To good neighbourliness!

The dilemma faced by the EU in its search for an effective policy with Lebanon

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Abstract:

The European Neighbourhood Policy (ENP), designed to form the political framework for relations to neighbouring countries since 2004, is confronted with the allegation of being ineffective. Thus, the European Union (EU) is compelled to define its role in Lebanon anew and needs to disperse tensions within the current European Neighbourhood Policy (ENP): Is the policy's focal point to be shared values or stability? Is the focus of the ENP on active policy development or non-interference? Local perspectives on this discourse are gathered through a fieldwork in Lebanon which is conducted by 24 qualitative interviews with different actors who are concerned by the ENP. This empirical research can enrich and complement the EU's review process of the ENP (2015) initiated by the EU Commission. The results of the paper are recommendation for further improvement of the ENP in general and particularly regarding the case of Lebanon.

"The ENP has not always been able to offer adequate responses to these recent developments, nor to the changing aspirations of our partners. Therefore, the EU's own interests have not been fully served either. (...) Given all this, there is now a clear need to review the assumptions on which the policy is based, as well as its scope, and how instruments should be used, including how different policy sectors can better contribute to cooperation, ensuring linkages between internal and external priorities." Joint consultation paper of the European Commission (2015)¹

The European Union (EU) is faced with major foreign-policy challenges at its Southern borders: war, instability, refugees and economic deadlock. In addition, the European Neighbourhood Policy (ENP), designed to form the political framework for relations to neighbouring countries, is confronted with the allegation of being ineffective. For this reason, the new European Commission, headed by Jean-Claude Junker, initiated a fundamental revision of the ENP. The goal is to shape regional politics to fit each partner country individually and to redevelop the instrument itself in order to make it more effective, as described in the EU consultation paper (2015). The reasons for the difficult implementation of the ENP are complex and require a detailed analysis as well as the possible solutions. This analysis was conducted within the framework of an exploratory research project in Lebanon and the findings thereof are summarized below. The example of Lebanon demonstrates that the EU in its Southern Neighbourhood Policy is presently trapped between its normative requirements und the political interest in stability. This dilemma needs to be resolved by the EU and the ENP needs to be remodelled into a more effective political instrument. The analysis of various Lebanese perspectives on the ENP gathered through the means of qualitative interviews discloses which aspects need to be considered in the case of Lebanon in particular.

¹ EU Kommission (2015): Gemeinsames Konsultationspapier. Auf dem Weg zu einer neuen Europäischen Nachbarschaftspolitik. Brüssel, den 04.03.2015, 6 final, 2-3.

The European desire for good-neighbourliness

The ENP was initiated by the European Commission in 2004, in an attempt to offer neighbouring countries with no chance of joining the union in the near future an opportunity for more integration.² The initiative received a boost through the enlargement process in 2004. During this period, the boundaries of the European Union were shifted distinctly - especially towards the East. The ENP was thereby created as a spin-off of the expansion logic and remains based on these structures to this day.³ The ENP's goals include: avoiding new dividing lines in Europe and forming a circle of friends and like-minded states around the Union, as well as to secure stability and prosperity for the region.⁴ In the process, neighbouring countries are promised further integration into the European Economic Area if they contribute to the implementation of shared values and institutional reforms.

Even though the ENP has been conceptually established as a regional political framework which includes the entire Eastern and Southern neighbourhood, the detailed implementation is bilaterally and individually negotiated with every country - through Association Agreements and Action Plans. At this point in time, the EU cooperates with 16 neighbouring countries within the framework of the ENP, financed through the European Neighbourhood Instrument (ENI). In general, the ENP is designed to form a flexible political setting which is to be reviewed and adjusted regularly by the EU. The last modification was made in 2011, after the Arab Spring's waves of protests had induced the demand for political change in the Southern neighbourhood. However, the current review is considered to be the most radical adjustment so far for which the European Commission in Brussels, together with the EU delegations, has initiated a broad consultation process. The process is aimed at generating a broad range of proposals for amendments which can then be integrated into the design of the ENP. This research project ties in with the EU consultation

² In this context, the deeper integration into the EU is referred to. See also Tom Casier (2010): *The European Neighborhood Policy: Assessing the EU's Policy toward the Region*, in: Frederiga Bindi (ed.), The Foreign Policy of the European Union: Assessing Europe's Role in the World, Washington DC: Brookings, 99-119.

