

Externalization of Cross-Pillar Approach: the EU-Maghreb Case*

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Abstract

The cross-pillar nature of the measures taken by the EU against terrorism have generated a debate mainly because of growing difficulties in distinguishing between internal and external dimensions of EU policies and of transnational threats to EU's security, reflected in its relation with the Mediterranean. Following the second *intifada*, the 9/11, Madrid and London terrorist attacks, the field of Justice and Home Affairs- among which Terrorism- became central in the Euro-Mediterranean Partnership and in the several documents adopted in this framework. The European Security Strategy adopted in 2003 also identified terrorism as one of the main challenges to European security and pleaded for the need to stabilize its neighbourhood. Based on Bretherton and Vogler's framework of analysis, we will look at EU's actorness in the countries of Central Maghreb, taking into consideration the "structural context for action", and by considering the use of several instruments, mainly of a "civilian nature". Taking into account the existence of differences in the development of bilateral relations EU-Maghreb countries we will analyse EU's capability to act by looking at "vertical consistency" and "horizontal coherence" and the advantages and limits to cooperation in the fight against terrorism stemming from cross-pillarization. EU's actorness in the Maghreb has become generally acknowledged but, despite efforts to increase the coherence of its cross-pillar strategy, the persistence of difficulties in the coordination between European institutions (and within) and Member states as well as the multiplicity of objectives and priorities have remained serious obstacles to the efficiency of EU's action.

Introduction*

This paper¹ will focus on the relations between the European Union (EU) and the countries of the central Maghreb (Algeria, Morocco and Tunisia) more particularly as far as the cooperation in the field of counter-terrorism is concerned². According to the major questions to which this panel aims to answer, we will see that the EU has adopted a comprehensive security approach toward this region to deal with terrorism. Nonetheless it can be asserted that the two interconnected dynamics of cross-pillarization and externalization of "internal security" have been present before the

* A first version of this paper was presented at the V Congress of Portuguese Association of Political Science (APCP) in March 2010 but was substantially modified except for the data dealing concretely with euro-Maghreb cooperation and to a lesser extent in section III.

¹ This paper focuses mainly on the time period between 1995 (launching of the Barcelona Process) and the period right before the ratification of the Lisbon Treaty (which came into force on 1st December 2009) that ended the pillar division.

² Several authors have written on the subject Joffé, George. 2008. "The European Union, democracy and Counter-terrorism in the Maghreb". *Journal of Common Market Studies*, Volume 46, n°1. pp.147-171; Eder, Franz. 2009. "The European Union's counter -terrorism towards the Maghreb trapped between democratization and economic interests". Paper presented at the BISA Annual Conference 2009, 16 December, University of Leicester. More generally on the Mediterranean: Benoit, Loïck. 2005. "La Sécurité dans le bassin méditerranéen. Le terrorisme et les armes de destruction massive (ADM) ». In Abdelkhalq Berramdane (dir). *Le partenariat euro-méditerranéen à l'heure de l'élargissement de l'Union européenne*. Paris : Khartala, pp. 171-186; Wolff, Sarah. 2009. The Mediterranean Dimension of EU Counter-terrorism'. *Journal of European Integration*, January, Vol.31, n°1, pp.137 -156.

9/11 through the launching of the Barcelona Process for the underlying logic of this instrument has frequently been categorized as a securitarian approach³. Though it has to be said that the terrorist attacks on American soil have led to an amplification effect⁴, an expansion of the security rationale in the Mediterranean Partnership, as George Joffé put it:

The normative objectives of the Euro-Mediterranean Partnership have become securitized in that co-operation to achieve economic and political development between South Mediterranean states has been effectively replaced by co-operation to combat a shared threat: transnational terrorism⁵.

As an international actor, the EU has thus been developing a complex and comprehensive policy towards the Maghreb region at a multilateral level through the Euro-Mediterranean partnership and at the bilateral with each of the three countries. Quite naturally, the recent debate⁶ about the cross-pillar nature of the measures taken by the EU against terrorism (and other Justice and Home Affairs issues) that arose mainly because of growing difficulties in distinguishing between internal and external dimensions of EU policies⁷ and of transnational security threats to EU's security⁸, was reflected in its relation with the Mediterranean.

As it has been frequently recalled, terrorism has been conceived as a threat for Europe but it has also stroke North Africa and the rest of the Mediterranean region repeatedly and the need to prevent and protect its citizens and territory "led the EU to adopt a new pro-active foreign policy stance"⁹. In order to develop an external

3 The awareness of security threats was underlined in numerous publications: Dumas, Marie-Lucy (Dir). *Méditerranée occidentale: sécurité et coopération*. Paris:FEDN, 1992 ; Vasconcelos, Álvaro (Dir). *Européens et Maghrébins: une solidarité obligée*. Paris: Karthala, 1993 ; Khader, Bichara. *Le Partenariat euro-méditerranéen après la Conférence de Barcelone*. Paris : L'Harmattan, 1997 ; Berramdane, AbdelKhaleq. "Introduction" In Berramdane, AbdelKhaleq (Dir). *Le Partenariat euro-méditerranéen à l'heure de l'élargissement de l'Union européenne*. Paris : Karthala, 2005. p.13-41.

⁴ Lamloum, Olfa "l'enjeu de l'islamisme au Coeur du Processus de Barcelone". *Critiques Internationales*. (Variations) Janvier 2003, N°18 p.139

⁵ George, Joffé. 2008."The European Union, democracy and Counter-terrorism in the Maghreb". *Op.Cit.*p.147

⁶ The pillar structure appeared with the Maastricht Treaty in 1992 but the need to form a « European space of freedom security and Justice», one of the objectives of the Amsterdam Treaty (1997) have really fuelled the debate about the cross pillar nature of Justice and Home affairs area. Monar, Jörg. 2004."The EU as an international Actor in the Domain of justice and Home Affairs". *European Foreign Affairs Review*, Vol.9, p. 395-415. The ratification of th Lisbon Treaty put an end o the pillar structure.

⁷ Pawlak, Patryk. 2009. "The external dimension of the area of Freedom, Security and Justice : hijacker or hostage of cross-pillarization ?" *Journal of European Integration*. January, vol.31, n°1, p.25;

⁸ Bigo, Didier. 2000. " When two become one. Internal and external securitizations in Europe". In Michael C. Williams and Morten Kelstrup(Eds). *International Relations theory and the Politics of European Integration: power, security and Community*. London: Routledge. p.171-203; Ekengren Magnus. 2007. "Terrorism and the EU: the internal external dimension of security". In Spence David (ed.) *The European Union and Terrorism*. London: John Harper Publishing, p.30-53.

⁹ Magnus Ekengren. "Terrorism and the EU: the internal external dimension of security". *Op.Cit.* p. 30

dimension of counter-terrorism policy towards the region, the EU has needed to use mainly tools from the first pillar such as technical assistance to Maghreb countries unable to implement commitments on the field, and from the second pillar¹⁰.

Even if the evaluation of EU's action to improve security in the region has not been very positive¹¹, as it is argued, the existence of EU's "actorness" must not be confused with its performance¹². Therefore this article will shed light on EU's "international actorness" in the Maghreb region as far as the fight against terrorism is concerned, by taking into consideration the analytical framework presented by Vogler and Bretherton¹³ in the first part ; afterward, we will look at the initiatives developed at the European level for the three countries of the Central Maghreb bearing in mind the comprehensive approach that the EU wants to promote ; and finally, we will look closer to one of Vogler and Bretherton's conceptual elements of "actorness", the capability in order to analyse what are the advantages and the limits to cooperation - mainly by looking at the "vertical consistency" and "horizontal coherence"¹⁴ - stemming from cross-pillarization which condition the framing of a counter-terrorism external policy for the Maghreb.

I- The theoretical framework : The actorness according to Vogler and Bretherton and the instruments of the European Union's actorness in the Maghreb

As Ian Manners and Richard Whitman have noticed, the international role of the EU has been explained through three distinct approaches, that is to say, some have "as their primary goal an explanation of the international significance of the EU using the theoretical tools of the discipline of International Relations"¹⁵ ; then others see the EU as *sui generis* and, consequently, a new conceptual categorization is needed as it was

¹⁰ Ibidem ; Sarah Wolff. "The Mediterranean Dimension of EU Counter-terrorism". *Op.Cit.* p.138

¹¹ FMES. 2001. *Euro-Méditerranée : 1995-1999 Premier Bilan du Partenariat*. Collection Stratemed. Paris :Publisud ; Berramdane, AbdelKhaleq (Dir). 2005. *Le Partenariat euro-méditerranéen à l'heure de l'élargissement de l'Union européenne*. Paris : Karthala.

¹² That is to say a possible lack of coherence and coordination, limited resources or lack of international visibility. Brandão, Ana-Paula. *A União Europeia e o Terrorismo Transnacional: a Resposta de um Actor de Segurança pós-Vestefaliano*. Paper presented at the Vth Congress of Associação Portuguesa de Ciência Política, University of Aveiro, 4 March 2009, p.6.

¹³ Bretherton, Charlotte and Vogler, John. 2006. *The European Union as a Global Actor* (2nd Ed). London; New York: Routledge.

¹⁴ Though one can talk about coherence of action in general, the author has decided to follow Vogler and Bretherton's distinction. See p.7 for definitions.

¹⁵ They make reference to B. Soetendorp. Manners, Ian and Whitman, Richard. 1998." Towards Identifying the International Identity of the European Union: a Framework for Analysis of the Eu's Network of Relationships". *European Integration*, Vol.21, p.232.

the case for the notion of a “civilian power Europe”¹⁶; and finally, another strand of the literature focuses upon “actorness”, specific to the EU and Gunnar Sjöstedt has constructed some criteria of actor capability but this approach denies “the EU an international significance until it conforms to the actor pre-requisites”¹⁷.

