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Barbara Marcinkowska¹

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The Institutional Framework of the EU's Engagement in Its Southern Neighbourhood

Abstract

Taking into account the importance of the Mediterranean region for the EU, this paper aims to analyse the evolution of the institutional framework of the Mediterranean relations as well as the factors that influence it, in order to answer the question of the extent to which the development of the institutional cooperation between the EU and the Mediterranean region is following the path dependency. The study started with an analysis of the historical development of the institutions, policies and instruments of cooperation within the Mediterranean region. What is emphasized is the tracing of the trends and tendencies that are characteristic for this development. Furthermore, it is argued that regarding the peculiarity of the region, the EU manages its relations with Mediterranean countries using two approaches: bilateral and regional. Thus, the influence of this dichotomy on the shape of institutions as well as the changes

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in balance between these two approaches is analysed. Then, other dichotomies in the relations between the Mediterranean countries and the EU are identified and analyses with the emphasis on their influence on the development of institutions.

Keywords: European Neighbourhood Policy, ENP, Union for the Mediterranean, European Union, Barcelona Process

Introduction

The Mediterranean Region² is one of two important “Neighbourhood’s regions” of the European Union. The EU, being an active actor in its neighbourhood, is trying to cope with those countries in two different ways: by the bilateral relations and by the regional approach. Taking into account this dichotomy, as well as the historical importance of this region and its significance for further development of the security and prosperity of the European Union, this paper focuses on the relations between the European Union and the Mediterranean non-member states (MNC).

This study analyses the evolution of the institutional framework of cooperation between the EU and their Mediterranean partners as well as the factors that influence this framework. It is argued that, regarding the following steps of building the institutional framework of the inter-regional cooperation between the EU and the countries than belong to the region of the Mediterranean Sea, the European Union and its member states are trying to deepen the cooperation, following the logical and historically explainable order.

The study started with an analysis of the historical development of the institutions, policies and instruments of cooperation within the

² Mediterranean region consist of counties that border the Mediterranean Sea, and -in addition - Portugal. It includes the countries such as: Albania, Bosnia-Hergovina, Croatia, France, Greece, Italy, Malta, Monaco, Portugal, Serbia-Montenegro, Slovenia, Spain, Algeria, Cyprus, Egypt, Israel, Lebanon, Morocco, Libya, Palestinian Authority, Syria, Tunisia, and Turkey. In this group the division can be made between the EU member states and countries that are not EU member states. The second group is often called Mediterranean Non-Member Countries (MNC). [F. Longo, 'The Relevance of Security Sector Reform in Humanitarian Intervention: The Case of the European Union in the Mediterranean', *Democracy and Security*, vol. 9, no. 1 - 2, 20013, p.187]

Mediterranean region. The emphasis is put on the tracing of the trends and tendencies, which are characteristic for this development.

Furthermore, the analysis of the historical development is supplemented by the examination of the differences in approaches regarding building of the institutional framework. Therefore, it focuses on three axes of reflexion: the balance between the bilateral and the regional approach, the differences as far as direction of the relations is concerned, and the balance between the intergovernmental and the institutional approach within the introduced policies and institutions.

1. The Development of Institutional Framework

In this part the author examines the process of building the institutional framework of cooperation within the Mediterranean Sea region, which consists of the creation of the institutional structures and the choice of policies used. She tries to answer the question about the historical development of the institutional framework as well as to identify which instruments and policies are involved and what was their historical development. Moreover, the shape of existing institutions is presented, including the character of membership and number of entities taking part in the institutionalization process.

1.1. Pre-Barcelona Cooperation

In 2000 Alvaro Vasconcelos and George Joffé wrote: 'The Euro-Mediterranean Partnership, which was launched in Barcelona in November 1995, is the first real initiative designed to expand European economic integration toward the South. The objective is to apply in North Africa and the Middle East the model developed successfully in Europe (...) In other words, the objective is to create a zone of economic development, democracy and peace through a process of integration,

even though this is a strategy that can only yield its results in the long term³.

Although the Euro-Mediterranean Partnership (EMP), called also ‘the Barcelona Process’ is supposed to be the first European initiative towards the Southern neighbourhood, the European interests in the Mediterranean countries started a long time before the Barcelona summit. Almost directly after the southern Mediterranean countries had gained independency, in 1960s, the European Economic Community (EEC) started to develop regional policies toward the countries localized in its neighbourhood⁴.

In 1969 the EEC concluded bilateral preferential trade agreements with three Maghreb countries (Morocco, Algeria and Tunisia)⁵. Then, in 1972 the EEC proposed the Global Mediterranean Policy (GMP), which aimed to increase security in the region and to encourage peace and economic development as well as the trade investment opportunities⁶. Although, the scope of the Global Mediterranean Policy was limited to several mentioned questions and especially focused on trade and aid, it can be considered as the first attempt to create regional global institutional framework of cooperation in the meaning of countries concerned⁷. The GMP covered: Albania, Algeria, Cyprus, Egypt, Greece, Israel, Lebanon,

³ A. Vasconcelos, G. Joffé, ‘Introduction: Towards Euro-Mediterranean Regional Integration’, in A. Vasconcelos, G. Joffé (eds.), *The Barcelona Process. Building a Euro-Mediterranean Regional Community*, London and Portland, Frank Cass, 2000, p.3

⁴ U. B. Yıldız, ‘The Union for the Mediterranean: Why did it fail and how should it be effective?’, *Uluslararası Hukuk ve Politika*, vol. 8, no. 32, 2012, p.118

⁵ European Institute for Research MEDEA, ‘Euro-Mediterranean Cooperation (Historical)’, retrieved on 25 April 2013, <http://www.medea.be/en/themes/euro-mediterranean-cooperation/euro-mediterranean-cooperation-historical/>

⁶ U. B. Yıldız, *op. cit.*, pp. 117 - 119

⁷ P. J. Cardwell, ‘EuroMed, European Neighbourhood Policy and the Union for the Mediterranean: Overlapping policy frames in the EU’s governance of the Mediterranean’, *Journal of Common Market Studies*, Vol. 49, No. 2, 2011, p. 224

Libya, Malta, Morocco, Portugal, Spain, Syria, Tunisia, Turkey and Yugoslavia⁸. However, not all countries that were subject to this policy were treated in the same way. In practice, Greece, Turkey, Malta and Cyprus benefited from some special regime of cooperation⁹ and Albania and Libya were not interested in deepening relations with the European countries under the Global Mediterranean Policy and therefore - at some point - they were excluded from the benefits¹⁰.

