively paying for Israel’s occupation (Tocci, 2011: 43). This suggests that the *changing context* pathway may be at work, although pursuing a target other than a sustainable peace. Indeed, the notion of integration itself has always referred to economic cooperation rather than as a strategy for conflict transformation or peace within EU rhetoric. One important component of this strategy has been encouragement for Israeli-Palestinian economic cooperation, such as Netanyahu’s ‘economic peace’. However, ‘this is not realistic’, Shaban observes, because:

‘How can you talk about an economic partnership when we have so many checkpoints? People in the West Bank and Jerusalem are divided and cannot speak to each other; Gazans are stranded and cannot go to Jerusalem and Ramallah. You cannot do business without creating stability’ (Interview Shaban, Gaza, 2013).

In the Maghreb, a closer look at the EU approach shows that the promotion of regional integration has taken three forms. On the one hand, we witnessed a form of *indirect, yet limited, model-setting* effect of the EU. It was sometimes pinpointed that the different integration ventures by the Maghrebi countries corresponded to each stage of the establishment of the EU, such as the 1958 Maghreb Unity Congress or the 1989 establishment of the AMU and the recent attempts at reviving the organization in 2003 and 2006 (Bell and Finaish, 1994). In his attempt to resuscitate the AMU, Marzouki put forward the idea of “a Maghreb of freedoms modeled on the EU inside which citizens of the five member states could cross borders, reside, invest and buy property freely” (AFP, 2012). From a Maghrebi point of view, European integration has always been perceived as a source of inspiration and a reference model to adapt to the region because the Maghreb has its own history, culture and experience (Interview Moutik, 2013). Some observers liken Algeria and Morocco to the French-German ‘couple,’ and would like these two countries to advance and follow the example of the EU. Yet, Algeria and Morocco have not been ‘in an open war with each other and

(they) share a common destiny, a historical journey whereby the two countries have helped each other so the resemblance has its limits' (Interview Algerian diplomat, 2013). Therefore, the structural impact of the EU remains extremely limited and has not so far helped the Maghreb to progress toward regional integration as attested by the cold relations between Morocco and Algeria and the interruption of the AMU, literally modeled on the European Community (Rivlin, 2013).

The EU has mainly used *compulsion*, through financial assistance, to promote regional integration but this promotion has been both *direct intentional* and *unintentional*.

Indeed, the sub-regional informal 5+5 Dialogue is considered by the actors of both shores of the Mediterranean as the most successful cooperative venture ever launched in the Maghreb and a 'true model of regional cooperation and integration' (Romeo Núñez, 2012). More modest in terms of resources and format than the EMP, the ENP or the UfM, it is nevertheless 'the most ambitious and pragmatic program Northern and Southern Mediterranean countries have achieved together as it targets smaller projects in specific domains that meet the Mediterranean countries' concerns and generates employment and stability' (Interview Algerian diplomat, 2013). Conceived as an *ad hoc* cooperation on specific issues, the decisions are adopted following the consensus rule and the Maghrebi countries seem to be happy with the 5+5 even on area issues they are usually not happy with when tackled in other frameworks (Interview Fernandez, 2013).

Unfortunately, the EMP and the ENP have not delivered the expected outcomes, or at least the declared ones. The bilateral natures of the EMP and the ENP Action Plans (AP) have further increased the gap between the Maghrebi countries. Indeed, Morocco has become the largest recipient of EU financial aid under the ENP and acquired an advanced status in 2008 while Algeria still hasn't signed any action plan denouncing the vertical nature of the ENP and the fact that the EU use of conditionality goes against 'the spirit of Partnership' of the EMP (European Commission 2013a; Boumghar, 2013). Moreover, the policies pursued by the EU display some horizontal inconsistencies, sometimes within the same institution. Within the framework of the ENP AP, the European Commission contributes to Morocco Reparation Community Program in favor of the regions affected by human rights violations that only targets 11 Moroccan provinces and from which Western Sahara is excluded on the grounds that the aid allocated to Morocco did not include Western Sahara because the EU does not recognize Morocco's sovereignty over the territory (Interview Jimmi, 2013; Europa, 2009; CNDH, 2008). Yet, the fisheries agreements concluded between European Commission and Morocco systematically include the territorial waters of Western Sahara (European Commission, 2013b). While the legality of these types of agreements is not to be debated in this paper, it remains that, legal or not, such ambiguity is certainly not having a positive impact on conflict transformation in the Western Sahara dispute.⁹

⁹ For more about the legality of the Fisheries Partnership Agreement between the EU and Morocco see Balboni (2008) and Steinbach (2012).

