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# Great Insights

# NORTH AFRICA HOPE IN TROUBLED TIMES

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Great Insights

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ECDPM's Great Insights magazine offers a quick and accessible summary of cutting-edge analysis on international cooperation and Europe-Africa relations. It includes an independent overview of analysis and commentary from a wide variety of experts and high-level officials and provides updates on policy debates in Africa and Europe.

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# Editorial

North Africa was the birthplace of the Arab uprisings in late 2010. This movement affected all the countries in the region, albeit to varying degrees. And while protestors asked in unison for deep political and economic changes, the various governments in North Africa responded differently to their demands. One critical question remains today: after eight years, what is left of the popular uprisings that shook North Africa? This issue of Great Insights will help us to answer this question. We invited a mix of authors from North Africa and Europe, with different areas of expertise, to share their reflections on a host of burning issues.

We begin by tackling a topic that was at the heart of the Arab revolts: unemployment. Despite high or medium human development across the region (see map on pages 4-5), youth unemployment is still a persistent problem. Lilia Hachem Naas argues that the private sector can help to enhance economic growth and address unemployment in North Africa. Yet, much more needs to be done to boost jobs and productivity in the private sector.

The discussion on the role of the private sector relates to the issue of what socio-economic models are needed today to boost growth and development. The North African civil society has been advocating for a development model that responds to people's aspirations for jobs and dignity. Despite severe backlash and a generally closing public space, civil society continues to push for change. The Tunisian non-governmental organisation SOLIDAR delves into the experience of civic activism in Tunisia, the only democracy of the Arab world where civil activism still stands as a beacon of hope. But even there, the challenges are not minor. Not a reason for pessimism – but vigilance is needed to continue moving forward.

At the wake of the 'Arab Spring', some countries have collapsed into conflict, as in the case of Libya. In this country, mediation among the conflicting factions was a central priority for activists. In her contribution, activist Zahra' Langhi tells us how women in particular pushed through ample difficulties to restore peace in the country. However, a myriad of factors limit their work. Langhi calls for adequate measures to support their efforts. Touching on gender issues more widely, Langhi notes that women are more adversely affected by conflict, and that fostering decentralisation can have important implications for them.

The issue of decentralisation has gained prominence since 2011. Given the legacy of highly-centralised government structures, empowering local authorities is unlikely to be a smooth process. Tunisia's burgeoning decentralisation process – and Morocco's process of advanced regionalisation – offer some reasons for hope. In her contribution, Intissar Kherigi explores this unfolding process in Tunisia and the challenges that are likely to face it.

Amid these rapid developments, largely unforeseen challenges emerged, notably radicalisation. Thousands left their countries in the Maghreb to join the ranks of extremist groups. Now, many Jihadis are coming back, which is stirring a debate in North Africa about how to deal with these returnees. Fatim-Zohra El Malki explores how the governments in Morocco, Tunisia, and Algeria are investing in legal reform and prison rehabilitation schemes to mitigate the risks likely to arise as IS fighters return to society.

These concerns have brought significant uncertainty to North Africa. At the same time, the region has attracted the interest of old and new external actors. But what does this mean for the EU engagement in the region? In his article, James Moran looks deeper into answering this question. Despite ups and downs in the relationship, the EU continues to be the most important commercial partner of North Africa. Acknowledging this fact, Silvia Colombo argues that it is time to move beyond excessive bilateralism and securitisation in EU-North Africa relations and foster new forms of engagement.

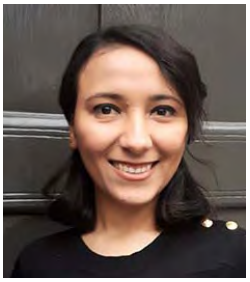
Migration has for long been a key topic for rapprochement – and tensions – in the EU's relations with its southern neighbours. While the EU wishes for stronger cooperation with these countries to reduce migrant flows, Maghreb countries are grappling with similar challenges, as Mehdi Lahlou argues. Morocco and Algeria are developing ways to address growing numbers of regular and irregular newcomers. In doing so they persevere in keeping their ties intact with both the EU and sub-Saharan countries.

For the EU, boosting investment is central to reducing migration from the source countries. However, external actor engagement could be limited by stalling reforms in the partner country. Looking at the case of Tunisia, ECDPM's Bruce Byiers argues that the slow pace of reform in Tunisia poses challenges to its international partners. Given the political context, implementing wholesale reforms could be more difficult. Targeting small, incremental changes could turn out to be the right approach.

While North African countries strive to bolster their ties with the EU, they also started looking southwards. Morocco, for instance, applied for full membership of the Economic Community of West African States (ECOWAS) while, this year, Tunisia joined the Common Market for Eastern and Southern Africa (COMESA). Amira Abdel-Halim sheds light over the case of Egypt. Over the last few years, this state stepped up its engagement and diplomacy with sub-Saharan countries, motivated by economic and geopolitical interests.

In the aftermath of the Arab Spring, the domestic landscape in North Africa and how this region interacts with other partners has tremendously changed in ways that no one could have foreseen.

The region is lingering in uncertainty, but social movements and community initiatives for a better governance show that populations in North Africa still hold to their aspirations for a brighter future. These are undoubtedly troubled times, but hopefully North Africa will see the light at the end of the tunnel.



Guest editor

**Tasnim Abderrahim**,
Policy Officer, Migration and African Institutions Programmes, ECDPM

# THE STATE OF TRANSITIONS IN NORTH AFRICA

*North Africa saw the birth of the Arab uprisings in late 2010. While protestors demanded significant political and economic changes across the region, North African governments adopted different approaches in addressing these demands. All countries of the region were affected by this movement, albeit to varying degrees. This map aims to offer a quick snapshot of where North Africa stands today, not only in terms of political and constitutional changes, but also in other areas like human development in the region.*

## MOROCCO

**KEY ELECTIONS SINCE 2011**
**Nov 2011:** Parliamentary elections
**Sept 2015:** Local elections
**Oct 2016:** Parliamentary elections

**CONSTITUTIONAL CHANGE**
Constitutional amendment and referendum 2011

**STATE OF FREEDOM REPORT 2018**
**2018[1]:** Partly free **2010[2]:** Partly free

**GDP[3] ANNUAL GROWTH (%)**
**2010:** 3.8% **2017:** 4.1%

**WOMEN IN PARLIAMENT[4]**
20.5% in the House of Representatives and 11.7% in the House of Councillors (upper house)

**HUMAN DEVELOPMENT INDEX (HDI) 2017**
Medium Human Development

## ALGERIA

**KEY ELECTIONS SINCE 2011**
**May 2012:** Parliamentary elections
**April 2014:** Presidential elections
**May 2017:** Parliamentary elections
**April 2019:** Presidential elections

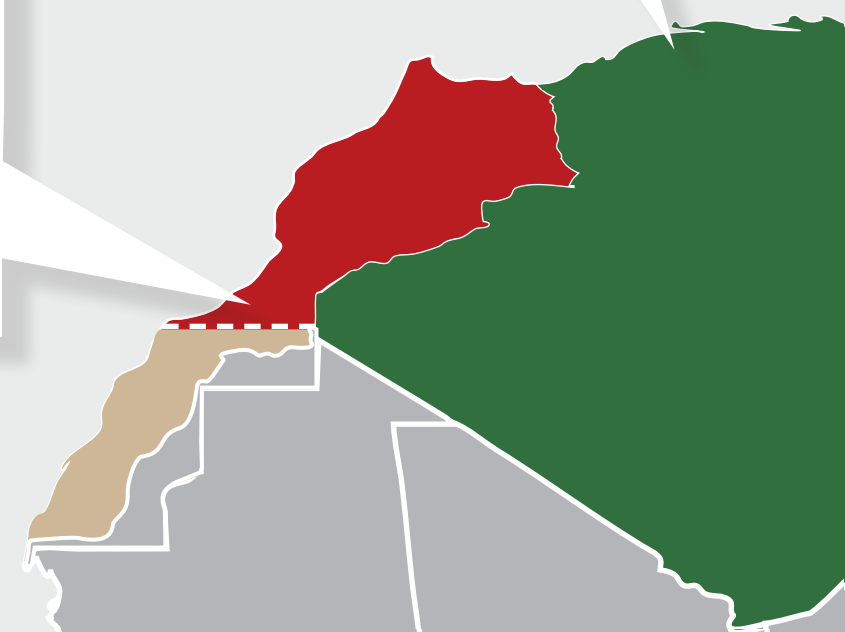
**CONSTITUTIONAL CHANGE**
Constitutional amendment in 2016

**STATE OF FREEDOM REPORT 2018**
**2018[1]:** Not free **2010[2]:** Not free

**GDP[3] ANNUAL GROWTH (%)**
**2010:** 3.6% **2017:** 1.7%

**WOMEN IN PARLIAMENT[4]**
25.8% in the National People's Assembly and 7.0% in the Council of the Nation (upper house)

**HUMAN DEVELOPMENT INDEX (HDI) 2017**
High Human Development



Erratum: A couple of our readers have rightly pointed out that we have unintentionally used the wrong map to outline the Moroccan borders. We have now replaced it. We apologise for the unfortunate mistake and thank all those who have sent us feedback.

# TUNISIA

**KEY ELECTIONS SINCE 2011**
**Oct 2011:** Elections for the National Constituent Assembly
**Oct - Dec 2014:** Parliamentary and presidential elections
**May 2018:** Municipal elections
**2019:** Legislative and Presidential elections

**CONSTITUTIONAL CHANGE**
New constitution adopted in 2014

**STATE OF FREEDOM REPORT 2018**
**2017[1]:** Not free **2010[2]:** Free

**GDP[3] ANNUAL GROWTH (%)**
**2010:** 3.5% **2017:** 2.0%

**WOMEN IN PARLIAMENT[4]**
31.3% in the Assembly of the Representatives of the People

**HUMAN DEVELOPMENT INDEX (HDI) 2017**
High Human Development

# LIBYA

**KEY ELECTIONS SINCE 2011**
**July 2012:** Elections for the General National Congress
**June 2014:** Parliamentary elections
**2019:** Parliamentary and presidential elections(?)

**CONSTITUTIONAL CHANGE**
Pending approval of the draft constitution presented to House of Representatives (HoR) in July 2017

**STATE OF FREEDOM REPORT 2018**
**2018[1]:** Not free **2010[2]:** Not free

**GDP[3] ANNUAL GROWTH (%)**
**2010:** 5.0% **2017:** 26.7%

**WOMEN IN PARLIAMENT[4]**
16% in the House of representatives

**HUMAN DEVELOPMENT INDEX (HDI) 2017**
High Human Development

# EGYPT

**KEY ELECTIONS SINCE 2011**
**Nov 2011 - Jan 2012:** Parliamentary elections
**June 2012:** Presidential elections
**July 2013:** Military overthrow of Morsi
**May 2014:** Presidential elections
**Oct 2015:** Parliamentary elections
**March 2018:** Presidential elections

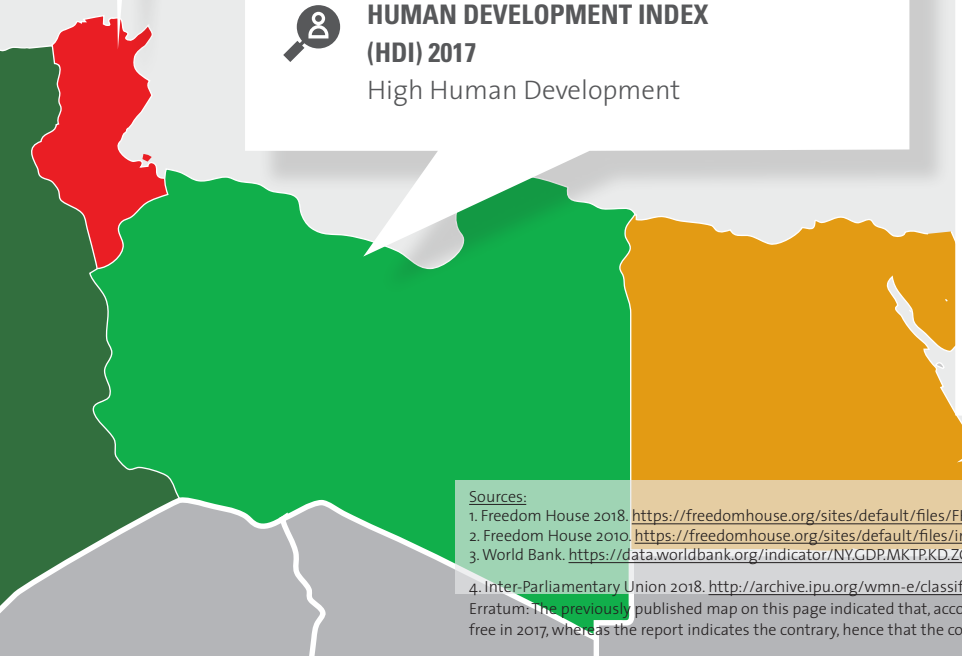
**CONSTITUTIONAL CHANGE**
New constitution of 2012
**July 2013:** Military suspends Constitution of 2012
**2014:** Referendum on constitutional amendments to the suspended constitution of 2012

**STATE OF FREEDOM REPORT 2018**
**2018[1]:** Not free **2010[2]:** Not free

**GDP[3] ANNUAL GROWTH (%)**
**2010:** 5.1% **2017:** 4.2%

**WOMEN IN PARLIAMENT[4]**
14.9% in the House of representatives

**HUMAN DEVELOPMENT INDEX (HDI) 2017**
Medium Human Development




Sources:
1. Freedom House 2018. https://freedomhouse.org/sites/default/files/FH_FITW_Report_2018_Final_SinglePage.pdf
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3. World Bank. https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?end=2017&locations=TN-MA-DZ-EG-LY&name_desc=false&start=2010
4. Inter-Parliamentary Union 2018. http://archive.ipu.org/wmn-e/classif.htm


Erratum: The previously published map on this page indicated that, according to the State of Freedom Report 2018, Tunisia was free in 2010 and not free in 2017, whereas the report indicates the contrary, hence that the country was not free in 2010 and free in 2017.