It is in this last trend that we can locate Vogler and Bretherton’s analytical framework of EU’s “actorness”. From a behavioural standpoint, they defined an actor as “an entity that is capable of formulating purposes and making decisions, and thus engaging in some form of purposive action”¹⁸. But the authors also consider that the actor should have a “degree of autonomy from its external environment and from its internal constituents(...)”¹⁹, in other words, from its Member States.

These authors²⁰ have established an approach based on three main criteria of “actorness” : opportunity, presence and capability. The first one is clearly the “structural element” of the definition of actorness since they “consider an exclusive focus on internal factors (...) to be inadequate in assessing actorness”²¹ and define opportunity as “factors in the external environment of ideas and events that constrain or enable actorness, including third party expectations of EU action”²². We must take into consideration that the colonial histories of EU member states (as well as the responsibilities and expectations associated to this status) have been exercising an influence on the involvement of the Community in certain areas from the outset²³ as it is the case for North Africa²⁴ and other countries of the Mediterranean region.

¹⁶ The authors have also mentioned the notion of “superpower” forged by Galtung. Ibidem.

¹⁷ Sjöstedt has proposed seven criteria: community of interests; a decision-making system; a system for crisis management; a system for the management of independence; a system of implementation; external communication channels and external representation; community resources and mobilization system. Ian Manners and Richard Whitman, *Op.Cit.* p.233.

¹⁸ Charlotte Bretherton and John Vogler. 2006. *Op.Cit.* p.17.

¹⁹ Ibidem.

²⁰ Other authors have also put aside the concepts of International Relations to characterize EU’s international role like: Allen, David and Smith, Michael. 1990. “Western Europe’s presence in the contemporary international arena”. *Review of international Affairs*, n°16, pp. 19-37; Hill, Christopher. 1993. “The Capability- Expectations Gap, or Conceptualising Europe’s International role”. *Journal of Common Market Studies*, Vol.31, n°3 (September); Whitman, Richard. 1998. *From Civilian Power to Superpower? The International Identity of the European Union*. London:Macmillan; Smith, Karen E. 2008. *European Union Foreign Policy in a Changing World (2nd)*. Cambridge; Malden, Massachusetts: Polity.

²¹ Charlotte Bretherton and John Vogler. *The European Union as a Global Actor* (2nd Ed). *Op.Cit.* p.17

²² Bretherton, Charlotte and Vogler, John. 2008. “The European Union as a Sustainable Development Actor: the Case of External Fisheries Policy”. *European Integration*. Vol.30, n°3 (July), p.404.

²³ Charlotte Bretherton and John Vogler. 2008. *Op.Cit.* p.406.

²⁴ Commission Européenne. 2001. *Union Européenne-Maghreb : 25 ans de coopération*. Bruxelles :DG Relations Extérieures, p.3 ; Waites Neville et Stavridis Stelios. 1999. “The EU and Mediterranean Member States” In Stavridis Stelios, Couloumbis Theodore, Veremis Thanos et al (eds), *The Foreign Policies of the European Union’s Mediterranean States and Applicant Countries in the 1990s*. Basingstoke: Macmillan, p. 29.

The second criterion that characterizes "actorness" according to Vogler and Bretherton is "presence". This notion was developed by Allen and Smith and it was seen as a counterpoint to the focus on "actorness" "so as assert that the UE already possessed a distinctive international role with a distinctive substance to its policy²⁵". Vogler and Bretherton have defined the concept as "the ability to shape the perception, expectations and behaviour of others" but "it does not denote purposive external action, rather it is a consequence of being²⁶". Here we should take into consideration the fact that, by the ratification of the Maastricht Treaty, the institutionalization of the JHA pillar²⁷ have included police cooperation to fight against terrorism as a question of common interest²⁸ and that this question was also inserted in the Barcelona Declaration in 1995 in order to promote cooperation amongst the partners to prevent and fight against terrorism²⁹. Nevertheless, it is difficult to assert that this was "an external unintended consequence of the Union's internal priorities and policies³⁰" because, by this time, the EU had no counter-terrorism policy as such and it only got the competence to act internationally in Justice and home affairs after the ratification of the Treaty of Amsterdam in 1999³¹.

Furthermore, according to the constructivist approach adopted by the authors, the perceptions, in other words, the meanings attributed to EU activities by third parties are important³², as well as the acknowledgement of the actor itself and the state unities that constitute it³³. In this respect, it also has to be said that the adoption of the Barcelona Declaration is evidence that all the elements mentioned recognized the "actorness" of the EU through the comprehensive approach launched, mainly to deal with security threats coming from the Mediterranean, encompassing all

²⁵ Allen has divided the concept into four elements: initiator, shaper, barrier and filter. Manners, Ian and Whitman, Richard. 1998. *Op.Cit.* p.233-234.

²⁶ Charlotte Bretherton and John Vogler. 2006. *Op.Cit.* p.27; Charlotte Bretherton and John Vogler. 2008. *Op.Cit.* p.405.

²⁷ For the whole evolution of EU's action in the field of JHA, see : Monar, Jörg. 2002. "Institutionalizing Freedom, Security, and Justice". In Peterson, John and Shackleton, Michael (Eds). *The Institutions of the European Union* . Oxford:Oxford University Press. p.186-209; Bigo, Didier. 2009. " Un Espace de liberté, sécurité et justice?". In Dehousse, Renaud (dir). *Politiques européennes*. Paris: Presses de Sciences-po. Chapitre 16.

²⁸ Traité sur l'Union européenne. Journal officiel n° C 191 du 29 juillet 1992, article K.1, alinea 9.

²⁹ Signed with twelve Mediterranean Partners, the Declaration has included in the first and third

³⁰ Charlotte Bretherton and John Vogler. 2006. *Op.Cit.* p.27

³¹ To have more information on the legal basis for EU's action at the international level, as well as decision-making procedures, see: Monar, Jörg. 2004. "The EU as an international Actor in the Domain of justice and Home Affairs". *Op.Cit.*

³² Charlotte Bretherton and John Vogler. 2006. *Op.Cit.* p.29

³³ Ana-Paula Brandão. *Op.Cit.* p.6.

instruments of a "civilian power by default"³⁴. Though the dialogue in the domain of ESDP has been launched in December 2003³⁵, military instruments have not been used in the Maghreb countries (and the Mediterranean region in general) in the cooperation to fight against terrorism³⁶, as we will see in the next section. In fact, as it is asserted by the European Security Strategy, "[I]n contrast to the massive visible threat in the Cold War, none of the new threats is purely military; nor can any be tackled by purely military means . (...)Dealing with terrorism may require a mixture of intelligence, police, judicial, military and other means³⁷".

In our particular case, the EU has not tried to be a "civilian power by design"³⁸ even though it has not completely excluded the use of ESDP to support third countries in combating terrorism, namely where ESDP missions are deployed³⁹. So, we will see that the actions undertaken in the framework of the Euro-Mediterranean partnership, as well as the association agreements and the neighbourhood actions plans are political/diplomatic instruments that are complete by economic and cultural

³⁴ As the author have argued by adopting Maull's standpoint that "the militarizing of the Union's institutions, capabilities and intentions is strengthening the concept of a civilian power Europe", Stavridis, Stelios. 2001. " Militarising" the EU: the Concept of Civilian Power Europe revisited". *The International Spectator*. Vol. 36, n°4. pp. 43-50.

³⁵ Conférence euro-méditerranéenne des Ministres des affaires étrangères. *Conclusions de la Présidence*. Naples, 2-3 décembre 2003, parag. 31.

³⁶ If we pay a closer look to the Euro-Mediterranean Code of conduct on countering terrorism, there is no specific reference to military means/instruments to deal with the phenomenon. The means favored by the Euro-Mediterranean partners are the respect for UN multilateralism and its thirteen conventions; police and judicial cooperation so as to fight against money laundering, the voluntary exchange of best practices through technical assistance and of information on terrorist networks, amongst others. Conseil de l'Union européenne. *Code de conduit euro-méditerranéen en matière de lutte contre le terrorisme*. Doc. 15075/05 (Presse 328), Bruxelles, le 28 novembre 2005.

³⁷ Solana, Javier. A Secure Europe in a better World: European Security Strategy. Brussels, 12 December 2003. p.7.

³⁸ Stelios Stavridis did not see the development of European military capacities as the "end" of the civilian power first defined by François Duchêne, i.e., "a civilian group long on economic power and relatively short on armed forces". Cited in Stelios Stavridis. " Militarising" the EU: the Concept of Civilian Power Europe revisited". *Op.Cit.*p.43. The author believes that the fact of having military instruments is a way to give more strength to its action as a "civilian power" that refers to the second part of Duchêne's definition, i.e., "a force for the international diffusion of civilian and democratic standards". Cited in Stelios Stavridis. p.43, The most important is thus how this military means are used and they should be used as a last resource to guarantee the "credibility of EU as an international actor"; Cited in Stelios Stavridis. p.48-49.

³⁹ Council of the European Union. *Conceptual Framework on the ESDP Dimension of the Fight against Terrorism*. Doc. 14797/04, 18 November 2004. p.8

instruments, typical of a “civilian power”⁴⁰, for the EU has been willing to distinguish its approach to terrorism from the American one, labelled as “war against terrorism”⁴¹.