4.3 Assessment and local perceptions

In Israel-Palestine, one significant reason for the failure of EU policies in moving the peace process forward is the presence of variables that are independent of the EU. For example, while the Israeli-Palestinian conflict dominates domestic and foreign policy on both sides, the Palestinians also face the dilemma of a fractured government in the form of the Fatah-Hamas split. This has had widespread repercussions for almost all of the EU's policies and activities in the OPT. Another problem on the Palestinian front has been the 'corruption of elites' (Interview Bouris, 2013), namely the Palestinian leadership and particularly the PA. The only peace negotiations taking place from the Palestinian side are by the PA's President Mahmoud Abbas, whose term expired in 2009, raising questions about his blanket representation of all Palestinians (Interview Bouris, 2013). Perhaps most importantly, perceptions of the EU on both sides differ to a significant degree. While the Israelis have never seriously considered the EU a valid or effective substitute for the United States¹⁰, the Palestinians express far more mixed feelings for the EU's involvement. On the one hand, there is immense appreciation of EU funds and Brussels's enduring support for Palestinian statehood. On the other, there is also frustration with the EU following the American lead in many matters.

The absence of a conflict transformation agenda from regional initiatives is also the result of general Palestinian distrust of their closest neighbors, namely Jordan, Egypt and Syria. One Palestinian diplomat living in Amman, for example, calls Jordanian involvement in the conflict a 'double-edged sword', citing IMF funding to Jordan as one of the Arab state's main reasons to continue with the status quo (Interview Palestinian diplomat, Amman 2013). Palestinian wariness of Jordan was also apparent in the post-Oslo period when the Jordanians sought greater integration with the Palestinian economy, but Arafat instead chose to invest in projects like building an airport and energy infrastructure instead. This is not surprising, Rosemary Hollis suggests, considering that the 1994 Jordan-Israel peace treaty negotiated the distribution of water, largely at the expense of the Palestinians (Interview Hollis, 2013). And in fact, though the EU is either criticized or credited with its emphasis on bilateral relations, this widespread regional distrust has made it apparent that Arab states are also happy to pursue bilateral, and not regional cooperation.

This atmosphere of general wariness is further exacerbated by impractical, *emotional* reactions to the conflict. 'One of our problems with our Arab brothers,' Shaban explains, 'is that they hate Israel more than we do. They have comfortable lives from which they speak negatively about Israel...but we have become more practical' (Interview Shaban, Gaza 2013). And this dilemma applies to the wider Palestinian diaspora and refugees living in Jordan, Syria and elsewhere. While running a dialogue programme between Palestinian refugees and West Bank/Gaza residents, for example, Professor Hollis recalls a huge row on the issue of sovereignty and statehood: 'The refugees stated that statehood was of no use to them and that those in the West Bank and Gaza were simply being selfish' (Interview Hollis, 2013).

¹⁰ One Israeli academic replied to an interview request with: "European misguided notions are counterproductive. They have no clue what the conflict is all about."

Furthermore, there is a widespread Palestinian and Arab perception that Israel has not made any concessions to further the peace process and that Israeli disinterest in any initiatives will result in the international community eventually abandoning them (Interview Bouris, 2013). ‘All the obstacles come from the Israeli side,’ says the OIC’s Ambassador Diab, adding that the Israelis want neither a one-state nor two-state solution. Instead, ‘they want to continue occupying’ (Interview Diab, OIC Jeddah, 2013). They see themselves as ‘tourists in the Middle East’ and have not yet transitioned into citizens with a vested interest in peace, argues Shaban (Interview Shaban, Gaza, 2013). Perhaps this, in part, explains growing EU ‘frustration’ with Israel. In 2012, for example, European Commissioner Stefan Füle presented a detailed list of 82 EU-funded projects worth almost 30 million euros that were destroyed by Israel between 2001 and 2011. This ‘unprecedented display of shaming and blaming’ (Bouris and Schumacher, 2013: 8), is an indication of EU member states’ impatience with US-backed Israeli policies.

