

POLICY POSITION

ENHANCING POLICY COHERENCE WITHIN THE EUROPEAN-ARAB RELATIONS; TOWARDS POLICIES THAT SERVE PEACE, DEMOCRACY, AND ECONOMIC AND SOCIAL JUSTICE

Presented by Delegation of Civil Society Organizations visiting the EU Institutions
(Brussels, September 2012)

The Arab region is passing through a period of change on the political governance front as well as on the economic and social fronts, towards democratizing related policy making processes and promoting democratic societies that respect and fulfill political and civic as well as economic, social, and cultural rights.

Within this context, peoples in the Arab region face substantial challenges in building movements and leadership with visions rooted in fulfilling peoples' rights and which positively engage and embrace the cultural, identity, and historical diversity in the region. Besides such challenges within nations, peoples of the region seek regional and international partnerships that serve common interests rooted in peoples' rights. Meeting such challenges requires a continuous revision and questioning of the content and mechanisms of cooperation and partnership between Arab countries and the EU. It necessitates ensuring policy coherence of the various levels of cooperation between the EU and Arab countries, not least development cooperation and the economic partnership, including the trade and investment relations, and in accordance with Article 208 of the Lisbon Treaty. The latter legal obligation establishes that "the Union shall take account of the objectives of development cooperation in the policies it implements which are likely to affect developing countries" and that all EU external policies must be in support of developing countries' development needs.

Within this context, a delegation of human rights and development civil society organizations from 7 Arab countries, organized by the Arab NGO Network for Development, in cooperation with EuroStep and CNCD- 11.11.11, is visiting the European institutions in Brussels to raise 7 policy issues and recommendations considered as priorities for enhancing coherence of policies within the cooperation and partnership between the EU and Arab countries [(I) Clarifying the concept of 'inclusive and sustainable economic growth'; (II) Re-establishing trade and investment relations with a human rights and development approach; (III) Recognizing the centrality of the Palestinian's rights to democratic and development Processes in the Arab region; (IV) Strengthening and operationalizing the promotion of women's rights and gender justice in implementing the policies of cooperation and partnership; (V) Respecting cultural diversity; (VI) Enhancing practical approaches to migration and economic and social dimensions; (VII) Enhancing effective mechanisms for engagement of civil society organizations].

I- Clarifying the concept of 'inclusive and sustainable economic growth': Signatories to this letter urge the EU to:

- Undertake a clarification of the 'inclusive economy' concept, which was integral to the EU's response to the revolutions in Arab countries. The concept should not be a framework for re-enforcing the economic policies adopted by previous regimes, which prioritized economic liberalization over any other developmental aspects of the partnership.
- Shift from an economic approach within the relations with Arab countries that focuses solely on economic growth, to an approach that prioritizes support for productive capacities, mechanisms of redistribution, promotion of decent work opportunities, and promotion of equality in access to economic resources and opportunities and outcomes of economic growth.
- Integrate and operationalize human rights, including the right to development and to decent work, in the policies and programs of the EU towards Arab countries. This should be pursued through enhancing coherence across various areas of policy and program cooperation, and evaluation of progress in the ENP based on human rights based indicators.

- Undertake an objective assessment of the macro-economic policy approaches promoted through the EU cooperation with Arab countries on development prospects and policy space. This necessitates establishing the space for the participation of labor and civil society groups in discussions around macro-economic policy approaches that is undertaken between the EU and Arab countries, and revising these policies such that they adhere to and promote human rights.
- Evaluate and revise the existing and future role of the European Investment Bank and the new activities of the European Bank for Reconstruction and Development within the region to ensure that they fully integrate a development approach that promotes and evaluates its contribution to progress of production capacities and promotion of decent work opportunities.
- Promote the role of civil society organizations in monitoring and contributing to the role that these institutions undertake in the area of regulatory and institutional reform. This necessitates a full and transparent disclosure of information on this role, besides disclosure of information on project base. In addition, undertake impact assessments of the financed projects based on a human rights approach that evaluates their contribution to decent jobs.

