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Arab NGO Network for Development
شبكة المنظمات العربية غير الحكومية للتنمية

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11.11.11

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Report of the Euro-Arab Civil Society Forum

December 8th, 2016

Brussels, Belgium

The Civil Society Forum takes place with the collaboration and support of:



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The Arab NGO Network for Development, in cooperation with Solidar, CNCD 11.11.11 organized a half-day Civil Society Forum on December 8th at Solidar offices in Brussels. The forum brought together civil society organizations from the Arab region and their counterparts from Europe in order to explore areas of cooperation and joint work with regard to monitoring and influencing EU policies towards the Arab region and their repercussions on development and human rights enjoyment. The forum tackled key issues including the role of civil society, the rights-based approach in the EU development model, the role of private sector, EU trade and investment policies, migration and refugee crisis, security and stability in the region.

Welcome and Introductory Remarks

Zahra Bazzi from the Arab NGO Network for Development

The forum started by a brief presentation about the development situation in the region by Zahra Bazzi. Since 2011, uprisings and social unrests have affected several Arab countries, and a number have fallen into protracted conflict. 5 years since the outbreak of the uprisings, the policy agenda still fails to confront the region's deep-rooted socioeconomic problems. There has been no major shift in the development model that has brought about such conditions. According to the new UNDP Arab Human Development Report 2016, the economic situation is the biggest challenge perceived by Arab Citizens. The region still scores lower than the world average on the Human Development Index. The high military spending is challenging the principle of allocation of maximum available resources to development needs. The space for CSO engagement is shrinking and many Arab countries are perceived as closed countries (Sudan, Libya, KSA, SAR, UAE) according to the CIVICUS monitor. Furthermore, new association laws in Egypt and Jordan are further narrowing the space and restricting the role of civil society. The Arab region has also the largest number of refugees and displaced populations in the world, most of whom are displaced within the region (ESCWA and IOM, 2015). Immigration is known to create opportunities for vulnerable employment and informal employment conditions especially when taking place illegally or when host countries deny immigrants employment rights or decent working conditions (ILO) in addition to many violations of human rights.

After providing a brief update on the development situation in region, Mrs. Bazzi focused on the EU policy impacts on the region. She highlighted that the EU is addressing the migration crisis from a pure security approach, and that the EU member States felt threatened by the flow of refugees at political, economic, social and cultural levels. Accordingly the EU works around increasing border security measures, relocating only a limited number of refugees, increasing cooperation with the countries of origin and transit through allocating additional funds to keep the people in their countries. Mrs. Bazzi referred to the newly announced European External Investment Plan (EEIP) for the Neighborhood and Africa as well, noting that the plan is introduced as an ambitious plan to tackle the root causes of the migration but the misleading linkage between lack of investments and migration is promoted by the EU. Likewise, the promotion of the DCFTAs as a tool for development in the region remains challenging, as in reality those agreements revolve around further liberalization of strategic sectors like public procurement and services and more protection to investors and access to Investor –State Dispute settlement.

Mrs. Bazzi concluded her introduction noting that the challenges are increasing in the region while the proposals within the EU-Arab partnership are not changing. She stressed the need for dialogue and cooperation between North and South as a high priority. In this regard, she noted that the civil society should be considered as the main actor of stabilization and that civic engagement has a key and complementary role to play within conflict resolution and Peace building programs.

Keynote by Roberto Bissio- Social Watch

Mr. Bissio in his keynote speech focused on the 2030 Agenda for Sustainable Development adopted unanimously at the United Nations by the Heads of States and Governments in September 2015; considering it as highly ambitious agenda. He stressed that it is a powerful common agenda for both European and Arab countries, as well as the international community and if taken seriously has the potential to change the prevailing development paradigm by re-emphasizing the multidimensional and interrelated nature of sustainable development and its universal applicability.

He then presented the Spotlight on Sustainable Development, the report by the Reflection Group on the 2030 Agenda for Sustainable Development. He mentioned that the report puts a spotlight on the fulfillment of the 17 goals, with a particular focus on inequalities, responsibility of the rich and powerful, means of implementation and systemic issues. It also includes National Reports from Europe and the Arab countries. He emphasized the main idea behind the report as ensuring accountability; as the governments commitments and citizens demands should be reflected in implementation of these goals. He referred to the importance of the Agenda 2030 as it presents important opportunities for addressing the main development challenges and proposing alternative models especially at this time where the future is not clear and the arrival in power of extreme right in different countries poses additional challenges on the development path. In addition, he noted the importance of empowerment to citizens and the dialogue, debate and interaction among the societies- as happens during the Civil Society Forum itself as well--towards exploring new model of dialogues between the two regions and a new development model.