Graphic design: Yaseena Chiu-van 't Hoff

Farmer-to-farmer study trips visiting an Aquaponics project. Part of the South-South Cooperation between Algeria, Egypt and Oman. Photo: by courtesy of FAO/Khaled Desouki

# Strengthening private sector engagement in job creation in North Africa: challenges and responses

The private sector has the potential to enhance economic growth and address unemployment in North Africa. To harness the driving force of the private sector, governments need to initiate bold reforms that could create a more dynamic and innovative private sector to facilitate more inclusive and sustainable growth in the long run.

**By Lilia Hachem Naas**

Further to the recent improvement in economic performance following episodes of instability prompted by the 2011 uprisings, the economic prospects for the North Africa region have seen a favourable shift. In 2017, the region showed an annual Gross Domestic Product (GDP) growth of 3.2% compared to 2.5% in 2016.

However, the region faces various challenges some of which are due to global dynamics, such as the fluctuating price of oil, while others are rooted in the region's economic, demographic and social structures. Major issues include youth unemployment and poor productivity.

In 2017 the unemployment rate in North Africa reached an average of 11.7%, up from 10.9% in 2011, ranging from 9.3% in Morocco to 15.24% in Tunisia, and 17.7% in Libya (see Graph 1). Youth unemployment is a persistent problem reaching 29.5% for the region as a whole in 2017, more than double the world average at around 13%. University graduates constitute 30% of the unemployed.

North Africa has the second largest gender gap in the world for women's unemployment after the Middle East. According to the International Labour Organization (ILO), the unequal nature of the labour market for women is most noticeable in Arab States and North Africa due to the influence of socio-cultural factors.

**What are some of the key challenges faced by North Africa's private sector in enhancing job creation?**

*Lack of structural transformation*

When the makeup of GDP and employment are analysed by sector, a striking imbalance becomes apparent. For instance, the services sector dominates the GDP structure (see Graph 2). While in terms of employment, agriculture absorbs the largest share of the active population (around 50%) followed by services at 36%, and industry at almost 14%. The structure of job distribution has been largely the same since 1991 when the region experienced higher economic growth rates. These figures reflect the slow rate of structural transformation, with primary goods representing a large share of the employment figures.

Over the years, the manufacturing sector has not been able to transform itself to move up the value chain by using more advanced skills and creating higher added value. Without investing in Research & Development (R&D), the industrial sector in North Africa has not been able to reap the benefits of technological advances and innovation to generate the necessary growth to create more jobs. As a result, the workforce surplus has been absorbed into the services sector which has grown mostly in a disorganised manner in the informal sector.

North Africa has the potential to realise greater benefits from the demographic trends and a more highly educated young workforce by creating the capacity to absorb this labour into higher productivity activities. The main reasons for limited job creation include private sector dynamics, limited productivity and competitiveness, insufficient economic diversification, and openness to international markets: all of which represent areas ripe for reform.

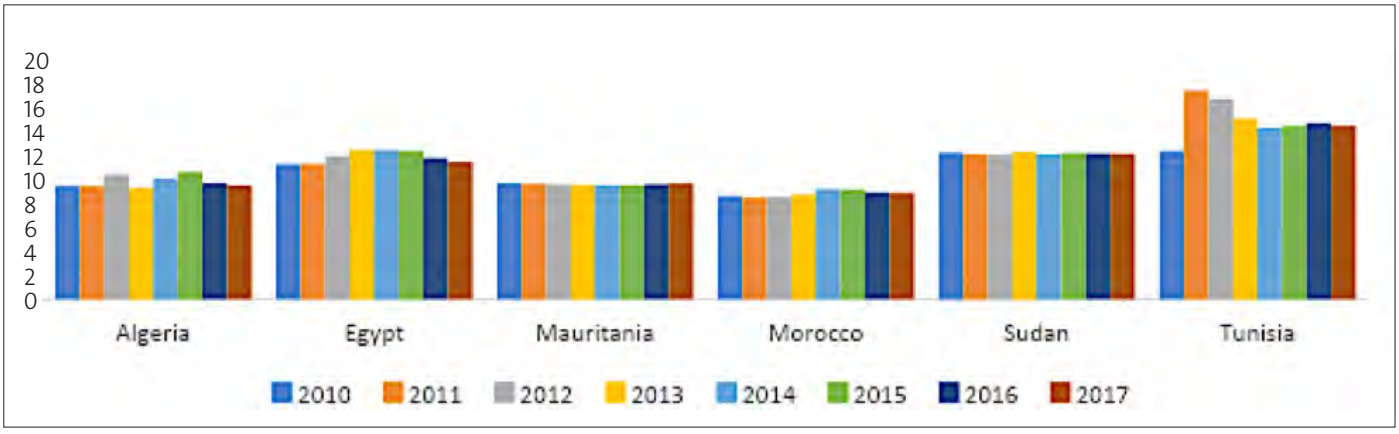
*Dynamics of the private sector*

According to a World Bank report entitled 'What's Holding Back the Private Sector in MENA', results from enterprise survey (World Bank, 2016), micro-startup firms less than five years old and with less than five employees have been the major driver of job creation in the region. In Tunisia, for example, these startups accounted for 92% of the net job creation between 1996 and 2010. Conversely, employment in older firms has stalled. Given that the private sector in North Africa has been characterised by low turnover (firm entry and exit), due to high entry costs, this has kept the pool of young firms small, limited productivity and consequently job creation.

**Micro-startup firms less than five years old and with less than five employees have been the major driver of job creation in the region**

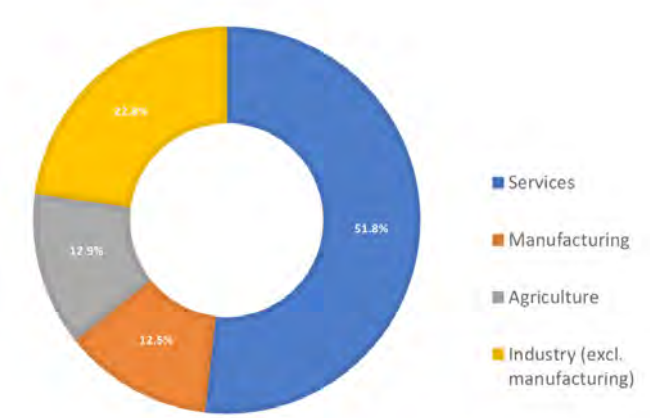
While small enterprises are recognised to be the most innovative, generating the largest share of new jobs, they are impacted by various obstacles linked to poor governance, burdensome administrative procedures and corruption, along with the absence of a culture rooted in good performance and accountability, which are not consistent with the demands of a fast-moving and agile business world. Enterprises, particularly small ones, do not get the necessary support and access to the

**Graph 1: Unemployment rate in North Africa 2010-2017**




*Source: Ilostat 2017*

**Graph 2: Structure of the GDP in North Africa**




*Source: UNECA Statistics February 2018*

resources they need within the state administration to facilitate their development, and they do not have access to financing and appropriate financial tools to be able to expand locally and internationally.

*Limited productivity and competitiveness*
Productivity growth in North African economies suffers from the inefficient allocation of resources across firms and sectors. Examination of World Bank Enterprise Survey data reveals that countries in North Africa tend to have a wide dispersion of productivity between one another. Overall productivity is held back significantly by the limited redistribution of resources from low to high productivity firms, in the same sector and between sectors. ECA's research on the link between the quality of institutions and structural transformation also shows that weak governance resulting from the lack of efficiency in institutions is causing resource misallocations and depriving North African countries from significant productivity gains. North Africa is also held back by policies that create an institutional environment which fails to treat firms equally, creates barriers to entry, and impacts negatively on productivity and competitiveness.

*Economic diversification and openness to world markets*
North Africa's limited economic diversification is due to its reliance on just a few sectors - such as agriculture, oil extraction and mining - and the dominance of commodity sectors, which leads to vulnerability to external shocks. Although countries like Egypt, Morocco and Tunisia have developed manufacturing capacity, elsewhere in the region such capacity is still limited. According to a UN Economic Commission for Africa (UNECA) report on promoting Regional Value Chains in North Africa, the reduction in domestic and foreign direct investment after the 2011 uprisings had negatively affected the capacity to integrate new value chains, resulting in GDP losses of up to 2%.

In terms of international markets, oil is still the major export, representing 75% of total regional exports. Economic diversification could be enhanced by deepening regional integration. This could bring many positive outcomes, such as job creation, productivity gains and income generation that could lift millions of people out of poverty.

## How to create a more dynamic, productive, competitive and job-creating private sector

*Create an enabling environment*
Governments should use innovative Information Technology (IT) solutions to drive more transparent administrative processes and enhance institutional performance. New technologies offer the opportunity to collect huge volumes of data more cheaply that can be analysed and used to improve government efficiency. The use of IT could help to significantly reduce policy distortions by reducing the bureaucratic burden and the discretionary power of bureaucrats. The big challenge for North Africa is to move away from a top-down approach in public policies which provide little room for firms and citizens to have a voice, to a more inclusive form of governance in which public policies pursue enhanced cooperation between governments, firms and citizens.

Mainstreaming administrative procedures will create more transparency that will help to reduce transaction costs and enable policies to be designed that are more closely aligned with the private sector's needs. This will also drive a thorough review of the legislative framework and regulatory environment to enact laws that will promote investment, research & development and innovation.

**Economic diversification could be enhanced by deepening regional integration**

*Invest in human capital and research & development*
The development of a strong and dynamic private sector is crucial to long-term economic growth. Given current technological developments, human capital will be key for the expansion of the

private sector and the creation of jobs. Increasing the social return on human capital cannot be fully achieved without investing in innovation and harnessing the potential of highly specialised new economic sectors. Building R&D facilities will create more demand for skills and will help North African countries to improve their technology absorption capacity to provide the skills of the future - the key to moving up the global value chains.

The private sector has huge potential to influence the scale, quality and sustainability of skills development programmes in the R&D sector. Participation from the private sector will be vital to the success of any skills development initiative as it can have a significant impact on the scope and quality of such skill-building programmes, thereby accelerating overall economic growth.

*Promote implementation of the African Continental Free Trade Area (AfCFTA) and deepen regional integration*

North Africa could reap significant benefits from the implementation of the AfCFTA. The common language, geographical proximity, market size, and continuity of the maritime front from the Red Sea to the Atlantic Ocean, across the Mediterranean Sea, all represent significant strengths of the region, in terms of infrastructure it is also the most well-developed region of the Continent.

**Intra-North African trade would account for US$7.1 billion of this amount, with US$6.5 billion accounting for exports from North Africa to the rest of the continent**

Many ECA studies show that the context is largely favourable to the development of regional value chains in sectors such as the automotive industry, the extractive industries (oil and gas), the textile industry (cotton production, fabrics, clothing and accessories), light industry (electrical, electronic and plastics) or the food industry. There are also numerous opportunities for synergy with the service sectors, e.g. with education, transport, banking, logistics and distribution, as well as the IT-based service sectors. The study entitled 'Industrialization through Trade in North Africa: in the context of the Continental Free Trade Area and Mega Trade Agreements' (ECA, 2017) states that North African firms could capture up to 20% of this intra-continental trade, the equivalent of US$13.6 billion. Intra-North African trade would account for US$7.1 billion of this amount, with US$6.5 billion accounting for exports from North Africa to the rest of the continent. This gain can only be driven by the private sector, which in turn will boost opportunities and provide jobs for all.

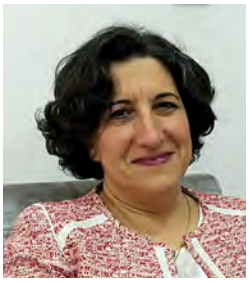
*Bold reforms badly needed*

The private sector could play a major role in enhancing economic growth and creating decent jobs in North Africa. To harness the driving force of the private sector, governments must initiate bold reforms that will create an enabling business environment, support the development and sustainability of small and medium-sized enterprises (SMEs), provide a level playing field, promote value addition, and deepen regional integration both within North Africa and with the rest of the Continent.

These reforms will create a more dynamic and innovative private sector, and facilitate more inclusive and sustainable growth in the long run. Enabling further research on existing distortions and productivity losses within countries' economies could also help improve the understanding of economic distortions North African economies are faced with and their impact, to better understand which policies are needed to fight these phenomena.