II- Re-establishing trade and investment relations in full compliance with human rights and in support of sustainable development: While trade and investment relations are core to the cooperation and partnership between the EU and Arab countries, the implementation of the trade and investment agenda since the launch of the Barcelona process has resulted in significant stress on productive capacities in Arab countries, and on the private sector including small and medium enterprises, employment and wages, as well as public expenditure on public social services. In this context, signatories to this letter urge the EU to:

- Undertake impact assessments of trade and investment relations that goes beyond consideration of economic aspects in order to integrate a development and human rights approach, while covering existing cooperation fields (i.e. impacts of trade in goods) as well as area under negotiations (i.e. services, agriculture) and those proposed for potential negotiations (investment, competition, regulatory convergence, government procurement). This is line with the direction adopted in the EU Strategic Framework and Action Plan on Human Rights (2012).
- Ensure that the outcomes of human rights and development assessments of areas under negotiations inform and shape the process of negotiations. Accordingly, undertake any necessary policy changes and programmatic interventions to mitigate negative impacts of existing agreements.
- Ensure full transparency regarding the proposal of ‘Deep and Comprehensive Free Trade Agreements’, including the publication of the timeframe for any resulting negotiations process, ensuring that a human rights and development focused impact assessment is carried with a space for civil society groups and national parliaments to contribute to developing the terms of the assessment and to access the results, and ensure that such assessments are undertaken before negotiations proceed and thus inform any related negotiations process.
- Refrain from starting any negotiations on investment and investor protection with Arab countries until effective action is taken and declared in accordance with the European Parliament¹ resolution, including to secure a model of agreements in investment that respect the capacity for public intervention, clarify the definition of ‘investor’ in order to redress any negative impacts on public interest and the sovereign right to regulate, avoid protection of speculative forms of investment and forms of investment resulting in abusive practices, and make the dispute settlement regime more transparent, more inclusive, including the obligation to exhaust local remedies.

III- Recognizing the centrality of Palestinians’ rights to democratic and development processes in the Arab region: Signatories to this letter urge the EU to:

- Recognize that it is essential to acknowledge and support the rights of the Palestinian people and their quest for a just solution to the Israeli-Palestinian conflict as a central condition for any progress towards political stability and sustained democratic practice in the region. Seeking a peaceful, just and sustainable solution to the Palestinian-Israeli

¹ European Parliament resolution of 6 April 2011 on the future European international investment policy (2010/2203(INI)).

conflict necessitates the respect of the spirit and letter of all relevant UN Resolutions and of people's right to self-determination and right of return. The lack of genuine constructive efforts on the Palestinian-Israeli peace process and the continued domination of the interests of security in dealing with the region contribute to undermining the credibility of EU policy there.

- Revise its cooperation and partnership relations with Israel in order to ensure that they reflect the principles of justice, rights, and peace to which the EU is committed.

IV- Strengthening and operationalizing the promotion of women's rights and gender justice in implementing the policies of cooperation and partnership: Policies of cooperation and partnership remain short of effective mechanisms in this regard. Signatories to this letter urge the EU to:

- Seek to operationalize the 'Istanbul Framework for Action' in addition to the International Convention on the Elimination of all forms of Discrimination against Women (CEDAW), especially in the process of reviewing the ENP policy approach and programs.
- Integrate and operationalize equality and women's rights in all aspects of cooperation and partnership with Arab countries, including policies of economic, financial, trade, and investment relations, ensuring that these policies promote opportunities for women to participate in the economic cycles and decision making, and in access to social policies and services. It is essential to set in place the proper mechanisms to ensure that investment, finance, and trade relations between the EU and Arab countries do not promote spaces where women's work is unfairly exploited, and their vulnerabilities is deepened.

V- Respecting cultural diversity: Cultural diversity and respect and acceptance of others should be a source of richness for humanity and a support for process of progress and development. Intolerance and denial breeds instability and is an obstacle to peace, stability, and progress. Signatories to this letter urge the EU to:

- Reflect such an approach in overall policy making in relation to the Arab countries and communities of the Arab region, stressing that cultural diversity necessitates policies and mechanisms that ensure respect of human rights and personal freedoms, especially freedom of opinion, religion, and religious and cultural practice.

