

# WHAT KIND OF EUROPEAN (REGIONAL) ORDER?

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*There seems to be an agreement regarding the particular importance of neighboring areas or ‘wider Europe’ to the European Union. Seen more as a regional than a global player, for a long time, the EU aimed at engaging with its neighbors and shaping the neighborhood based on its preferences. Yet, it is still unclear what kind of region this “regional normative hegemon” (Haukkala, 2008) aims to create and how its regional vision evolved. Analyzing the strategic documents, trade, and development aid and focusing on the EU’s engagement with three Maghreb countries, this paper tracks the evolution of the European vision of the ideal Southern Neighborhood from the 2015 ENP review to the end of 2021. The theoretical framework guiding this research is rooted in differentiation theory – a sociological approach to IR advocating structural analysis of systems based on prevailing differentiation principles. Separating the stratificatory/vertical and functional/horizontal differentiation, this paper tracks the EU’s willingness to transform its partners and its preparedness to fulfill specific functions (such as providing regional public goods) in the Mediterranean. The framework proposed improves our understanding of the EU as a regional power and allows comparing it with other actors.*

*Key words: regional order, differentiation, Mediterranean, Maghreb, EU*

## Introduction

While some state that “Europe’s future will be decided in North Africa” (Cook, 2019), the region’s countries seem to be “decoupling from the EU” (Ghiles, 2021). The EU– Tunisian cooperation priorities agreed upon in 2018 stated that the country “made a strategic choice in anchoring itself to the European area” (EU– Tunisia Association Council, 2018, p. 41), yet, since 2022, Tunisia has been experiencing authoritarian backsliding. The relationship with Morocco, which achieved positive impetus after the EU unblocked the fishery agreement in 2018, got stuck again: in January 2023, Moroccan lawmakers voted unanimously to review ties with the European Parliament, accusing it of meddling after a resolution that urged the kingdom to respect press freedom (France24, 2023). And while in 2017, the EU and Algeria found a new shared ground for cooperation, the Spanish decision to recognize Moroccan authority over Western Sahara triggered a crisis in EU–Algerian relations in 2023 (Rtve, 2023).

Few doubts that the EU’s role in North Africa is diminishing. The geopolitical ambitions of countries like Morocco and Algeria are testing the EU’s power. Moreover, the growing influence of China, Turkey, Russia, and Saudi Arabia has pushed the EU and its member states out of the sub-region, creating a more crowded playing field (Mirel, 2022). As a result, the “European area” (if there ever has been such a thing) seems less European and more contested.

The processes in the EU’s neighborhood reflect a more global trend. The EU officials point out that the “Normative power” suddenly has to compete. In the words of Joseph Borrell, “the Chinese are trying to explain to the world that their system is much better <...> Our fight is to try to explain that democracy and political freedom is not something that can be exchanged for economic prosperity or social cohesion. Both have to go together. Otherwise, our model will perish, it will not be able to survive” (Borrell, 2022). The debates about the (non)support for Russia after it invaded Ukraine also highlighted this “order pageant.”

Yet, what is so specific about this “European governance model”? While it is evident that the EU is a particular political object, organized based on different principles than a nation-state, it is less clear what it proposes to other countries and regions. Some authors see the EU’s engagement with others in a positive light calling the EU’s policies in the world a “modest power for good” (Barbé and Johansson-Nogués, 2008). Others claim that the EU has specific world order preferences. Comparing the EU and the US, Hettne and Ponjaert (2014) sustain that the two sides of the Atlantic represent different world orders. The US represents a “neo-Westphalian” unilateralism often decried as imperialism, while the EU - a “post-Westphalian” multilateralism intertwined with interregionalism. The first is to be understood as “state-centric and rooted in hierarchical power relations; the second is rather more functional in nature as it is centered on multilateral governance efforts” (Hettne and Ponjaert, 2014, p. 115). Similarly, various authors observe that the EU is constructing an alternative cooperation model (based on nominal equality, partnership, and generally “more human”) for Global South countries (Escribano Úbeda-Portugués, 2007, Grugel 2004).

However, the EU’s neighbors do not seem so happy with this “more functional than a hierarchical model.” Moreover, those studying the EU’s engagement in the Mediterranean region support those critics, pointing out that hierarchy and subordination of the cooperation goals to security and economic considerations are common elements of the EU’s approach (see Dandashly, 2018; del Sarto 2016, 2021; Pace, 2009; van Hüllen, 2019). Consequently, those aiming at conceptually framing what the EU is and what it does in the neighborhood often used matching concepts of “borderlands” and “empire/hegemon” (del Sarto, 2016, 2021; Haukkala, 2008; Schumacher, 2015), emphasizing the hierarchy and selfishness present in the EU’s model. In some cases, both researchers and EU politicians called the EU neighborhood “a backyard” (Kodmani-Darwich, 2016; Prodi, 2002; Tocci, 2007). A concept loaded with negative connotations and usually depicting dynamics of domination, subordination, and resistance has been applied to the neighborhoods of other powerful actors, such as the US, Russia, or China.

Sustaining that the EU’s Mediterranean policy represents an interesting case of asymmetrical relationship management (Womack, 2016) in a regional space, this paper proposes to analyze the Mediterranean region as a hierarchical regional order (HRO) (Garzon, 2014), with the EU being a regional power. The EU has never been the only relevant actor in the sub-region, and its ability to shape the neighbors has always been limited. Yet, asymmetrical relations usually do not lead to domination (Womack, 2016). Even the US, a “traditional” superpower, has not been able to shape its neighbors. We argue that by understanding what kind of order the EU aimed at creating in the Mediterranean, we can advance our understanding of how different yet similarly powerful actors manage asymmetrical regional relations.

By applying a differentiation-based regional order framework (Giedraityte, 2021) to analyze the EU’s engagement in the Maghreb between 2015 and 2021, this paper aims to contribute to conceptualizing the EU’s role in the Mediterranean and improve understanding of how different powerful actors manage hierarchical regions. Willing to study strategic and financial bilateral-level documents (to see “the regional vision in action”) and to limit the scope of our research, we focus on Maghreb – a sub-region composed of Algeria, Tunisia, and Morocco. This relationship is particularly interesting as the countries composing the sub-region have an extremely complex relationship with Europe. The timeframe chosen encompasses the latest iteration of the EU’s neighborhood policy – its second review was adopted in 2015. Meanwhile, the New Agenda for the Mediterranean (further – NAM), laying out the EU’s priorities specifically in the Mediterranean region, was adopted in 2021. Hence, these two documents frame the EU’s regional vision crafted when its global and regional projects were especially contested.

A differentiation-based typology of regional orders is built by merging the conceptual tools and approaches proposed by regional power research program and international relations. In this manner, this paper advances the EU foreign action/EU Neighborhood policy studies that, for a long time, had a limited contribution to IR (del Sarto, 2021, p. 153).

The article starts with a brief overview of the context of EU-Maghreb relationships at the dawn of the 2015 ENP Review. Then it briefly presents the theoretical framework guiding our analysis and proceeds to hash out the key features of the regional order that the EU aimed at creating in the sub-region. The final part of the paper is dedicated to a more general discussion of what the results of empirical research say about the EU as a regional and global actor and what, in general, it can say about the management of asymmetrical (North-South, post-colonial) relationships in the international area.

## 1. Europe and Maghreb – married by geography and history

This section briefly presents the key characteristics of the EU-Maghreb relationship focusing on the asymmetries in the relationship between the partners and the negotiations ongoing regarding the key spheres of regional interactions (trade and migration).

### 1.1. *The hub-and-spoke pattern of regional integration*

The European and Maghreb states share long and complex history. All three Maghreb countries have been colonies of the European countries throughout history, gaining independence at the mid-end of the 20th century. From the 1970s, these countries (except Algeria, whose independence war lasted longer) formed part of different initiatives, usually proposed by the EU to order a shared Mediterranean space. The EU has driven all these projects, and the participation of Maghreb countries has not been uniform. Morocco and Tunisia were considered role models for a long time because of their willingness to negotiate and implement EU-promoted policies. In contrast, Algeria, a country rich in oil resources, positioned itself as a “disobedient” neighbor, opting for a more independent and less EU-driven relationship. Only the fear of instability after the Arab Spring forced Algeria to renew its close engagement with the EU.