## About the author

Lilia Hachem Naas is Director of the United Nations Economic Commission for Africa (UNECA) Office for North Africa in Rabat, Morocco. A Tunisian national, she has worked for the United Nations for more than 20 years. Before joining UNECA, she was head of the Office for Arab States at the International Trade Centre (ITC) in Geneva.

La marche de la Liberté, Tunis.
Photo: Amine Ghrabi/Flickr

# What is left for civil activism in Tunisia?

Civil activism in Tunisia stands as a beacon of hope in a region marred by conflict and resurgent authoritarianism. Indeed, civil society has played a critical role in Tunisia's transition to democracy. However, a controversial new NGO law sends worrying signals, threatening to undermine confidence in the country's political transition process.

**By Solidar Tunisia**

Civil activism has taken different turns in various contexts of political transition. In the Arab countries where uprisings have taken place, civil society suffered severe backlash from forces aiming to restore dictatorship, while also confronting the dangers of scission, armed conflict and foreign interference. These kinds of threats have left the fates of Libya and Syria hanging in the balance. In Egypt, the political transition turned against the people, with the executive becoming a powerful repressive force targeting all political and apolitical opponents.

Tough reform measures are at the heart of any post-revolution transition. Political and institutional changes need to be put into place. Modern forms of social and economic development have to be identified and stimulated, and protection of rights and liberties must be instituted, with infringements ceased. These daunting choices cannot be pushed forward without the power of civil activism. It is therefore crucial to look at whether civil actors remain involved in the public sphere post-revolution, and to define their means of intervention.

**What obstacles does civic activism face in Tunisia today?**

Tunisia has an active civil society working on many topics related to the country's democratic transition. Civil society does, however, confront several obstacles. These have intensified since the 2014 elections, which altered the political scene by bringing many symbols of the former Ben Ali regime back to the surface.

One major obstacle for an effective civil activism before the revolution was the tendency for civil associations to amalgamate with government. Most civil society actors were pro-Ben Ali before 2011, and most former ministers and officials benefited from a reconciliation law that the head of the state introduced in the summer of 2015. Widespread concern about this law has been expressed from within society. Many fear that it will lead to impunity and derail the process of transitional justice. Orderly implementation of the transitional justice process is considered an essential step towards reconciling with the past by revealing the truth about the dictatorship and giving redress to its victims.

**Orderly implementation of the transitional justice process is considered an essential step towards reconciling with the past by revealing the truth about the dictatorship and giving redress to its victims**

Another obstacle to civil activism is its own developmental path, especially after the May 2018 local elections. Voters looking for fresh faces in power turned to civil associations as an alternative to political parties. This shift seems important in any discussion of the role of civil actors in the post-revolution state. It is legitimate to ask whether there has been a change in the role of civic bodies. Perhaps civic activism is becoming a first step to entering political life, which could compromise its cause-defending role. Of course, this does not mean that civic activism must


Parliament buildings, Tunis, Tunisia. Photo: Jessica Mulley/Flickr

be devoid of political intent; the line between political commitment and political interest remains a blurred one.

Finally, the government has taken some political steps to close the space for civil society associations. In July 2018, the parliament enacted a new law that adds new registration procedures for non-profit organisations to register and provide various data on their staff and funding. Among other things, the bill introduces penalties that can be considered abusive, including incarceration. Also it confounds associations (non-profits) with companies (commercial entities).

> **...we cannot forget the need for civil society to maintain its position as a defendant of public values and democracy**

Both must now comply with the same rules of oversight aimed at countering money laundering and terrorism financing. The latter is up for review before the parliament and it contains modifications that can threaten the liberal nature of associations' legal framework.

The new requirements imposed by the new law are at odds with freedom of association and the public interest. Such requirements and restrictions need to be openly discussed with civil society. Civil activism cannot be subsumed under commercial activity, as this denies its very nature and role and is likely to undermine its growth and effectiveness.

**Can civil activism nonetheless play a constructive role in pushing for democracy and socio-economic development?**

No one can deny the key role that was played by civil society in the constituent process in Tunisia. Nor can we ignore the great impact it has had in safeguarding social values such as the participatory approach and inclusion of civil society in the policymaking process (these are explicitly stated in the preamble of the Tunisian constitution). Civil society actors also played crucial roles in constitutionalising various principles related to affirmative action and broadening the rights of second generation rights to include access to education, health care and water.

These key achievements made Tunisian civil society more powerful today than it was before 2011. Civil society associations are now enmeshed in law-making and consultative processes, and they have become instrumental in some governmental institutions as well. Yet, we cannot forget the need for civil society to maintain its position as a defendant of public values and democracy. Its presence in that capacity is crucial, even for government. But how should the government approach this new configuration?

The government needs to play at least two roles with regard to civil society. First, it should facilitate the work of civil activism and fulfil its mission of control and follow-up without unjust restrictions. Second, the government should maintain a positive view of civil society actors as a force for progress, not as a competitor, and as an opinion-giver, not as a tool of criticism for those outside government.

Fortunately, despite the challenges, civil society actors are gaining the public's confidence in Tunisia. That confidence can translate into a step towards positive change. Various associations such as ours are working for reforms and supporting processes of social and economic reform. The need for economic development is undeniable, as Tunisia is experiencing harsh times with low economic growth and high debt. Of course, the influence of civil society in these areas is limited to specific actors that can give constructive opinions and communicate them in a way that is accessible to the body politic and public.

This is exactly what civil society must do to make the most of its expertise for the common cause. We believe that the continuity of civil society's achievements depends on how its outputs are processed, both within the association itself and in collaborations with other organisations and by openness to different stakeholders. Joining forces is the only way we can prevent the return of repression.

### About Solidar

Solidar Tunisia is a Tunisian non-governmental organisation that aims to promote the principles and values of equity, social justice and equality and contributes to the improvement of public policies by proposing concrete and operational solutions to decision makers. For more info see: www.solidar-tunisie.org

Solidar Tunisie
سوليدار تونس

Girls of Al Bayda
Photo: Inf_lite Teacher/Flickr

# Charting the way forward for women local mediators in Libya

Women have played a crucial role in mediation and conciliation efforts in Libya since 2011. Yet women's contribution to mediation and conciliation remains limited due to a myriad of factors. Specific policies and adequate measures are needed to overcome these challenges.

**By Zahra' Langhi**

Since the uprising of 2011, Libyan women have played a pioneering role in the effort to mend Libya's social fabric that was ripped apart during the conflict. This has taken place through mediating local conflicts, in addition to fostering conciliation and mediation at national level. Libyan women's contribution to the mediation of local conflicts is underpinned by Libya's rich culture and legacy of amicable dispute resolution. Mediation and reconciliation lie at the core of Libya's nation building process. The very establishment of the modern Libyan nation state with the declaration of Libya's independence was indebted to mediation and conciliation. The traditional culture of mediation and conciliation was systematically destroyed for four decades by Qaddafi's autocracy which cultivated division and curbed mediation initiatives with the objective of breaking down Libya's moral social fabric and the idea of Libyan nationhood. This destruction left scars on the national consciousness and the notion of division re-asserted itself in the years following the 2011 uprising.

### Challenges to women's active engagement in mediation and reconciliation

After pioneering the effort of challenging Qaddafi's autocratic regime and its policies, women launched initiatives and

**A number of specific policies and adequate measures are urgently needed to foster the contribution of Libyan women to peace and mediation**

engaged in mediation efforts to restore conciliation and peace. Libyan women from different backgrounds, professions, ethnicities, regions and age-groups made a number of breakthroughs, thereby contributing to horizontal mediation in Libyan villages, towns and cities. However, the contribution made by Libyan women to local mediation has faced a number of barriers, including the rise of the extremist discourse - the ultra-Salafist ethos that excludes and marginalises women - the deterioration of security conditions, the patriarchal culture, as well as the top-down approach that is enmeshed with the marginalisation of women by different actors, including the main political stakeholders and the international community. A number of specific policies and adequate measures are urgently needed to foster the contribution of Libyan women to peace and mediation.

**The way forward to strengthen women's contribution to peace and reconciliation**

*Grounding women's mediation in local traditional structures and not as a 'Western' international policy intervention*
It is high time to debunk baseless claims, such as women's mediation in local reconciliation "does not feature in [Libyan] customs" and that the international community "must respect their tradition, be realistic and deal with actual stakeholders." It is quite unfortunate that this kind of discourse is shared by some international organisations or 'experts' who don't put enough effort into understanding the society's culture and customs and consider it sufficient simply to reproduce stereotypical propaganda about women in local communities. There is an urgent need to base efforts to foster women's mediation in local reconciliation in national ownership. The Libyan tradition is filled with stories of women mediators. This tradition needs only to be unearthed, further explored and viewed through a fresh lens.

Libyan women mediators launched brave local initiatives and organised community dialogues involving armed groups and community leaders to build trust among them and develop a common vision of how to disarm and disband militias. The city of Benghazi in particular witnessed between 2012 and 2014 leading initiatives by women to mediate between armed groups including radical Islamist ones like Ansar Sharia and tribal and community leaders. Women mediators launched similar initiatives in Sabha. In a collaborative effort to protest the civil war, they set up tents for peace to hold community dialogues to mediate between conflicting parties. Besides, local women in Nafusa Mountain took a brave initiative to mediate between armed groups and the General National Congress (GNC) after the blockade of the gas fields in protest to the electoral law of the constitutional assembly. Women managed to convince the armed groups to unblock the fields after voicing their message to the GNC.

Women mediators continued to call for an inclusive constitutional process that recognises the languages of all groups. They called for an inclusive dialogue between the cultural minorities (Tabu, Amazigh and Tuareg) who were boycotting the constitutional process and encouraged the parties to embrace an inclusive discourse. More recently this year, a woman local mediator has led a purely tribal local reconciliation in Sirt between the two tribes of Awlad Suleiman and Qaddadifa. It is noteworthy to mention that women are members of Councils of the Notables & Elderly in several cities such as Bayda and Sabha.

**We need to understand that neither Libya nor women are homogeneous categories, both are hybrid and complex**

However, in the local reconciliation between Misrata and Tawergha, which was led by the UN, women local mediators faced more restraints. Women took the initiative to mediate between the two conflicting parties in the most sensitive conflict in Libya due to the allegations of sexual gender-based violence during the 2011 uprising. However, women local mediators in the Misrata/Tawergha reconciliation have complained about their exclusion during the process of drafting the agreement and from the reconstruction phase following the signature of the agreement. Similar complaints were voiced by other women local mediators who were excluded by international actors mediating between Libyan tribes. The signed agreement in Rome between Awald Suleiman & Tabu is certainly a case in point as not a single woman was invited. This undermines the serious

participation of women and indicates that for the international community the participation of women in peace processes is only tokenistic.

*Historicising and contextualising women's contribution to local mediation*
We need to understand that neither Libya nor women are homogeneous categories, both are hybrid and complex. Therefore we need to take an intersectional approach to comprehend the context and adopt a hybrid policy in implementation. Put simply: to embrace complexities.

*Investing more in strengthening women's initiatives at the local level*
While women have a lot to contribute in both the local and the national arenas, there is no doubt that the local space enjoys more primacy. While the society has responded positively to women's initiatives and contributions in both areas, its response at local level has been greater. This is not to suggest that women should decrease their initiatives at national level. On the contrary, their initiatives should continue to grow, but not at the expense of the local context. Libyan women's initiatives in local mediation need to be grounded in an attempt to restore a sense of nationhood.

Much of the division and conflict is underpinned by the lack of a shared sense of identity, which is also what informs nation building. "The idea of 'nationhood' is a conception shared by a group of people who may be multi-ethnic and multicultural, but are connected to a homeland whose sons and daughters identify with a shared and common 'national personality' with unique characteristics, hold shared memory and narrative, and have shared concerns". The deficit of nationhood is reflected in social divisions and exclusion based on tribal, ethnic, and regional considerations, and a decline in the sense of a bond that endows a national identity. The rise of 'imported' extremist religious ideologies has injured the national religious identity which, for centuries, was known to be moderate (wasati).

*Countering extremist Salafi discourse(s) on women's participation in mediation*
To bolster women's engagement in meditation, it is important to counter extremist Salafi discourse(s) (especially the Jihadist & Mudkhali salafis which are all by products of political Islam) by engaging Wasati traditional religious leaders to work closely with local women mediators. As outlined in a study entitled Libya's Religious Sector and Peacebuilding Efforts, there is an urgent need to engage traditional religious actors in reconciliation efforts rather than in politics. To do this, before engaging traditional religious leaders, the international community needs to understand local alliances and conflict lines and not to generalise by religious belief. It is imperative to support partnerships between traditional religious institutions to develop and promote their own indigenous alternative discourse to violent extremism. The international actors should encourage joint tribal and traditional religious leader-mediation as an effective form of local dispute resolution. They should also support local reconciliation efforts that are inclusive of civil and religious organisations and groups, as well as those of women and young people.

**Enhancing public service delivery can signal "an inclusive new system of governance and stability". An improvement in the delivery of basic needs, (...)can have important implications for women and girls**

*Fostering gender-responsive decentralisation and public service delivery while linking it to women's efforts in local mediation*
Post-conflict governance reforms often include decentralisation, so that decision-making authority is devolved to tiers of government that are closer to the community.