This leads us to the third criterion adopted by Bretherton and Vogler, after the structural context and the “presence” - the capability, in other words, “the internal context of EU external action- the availability of policy instruments and understandings about the Union’s ability to utilize these instruments, in response to opportunity and/or to capitalize on presence”⁴². In this context, it is about the factors affecting the ability of the Union to develop a coherent counter-terrorism policy towards the Maghreb States. Therefore the authors have proposed to look at EU’s actorness through the existence of shared values ; the domestic legitimization of decision processes and priorities (external policy) ; the existence of vertical consistency between the external policies of the member states and of the EU and horizontal coherence⁴³ – coherence across all the areas that are involved in counter terrorism strategy, bearing in mind that it is a policy that has involved the three pillars ; and finally, the availability of, and capacity to utilize, policy instruments⁴⁴.

II- The Euro-Maghrebian cooperation in Counter–Terrorism : the external context of EU’s actorness and the *acquis* with the region

A- Opportunities coming from the external context⁴⁵

Nowadays Europe faces four different forms of terrorism: Islamic terrorism, separatist terrorism (it is not nationalism), left and right wing terrorism whose bases can be found in Italy, Germany, Spain, Belgium and also in France; and finally, a fourth

⁴⁰ In its article of 2005, Karen Smith, defined civilian means as “non-military, and includes economic, diplomatic and cultural policy instruments” but she also mentions that being a civilian power is not only dependent on the means it has, but also the ends, use of persuasion and civilian control over foreign (and defense) policymaking. Smith, Karen E. 2005. “Beyond the Civilian Power EU Debate”. *Politique européenne, n°17 (March)*. p.64-65. Nonetheless, the classification adopted has evolved since, in her 2nd edition of “European Union Foreign Policy in a changing world” (2008), she has presented diplomatic, economic and military instruments, she does not take into consideration cultural instruments.

⁴¹ Rees, Wyn. 2006. “International Cooperation in Counter-Terrorism: The Transatlantic Dimension and Beyond”. In Mahncke, Dieter and Monar, Jörg (Eds). *Internal Terrorism: a European, Response to a Global Threat ?* College of Europe Studies. Brussels: P.I.E Peter Lang, pp. 113-127.

⁴² Charlotte Bretherton and John Vogler. 2006. Op.Cit. p.24.

⁴³ Charlotte Bretherton and John Vogler. 2008. Op.Cit. p.408.

⁴⁴ Charlotte Bretherton and John Vogler. 2006. Op.Cit. p.30.

⁴⁵ Our aim in this section is not to make an extensive review of all counter-terrorism initiatives taken at the European level but rather to identify certain events that have boosted international cooperation. The initiatives have been extensively handled in several articles and books, see: Benoît, Loïck. « La lutte Contre le terrorisme dans le cadre du deuxième pilier ». *Revue de Droit de l’Union européenne*.2002, n°2. pp.283-313 ; Keohane, Daniel. 2005. « The EU and counter-Terrorism ». *CER Working Paper*, May. Mahncke, Dieter and Monar, Jörg (Eds). 2006. *Internal Terrorism: a European, Response to a global Threat ?*, College of Europe Studies. Brussels: P.I.E Peter Lang ; Spence David (ed.) 2007. *The European Union and Terrorism*. London: John Harper Publishing; Guild, Elspeth and Geyer, Florian. 2008. *Security versus Justice : Police and Judicial Cooperation in the EU*. Aldershot :Ashgate.

type, “unclassified” which contains everything else⁴⁶. We will focus on the first type of terrorism which has been destabilizing the Euro-Mediterranean area.

Bearing in mind our case study, several events have been identified as “opportunities” to enhance cooperation in the fight against terrorism between EU’s Member States and between the EU and the Mediterranean region in general. Historical institutionalists would call these events “critical junctures”⁴⁷ but they can also be seen as “windows of opportunity”⁴⁸. In fact, the first move towards a strictly intergovernmental cooperation at the European level took place with the creation of Trevi Group in 1975, following the events at the Olympic Games in Munich in September 1972 that led to the securitization of policies towards terrorism⁴⁹. It was not an attempt of harmonization or integration, but it was a first impetus to create Europol in the framework of JHA pillar, in 1992. This “window of opportunity” was fueled the following years by terrorist attacks in Marrakech in 1994⁵⁰ and in France between 1993 and 1996⁵¹.

Europe was considerably spared by international terrorism during the 1990’s, therefore “EU member States did not feel constrained to create a counter-terrorism policy matching the EU’s economic and political weight in the world and the

⁴⁶ Veaux, Frédéric. 2005. “Lutter efficacement contre le terrorisme”. In IRIS (Org). *L’Europe face au terrorisme*. Actes de colloques. Paris, 8 mars 2005. p.96-97.

⁴⁷ Collier, Ruth and Collier, David. (1991). *Shaping the political Arena: critical junctures, the Labour Movement, and Regime dynamics in Latin America*. Princeton; New Jersey: Princeton University Press; Peters, Guy. 1999. *Institutional Theory in Political Science: The New Institutionalism*. London: Pinter. See also the special issue of the *Journal of European Integration: The External Dimension of Justice and Home Affairs: A Different Security Agenda for the EU?* Vol. 31, n°1 in which the editors (Sarah Wolff, Nicole Wichmann and Grégory Mounier) have argued in favor of using New-institutionalism theory in its different declension so as to explain the development of the external dimension of JHA, including the notion of “critical juncture”. The author shares this approach in this paper.

⁴⁸ Bicchi, Federica. 2007. *European Foreign Policy Making toward the Mediterranean*. New York, Basingstoke/ Palgrave Macmillan.

⁴⁹ Bicchi, Federica. 2003. ‘Defining European Interests in Foreign Policy: Insights from the Mediterranean Case’. Arena Working Papers, WP 13/03, Centre of European Studies, University of Oslo, p.13; Joffé, George. 2008. The European Union, democracy and counter-terrorism in the Maghreb. Op.Cit. p. 152.

⁵⁰ On 24 August two Spanish tourists were killed when gunmen opened fire at the Atlas Asni hotel. There have been allegations that Islamic extremists related to the Algerian militant movement were behind the Marrakech incident. Office of the coordinator for Counterterrorism. *Patterns of Global terrorism, 1994: Middle Eastern overview*. U.S Department of State. Department of State Publication 10239. Available at: http://www.fas.org/irp/threat/terror_94/midleeast.html [10 August 2010]

⁵¹ Several attacks took place in Paris linked to the internal conflict in Algeria. They were organized by terrorists helped by cells established beforehand on the territory and that could import some logistical support armed group in Algeria, Front Islamique du Salut and its armed faction, the “Groupe armé islamique”. Martins, Verónica. 2009. « Maghreb Challenges and EU Measures Taken Towards the Region ». UE-Consent Network, Deliverable n°121, Team 23. 27/02/2009, p.10. Project co-funded by the European Commission within the Sixth Framework programme (2002-2006). For more details on Islamic terrorist threats, see: Migaux, Philippe. 2009. *Le Terrorisme au nom du Jihad*. Bruxelles: A. Versaille Ed, chapter V.

expectations of its partners, not least the US⁵²". In fact, we share the analysis of Federica Bicchì that considers states as "utility maximizers" and "uncertainty minimizers" and "EU policy making as an active process of knowledge definition with the aim of policy formulation"⁵³. That is why we also subscribe her analysis concerning the launching of the Euro-Mediterranean Partnership in November 1995 as a way to answer to "cognitive uncertainty" generated by the perception of threats coming from, namely, North Africa⁵⁴. In fact, the European Council and the Commission have soon enough underlined the interdependence and the "strong interest in terms of security and social stability" towards the Maghreb region⁵⁵.

"Time showed that the terrorist threat was not diminishing"⁵⁶ and the terrorist attacks of 9/11 have been pointed as another "critical juncture", "a particularly brutal exposé of EU's weaknesses"⁵⁷. In fact, "JHA itself became really significant only after 2001 through what might be termed a process of 'externalization' of Union policy"⁵⁸ and as Rhinard, Boin and Ekengren affirmed, these attacks "had a focusing effect, redirecting the goals of existing activities towards the specific issue of terrorism"⁵⁹ but let us add that "Islamic terrorism" has become the focus. The extraordinary European Council of 21 September thus decided that : "la lutte contre le terrorisme sera plus que jamais un objectif prioritaire de l'Union européenne"^{60,61}.

⁵² Spence, David. 2007. "Introduction". In Spence David (ed.) *The European Union and Terrorism*. London: John Harper Publishing, p. 2.

⁵³ Federica Bicchì. 2007. *European Foreign Policy Making toward the Mediterranean*. Op.Cit. p.10-11.

⁵⁴ Federica Bicchì. 2007. Op.Cit. chapter V.

⁵⁵ Conseil européen. *Conclusions de la Présidence*, Conseil Européen de Lisbonne, DOC/92/3, 26 et 27 juin 1992, [Consulté le 5 février 2008]. Disponible sur : http://cuej.u-strasbg.fr/archives/europe/europe_conclusion/cons_43_63/48a_birmingham_16_10_92.html; European Commission. *Strengthening the Mediterranean Policy of the European Union : Establishing a Euro-Mediterranean Partnership*. Doc. COM (94) 427 final, Brussels, 19 October 1994.

⁵⁶ David Spence, *Op.Cit.* p.2

⁵⁷ Hill, Christopher. 2004. "Renationalizing or Regrouping? EU foreign policy since 11 September 2001". *Journal of Common Market Studies*. Vol.42, n°1. p.144.

⁵⁸ George Joffé. 2008. *Op.Cit.* p.152. Though we need to recall that the Tampere Summit in 1999 was the "cornerstone" for the launching of the external dimension of JHA but those attacks operate as a trigger. See Monar, Jörg. 2002. "Institutionalizing Freedom, Security, and Justice". Op.Cit.

⁵⁹ Rhinard, Mark, Boin, Arjen and Ekengren, Magnus. "Managing Terrorism: Institutional capacities and Counter-terrorism Policy in the EU" In Spence David (ed.) *The European Union and Terrorism*. London: John Harper Publishing, 2007, p.93.