In the framework of the GMP, the EEC did not construct any special institutions but concluded bilateral trade and co-operation agreements with its Mediterranean neighbours. Albania and Libya, which did not sign them, were the exceptions¹¹. The implementation of the GMP's agreements was not as successful as planned¹², and thus the 'impetus for a Mediterranean-wide policy was lost'¹³. As a result, in 1990¹⁴ the policy was renewed and introduced as the Renovated Mediterranean Policy (RMP)¹⁵. The new regional approach had not many differences in comparison with the GMP, but the priorities and objectives were much more precisely described¹⁶. However, the cooperation was again mainly focused on the economic issues. Moreover, under the RMP any new structure has been created - even if the RMP went out the regime of bilateral agreements by introducing the multilateral aid programmes

⁸ *Ibid.*

⁹ S. Biscop, *Euro-Mediterranean Security: A Search for Partnership*, Aldershot, Ashgate, 2003, p. 25

¹⁰ P. J. Cardwell, *op. cit.*, pp. 224-225

¹¹ European Institute for Research MEDEA, *op. cit.*

¹² U. B. Yildiz, *op. cit.*, p. 118

¹³ P. J. Cardwell, *op. cit.*, p. 224

¹⁴ According to P. J. Cardwell in 1989

¹⁵ U. B. Yildiz, *op. cit.*, p. 118

¹⁶ European Institute for Research MEDEA, *op. cit.*

'MED', which aim was to encourage the regional cooperation in order to satisfy common interests¹⁷.

1.2. The Euro – Mediterranean Partnership: 'Barcelona Process'

In 1990s the political context of the relations within the Mediterranean region changed. Greece, Spain and Portugal, which until late 1980s were subjects to the European policy, became members of the European Communities (EC) . As a result, France and Italy – the traditionally pro-Mediterranean member states - gained new partners interested in development of the cooperation with their southern neighbours¹⁸.

France, together with Spain, Italy and the Commission created the 'Mediterranean lobby' in the EU and tried to keep the Mediterranean question on the table¹⁹. As an answer to the demand for further development of the cooperation with southern neighbours, the Commission proposed the creation of a Euro-Mediterranean Partnership (EMP or Euro-Med Partnership)²⁰.

The enlargement and a shift in the membership structure was one of the reasons to develop a new attitude within the European Union towards the Mediterranean region. Others were related to the dysfunctional system of a bilateral cooperation and a need of a real regional approach²¹. Moreover there was a need of balance between eastern and

¹⁷ S. Biscop, *op. cit.*, pp. 27-28; and European Institute for Research MEDEA, 'MED Programmes', retrieved on 28 April 2013, <http://www.medea.be/en/themes/euro-mediterranean-cooperation/med-programmes/>

¹⁸ E. Barbé and E. Soler i Lecha, 'What role for Spain in the Union for the mediterranean? Europeanising through continuity and adaptation', *Etudes helléniques / Hellenic Studies*, vol. 17, o. 2, 2009, pp. 89 – 90 and U. B. Yildiz, *op. cit.*, pp. 118 - 121

¹⁹ E. Barbé and E. Soler i Lecha, *op. cit.*, p. 89

²⁰ S. Biscop, *op. cit.*, p. 32

²¹ U. B. Yildiz, *op. cit.*, pp. 118 - 121

southern dimension of the European policy towards its neighbours (especially after the collapse of the USSR)²².

Among other reasons, it is worth to highlight: the Oslo Peace Accords concluded between Israel and Palestinians in 1993 (which could be considered as a breakthrough in the Euro-Mediterranean cooperation that gave a chance to develop the real regional approach²³) and the need of creation of zone of peace and stability near to the European boarders. All of them gave the additional impulse for organization of the Barcelona Conference in November 1995²⁴.

The conference, which is considered as a starting point of the 'Barcelona Process', gathered all of the EU member states – at the moment they are fifteen – and twelve MNCs. Comparing to previous policies some changes in the membership structure can be observed. Firstly, some of the states became member states. Secondly, because of some positive results of the Middle East peace negotiations, the Palestinian Authorities gained a place in the new structures. Thirdly, Albania and Libya²⁵ were missing during the conference and they were not included in the Barcelona Process in the following years²⁶.

The creation of Euro-Mediterranean Partnership can be seen as the new quality in the institutional framework of the regional cooperation. Not only has it created the first regional, multilateral forum but also it has

²² S. Biscop, *op. cit.*, p. 32

²³ E. Barbé and E. Soler i Lecha, *op. cit.*, p. 89 and U. B. Yildiz, *op. cit.*, p. 120

²⁴ *Ibid.*

²⁵ In 2007 Albania and Mauretania became full-right members of Euro-Mediterranean Partnership) M. Montobbio, 'Coming Home. Albania in the Barcelona Process: Union for the Mediterranean', *L'Institut Europeu de la Mediterrània (IE Med)*, 2009, retrieved on 29 April 2013,); and in 1999, after having the sanctions of the United Nations (UN) lifted, Libya has been proposed to get the observer status(European Commission, EuropeAid, retrieved on 29 April 2013, http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/libya/libya_en.htm).

²⁶ C. Bretherton and J. Vogler, *The European Union as a global actor*, London, Routledge, 2nd edn., 2006, p.155-156

proposed the coherent way of dealing with challenges that the region was facing. What is more, several new institutions were created and new instruments were proposed, divided into multilateral and bilateral approach, as well as into three thematic 'baskets'²⁷.

What should be noticed is a certain similarity to the European institutions - including the creation of the multilateral cooperation forum which has been operated on various levels²⁸. The Barcelona Process consists of annual meetings of foreign affairs ministers, as well as sectorial *ad hoc* ministerial conferences²⁹. Furthermore, the Senior Officials EuroMed Committee which has been the 'technical' body responsible for preparation of the ministerial conferences and the European Mediterranean Parliamentary Assembly, complemented the institutional structure. Other institutions that were created following the Barcelona conference have been connected to the third 'basket' of cooperation (cultural and social)³⁰.