³ Julian Pänke (2014): Moving beyond the normative-geopolitical ambiguity of the EU's imperial politics in the Neighbourhood: The case of Lebanon. IEP Policy Paper, No. 4 (21 May), Berlin: IEP.

⁴ See the goals listed in the first strategy paper of the European Commission (2003): Neigbourhood, 3-4.

⁵ See Raffaella A. Del Sarto/ Tobias Schumacher (2005): From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean? European Foreign Affairs Review, 10, 17-38, 26.

process and complements it with information drawn from qualitative interviews with various local Lebanese protagonists. This enables a deeper understanding of the perception of the ENP and for practical recommendations for Lebanon to be derived.

Southern European Neighbourhood Policy in Lebanon

"Lebanon and the EU resemble each other culturally," that is a point the EU delegation in Beirut and the Lebanese Ministry for Foreign Affairs agree on. Among other things, this cultural similarity has historical roots. France played a major role during its mandate in Lebanon by promoting the establishment of the Lebanese state and by contributing to the state constitution. To this day, large parts of the country are francophone and view Europe in a positive light. Since its independence in 1941, Lebanon has been one of few democracies within the Arab region. Albeit this democracy at times only works sluggishly due to its system of proportional representation, the EU and Lebanon, in theory, share the same fundamental democratic and human rights values. These shared values form the basis for intensive relationships between the EU and its neighbouring states. The basis for an intensive cooperation between Lebanon and the EU within the setting of the ENP is therefore given, which suggests that the EU's Southern Neighbourhood Policy with Lebanon should bear promising results. This assumption will be examined in detail below.

Lebanon is a fascinating example by which to analyse the perception and the effectiveness of the ENP in the Arab region, as there are some regional analogies in the Southern neighbourhood. The achievements or difficulties Lebanon experiences with the ENP can therefore be used in future in order to improve the Neighbourhood Policy with other southern states. Similarly, Lebanon perceives its relationship with Europe to be unique and thus can assume a leading role in the ENP with the Southern neighbouring states, the Lebanese Foreign Ministry states in an interview. This small country in the Levant is officially an Arab state that has preserved its cultural vicinity to Europe and is therefore suited to act

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⁶ In contrast to e.g. Morocco which also displays cultural similarities to Europe and also experienced a French mandate, however, France is generally perceived negatively as a colonial power here. For the Lebanese perception of the EU see also the research conducted by Chris Benders (2015): Survey on National Identity, AUB.

⁷ Lebanon does "not present the same authoritarian institutions and character as other Arab countries in the region." Peter Seeberg (2009): The EU as a realist actor in normative clothes: EU democracy promotion in Lebanon and the European Neighbourhood Policy, Democratization, 16(1), 81-99, 82.

as an intermediary between the EU and other the Southern neighbours. This, for instance, became clear during the conference of the Arab states on the ENP revision process on July 24, 2015 in Beirut, initiated and held by the Lebanese government.

The EU and Lebanon look back on a long history of cooperation. Within the framework of this paper, however, the focus lies on the ENP. The cooperation within the Neighbourhood Policy is, from a legal perspective, based on the Association Agreement signed in 2002 which constitutes the legally binding framework for the cooperation. To ensure the implementation of the Association Agreement, political Action Plans are developed approximately every three years, the performance of which is monitored through annual Progress Reports. The current Action Plan with Lebanon runs from 2013 to 2015.

Exploratory fieldwork

To date, the ENP with Lebanon lacks empirical research. The qualitative interviews conducted with local actors throughout this project therefore offer crucial information in the process of analysing the interests and views of stakeholders in Lebanon which will in turn inform the future adjustment of the ENP. The ENP is a flexible political framework which is to be remodelled, taking into account each neighbouring country's individual circumstances. For that reason, the analysis of the various perspectives within these countries is indispensable. Furthermore, this point in time is well suited for research as it will support the EU's auditing process through additional recommendations from a Lebanese viewpoint and will enable the conclusions drawn from the consultation process to be balanced with research results. The fieldwork took place from Mai 5 to August 10, 2015 and the interviews were completed between Mai 29 and July 23, 2015. The project was able to benefit from the concurrent EU consultations, as the subject had already been positioned on the national agenda and given that various events in relation to the ENP were undertaken.