⁶⁰ European Council. *Conclusions and plan of action of the extraordinary European Council meeting on 21 September 2001*. Brussels. p.1 Available at : http://ec.europa.eu/justice_home/news/information_dossiers/terrorism/documents/concl_council_21sep_en.pdf [consulted on 15 October 2009].

⁶¹ It is important to recall that the fight against terrorism is one of the facets of Justice and Home Affairs area. In fact after its creation in 1993, the Treaty of Amsterdam has kept the JHA pillar though several aspects were transferred to the first pillar to leave in the third pillar Police and judicial cooperation in criminal matters. Nonetheless, the ratification of the Lisbon Treaty has eliminated the pillar structure.

Since the European territory had suffer no Islamic terrorist attacks since the mid-1990, "the Madrid bombings has a much deeper impact on threat perceptions and EU anti-terrorism policy making", than 9/11⁶². It also needs to be underlined that international terrorism has "unclear political objectives" and "many Islamist terrorists see the 'punishment or destruction of the Western world' (...) as an end sufficient unto itself⁶³". This feeling was promoted among radicalized members of Muslim communities in Europe as it could be seen with the killing of the Dutch filmmaker Theo Van Gogh and in the terrorist attacks of London in July 2005⁶⁴, occurrences that have awoken the whole Europe to the problem of homegrown terrorists and radicalized individuals⁶⁵.

After these repeated attacks against Europe and external European interests and other parts of the world⁶⁶, an "over-activity" of the Community and its Member states was a "natural reaction" and generated a permissive context for radical measures⁶⁷. Moreover, the European Union became aware of the importance of International cooperation with third countries as stated in the EU Counter-Terrorism Strategy adopted in December 2005:

Given that the current international terrorist threat affects and has roots in many parts of the world beyond the EU, co-operation with and the provision of assistance to priority third countries - including in North Africa, the Middle East and South East Asia - will be vital. Finally, working to resolve conflicts and promote good governance and democracy will be essential elements of the Strategy, as part of the dialogue and alliance between cultures, faiths and civilizations, in order to address the motivational and structural factors underpinning radicalization⁶⁸.

B- UE's actorness in Algeria, Morocco and Tunisia: An uneven cooperation⁶⁹

⁶² Bakker, Edwin. 2006. "Differences in Terrorist Threats Perceptions in Europe". In Dieter Mahncke and Jörg Monar, Eds., *International Terrorism : a European Response to a Global Threat ?* Bruxelles ; Bern ; New York : P.I.E.-Peter Lang.p.52.

⁶³ Mahncke, Dieter. 2006. "Introduction".In Dieter Mahncke and Jörg Monar, Eds., *International Terrorism : a European Response to a Global Threat ?* Bruxelles ; Bern ; New York : P.I.E.-Peter Lang.p.17.

⁶⁴ Edwin Bakker. Op.Cit. p.53.

⁶⁵ Ibidem. As far as Madrid bombings, they were considered as being "external terrorism" even if the idea of the attack was developed by a small number of Islamists, most of them Moroccan citizens that had been living in Spain for several years.

⁶⁶ David Spence also mentioned attacks on European targets in Turkey, Morocco and Saudi Arabia, as well as terrorists attacks in Indonesia (Bali, Jakarta), Tunisia (Djerba) and Russia (Beslan and Moscow) as relevant to rapidly enhance police and judicial cooperation. David Spence. *Op.Cit. p.2*

⁶⁷ Ibidem.

⁶⁸ Presidency and CT Coordinator. 2005. *The EU Counter-Terrorism Strategy*. Doc 14469/4/05 REV 4, Brussels, 30 November. P. 7

⁶⁹ For more details on the cooperation between the EU and Maghreb states, see Franz Eder. "The European Union's counterterrorism policy towards the Maghreb: trapped between democratization and

As we have mentioned, the Maghreb had already faced Islamic terrorist attacks in the 1990. "Islamist terrorism is motivated either in whole or in part by an extreme interpretation of Islam" and the use of violence is regarded by its practitioners as a divine duty or sacramental act⁷⁰". Terrorist threats can be direct as well as indirect for Europe whether attacks hit the European territory (and its interests outside) or if attacks take place in neighbouring regions like North Africa but with a great potential for destabilizing effects in Europe⁷¹.

Since 9/11 attacks, Al Qaida has appeared as "the public enemy by excellence" when addressing Islamic terrorism, though it is far from being the only terrorist organization acting in the Maghreb region⁷². Nonetheless, "Al Qaida is in fact dangerous because it has not the same structure as the "classical terrorism", "it no longer functions as a closely interlinked network but acts rather as a sort of 'franchising organization'⁷³.

Several reasons have been appointed that have changed the Maghreb into a "breeding ground" for radicalization and recruitment that Eder has rightly divided into frustration with political participation, that is to say political participation of Islamist parties⁷⁴; and socio-economic stagnation⁷⁵. As far as the first is concerned, "All the states suffer from potential or real Islamist opposition" guided by the belief that "Maghrebi regimes which have traditionally collaborated with the Christians and the Jews, must be subverted"⁷⁶. As it has been widely recognized, the rulers of Maghreb

economic interests". *Op.Cit.* p.6-15; Verónica Martins, « Maghreb Challenges and EU Measures Taken Towards the Region ». *Op.Cit.* parts II and III; Sarah Wolff. "The Mediterranean Dimension of EU Counter-Terrorism. *Op.Cit.*

⁷⁰ Europol. *TE-SAT 2007 : EU Terrorism Situation and Trend Report*. The Hague, March 2007, p.10.

⁷¹ Verónica, Martins. 2009. *Op.Cit.* p.10,11.

⁷² As it is the case of the GSPC (Salafist Group for Preaching and Combat) in Algeria; the GICM (Moroccan Islamic Combatant Group) and the GICT (Tunisian Islamic Combatant Group) as well several smaller groups of several countries of North Africa. Guidère, Mathieu. 2007. *Al-Qaida à la conquête du Maghreb: le terrorisme aux portes de l'Europe*. Monaco : Edition du Rocher. p. 32-33.

⁷³ Dittrich, Mirjam.2007. "Radicalisation and Recruitment: the EU response" In Spence David (ed.) *The European Union and Terrorism*. London: John Harper Publishing, p.55-56. Consult the section numbers and networks to have more details.

⁷⁴ On the promotion of democracy in North Africa, see: Gillespie, Richard and Youngs, Richard. (Eds) 2002. *The European Union and Democracy Promotion: The Case of North Africa*. London: Franck Cass; Weinberg, Léonard (Ed). 2008. *Democratic responses to terrorism*. New York; London: Routledge; Echeverría, Carlos Jesus. 2004. "Radical Islam in the Maghreb". *Orbis- a Journal of World Affairs*. Vol. 48, n°2, spring. pp.351-363.

⁷⁵ Franz Eder. *Op.Cit.* p.6.

⁷⁶ Carlos Jesus Echeverría. 2004. "Radical Islam in the Maghreb". *Op.* p.351.

countries have taken advantage of their “good will” to fight terrorism to strengthen their own power and to the detriment of political pluralism and democracy⁷⁷.

The case of Algeria is the most paradigmatic since the interruption of the democratic electoral process in December 1991 after the victory of the *Front Islamique du Salut* immersed the country into a violent civil war between 1992 and 1999 opposing Islamist factions to the army⁷⁸. As in Tunisia, it was the challenge of FIS rather than its radicalism that led to its exclusion⁷⁹. And, as far as that country is concerned, the Ben Ali regime monopolized the political scene after claiming that it was threatened by a resurgent Islamist movement (An-Nahda formerly Islamic Tendency Movement) which it suppressed in 1991⁸⁰. Finally, concerning Morocco, even if King Hassan has launched the liberalization and constitutionalization of the political process in the 1990's⁸¹, the country has a longer history of seeking to control radicalism through formal political processes⁸². It has been argued that the bringing in of the Party of Justice and development into the political process has served the Moroccan regime's objective to undercut the popular support for Justice and Spirituality movement⁸³.

Furthermore, the social and economic difficulties that have affected these three countries have led to the discontent of the population and they have constituted an opportunity for Islamic movement to play the role of assistance provider. Especially Algeria and to some extent, Morocco and Tunisia have been destabilized by riots recent years⁸⁴. As it has been argued, “[I]n Algeria, poverty, highly unequal distribution of oil revenue, and widespread corruption have fostered desperation, especially among the unemployed youngsters, but also among skilled workers⁸⁵”. Youth unemployment in Algeria reaches 43,4% and the country rank on position 104 according to the UN Human Development Index 2008⁸⁶. In Morocco, the situation is not very different and the kingdom is often shaken by riots because of the desperate social situation of the

⁷⁷ Willis, Michael J. 2006. « Containing Radicalism through the Political Process in North Africa». *Mediterranean Politics* (Special Issue). Vol.11, n°2, July. p.147; Olfa Lamloum. *Op.Cit.* p.132-133.

⁷⁸ See: Evans, Martin and Phillips, John. 2007. *Algeria: Anger of the Dispossessed*. New Haven; London: Yale University Press.

⁷⁹ Michael Willis « Containing Radicalism through the Political Process in North Africa». *Op.Cit.* p.141

⁸⁰ George Joffé ; 2008. *Op.Cit.* p. 156.

⁸¹ *Ibidem*.

⁸² Michael Willis, *Op.Cit.* p.144.

⁸³ Michael Willis. *Op.cit.* p. 145.