The EU proposed various projects, starting with the Global Mediterranean Policy (1972-1992) and the Renovated Mediterranean Policy (1992-1996), followed by the Barcelona Process (1995-2008), the European Neighborhood Policy (ENP, since 2004) and the Union for the Mediterranean (UfM) established in 2008. While these initiatives had a slightly different approach, their focus “has been on European-led dialogue, exchange, and cooperation between the two shores of the Mediterranean, rather than Maghribi-led integration of the North African region” (Zartman, 2011, p. 96). The EU has also supported the Arab Maghreb Union (AMU), established in 1989. However, this organization is dysfunctional, primarily due to “political division among the Maghreb States resulting from the Western Sahara conflict “ (Almosly, 2019, p. 284).

The internal conflict and EU-led integration proposals led to an unedited situation where “many inter-regional activities pass through the US or Europe rather than among North African countries. In transportation, it is still easier to fly through Paris than directly between countries. Academics in the same field often have little contact with each other except through meetings in Europe or the eastern Mediterranean or those sponsored by foreign organizations” (Zartman, 2011, p. 97).

## 1.2. Areas of contention: trade and migration

The Maghreb has been called “the least integrated region of the world” (Kireyev, 2019): while the EU is the leading trade partner for each of the three Maghreb countries, they barely trade with each other. Based on the EU’s data, trade with the EU countries for Morocco and Tunisia accounts for slightly more than half of all trade flows.<sup>1</sup> For Algeria, this share is slightly smaller than half of its trade.

The authors analyzing EU-Maghreb trades emphasize the asymmetry underlying these exchanges: Aghrout calls the relations between the EU and the Maghreb “highly asymmetrical interdependence” (Aghrout, 2000, pp. 14-16). Others point to the hegemonic nature of the policies of the EU (see Attinà, 2003; Philippart, 2003; Costalli, 2009) and call the development of the sub-region “subordinated globalization” (Bensaâd, 2011, p. 9). Partially, the reason for this evaluation is the type of goods that Maghrebi countries export. Morocco and Tunisia mainly export textiles, machines, and foodstuffs to EU countries. Algeria is distinguished by being primarily a crude exporter. More than 90% of its exports are petroleum (gas, unrefined and refined oil), most of which go to European countries. The Maghreb countries import from the EU machine parts, inputs to the textile industry, and petroleum (in the case of Tunisia and Morocco).

The partners also do not seem to be satisfied with the agreements. Despite the EU pushing for the Deep and Comprehensive Free Trade Agreements (DCFTA) negotiations, all three countries decided against them. Algeria resisted from the very beginning, while Morocco and Tunisia first entered into the debate and then retraced. Negotiations for a DCFTA between the EU and Morocco were launched in 2013. However, since 2014 they have been put on hold to accommodate Morocco’s plan to carry out additional studies before continuing negotiations (European Commission, 2020, p. 6). Similarly, the negotiations between the EU and Tunisia, launched in 2015, reached a standstill.

Migration is another contention point between the Maghreb and European countries. The Mediterranean’s migration processes are historically old, and these countries form part of the Euro-Mediterranean migration system (Kassar et al., 2014). In 2021, Moroccans were the most numerous of those receiving EU countries’ citizenship, whereas Algerians were in 7<sup>th</sup> and Tunisians in 12<sup>th</sup> place<sup>2</sup>. The existence of specialized governmental institutions managing diaspora-related issues in Morocco and Tunisia<sup>3</sup> confirm the importance accorded to their nationals abroad.

The number of Maghreb immigrants was relatively insignificant during the migration crisis of 2014-2015. In fact, during this period, the share of immigrants from the Maghreb diminished. However, the migratory patterns of 2014-2015 were more exceptions than the rule. Usually, three Maghreb countries account for more than ten percent of those detained while trying to cross the external EU border. In some years, Maghreb migrants compose up to a third of those detained (see Table 1 below)

	010	011	012	013	014	015	016	017	018	019	020	021
<b>Tunisia</b>	498	8829	717	224	739	061	368	520	230	799	3185	6527

<sup>1</sup> Trade data for Tunisia, [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/tunisia\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/tunisia_en); Morocco, [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/morocco\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/morocco_en); and Algeria [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/algeria\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/algeria_en)

<sup>2</sup> [https://ec.europa.eu/eurostat/statistics-](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Thirty_main_countries_of_previous_citizenship,_2021_Rank_28-02-2023.png)

[explained/index.php?title=File:Thirty\\_main\\_countries\\_of\\_previous\\_citizenship,\\_2021\\_Rank\\_28-02-2023.png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Thirty_main_countries_of_previous_citizenship,_2021_Rank_28-02-2023.png)

<sup>3</sup> The Council of the Moroccan Community in Morocco, the Office for Tunisians abroad, and the High Council of Tunisians abroad in Tunisia.

<b>Algeria</b>	763	157	479	299	73	331	140	443	101	314	2987	3702
<b>Morocco</b>	963	786	129	379	088	2966	836	1279	3498	020	7594	6482
<b>Total</b>	03991	40989	2382	07339	82873	822177	11146	04750	49117	41846	25223	00120
<b>% Maghreb</b>	1.8	7.5	4.3	.5	.1	.0	.6	2.3	6.7	1.4	5.0	3.3

Figure 1 Detentions at the EU’s external border. Source: Frontex

Moreover, in the past years, Maghreb countries became critical transit and host countries for sub-Saharan migrants (mainly from West and Central Africa) (Buehler et al., 2022, p. 1). About 2.5 million sub-Saharan migrants live in North Africa (Huggler, 2017, quoted from Buehler et al., 2022, p. 1). While in 2013 and 2014, Morocco and Tunisia signed Mobility Partnership agreements, generally agreeing to cooperate with the EU in the area of migration, the negotiations regarding the most contested issue – readmission of those third-country nationals that irregularly entered the EU through their territory – does not advance. This position - a transit zone, not only a country of origin - and a growing push for the externalization of EU borders give significant power to Maghreb countries, the country of the EU. Tittel-Mosser (2018) even talks about “reversed conditionality” that empowered migrant-sending countries such as Morocco. For example, Morocco let thousands of people cross the fence to the Ceuta enclave in 2021 after Spain agreed to allow medical treatment in Madrid of Polisario Front leader Brahim Ghali (Mirel, 2022).

Summing up, the EU-Maghreb relationships represent an interesting pattern of interactions, marked by persistent political, economic, and social asymmetries, the EU’s efforts to organize the sub-region and the broader Mediterranean region, and constant negotiations regarding the modes and areas of these arrangements. While the EU’s self-interests are obvious, it does not control its neighbors who negotiate, accept or reject proposals, often sabotaging EU efforts. The following section of the article argues that these patterns of interactions can be analyzed as a hierarchical regional order.

## 2. From borderlands to a particular regional order

This part of the paper briefly discusses the theoretical approach guiding our analysis of EU-Maghreb relations. It starts with a short literature review, demonstrating that “empire” and “hegemon(y)” were often used to describe the EU’s engagement with its neighbors and proceeds to show the limitations of these concepts. Finally, it lays down our approach, proposing to analyze these relationships through the lens of regional orders and present the framework used for analyzing and identifying their structure.

### 2.1. EU as an “empire of sorts”

The EU’s engagement in the Mediterranean has been widely studied, though the focus on the Maghreb was rarer. Often these relationships have been analyzed through the lenses of sectorial engagement, focusing on the EU’s democratization efforts (Pace et al., 2009; Pace, 2009), security initiatives (Eder, 2011; Joffe, 2007), and trade (Aghrout, 2000; Bensaâd, 2011, p. 9). In addition, significant attention has been paid to migration management (Kassar et al., 2014; Lahlou, 2005). Yet, once abundant, the works aiming to conceptualize broader features of the EU-Mediterranean policies (see Adler et al., 2006; Aghrout, 2000; Bichi, 2006) became rarer.

Those aiming to understand the general EU's regional policy or conceptualize its actions often focus on the existing economic and political asymmetries, colonial dependencies, and the EU's willingness to subordinate "the values" to its interests. In this context, the Maghreb and a broader sense Mediterranean (or the Southern Neighborhood) have been labeled as European "borderlands" (del Sarto 2016, 2021; del Sarto and Tholens, 2020), "near abroad" (Christiansen et al., 2000), or "backyard" (El Karoui, 2021).