The multilateral institutional framework was accompanied by the financial instruments, such as MEDA I introduced in 1996 and MEDA II introduced in 2000, which aimed to help the concerned countries in

²⁷ Cf. The 'Barcelona Declaration' adopted at the Euro - Mediterranean Conference 27-28 November 1995, Barcelona, 1995, retrieved on 20 April 2013, http://www.eeas.europa.eu/euromed/docs/bd_en.pdf

The baskets are divided as follow:

- 1) Political and security partnership: Establishing a common area of peace and stability;
- 2) Economic and financial partnership: Creating an area of shared prosperity (including creation of free-trade area till 2010 and economic cooperation in specified domains as well as financial cooperation);
- 3) Partnership in social, cultural and human affairs: Developing human resources. Promoting understanding between cultures and exchanges between civil societies.

²⁸ D. K. Xenakis and D. N. Chryssochoou, *The Emerging Euro - Mediterranean system*, Manchester, Manchester University Press, 2001, p. 74

²⁹ Ibidem., p. 84

³⁰ P. J. Cardwell, *op. cit.*, p. 226

economic transition and to prepare them for the ‘gradual establishment of a free trade area with EU’³¹.

Beside the multilateral cooperation, the EU has not resigned from the bilateral approach. The existing bilateral agreements that have been concluded under the GMP and the RMP regime have been replaced by the Euro – Mediterranean Association Agreements. The main goal proposed in the agreements was the preparation of partner countries for the free trade in services and industrial goods³².

A *novum* in the European approach was the introduction of the conditionality rule³³. The financial aid and support for the economic transition was ‘combined with commitments to co-operate at two other levels: the political and the security level, and the cultural, the human and the social level’³⁴.

Despite the well-developed multilateral institutional structure, accompanied by bilateral agreements, the Barcelona Process has not achieved ambitious objectives concerning the building of the regional cooperation. The implementation of commitments has not progressed as quick as expected. Moreover, the multilateral forum could not be effective due to the non-solved Middle East conflict and the boycott of meetings at the ministerial levels by politicians³⁵. In these circumstances new solutions had to be introduced. Therefore in 2000 the European Union concluded the *EU Common Strategy for the Mediterranean Region* and five years later encouraged the ‘renewal’ of the Euro – Mediterranean Partnership³⁶.

³¹ European Institute for Research MEDEA, ‘MEDA Programme’, retrieved on 26 April 2013, <http://www.medea.be/en/themes/euro-mediterranean-cooperation/meda-programme/>

³² C. Bretherton and J. Vogler, *op. cit.*, p. 156

³³ C. Bretherton and J. Vogler, *op. cit.*, p. 156

³⁴ R. Gillespie, ‘Introduction : The Euro – Mediterranean Partnership Initiative’, *op. cit.*, p. 1

³⁵ C. Bretherton and J. Vogler, *op. cit.*, p. 157

³⁶ P. J. Cardwell, *op. cit.*, p. 226

1.3. EU Common Strategy for the Mediterranean Region

The European Union has adopted the *Common Strategy for the Mediterranean Region* in the purpose to support the Barcelona Process. It covered all partner states from the region and additionally Libya which was still under the UN sanctions regime. The strategy has been adopted for a period of 4 years³⁷ and was renewed once in 2004³⁸. It expired in 2006 without the second attempt to prolong its duration³⁹.

According to P. J. Cardwell, the Common Strategy was an attempt to co-opt the existing Barcelona structures (which were created on the intergovernmental forum rather than accordingly to the treaties and CFSD regime) into the community policies⁴⁰. Thus, the fact that the strategy should be considered as a continuation of the Barcelona Process was emphasized several times in the document⁴¹.

The Common Strategy set up a list of goals that the EU member states wanted to achieve. In general they repeated the objectives adopted in the 'Barcelona Declaration'. The Strategy highlighted the importance of creation a 'common area of peace and stability, an area of shared prosperity and an establishment of a partnership in social, human and cultural affairs'. It has also emphasized the fact that the free trade area with the EU and among the Mediterranean countries is one of main objectives of the regional cooperation⁴².

³⁷ P. J. Cardwell, *op. cit.*, pp. 226 - 228

³⁸ European Council, 'Decision (2004/763/CFSP) of 5 November 2004 amending Common Strategy 2000/458/CFSP on the Mediterranean region in order to extend the period of its application', *Official Journal of the European Union*, L 337, 13 November 2004

³⁹ P. J. Cardwell, *op. cit.*, pp. 226 - 228

⁴⁰ *Ibid.*, p. 226

⁴¹ European Council, 'Common Strategy (2000/458/CFSP) of 19 June 2000 on the Mediterranean region', *Official Journal of the European Union*, L 183, 22 July 2000

⁴² *Ibid.*

As far as the institutional structure is concerned, the common strategy for the Mediterranean region has not proposed any new institutions nor instruments. This is why it should be rather considered as a document that ‘refresh’ the Barcelona process and confirmed the pro-Mediterranean attitude of the European Union in five years after the Barcelona Declaration had been adopted, rather than a real input in the creation of the institutional framework of the cooperation. However, being such it suits well the European tendency to confirm or renew its interests in the Southern Neighbourhood every four – five years⁴³.

1.4. ENP: the Southern Dimension

The development of the cooperation within the Mediterranean region has not stopped neither at the Barcelona Conference nor at the Common Strategy. On the contrary – since 1995 almost every new initiative has been introduced as the ‘continuation’, ‘addition’, ‘development’ or ‘renewal’ of the Euro – Mediterranean Partnership. Neither the introduction of the European Neighbourhood Policy (the ENP) should be seen as contradictory to the EMP, even if it replaced the bilateral aspect of the cooperation. The multilateral forum stayed untouched and under ‘Barcelona regime’⁴⁴.