Session I: The new European Neighborhood Policy: Assessing the first year of implementation and the role of civil society

Facilitated by: Elvira Giraldez Casal del Rey –Norwegian People's Aid

The revised Neighborhood Policy acknowledged the commitments to support and foster stability, security and prosperity in the neighboring countries but admitted the need for a new approach, a re-prioritization and an introduction of new ways of working. In this regard, within the first year of ENP implementation partnership priorities with Southern countries are revised and adopted (Jordan and Lebanon). The session assessed the progress and regress in bilateral relations and point out the remaining gaps in implementation of ENP. Evaluations by civil society groups from Egypt, Lebanon and Jordan tackled as well the role civil society played within the revised ENP and the situation of civic space specifically.

Kamal Abbas- Egypt

Mr. Kemal Abbas focused on the neo-liberal policy measures adopted and promoted in Egypt to provide the general assessment of the first year of ENP. He noted that the situation in Egypt is difficult on the economic level; the new loan was signed with IMF with a set of policy recommendations including allowing the currency to trade freely and reducing energy subsidies. Those measures are destructive for social and economic development and indeed this approach did not lead to its expected results previously either.

On the other hand, focusing on the new association law in Egypt, Mr. Abbas pointed out the restrictive space for Civil Society engagement in the country. The law will lead to the closure of human rights organizations but also to charities and service providers. The law includes flagrant violations of Egypt's constitution and international legal commitments regarding freedom of civic association, as well as its severe social and economic repercussions, especially in regards to development and investment. Mr. Abbas reflected on the situation of independent unions as well, given that the current government passed amendments to the existing restrictive law regulating labor unions.

In this context, Mr. Abbas recalled the civil society message for the EU, namely to prioritize democratic values and principles in its bilateral negotiations with the Egyptian government and officials and repeated that the EU should protect the CSO space if they have leverage. Moreover, Mr. Abbas called for solidarity among the European and Southern Neighborhood civil society organizations, and invited the groups to mobilize towards organization of an international Workshop on the enabling environment in Egypt.

Manar Zeaiter – Lebanon

Within the framework of the revised ENP, the new EU-Lebanon Partnership Priorities were identified and signed in November 2016. The priorities include: Stability and countering terrorism governance and rule of law and fostering growth and job opportunities.

Mrs. Zeaiter mentioned that Civil Society Organizations have fears and concerns related to this partnership. She added that the stability of the country is a high priority but we want to make sure that it will not be at the expense of human rights. The linkage between investment and migration is also presented as a solution for the root causes of migration which is questionable unless we work towards a national economic strategy beforehand. The EU should consider the Civil Society as an effective and full actor in the implementation of the ENP, the Civil Society role starts with the monitoring, assessing and engaging in the policy processes. On the other, we need to enhance networking and solidarity by the Civil Society and to adopt new tools to face the challenges.

Mahmoud Hismah- Jordan

Within the framework of the revised ENP, Jordan is among the forerunners with the new EU-Jordan Partnership Priorities already identified, whereas the document is expected to be signed before the end of 2016. The priorities include: Enhancing Cooperation, Economic Stability and Enhancing democratic governance. As in Lebanon, addressing migration and refugee crisis is key within EU-Jordan relations, yet according to Mr. Hismah the relations are undertaken in a diplomatic way not taking into account the realities and impacts on the ground. Mr. Hismah referred to the situation of civil society and the draft association law to stress on the role of civil society can play in the Jordan-EU relations in future and regarding the priorities set. The restrictive amendments proposed indeed makes an active civil society engagement difficult, as for instance many organizations already faced rejections of licenses to organize events or to get funding.

Vincent Forest– Euromed Rights.

Mr. Forest undertook an overall assessment of the new ENP reflecting on the key principles the revision process was based on. Initially he has focused on the participatory approach promoted in the revised ENP, yet noted that the reality on the ground shows that this participatory approach is limited, particularly for an effective civil society engagement. He noted that although the EU delegations in respective countries invite the CSOs, there is not adequate and timely information given to them, neither full disclosure about the contribution they can make. This limits the efficiency and do not ensure effective participation to reflect civil society concerns. He then noted on the accountability aspect and that the new ENP do not include any progress reporting exercise. He pointed that the lack of any clear mechanism on monitoring and reporting makes it civil society engagement on tracking the implementation as well. Finally Mr. Forest referred to two key but weird concepts of the new ENP: pragmatism and Predictable unpredictability. According to Mr. Forest these concepts show that the new policy is less attached to the values and principles of Human Rights.