These descriptions of the neighborhood lead to the conceptualization of the EU as an empire or hegemon of sorts. Both concepts denote two aspects – the subordination of the norms to European interests and the EU's tendency to abuse the existing power asymmetries. For example, del Sarto (2016, 2021) proposes combining the EU's normative approach and tendency to subordinate its norms to its interests, conceptualizing the EU as a *normative empire*. Having analyzed EU policies towards its "borderlands," the author conceives "the EU's exporting of rules and practices to neighboring states as the modus operandi of empires in pursuit of their interests" (2016, p. 216). Hettne and Söderbaum, meanwhile, claim that the EU's neighborhood policies are leaning toward the end of *soft imperialism*, defined as an "asymmetric relationship, and the imposition of norms in order to promote the EU's self-interest rather than a genuine (interregional) dialogue" (2005, p. 549). Haukkala, focusing on the Eastern neighborhood, advocates the conceptualization of the EU as a *normative hegemon* that "is using its economic and normative clout to build a set of highly asymmetrical bilateral relationships that help to facilitate an active transference of its norms and values" (Haukkala, 2008, p. 1602).

Yet, the concepts of hegemony and empire are themselves contested (for a more exhaustive analysis of what each concept means exactly, see Destradi, 2010). For example, while the most common definition sees *hegemony* as based on soft power, Lake sustains that it is "necessarily coercive and based on the exercise of power" (Lake, 1993, p. 469). An *empire*, meanwhile, can indicate different ways of engagement, ranging from "a greedy system of subordination based on militarism and global dominance" (Destradi, 2010, p. 910) to the imposition of "domestic constraints on other actors through various forms of economic and political domination" or even "leading by example" (Zielonka, 2008, p. 471).

Second, both *hegemony* and *empire* have a strong normative connotation, often with empire seen as "bad" and normative power as "good." Consequently, the EU being an empire is considered an aberration by some. Explicitly, Catherine Ashton promised EU partners a "post-imperial engagement" (Ashton, 2011). The normative connotations of "empire" are similar to the "normative power," making applying those concepts more problematic. Furthermore, sometimes it is unclear what is considered "imperial" - promoting EU's norms, such as democracy or human rights in the countries where they may be more controversial, or subordinating them to the EU's economic interests.

Finally, and most interestingly, other actors in the IR have been labeled using the same labels. For example, the US, Russia, and China have all been called empires or hegemons. What distinguishes the approach of these actors from one another? Are all the "borderlands" similar? Are all the neighboring regions "borderlands"? The following section of the paper makes a case for analyzing the EU as a regional power in the Maghreb region to solve the problems mentioned above.

## 2.2. ES as a regional power in search of order

We sustain that the EU-Maghreb relationships can be analyzed using the toolkit offered by the regional power research program and IR. Consequently, while using the Maghreb as a proxy for the Mediterranean, in

this paper, we analyze it as a region<sup>4</sup> and see the EU as a regional power as it “belongs to a region and has a larger share of the region’s capabilities when compared to second-tier states” (Schenoni, 2017). Maghreb and Europe are bound by geography and history and are intertwined by contemporary trade, migration, security, and development interdependencies. Moreover, the EU’s strategic documents indicate that the Union considers the Maghreb a region and sees itself as an important actor. It is also formulating the vision of how this region should look and is ready to bear the financial burden of such cooperation.

The type of relationship emerging in the Maghreb and discussed previously can be called a “hierarchical regional order,” marked by three key characteristics: (1) the “hub-spoke” pattern of relationships; (2) the consensual bargain between the regional power and smaller states; and (3) the exchange of “concessions” allowing regional power to achieve some of its foreign policy objectives in exchange to some concessions to smaller states (Garzon, 2014). These ongoing negotiations between the EU and the Maghreb states allow describing the type of *order* that the EU aims to create. The concept of “*regional order*,” defined here as “patterned interactions between the states/actors relevant in the region,” allows encompassing different spheres (trade, migration, political cooperation) and different instruments (official development aid (ODA), sanctions, technical support) and different dynamics (domination, negotiation, conditionality, nudging) into one single framework.

To frame our analysis, we use a differentiation-based typology of regional orders (Giedraityte, 2021). This typology is built based on the premises of differentiation theory (Albert et al., 2013; Donnelly) and the hierarchical order framework (Garzon, 2014). The framework approaches regional orders through the lens of differentiation theory. This IR theory analyses social systems (regional and global orders, societies), focusing on how different units of these systems (states, international organizations) are organized: how they relate to each other and what functions they undertake to keep the system functioning. The framework sustains that every (regional) structure is characterized by the interplay of two so-called differentiation principles:

- **Vertical differentiation** (also called stratificatory) manifests through regional powers’ attempts to dominate and control different areas of smaller state sovereignty. It reflects a traditional vision of hierarchy, defined as the domination of certain actors over the decisions of others (see Burges, 2015; Destradi, 2010; Spruyt and Cooley, 2009).
- **Horizontal differentiation** (also called functional) is reflected by the emerging patterns of functional division in the region (e.g., regional power regularly fulfilling functions of regional sponsorship or coordinator of region-level efforts) and by the emergence of different integrated sub-systems inside of the region (e.g., formal or informal integration in the areas of security, economy, etc.).

The framework is innovative as it contradicts the traditional views of hierarchy, which perceive “*coercion*” and “*provision*” (or fulfillment of different roles assigned to a hegemon) as contradictory principles. From the perspective of differentiation theory, this approach is incorrect. By separating these two principles, we create a spatial matrix of regional orders (Figure 1 below). Our framework distinguishes three prevalence levels of each differentiation principle (weak, moderate, and strong). It proposes nine potential regional orders, ranging from those regions where both vertical and horizontal differentiation are strong (domineering and institutionalizing) and where both principles are weak (detached).

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<sup>4</sup> A set of states and territories bonded to each other through geographic proximity and some level of interdependence, interaction, and commonality (Fawcett and Hurrell, 1995; Lake and Morgan, 1997).

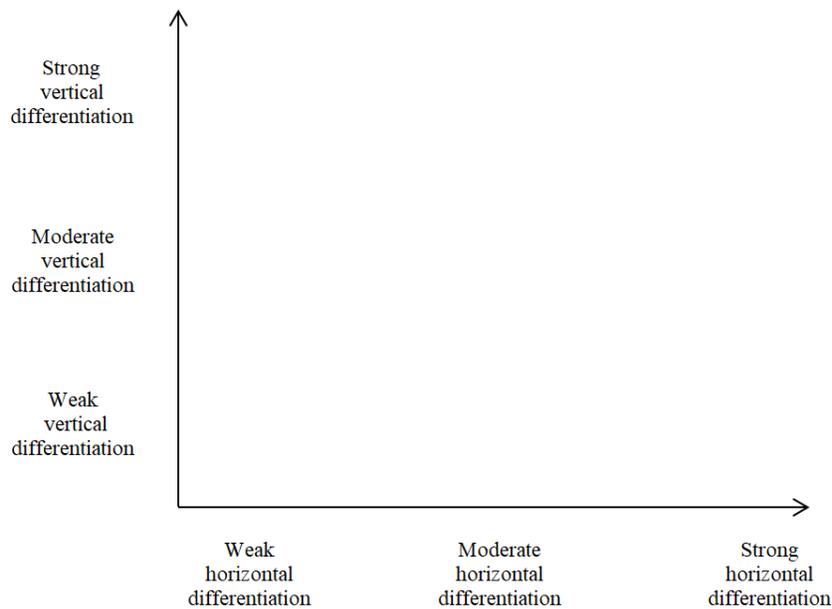


Figure 2 Spatial model of regional orders based on differentiation principle

The framework can be adjusted to study the so-called “desired regional order,” or the orders that regional power aims at creating, and the “existing” regional order that emerges from (or despite) that effort. Given that our focus is the order the EU aimed at creating, this paper chooses the second approach. Here we also present a “minimalist” version of the framework that can be more complex and detailed (see Giedraityte, 2021) and focus on the basic features that capture how coercive/willing to provide the regional power is. Consequently, this approach is taken:

- a) To measure **vertical differentiation** >> the number of policy reforms/areas to be reformed requested by the EU; the input legitimacy of the regional agenda; the type of conditionality foreseen/applied by the EU in the cases when requests for reforms are not satisfied;
- b) To measure **horizontal differentiation** >> the EU’s willingness to redistribute resources in the region (focus – official development aid (ODA); EU’s willingness to produce regional public goods and its support to the institutionalization of regional interactions (number of spheres supported).

The table below presents the typology. And following section of the paper explains a methodology applied to the empirical case study.