As central decision-making can overlook local needs and concerns, decentralisation provides an important entry point for national laws, policies and frameworks to be translated at local level. Such processes can be effective in addressing the root causes of conflict. As was stressed in the Global Study on Women, Peace and Security, "effective and inclusive service delivery can play a conflict-mitigating role by reducing tension and grievances between parties to a conflict over key basic services". Enhancing public service delivery can signal "an inclusive new system of governance and stability". An improvement in the delivery of basic needs, like security, water, access to food and healthcare - including sexual and reproductive healthcare - can have important implications for women and girls.

**Restoring the social infra-structure and establishing basic social services needs to be prioritised; otherwise, women and marginalised groups will continue to suffer**

In the post-conflict environment, women struggle with specific barriers to public services, including the threat of sexual and gender-based violence in insecure environments, difficulties with transport, finances and childcare, as well as continued marginalisation from decision-making processes. Rural women in particular, face major obstacles in accessing water, sanitation and healthcare. Restoring the social infrastructure and establishing basic social services needs to be prioritised; otherwise, women and marginalised groups will continue to suffer, especially given that conflict situations are likely to increase the number of disabled and dependents.

Governments and the UN need to engage local women mediators in the design and decision-making on public service delivery systems as part of reconstruction plans. This should include engaging women mediators in monitoring the local peace agreements. Women mediators in Libya have voiced their disappointment about their continued exclusion from post-peace agreement plans, as in the case of the Misrata-Tawergha Peace Agreement, which is indebted to women's initiatives.

*Formulate a national and an international network of women local mediators*
The national network should cover all cities, towns and villages. A means of sustainable communication needs to be established so that views and insights, experience and resources can be shared and exchanged. At the international level, there is much that can be learned from South Africa's experience of local mediation and its positive impact on constitutional life. It is also important that experience is exchanged with women local mediators in Yemen and Syria given that these countries too, have been torn apart by prolonged conflict. Conferences on local mediation are needed in which experts from different jurisdictions share their experience and insights, and speak about the effect of local mediation in restoring constitutional 1.

*Build the capacity of women mediators in the international framework of human rights in addition to solidifying their knowledge of informal justice mechanisms*
Special attention ought to be given to restorative justice "which integrates restorative justice practices with customary practices to create a hybrid approach to conflict transformation in Libya". The legal culture of Libya is a culture of custom first, and law second. The strength of customary practices has made some experts recommend that "when the formal legal system is built or rebuilt, customary practices can be woven into it, creating a balanced, stable mechanism for resolving conflicts". This would give traditional leaders an enduring role in mediating disputes. Women lawyers and ADR (Alternative Dispute Resolution) centres should develop the structure of their practice in such a way as to provide the service of mediation in matters that can be settled through synthesising custom with law.

*Encouraging various modes of documentation of cases of local mediation in Libya*
This should include filmed, recorded and written documentation. Court records reflecting cases that were reviewed by the court and later settled by amicable means, including negotiation and mediation should also be compiled. This is important so that women who have expertise in local mediation can share their experience with later generations of mediators. A record should be made of the oral testimonies of elderly women, covering the history of mediation in the various cities of Libya over the last fifty years.

This article is based on a study by the author for a UNDP project on local reconciliation in Libya.

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Municipal elections in Tunisia. Photo: Congress of Local and Regional Authorities/Flickr

# Deepening democracy in transitional Tunisia: a new chapter for local governance

The Tunisian transitional process moved forward in May 2018 with the organisation of the country's first democratic local elections since Ben Ali was ousted. Despite multiple challenges, this key step launches an ambitious decentralisation process and could usher in a new era of local policy-making that addresses the country's striking regional disparities.

**By Intissar Kherigi**

Tunisia's first democratic local elections on 6 May marked a major step in the sole surviving democratic transition among the Arab Spring countries to date. After a difficult winter that witnessed protests against public spending cuts, the local elections have created a new momentum for Tunisia's fragile transition by shifting power beyond the capital to the country's 350 municipalities. The local elections launched a decentralisation process that represents the biggest wave of legal and administrative reforms in Tunisia since independence in 1956. These reforms, mandated by the new Constitution adopted in 2014, have two key objectives: deepening democracy and promoting local development to address the gaping regional inequalities that lay at the heart of the 2011 revolution. A new Local Authorities Code adopted in April transfers powers to elected local and regional councils that will be expected to improve local services, drive local development and better represent and engage citizens.

To date, the Arab world remains the most centralised region globally in terms of the powers and resources of local authorities, which makes Tunisia's experiment with decentralisation particularly important to observe for policymakers in the North and South. This article examines the background to Tunisia's decentralisation process, the implementation challenges it is likely to face, and the new opportunities it opens up. Decentralisation is no easy feat in any context, much less so in the midst of a complex democratic transition, significant economic challenges, and in a volatile region.

However, decentralisation also has the potential to generate new opportunities for Tunisia's local development by empowering local authorities to develop new solutions to local challenges. For this to happen, there must be a genuine political will to decentralise, the necessary human and financial resources, and, crucially, accountability mechanisms to ensure that the new powers and resources at the local level are used properly.

> **The elections produced a whole new set of local representatives 7,212 elected councillors to be precise, 47% of whom are women and 37% under the age of 35**

### The birth of local politics

The results of the 6 May 2018 local elections brought a few surprises but largely replicated the party political landscape at national level. The Ennahdha Party and Nidaa Tounes, the two leading parties in the national coalition government, maintained their top spots (28.6% and 20.8%, respectively), taking nearly half of all the votes between them. These two parties continue to occupy the political centre ground, with smaller parties trailing behind on less than 4% of the vote. However, the major surprise was the rise of independents. Cumulatively, independent lists captured 32.2% of the vote, capitalising on frustration with national politicians by offering an alternative discourse that focused more on local identity and concerns, and the credentials of individual candidates.

The elections produced a whole new set of local representatives - 7,212 elected councillors to be precise – 47% of whom are women and 37% under the age of 35 (compared with an average of 25% women local councillors across Europe). This influx of new voices promises to reshape and open up politics to reflect hitherto under-represented groups and regions.

### Decentralisation: deepening democracy, driving development

Democratic transitions are often rather centralised processes, where power is divided up and negotiated at the centre between political actors and across new institutions (parliament, presidency, constitutional institutions, etc.). This has been the case in Tunisia since 2011. However, decentralisation is now shifting the focus to dividing up power vertically moving it away from the centre towards the regions and municipalities. The new Constitution dedicates an entire chapter to administrative, political and fiscal decentralisation. Chapter Seven sets a framework for decentralisation that emphasises both democracy and development, and has a strong participatory spirit, requiring local government to "adopt mechanisms of participatory democracy and the principles of open governance to ensure broader participation by citizens and civil society..." (Article 134).

Local development is a key priority for all Tunisians, particularly those in the marginalised interior regions. Major inequalities in infrastructure, services and economic opportunities divide the coastal and interior regions owing to decades of discriminatory economic policies. On the eve of the revolution, only 18% of public investment funds went to the interior regions compared with 82% to coastal areas. Today, 92% of all industry is located near Tunisia's three largest cities on the coast Tunis, Sfax and Sousse – which together produce 85% of Tunisia's GDP. Many Tunisians are pinning their hopes on decentralisation as the means to tackle these flagrant disparities.

### No shortage of implementation challenges

There are political, technical and financial challenges to decentralisation processes in any context. Undertaking decentralisation in the midst of a democratic transition is even more of a daunting task. Tunisia's authorities are likely to face three types of challenges in particular:

*The resource challenge*

Decades of centralised rule have left local authorities with a major shortage of financial resources. Municipalities received a mere 3.6% of the State budget in 2010. This compares with an average of 40.4% in OECD countries. In addition, central government has severely restricted local government's powers to levy taxes, and those local taxes that are in place are seldom collected: the recovery rate for municipal taxes on households is a paltry 7-15%, according to experts.

Local authorities also face a major shortage in human resources. Less than 10% of municipal employees have a baccalaureate-level qualification or above and some municipalities have no technically qualified staff (engineers, architects, etc.). Policymakers report that when regional development funds for interior regions were quadrupled after the revolution, local and regional authorities were unable to deliver projects partly due to a lack of trained staff. Granting local authorities the power to recruit their own staff is a very delicate question that was sidestepped during the debate on the new Local Authorities Code. For now, central government has promised to transfer staff locally, but no details have been provided.

*The political challenge*

Tunisia's central government institutions will need to be persuaded, pressured and cajoled into transferring their powers and resources to local government. In dozens of interviews conducted by the author, stakeholders from across the spectrum

– public officials, members of parliament, local authorities, civil society activists – highlighted that the decentralisation process is being managed by a handful of government officials in a few select ministries in Tunis with little transparency. The new Local Authorities Code adopted in April 2018 was intended to implement constitutional principles on decentralisation but contains no details of what policy areas will actually be transferred to local authorities. It further grants local authorities few revenue-raising powers and avoids creating a local system of public service. The Ministry of Local Affairs has announced a 27-year decentralisation plan to address all these questions but few details have been revealed, and the plan has yet to be shared with Parliament. Greater transparency and a strong political will are needed to ensure that the decentralisation process does not become paralysed by institutional resistance and inertia.

*The communication challenge*

Local authorities face the huge challenge of building trust with the public after decades of authoritarian rule. It is telling that the revolution in 2010-11 was triggered by an incident between a street vendor and a municipal official after the vendor refused to pay a bribe. Local government is still viewed with suspicion as in local eyes it is seen as representing the Ben Ali regime.

The newly elected local councils will need to bridge the vast gap between local authorities and residents. According to a 2014 World Bank survey, only 4% of households said that they had received any communication from their municipality in the past year and over 64% of households thought their councillors did not work to represent their interests. Given that the presumed benefits of decentralisation (e.g. greater responsiveness, better fit between policies and local needs) rely on communication between local authorities and citizens and downward accountability, improving communication is key.

**It is vital that new local councils are able to deliver what citizens want - better services, local development and tangible improvements in their quality of life**

Tunisia's dynamic civil society has played an important role in bridging this gap. Associations have organised training courses for local officials, public events to bring together officials and residents, and civic education campaigns for the public. This work will need to be expanded and intensified to help thousands of new councillors gain the skills they need to effectively represent and respond to their constituents' needs, while educating the public on the powers and responsibilities of municipal councils so that they can be held accountable.

## Conclusion

Tunisia's decentralisation process has the potential to address longstanding regional disparities and ineffective development policies that continue to plague the democratic transition. While the local elections were an important signal to both Tunisians and the outside world that Tunisia's transition is moving forward, it is vital that new local councils are able to deliver what citizens want - better services, local development and tangible improvements in their quality of life.

Doing this will require building the capacities and resources not only of municipal administrations and municipal councillors, but also the public and civil society to engage in a new model of democratic local governance that moves away from top-down centralised decision-making towards greater autonomy, transparency and direct accountability to citizens.
Ironically, the decentralisation process has been extremely centralised in its approach so far, and has been dominated by a few decision-makers in Tunis. The central government's 27-year decentralisation plan should be published, with wide consultation, in order to ensure that there is proper national debate on decentralisation and to avoid the plan becoming a cover for obstructing reforms and retaining central control.

While the focus in the coming years will be on the newly elected municipal councils and how they perform, an eye must also be kept on Tunis and how the decentralisation process is being shaped at central level. Public pressure on decision-makers must be maintained to drive the decentralisation process forward and ensure that there is open debate among policymakers, civil society and the public about what kind of decentralisation Tunisia should be pursuing and how it should be carried out to best meet its twin aims of deepening democracy and strengthening local development.

## About the author

Intissar Kherigi is a member and co-founder of several Tunisian NGOs including Jasmine Foundation, a "think and do tank" in Tunisia specialising in citizen participation in decision-making and youth empowerment, and in the application of social science research to create innovative social solutions.

Soldiers in Algiers
Photo: courtesy of Middle East Monitor

# Defusing the terrorist mindset: a Maghrebi tale?

North African jihadis, returning home after fighting for the Islamic State (IS) in Syria, Libya and Iraq, are stirring debate in Maghrebi political and civil society circles. So far, North African governments have adopted a two-pronged approach to deal with the returning fighters: judicial reforms and prison rehabilitation programmes. The authorities apply the greatest vigilance in dealing with their returnees, and immediately upon their return impose harsh punitive sentences on those found to be involved with IS.

**By Fatim-Zohra El Malki**

The governments of Morocco, Tunisia and Algeria continue to invest in legal reform and prison rehabilitation schemes to mitigate the social and security risks likely to arise as IS fighters return to society. Learning from the traumatic Mujahedeen returnees experience in Algeria and the thousands of arbitrary arrests that spread radical ideologies and subsequent attacks in Tunisia and Morocco, North African States are eager to demonstrate their advances in security issues, including in the handling of returning foreign fighters.

The policies and programmes in place effectively contain the immediate threat caused by returning fighters by separating them from society. But prison and rehabilitation are stop-gap solutions that in themselves cannot deter other groups in society from becoming radicalised or turning

to violence. The efficiency of the proposed solutions is not guaranteed. Throughout North Africa, torture remains common practice, and the broad scope of anti-terror legislation (which targets activists and civil society, as well as alleged terrorists) makes it a dangerous entryway to 'legal' abuse.