⁸⁴ Holm, Ulla. 2008. “North Africa: A Security Problem for themselves, for the EU and for the US”. *DIIS Report*, n°2, p.9

⁸⁵ *Ibidem*

⁸⁶ Franz Eder. *Op.Cit.* p.10 (Medium Human Development according to the UN ranking)

Rif region in the North⁸⁷. Despite the launching of the National Initiative of Human Development in 2005, in 2008, the unemployment rate was of 9,7%⁸⁸ but the country is also confronted to a high rate of youth unemployment -17%-and it has the worst classification (130) comparing to the other three Maghreb countries in the UN Human Development Index 2008⁸⁹. Tunisia has better record in this index reaching position 98 but the unemployment rate has been rising with 14%⁹⁰ and 30,7% among young people⁹¹. Furthermore, social and economic discontent increased because of price rises for gas, electricity, water and transportation and riots in the suburbs of the big towns are not unusual⁹². As it has been argued, this context is reinforced by loss of credibility and legitimacy of the Tunisian state because privatization and criminalization of the state hamper the traditional bargaining mechanism⁹³.

What about the measures taken by the EU to try to deal with these structural problems that have been radicalizing the Maghreb countries? In fact, Javier Solana sums up quite well the challenge for these countries:

Security is a precondition of development. Conflict not only destroys infrastructure, including social infrastructure; it also encourages criminality, deters investment and makes normal economic activity impossible. A number of countries and regions are caught in a cycle of conflict, insecurity and poverty. (...)The most recent wave of terrorism is global in its scope and is linked to violent religious extremism. It arises out of complex causes. These include the pressures of modernization, cultural, social and political crises, and the alienation of young people living in foreign societies⁹⁴.

The economical approach⁹⁵ of the Euro-Mediterranean Partnership believes that Islamism would be "economic-growth soluble"⁹⁶. The main idea is that liberal economic reform is a stimulating factor, even indispensable for political reform⁹⁷. In other words, the economic and social stability of these countries would also be a way to reduce

⁸⁷ Ulla Holm. *Op Cit.* p. 9

⁸⁸ Commission européenne. 2009. Document de travail des services de la Commission : Mise en œuvre de la politique européenne de voisinage en 2008 : Rapport de suivi du Maroc. Doc. SEC(2009) 520/2, Bruxelles, 23 avril. p. 8

⁸⁹ Franz Eder. *Op.Cit.* p.10 (Medium Human Development according to the UN ranking)

⁹⁰ Commission européenne. Document de travail des services de la Commission : Mise en œuvre de la politique européenne de voisinage en 2008 : Rapport de suivi de la Tunisie. Doc. SEC(2009) 521/2, Bruxelles, 23 avril 2009. p. 7

⁹¹ Franz Eder. *Op.Cit.* p.10 (Medium Human Development according to the UN ranking)

⁹² Ulla Holm. *Op Cit.* p. 9

⁹³ *Ibidem.*

⁹⁴ Javier Solana. *Op.Cit.* p.2-3

⁹⁵ This economical approach is not specific to the Mediterranean partners since the EU has tried to promote development in several regions and countries mainly because security concerns

⁹⁶ Olfa Lamloum. *Op.Cit.* p.133.

⁹⁷ *Ibidem.*

emigration flux towards Europe, because the Maghreb has become a “producer and exporter of terrorists⁹⁸” and as we have seen, “homegrown” terrorists have also become a concern for European authorities. This has been confirmed by the information compiled by Europol in its Trend and Situation Reports:

Half of all the terrorism arrests were related to Islamist terrorism. France, Spain, Italy and the Netherlands had the highest number of arrests of Islamist terrorist suspects. The majority of the arrested suspects were born in Algeria, Morocco and Tunisia and had loose affiliations to North African terrorist groups, such as the Moroccan Islamic Combatant Group and the Salafist Group for Preaching and Combat⁹⁹.

The central message of the 2003 ‘European Security Strategy’ (ESS) is that the external dimension of counter-terrorism must be addressed across the EU pillars¹⁰⁰. The actions are generally two folds: to build counter-terrorism capacity in third countries so as to deepen the international commitment to the fight against terrorism and to address the factors that contribute to the support and recruitment of terrorists¹⁰¹.

As far as cooperation between the EU and Maghreb in the domain of counter-terrorism is concerned, from the institutional point of view, the Association agreements signed with Tunisia, Morocco and Algeria¹⁰² contain objectives about cooperation in the security field in order to contribute to the stability of the region through political dialogue¹⁰³. Nonetheless, the difference between the three agreements is that the first two agreements were signed before the terrorist attacks of 11/09 and, consequently, no provisions or clauses were introduced in the agreements. As we have already mentioned, on one side, in the 1990’s, terrorist activism was seen as a domestic affair¹⁰⁴, on the other, it must be reasserted that the EU had no competences to act internationally in the field of JHA until 1999, though some meetings took place at the senior officials level between euro-Mediterranean partners¹⁰⁵.

98 Franz Eder, *Op.Cit.* p.9; Veronica Martins, *Op.Cit.* p.12-13.

99 EUROPOL. 2007. EU Terrorism Situation and Trend Report 2007. The Hague :Europol, March. p.3 ; See also EUROPOL. 2005. EU Terrorism Situation and Trend Report 2005. The Hague :Europol, 16 January, point.8 ; EUROPOL. 2008. EU Terrorism Situation and Trend Report 2008. The Hague :Europol, point.5.

¹⁰⁰ Mark Rhinard, Arjen Boin and Magnus Ekrengrén. “Managing Terrorism: Institutional Capacities and Counter-terrorism Policy in the EU”. *Op.Cit.* p.96. Former EU pillars since 1 December 2009.

¹⁰¹ *Ibidem*. As we have already mentioned, the Euro-Mediterranean Partnership is a good example of this cross-pillar, comprehensive approach.

¹⁰² Which came into force in March 1998, March 2000 and September 2005, respectively.

¹⁰³ Article 3, n°1 in each of the three Agreements, corresponding to the first basket of the Barcelona Process.

¹⁰⁴ Interview French Foreign Ministry, May 2008.

¹⁰⁵ The meetings took place on 23 November 1998; 23 November 1999 and 19 October 2000. Formal conclusion of the presidency of the third Euro-Mediterranean conference of Foreign Affairs Ministers, Stuttgart, 1—16 April 1999; Partenariat euro-méditerranéen/Commission européenne. Calendrier mensuel

Therefore, up to 2001, the primary interaction with North Africa on counter-terrorism issues remained at the bilateral level¹⁰⁶. But as far as Algeria is concerned, a counter-terrorism clause was inserted in the Association agreement signed in April 2002 (Art.90°)¹⁰⁷. Though the negotiations lasted for several years, this initiative is also linked to the agenda of the Valence Euro-Mediterranean Conference of Foreign Ministers of April 2002 which launched Regional Cooperation Program¹⁰⁸ where the cooperation in the fight against terrorism is included, though there were no new provisions¹⁰⁹. The Algerian authorities were willing to cooperate mainly after 9/11 and they had warned repeatedly the Europeans against the transnational nature of terrorism¹¹⁰.

Counter-terrorism clauses in agreements are legally binding regularly provide the best basis for a comprehensive cooperation with third countries and from a practical point of view, they carry significant political and operational implications for EU relations with third countries¹¹¹. Nonetheless, as it is argued, these clauses¹¹² are not essential elements of the agreements contrary to the “human rights clauses”, therefore “the non-compliance of the engagement in the field of terrorism cannot lead to the suspension of the agreement¹¹³”. For that reason, even if EU’s actorness has been proved by its capability to set priorities and conclude agreements, but the lack of application of conditionality also demonstrates the inability to fully use all the

du processus de Barcelone, Edition d’Octobre 2000. Available at : http://www.euromedi.org/francese/home/parteneriato/calendario/cal/cal_10_00_fr.pdf

¹⁰⁶ George Joffé. 2008, *Op. Cit.* p.155

¹⁰⁷ According to article 90, both parties agree to cooperate to prevent and suppress terrorist acts in the framework of UN resolutions like resolution 1373 amongst others; by exchanging information about terrorist groups and networks; and by exchanging experiences about methods and means (training and technical field) to fight against terrorism. *Accord euro-méditerranéen établissant une association entre les Communautés européennes et leurs États membres, d’une part, et l’Algérie, d’autre part.* Journal Officiel n°L265 du 10/10/2005, p.0002-0228. [20 novembre 2006] Available at : [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:22005A1010\(01\):FR:HTML](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:22005A1010(01):FR:HTML)

¹⁰⁸ As well as to the agenda of Sevilla European Council programmed for June 2002.

¹⁰⁹ European Commission. 2002. Regional cooperation programme in the field of justice, in combating drugs, organised crime and terrorism as well as cooperation in the treatment of issues relating to the social integration of migrants, migration and movement of people. Framework document. *Euromed report.* N°44. 29 avril. Available at : http://europa.eu.int/comm/external_relations/euromed/publication.htm [Consulté le 8 novembre 2007]

¹¹⁰ Interview European Commission, February 2008 (a)

¹¹¹ EU Counter-Terrorism Coordinator / Commission. *EU Counter-Terrorism Clauses: assessment.* DOC 14458/2/04 REV 2 EXT 1, 11 May 2005, p.4; See also David Spence. « Introduction ». *Op.Cit.* p.23; Loïck Benoît. “La Sécurité dans le bassin méditerranéen. Le terrorisme et les armes de destruction massive (ADM) ». *Op.Cit.* p.183-184

¹¹² Concluded with Algeria, Egypt and Lebanon

¹¹³ Loïck Benoît. “La Sécurité dans le bassin méditerranéen. Le terrorisme et les armes de destruction massive (ADM) ». *Op.Cit.* p.184

instruments, being dependent on the goodwill of Maghreb countries to fight against terrorism.