	<i>Weak functional differentiation</i>	<i>Moderate functional differentiation</i>	<i>Strong functional differentiation</i>
<b>Strong stratificatory differentiation</b>	<b>Domineering and not providing</b> <ul style="list-style-type: none"> <li>- Persistent requests for policy certain policy reforms;</li> <li>- Application of negative conditionality when these requests are not satisfied;</li> <li>- Low input legitimacy of regional/bilateral agenda (agenda is</li> </ul>	<b>Domineering and providing</b> <ul style="list-style-type: none"> <li>- Persistent requests for policy certain policy reforms;</li> <li>- Application of negative conditionality when these requests are not satisfied;</li> <li>- Low input legitimacy of regional/bilateral agenda (agenda is regional power driven)</li> </ul>	<b>Domineering and institutionalizing</b> <ul style="list-style-type: none"> <li>- Persistent requests for policy certain policy reforms;</li> <li>- Application of negative conditionality when these requests are not satisfied;</li> <li>- Low input legitimacy of regional/bilateral agenda (agenda is regional power driven)</li> </ul>

	regional power driven) + - <i>Regional power avoids fulfilling regional functions (redistribution of resources) in a consistent manner.</i>	+ - <i>Regional power in a regular manner fulfills a varied set of regional functions (redistributes resources and produces regional public goods)</i>	- Regional power in a regular manner fulfills a varied set of regional functions; - It also supports the emergence of a dense network of (in)formal sub-regional cooperation networks
<b>Moderate stratificatory differentiation</b>	<b>Seeking to dominate and not providing</b> - Persistent requests for policy certain policy reforms; - Negative conditionality rarely applied; - Clear channels of how the smaller states can place their priorities on the cooperation/regional agenda.  + - <i>Regional power avoids fulfilling regional functions (redistribution of resources) in a consistent manner.</i>	<b>Seeking to dominate and getting involved</b> - Persistent requests for policy certain policy reforms; - Negative conditionality rarely applied; - Clear channels of how the smaller states can place their priorities on the cooperation/regional agenda.  + - <i>Regional power in a regular manner fulfills a varied set of regional functions (redistributes resources and produces regional public goods)</i>	<b>Seeking to dominate and institutionalizing</b> - Persistent requests for policy certain policy reforms; - Negative conditionality rarely applied; - Clear channels of how the smaller states can place their priorities on the cooperation/regional agenda.  + - <i>Regional power in a regular manner fulfills a varied set of regional functions (redistributes resources and produces regional public goods)</i> <i>It also supports the emergence of a dense network of (in)formal sub-regional cooperation networks</i>
<b>Weak stratificatory differentiation</b>	<b>Detached</b> (not domineering and not providing) - Regional power rarely requests policy reforms; + - <i>Regional power avoids fulfilling regional functions (redistribution of resources) in a consistent manner.</i>	<b>Not domineering and getting involved</b> - Regional power rarely requests policy reforms; + - <i>Regional power in a regular manner fulfills a varied set of regional functions (redistributes resources and produces regional public goods)</i>	<b>Not domineering but institutionalizing</b> - Regional power rarely requests policy reforms; + - <i>Regional power in a regular manner fulfills a varied set of regional functions (redistributes resources and produces regional public goods)</i> <i>It also supports the emergence of a dense network of (in)formal sub-regional cooperation networks</i>

Table 1 Differentiation-based typology of desired regional orders. Source: author

### 3. Methodology

Due to this research's focus on a snapshot of the regional order that the EU attempted to create during the analysis period, the data's primary source is official documents such as global and regional level strategies, financial regulations, and documents describing and evaluating ongoing cooperation. We also complement the document analysis with the data on ODA and secondary sources. To present the analysis in an ordered and transparent way, the empirical part is divided into two parts: tackling vertical differentiation in the EU strategy and horizontal differentiation. Six broad questions form the basis of the analysis and the empirical part in general (see Table 3).

Sub-chapter title	Questions guiding the analysis
Vertical differentiation: What has been requested & how?	<ul style="list-style-type: none"> <li>✓ How many and what type of policies is the EU willing to change in its neighboring countries?</li> <li>✓ What was the input legitimacy of the EU's policies?</li> <li>✓ Are the policy convergence requests supported with inducements and/or sanctions?</li> </ul>
Horizontal differentiation: What has been done in and for the region?	<ul style="list-style-type: none"> <li>✓ Is there an institutionalized (formally: treaties, informally: practices, history) resource (re)distribution system? What are the instruments used for that, and what is the direction of flows, their stability, and amounts?</li> <li>✓ Does the EU produce regional public goods? Does it foresee this function in its strategic documents?</li> <li>✓ What is the EU's stance toward regional integration? What institutions are supported, and what</li> </ul>

	sub-systems emerge from them?
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Table 2 Questions guiding empirical analysis. Source: author

**To measure the prevalence of vertical differentiation**, we focus on the EU’s strategic documents (bilateral and regional level), applying the quantitative content analysis method and trying to hash out what kind of reforms (in which spheres) the EU aimed to achieve from its neighbors. Moreover, the article analyses the conditionality mechanisms foreseen and used during the analysis period and estimates the input legitimacy of the EU’s strategy, usually employing the analysis of secondary sources.

**To measure the prevalence of horizontal differentiation**, the paper uses the same documents, together with some secondary sources (like reports on performance) and the data on ODA flows. This section of the paper also analyzes the production of regional goods that “provide non-exclusive and non-rival benefits to individuals in a well-defined region” (Liu & Kahn, 2017, p. 14). While their definition is complicated (what is a well-defined region? How can we measure the geographical outreach of any good?), following Ferroni (2001, p. 3), we focus on two core kinds of regional goods or activities to pursue them: a) *non-country specific investments* in knowledge, dialogue, basic research into technologies meant to be in the public domain (e.g., health or infrastructure), and negotiation of an agreement on shared standards and policy regimes (e.g., in trade or security management); and b) *inter-country mechanisms for managing adverse cross-border externalities or creating beneficial ones*, e.g., coordinated public health measures, or investments in cross-border infrastructure, to enhance the preconditions for growth through trade and integration; creation of regional institutions to facilitate solutions in areas ranging from financial and banking stability to sustainable management of shared environmental resources.

4. EU and Maghreb 2015-2021

4.1. STRATIFICATORY DIFFERENTIATION

This section of the paper analyses the prevalence of vertical differentiation in the EU regional strategy. It starts by discussing what kind of policy reforms the EU aimed to implement in all three Maghreb countries by looking at the reforms mentioned in the regional and bilateral level cooperation documents and financial regulations. Then it discusses the input legitimacy of the regional and bilateral agenda and the conditionality mechanisms foreseen and applied. Finally, the section concludes by arguing that the EU preferred a regional order marked by moderate vertical differentiation during the analysis period.

A) What and how has been requested?

Two strategic political documents frame our analysis’s period and lay down the key elements of European regional vision: the Reviewed ENP (2015) and the New Agenda for the Mediterranean (further - NAM, 2021). The first document streamlined the EU’s preferences for the whole neighborhood, while the NAM focused on the southern neighbors. In addition, the financial arm of the EU’s cooperation, NDICI’s Multiannual Indicative for the Southern Neighborhood Program (further - MIP), was also adopted in 2021.

The Reviewed ENP distinguishes three proposed directions for cooperation: economic development for stabilization, security, and migration/mobility. Moreover, the document identifies good governance, democracy, the rule of law, and human rights as “universal values” that frame the EU’s cooperation with all its partners (European Commission, 2015, p. 5). The NAM also highlights the reforms in “governance and

the rule of law, and macroeconomic stability and the business” (European Commission, 2021, p. 2). The MIP for the South Neighborhood distinguished similar areas of cooperation, listing some concrete required results, such as “increased use of European and international standards by beneficiary authorities to improve legislation and implementing mechanisms aimed at strengthening the principles of the rule of law, human rights, and democracy” (European Commission, 2021b, p. 9). Also, as an ideal goal, the MIP foresees legislative changes to ensure gender equality, an improved economic climate, and a legal approximation to EU and international standards.

In all three documents, the EU commits itself to support reforms in the sphere of governance (e.g., through supporting independent institutions, developing local and regional authorities, strengthening the partnering country’s capacity to develop sound policies, to manage its public finances, and to fight corruption. Special attention is given to *justice reforms* as “they are crucial to social and economic stability, to create trust in state institutions and to provide legal certainty” (European Commission, 2015, pp. 5-6). In *economic reform*, the EU focuses on opening the economy (often through the promise of access to the EU market), promoting its inclusiveness towards the most disadvantaged groups and regions, and on the modernization of infrastructure and energy links. In the *security sphere*, the EU’s strategy envisages support for security sector reforms, better border management, and cooperation with the police. Finally, in the *sphere of migration* and mobility, the EU proposes creating channels for the mutually beneficial movement of persons, fighting illegal immigration, enhancing border security, and protecting those forced to migrate. Interestingly, migration has become so crucial for the EU that migration-related goals and activities did not fit into the MIP for the Southern Neighborhood and were laid out in a separate document. As discussed further in this section, the migration negotiations took place separately from the general cooperation channels.