**Returnees: a sizeable inconvenience**

The return of North African jihadis who fought alongside IS in Syria, Libya and Iraq to their respective countries is no longer anecdotal. While exact numbers are difficult to find, mixed governmental and non-governmental sources report that of the 1660 Moroccans who joined the ranks of IS, 236 had returned by October 2017. An estimated 87 fighters have made their way back to Algeria, the smallest North African exporter of IS recruits—responsible for about 170.

For Tunisia which, by contrast, is the largest exporter of foreign fighters per capita in the world, over 800 fighters are believed to have made their return. Tunisian foreign fighters have returned, legally or illegally, using Libya's smuggling routes, the country's national airports, or even landing off the Mediterranean by boat. Tens of thousands of trips in total were aborted by the Tunisian authorities, putting an additional strain on the security and intelligence forces to monitor, try and, eventually, convict these individuals. Recently, Morocco refused the repatriation of IS-affiliated Moroccan women held in Kurdish detention facilities who were at risk of being used in prison swaps. Additionally, the cases of dozens of Tunisian IS fighters and their families stuck in Libya have stalled, with the wives and children of the Tunisian prisoners kept in limbo. For Rabat and Tunis, this settling of accounts may be distasteful, but it conveniently enables the authorities to avoid the legal, social and security ramifications linked to the return of such high-risk individuals to the country.

**A main cause for concern remains the systematic use of torture during detention and prison terms and the poor detention conditions**

Indeed, Algeria's experience with violence and terrorism has not shielded it completely from the more recent waves of trans-national jihadism. Still, the relatively small number of foreign fighters joining IS from Algeria underscores some of the lessons learned by the returning Algerian Mujahedeen from Afghanistan and the violence that ensued in the country in the early 1990s, resulting in over 300,000 deaths. Since then, Algeria has adopted both soft and hard

Moroccans protest and hold pictures of family members held in prison. They are also accusing security forces of torturing those in prison.
Photo: Amnesty/Twitter

de-radicalisation approaches "including a truce, reconciliation process, demobilisation and rehabilitation programs, as well as investing in development" argues senior analyst Dalia Ghanem-Yazbeck.

The positioning of North African states on the issue of foreign fighters underlines domestic disagreements about the direction of national security policies. In Tunisia, the security debate has been hijacked by partisan politics. The return of foreign fighters, in particular, sparked much turmoil at the Assembly of the Representatives of the People (ARP), which has been unable to find common ground on what policies to adopt. Some deputies even called for returnees to be stripped of their citizenship, while other political groupings, such as Ennahdha, argued for a more lenient approach. While debate is crucial and a necessary part of Tunisia's democratic learning experience, decision-making processes have stalled due to the lack of agreement on issues of national interest.

**Legislative reforms: anti-terror laws are not enough**

Morocco, Tunisia and Algeria already have stringent anti-terror laws in place. In 2015, these three States revised their anti-terror judicial frameworks to include a plethora of security and intelligence mechanisms directly aimed at mitigating the challenges posed by returnees. Anti-terror laws and policies state unambiguously that any individual returning from a conflict zone would be automatically detained and investigated to determine their level of involvement in terrorist activities. Should there be proof of any level of involvement, even minimal, the individual would be subject either to administrative control or a prison sentence. These sentences range between a three-year minimum in Tunisia (with a minimum of five years in both Morocco and Algeria) to 20-year sentences in Morocco and Algeria (compared with 10 years in Tunisia). While these long sentences may deter people from returning, they do not necessarily deter the spread of radical ideas.

**North Africa's systematic policy of imprisonment and administrative control provides an effective containment practice, but serves only as part of the solution to an alarming phenomenon**

The Tunisian, Moroccan and Algerian security and intelligence services retain extensive intelligence on their nationals in IS strongholds. Domestically, drastic border control is in place to vet the intentions of travellers. Besides which, immediately upon their return, 90 per cent of those returning from conflict zones are either placed under administrative control or serve prison time following an investigation of their activities abroad. In cases where the investigation was unable to show a degree of involvement, the returnee is sent back into society but remains under surveillance.

North Africa's systematic policy of imprisonment and administrative control provides an effective containment practice, but serves only as part of the solution to an alarming phenomenon that is likely to persist for some time. The overpopulated prisons - some at around 150 per cent of their capacity in Tunisia and Algeria, and up to 300 per cent in Morocco - are unable to sustain such an influx of high-risk convicts, thus undermining the purpose of the anti-terror legislation. To make matters worse, rather than containing the threat, prisons remain the largest hotbed of radicalisation and jihadi networking. Measures such as the classification of prisoners according to threat and influence have proven ineffective due to the large number of convicts crowded into an inadequate infrastructure.

**North Africa's security: Europe's agenda?**

North Africa is a strategic partner for Europe. The large North African diaspora established in Europe and the geographical proximity make these States ideal security partners for Europe that can also benefit from a mutual exchange of expertise. For Europe, investing in North African security is an attempt to keep acts of terror outside its own borders.

**The policy line adopted by most European countries on returnees has been to send bi-nationals to North Africa, notwithstanding the human rights risks associated with their extradition**

Several EU Member States, Japan and the United States are working with North African countries on the development and implementation of criminal justice reforms, including

the building of maximum security prisons to alleviate the carceral load and deny extremists the opportunity to interact with other prisoners. Other reforms are aimed at training the security and prison personnel. However, a main cause for concern remains the systematic use of torture during detention and prison terms and the poor detention conditions.

Nevertheless, the close security cooperation between North African governments (Morocco and Tunisia, in particular) and EU Member States with regard to returning fighters lies in the considerable number of cases involving European bi-nationals and nationals of Morocco, Tunisia or Algeria. Such cases have been treated on an individual basis but overall, the policy line adopted by most European countries on returnees has been to send bi-nationals to North Africa, notwithstanding the human rights risks associated with their extradition.

This policy among EU Member States is ostensibly a calculated risk analysis: although transferring terror convicts to North African prisons has the potential to expose them to additional terror networks, harsher conditions and breed long-term threats, European intelligence and political leadership still deem this preferable to imprisoning such individuals in the EU and the risks they could still pose when eventually released. Moreover, similarly to Morocco and Tunisia's unwillingness to repatriate their nationals, the Foreign Ministries of Germany and Sweden have openly admitted that no negotiations will be entered into on behalf of their nationals involved in conflict zones, even if some are likely to be executed.

### Rehabilitation: the government's affair?

In light of the debate over the ability of the prison system to rehabilitate terror convicts, the governments of Morocco, Tunisia and Algeria have launched de-radicalisation programmes in prisons aimed at defusing the jihadi mindset of the convicts. Government campaigns and programmes aimed at tackling radicalisation, such as 'Ghodwa khir' (Arabic for: Tomorrow will be better) in Tunisia and 'Mossalaha' (Arabic for: Reconciliation) in Morocco include interventions by convicted terrorists and prisoners. The aim of the sessions is to discuss and address the motivations that led these individuals to undertake terrorist activities, along with religious re-teaching and psychological support.

**The aim of the sessions is to discuss and address the motivations that led these individuals to undertake terrorist activities, along with religious re-teaching and psychological support**

Morocco, which learned considerably from the arrests that followed the 2003 Casablanca bombings and subsequent attacks on its territory, is now leading sessions for the convicts with charismatic jihadis who abandoned their beliefs after finding true Islam under the monarchy's benediction. Moreover, the Ministry of Religious Endowments and its imam training programmes contribute to de-radicalisation efforts through religious re-teaching to debunk radical messaging. The efficiency and reach of such programmes is yet to be determined, but they positively contribute to the soft security strategy. Like Morocco, since IS, Algeria has increased its efforts to gain full control over the religious sphere and discourse: being tough on travel and foreign funding and leading large-scale campaigns to de-incentivise youth from accepting the false promises offered by jihadi recruiters, including on social media. When IS fighters return, the Algerian authorities couple traditional judicial mechanisms with religious re-training, a policy similar to that championed by Morocco and now also implemented in Tunisia.

While these efforts are commendable, State-led programmes for convicts already significantly alienated from the State are not the ultimate solution for rehabilitation. The State's monopoly of the religious discourse could further alienate a section of the population that is already disillusioned by the political system and frustrated by socio-economic hardships, both of which greatly contribute to patterns of radicalisation. Domestically, the socio-political and economic environment of all three North African States puts a strain on the viability of the security policies in place. Finally, Morocco, Algeria and Tunisia need to refrain from adopting a security only policy that ignores the demands and aspirations of their populations.

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Senior Official Meeting 18 July 2018.
Photo: Union of the Mediterranean/Flickr

# Does 'the economy, stupid' still apply in North Africa?

The aftermath of the Arab Spring and the interventions of other players in the region have left the high ambitions of the 1995 Barcelona Declaration looking like a cathedral in the desert. Despite this, Europe continues to be the most important commercial partner of North African countries, and much potential remains.

**By James Moran**

The Barcelona Declaration of 1995 now looks like a climax of multilateralism in what the European Union (EU) now terms its 'Southern Neighbourhood'. The Euro-Mediterranean Partnership launched back then covered the five North African countries along with Lebanon, Jordan and Israel. It aimed among other things to establish a free trade area by 2010, and to spur regional processes across the board, from security to cultural relations. Major new financial commitments girded these ambitions. But the regional environment has evidently changed in ways that none could have foreseen in the 1990s. Contrary to Francis Fukuyama's infamous thesis of the time, history did not come to an end. Indeed, the past 20 years or so has seen an avalanche of it, not least North Africa being buffeted as it was by the Arab uprisings in 2011 and their aftermath.

In recent years, the interventions of other players in the region have brought about a distinct turn for the worse when it comes to multilateralist approaches. Russia's resurgence in Egypt and elsewhere is the most obvious example. Turkey has also become an influential player, for example, in Libya, though it fell out badly with Egypt after the advent of the Sisi administration there. China, in line with its wider approach to Africa, has become the region's second largest trading partner after the EU and a major investor.

Saudi Arabia and some Gulf countries have become much more active as well, flexing their financial and political muscle. This is sometimes for good, as in support for Egypt's economic reforms under its IMF programme. But sometimes not, as in their penchant for military solutions, such as in Libya, where the EU

would prefer the conflicts be ended through UN-led processes. At the same time, the United States, once a generally benign, if not entirely convinced, partner in encouraging regional integration has scaled back its involvement. Fighting extremism is now its main concern. These developments and more have led to the region becoming more fractured and fragile than ever before. This leaves the high ambitions of the Barcelona Declaration looking like a cathedral in the desert. And it has brought about a sea change in the EU's view of the region. Whereas the EU once saw North Africa as largely an area of opportunity (some used to argue that it was a proto-EU in the making), the 'southern neighbourhood' is today regarded mainly as a place dominated by dangerous conflicts and threats.

This may be an unfair appreciation, given that some countries in the region, especially Morocco and Tunisia, have continued to make generally peaceful progress, but one thing is certain. The mantra of the EU's 2016 Global Strategy, that external security, especially in the Middle East and North Africa, is essential to Europe's internal security, was pretty well received by European leaders and citizens and continues to resonate today.

It is no surprise then that the revised European Neighbourhood Policy, while continuing support for regional programmes and organisations like the Union for the Mediterranean, focuses on security and stability as the key drivers of relations with the South. With the current preoccupation with migration flows, radicalisation and terrorism, it will also come as no surprise that the European Commission is proposing a major increase in the EU's external aid budget in general, and funds for the southern neighbourhood in particular, for the 2020-2027 budget period.

But to meet challenges like irregular migration, EU neighbourhood aid policy needs to be more effectively joined up with efforts under Cotonou. The Commission's idea of a single instrument post-2020 might help here, though demolishing bureaucratic silos will take more than just regulations.
And if the EU is to really promote stability, lessons need to be properly learned. The support given to authoritarian regimes prior to the Arab uprisings is a case in point. Turning a blind eye to the need for accountability and greater equity produced anything but stability here.

Working with EU and member state development banks, such as the European Investment Bank, the KfW Bankenguppe and CFD, will also be important to build more effective investment partnerships with other major players in the economic sphere, especially the Gulf funds. More dialogue with Beijing on the region would also be helpful. But there is not much mileage in talking about development challenges with the United States, as it has scaled back its programmes, or with Russia, whose main interests are in areas such as arms exports.
Aid notwithstanding, more efficient trade and investment is a better bet in the longer term. With the EU as the most important commercial partner, much potential remains.

However, the record is not good. Many countries, especially those with a strong military element in government, tend towards protectionism. They have not engaged on the EU's offer of Deep and Comprehensive Free Trade agreements (DCFTAs). But there are exceptions, such as Morocco and Tunisia.

The best hope for concluding a DCFTA is probably in the talks with Morocco. A new fisheries agreement was also signed this year. That said, to be effective, these new initiatives will require a pragmatic solution to Morocco's ongoing disagreement with the EU over the status of the Western Sahara in the scope of these agreements. The benefits flowing from a DCFTA, in terms of growth in trade and foreign direct investment from Europe, would make a major contribution to meeting Rabat's economic and, not least, employment challenges. These could well inspire other countries in the region to follow suit. Evidence of real benefit could help Tunisia, for example, overcome its doubts about the process. It is worth noting that others, such as Egypt, recently signalled interest in aspects of the DCFTA, though there is little prospect of talks starting anytime soon.