Session II: Current challenges and the EU priorities in the region (Part I:Migration, security and stability Facilitated by : Giovanna Tanzarella - Réseau Euromed France

The second session shed light on the EU-Arab relations and EU priorities in the region focusing on migration, stability and security aspects. Given the adoption of the Migration Policy Framework, the speakers assessed policy from a rights perspective. They have focused on EU-Arab partnership as a tool to address the root causes of migration and assessed the role ENP implementation can play in advancing peace and security in the region. They have provided policy recommendations to ensure a comprehensive and rights-based approach in migration policy.

is the 5000 dead in the Mediterranean in 2016. It is a more serious record to talk about and should be addressed. Indeed, this figure should be the starting point in our evaluation of the European policies. Thus, rather than the Creation of the European Border Agency, a sea rescue policy is needed. Furthermore, Mrs. Prestianni focused on the diverse measures adopted by the European states. For instance, the reality shows that Italy is using torture in order to collect fingerprints or Switzerland is returning minors. She clarified that there is no solidarity with the refugees at the European level. With regard to the European External Investment Plan she reflected that opening markets for investments in exchange of opening borders is the approach adopted by the EU in African and Mena countries, however what we need is to create the circumstances of the circulation of people between countries as a human right.

Session III: Current challenges and the EU priorities in the region (Part II: Trade, investment and development)

Facilitated by: Michel Cermak- CNCD 11.11.11

The Third session focused on EU trade, investment and development policy impacts in the Arab region taking into consideration the developments on the Deep and Comprehensive Free Trade Agreements, the launch of the European External Investment Plan as well as the adoption of a new European Consensus on Development.

Michel Cermak- CNCD 11.11.11

Mr. Cermak gave an overview of the DCFTAs. He noted that DCFTAs are agreements proposed by the EU to deepen the liberalization of specific sectors: The services, the public procurement and to protect foreign investors. In December 2011, the EU presented DCFTAs as hands extended to Tunisia and Egypt in their transition period, although these negotiations were in the pipeline before the revolutions and this was a mere repackaging in 2011. He then presented the State of Play of the negotiations that are advancing in very different paste in the 4 countries: with Jordan and Egypt they are dead, in Morocco 4 rounds of negotiations happened than were suspended by Moroccans and in Tunisia the negotiations took time to start, in April 2016 a first round of negotiations took place and a second cycle is held in December 2016.

In his analysis, Mr. Cermak presented few remarks on the method and content of the negotiations:

- On the method, in the narrative there is an idea to involve civil society what is interesting to note is that within the framework of the new approach of the EU in relation to DCFTAs. The new approach is that the EU is publishing the different documents in the case of Tunisia. And there is a need for CSOs to do a real monitoring work and analyze the possible impacts of these agreements.
- Those agreements are part of a new generation of trade agreements that goes beyond tariff reduction and include provisions on investment protection and possible referral to arbitration in settling the disputes between the states and the multinationals. Experiences of the arbitrations were very expensive to Arab countries mainly in Egypt.

Abdel Hakim Chafiai, Espace Associatif, Morocco

Mr. Chafiai presented the case of Morocco and the EU-Morocco trade agreements history. He noted that since 1996 there were trade relations between Morocco and the EU. Morocco and the EU built the free zone after the partnership/association agreements. Before 2012 the liberalization included the following sectors: Clothe , farming products, transport vehicles. After 2012 the farming and agriculture entered the trade scene. He highlighted key points with regard to EU-Morocco trade agreements:

- First of all, free trade is not a new concept nor the deep and comprehensive free trade agreements. But we should note that the expected results were not met. The people's uprisings are the sign of this.
- Freedom to access to information was not respected within the trade agreements consultation/signatures. There has not been any inclusive dialogue on the subject in Morocco. Public opinion was not heard.
- Trade should be a tool for development in the region and this requires as well that Morocco and the southern states are recognized as real partners.

- Follow up and the monitoring should be key for ensuring corrective measures and remedies.
- Conditions put by EU are harder than those under the multilateral agreements.

Manana Kochladze, Bankwatch

In order to present an overview on the European External Investment Plan, Mrs. Kochladze made an analysis of the European Fund for Strategic Investments and focused on the impacts of the extension of the External mandate for the European Investment Bank (EIB). With regard to EIB external mandate extension, she has noted that the ENI will create the European Fund for Sustainable Development that will leverage in total 88 billion euros for funding projects in Africa and the Neighborhood. With its mandate extended, the EIB will be leading these operations and will be in charge of them. She has noted that although in theory, with its aim to ensure eradication of the root causes of migration through mobilizing investment through the private sector the EFSD sounds very nice, we should consider the whole package and the experiences of the EFSI in hand to understand the whole picture. First of all, although the fund looks as if it will support social and economic development, ensure job creation for women and youth, the 2 other elements should be considered as well: namely Technical assistance and the Enabling the Business Environment and dialogue with the business.