However, at the origins of the ENP Policy lies some kind of disappointment with the cooperation within the Barcelona Process. Established eight years after the Euro – Mediterranean Partnership was launched, and one year before the ‘ten years anniversary Summit’ has been tried to refresh the idea of Pan-Mediterranean cooperation, the

⁴³ Please consult also the table with institutional changes (Table 1)

⁴⁴ R. A. Del Sarto and T. Schumacher, ‘From EMP to ENP: What’s at stake with the European Neighbourhood Policy towards the Southern Mediterranean?’, *European Foreign Affairs Review*, vol. 10, no. 1, 2005, pp. 17 – 25

ENP once again ‘shifts the emphasis from region-building multilateralism to reinforced bilateralism’⁴⁵.

The policy was introduced in May 2004⁴⁶, but the idea of a new approach toward the countries in the EU’s neighbourhood showed up at least one year earlier. In 2003 the Commission proposed a new initiative called the ‘wider Europe’. By this communication, the Commission emphasised the importance of the change in the geopolitical situation of the European Union, due to the 2004 – enlargement.⁴⁷ The EU gained new ‘neighbours’ and some of the old ones would become the member states. As a consequence, the number of Mediterranean partners has changed from twelve to nine⁴⁸.

The idea of the ‘wider Europe’ has been later replaced by the proposition of the ENP creation. Officially, the European Neighbourhood Policy was discussed and initially agreed at the European Council meeting in Thessaloniki in June 2003⁴⁹.

⁴⁵ R. Gillespie, ‘The Union for the Mediterranean: an intergovernmentalist challenge for the European Union?’, *Journal of Common Market Studies*, vol. 49, no. 6, 2011, p. 1207

⁴⁶ A. Bendiek, ‘The ENP in a regime – analytical perspective – propositions for a research design’, in J. Varwick and K. Lang (eds.), *European Neighbourhood Policy. Challenges for the EU-Policy Towards the New Neighbours*, Opladen & Farmington Hills, Barbara Budrich Publishers, 2007, p. 25

⁴⁷ European Commission, ‘Communication from the Commission to the Council and the European Parliament Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours’, COM(2003) 104 final, Brussels, 11 March 2003, retrieved on 30 April 2013, http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf

⁴⁸ A. Tovias, ‘The European Union and the Mediterranean Nonmember States’, in F. Bindi and I. Angelescu (eds.), *The Foreign Policy of the European Union: Assessing Europe’s role in the world*, Washington, Brookings Institution Press, 2012, 2nd edn., p. 188

⁴⁹ A. Bendiek, *op. cit.*, p. 25

The motivation behind the introduction of the ENP was simple: to enhance regional and transnational cooperation between the European Union and countries that border the Union. Moreover, the EU aimed to 'create a *ring of friends* around all the eastern and southern periphery of the enlarged Union by incorporating the non-members into a European (that is, EU)-led economic region'⁵⁰.

The ENP in its southern dimension includes: Tunisia, Algeria, Morocco, Libya, Egypt, Jordan, Lebanon, Syria, Israel and Palestinian Authority⁵¹. Due to the EU accession, Malta and Cyprus are not subject to the new policy. Neither does Turkey which has the status of the official candidate⁵².

By introduction of the ENP policy, the European Union did not proposed new institutional solutions in order to reinforce the cooperation in the region. Moreover, it highlighted the continuity and enhancement in the Barcelona Process and emphasised that the further cooperation would be based on the already existing Euro-Mediterranean Association Agreements⁵³. Any attempt to develop the multilateral forum has not been made under the ENP, at least until the new initiative of the Union for the Mediterranean was proposed, but the multilateral cooperation was not the purpose of the new policy.

The cooperation based on the ENP should be driven based on the new bilateral instrument, namely the Action Plan, that was agreed jointly by the EU and the partner state. The Action Plans aimed to 'promote regional security and stability through the consolidation of bilateral political, economic, social and cultural cooperation between the EU and neighbouring countries'⁵⁴ and consist of several commitments regarding

⁵⁰ P. J. Cardwell, *op. cit.*, p. 227

⁵¹ A. Bendiek, *op. cit.*, p. 25

⁵² A. Tovias, *op. cit.*, p. 187

⁵³ *Ibid.*, p. 189

⁵⁴ European Institute for Research MEDEA, 'EU and Maghreb Countries: Bilateral agreements', retrieved on 20 April 2013,

the implementation of reforms that were linked to the financial and technical aid of the EU as well as to the future access the internal EU market⁵⁵.

There was a significant change concerning the financial instrument accompanying the implementation of premises from Action Plans. MEDA I and MEDA II were replaced by the European Neighbourhood and Partnership Instrument (ENPI) in 2007 (for the period 2007-2013 related to multiannual financial framework).⁵⁶ The ENPI has several priorities among others: the support of democratic transition and promotion of human rights, the support of economic transition for development of the market economy, the promotion of policies of common interests, such as: antiterrorism and the proliferation of weapons of mass destruction.⁵⁷ However, the instrument was considered as not linked enough to the conditionality and in 2014 was replaced by the new European Neighbourhood Instrument (ENI) which has more precise conditions and introduces the conditionality rule 'more for more', but at the same time operates on a greater budget. The introduction of the ENI is linked to the revision of the European Neighbourhood Policy that took place in 2011⁵⁸.

1.5. Union for the Mediterranean

Michael Reiterer highlights, referring to one of Sarkozy's speeches, that both the Barcelona Process and the ENP have not met their objectives. As an explanation of the failure of these policies Sarkozy indicated the EU's interests in the Eastern neighbourhood and the priority that is

<http://www.medea.be/en/themes/euro-mediterranean-cooperation/eu-and-maghreb-countries-bilateral-agreements/>

⁵⁵ R. A. Del Sarto and T. Schumacher, *op. cit.*, pp. 20 – 22 and 34 – 38

⁵⁶ A. Tovias, *op. cit.*, pp. 194 – 195

⁵⁷ European Commission, EuropeAid, 'European Neighbourhood & Partnership Instrument', retrieved on 29 April 2013, http://ec.europa.eu/europeaid/how/finance/enpi_en.htm

⁵⁸ A. Tovias, *op. cit.*, pp. 199 – 200

given to the second dimension of the ENP. Therefore, being criticised for the lack of a comprehensive approach towards the whole region, focusing mainly on the economic relations by ignoring at the same time the question of human rights, and being concentrated more on East than on South, the ENP has soon met another proposition aiming to reorganise institutional structure, namely the Nicolas Sarkozy's initiative called the 'Mediterranean Union'⁵⁹.