There is no panacea for solving the fundamental problems in Europe's southern neighbourhood, and economic development in itself may not do the job. But the EU continues to be the most important international partner in this domain. With all the talk in Europe about the importance of resilience to cement stability, not least in the Global Strategy, the EU has a special role here.
In any event, without accelerated economic development in North Africa, things are likely to get even worse before they get better. And when things get worse they invariably have a knock-on effect in the EU, as European governments and citizens know too well. Success stories here are badly needed.

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Young Mediterranean Voices at the European Development Days
Photo: Anna Lindh Foundation/Flickr

# A tale of several stories: EU-North Africa relations revisited

EU-North Africa relations have long suffered from excessive bilateralism and securitisation. It is time to acknowledge the multidimensionality of the challenges facing North African countries and affecting Europe by fostering new forms of engagement with a stronger African component.

**By Silvia Colombo**

Geography and history link North Africa and Europe. North Africa's long relationship with the European continent began well before the colonial period. It is embodied most recently by a string of initiatives, agreements and cooperation frameworks between the European Union (EU) and North African countries. These have made this part of the world particularly porous to European influences. Meanwhile, North Africa continues to be highly exposed to the rising geopolitical tensions spilling over from the Middle East, and has turned it into a hybrid, loose and at times conflictual space at Europe's doorstep.

The seven years since the Arab uprisings have brought significant uncertainty for North Africa. Algeria's political future – and its future stability – is uncertain due to presidential succession risks. Tunisia remains fragile, despite hopes that it will consolidate its post-2011 democratic gains. Libya's conflict has dragged on, with very little prospect of resolution in the short to medium term. This poses extremely high security and migration risks to both the region and Europe. Morocco, for long the largest beneficiary of EU loans and aid packages through the European Neighbourhood Instrument (ENI) thanks to its 'advanced status', has recently

seen a cooling of the EU's engagement. This has precipitated a suspension of political dialogue between the two parties over issues linked to the Western Sahara dispute. Egypt is 'too big to fail' for the EU, but at the same time it is going through a steady refashioning of authoritarian governance different from the previous incarnation in being more unstable than the (apparent) stability of the pre-2011 regime. Europe, for its part, continues to labour under an intensified sense of insecurity, linked mainly to terrorism and migration. This is compounded by the thousands of North Africans (including those born in Europe) who had flocked to the Islamic State in Iraq and Syria between 2014 and 2017 – often returning more radicalised to their origin countries or continuing on to Europe.

**Stability first**

Against this backdrop, the latest round of revisions of the European Neighbourhood Policy (ENP) in 2015 highlighted the need for 're-prioritisation' focusing on 'stabilisation' to stem the spread of security challenges and address the root causes of instability. Another concept driving the EU's engagement with its neighbourhood, including the southern region, is 'diversification'. Thus, the specific challenges and opportunities each partner country presents to the EU are approached individually using incentive-based mechanisms or 'more for more'.

On paper, the EU structures its relations with its neighbours to the south in three generic categories: 'political and security affairs', 'economic and financial affairs' and 'social and human affairs'. While security, including migration, is the linchpin of the EU's approach to its southern neighbours, questions remain about whether EU policy in the region provides a good balance between security and stability, on the one hand, and political, economic and social reforms, on the other.

**The mid-2000s marked a re-orientation towards bilateralism and away from the region-building approach that had mildly characterised the Euro-Mediterranean Partnership since 1995. North Africa has become the terrain on which this shift is most visible and produced the most daunting effects**

The growing securitisation of EU-North Africa relations is not a new trend. In the early 2000s, transatlantic debate on the war on terror spurred a securitised approach to cooperation. This was enshrined in the ENP in 2003-2004. At that time, the EU's responses and offerings were in line with the needs and expectations of the largely authoritarian regimes in power in the different countries of North Africa. The focus on security and commercial interests can also be understood as a minimum common denominator relatively easily agreed among the EU member states at the supra-national level. Each country then cultivated its own particularistic interests through bilateral ties. The southern European member states, Italy and France in primis, took the lead in promoting commercial relations and energy-related cooperation, thus becoming among the key interlocutors of the elites in North African countries decades after the end of colonialism.

Notwithstanding the need for a strategic approach to a region so geographically close to the EU – as the ENP suggests – the mid-2000s marked a re-orientation towards bilateralism and away from the region-building approach that had mildly characterised the Euro-Mediterranean Partnership since 1995. North Africa has become the terrain on which this shift is most visible and produced the most daunting effects. First, in many respects North Africa has been enveloped by a new scramble among the EU member states for control and preferential relations. Second, North Africa has borne the brunt of conflict and the fragmentation of different countries while witnessing the definitive collapse of the endogenous experiment of regionalism at the sub-regional level with the Arab Maghreb Union (AMU). In this context of heightened securitisation and bilateralism, the Arab uprisings and their repercussions did not alter the basic approach of the EU.

**What future for EU-North Africa relations?**

The future of EU-North Africa relations will depend on all the parties' abilities to strengthen the opportunities and minimize the risks. First, there is an increasing risk of spillover of instability, chaos and conflicts emanating from the Middle East – including the exogenous influence of radical interpretations of Islam, such as Wahhabism. A failure to resolve the conflict in Libya and stabilise the country will bring even greater mingling of Middle Eastern or Gulf regional powers in North Africa. This will hold back development and hamper the potential for increased intra-regional cooperation. Some have suggested that the threat of North African countries being dragged into the spiralling Middle Eastern conflicts might ultimately stimulate greater cooperation among countries such as Algeria, Morocco and Tunisia. However, regional cooperation projects in reaction to external threats would nonetheless need to be accompanied by concrete initiatives at the political level. This is where the

greatest obstacles to cooperation persist, particularly between Algeria and Morocco over the Western Sahara issue.

Second, although the challenges facing North African countries differ, an overarching theme is undeniably human security in its manifold dimensions (thus also including security aspects as narrowly defined). Security challenges, however, cannot be eradicated solely by the threat or use of force, as a form of punishment or deterrent. Instead, education, inclusive development, women's empowerment and civic participation should be at the core of any EU strategy targeting North Africa. This means that the EU needs to better match its instruments vis-à-vis the North African countries to the current challenges. So far, this has not yet been done, as too much attention has been paid to hard security challenges, terrorism and radicalisation as the only prisms through which North Africa is perceived.

**Education, inclusive development, women's empowerment and civic participation should be at the core of any EU strategy targeting North Africa**

The EU also needs to mainstream even more the goal of resilience – at both the state and the societal level – in its cooperation with North African countries. This would advance implementation of one of the key dimensions of the EU Global Strategy. In addition, all EU initiatives and policies towards North Africa should emphasise two aspects: intra-regional cooperation within North Africa and the African context in which North Africa is fully embedded. Promoting intra-regional cooperation requires that bilateral relations be accompanied by a certain degree of region-building.

Geometries for this could vary, as it does not need to relate only to the North African countries as a group. Also, it could be approached from the grassroots level involving, for example, regional, municipal or civil society actors. Greater cognisance of the African context is not in competition with the EU's approach towards North Africa and would foster new links and connections across the African continent while empowering sub-regional and continent-wide institutions (such as the African Union). These may represent the needs of the people better than the individual national governments do.

This approach could also help the EU rethink the rationale, goals and formats of its policies towards North Africa, in particular according to the logic of co-development and having in mind broader global issues. In this regard, the EU should stop considering North Africa as only its backyard, as in the past. Though the (mostly bilateral) links between the EU and the North African countries remain strong, it is important to acknowledge that globalisation, the spread of economic opportunities and conflicts have stimulated North African countries to diversify their interlocutors and partners, mostly looking southwards. At the same time, the challenges confronting both North Africa and the EU – and which link the two – can be addressed only in cooperation (or at least in coordination) with other regional and global players. Many have a stake in the region, especially the Gulf countries, Russia, the United States and increasingly China and India. It is time for the EU to clarify, first and foremost to itself, what kind of new chapter it is prepared to write in the long tale of EU-North Africa relations.

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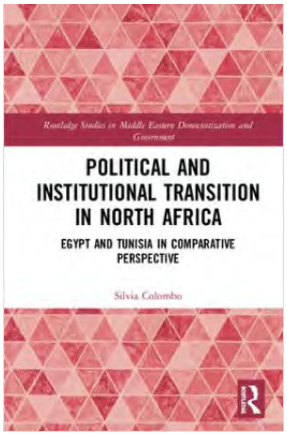


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Italian Coast Guard rescues migrants and refugees bound for Italy.
Photo: © IOM/Francesco Malavolta 2014

# Morocco and Algeria in European migration policies

The migration policies of Morocco and Algeria have drastically changed since the end of the 20th century. Focusing primarily on the migration of their nationals to European countries, they have gradually become involved in 'managing' transit migration through their territories.

**By Mehdi Lahlou**

For Morocco, this first began after the Seville European Council in 2002 when the EU began to see this issue as a beacon for its relations with a number of third countries, and then since the events of the Arab Spring in 2011 that triggered the migration crisis of 2015. As regards to Algeria, the shift started when it signed an association agreement with the EU in 2005, an agreement signed by the Moroccans and the Tunisians ten years earlier.

**The Moroccan migration policy: readmission as the sole stumbling block**

The first major action undertaken by Morocco at the beginning of this century to respond to European migration demands was the law on "illegal emigration and immigration in Morocco" – Act 02-03 – unanimously adopted in 2003 by the Moroccan parliament following the terrorist attacks in Casablanca on 16 May that same year. Following this, Morocco implemented an institutional and

operational framework to support its new migratory approach and best meet the interests of the Kingdom's special partnership with the EU and particular relations with Spain.

At the institutional level, Morocco established the Migration and Border Surveillance Directorate and the Migration Observatory in November 2003 "to streamline working methods, refine analytical tools and optimise the deployment of operational units to monitor clandestine infiltration points, as well as to consolidate input from all parties concerned by migration issues", according to Moroccan authorities. Europe expressed its full support for these decisions as they aligned with its objectives, indicating that it is particularly attentive to all developments involving migration on the Moroccan side.

At the same time, at the operational level, the new 'Moroccan strategy to combat clandestine migration' opted for a "proximity and prevention" approach through intelligence work, particularly for dismantling human trafficking networks. This approach has been bolstered by a substantial deployment of human and material resources via the implementation of a general and permanent mechanism made up of over 7,000 members, 4,000 of whom are specially tasked with coastal surveillance.

As a result of the combination of this mechanism – the largest ever implemented – to survey Morocco's Atlantic and Mediterranean coasts, Spain's Integrated System of Exterior Surveillance in southern Spain, then off the Canary Islands, and the intervention of Frontex (the European Border and Coast Guard Agency), crossing territorial waters between the two countries has become particularly perilous.

**Table 1: Irregular movement on the Western Mediterranean Route within major land-sea migratory routes to the EU, 2008-17**

| Year | Total migrants (all routes) | Western Mediterranean Route (WMR) | WMR/ All routes |
|---|---|---|---|
| 2008 | 151,135 | 6,500 | 4.3% |
| 2010 | 104,120 | 5,000 | 4.8% |
| 2012 | 73,160 | 6,400 | 7.75% |
| 2013 | 101,800 | 6,800 | 6.68% |
| 2014 | 283,175 | 7,840 | 2.75% |
| 2015 | 1,822,337 | 7,164 | 0.39% |
| 2016 | 374,638 | 10,231 | 2.73% |
| 2018 | 184,410 | 23,143 | 12.55% |

*Source: compiled by M. Lahlou. From http://frontex.europa.eu/trends-and-routes/migratory-routes-map/ 2016 and "Risk Analysis" for 2016 and 2018. www.frontex.europa.eu*

These measures prompted, to a large extent, the EU to grant Morocco alone, out of all the countries in the region, the position of special partner in 2008. The document on Morocco's "advanced status" defined its objectives as "supporting the internal dynamics which Morocco is experiencing and accelerating the partnership between Morocco and the European Union".

More recently, since the end of 2013, and as Morocco was beginning to enjoy a kind of "migratory peace" with less than 0.4 per cent of all trans-Mediterranean migration passing through its territory and maritime space in 2015 (see table 1), the country has adopted a "new migration policy", one described as "more humanist" and founded on the regularisation of certain categories of migrants and on a national strategy for integrating migrants and refugees. This new policy was triggered by a report by the National Council for Human Rights, which itself followed a documentary on migration in Morocco broadcast by the BBC in September 2013. Accordingly, an initial regularisation process for migrants enabled 18,000 irregular migrants to obtain a residence permit in 2014. A second regularisation campaign in 2017 benefited 21,000 irregular migrants, involving 113 nationalities, most of sub-Saharan origin. This same year, however, the number of migrants transiting through Morocco increased, as shown above, by 130 per cent compared to 2016, before rising to over 31,000 at the beginning of September 2018.