Interview partners were selected on the basis of a pyramid scheme. Those interviewed are in some way or another involved in the political processes of the ENP or are entrusted with implementing ENP projects. The decision not to interview the entire range of possible

protagonists was consciously made, as this would have been overly complex and not constructive in the process of learning about practical aspects of the ENP. In addition, the sample of interviewees was determined irrespective of denominational background in order to not further replicate the political divisions that characterize Lebanon. All in all, 24 interviews were held with protagonists from national politics, science and civil society, as well as with members of the EU delegation. The distinct aim in choosing this diverse sample is to capture as many different perspectives on the ENP process as possible. Some of these protagonists chose not be mentioned by name. In these cases, a reference has instead been made to the respective institution. Generally speaking, the ENP is structured intergovernmentally. However, since adjustments were made 2011, civil society is to be involved in the political process to a greater extent. This way, the ENP has been designed to be *bottom up*. In order to examine these political changes in practice, especially civil society actors were consciously asked to give their perspectives.

The interviews were held face-to-face and lasted an average of one hour, depending on the time frame the interviewee had available. Given the exploratory research design, guided interviews were chosen in order to elicit diverse perspectives and investigate challenges related to the ENP. The central questions for the interviewees were chosen on the basis of the existing literature in the field, EU strategy papers and the current EU consultation questionnaire (2015).

The Lebanese perspective on European Neighbourhood Policy

The analysis of the interviews offers enthralling insights into numerous aspects of the perception of the ENP and demonstrates the variety of Lebanese perspectives in relation to the cooperation with the EU. In the following evaluation, two aspects are to be emphasized in particular: the role of the EU in Lebanon and possibilities to enhance the ENP's effectivity. From the starting point of how the EU and the ENP are perceived in Lebanon, the analysis is to deliver useful information with which the ENP's future effectivity can be enhanced through the current revision. In doing so, the aspect of conditionality is elaborated on,

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⁸ Joint message of the High Representative of the European Union for Foreign Affairs and Security Policy and the European Commission (2011): Eine Neue Antwort auf eine Nachbarschaft im Wandel. Brüssel, KOM(2011) 303, 4.

meaning the external determination of conditions and Lebanese ownership in the political process of the ENP. Ownership means to what extent protagonists in Lebanon contribute to the policy making process in an active and independent manner. Given that it is not possible to cite each interviewee individually – due to the brevity of this article and the warranted anonymity of some interviewees - various perspectives of interviewees are summarized or paraphrased.

ENP – Evidently Not Political?

The EU as an external actor is widely perceived in a positive light. Many interviewees explain this with the political neutrality of the EU, given that the EU cooperates with all groups in Lebanon without choosing political sides in the internal conflict – quite contrary to individual member states whose foreign policies are determined by clear political interests. *Nizar Saghieh*, lawyer and co-founder of Legal Agenda, an influential legal NGO, describes the aspect by saying:

"We [Legal Agenda] feel more comfortable with the support of the EU for some projects or reforms, instead of cooperating with France for example, because France is supportive to the 14th of March. The EU as such is more a bureaucratic institution and less involved in the inner Lebanese conflict, which is good. (...) The cooperation with the EU is based on common values which both sides have agreed upon. So the deal is very clear and there are no other dimensions."

This neutrality, as well as the EU's function as one of the largest donors of development cooperation in Lebanon, is appreciated by all interviewed political and civil society actors without exception. Nonetheless, most interviewees demand more political involvement on the part of the EU in Lebanon: "The question is not about money, it is about the credibility of the EU to be seen as a political actor that is able to influence or to push on the Lebanese state (...) in order to improve human rights and democracy. I believe that this is missing in the Neighbourhood Policy until now," Wadih al-Asmar from the Lebanese Center for Human Rights (CLDH) explains.

⁹ According to the EU delegation, the funds disbursed by the EU and its member states amounted to 151,4 million Euros in 2013. With that, the EU distributed most funds in Lebanon in 2013. However, the United States have promised more funds. For an overview of these funds see the chart at the end of this text.