Also in the Maghreb local actors perceive the impact of the EU rather negatively. For them, the main obstacle that prevents the EU from playing a positive role is the French and Spanish grip on the EU policies in the Maghreb, which consider the region as their ‘private turf’ (Interviews Moutik, 2013; Moroccan source, 2013). Both German professor Volkel and an Algerian diplomatic source agree on the fact that, in international relations, it is an open secret that the EU constantly aligns itself to the positions of the member states that were the former colonial powers which in turn have an informal veto right on the policies to be adopted despite the fact that the EU decisions are officially taken in a collegial fashion (Interviews Volkel, 2013; Algerian diplomat, 2013). This neo-colonial approach is reflected in the bilateral shift operated by the EU in its relations with the Maghrebi neighbors. From the southern countries’ perspective, the new nature of the Euro-Mediterranean relations represents a loss of bargaining power as everything is decided in Brussels and the Algerians think that the ENP policy is a setback in a sense that it does not treat the Maghrebi partners on an equal footing (Boumghar, 2013). Furthermore, the uneven relations between individual Maghrebi countries with the EU, whereby some member states seek a privileged partnership with specific countries and vice versa, happen to the detriment of the idea of a ‘Great Maghreb’ (Interview Sidati, 2013). Some actors go as far as saying that the EU favors the bilateral nature of the partnership because ‘negotiating with a unified Maghrebi front would be less advantageous’ (Interview Sahel, 2013).

Secondly, the idea of having a sound regional integration process without first attempting to address the Western Sahara file demonstrates the shortsightedness of EU policy-makers. Instead of ‘rooting out the evil, the EU maintains a situation in palliative care’, which ‘in the long term will undermine the EU interests, particularly those of France and Spain because any instability in that part of the region will undermine any economic progress made, whether it is in terms of trade or development’ (Interview Moutik, 2013). Consequently, the local actors, especially the Sahrawis, feel the EU is less competitive and starts to lose ground to the United States, that has taken a more multilateral approach and explicitly excludes the Western Sahara territory from its free trade agreements with Morocco (Interviews Moutik, 2013; Sidati, 2013; Moutaouakil, 2013).

Most importantly, as the President of the European Conference of Coordination and Support to the Sahrawi People (EUCOCO), Pierre Galand, argues, “there is a permanent divorce between what the EU says and what it does” (Interview Galand, 2013). The local actors welcome the EU declared goals and its promotion of democracy and human rights but oppose its practices, which place a premium upon economy with the exception of the Nordic countries like Sweden or Denmark that stand up against the Human Rights violations and boycott the products from the Western Sahara territory (Interview Jimmi, 2013). While they feel that the UN should remain the lead organization in the peace process they would welcome a more active EU support given the economic leverage the Union has on Morocco (Interviews Sidati, 2013; Moutaouakil, 2013). Unfortunately, the MINURSO remains the only UN mission not mandated to monitor human rights because Spain’s opposition and France’s systematic vetoes at the UN Security Council (allAfrica, 2013; Morocco World News, 2013; Le Monde, 2010; Sahara Press Service, 2013a). Nevertheless, despite their disappointment with the EU policies driven by influential member states, the local actors still hope the EU will play a role in the Western Sahara conflict. Acknowledging the member states’ diverging interests and the work of the different EU institutions, the Sahrawis praise the European Parliament’s reports on the human rights situation in Western Sahara (Interview Jimmi, 2013). As the SADR minister for the EU, Mohamed Sidati, explains, “Europe is involved in the conflict and this is the reason why we say that Europe can have another approach, that of a committed neutral mediator through a policy of active neutrality because the EU can contribute to the solution to the conflict” (Interview Sidati, 2013).

5. Conclusion

In Israel-Palestine today, it is general contentment with the situation, Dimitris Bouris argues, that is keeping the peace process from moving forward. Hamas is happy to govern Gaza while Fatah governs the West Bank and the Israelis are content because the Fatah-Hamas split reinforces their argument that there is no definitive Palestinian entity to negotiate with (Interview Bouris, 2013). And yet, the conflict is always just a hair’s breadth away from exploding into violence. Again, unlike the Western Sahara conflict, it remains high on the agendas of the UN, Arab League, EU and US. Though now might not be considered a good time for any new approach, the EU nevertheless needs to look to the future and decide if it is possible ‘to live without resolving this conflict’ (Interview Shaban, Gaza 2013), keeping in mind the explosive situation in Syria or that the loss of a well-respected Saudi leader can wreck havoc on any future regional proposals. With the region in a constant state of turmoil, there are completely justifiable fears that any tensions in the neighborhood might just be the catalyst for a resumption of violence and hostilities between Israel and the Palestinians. The obvious solution seems to be a regional arrangement that will provide the region with a blanket of mutually reinforced security. However, the so-called Arab Spring has further reinforced the focus on bilateral relations between Brussels and individual states, making regional integration a very distant goal.