During the first eight months of 2018, the Moroccan security services blocked over 54,000 irregular immigration attempts, dismantled 74 human trafficking and smuggling networks and seized 1,900 boats. At the same time, since July 2018, the Moroccan security services have expelled thousands of

sub-Saharan migrants from Morocco's Mediterranean shores to cities in the country's interior, provoking an outcry from human rights organisations which claim that Morocco's "new migration policy" is no longer relevant. These developments show that nothing can ever be taken for granted where migration is concerned and that each time one migration route closes, another opens. The surge in migration through Morocco could be related to the closure of the Libyan route following a series of measures by the Italian government including restricting the work of NGOs in the Mediterranean and increased training for the Libyan coastguard.

Nonetheless, the EU has always asked Morocco, like other African countries, to firmly manage migratory flows from its territory, including through the signature of a "readmission agreement" with the EU. Morocco has yet to sign this agreement, however, despite nearly twenty rounds of negotiations due to concerns about sovereignty and to the fact that it has no desire to be known indefinitely as "Europe's policeman".

**Since July 2018, the Moroccan security services have expelled thousands of sub-Saharan migrants from Morocco's Mediterranean shores to cities in the country's interior, provoking an outcry from human rights organisations which claim that Morocco's "new migration policy" is no longer relevant.**

But the main reason for its refusal also relates to something else: for Morocco to agree to it, Algeria, too, would have to accept a similar agreement. Yet the idea of negotiating such an agreement with Algeria has rarely been raised. Moreover, if such agreements were signed with all the sub-Saharan countries of departure, there would no longer be a need to negotiate them with the transit countries in North Africa.

**Algeria: the end of "indifference"**

Algeria is a major country of emigration, even if the number of Algerian migrants is far lower, both in Europe and elsewhere, than that of Moroccan migrants. When it comes to sub-Saharan migration – particularly with respect to "transit migration" – Algeria has for long claimed that it is not concerned by this issue, even though virtually all irregular migrants passing through Morocco on their way to Europe pass through Algerian territory.

This position is based on a myth perpetuated by public discourse which asserts that Algeria is more a country of settlement for sub-Saharan migrants than of transit. The Algerian authorities' framing of the migratory question hints at the various elements of conflict inherent in the Algerian–Moroccan relationship. Besides, the Algerian authorities do not wish to appear as lacking solidarity with sub-Saharan Africa, as opposed to the general perception of Morocco's migratory approach before 2014. One however can discern a European influence in Algeria's handling of the migration question, including the control of its borders – yet much less pressing than in Morocco's case. This is probably due to the country's natural resources (and economic weight), which is incommensurable with that of its immediate neighbours, Morocco and Tunisia.

Algeria's position has gradually changed since 2002 and 2003 with the start of the 5+5 group meetings and the signing of an agreement establishing a free-trade area between Algeria and the EU in April 2002. The events of August to October 2005 – when hundreds of migrants forced their way into the Spanish territories of Ceuta and Melilla, resulting in some fifteen deaths and dozens wounded – had, at last, played a very important role. Morocco, Spain and the EU all used these events to call on Algeria to become more involved in controlling the southern borders of the Maghreb and in fighting migrant smuggling networks.

Carrying out hundreds of expulsions of sub-Saharan migrants starting in the autumn of 2005, Algeria did not, however, take part in the Euro-African Ministerial Conference in Rabat in July 2006, since it did not wish to commit itself in the same way as Morocco had on the migration issue, but also because it wanted to give the impression that it would not be a country of either departure or transit for irregular migrants. Yet this would not prevent it from passing – like the Moroccans (in 2003) and the Tunisians (in 2004) – a law in 2008 on the conditions of the entry, stay and movement of foreigners in Algeria. The law penalises irregular immigration and punishes those who employ, house or assist irregular migrants.

With the conflict in Libya and fragile security conditions in Tunisia following the Arab Spring, Algeria saw an increase in migrant arrivals between 2011 and 2015 – becoming "an anchor point for migrants from Central and West Africa"


Demonstrators at the March for Dignity, Ceuta. Photo: Laura Ortiz/Flickr

> **"at times, the authorities have recognised that the migrants were necessary for the development of the economy, plugging the labour gap in the public works and agricultural sectors".**

(according to some estimates, over 100,000 on its soil). But these migrants benefited Algeria, too, as "at times, the authorities have recognised that they were necessary for the development of the economy, plugging the labour gap in the public works and agricultural sectors". Yet the fall in oil prices in international markets and the ensuing financial crisis complicated the issue of residence for immigrants in Algeria. Many have been the object of numerous deportation operations over the last few years. According to the International Organization for Migration (IOM), over 4,100 individuals were deported from Algeria in May 2018, and over 11,276 in total between September 2017 and June 2018. At the same time, a sharp increase in Algerians departing irregularly has been recorded in recent years. According to Frontex over 4,200 irregular arrivals from Algeria occurred in 2017, as opposed to nearly 1,700 in 2016.

**Conclusion**

The Algerian Migration Act 2008, which has not been amended since it was passed, gives the authorities the prerogative to expel foreigners who have entered Algeria illegally or whose visas have expired but does oblige them to notify the person concerned, who then has between forty-eight hours and fifteen days to leave the country. But according to Human Rights Watch, thousands of migrants were expelled from Algeria with no recourse to such notification between January and May 2018. Despite announcing the implementation of a new, more humanist migration policy in 2013, Morocco, for its part, carried out a number of aggressive operations to remove hundreds of migrants from its Mediterranean coast during the summer of 2018, but without expelling them from the country. This shows that the two countries are now approaching the migration issue in virtually the same way. They face a double challenge of the same nature which consists in preserving their respective interests at home and in relation to the countries of sub-Saharan Africa and the European Union, while acknowledging that the problems posed by irregular migration – which will worsen in the coming years – are solved in the countries of departure.

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Port of Rades, Tunisia. Photo: © Dana Smillie / World Bank

# International support for economic reform in Tunisia: can it work with the grain?

The slow pace of reform in Tunisia poses challenges to Tunisia's international partners who are keen to support the only democracy in the region. While wholesale reforms are more difficult to implement in the current political context, targeting small, incremental changes and promoting "islands of effectiveness" could offer potential for change. The challenge is to find where to start.

**By Bruce Byiers**

As Fidel Castro puts it, "A revolution is a struggle to the death between the future and the past". Though the Tunisian revolution does not seem in danger of reversal, with widely lauded recent municipal elections, an improving security situation and a generally increasing atmosphere of freedom of expression, it is not clear that 'the past' has yet been put to rest. Unemployment still remains stubbornly high, especially among the educated youth, while wide-ranging reforms to address corruption, plug public financing gaps and promote private sector investment still seem hard to put in place.

This is problematic for society at large, but also poses a challenge to Tunisia's international partners who are keen to support the only democracy in the region. Especially if they seek ways to do so in the areas where there is political traction and some potential for change.

> **"A revolution is a struggle to the death between the future and the past".**
>
> **Fidel Castro**

Based on ECDPM's ongoing work with the EU Delegation in Tunis, this article highlights some key aspects that seem to be important in defining what international partners might do if they aim to 'think and work politically' in Tunisia.

## Great expectations?

In the battle between the future and the past, a key turning point was clearly the overthrow of the Ben Ali regime in 2011, allowing for political opening and democratisation. Though this is widely seen as important progress, not all expectations have been met.

What sparked the revolution was Mohamed Bouazizi's self-immolation, leading to a wave of protest about dignity and the need for employment and the right to earn a living. However, as protests spread from rural areas, the demands evolved towards 'freedom', as documented by some such as Meddeb or Santini et al. But while the revolution has satisfied the latter demand, the original issues of dignity and employment still remain central to the challenges being faced in post-revolutionary Tunisia.

In spite of continuing unemployment and worsening economic conditions, current political debates are clearly dominated by infighting within the ruling party Nidaa Tounes and jostling for position among the two main parties ahead of the parliamentary and presidential elections in late 2019. That is, at the moment political competition seems to be dominating concerns of policy reform and implementation - Tunisia has had seven prime ministers since the revolution. As the IMF put it in April this year, "Political uncertainty can be expected to persist as the country prepares for the upcoming election cycle ." In the current situation, the Head of Government Youssef Chahed lacks support from his own party - that even froze his membership recently - and from President Essebsi, originally from the same party. Instead, for the moment he retains support from Ennahdha, a key member of the governing coalition, with their own sights on the upcoming elections next year. All this seems to reflect high risk political calculus, none of which helps take forward the reform agenda that might lead to more economic stability, investment and employment.

So while the revolution has led to democracy and a previously unheard of openness to political debate, the resulting political competition and uncertainty have so far meant far smaller gains on the social and economic sides. Though frustration may be normal after a revolution, the questions asked are increasingly about how far a vulnerable government can go in pushing reforms that will inevitably affect entrenched interests.

## Democracy of the street

In more conceptual terms, the above brief portrait of political competition in Tunisia corresponds with what in Khan's political settlements framework would be classified as horizontal political competition. Making use of this framework may be helpful in better discerning the incentives (or not) for political elites to design and implement concrete strategies for private sector development and job creation, not to mention public sector expenditure reforms, another area of tension in the current context. The horizontal axis of political competition is complemented by a vertical axis of contestation, reflecting the role of 'non-elites'. This is more about the degree of support or resistance from those outside the immediate political realms with vested interests or operating in bureaucracies, that shape whether or not governments are able and willing to push through reforms. To illustrate, one IMF report from June 2018 talks of the difficulties of making progress with operationalising a "Large Taxpayers Unit" focused on raising revenues more efficiently through large firms, (a policy move often considered as a 'quick win' reform in other countries) due to "political resistance", understood as resistance from vested interests operating to stall or undermine these reforms.

> **despite the new model constitution and new openness, the political voice in Tunisia has essentially (and historically) come from the streets - protest**

If the political class are tied up in 'horizontal' competition, and implementation of reforms are blocked in the 'vertical' relationships with the bureaucracy or wider society, then this can only add to wider frustrations with the gains from the revolution. Santini et al. suggest that despite the new model constitution and new openness, the political voice in Tunisia has essentially (and historically) come from the streets - protest. In September, the politically powerful UGTT, the country's biggest labour union, called for general strikes in protest against the 'deteriorating political and economic situation'. At the same time, a provocative press article on the 'reformability' of Tunisia suggests that reform only genuinely takes place when legitimised in the streets and in the press - without it, they fall by the wayside. And while the UGTT is protesting now, it has also been seen as a blocker to economic reform itself, highlighting how different reforms affect different interests.

## Economic exclusion?

Though political power and economic influence are clearly part of the post-revolutionary landscape, this is closely related to the way the economy operates. Tunisia is one of the rare countries where discussion of 'rents' and 'rentier firms' is in common parlance. Rents are defined as any income earned for a good or activity in excess of that needed to produce it, such as when an industry has a monopoly or operates behind protective barriers

that allow it to earn higher profits than it otherwise would. This increasingly open discussion of 'rentiers' since the revolution may have been helped by the influential World Bank report from 2014 that establishes a link between the performance of Ben Ali-related firms and fiscal and investment incentives. But even today, much of the discussion on economic reform revolves around the need to reform the rentier economy, with a particular focus on sectors such as real estate, construction, tourism, and some "offshore" manufacturing industries with special conditions - food, electronics, car parts, aeronautics being among them.

The rentier economy is based on protected sectors, subsidised goods, and specific incentives, where the economy meets politics, but also where the wider region comes into play. Much of the economy is increasingly based on informal activity, much of it cross-border trade with neighbouring Algeria and Libya, creating what some see as new elites that therefore need to be taken account of in discussing how to put the economy back on track (even if the analysis is criticised for its elitist interpretation).

Add to this the discussions of having the "wrong model" of subcontracting for larger global firms, offering only low-salary work for less educated workers, as well as a focus on agriculture in rain-intensive crops when the country is increasingly water-scarce, and the challenges are vast. Another challenging source of rents is the subsidies on fuel. While the IMF recommended the Tunisian government to drop those, it runs the risk of encouraging the already flourishing illicit imports from Libya where fuels are even more subsidised. Cracking down on this trade is also considered dangerous by some, since it could push informal merchants towards trade in illegal goods such as arms or drugs (e.g. United States Institute of Peace on Tunisia's Conflict Dynamics, 2018).

**What is to be done - going with the grain**

In a similar line to the political settlements approach, Levy's "Working with the Grain" offers suggestions of what to do in response to Tunisia's situation where political power is contested and rules and laws applied often on a personalised basis. Given the incentives at play, the proposed response is to avoid attempts at wholesale reform and rather focus on small, focused, incremental changes, and promoting "islands of effectiveness" within the government.

Taking this to Tunisia, one opening may be the startup act, a new law that was adopted in April 2018 to boost the role of science and technology in the country's economic transformation towards a model of skilled labour and more added value creation than is currently the case. It has been argued that this was the result of a bottom-up, demand-led process (also here), even surviving a change in ICT Minister due to the drive and enthusiasm of a group of more than seventy entrepreneurs. Even if some have argued conversely that this is a 'sideshow', from an 'iterative' perspective, it may already be positive with the 'marketing' of Tunisia already reportedly leading to international attention from investors. More importantly, it reflects how 'tweaking' of existing investment laws rather than wholesale reform, while lobbying, explaining and cajoling political and potentially opposing economic actors, has meant that even some of the large conglomerate firms are reportedly starting to realise they could also perhaps benefit somehow.