The NAM and the MIP include areas that did not receive so much attention previously as a green transition (and climate change in general) or the security of health systems. Yet, it is too early to consider these areas as spheres for policy convergence.

The bilateral priorities followed suit as the Reviewed ENP foresaw starting “a new phase of engagement with partners in 2016, consulting on the future nature and focus of the partnership. The expectation is that different patterns of relations will emerge, allowing a greater sense of ownership by both sides.” (European Commission, 2015, p. 4). Consequently, all three Maghreb countries agreed on renewed priorities – Algeria in 2017, Tunisia in 2018, and Morocco in 2019. The renegotiated priorities reflect a particular context of each country. For example, priorities agreed upon with Tunisia are much more comprehensive, including improving governance, the rule of law, democracy, the security sector, migration management, and liberalizing the economy. In general, maybe reflecting the unequal power dynamic between the EU and representatives of the country suffering political, economic, and social crises, the form of the priorities agreed upon with Tunisia is different. Visually and structurally, it reminds previous Action Plans that used to be agreed upon with the partners in the framework of previous iterations of the ENP. The formulations in the document are more precise.

Despite differences, there are some discernible patterns in this “renegotiation.” On the one hand, in the case of Morocco and Algeria, the EU has shifted from detailed Action Plans, which included a long list of agreements and potential reforms signed with Morocco and Tunisia in the framework of the original ENP, to “partnership priorities.” These priorities are more generic and abstract agreements in joint political declarations.

Another similarity is that, despite declaring the shift towards more modest ambitions, the EU’s vision of desired changes remains relatively unchanged. All these documents emphasize reforms in the following five

spheres: *governance* (including transparency, electoral democracy, and decentralization), *the economy* (encompassing liberalization, boosting competitiveness in trade, and the responsible management of national economies), *security and the rule of law* (including judicial transparency), and to sound *migration management*.

Based on the analysis of AAPs, the projects funded in all three countries during 2015-2022 reflected the EU's reformatory vision<sup>5</sup>. Two spheres received a significant part of the budget – governance and economic reforms. Even in Algeria or Morocco – both countries with weak democratic credentials and careful approaches to cooperation with the EU - a significant amount of the budget was dedicated to governance reforms (e.g., public finance reforms and improved management of governmental apparatus or support for local governance and decentralization). In the case of Tunisia, between 2015 and 2021, nearly half of the funds committed from the ENI/NDICI budget were dedicated to governance reforms. Support for economy or justice sector reforms also took an important part of the budget. Summing up, while reflecting some local circumstances, these documents streamlined the provisions in the Reviewed ENP.

The AAPs do not reflect solid financial support for migration-related reforms or migration management. Yet, these policies were negotiated and funded using different formats and funding lines (e.g., Trust Fund for Africa). During the analysis period, migration agreements were negotiated “aside” from the official cooperation. For example, third-country nationals' negotiations on readmission agreements (EURA) were taking place with Tunisia and Algeria (Morocco froze its dialogue with the EU in 2015-2019). According to the European Court of Auditors, the EU tried to achieve the agreement, but “overall, during the 2015-2020 period, the EU did not achieve tangible progress in the EURA negotiations with Algeria and Morocco. The EURA negotiations with Tunisia and Nigeria progressed on technical issues, but the most contentious points were set aside” (ECA, 2021, p. 23).

Summing up, in 2015-2021, the EU tried to “nudge” the Maghreb (and the Mediterranean) countries to commit themselves to reforms in five policy areas, each very sensitive and closely related to the sovereignty of the states: governance, justice, security, economic governance, and migration.

### *B) How was it negotiated?*

The input legitimacy of the EU-Maghreb policies can be evaluated in a contradictory manner. On the one hand signature of an Association Agreement leads to the creation of an Association Council and Committee. From that moment, negotiations regarding joint agreements take place within and from these frameworks.

Moreover, since 2015 the EU has been especially willing to present the consultation process for the 2015 ENP review as different from before. The consultation was organized with every stakeholder willing to engage: NGOs, citizens, and national governments. Furthermore, the Committee dealing with foreign affairs in the European Parliament elaborated a position paper on their view of the ENP, and ministerial-level inputs were received from the Barcelona Informal Ministerial meeting. This meeting was primarily convened to discuss the ENP review and was the first meeting at such a level since 2008 (Government of Spain, 2015). Similar efforts were made in the area of migration management.

Finally, the partners can refuse to participate in some negotiations. Yet, these crises also may indicate flaws in the previous negotiation process. Some scholars observe that “depoliticized, rather technical and seemingly shared cooperation priorities” affect the quality of the EU-Maghreb relationships (Zardo, 2017, p. 222). Similarly, Abderrahim (2021) observes that while the EU pressures Tunisia to reform its migration policies,

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<sup>5</sup> Calculations based on the AAPs prepared for each Maghreb country 2015-2021

these demands irk Tunisians, for whom migration is far from a priority. Hence, while the formal pathways seem to be there, the input-gathering framework is EU-oriented, and the input legitimacy is not very high.

### C) Conditionality

Besides negotiation pathways, the EU cooperation architecture foresees ways to “nudge” its partners to fulfill desired reforms. All iterations of the ENP (and its financial documents) contemplate both negative and positive conditionality foreseeing the rewards for those cooperating especially well and potential fines for those not fulfilling their obligations. However, even in the strategic documents, conditionality clauses have been laid out non-uniformly. The Reviewed ENP emphasizes differentiation and tailor-made approaches, thus indicating a weakening of conditionality. On the other hand, the European Neighbourhood Instrument (ENI), which regulated the funding of the projects implemented in the Maghreb countries until 2020, has still been governed by the Regulation based on the review of 2011. This iteration of the ENP stipulated not only positive but also negative conditionality.

The New NDICI instrument emphasizes seemingly positive conditionality, providing that indicatively 10% of the budget for the Southern Neighborhood shall be dedicated to rewarding progress in a series of thematic areas, including migration cooperation (Official Journal of the EU, 2021). Yet, the public fight over the so-called migration conditionality in the NDICI indicates that the EU is willing to attach payments to the agreements of other countries to fulfill its migration agenda.

Two other instruments used in the Maghreb countries - budget support and Macro-Financial Assistance (MFA) – had their separate “sticks and carrots.” The MFA is a highly conditional mechanism – as not only is it conditional on respect for human rights and effective democratic mechanisms, but also, the payments are released “strictly” dependent on the successful implementation of reforms (European Commission, 2018, p. 2). Budget support transfers funds to a partner country’s national treasury without a specific purpose, allowing the country to use them in its regular budgetary process. Payments are made in fixed and variable tranches, with the fixed value determined beforehand and the variable amount dependent on pre-specified targets. The variable payments are highly conditional and dependent on the partner country’s performance. Interestingly, while having these highly conditional tools, the EU did not seem willing to apply them. Despite some delays, the MFA payments to Tunisia were disbursed. Similarly, the European Court of Auditors reports analyzing the EU’s aid for Tunisia (ECA, 2017) and Morocco (ECA, 2019) state the lax conditionality of programs funded as one of the concerns. As observed in a report regarding Morocco, even when political cooperation with the EU stopped, payments were made. Moreover, this was done in some cases without checking if the conditions were fulfilled (ECA, 2019, p. 19). Hence, while the EU’s cooperation is highly conditional, the Union is not willing to apply the negative conditionality.