It would be inaccurate to say that EU policy or actions have not sought to promote regional cooperation (Euro-Mediterranean initiatives are indicative of this) or positively transform the conflict. The use of regional cooperation to impact the conflict, however, has been much harder to discern. Furthermore, it is questionable

whether EU policies have even brought about a positive transformation of the conflict. The EU has consistently missed key opportunities since Oslo to exert its political influence and both promote regional integration and use it to transform the conflict. Whether it was in taking a backseat to the US when the Roadmap was being created or the API was launched (and re-launched) or in not offering its recognition and support to the National Unity Government in 2007, the EU was neither assertive nor focused enough to achieve its own objectives.

Any future EU policy must address the question of a Palestinian state and the matter of Palestinian refugees, as it is these two interlinked issues that further complicate the process of regional cooperation. For most Palestinians and their Arab neighbors, there is no point in discussing regional cooperation without the presence of a Palestinian state with equal bargaining power to Israel and its Arab neighbors (Interview Diab, OIC Jeddah 2013). Moreover, the EU could condense its different approaches into a 'single and coherent policy framework' (Gylfason and Wijkman, 2011). So if economic integration and the compulsory pathway are continued as strategies, then they must be implemented properly and with more conviction. This includes a firmer carrot and stick policy. In addition, institutional overlap and the lack of one voice further complicate existing policies. This is most evident within the UfM, which operates on an intergovernmental level but pursues a EU foreign policy agenda (the reworked Barcelona Process) (Reiterer, 2009: 324).

In terms of concrete measures, the EU could start by rectifying past mistakes, namely revising the 'West Bank first' approach and offering support for Palestinian power-sharing by backing and facilitating an enduring Fatah-Hamas reconciliation (Asseburg and Perthes, 2009a: 22). A more extensive involvement of the civil society should also be encouraged, perhaps by liaising with UN agencies and local civil society organizations. This can be achieved by a greater focus on the existing 'effective multilateralism' framework. Support for and the promotion of existing regional proposals (the API and 2003 Geneva Accord) on both a regional and global level can make the EU appear assertive and willing to take a lead on the matter (Emerson and Tocci, 2006). Perhaps most importantly, for regional cooperation to have an impact on this conflict, the EU needs to seek and establish partners for peace within the region, in the form of existing regional organizations like the Arab League. It is also necessary for the EU to use its position as the PA's biggest donor and Israel's biggest trading partner to take over leadership of peace negotiations from the United States whose bias toward Israel has increasingly frustrated the Palestinians and made resultant policy recommendations untenable and obsolete.

Compared to the Israeli-Palestinian conflict, the Western Sahara dispute is an epiphenomenon in terms of scope and causalities, and so far has not prevented the EU from cutting economic deals with the Maghrebi countries as it has always been excluded from the Euro-Mediterranean initiatives.

The exclusion of the Western Sahara conflict from the EU policy-makers' agenda has not, however, eased the development of regional integration in the Maghreb. The multiple regional initiatives launched by Brussels have led to a bilateral shift that go at cross-purposes to the very idea of regional integration. Despite the obvious failure of the EMP and the ENP to foster cooperation among the Maghrebi countries, the EU

seems to maintain this logic of action. Following the 2011 Arab Uprisings that shook the MENA region, the EU reinforced its politics of conditionality and its concept of 'more for more and less for less'.

Theoretically, possible alternatives would be to use incentives through financial packages that would 'reward' greater cooperation between the two main Maghrebi actors, Algeria and Morocco, and to increase financial assistance to the 5+5 Dialogue, which has been unanimously praised by the Northern and Southern Mediterranean partners as the most successful initiative in the region. As for the situation in Western Sahara, the EU is currently considered part of the problem instead of being part of the solution (Interview Sidati, 2013). Since the EU limits itself to humanitarian assistance to the Sahrawis and does not express a clear will to be more involved, a first step would be to persuade France and Spain not to hamper the UN-led peace settlement. By doing so, the EU would gain more credibility as a foreign policy actor that speaks with one voice on the issue and clarify its increasingly questioned 'neutral' position vis-à-vis the conflict.

A further step, however utopic, would be for the EU to directly compensate the Sahrawis for any economic deal, whether fisheries or phosphates, that it concludes with Morocco since it does not recognize the sovereignty of the latter over Western Sahara. Unfortunately, on the short-term there is little hope to see the situation evolving unless drastic events occur. As Dumas observes, 'the only two things that could wake Europe up are money and war' (Interview Dumas, 2013). Therefore, the question must be asked as to whether the current *status quo* is not highly profitable for the EU, which does not want to take the risk to see Morocco, one of its major economic partners, destabilized by the potential establishment of an independent Sahrawi state on its southern flanks.