**...the proposed response is to avoid attempts at wholesale reform and rather focus on small, focused, incremental changes, and promoting "islands of effectiveness" within the government.**

Though the initial success of the Startup Act does not involve much external support if any, and implementation will be the real test of whether it can have an impact, the lessons from the process may yet be important. Similar processes which mobilise political coalitions around transformational projects should be monitored closely, while keeping in mind that the inclusiveness of such processes can sometimes be a matter of simple show, or 'signalling'.

Revolutions and their aftermath are inevitably messy, and reforms are always subject to competing interests and concerns. If small, incremental changes are the order of the day, then that at least allows policymakers and their partners to focus on specific areas with potential for impact. Maybe the past never really dies, so the real question is how to shape future initiatives that can adapt to those aspects of the past that won't go away.

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Late night in Cairo, view of the Nile river.
Photo: Wikiphotographer/Flickr

# New Departures in Egypt's relations with sub-Saharan Africa

Egypt's relations with sub-Saharan African countries have for long oscillated between prosperity and decline. These relations have particularly developed over the past four years, driven by the Nile water issue but also the country's mounting interest in regional integration and the search for new economic opportunities.

**By Amira Mohamed Abdel-Halim**

Egypt and its neighbours in sub-Saharan Africa have historical and cultural ties dating back thousands of years. Successive Egyptian governments, especially since the independence, have often headed south. However, Egypt has not given equal weight to all African regions and countries. Besides, Egyptian foreign policy faced many challenges imposed by a number of internal and external factors which cast a shadow over the ties that link Egypt with the rest of the African continent. This has led to an oscillation in Egyptian-African relations between prosperity and decline over long periods of time. While Egyptian-African relations witnessed a decline under Hosni Mubarak, this has started to change with the remarkable development in Egypt's foreign policy towards Africa over the past four years.

This article sets out to examine the development of relations between Egypt and its sub-Saharan counterparts since the period of the national liberation movements of the 1950s and 1960s until the present, with a special focus on Egypt's handling of the Nile water issue more recently. The article further provides some reflections on Egypt's prospective chairmanship of the African Union in 2019.

## The development of Egyptian-African relations

Egypt has long been keen on strengthening relations with other African countries. In the 1950s and 1960s, Africa was a key focus of Egypt's foreign policy when Egypt actively supported national liberation movements and contributed to founding the Organization of African Unity. Egypt helped these movements to

get their demands heard at the United Nations. It allowed many national liberation movements from East, West, and Southern Africa to open political offices in the country, and use Cairo as a media headquarters to set up radio stations broadcasting in African languages.

With the independence of many African countries, Egypt strived to support their development by enhancing cooperation with them in many areas. In the field of education, for instance, Egypt offered scholarships to sub-Saharan students, which subsequently contributed to the transfer of many components of Arab and Islamic culture to sub-Saharan Africa. The Egyptian government established the public company El Nasr Co. For Export & Import in 1958 with the objective of expanding Egypt's economic presence and influence in sub-Saharan Africa. This was done by establishing many branches throughout the continent, now numbering 17 branches. One of Egypt's key current objectives with regard to regaining its influence in Africa is to revive and boost the presence of this state company in sub-Saharan Africa.

After many countries in sub-Saharan Africa gained their independence and with the escalation of conflicts in the Arab world, particularly due to the Arab-Israeli conflict, from the 1970s Egypt has focused more on the Arab world. The Egyptian divergence has further increased following a failed assassination attempt of former Egyptian President Hosni Mubarak in 1995 by an Egyptian extremist group based in Sudan when he arrived in Ethiopia for a summit of African leaders.

Following the revolution of 25 January 2011 and 30 June 2013, Egypt stepped up its efforts to establish its presence and regain leadership and influence in sub-Saharan Africa. Firstly, the popular protests in 2011 and 2013 forced the Egyptian government to reconsider its foreign policy, especially towards sub-Saharan Africa, where Egypt's role had declined significantly since 1995. Secondly, this period saw ongoing developments in the Nile water issue: the late President of Ethiopia, Meles Zenawi, laid the cornerstone for the Grand Ethiopian Renaissance Dam (GERD) project in April 2011 with the Nile Basin Initiative (NBI), a partnership among the Nile riparian countries, especially Nile source countries. These countries drew up a Cooperative Framework Agreement in Entebbe in 2010 which sought to re-divide the waters of the Nile. The downstream countries (Egypt and Sudan) were excluded. These developments posed a threat to Egypt's vital interests in Africa, especially with respect to water, and triggered a new level of activism.

The Egyptian Foreign Ministry also established two new diplomatic positions in April 2011, namely, Deputy Foreign Minister for African Affairs and Assistant Foreign Minister for Sudanese and South Sudanese Affairs. In 2013, the government created the new Egyptian Partnership Agency, which began operating in June 2014, with the objective of sending development specialists to African and Islamic countries and to help organise development programmes in these States.

The African dimension was clearly present in Egypt's foreign policy after the 2014 presidential election. The 2014 Constitution included provisions that affirm the African dimension of Egyptian identity, so the first foreign tours of President Sisi after assuming office were to African countries, including Algeria and Sudan. Since taking office in June 2014, up until August 2017, 21 of President Sisi' 69 official visits were in Africa.

### The Nile water issue

Egyptian foreign policy particularly focused on the countries neighbouring Egypt, particularly the Nile Basin region and the Horn of Africa. The Nile water issue was one of the main dimensions of the rapprochement between Egypt and East Africa. The water issue is of strategic importance to Egypt because it relies on the Nile River to provide 97% of its water needs. Egypt receives Nile water at a rate of 55.5 billion cubic metres of water per year. As Ethiopia starts building the GERD, which will hold 74 billion cubic metres of water, Egypt's water deficit will reach 16 billion cubic metres per year, Egypt will be unable to rely on the river only. Egypt stands to lose at least 2 million acres of agricultural land, while electricity production from the High Dam and the Aswan reservoir will be reduced by 20-40%. Egypt has adopted two main and parallel approaches to dealing with this issue. It has basically engaged in negotiations on this issue while seeking to bolster its relations and leverage with the countries concerned.

### Continued negotiations on Nile projects

Although Ethiopia laid the cornerstone for the GERD in April 2011 and started diverting the Blue Nile in May 2013, Egypt has taken a cooperative approach to deal with the crisis. During the period between April 2011 and May 2013, Egypt made use of both official and popular diplomacy. To achieve common ground among the three countries, Egypt, Ethiopia, and Sudan agreed in September 2011 to form an international committee of experts to examine the Ethiopian engineering studies.

Further to President Abdel-Fattah al-Sisi assuming office, there were renewed talks and negotiations as reflected in the joint statement that Al-Sisi and his Ethiopian counterpart signed in June 2014. This statement included the agreement to resume negotiations and resume the work of the tripartite committee formed by Egypt, Ethiopia and Sudan, after its work had been suspended during the previous period. The statement also stressed the countries' commitment to the principles of cooperation, mutual respect, good-neighbourliness, respect for international law and achieving common benefit.

In 2015, Al-Sisi, along with the Sudanese President Al-Bashir and former Ethiopian Prime Minister Desalegn, signed the GERD

Prime Minister Dr Abiy Ahmed met with President Abdel Fattah el-Sisi of Egypt as the two leaders exchanged views on bilateral, regional and global issues of mutual concern to the peoples of both countries.

Declaration of Principles in Khartoum which outlined ten basic principles for the construction of the dam, these being aligned with international law on shared river systems, including a commitment to the fair and appropriate use of shared water resources, cooperation in the first filling and operation of the GERD dam, as well as the peaceful settlement of disputes.

### Improved relations with the Nile basin states

The Egyptian government has also worked to strengthen relations with the Nile Basin countries. To this end, Egypt has sought stronger bilateral ties with these countries and more active involvement in regional organisations. A diplomatic campaign was put in place including several presidential visits to Sudan, Ethiopia, Rwanda, Uganda, Kenya and Tanzania, as well as hosting many African events.

Egypt has developed several cooperation projects with the Nile basin states. For instance, the Egyptian Ministry of Water and Irrigation helped fund 90 % of a Ugandan project to protect the western region of the country from excessive flooding. It also provided Uganda with $1.5 million in development aid. It helped South Sudan develop its sewage and irrigation systems and drilled 180 wells in Kenya. In February 2018, the Agriculture Ministry launched a joint farming initiative with the Eritrean government. This was not the first initiative in the field of agriculture as Egypt seeks to spread its model farms system as part of its strategy to boost its influence in Africa.

Egypt also has strengthened its presence in COMESA, the regional organisation that it joined in 1998. Egypt is one of the few states that signed and ratified the COMESA-EAC-SADC Tripartite Free Trade Area (TFTA) launched in 2015. Egypt is further currently preparing a high-level forum on trade and investment – jointly organised with COMESA – that will be held in Sharm El Sheikh in December 2018. This event is particularly important because it will take place shortly before Egypt assumes chairmanship of the African Union (AU) in 2019.

### Chairmanship of the African Union

Egypt's forthcoming presidency of the 31st Ordinary Session of the Executive Council of the African Union for 2019 could be seen as an indication of Egypt's success in strengthening its cooperation with African countries and regional organisations in the continent over the last four years. Many challenges lie ahead during the Egyptian presidency of the AU, especially with the ongoing process of AU reforms.

In line with the continent's priorities identified by the AU in terms of enhancing security in the continent, the spread of conflict and terrorism in Africa will be high on the agenda. As announced by the Egyptian government, it will work towards achieving the AU's decision to 'silence the guns by 2020'. The Egyptian government, which is part of the AU Council for Peace and Security (2016-2019), will continue to use its expertise in the fight against terrorism and its military capabilities in supporting other African countries by offering training and study scholarship opportunities in Egyptian military colleges. Egypt can capitalise on the fact that it hosts the Cairo Centre for Conflict Resolution, Peacekeeping and Peacebuilding in Africa which provides training for civilians.

Another topic that will receive particular attention is regional integration, all the more so given Egypt's own activism in this area, as previously highlighted. During its presidency of the African Union, Egypt will emphasise the importance of infrastructure and clean water supplies. As part of its membership of the Presidential Initiative for the Development of Infrastructure in the Continent (PICI), Egypt is sponsoring the Maritime Link between Lake Victoria and the Mediterranean.

Egypt clearly has a growing interest in sub-Saharan Africa, as shown by its increased involvement in initiatives for regional integration and mounting diplomatic exchanges with sub-Saharan countries. This shift has been driven by the Nile water issue and also by the country's search for new economic opportunities. This coincides with growing interest from other North African countries looking for new partnerships in the continent as Morocco, for instance, has applied for membership of the West African regional body ECOWAS and Tunisia recently obtained membership of COMESA. These dynamics go hand in hand with other ongoing continental processes towards stronger integration in Africa.


### About the author

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# ECDPM's relevant work

### Advancing the impossible? Progress of the joint African, European and international response to the migration crisis in Libya

*Tasnim Abderrahim, ECDPM paper, September 2018*

Italy's hard-line policy on migration under the new government has sparked renewed controversies about the conditions for migrants and asylum seekers trapped in Libya. The challenge of ending detention and human rights abuses, while reducing migrant flows, has been part of the EU and African policy discourse and actions for the past year since this issue took centre stage at the last AU-EU Summit of November 2017.

### Morocco's accession to ECOWAS: Building bridges or rocking the boat?

*Bruce Byiers and Tasnim Abderrahim, ECDPM blog, 19 February 2018*

Two months after its re-admission to the African Union, Morocco announced its bid to join the West African regional organisation ECOWAS. In their 51st Summit, held in Monrovia in June 2017, ECOWAS heads of state and government approved Morocco's application in principle but requested a detailed report on the political and economic implications of this membership.

### Is the Nile Basin Initiative a 'regional sailboat' in choppy geopolitical waters?

*Bruce Byiers, ECDPM blog, 3 March 2017*

With development practitioners increasingly invoking the importance of thinking and working politically in development processes, Rachel Kleinfeld has a very appropriate line that goes: "Plan for sailboats, not trains". In other words, forget linear thinking when trying to approach development issues. Adaptability, flexibility and iterative approaches are the watchwords.

### Tackling regional inequalities in Tunisia

*Alfonso Medinilla and Sahra El Fassi, ECDPM Briefing Note, April 2016*

Tunisia's new constitution aims for more equitable distribution of prosperity and opportunities across regions. This is hampered, however, by both structural and political constraints. The country's current decentralisation policies have hindered emergence of 'developmental' subnational actors with sufficient autonomy and accountability to catalyse local-level development.

# The changing relations between Europe and North Africa

North Africa is of strategic importance for the European Union, and vice versa. The relationship is multi-faceted and aims to satisfy the needs of both partners in areas such as security, trade and investment, and regional stability. Many challenges lie ahead for building a lasting and balanced engagement between both sides of the Mediterranean. The EU is still to define a coherent set of policies towards North Africa – one that successfully combines geopolitical interests with a thorough understanding of the complex local dynamics and demands.

That understanding goes both ways. For a stronger partnership between the two regions, it is essential that actors understand each other's history, societal dynamics and political and economic interests. ECDPM hopes to contribute to that. As a non-partisan 'think and do tank', ECDPM aims to bring these different actors together, highlight the different perspectives from both Europe and North Africa, and stimulate dialogue on issues of common concern.

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