### D) Moderate (and weakening?) vertical differentiation

From the strategic and financial documents, one can conclude that the EU was seeking policy reforms in the spheres of:

- a) *good governance* (responsible public finance planning and management, the professionalization of public administration, and implementation of different sectorial reforms),
- b) *economic management* (through the liberalization and opening on the one hand and inclusiveness on the other; together with a strong emphasis on aligning the educational system with employment market needs),

- c) *the rule of law standards* promoting the creation and the consolidation of common legal space between Europe and the Southern Mediterranean,
- d) *Migration management*
- e) *Security sector reforms*

The input legitimacy of the EU’s policy is not high. While there are established structures for negotiating partner priorities, the empirical cases show that the EU is willing to push its preferences where it can. Moreover, the bureaucratization of these input mechanisms may also be seen as a way to disengage the partners. Finally, the EU’s documents come with many conditions designed to nudge the countries into implementing the agreed-upon reforms. Yet, during the analysis period and despite clear cases of lack of fulfillment of the agreements, the EU was unwilling to use negative conditionality. **Summing up, between 2015 and 2021, the EU aimed to create a regional order with moderate vertical differentiation.**

#### 4.2. HORIZONTAL DIFFERENTIATION

This paper section analyses the prevalence of horizontal differentiation in the EU regional strategy. It starts by looking at the EU’s development cooperation (understood as ODA commitments), trying to establish if there was a pattern of a constant and significant disbursement of ODA flows towards Maghreb countries and if there were other cases of support for struggling neighbors. Then the section looks at the production of regional public goods, defined as non-country-specific investments in knowledge and inter-country mechanisms for managing adverse cross-border externalities or creating beneficial ones, and at the EU’s support for sub-regional/regional integration. **The section concludes by arguing that during the analysis period, the EU preferred a regional order marked by strong horizontal differentiation**

##### A) *Redistribution of resources*

The EU’s support for the regional agenda and resolution of regional challenges in terms of preferential trade agreements and ODA has a long history. Since the inception of the Barcelona Process, the EU has created special financial instruments to finance regional priorities. While North Africa has not been a priority destination for the EU’s ODA, the share dedicated to the sub-region grew exponentially after 2010 (see

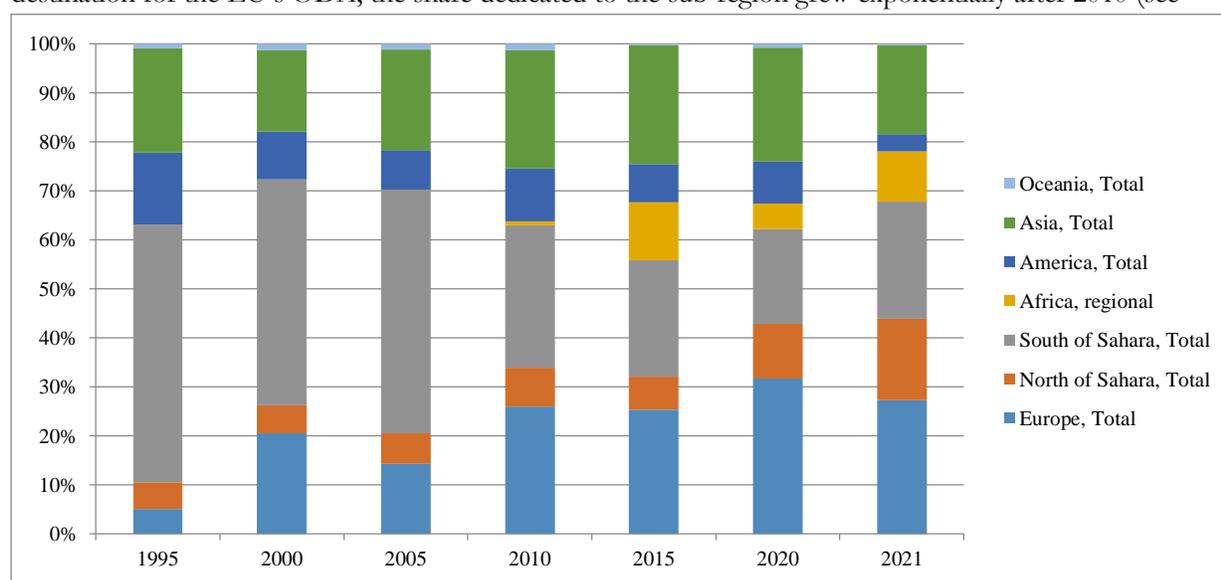


Figure 3). The biggest recipients of the EU's ODA were European and African (Sub-Saharan) countries, which received around 30% each. Yet, the share of Northern Sahara (territory including Maghreb countries, orange in Figure 3 below) significantly grew between 2015 and 2021.

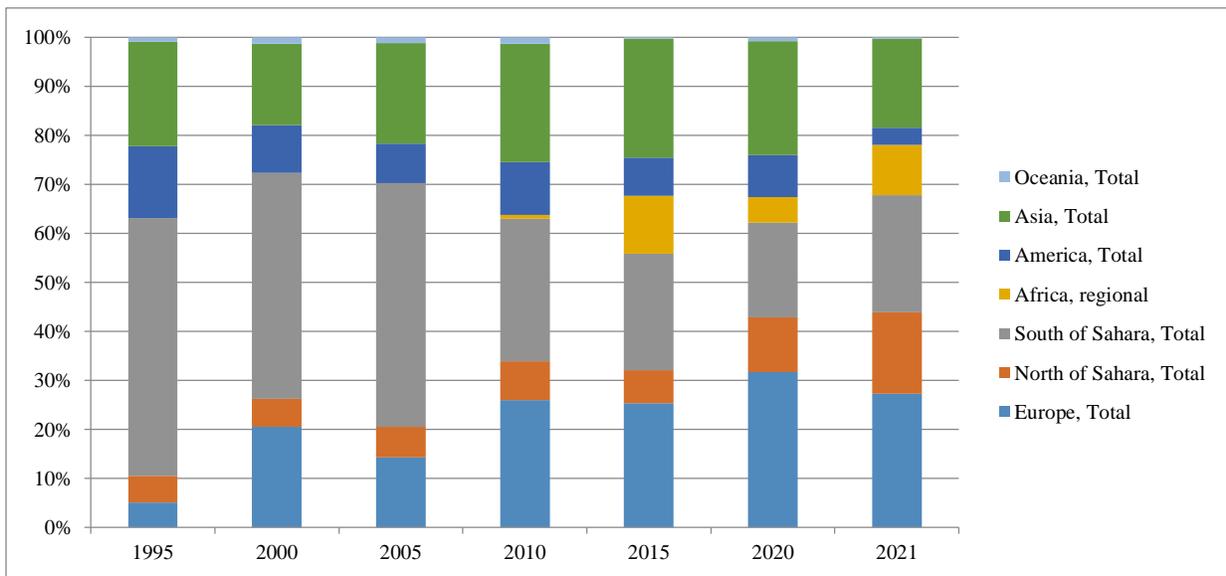


Figure 3: Share of EU aid (commitments) according to geographical destination. Source: OECD. Source: OECD. Dataset: Creditor Reporting System

The aid flows reflected both EU's priorities and the situation in the region. For example, in 2015, in response to migration flows, the EU amended its budget eight times, significantly increasing the funds available (Savage & Siter, 2018, pp. 132-133). Yet, given that these funds were mainly allocated to a settlement of the migration crisis, the ODA directed to the Maghreb and North Sahara regions did not reflect this increase. The exception was Tunisia, where the EU's support grew significantly due to the complicated political and economic situation and fear of instability. Yet, one has to remember that the Arab Spring had already affected the EU's aid to the Maghreb. As seen in Figure 4, despite the economic crisis in the EU, its financial support for Morocco and Tunisia, both suffering political turbulence, grew significantly from 2011.

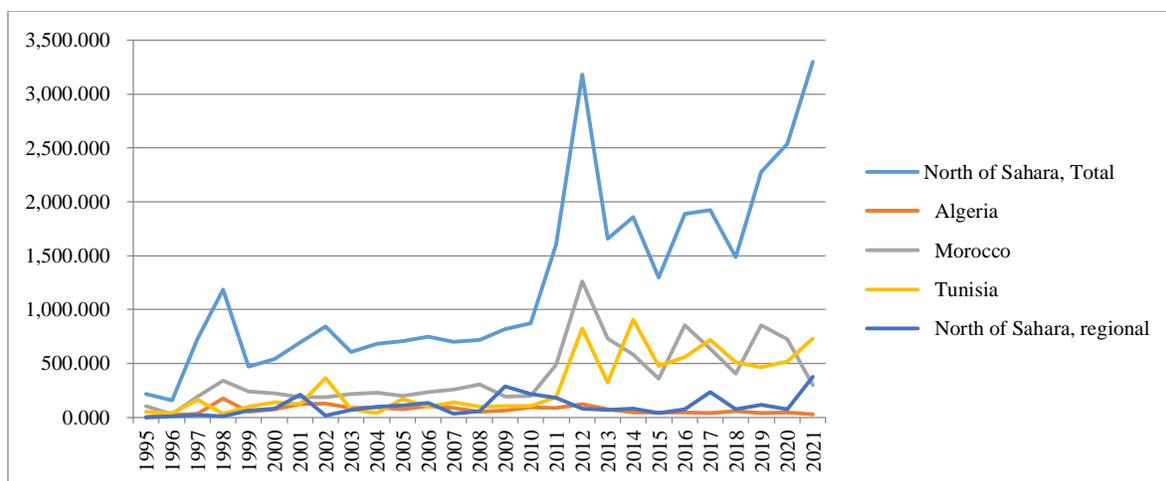


Figure 4: EU's commitments to Northern African countries 1995-2017. Millions, constant 2017 US dollars. Source: OECD. Dataset: Creditor Reporting System

The EU also used other instruments to react to the socioeconomic problems in the neighboring countries. During the period of analysis, in response to the Tunisian economic crisis in September 2015, the EC twice agreed to raise the quota for Tunisian olive oil exports until 2017 and simplified the mechanism of quota management, bearing in mind that Tunisia was the world's fifth-largest exporter after Southern European EU member states and olive oil accounted for 40 percent of its total agricultural exports (Rudloff and Werenhoff, 2019).