This impetus to cooperate had been fuelled also by terrorist attacks in the southern shore of the Mediterranean, namely in Djerba in 2002 and in Casablanca in 2003. Moreover, after the Madrid bombings, the "European Declaration on Combating Terrorism" of 25 March 2004 has asserted as strategic objectives to combat terrorism (revised action plan) set out, among others, two strategic objectives in the area of external relations: under objective 1, "Include effective counterterrorism clauses in all agreements with third countries"¹¹⁴; and under objective 7, to "[T]o target actions under EU external relations towards priority Third Countries where counter-terrorist capacity or commitment to combating terrorism needs to be enhanced"¹¹⁵.

As we have seen, Morocco and Tunisia had no clause in their Association Agreement, but contrary to Algeria, they have agreed to a Neighborhood Action Plan. The engagements they assumed in the domain of fight against terrorism are important and they are part of the measures following from the European Security Strategy, because besides identifying terrorism as the most important threat, Javier Solana also call for the need to guarantee a safe and stable neighborhood for the EU¹¹⁶. The arrangements of the Action Plans are very similar for both countries, though their situation is quite different. The EU has proposed to strengthen the political dialogue and the anti-terrorism cooperation to prevent the attacks, including the full implementation of 1267/99 and 1373/01 UN resolutions and the ratification of all international conventions and protocols concerning terrorism¹¹⁷.

Maghreb States already have some experience in fighting Islamic terrorism¹¹⁸ and according to some practitioners, "cooperation with these States is not very developed because they manage to deal with terrorism at the internal level and they do not need EU's help"¹¹⁹. Nevertheless, several terrorist attacks took place during

¹¹⁴ Council of the European Union. Declaration on combating terrorism. 11 march 2004. p.14 (annex I). Available at: <http://www.consilium.europa.eu/uedocs/cmsUpload/DECL-25.3.pdf>

¹¹⁵ Council of the European Union. Declaration on combating terrorism. 11 march 2004. p.17; See also Sarah Wolff. 2009. *Op.Cit.* p.142.

¹¹⁶ Javier. A Secure Europe in a better World: European Security Strategy. Brussels, 12 December 2003, p.3,7-8.

¹¹⁷ Commission européenne.2004. Plan d'action UE/Maroc. Mai 2004.parag 10. [consulted 7 April 2008] available at: ec.europa.eu/world/enp/pdf/action_plans/morocco_enp_ap_final_fr.pdf; Commission européenne.2004. Plan d'action UE/Tunisie. Mai 2004. Parag. 9 [consulted 7 April 2008]. Available at : ec.europa.eu/world/enp/pdf/action_plans/tunisia_enp_ap_final_fr.pdf

¹¹⁸ For more details: Mathieu Guidère. 2007.*Op.Cit.* Philippe Migaux. 2009. Le Terrorisme au nom du Jihad. *Op.Cit.* p.137-140

¹¹⁹ Interview Foreign Ministry, Paris, January 2009.

the last years like in Morocco (March 2007) and Algeria (several between 2006-2009) and Al-Qaida definitely took root in the region when GSPC became its representative and changed its name to *Al-Qaida au Pays du Maghreb Islamique* in January 2007.

Bearing in mind the geographical proximity and the transnational nature of Islamic terrorism, some projects were developed with the three States with two major purposes as mentioned before: to build counter-terrorism capacity in third countries so as to deepen the international commitment to the fight against terrorism and to address the factors that contribute to the support and recruitment of terrorists. Thus, being a defender of multilateralism, the EU has financed projects in these countries so as to implement UNSC 1373 (2001), since as it was affirmed by a Commission's official, "the UN label is better accepted by some States"¹²⁰.

Some projects were financed by the Meda JHA program in the framework of the Valencia Action Plan¹²¹ (the three Maghreb countries being the main beneficiaries), amongst which, for Morocco, the program "Modernizing jurisdictions" with a budget of 27 million Euros for 26 months¹²² whose aim "of improving the structural (notably computerization) and organizational capacities (training, databases and archives) of the judicial institutions"¹²³. Another project that needs to be underlined the "Management of Border Control" with a budget of 40 million euros¹²⁴ "to improve the capacity of the Moroccan partner to fight illegal migration and to strengthen border management, including surveillance". Nonetheless, the Moroccan were not satisfied by the fact that, in 2006, they still did not receive the first envelop from the Commission¹²⁵.

120 The UN Counter-terrorism Committee has included eight fields of action for the implementation of the resolution and the EU follow them to build counter-terrorism capacities in third countries, namely, the legislative production in the field of counter-terrorism, financial field, customs field, immigration and extradition fields (and to help them to put into practice), to help them to improve their police forces and law enforcement work, as well as to prevent arms trafficking and finally, to improve their judiciary system, Interview European Commission, February 2008 (b). See also Eling, Kim. 2007. "The EU, Terrorism and effective Multilateralism". In Spence David (ed.) *The European Union and Terrorism*. London: John Harper Publishing. p.109-111

¹²¹ But still in order to help these countries to implement UNSC 1373 resolution.

¹²² Morocco's Strategy Document 2002-2006 indicates 27,7 million euros. Commission européenne. *Maroc : Document de Stratégie 2002-2006 & Programme Indicatif National 2002-2004*. Bruxelles, 6 décembre 2001. p.17 Available at : ec.europa.eu/external_relations/morocco/csp/02_06_fr.pdf [consulted on 24 March 2008]

¹²³ European Commission. Circa 2004. Regional and bilateral MEDA cooperation in the area of Justice, Freedom and Security – Justice and Home affairs in the framework of Valencia action plan. Information Note. DG AidCo, p.6

¹²⁴ Signature of the Financing Agreement: December 2004. Ibidem p.7

¹²⁵ This means that the beginning of the project was also postponed to 2006. Interview European Commission, March 2008 (a).

As for Algeria, MEDA has financed a program to "Support to the Reform of Justice" with a budget of 15 million euros for 36 months in order to support the independence and the development of the Algerian judicial system¹²⁶. Another program dealt with the police sector to support its modernization, including the promotion of respect for Human rights with 8,2 for a period between 2001 and 2006 but, it has to be said that, if a second phase of the project was planned (police II), it was cancelled due to divergences between the services involved within the Algerian government¹²⁷.

Turning to Tunisia, it was the beneficiary of a program to "Support the Modernization of the judicial system" with a budget of 22 million euros for 36 months through the development of the Tunisian judicial system (transparency, organization...) and the improvement the access to justice for the Tunisian population.

Being on the list of "priority States" constituted in 2001¹²⁸, the Commission tried to prepare action plans for the three States. Sources of the Commission have affirmed:

In the case of Morocco, there is a plan for technical assistance under the aegis of COTER, but it is not about operational cooperation. COTER tried to make of Member States' technical assistance a platform a little more coherent and the Commission tried to support Morocco's endeavors in its fight against terrorism. But it is not really about an action plan, it is more about a mixed list of actions taken by each instead of a coherent and global strategy. Cooperation is punctual but it is not very coherent at the Communitarian level¹²⁹.

Nevertheless, in the perspective of a strengthened cooperation between the EU and third countries, Morocco could become a "pilot" country for some actions which could be extended to other partners of the region afterwards¹³⁰. In this context, in 2007, Spain (as leader) and France (junior partner) have launched a twinning program in the field of money laundering with a budget of 1,4 million euros also financed by MEDA in the framework of the support to the Association Agreement EU-Morocco¹³¹. The project aims to prevent the use of the financial system as a means to launder money coming from organized crime and to finance terrorism. The project offers assistance to finalize the juridical frame and strengthen Moroccan administration's

¹²⁶ European Commission. Regional and bilateral MEDA cooperation in the area of Justice, Freedom and Security – Justice and Home affairs in the framework of Valencia action plan. *Op.Cit.* p.7

¹²⁷ Interview European Commission, March 2008 (b)

¹²⁸ According to the Action Plan of the EU to fight against terrorism (2001), cooperation consists of technical assistance for seven countries: Algeria, Saudi Arabia, Kenya, Indonesia, Morocco, Tunisia and Pakistan.

¹²⁹ Interview European Commission, February 2008 (a).

¹³⁰ Commission européenne.2006. "IEPV Maroc: document de stratégie 2007-2013 » p.11. http://ec.europa.eu/world/enp/documents_fr.htm#1

¹³¹ Telephone Interview European Commission Delegation in Rabat, April 2008.

capacities in the field of terrorism funding namely through the setting of a processing unity of financial *intelligence*¹³².

As far as Algeria is concerned, its experience in the fight against Islamic terrorism made of it an active element at the international level¹³³. Algerian authorities cooperate with Interpol, Europol and NATO but it is with the United States that cooperation has been developing more importantly through the Algerian participation in the Transaharian Initiative whose objective is to impede the installation of Al Qaeda's bases in the region¹³⁴. As far as the Euro-Algerian cooperation (first pillar), the Community has been willing to support the continuation of the modernization of Justice and of the prison system, as well as the management of borders¹³⁵. As a second pillar instrument, one needs to mention the Council Joint Action 2007/501/CFSP of 16 July 2007 on cooperation with the African Centre for Study and Research on Terrorism in the framework of the implementation of the European Union counter-terrorism strategy¹³⁶. THE CAERT is situated in Algiers and the joint action aims at improving the organization of the capacities of the States of the African Union in the fight against terrorism "in the framework of the provisions of the European Union counter-terrorism strategy on the promotion of a partnership in this area outside the European Union, in particular with international organizations"¹³⁷. With a financing of 665000€, the presidency assisted by the General Secretariat of the Council/ CFSP High Representative was responsible for its implementation¹³⁸.

Finally, at a bilateral level, Tunisia is the most reticent of the three Maghrebian countries. The State cooperates mainly in the field of non proliferation of weapons of mass destruction (as the other two states) and it can be said that it cooperates, in general, in the fight against terrorism with the EU¹³⁹, but it is more active at a bilateral level with some Member States (like France or Italy), in particular after Djerba's attack

¹³² Ibidem. Though the project has started in 2007, the processing unity was set up only in April 2009.