A majority of the interviewees would approve if the EU assumed a stronger political role in Lebanon and in the entire region, adequate to its financial presence. Particularly representatives of civil society and academia would like to see a politically more active EU in the country. One reason for this lies in the observation that the Lebanese state allows the existence of NGOs and even let them work relatively freely¹⁰ - however, it rarely involves NGOs in political processes. Hence, especially civil society actors perceive the ENP and the EU delegation as suitable mechanisms through which the own government can be hold accountable. For example, *George Ghali*, of human rights organisation ALEF says:

"We try to use the ENP to push for certain structural and institutional reforms in Lebanon. The ENP plays the role of carrot and stick for the Lebanese Government to have some forms of reforms and we try to coordinate that. (...) Through the leverage of the EU support, the EU is able to do some political mainstreaming, while staying a neutral actor."

This desire for an increasingly politically active — instead of just coordinating — EU through the medium of the ENP which could exert pressure on the Lebanese government, pushes several political boundaries within the internal dynamics of the EU. Brussels' political mandate for the European External Action Service (EEAS) is very limited as of now and depends on the instructions from EU member states, the EU delegation admits.

Both demands, for neutrality and political commitment of the EU, can be combined if the EU is more politically active for common values, without siding with any internal political force in Lebanon. However, this would require a transparent foreign policy agenda for the EU, to be agreed on by 28 member states which has failed thus far due to inner-European dynamics. In addition, the question of how the EU will position itself within its Southern Neighbourhood Policy in future will need to be assessed, especially in relation to the charged relationship of the ENP's value-based, normative foreign policy and the EU's clear, strategic interests in the region. Both approaches are examined below in the specific context of Lebanon and finally, their compatibility will be explored.

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¹⁰ Representatives from civil society reported at a meeting in the EU delegation that attempts to intimidate critical NGOs have recently increased. *Wadih al-Asmar*, for instance, reported a lawsuit that had been initiated against CLDH.

The value-based ENP: good, but not binding enough

The ENP is designed to be a political instrument grounded in specific core values, developed and controlled by the EU. This one-sidedness and power of definition on the part of the EU has created the criticism of the ENP as Eurocentric and even neo-colonial in the corresponding literature. However, the latter allegation was raised in none of the interviews with Lebanese actors. In the case of Lebanon, the reason for this may be explained by the country's history, cultural closeness and shared values with Europe. By contrast, the criticism of being Eurocentric was addressed by most interview partners. They typically linked this perception to the demand for the ENP to be transformed into an instrument truly based on partnership through the current revision:

"Europe and the ENP defines the others as its neighbours and not as partners anymore, so the approach is very Eurocentric, even more then the Euro-Mediterranean Partnership. This should be definitely changed by the current review of the ENP as well as adding the multilateral dimension to the ENP, because at the moment the Union of the Mediterranean is invisible."

Ali Mourad of the Lebanese Association for Democratic Elections (LADE)

The interviewees strongly agree with the ENP's core values, in particular in relation to the implementation of human rights and democratic principles. The EU cites following aspects as common values for a privileged partnership with its neighbours: democracy, rule of law, responsible governance, esteem for human rights, including minority rights, promotion of good-neighbourly relationships and of the principles of a free market economy, as well as of sustainable development.¹² However, there is controversy attached to the economic principles postulated by the ENP in Lebanon:

"The EU and the ENP is really Eurocentric, Europe wants to promote its model, but I don't want to follow the European model, we should develop our own model. The EU already noticed this problem and wants to tackle it through more ownership of their partners by the current revision. My problem with European policy is especially the economic model which they promote for decades and they are not willing to question it, like GDP growth, liberalization etc. Even though this model doesn't work out for Lebanon, we tried it for years."

Ziad Abdel Samad of the Arab NGO Network for Development (ANND)

¹¹ Julian Pänke (2014): Moving beyond the normative-geopolitical ambiguity of the EU's imperial politics in the Neighbourhood: The case of Lebanon. IEP Policy Paper, No. 4 (21 May), Berlin: IEP.

¹² EU Kommission (2004): *Strategiepapier ENP*, 3.