The COVID-19 pandemic gave the EU another opportunity to get engaged in the region. The financial programming documents in all three Maghreb countries reflected the pandemic. Support of over EUR 2.3 billion for the Southern Neighborhood was mobilized under the EU budget in the aftermath of the outbreak. (European Commission, 2021c, p. 4). In 2020, supporting Morocco's response to COVID-19, the European Union released 450 million euros in grants, particularly for vital sectors such as health, social protection, and education. The country has also received support from the EU's Emergency Trust Fund for Africa for a €10 million regional accelerated response program to combat the coronavirus in North Africa, focusing on the most vulnerable populations. The EU committed 100 million euros to Tunisia in 2021 to mitigate the COVID-19 impact on the economy.<sup>6</sup> In 2020 EU committed 43 million to Algeria to support its struggling healthcare system<sup>7</sup>.

### B) Production of regional public goods

The Union for the Mediterranean (UfM) is the key element of the EU's compromise to provide regional public goods and support regional integration in the Mediterranean. The UfM, which currently includes 42 countries from both shores of the Mediterranean, can be considered a real regional building effort initiated by the EU, which finances up to 50% of the UfM Secretariat<sup>8</sup> and funds a significant share of the projects the UfM support. A dormant organization was reactivated in 2015 in the framework of the ENP Review. In 2017 it adopted a roadmap for its actions (UfM, 2021, p.4) and has been more active than before 2015.

<sup>6</sup>Program title « Programme d'appui aux mesures d'atténuation COVID-19 et de relance économique »

<sup>7</sup> Program title « Réponse solidaire européenne à la crise COVID-19 en Algérie »

<sup>8</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/329/union-for-the-mediterranean-ufm\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/329/union-for-the-mediterranean-ufm_en)

The UfM Secretariat coordinates diverse projects that can be considered non-country-specific investments in knowledge. For example, since 2016, it has supported different projects dedicated to the “collection of existing scientific knowledge in the area of environment. This support helped to publish a report elaborated by 100 scientists of the Mediterranean Experts on Climate and Environmental Change (MedECC) network<sup>9</sup>,” a first-ever comprehensive scientific evaluation in this field at the regional level (UfM, 2021, p. 8). In 2021 the UfM Secretariat also signed a MoU with the European Centre for Medium-Range Weather Forecasts (ECMWF) to support all UfM countries in accessing the data needed to tackle climate change. Moreover, in the same year, it created a space to facilitate sharing of climate finance information among the relevant stakeholders (ibid., p. 8). Similarly, the UfM supported different pan-Mediterranean educational programs such as the Euro-Mediterranean University of Fes (UEMF), a non-profit university labeled by the Union for the Mediterranean (UfM) with the support of its 43 member countries<sup>10</sup>.

The UfM-funded regional projects help to manage adverse cross-border externalities and create beneficial ones. The UfM attributes its label to some regional cooperation projects endorsed by all member states. For these “UfM projects,” the Secretariat provides “technical support through technical expertise, networking opportunities, and visibility and takes stock of particularly innovative ideas in view of up-scaling them to a more regional level.<sup>11</sup>” Since 2020, the UfM has launched its own Grant Scheme for Employment, with selected projects of regional impact<sup>12</sup>.

**Besides the UfM, the EU strategic documents foresee commitments** contributing to good regional production. For example, reflecting post-COVID-19 realities, the New Agenda for the Mediterranean declares support for a “health partnership in the Mediterranean” (European Commission, 2021c, p. 4). The document also calls the vaccines “a global common good and expresses the EU’s support for the COVAX Facility, including establishing a humanitarian buffer of about 100 million doses” (ibid., p. 5) and setting up a vaccine sharing mechanism that “would ensure sharing of access to some of the 2.3 billion doses secured by the EU with special attention given to the Southern Neighbourhood, alongside the Western Balkans, our Eastern Neighbourhood and Africa” (ibid, p. 6).

The EU’s regional and bilateral documents mention the Union’s commitment to include Mediterranean researchers and students in knowledge-sharing projects, such as the Erasmus + program (in which Southern Mediterranean countries are prioritized). Interestingly, the EU also sees itself as a security provider for the region (European Commission, 2021c, p. 13) and a coordinator of regional initiatives.

### *C) Building a region*

Since the Barcelona Declaration, the EU has involved itself in various regional and thematic frameworks composed of both the Maghreb countries and countries from the broader Mediterranean region. Building on this experience and responding to the mounting challenges is a shared topic between the Reviewed ENP and New Agenda for the Mediterranean. The Reviewed ENP acknowledges that “the EU cannot alone solve the many challenges of the region, and there are limits to its leverage” (European Commission, 2015, p. 2). Similarly, the New Agenda for the Mediterranean starts by celebrating the decision of “the European Union

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<sup>9</sup> <https://ufmsecretariat.org/climate/>

<sup>10</sup> <https://ueuromed.org/en>

<sup>11</sup> <https://ufmsecretariat.org/what-we-do/projects/>

<sup>12</sup> <https://ufmsecretariat.org/grant-scheme-2023/>

and the Southern Mediterranean partners <...> to turning the Mediterranean basin into an area of dialogue, exchange, and cooperation, guaranteeing peace, stability and prosperity“ (European Commission, 2021, p. 1). The importance of regional, sub-regional, and intra-regional cooperation and integration is also visible in bilateral documents.

The empirical analysis indicates that the EU is firmly committed to “building the Mediterranean” and anchoring it with other regions. **First, in most documents, the EU commits itself to support the integration of the Mediterranean and Maghreb.** The New Agenda for the Mediterranean does not mention the Maghreb directly. Yet, the Reviewed ENP commits to supporting sub-regional cooperation by supporting the Arab Maghreb Union and the work within the framework of the Western Mediterranean Forum (5+5 Dialogue<sup>13</sup>) (European Commission, 2015, p. 19). The support for cooperation in these two formats is also expressed in the Priorities agreed upon with Morocco (Council of the EU, 2019, p. 5). In the priorities agreed upon with Tunisia, the EU commits itself to support Tunisian integration into the Maghreb region (EU-Tunisia Association Council, 2018, p.293/43). The UfM structures its work around 17 sectorial regional dialogue platforms involving representatives from governmental institutions, regional/international organizations, experts, local authorities, civil society, the private sector, and financial institutions<sup>14</sup>.

**Second, the EU’s documents emphasize cooperation or inclusion in the regional activities of other actors.** For example, the New Agenda for the Mediterranean states that the EU is willing to explore “further regional, sub-regional or trilateral cooperation and joint initiatives between partner countries across the board, including in light of the recent normalization of relations between Israel and a number of Arab countries.” (p.5).

**Third, the EU is willing to include Maghreb countries in different thematic programs.** The New Agenda for the Mediterranean states that “further integration and exchange between the two shores of the Mediterranean will be achieved by further encouraging and facilitating partners” participation in EU programs in 2021-2027 (EC, 2021, p. 23). Since 2007 the European Council has authorized the participation of certain neighboring countries in activities of many EU agencies, such as FRONTEX, EUROPOL, and Council Conclusions in 2013 welcomed the inclusion of the neighboring countries into the CDSP (Stivachtis, 2018). The political priorities signed with Morocco mention the possibility of inviting the country to take part in European Union civilian or military peace-keeping operations. (Council of the EU, 2019, p. 4).

**Fourth, the EU aims to promote the cooperation of Maghreb countries with the institutions inside the EU and Europe.** For example, cooperation priorities with Tunisia “foresee the participation of Tunisian ministers in informal meetings with members of the Council of the European Union on certain subjects” (EU-Tunisia Association Council, 2018, p. 6). Moreover, bilateral documents emphasize encouraging parliamentary cooperation between the European Parliament and the parliaments of Maghreb states. Morocco was the first to create a Joint Parliamentary Committee (JPC) in 2010. JPCs with Tunisia (2016) and Algeria (2018) were launched during the analysis period.