The first proposition of the Mediterranean Union was made in February 2007 by Nicolas Sarkozy, at that time a candidate in the French presidential elections. In his speech in Toulon, he proposed a creation of a completely new structure, not connected to the existing framework of cooperation⁶⁰.

The *novum* of the Mediterranean Union's formula was confirmed by N. Sarkozy in Tangier in October 2007. He said then: 'We will not base the Mediterranean Union on the current model of the European Union and its institutions, its government, its high degree of political, legal, economic integration. As the European Union finally does not resemble nothing that it has been tried so far to satisfy the goal of uniting peoples, it is likely that at the end, the Mediterranean Union will not resemble the European Union and that would become a unique and original experience'⁶¹.

Besides the unique character of the new institutional structure, the French president proposed a significant change as far as the

⁵⁹ M. Reiterer, 'From the (French) Mediterranean Union to the (European) Barcelona Process: The 'Union for the Mediterranean' as Part of the European Neighbourhood Policy', *European Foreign Affairs Review*, vol. 14, 2009, p. 315 - 320

⁶⁰ D. Schmid, 'Du processus de Barcelone à l'Union pour la Méditerranée : changement de nom ou de fond', *IFRI: Questions Internationales*, no. 36, mars / avril 2009, retrieved on 15 April 2013, http://www.ifri.org/?page=detailed-contribution&id=6876&id_provenance=87&provenance_context_id=71, p. 2

⁶¹ 'Discours du Président Sarkozy sur le projet de l'Union de la Méditerranée', Tanger, 23 October, 2007, retrieved on 24 April 2013, http://www.ambafrance-uk.org/spip.php?page=mobile_art&art=9744

membership is concerned. The Sarkozy's Mediterranean Union was supposed to organise cooperation only of costal countries which would exclude most of the EU members⁶². And this was the main reason that the project has met the critic from the excluded partners from the European Union and from European institutions, namely the Commission⁶³.

As a result of this critique, Nicolas Sarkozy in his speech in Tangier - already as the president of France - put more attention to the connection between his proposition of the new institution and the history of cooperation, highlighting the fact that project of the Mediterranean Union is not completely decoupled from the previous ideas and by recognition of the will of cooperation and reunification of Mediterranean nations at two sides of the sea. Moreover, he emphasised that the new initiative is a continuation of the 'Mediterranean choice' of the European Union and an expression of the desire to continue the achievements of the Barcelona Process, the European Neighbourhood Policy and other forms of cooperation⁶⁴.

As a next step, the common proposition of French, Italian and Spanish leaders was presented under the name of 'l'Appel du Rome'. During the Rome meeting the project of Mediterranean Union was decided to not be cut out from the Barcelona Process. Moreover, the question of the future Turkey and Croatia accession was taken out of the scope of planned Union and, what is also important to mention, three leaders decided to convoke the international summit with participation of all EU member states and Mediterranean partners in July 2008 in Paris⁶⁵.

⁶² D. Schmid, 'Du processus de Barcelone à l'Union pour la Méditerranée (...)', *op.cit.*, p.2

⁶³ E. Barbé and E. Soler i Lecha, *op. cit.*, p. 86

⁶⁴ Nicolas Sarkozy, 'Discours du Président Sarkozy sur le projet de l'Union de la Méditerranée', *op. cit.*

⁶⁵ N. Sarkozy, R. Prodi, José Luis Zapatero, 'l'Appel de Rome pour l'Union pour la méditerranée', Rome, 20 December 2007, *Reseau Voltaire*, retrieved on 20 April 2013, <http://www.voltairenet.org/article153861.html>

Before the Paris Summit, more consultation within the European Union was made due to the fact that Germany and the European Commission have opposed the idea of exclusion of some member states from planned Union. As Angela Merkel emphasized, the European Union was already a union of states that had some competences and this is not possible that some part of member states would engage themselves in another politic structure that has the same competences. Moreover, the question of the new Union funding sources was raised, as accordingly to the Sarkozy's proposition most funds should come from the European Union but at the same time they would not involve all member states⁶⁶. As a result of this consultations France had to 'pull back and incorporate the union in the wider Euro – Mediterranean mechanism'⁶⁷. As a proof of these changes, the name of the project was changed too and the Sarkozy's 'Mediterranean Union' became 'Barcelona Process: Union for Mediterranean (BPfM)'⁶⁸. The name changed once again in November 2008 on Marseille Council meeting to 'Union for Mediterranean (UfM)'⁶⁹.

The UfM was officially created during the Paris Summit as the 'reinforced partnership' in the framework of multilateral cooperation⁷⁰. It was set as the 'Union of projects' with six concrete projects concerning: the de-pollution of the Mediterranean, maritime and land highways, the civil protection, the Mediterranean solar plan, the Euro-Mediterranean

⁶⁶ D. Schmid, 'L'Union pour la méditerranée, coup d'essai de la diplomatie sarkozyenne?', *Centre Thucydide - Analyse et recherche en relations internationales, l'AFRI Annuaire Français de Relations Internationales*, vol. 10, 2009, pp. 4 - 5

⁶⁷ D. K. Xenakis, 'The frozen Union for the Mediterranean', *In Depth*, vol. 6, no. 6, 2009, retrieved on 1 May 2013, <http://www.rcenter.intercol.edu/Newsletter/In%20Depth/volume%206%20issue%206/article09.htm>

⁶⁸ P. J. Cardwell, *op. cit.*, pp. 228 - 229

⁶⁹ M. Reiterer, *op. cit.*, p. 319

⁷⁰ 'Joint Declaration of the Paris Summit for the Mediterranean', Paris, 13 July 2008, retrieved on 15 February 2013, http://www.ue2008.fr/webdav/site/PFUE/shared/import/07/0713_declaration_de_paris/Joint_declaration_of_the_Paris_summit_for_the_Mediterranean-EN.pdf

university and the project of support the small and medium enterprises⁷¹. The Marseille summit added also new axes of cooperation including, among others, the further development of the creation of the free trade area⁷².