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APPENDIX No. 1 – List of interviewees

NAME	POSITION	DATE	LOCATION	INTERVIEW TYPE
Aknouk, Mohannad	Assistant Palestinian Representative to the OIC	04/11/2013	Jeddah, Saudi Arabia	Personal Interview
Awawdeh, Dr. Shaher	Political Officer for Palestine and Al Quds Affairs at the Organization of Islamic Cooperation (OIC)	04/11/2013	Jeddah, Saudi Arabia	Personal Interview
Bouris, Dr. Dimitris.	Research Fellow, European Neighborhood Policy Chair, College of Europe	18/11/2013	Warsaw, Poland	Telephone Interview
Confidential	Algerian Diplomat	2013		Personal Interview
Confidential	Moroccan Source	11/2013		Personal Interview
Confidential	Palestinian diplomat	12/2013		Personal Interview
Confidential	Official at the International Committee of the Red Cross (ICRC), Amman office	12/2013		Personal Interview
Confidential	Jordanian journalist and analyst on Palestinian affairs and the Israeli-Palestinian conflict	12/2013		Personal Interview
Dauger, Alain	President of the <i>Comité Limousin de Solidarité avec le Peuple Sahraoui</i> and member of the <i>Association des Amis de la R.A.S.D.</i>	03/10/2013	Limoges, France	Personal Interview
Diab, Ambassador Samir	Assistant Secretary General for Palestine and Al Quds Affairs, OIC	04/11/2013	Jeddah, Saudi Arabia	Personal Interview
Dumas, Roland	Former French Minister of Foreign and European Affairs (1984-1986), Former French Minister of Foreign Affairs (1988-1993)	20/11/2013	Paris, France	Personal Interview
Fernandez, Irene	Research Fellow, European Neighborhood Policy Chair, College of Europe	19/12/2013	Warsaw, Poland	Telephone Interview
Finkelstein, Dr. Norman	Political scientist and expert on Israel-Palestine conflict - professor, author and activist	06/11/2013	New York, United States	Telephone Interview
Galand, Pierre	Former Belgian Senator, President of the European Conference of Coordination and Support to the Sahrawi People (EUCOCO)	21/11/2013	Brussels, Belgium	Personal Interview

Hollis, Dr. Rosemary	Professor of Middle East Policy Studies and Director of the Olive Tree Programme at City University, London. Political scientist and expert on Israel-Palestine conflict - professor, author and activist	07/11/2013	London, United Kingdom	Telephone Interview
Jarchow, Dr. Ute	Regional Project Advisor for the Regional Social and Cultural Fund for Palestinian Refugees and Gaza Population, at <i>Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH</i>	05/12/2013	Amman, Jordan	Personal Interview
Jimmi, El-Ghalia	Human Rights Activist formerly imprisoned by the Moroccan Authorities, Vice President of Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State, Member of the Committee for the Families of Disappeared Sahrawis	16/11/2013	Rome, Italy	Personal Interview
Magamma, Tisetso	Member of the South African Parliament	16/11/2013	Rome, Italy	Personal Interview
Marchetti, Dr. Andreas	Senior Fellow at the Center for European Integration Studies (ZEI) at the University of Bonn.	12/11/2013	Bonn, Germany	Telephone Interview
Moutaouakil, Mohamed	Human rights activist formerly imprisoned by the Moroccan authorities, Member of the Collective of Sahrawi Human Rights Defenders (CODESA)	16/11/2013	Rome, Italy	Personal Interview
Moutik, Bachir	Representative in France of the Association for the Families of Sahrawi Prisoners and the Disappeared (AFAPREDESA)	16/11/2013	Rome, Italy	Personal Interview
Muasher, Dr. Marwan	Vice president for studies at Carnegie - oversees research in Washington and Beirut on the Middle East. Former Jordanian Foreign Minister (2002–2004) and Jordanian Deputy Prime Minister (2004–2005)	03/11/2013	Amman, Jordan	Personal Interview
Sahel, Ali	Former Algerian Deputy, President of the National Association for Youth Exchanges (ANEJ)	16/11/2013	Rome, Italy	Personal Interview
Shaban, Omar	Founder and Director of Palthink for Strategic Studies - Independent researcher and analyst of Palestinian affairs	05/11/2013	Gaza, Occupied Palestinian Territories	Telephone Interview

Sidati, Mohamed	SADR Minister for the EU	22/11/2013	Brussels, Belgium	Personal Interview
Voelkel, Dr. Jan	Professor at the Euro- Mediterranean Studies Programme, Cairo University	09/12/2013	Cairo, Egypt	Personal Interview