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<sup>13</sup> An informal setting in which ministers of defence and interior, among others, from the five Maghreb countries and their Southern European counterparts, regularly meet and launch largely technical projects

<sup>14</sup> [https://ufmsecretariat.org/what-we-do/platforms/?wpv\\_aux\\_current\\_post\\_id=41619&wpv\\_view\\_count=43979-TCPID41619&wpv\\_page=3](https://ufmsecretariat.org/what-we-do/platforms/?wpv_aux_current_post_id=41619&wpv_view_count=43979-TCPID41619&wpv_page=3)

#### *D) Strong functional differentiation*

Summing up the overview presented above, the EU undertakes the role of financing joint projects both bilaterally and through regional frameworks such as the UfM. In this way, the EU produces regional public goods through regional-level investment in the exchange of knowledge, dialogue between cultures, research, infrastructure, and the offer of shared standards and regulations for trade. Its development cooperation flows are stable and quite significant; it reacts to emerging challenges relevant to other states of the region.

Finally, when acting in the region, the EU creates and relies upon a dense network of formal and informal institutions (e.g., regional and sub-regional thematic groups, negotiation frameworks, and treaties). Even more, strengthening them is among the key goals of the Union, which claims “not [to be] able to solve all the problems alone” (European Commission, 2015, p. 2). **All these features indicate that the EU prefers a regional order marked by strong functional differentiation.**

#### 4.3. EU AND REGIONAL ORDER: SEEKING TO DOMINATE YET INSTITUTIONALIZING

**The empirical research demonstrates that during 2015-2021 the EU desired to create a regional order with moderate vertical and strong functional differentiation.** The Union wanted to achieve policy reforms (or policy convergence with its standards) in a broad range of domestic policies in Maghreb states. It had instruments for both inducement and sanctions, with a strong preference for positive conditionality. Finally, while the input legitimacy of the EU’s strategy has been questioned, it tried to demonstrate that the elaboration of joint action plans was very inclusive. At the same time, it preferred a regional order distinguished by strong functional differentiation: it undertook a burden of producing regional goods in an extensive range of spheres. It also engaged in a stable redistribution of resources and consistently supported the institutionalization of different regional sub-systems.

On the other hand, the regional order that the EU aims to build in the Maghreb and in the Mediterranean is marked by a strong functional differentiation: the Union is supporting the resolution of development challenges in the region and produces regional public goods ranging from infrastructural projects to knowledge production. Moreover, it strongly emphasizes cooperation and not only convenes different stakeholders to cooperate but supports and fosters the institutionalization of these cooperation formats.

Interestingly, the vertical differentiation in the EU’s strategy seems to be weakening, most likely due to the EU’s weakening in the global arena. Yet, a preference for strong functional differentiation seems to be constant.

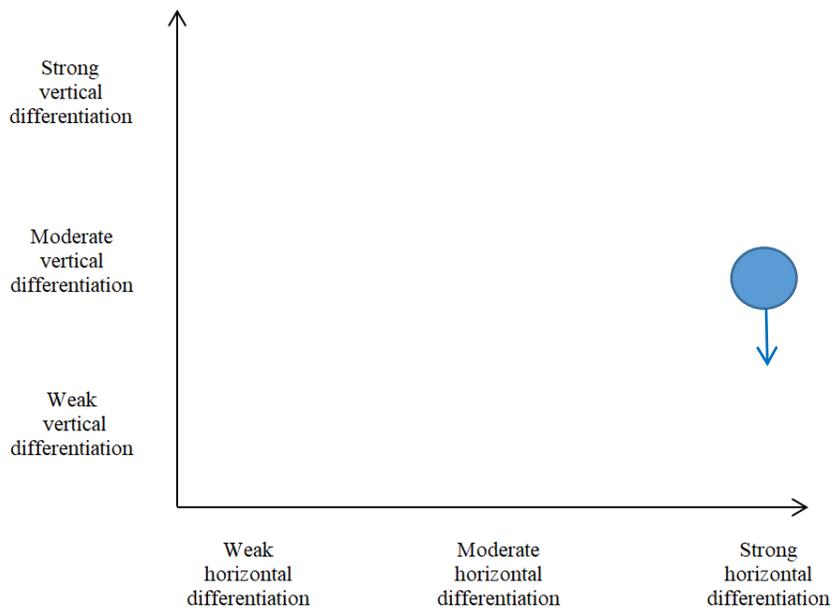


Figure 5 Visualization of empirical analysis. Source: author

### Conclusions: what does this example say about the EU as a regional and global actor?

Willing to understand the EU's preferences for regional order in the Mediterranean, this paper focused on the regional order that the EU aimed at creating in the Maghreb sub-region in 2015-2021. By applying a differentiation-based regional order framework, we wanted to contribute to conceptualizing the EU's role in the Mediterranean and improve our understanding of how different powerful actors manage hierarchical regions.

What do the results of this empirical research say about the EU, and how do our findings relate to other researchers and the overall debates about the EU as an actor in the Mediterranean? First, the EU aims to dominate its neighbors where it can and to create a region according to its image. The EU sets out clear goals and indicators of how its partners should change their domestic policies to be considered successful; it creates the frameworks for cooperation with partners by using positive and negative conditionality, technical support, and benchmarking. Moreover, its desire to transform strongly correlates with its capabilities.

At the same time, the EU clearly prefers a regional order with a strong functional differentiation by convening the countries to coordinate, negotiate and build shared institutions. It also agrees to bear the brunt of development-asymmetry-related costs by providing development aid and maintaining these regional-level formats. This focus on cooperation and institutionalization indeed may be a sign of certain EU's exceptionality. It seems that Pax Europaea, as described by Hettne and Ponjaert (2014), does indeed exist. Yet, while possibly being "more functional than hierarchical," it is still pretty vertical.

Our findings also allow us to discuss managing asymmetrical power relationships more broadly. The preference for moderate (or strong if it would be possible) differentiation in the EU regional strategy makes

one wonder whether this “vertical engagement” is typical of all regional powers in cases of strong power asymmetry or whether it is more typical of North-South relations.

As for the first aspect, one can ask if this relationship pattern is evitable in the spaces with marked power asymmetry. Womack (2016) argues that a state’s capabilities define how it sees and engages in global politics. The power asymmetry in the relations between the actors pushes both the powerful and the weak ones to act in a certain way. As for powerful counterparts, it “tends to act according to their illusion of power rather than in accord with their actual limits” (Womack, 2016, p. 48). And this approach often leads to “overreach.” From such a perspective, all regions with one strongly prevalent actor would inevitably be marked by at least a certain level (or attempts) of domination. In that sense, one can partially disagree with del Sarto, who claimed that “with its internal political set-up comprising single member states but also supranational institutions and laws, the absence of a unified military power, territorial instability, and disaggregated borders, the European polity is a very specific case <...> here is a clear link between the way in which Europe interacts with its borderlands and the particular nature of the EU and its members; ‘normative empire Europe’ does what it does because it is what it is” (del Sarto, 2021, p. 155). The EU may be indeed special in its preference for a certain types of structures. But the domination element there makes it look much less atypical.

As for the second aspect: the EU-Mediterranean relationship being an example of the encounters between the North and South, the EU’s approach to the neighborhood seems to be guided by a “traditional concept of modernization understood as the convergence of different human societies towards the model developed first in Europe in the Western World, and that has, according to this view, gradually become the universal model through globalization. It is a modernization project considered “universal” and acceptable by all. It is assumed that social and economic structures will be capable of progressively adapting and become flexible in order to advance towards each country’s own modernization” (Florensa, 2015, p. 89). It is interesting how the Southern Neighborhood is presented as a problem or source of disorder in most of the regional-level documents. As Soler i Lecha observed, too many regional discussions between the EU and African officials focus on “the challenges Africa faces as a continent and their impacts on the EU, and almost never the reverse.” Another Northern actor, the US, has been blamed for having this *civilizational* approach to its neighbors. Yet, would similarly powerful non-Western actors avoid this trap? At least for now, that is what promises China with its “no-strings-attached” cooperation model.

This research was too limited to answer which possibilities (or both?) may be more appropriate. More studies, preferably comparative, are needed to understand better the EU’s exceptionality (maybe other actors also prefer such a strong horizontal differentiation?) or different types of “borderlands/backyards” that can emerge around more powerful actors. A toolkit offered in this article may be very beneficial for this task as it encompasses different interactions and does not employ concepts with a strong normative load. Finally, despite the EU being a specific actor in IR, the order it proposes for others is only one among different possible.

## Literature

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