The new UfM kept the institutions created within the Euro-Mediterranean Partnership, however some of them had to be adapted to the new initiative. In addition, the ministerial meetings have been supplemented by the biannual summits⁷³. Furthermore, in order to provide better technical support and better representation of southern partners in the new structure, the Union for Mediterranean set up two institutions: the secretariat and the co-presidency⁷⁴.

As far as the membership is concerned, the UfM includes all EU member states, some candidate states (Croatia, Turkey), as well as other Mediterranean partners (Mauretania, Morocco, Algeria, Tunisia, Egypt, Israel, Jordan, Lebanon, Syria, Palestinian Authority). Two former Yugoslavian republics (Bosnia and Herzegovina and Montenegro) have also joined the UfM, as well as Monaco and Albania. Libya was represented during the Paris meeting but finally did not join the new structure. It has still the observer status⁷⁵. During the ministerial meeting in Marseille the question of the Arab League membership was raised. In result of the negotiations, concerning also the structure of the Secretariat, the Arab League has also become the member of the UfM⁷⁶.

⁷¹ D. Schmid, 'Du processus de Barcelone à l'Union pour la Méditerranée (...)', *op.cit.*, p.7

⁷² M. Reiterer, *op. cit.*, p. 327;

⁷³ *Ibid.* p. 324

⁷⁴ 'Joint Declaration of the Paris Summit for the Mediterranean', *op. cit.*

⁷⁵ M. Reiterer, *op. cit.*, p. 319 and *Secretariat of the Union for the Mediterranean*, retrieved on 1 May 2013,

<http://ufmsecretariat.org/ufm-countries/>

⁷⁶ M. Reiterer, *op. cit.*, p. 327

**Table 1 Creation of the Institutional Framework of Cooperation
between the European Union and Mediterranean States**

	Time	Institutions / Agencies	Instruments
Global Mediterranean Policy (GMP)	1972	n/a	Bilateral agreements
The Renovated Mediterranean Policy (RMP)	1990	n/a	-Bilateral agreements, -'MED' programmes of decentralised co-operation
Euro-Med Partnership (Barcelona Process)	1995 Renewed in 2005	- general and sectorial ministerial conferences - EuroMed committee - the European Mediterranean Parliamentary Assembly - EuroMed Civil Forum - Anna Lindh Foundation for the Dialogue of Cultures	- bilateral Euro-Mediterranean Association Agreements - multilateral dialogue based on '3 baskets' - financial assistance (MEDA I, MEDA II)
EU Common Strategy for the Mediterranean Region	2000 Renewed in 2004	n/a	EU Common Strategy for the Mediterranean Region
European Neighbourhood Policy (ENP)	2004, revised after 2011	n/a	Action Plans, Deep and Comprehensive Free Trade Agreements,

			ENPI, ENI,
Union for Mediterranean (UfM)	2008	New: - Co-presidency - Secretariat - Biannual summit Kept other institutions of the Barcelona process	“common projects”

Source: author's elaboration

2. Question of Balance: Cooperation More or Less Institutionalized?

This part examines the cooperation within the Mediterranean region in relation to the notion of balance regarding three axes of analysis: the balance between the regional and the bilateral axis, the balance regarding the structure and direction of relations and finally the balance between the intergovernmental and institutional approach within the following initiatives. The analysis will focus on the institutions, initiatives, instruments and policies described in the previous part.

2.1. Mediterranean Cooperation: Bilateral or Regional Approach?

In this part the cooperation within the Mediterranean region will be examined with reference to the balance between the regional and bilateral approach. The shape of created institutions and the introduced policies will be taken for the basis of analysis.

The GMP was introduced as a result of first foreign policy consultations among the members of the EEC and thus as a result of first ‘common’ approach towards the Mediterranean region. However, regarding the fact it was focused on concluding the bilateral association or economic

agreements with the non-member Mediterranean countries, it would be difficult to admit that it was a real global regional approach⁷⁷.

More regional was the RMP started in the beginning of 1990s. It tried to introduce the 'horizontal cooperation', namely the multilateral program that aimed to envisage the cooperation between the states in the South of the Mediterranean Sea and not only between the EEC and the Southern neighbours. However, being still based on the bilateral agreements concluded under the GMP and renovated under the RMP, this policy stayed rather bilateral with only additional multilateral dimension⁷⁸.

The Barcelona Declaration and the Euro – Mediterranean Partnership (established on its basis) were the attempts to shift the European Mediterranean policy from bilateral to regional approach in order to better face the regionals challenges and problems. The creation of the multilateral Euro –Mediterranean forum during which various problems of the region were discussed as well as the Parliament Assembly and the non-governmental, pro-regional Anna Lindh Foundation seems to confirm this regional attitude⁷⁹. However, the bilateral approach was not erased and it has been existing next to the regional dimension. Even the financial instruments of the Barcelona Process were divided accordingly to the bilateral and regional dimensions of the cooperation. In the framework of MEDA the National Indicative Programmes (NIP) were focused on the bilateral relations and the Regional Indicative Programme (RIP) on the regional, thus they are aimed to create synergy between bilateral and regional cooperation⁸⁰.

The Common Strategy on the Mediterranean region highlighted the EU's regional approach towards southern partners by emphasising the

⁷⁷ S. Biscop, *op. cit.*, p. 26 - 27

⁷⁸ *Ibid.*, pp. 27 - 28

⁷⁹ P. J. Cardwell, *op. cit.*, p. 225

⁸⁰European Institute for Research MEDEA, 'MEDA Programme', retrieved on 2 May 2013, <http://www.medea.be/en/themes/euro-mediterranean-cooperation/meda-programme/>

regional character of EU policies, especially the Barcelona Process. Mentioning the southern partners and by shaping the goals for succeeding years it talks always about the whole 'Mediterranean region'. However, it has not excluded the bilateral dimension of the cooperation⁸¹.

The introduction of the ENP could not be seen as the same attitude of 'looking for the synergy'. Many scholars highlight its typically bilateral character⁸², and some of them even claim that the introduction of the ENP has degraded the regional role of the Euro - Mediterranean Partnership to being complementary⁸³.