This criticism of the liberal economic model which the EU encourages in Lebanon by means of the ENP is also voiced by Professor of Economics *Simon Neaime* of the American University of Beirut (AUB). He adds that the liberal model was not successful in Europe either while pointing to the Euro crisis and the current situation in Greece. This criticism comes as a surprise, given that Lebanon is classified as economically very liberal.

Generally, interview partners describe the EU's focus on the implementation of shared values as a positive and unique characteristic as they consider it a more reliable basis for cooperation than a foreign policy purely driven by interests: "The core values of the European Neighbourhood Policy are proficient and unique but their implementation needs to be mandatory," Professor of Politics Karim Makdisi of AUB comments. The same holds true for the insistence on human rights on the part of neighbouring countries as well as within the EU. Only a consistent implementation of the ENP's value basis will preclude double standards. To this day, the EU supports authoritarian regimes in its Southern neighbourhood, for example the Egyptian regime, in order to secure regional stability. Furthermore, the Middle East conflict plays a major role from a Lebanese viewpoint. Karim Makdisi (AUB) and Ziad Abdel Samad (ANND) as well as other interviewees view the EU's conduct in relation to the conflict in the Middle East critically. The EU, in their opinion, grants Israel a special role, as Israel consistently breaches human rights by its occupation of Palestinian territory - without suffering consequences: "In Palestine, it is a colonial occupation from Israel and this is against international law and human right's standards," says Karim Makdisi.

Furthermore, there needs to be some control mechanisms in place during the implementation of the ENP in order to ensure human rights are not breached. For the EU as an external actor in Lebanon, this means the consequences of the body's actions and projects must be scrutinized with respect to human rights. Yet, *Nizar Saghieh* (Legal Agenda) describes that the EU at one point pursued plans to fund a prison for the General Security. Migrants could have been imprisoned there arbitrarily, without a legal examination of their individual cases. However, the projects aroused the protest of Lebanese NGOs who were vocal about their concern, human rights could be harmed. Eventually, the EU ceased its funding of the project. This example demonstrates two things: On the one hand, human

rights do not seem to have high priority in the development of new ENP projects. On the other hand, the EU does take the opinions of civil society organisations in Lebanon seriously and is prepared to call a hold on running projects.

In summary, the ENP in Lebanon can benefit from its normative structure and shared values, as long as these are clearly formulated and consistently implemented. *Waël Hachem,* head of the department for cooperation with the EU in the Lebanese Foreign Ministry, summarizes the Lebanese perspective on the ENP like this: "Shared values and common interest are the basis of the EU-Lebanese relations." All in all, we can note that the ENP's shared normative basis with Lebanon is perceived very positively in a political context, whereas the EU's actions are strongly criticized from an economic perspective. ¹³ Especially the interviews with representatives of the civil society revealed the demand for the EU to advocate the shared values. At the same time, voices like that of the Lebanese Foreign Ministry, rate the ENP's discourse on values as an inner-European issue which serves as a form of reassurance and as an internal integration mechanism for the EU. The claim is that it is of little political interest to neighbouring states, such as Lebanon.

A clash of values and interests?

Besides the ENP's structural value base, the instrument is also shaped by strategic interests. The opposition of values and interests naturally causes tensions. Shared goals and interests are an important basis for an intensive, bilateral cooperation which promises gain for every party involved. For this reason, it is vital to include Lebanon's and the EU's strategic interest alongside the shared values, in order to establish a common ground for a fruitful ENP.

The EU's official objective, taken from the ENP strategy papers, is to secure "stability, security and prosperity" (EU Commission 2015) in its neighbourhood. During the interviews with members of the EU delegation, the question of which interests are pursued in Lebanon was answered with the promotion of stability, migration management and economic development as the currently most relevant subjects for the European cooperation with

¹³ Ziad Abdel Samad (ANND), for example, criticizes that the EU has not kept promises made within the Association Agreement with Lebanon and furthermore that it attempts to implement liberal values that are not shared on the side of Lebanon, whereby human rights are subordinated.