¹³³ Commission européenne. « IEPV Algérie. Document de Stratégie 2007-2013 & Programme Indicatif National 2007-2010 ». p.12. [Consulté le 1 février 2008]. Disponible sur : http://ec.europa.eu/world/enp/documents_en.htm#5 [consulted 1 February 2008].

¹³⁴ Ibidem.

¹³⁵ For the period 2007-2013. Commission européenne. « IEPV Algérie. Document de Stratégie 2007-2013 & Programme Indicatif National 2007-2010 ». *Op.Cit.* p.25

¹³⁶ Council of Ministers. Joint Action 2007/501/CFSP, Official journal L 185 of 17.7.2007, pp. 0031-0034, Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:185:0031:01:FR:HTML>

¹³⁷ Joint Action 2007/501/CFSP, article 1, *Op.Cit*

¹³⁸ According to a Portuguese diplomat, during the Presidency, the launching of this joint action reflected the "African priority" for Portugal in the fight against terrorism, this country having contributed to the launching of the initiative. Interview Portuguese Foreign Ministry, March 2008.

¹³⁹ Tunisia is much more active in limited fora like 5+5 ou the Mediterranean Forum. The country has ratified most of the international conventions, namely SCNU 1373/01 and 1267/01 and has adopted a anti-terrorism legislation in December 2003.

in 2002¹⁴⁰. According to Tunis EC Delegation, there is no technical assistance plan. Though there has been an attempt to create a kind of “roadmap” with the cooperation of Member States, since EC Delegation could help (like for other third countries) identifying priorities, needs, accompanying bilateral co-operations through coordination measures, but nothing was settled¹⁴¹. Therefore, the measures in the field of counter-terrorism EU-Tunisia are few, but it participates in multilateral projects as we will see.

The Euromed Police II program (July 2007-June 2010), entirely financed by the Commission (5 million €) was adopted by the Council of Ministers at the end of 2006¹⁴². Morocco, Tunisia and Algeria participated in the program where several activities were organized like information sessions for the general directors of the Police, Customs and Security services, accompanied by the heads of their departments (judiciary, public security); training sessions on practical police cooperation for senior police officers from specialized services; technical training sessions for the heads and close assistants of special intervention units; study visits by senior police officers from MEDA countries...¹⁴³. Despite the diversity of the proposed activities, one needs to underline the limitation of the budget for three years which can be an obstacle to the ambition of the program.

Finally, one needs to mention the political dialogue launched with Morocco and Algeria by the Portuguese presidency (second semester 2007) in the framework of COTER (second pillar Working group of the Council). Moreover, the strategy for technical assistance with these countries was re-evaluated allowing for a revision of the counter-terrorism Cooperation Plan with Algeria¹⁴⁴.

III – EU’s capability: some advantages and several obstacles for the euro-maghrebian cooperation stemming from cross-pillarization.

As we have seen in the first part, according to Vogler and Bretherton, the EU is an actor “under construction” dependent on the notions of “presence, opportunity and

¹⁴⁰ *Accord euro-méditerranéen établissant une association entre les Communautés européennes et leurs États membres, d'une part, et la République de Tunisie, d'autre part.* Journal officiel n° L 97 du 30/03/1998. p.12 [consulté le 20 novembre 2006] Disponible sur : [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21998A0330\(01\):FR:HTML](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21998A0330(01):FR:HTML)

¹⁴¹ Telephone Interview EC Delegation in Tunis, April 2008.

¹⁴² European Police College. « Euromed Police II [Réf. 26 février 2010]» Available at : <http://www.cepol.europa.eu/index.php?id=97>

¹⁴³ For more details see: Ibidem.

¹⁴⁴ Portugal. Ministério dos Negócios Estrangeiros. 2008. *O Balanço da Presidência Portuguesa do Conselho da União europeia.* P.126 http://www.eu2007.pt/UE/vPT/Noticias_Documentos/20080211bilan.htm [consulted 8 February 2008]

capability" which shape the Union's external activities¹⁴⁵. In this third part, we will focus on the aspect of capability, starting by asserting that there is in fact a "shared commitment to a set of overarching values"¹⁴⁶and as it was asserted by the European Council on the 21 September 2001 when referring to a "global coalition against terrorism":

In addition to the European Union and the United States, that coalition should include at least the candidate countries, the Russian Federation, our Arab and Muslim partners and any other country ready to defend our common values¹⁴⁷.

Now, we will turn to the aspects of vertical consistency and horizontal coherence¹⁴⁸ necessary to the Union so as "to capitalize on presence or respond to opportunity"¹⁴⁹. Jörg Monar has pointed out about European counter-terrorism policy that "[W]hat has emerged in the EU is a cooperative and coordinated rather than an integrated system of national policies and anti-terrorism capabilities¹⁵⁰". In fact, in March 2004, Javier Solana delivered an internal report on the EU's counter-terrorism efforts which identified three major shortfalls: some member-states were not implementing EU agreements, such as the common arrest warrant; the EU lacked sufficient resources to play a meaningful role in counter-terrorism; and co-ordination between EU officials working on law enforcement, foreign and defense policies was poor¹⁵¹.

Furthermore, it is not entirely clear who is "responsible" for the management of terrorism in the EU¹⁵². On one side, anti-terrorism is not a communitarized policy, which limits Community's action¹⁵³and, on the other, the leverage is reduced as far as Maghreb countries are concerned, since they cannot become candidates to the EU, it is

¹⁴⁵ Bretherton and Vogler. 2006, Op.Cit. p.24

¹⁴⁶ Bretherton and Vogler. 2006, Op.Cit. p.30 These values are mentioned in article 1 bis of the Lisbon Treaty.

¹⁴⁷ European Council. *Conclusions and Plan of Action of the extraordinary European Council meeting on 21 September 2001*. Brussels. p.1 Available at : http://ec.europa.eu/justice_home/news/information_dossiers/terrorism/documents/concl_council_21sep_en.pdf [consulted 15 October 2009].

¹⁴⁸ See Vogler and Bretherton. 2006. Op.Cit. p.31-32

¹⁴⁹ Bretherton and Vogler. 2006. P.29

¹⁵⁰ Monar, Jörg. 2006. "Conclusions: International Terrorism- A European Response to a Global Threat?". In Mahncke, Dieter and Monar, Jörg (Eds). *Internal Terrorism: a European, Response to a global Threat?* College of Europe Studies. Brussels: P.I.E Peter Lang. p.153.

¹⁵¹ Keohane, Daniel. 2005. « The EU and counter-Terrorism ». *CER Working Paper*, May. p.18

¹⁵² Mark Rhinard, Arjen Boin and Magnus Ekrengren. "Managing Terrorism: Institutional capacities and Counter-terrorism Policy in the EU". *Op.Cit.* p.99.

¹⁵³ Even if it always have some responsibilities as in the case of Joint Action 2007/501/CFSP, in which the Commission is responsible for supervising the proper management of expenditure, supplying the information relating to the financial aspects, concluding a financing agreement with the ACSRT and informing the Council of any difficulties.

an important obstacle to EU's "external governance"¹⁵⁴. The report of MEDA II program, which dedicated 142 million euros to the area of Justice and Home Affairs, referred that, in general, it was quite difficult for the Commission to intervene in these areas considered symbols of State's sovereignty, as it was the case for the Justice program in Algeria or in Tunisia who showed a strong resistance¹⁵⁵. The Commission was not able to act as it should in the Justice area, though it continued to try despite more reluctant partners¹⁵⁶.

Though it can be said that cooperation with Maghreb countries at the European level, in bilateral terms, presents some advantages because assistance aims at stimulating reforms in the sectors of security and justice, promoting the international standards of the UN and contributing to regional and subregional dialogue for the EU is largest donor for Africa. Nonetheless, as far as the joint action for the ACSRT is concerned, one has to recall that one of the "priority countries for the EU", Morocco, is not a member of this Centre which causes some operational obstacles since the African does not want Morocco to participate and the EU does not want Morocco to be left aside¹⁵⁷. The bilateral dialogue EU/Maghreb country is also a *plus-value* mainly for the Member States that have no previous contacts developed with Maghrebian States in the field of terrorism, since the EU can constitute a platform where first contacts can be established¹⁵⁸. Furthermore, the initiatives developed at the European level are beneficial to all Member States, including those who are not particularly exposed to Islamic Terrorism¹⁵⁹.

Nonetheless, as it has been argued:

Not only is coherence between the EU's external policies (trade, aid, development, diplomatic and ESDP) difficult to draw together, but linking the internal with the external has become a lofty challenge. The reasons for such difficulties are clear: institutional and political loyalties come into play, along with the more generic challenges of trying to combine "security-political" issues with "aid-development operations"¹⁶⁰.

¹⁵⁴ Lavenex, Sandra and Wichmann Nicole. 2009. "The external governance of EU internal security". *European Integration*. January. Vol. 31, No. 1, pp. 83–102

¹⁵⁵ ADE (within a consortium led by DRN). 2009. Evaluation of the Council regulation n°2698/2000 (MEDA II) and its implementation. Final report. Vol.I final report. June. Ref.: EuropeAid/122888/C/SER/Multi, p.55

¹⁵⁶ ADE. Evaluation of the Council regulation n°2698/2000 (MEDA II) and its implementation. Final report. Op.Cit.p.56

¹⁵⁷ Interview Portuguese Permanent Representation in Brussels, September 2008.

¹⁵⁸ Interviews Paris and Lisbon, 2008.