Furthermore, the EFSI experience is important. In 2015, the EU fund for Strategic Investments was created with the similar ideas: to ensure growth and development within EU. But in a 1.5 years, we see that the fund money went on motorways, airport and fossil fuel. So nothing new in terms of really innovation and no support to sustainable sectors inside the EU. The money was spent rather on strategic importance sectors within the EU but those who received the money were the richer of the EU. Moreover, none of the projects have been scrutinized as they should have been, in addition none of them were in line with EU's commitments, for instance considering the support to fossil fuels on the contrary to EU's climate commitments. In this context, with the external mandate we should be aware of the fact that EIB becomes a major player in the region. With the FEMIP the EIB has already engaged in the region but lack of development impacts and the transparency should be taken into consideration in EIB's extended role.

Dr. Mohammed Saadi –Morocco

Dr. Saadi focused on the Morocco DCFTA experience as well and noted that the negotiations with Morocco halted because the government was not convinced of the impact assessment study conducted by the EU through ECORYS . In fact the EU tried to show that Morocco is the biggest beneficiary, the GDP will increase and new jobs will be created. As a matter of fact, ECORYS experts use an economic model to assess the impact but they have no consideration of human rights and the distribution meaning who will benefit from this impact. Indeed, Dr. Saadi highlighted that what we have got is inequitable exchange: large sums of money were transferred to Europe, not compensated with FDIs.

In addition, Dr. Saadi highlighted the role of the private sector in the EU-Arab partnership and that the EU is also proposing partnerships with private sectors. However he noted a key issue in this regard namely the accountability of the private sector. In this regard, he has highlighted the role civil society plays in monitoring and assessing the role of private sector before and after. He has referred to a recent study undertaken at ANND on public private partnerships that will be launched later in 2017.

Tiago Stichelmans de Castro Freire-Eurodad

Mr. Stichelmans de Castro Freire focused on the EU budget support, as a tool used in the partnership. He clarified that EC Budget Support is a mechanism providing direct financial transfers to partner countries' budgets. It accounts for approximately 25% of EU development aid. There are different eligibility criteria and different specific conditions for a programme or successive disbursements to be approved. Although EC Budget Support was designed to reinforce ownership, case studies show that EC Budget Support sometimes incentivizes trade and economic liberalization in recipient countries including Arab countries even when those reforms are contradicting local development strategies. For example, in Tunisia between 1968 and 2008, the EC has disbursed 732 million of euros that were accompanied by conditionalities to adopt economic liberalization policies: reduction of tariff barriers, privatization of state enterprises and deregulation of the economy.

He has also focused on development effectiveness and explained that the new tendency nowadays is to instrumentalize aid in order to oblige the Arab countries to cooperate in the field of migration. On the aspect of conditional aid, he exemplified the European Union Macro Financial Assistance (EUMFA) that is a financial aid package that is provided to non-EU countries facing a balance of payments crisis. There are some general eligibility criteria and some specific conditions. For instance, those conditions impose the adoption of specific economic policies with little consultation of local actors.

Samir Aita- Cercles des Economistes Arabes- ANND

Mr. Aita initially focused on the current instability and escalating violence in the region and noted that the EU bears responsibility on the current situation as well. He focused on the changing context from 2011 to date and that in 2011 the conversation on the Arab region, was on the peoples movements and aspirations for change. But then we have moved to new historical movements in the region, notably with escalated wars and terrorism and high security concerns, the latter reflected as well in EU discourse and policy formulations. Indeed, the securitization of EU approach towards the region is visible but there remains key challenges.

Then, Mr. Aita focused on the important role EU can play towards ending the war in Syria. He had questioned the international decision to eliminate Daesh in Syria but reflected that many of Daesh soldiers are Europeans. In light of these, Mr. Aita identified key points in addressing security and Syria crisis. He noted that first of all that all relevant actors (Gulf States, the United States of America and Russia) must be an integral part of the negotiation. He highlighted as well that civil society plays an important role in peace-building and conflict resolution and that the dialogue should engage them as well, as key partners. On the role of civil society, he has highlighted the need to ensure engagement of independent organizations, not the GONGOs.