Lebanon. Especially the stabilisation of Lebanon is quoted as an important goal of the ENP. *Marceji Golubiewski*, head of political cooperation within the EU delegation sees economic and cultural cooperation as a suitable approach to permanently stabilize the country. Yet, in addition, a strong Lebanese economy is essential in order to minimize the domestic political pressure caused by the influx of Syrian refugees and is furthermore required to enable improved future prospects for the country. However, this important factor is missing in Lebanon, given that the Lebanese economy is weakened due to the crisis in Syria which currently prohibits the export of agricultural produce to neighbouring countries.

All in all, the interviews reveal that the EU not mainly sees itself as a political actor, but that its focus rather lies on cultural and economic cooperation. This approach is understandable in light of the EU's path dependency. After all, the Union historically developed from an economic union and to this day, the EU's economic power is described as a catalyst for integration and wealth. This view of the EU is supported by the Lebanese Foreign Ministry. Waël Hachem emphasizes also the cultural aspect when he says that culture should be one of the ENP's focal points. He says that Lebanon is even in the process of working out a cultural action plan to this end.

In addition to the cultural cooperation, the EU and Lebanon share common interests in the areas of migration and security. Especially, the aim to avoid negative effects from the crisis in Syria on Lebanon and to improve the provisioning of refugees in Lebanon – in order to counteract the danger of extremist development, explain both *Fadi Daou*, professor and head of the Adyan Foundation which works for an inclusive understanding of Lebanese nationality, and *Mario Abou-Zeid*, researcher and analyst at the Carnegie Middle East Center. Furthermore, *Hala El Helou*, Project Manager of the Ministry of Social Affairs, points out that the EU needs to work on the refugee subject from a structural standpoint, not only from a humanitarian perspective. At the moment, international funds are further and further reduced, which leaves registered refugees¹⁴ with less than one Dollar a day at their disposition. It is hardly possible to live off this amount in Lebanon.

¹⁴ In addition, the number of refugees in Lebanon is incorrect as the government has ordered the registration process to be stopped. The UNHCR is no longer entitled to register new refugees. See UNHCR (2015):

Even though the EU delegation argues that the ENP's political dimension is not at the centre of the ENP's impact in Lebanon, every foreign policy rests on political interests. Each interview partner agrees with this observation. However, the desire for a clearer and more transparent formulation of the EU's agenda of interests was voiced from many Lebanese interviewees. These interests should furthermore be conform with the shared values. The desired long lasting stability is to be envisioned by the EU and at the same time interests are not to be prioritised short-term to the detriment of values. In order for the EU to act as a reliable and effective actor in Lebanon, interests and foreign-policy goals must match the ENP's values.

The ENP as an ineffective political instrument

The ENP must be developed to become more effective – that is the professed goal of the current consultation process (see the first quote). To this end, the EU Commission concentrates on four main areas in its consultation paper (2015: 7-8) which need to be redeveloped to create a more effective Neighbourhood Policy: (1) differentiation (2) focus (3) flexibility (4) ownership and visibility. These focal points do not seem fitting in view of the analysis of the ENP's current status of implementation in Lebanon. In the following the four target areas are reviewed with an eye to the ENP's effectivity in Lebanon.

Firstly, differentiation and flexibility are already embedded in the ENP's basic structure, seen as the Neighbourhood Policy is implemented on a bilateral basis. In addition, the ENP has been regularly adjusted and redeveloped within the past ten years. It has therefore proven itself as a flexible and differentiated political framework, for example during strategic revisions in 2011 and currently in 2015, as well as through the continual development of new individual Action Plans with neighbouring countries. Especially this flexible structure of the ENP is valued on Lebanese side, interviews revealed. Both state and non-state actors perceive the ENP as an interactive political setting. Regarding the relationship with Lebanon, also the area of focus is not an ideal choice given that the EU's broad disposition is met with

https://data.unhcr.org/syrianrefugees/country.php?id=122 and the article "Fatale Fußnote" in Heinrich von Arabien: http://heinrichvonarabien.boellblog.org/.