The establishment of the UfM changed the balance between the bilateral and the regional approach once again. By its creation, with all its multilateral institutions, such as the co-presidency, secretariat and biannual ministerial meetings, the predominance of the ENP's bilateral approach started to fall down.

2.2. Nord – South Or South – Nord? The Directions of the Cooperation

It is difficult to talk about the balance of the relations within the Mediterranean region, at least as far as the directions of this relation are concerned. This study focuses on European policies towards the Mediterranean countries, therefore already as the premise, it is argued that this is only one direction of the relations: the EU towards the South. However, for the purpose of this work, the assumption that some of 'pro-Mediterranean' initiatives were more focused on seeking of balance in the relations between the North and the South of the Mediterranean region, is made.

⁸¹ European Council, 'Common Strategy (2000/458/CFSP) of 19 June 2000 on the Mediterranean region', *op. cit.*

⁸² U. B. Yildiz, *op. cit.*, p. 140

⁸³ R. A. Del Sarto and T. Schumacher, *op. cit.*, p. 25

The GMP was a typical European unilateral policy towards the region. The main objectives focused on the prevention of terrorism, increase of the security in the region and increase of the trade investment opportunities for European countries in their southern neighbours. As it was highlighted by Sven Biscop, after the oil crisis in 1970s and the Yom Kippur War which showed that the region was not stable, the 'member states started to appreciate the importance of the Mediterranean to the Community, e.g. as a market for European products and as a major supplier of energy, which implied the need for stability in order to guarantee supply'⁸⁴.

As far as the membership structure is concerned, the GMP was addressed to all states of the region, however, some of them that were already interested in EEC accession profited from a special regime⁸⁵. Moreover, EC member states had their own preferences on how to treat different countries. According to Jean Paul Cardwell, the 'stark differences between the Member States on how to deal with the diverse states envisaged by the GMP, especially in relation to trade concessions' resulted that the creation of the Mediterranean-wide policy has not been possible at that moment⁸⁶. Therefore, the GMP should be seen as a typical 'one direction' European policy towards the Mediterranean.

The RMP tried to change this attitude by introducing programmes that aimed to encourage the south – south cooperation. According to S. Biscop, the envisaged 'horizontal cooperation', based on multilateral aid programmes has tried to increase regional integration among the Arab states⁸⁷. Therefore, some shift from 'one-way policy' can be noticed. However, the choice of instruments used by both policies, namely the bilateral agreements concluded by the EEC and partner states and some aid programs, confirms the one way direction of the relations.

⁸⁴ S. Biscop, *op. cit.*, pp. 25 - 26

⁸⁵ P. J. Cardwell, *op. cit.*, pp. 224-225

⁸⁶ *Ibid.*, p. 224

⁸⁷ S. Biscop, *op. cit.*, p. 28

The significant change concerning the balance in relations between the northern and southern Mediterranean states has come with the proposition of creation of the Euro – Mediterranean Partnership. The creation of the multilateral forum on which the topic concerning the main regional problems could be discussed gave the southern partners the possibility of actually participating in the policy shaping. It was even argued that it was the end of a ‘paternalistic relationship’ where the EU plays the role of patron of the region⁸⁸.

However, this possibility was not fully realized. Patricia Bauer argues that the goal of improving the balance of relations in the region was not achieved due to ‘the agenda-setting role of the EU’. Thus, she highlights that the possibility of shaping the discussion - due to the power of choosing the discussed topics - proved the asymmetry of the relations⁸⁹. Also Richard Gillespie emphasises the ‘lost chance’ of the Barcelona Process for making the relations on line north – south more equilibrate. He wrote: ‘the Euro-Mediterranean Partnership has a great deal still to achieve if it is to become meaningful partnership, which would involve of balance between northern and southern initiative, further development of a Euro-Med consensus within the EU and – last but not least – increased cooperation among the southern partners’⁹⁰.

The two next initiatives proposed by the European Union in 2000s was typically unilateral as far as the direction of relations is concerned. The Common Strategy as an instrument of the common foreign and security policy pointed out the EU’s priorities toward the region and its interests rather than left the possibility to act on the multilateral forum - even if

⁸⁸ J. P. Derisbourg, *op. cit.*, p. 9

⁸⁹ P. Bauer, ‘European-Mediterranean Security and the Arab Spring: Changes and Challenges’, *Democracy and Security*, vol.9 no, 1-2, 2013, p.4

⁹⁰ R. Gillespie, ‘Introduction : The Euro – Mediterranean Partnership Initiative, *op. cit.*, p. 4

among EU's objectives we can find the desire to encourage the cooperation among the Mediterranean non-member countries⁹¹.

The introduction of the ENP has also shown the one-way direction of the relations in the region. Although, the action plans were agreed and concluded by the EU and the partner state, the relations under the ENP are far away from being considered as balanced between the northern and southern partners. The EU not only treated the partners from the south as subjects to its policy but also introduced the conditionality rule, according to which the partner states could 'win' something if they 'share the EU's political and economic values and/or commit themselves to engage in reform' which put the non-member states in very asymmetric position⁹².

The asymmetry of the relations was supposed to be changed due to the renewal of multilateral forms of cooperation by establishing the Union for the Mediterranean. The idea of the UfM was based on the notion of 'co-ownership' proposed by Nicolas Sarkozy, which means that partners from both sides of the Mediterranean Sea are responsible for the region and therefore should participate in shaping the institutional framework of cooperation. According to R. Gillespie, it implied that all UfM member states should have equal rights, also as far as the power of agenda-setting is concerned. As confirmation of this attitude the institution of co-presidency was proposed⁹³.

2.3. The Balance between Institutions and Governments

The last axe of analysis focuses on balance between the intergovernmental and the institutional approach as far as the relations with the Mediterranean countries are concerned. Therefore, it analyses

⁹¹ European Council, 'Common Strategy (2000/458/CFSP) of 19 June 2000 on the Mediterranean region', *op. cit.*

⁹² R. A. Del Sarto and T. Schumacher, *op. cit.*, pp. 22-23

⁹³ R. Gillespie, 'The Union for the Mediterranean: an intergovernmentalist challenge for the European Union?', *op. cit.*, p. 1208

two main elements: the choice of instruments and the initiators of the policies.