Leslie Piquemal-Cairo institute for Human Rights

Mrs. Piquemal focused on the question of migration and refugee crisis, through Egypt-EU relations. Initially she noted that while looking at the Migration Framework by the EU, we see that the priority is to ensure decent life, fight smuggling and prevent death at seas. For Egypt to be able to achieve those goals, policy changes are needed. The policy of criminalization has to change, forcible deportation of Egyptian needs to be revised. Egypt has a new anti-smuggling law that should meet international standards the problem is in the implementation.

The migration framework talks about decent life. But Egypt is facing economic challenges in addition to austerity measures imposed by the International Monetary Fund (IMF). Egypt needs to prioritize social measures and work on progressive Tax and reform of public service. It is necessary to engage trade unions demands instead of cracking down on their space. Arbitrary detention is systemic; it should be addressed instead of cracking down of HR defenders. There is no possible solution, if we don't focus on rule of law and governance. Within this context, the current government is not trying to adopt new socio-economic policies but instead it is issuing a repressive NGO law. This law risks to close down not only the big NGOs but every single kind of association including NGO working on development and service provision.

In light of this assessment Mrs. Piquemal concluded that the priorities of the Migration Framework are not prioritized in the Egyptian context and the change cannot be imposed from outside but it could be discussed in bilateral relations among the partners.

Faissal Aoussar – BADES/AMDH Morocco

Mr. Aoussar initially stressed on the need to consider migration as linked to human dignity. He presented a flashback on migration and stressed that before the World War II, there were no limits, there were multiple cultures and after the end of the war and the application of the liberal policies, poverty and inequalities increased. In addition to these liberal policy approaches, corrupt regimes and the colonialism deepened the inequalities and the need to address them. This requires adopting a holistic approach to addressing the root causes of migration within the countries. The EU as well should revise its migration policy with a rights-based perspective and putting human dignity at the forefront. In this regard, the tendency of Western countries to put strict immigration laws which are against the human rights based approach should be also tackled.

Sara Prestianni-ARCI

Mrs. Prestianni presented a European perspective on the EU migration policy and shared ARCI and Italy experience on addressing migration crisis. Initially she has presented numerical details on refugees in the Southern Neighborhood and Europe. She noted that the European Union talks about 170000 arrivals to Italy shores in 2016, 107000 in 2015 and 104000 arrived in 2011. The EU stresses on the numbers and the figures to adopt a security approach. But what we need to mention is that there is more than 5 Millions of Syrians in Lebanon and Jordan. Italy is trying to show the figures but in fact there is no big change in total numbers but rather on the numbers of minors and women which is increasing. She stressed that rather than the numbers of arrivals, we should focus on another figure; that

Conclusion remarks

by **Bihter Moschini from the Arab NGO Network for Development**

In the last session, based on the key issues covered Bihter Moschini made a wrap-up of shared lessons-learnt. She has noted that following the adoption of the Agenda 2030 last September, the European Union and the various countries in the Arab region have a common framework to work together. The Agenda 2030 is based on universal commitments both for EU and the Arab region. What is needed now is the mutual accountability and shared responsibility to achieve these goals. The EU-Arab partnership, since the Barcelona could have actually been an implementation tool to achieve this. Unfortunately today where we stand, outcomes and results are not promising. Key challenges of inequality, rights violations not only remain but deepen. Unfortunately, within the framework of all revised policies including European Migration Policy, External Investment Plan and the new Consensus on Development we don't see corrective measures. Moreover after the first year of implementation of the new ENP, what we have in hand do not indicate that the mutual accountability and the mutual interests in this partnerships are taken into consideration.

She highlighted that particularly with the stabilization and securitization becoming the key determinants of the EU approach to the region, concerns worsen and worsen each day. Within this context, a structured civil society dialogue and enabling environment for civil society is significant; the recognition on the role of the civil society should go one step further from "watch-function" and "ensuring better public accountability". Real engagement, inclusion of civil society on different sectors, different levels with timely, transparent flow of information and participatory approach would be key.

In this context, she has noted the importance of the exchange between the civil societies from both shores of Mediterranean. She expressed gratitude to all participants and explained that each year when in Brussels together with our European partners ANND organizes this exchange platform; to share lessons learnt but as well to have common strategies for our future. Universal commitments require common and shared but differentiated responsibilities for our societies. And we as civil society have a key role to ensure this with continuous monitoring, rights based policy recommendations and advocacy at national, regional and international levels. Finally she has announced a Southern-led civil society initiative on Structured Dialogue that will take place in the following two days in Beirut.