¹⁵⁹ Interview European Commission, April 2008

¹⁶⁰ Mark Rhinard, Arjen Boin and Magnus Ekengren. "Managing Terrorism: Institutional capacities and Counter-terrorism Policy in the EU". *Op.Cit.* p.101. The three authors mention not only the cross-pillar division, but also between national/supranational and interior/exterior division, even if borders are more and more blurred.

Consequently there are several obstacles to vertical consistency and horizontal coherence in counter-terrorism policy towards the Maghreb region. In fact, it seems that countries like Morocco and Algeria have expressed their preference for a bilateral cooperation with some Member states on one side and, bilaterally with the EU on the other¹⁶¹. Furthermore, as it was noticed:

Multilateral cooperation does not exist as such...even if multilateral dialogue further contacts. Counter-terrorism, as in other domains, is about personal contacts, being in joint meetings, create opportunities to socialize...this makes it easier for the exchange of information, if we can say. But cooperation takes place essentially at the bilateral level¹⁶².

Concerning the Member states, more than EU level coordination, EU's capability could be enhanced if member states were prepared "to break down or redefine corresponding barriers on the home front... because at the national level there is still a strong distinction between internal and external security¹⁶³". In fact a practitioner has observed in COTER a lack of interest from some Member States:

In practice, what can be seen in this area, is that "France, Spain and United Kingdom too (because of India and Pakistan) intervene directly, for the rest [of the Member States] there is a huge lack of interest. This may be also said of other European domains...at this level where decisions and framing are prepared, when well-articulated, allow afterwards for an operational cooperation¹⁶⁴".

These observations are good examples of the lack of vertical consistency still visible within the EU and differences of priorities between the EU and Maghreb countries. Nonetheless, one can also observe a lack horizontal consistency.

The Fight against terrorism of the EU has been suffering from coordination problems due to the institutional complexity of the EU, since it involves different actors which act in very different fields and do not always share the same objectives.¹⁶⁵ But this happens within member states and, consequently, within the Council of Ministers when « diplomats try to avoid problems through too many promises and the Interior Ministers who try to find answers to practical problems¹⁶⁶ ».

The lack of a comprehensive (previous "cross pillar") approach functioning in the EMP is visible because the three baskets¹⁶⁷ are not run in an interlinked way¹⁶⁸ and the

¹⁶¹ Interview Portuguese Permanent Representation in Brussels, September 2008. Op.Cit.

¹⁶² Ibidem

¹⁶³ Ekengren, Magnus.2007. "Terrorism and the EU: the internal external dimension of security". Op.Cit. p.38

¹⁶⁴ Interview Portuguese Diplomat, June 2008.

¹⁶⁵ Patryk Pawlak. « The External Dimension of the Area of Freedom, Security and Justice : Hijacker or Hostage of cross-Pillarization ?". *Op.cit.* p.39-40

¹⁶⁶ Interview French Permanent Representation in Brussels, April 2008. See also Pawlak, Op. Cit. p.32-34.

¹⁶⁷ A fourth one was included in 2005, for the tenth anniversary of the Barcelona Process.

provisions on political dialogue, human rights, rule of law included in Association Agreement but these have remained very general¹⁶⁹ and are seldom invoked. Furthermore, as we have mentioned, conditionality has been very limited if not non-existent despite the linkage between economic support and the promotion of human rights, fundamental freedoms and good-neighbourly relations through the regulations on the MEDA program¹⁷⁰.

In this context, some projects were developed with the three countries, though, as it was asserted by a Commission's Official, a disagreement between the actors of development (DG Relex and DG Dev) and promoters of security (DG Justice and Home Affairs) within the Commission about what can be financed with development funds¹⁷¹. In fact, until the creation of the Stability Instrument whose regulation includes the financing of actions for the fight against terrorism¹⁷², the Community could not finance actions directly concerned with the fight against terrorism, so it needed to use "a larger label as the one of "strengthening capacities in the fight against terrorism"¹⁷³. Problems of consistency have appeared because it has been difficult to efficiently integrate JHA objectives, in particular the fight against terrorism, in external relations, which has led to dysfunctions in cooperation and organization¹⁷⁴. All these difficulties show that the "external dimension is not viewed as a separate aspect of the JHA but rather as one of the components of EU's external actions"¹⁷⁵. The conflicts may occur for questions of "power and prestige, resources or on ideological ground"¹⁷⁶ and they hamper the effectiveness of EU's actorness in the fight against terrorism.

Nonetheless, these last few years, the Community and the Member states have shown the willingness to improve the coordination and coherence of a cross-pillar approach through the adoption of the European Union Counter-Terrorism Strategy and the Strategy for the External Dimension of JHA, both by the end of 2005. The former affirms that it "requires work at national, European and international levels to reduce the threat from terrorism and our vulnerability to attack" and given that the roots of

¹⁶⁸ Biscop, Sven. 2007. "The EU and Euro-Mediterranean Security: a New Departure?". In Casarini, Nicola and Musu, Constanza (Eds). *European Foreign Policy in an Evolving International System. The Road towards Convergence*. Basingstoke; New York: Palgrave Macmillan. p.199.

¹⁶⁹ Ibidem

¹⁷⁰ Ibidem.

¹⁷¹ Interview European Commission, March 2008

¹⁷² Regulation (CE) 2006, article 4 n°1a

¹⁷³ Ibidem.

¹⁷⁴ Interview European Commission, April 2008, *Op.Cit.*

¹⁷⁵ Patryk Pawlak. « The external Dimension of the Area of freedom, Security and Justice : Hijacker or Hostage of cross-pillarization ?". *Op.cit.* p.39-40

¹⁷⁶ Patryk Pawlak, *Op.Cit.* p.40.

international terrorism are found in many parts of the world “co-operation with and the provision of assistance to priority third countries - including in North Africa, the Middle East and South East Asia - will be vital”¹⁷⁷. As for the latter, it admits that to build a European Space of Freedom, Security and justice, there is a “need to ensure a commensurate priority is given to JHA issues in the EU’s external action” but that until now, “JHA are not dealt with as consistently as they might be”¹⁷⁸.

Therefore, progresses take time to produce their effects and an Official of the Commission has tried to summarize the current situation:

There is no coordination between the second and the third pillar, it is not about difficulties, rather one does not know exactly ‘what the other pillars are doing’. Nevertheless, it cannot be denied that there are parallel bureaucracies which do not communicate with each other, a system that is duplicated at the national level, a disturbing fact whenever one needs to deal with a question like “djihadism” whose internal and external aspects are merged¹⁷⁹.

Conclusions

In this paper we argue that, according to the criteria established by Bretherton and Vogler, the EU has become an international actor. EU’s actorness is “under construction”¹⁸⁰ and it is a fact that should not be confused with the efficiency of its action¹⁸¹. In fact, the evolution of the international context has provided several opportunities for the EU to act in the field of counter-terrorism, internally and externally. In other words, “to capitalize on its presence” in Maghreb countries by using mostly instruments of the previous first (mainly economic ones) and second pillar (political dialogues), but also some of the previous third pillar since the launching of the Meda JAI (police and justice) program, all these characteristic of a “civilian power” type of actor.

The cooperation that has been developed with Morocco, Algeria and Tunisia has presented several advantages though it has reached different stages of development and the capability (third criterion) for EU’s actorness is an important factor to explain these differences. EU’s action has focused mainly on two axis: to build counter-terrorism capacity in third countries so as to deepen the international commitment to

¹⁷⁷ Council of the European Union. 2005. *EU counter-terrorism strategy*. DOC 14469/4/05 REV 4. p.7. Available at : <http://www.consilium.europa.eu/> [30 October 2009]

¹⁷⁸ Council of the European Union. 2005. *A strategy for the external dimension of JHA: Global freedom, Security and Justice*, 15446/05, December 6. p.7.

¹⁷⁹ Interview European Commission, April 2008, *Op.Cit.*

¹⁸⁰ Bretherton and Vogler. 2006, *Op.Cit.* p.24.

¹⁸¹ Ana-Paula Brandão, *op.cit.*

the fight against terrorism and to address the factors that contribute to the support and recruitment of terrorists¹⁸².

Even if the differences between the priorities of Maghreb countries and those of the EU are in fact an obstacle to the success of “external governance”, the lack of complete vertical consistency and horizontal coherence has played a “heavy part” in the negative evaluations of EU’s actorness in the region. That is why it is still possible to find a lack of coherence in the promotion of EU’s objectives in the region. The EU’s Counter–Terrorism Strategy is an important step to reach coherence between the internal and external dimension of EU’s action. It mentions that the EU should work to “resolve conflicts and promote good governance and democracy” as “essential elements of the Strategy, as part of the dialogue and alliance between cultures, faiths and civilizations”¹⁸³ but as it has been underlined by several author’s, these objectives have been subordinated to security and also economic and energy security interests promoted by the Member states of the Union¹⁸⁴. Therefore, despite being acknowledged as an international actor by the Member States and the Maghreb countries, the EU still lacks some autonomy from its parts since it still heavily relies on their political will and resources¹⁸⁵.

As a diplomat has asserted:

Europe is failing and will continue to fail because there are several voices and, therefore, we do not have a “single reading”, we are not able to “focus” on the question and we continue to waist resources. When most of us will manage to reach the same reading and a strategy to reach a specific objective, cooperation will finally be organized¹⁸⁶.

¹⁸² Ibidem. As we have already mentioned, the Euro-Mediterranean Partnership is a good example of this cross-pillar, comprehensive approach.

¹⁸³ Council of the European Union. 2005. *A strategy for the external dimension of JHA: Global freedom, Security and Justice*, Op.Cit. p.7

¹⁸⁴ Franz Eder, Op.Cit; George Joffé. 2008, Op Cit

¹⁸⁵ Ana-Paula Brandão, op.cit. p.19

¹⁸⁶ Interview Portuguese Diplomat, June 2008. Op.Cit

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