VI- Enhancing practical approaches to migration and economic and social dimensions: Migration is core to the Euro-Mediterranean region and the relations between the EU and Arab countries. Migration is entrenched in economic, social, as well as cultural rights dimensions; it is a social and human exchange that is core to any cooperation and partnership. Signatories to this letter urge the EU to:

- Integrate the discussion of migration policies within the overall policy discussion of development objectives of the EU-Arab cooperation and partnership relations, while addressing the root causes of migration entrenched in political challenges, lack of freedom, as well as the biases and shortcomings of economic and social policies.
- Refrain from addressing migration from a unilateral approach with a security focus, which necessitates revising legislation that limits movement of workers through trade and investment agreements and those related to access visas to align them with human rights conventions on the right to work and movement.
- Include the assessment of migration trends and rights of migrants as one of assessment indicators of economic and social policies under the EU-Arab relations. Such steps are aligned with the call by the European Council (2005) that stresses the need for a comprehensive approach to migration that address the root causes of migration and the necessity for coherence between various policies of the Union for the Mediterranean, and the call of Euro-Mediterranean Ministers of Labor (Marrakesh 2008) for a comprehensive approach including economic, social, environmental, and financial.

VII- Enhancing effective mechanisms for engagement of civil society organizations: Signatories to this letter urge the EU to:

- Establish a more consistent and institutionalized process of engagement with civil society organizations, including participation in various aspects of policy design, program definition, implementation, and evaluation. This necessitates an adequate and consistent

access to information that allows civil society groups to undertake a constructive contribution.

- Integrate a human rights based approach to assessing progress on the ENP Action Plans, and clarify how the input from civil society groups is considered within the annual review.
- Promote open processes of engagement with civil society groups, especially at the national level through the European National Delegations, allowing for expanding outreach and engagement to new groups over time and avoid limiting the process to the groups selected or outreached to by the EU institutions, especially at the national level.
Expand the role of the SPRING program (Support for Partnership, Reform and Inclusive Growth) from allocating grants among civil society groups to enhancing mechanisms of engagement of civil society in policy design and program identification within the EU-Arab cooperation and partnership, as well as in setting benchmarks and indicators for programmatic interventions within the SPRING program and other partnership mechanisms.
- Consider the added value of establishing an open and representative advisory group of civil society groups from partner countries to assist and take part in the processes to be established as part of the EU response towards changes in the region, including the SPRING programme.
- Revise the project-based approach of cooperation with civil society, which is based on pre-defined programmatic frameworks, and facilitate the mechanisms of cooperation and support to civil society groups with a vision of supporting long –term sustainable democratic civil society engagement in Arab countries.
- Clarify the practical steps to be taken towards operationalization of the direction adopted under the EU Strategic Framework and Action Plan on Human Rights, including on establishing focal points on human rights and democracy in EU delegations and an EU Human Rights Special Representative, and means of engagement with civil society.

Participants in the Delegation	
Abdeljelil Bedoui	Tunisian Forum for Economic and Social Rights
Yosra Frawez	Tunisian Association for Democratic Women
Majdi Abdel Hamid	Egyptian Association for Enhancement of Civic Engagement
Khaled Ali	Egyptian lawyer and activist; candidate for the Egyptian Presidential Elections in 2012
Abdelmawla Ismail Mohamed	Egyptian Association for Collective Rights
Allam Jarrar	Palestinian NGO Network
Sayed Sharaf Mohsen al-Mosawi	Bahrain Transparency Society
El Kabir el Miloudi	Espace Associatif
Hala Ahed Deeb	Jordanian Women's Union
Joumana Merhi	Rassemblement des Femmes Democratiques du Liban
Samer Abdallah	Nahwa Al Muwatiniya (Towards Citizenship)- Lebanon
Ziad Abdel Samad	Arab NGO Network for Development
Kinda Mohamadieh	Arab NGO Network for Development

For more information regarding the delegation's visit, please contact: Arab NGO Network for Development; Emails: annd@annd.org, kinda.mohamadieh@annd.org; Tel: +961-3-311149.