The GMP proposed by the European Communities was a result of French and UK's lobbying within the European institutions. France, which wanted to keep the close relations with countries in North Africa and Great Britain, which was involved in the Middle East, advocated the European common policy towards the region⁹⁴. Although the GMP was proposed by the member states, it was a completely institutional policy, based on the agreements concluded by the European institutions. None multilateral forum, where countries could look for closer cooperation, was created. The RMP has not brought any change in this matter.

The situation has changed with the establishment of the Barcelona Process. The multilateral ministerial forum created the possibility to shift a little bit towards the intergovernmentalist approach; especially that the idea has come from the Mediterranean member states (Spain and France) which aimed to protect their own interests by transferring the subject of their concerns on the European level and by making it the European interest. Furthermore, the Barcelona Process has two axes, one puts more attention to the relations on the intergovernmental level (regional approach), the second to the bilateral EU - partner state agreements (institutions)⁹⁵.

By introducing the common strategy and later the ENP, the European institutions re-gained their strong position in the structures of cooperation. Firstly, as it was mentioned before, the common strategy and the ENP were created basing on the European Commission's proposals. Secondly. The ENP uses the bilateral EU - partner state agreements, as well as the European financial programs as its main instruments, what makes the European institutions main actors in shaping the relations.

Nicolas Sarkozy's initiative of creation the intergovernmental multilateral forum which could serve as the platform of cooperation has once again

⁹⁴ S. Biscop, *op. cit.*, p. 26 - 28

⁹⁵ E. Barbé and E. Soler i Lecha, *op. cit.*, p. 89 - 92

shifted the attention from the institutional to intergovernmental approach. However. By putting it into the Barcelona Process structure, the first idea - which was typically intergovernmental - became dependent to the European institutions.

2.4. Mediterranean Relations Well Balanced?

Several trends can be remarked. First of all, since the beginning of relations between the European Community and the Mediterranean non-member countries two approaches were envisaged. The European Union (previously the EEC), has tried to develop the holistic regional approach but at the same time has used the bilateral instruments. However, there has never been the equilibrium between the bilateral and the regional approach. In some period of time the emphasis has been put on the bilateral, during the others on the regional aspects of cooperation. Moreover, the sinusoidal tendency in the change of this imbalance can be noticed: after the regional initiatives and the fatigue linked to their non-effectiveness the bilateral approach has been favoured, on the other hand, if the bilateral approach was considered as not sufficient, the multilateral was encouraged.

Secondly, a similar sinusoidal trend can be observed regarding the other factor – the changes in balance between the intergovernmental and institutional approach. Moreover, there is a visible link between the regional and the intergovernmental approach and between the bilateral and the institutional solutions.

Finally, it is difficult to say that the relations in the region are well balanced as far as the direction of these relations is concerned. All described policies, initiatives and institutions are proposed by the European Union, therefore they are the European policies towards the region. However, some distinctions between strictly unilateral policies and a more pro-regional cooperation have been made.

**Table 2. The Question of Balance in Euro – Mediterranean Relations:
Historical Development**

	Bilateral or regional approach	One or multi-directional	Intergovernmental or institutional approach
GMP	Bilateral	One-direction	institutional
RMP	Bilateral + some attempts of regional approach	One-direction + some attempts to encourage integration between Arab states	institutional
Barcelona Process	Two tracks: Regional and bilateral	As a concept multi-directional, in practice not fully achieved	intergovernmental / institutional
Common Strategy	Regional	One-direction but encourage to cooperation among MNC (objectives in strategy)	institutional
ENP	Bilateral	One-direction (conditionality)	institutional
UfM	Regional	Multi-directional (co-ownership, co-presidency)	intergovernmental

Source: author's elaboration

Conclusions

Conclusions coming out from the analysis allow the author to identify several trends. Firstly, what should be mentioned is the successfully developed institutional framework as well as attempts to enhance every new initiative in existing structures. Moreover, since the 1990s and the launching of the Barcelona Process, the Mediterranean region has been

permanently present in the European policy in spite of a certain dose of disappointment concerning the implemented policies. What is interesting, the EU policy towards this region is systematically renewed in the intervals of four or five years.

Secondly, changes in the membership structure depend on the enlargements. Main changes in the number of members and in the membership structure were related to the status changes of several countries in 1980s and 2000s. Thirdly, the sinusoidal trend, which is remarkable in the order in which the new initiatives are introduced, should be highlighted. The bilateral initiatives are introduced interchangeably with the regional and multilateral ones. This tendency is also followed by changes in balance between the emphases on the intergovernmental versus institutional approach. However, the shift from one-direction policy toward the multidirectional does not confirm this tendency. The directions of used instruments and policies follow another path, according to other periods of time.

Fourthly, based on the analysis some continuity can be observed regarding the objectives, especially the willingness to 'deepen' the cooperation within the region. However, the importance and certain details have changed. Some initiatives were more focused on the economic aspects of cooperation (GMP, RMP), another on political (UfM, ENP). Some of them had just the general goals of improving level of cooperation (Barcelona Process), other focused on precise projects (UfM). Therefore, it is difficult to show the unequivocal trends, but one, that the cooperation started from purely economic aspects to have changed into a hybrid of the linkage of economic and political objectives.

Moreover, regarding the development of the institutional framework of the inter-regional cooperation between the EU and the MNC, the European Union is trying to deepen the cooperation and it acts in a logical possible to identify order. The analysis confirmed that the development of the institutional framework of cooperation in the Mediterranean region is following the path dependency. The creation of the Barcelona Process institutions influenced the future relations in the

region. Since then, every new initiative is put into already created structures as a 'renewal' or 'refresh' of the basic idea.

On the other hand, taking into account other noticed trends, it is difficult to say that the continuity is still visible. The proposed policies and instruments have shifted many times from the bilateral to the regional approach, from the uni- to the multidirectional range and from the institutional to the intergovernmental way of working. In addition, the change from the institutional to the intergovernmental approach and, as a result, a paralysis of works, could be even considered as the regress.

Furthermore, the created framework of cooperation has not achieved its main goals, presented since the very beginning, such as creation of the free trade area and the area of stability and peace.

To sum up, the development of the institutional framework of cooperation in the Mediterranean region is following the path dependency only to some limited extend.

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