¹⁵ The two Action Plans that were so far in place with Lebanon within the framework of the ENP demonstrate a clear development. The second Action Plan (2013-15) is more focussed and precise in relation to the goals of the cooperation than the first Action Plan (2007-12).

approval by all interviewees. The EU delegation confirms that the ENP's broad approach up to now is an advantage as it facilitates integrated and long-term developments for many relevant areas. Lebanese interview partners - from various backgrounds, such as human rights, democracy and elections, legal reform, interdenominational dialogue, economy etc. - also appreciate the broad range covered by the ENP. However, the area of *ownership* is of greater importance in the Lebanese context as the opportunity to assume an active role in the shaping of politics drastically increases the will to implement them, as well as their effectivity. This aspect will be discussed in detail later on in this paper.

Even more aspects of the ENP which should be improved from a Lebanese viewpoint emerged during interviews. An important suggestion for the review of the ENP, for example, is that it should become more transparent. At this point in time, there is an unclear number of funds in the country. From the perspective of the EU, all of these can be seen as combined under the umbrella of the ENP, says Alexis Loeber, head of the department for cooperation in the EU delegation. However, they are submitted to other budget lines and funds as the ENI and have different application requirements and procedures which makes it difficult for local actors to gain an overview over the entire field of funding instruments and the allocation of funds. The accessibility to funding is therefore made difficult for small NGOs, explains Elisa Dari, Programme Director with the international NGO Search for Common Ground Lebanon. Fadi Hallisso, co-founder of the NGO Basmeh and Zeitooneh 16, and Ziad Abdel Samad (ANND) describe similar issues, with the latter adding that project funding from international actors like the EU alone, without any form of long-term basic funding, encumbers the permanent commitment of NGOs in Lebanon. Particularly as there is no funding on the part of the state. The ENP is thus to become more united, as well as more transparent. Improved transparency in areas such as the allocation of funds and political processes - which actually is of the EU's basic principles - would considerably enhance the visibility and mutual accountability in partnerships with neighbouring countries.

¹⁶ Basmeh and Zeitooneh is a small NGO whose concept includes the holistic support of Syrian refugees in their current situation in Lebanon (e.g. in Shatila). See this article by Foreign Policy: http://foreignpolicy.com/2015/06/29/syria-lebanon-refugees-basmeh-zeitooneh/, Stand 16.8.2015.

Another dilemma faced by the ENP is that it is definitively successful at a micro level, as demonstrated in individual project evaluations and progress reports. However, at a macro level, the ENP has recorded far less achievements in Lebanon. For example, human rights activist *Wadih al-Asmar (CLDH)* states he could repeat the exact same speech he held in 2008 today, as nothing had changed in the meantime and torture and human rights breaches still occur in Lebanon. Another example for the ENP's questionable long-term efficacy can be drawn from the field of democracy-building measures. The EU invests in the optimization of election processes in Lebanon, such as in technical procedures of elections. However, currently no elections are taking place in Lebanon and the current election system keeps reproducing the same self-blockading political structures again and again, concludes *Maroun Sfeir*, consultant to the Lebanese minister of the interior. The question therefore is how useful these measures truly are and how successes at the micro level can be transferred to the macro level in the long run. In order to raise the efficiency of the ENP as a whole, the *output* needs to be transformed into an *outcome* and an *impact*.

Political intervention or unconditional cooperation

Linking financial support for Lebanon to certain conditions is seen as one option to make the ENP more effective. Yet, the introduction of conditionality through external actors is contentious. The EU is the biggest donor of development cooperation worldwide and is regarded an important sponsor in Lebanon, too.¹⁹ For instance, the EU invested around 500 million Euros in Lebanon in 2014 (Source: EU delegation). This support of Lebanon within the framework of the ENP can, in theory, be attached to conditions. Especially the implementation of basic values justifies the practice of conditionality according to the Association Agreement:

¹⁷ The last progress report for the ENP with Lebanon reads: "Overall, Lebanon made limited progress in implementing the ENP Action Plan, with achievements in the areas of human rights and fundamental freedoms, in trade-related issues and in sectoral policies, such as SMEs." EU Commission (2015): Implementation of the European Neighbourhood Policy in Lebanon. Progress in 2014 and recommendations for actions, SWD (2015) 68 final, 3.

¹⁸ The parliament extended its mandate until 2017 and at first, the EU showed understanding for this measure, criticizes *Samer Abdallah*, programme manager with LADE.

¹⁹ See table in the annex.

"Relations between the Parties, as well as all the provisions of this Agreement itself, shall be based on respect of democratic principles and fundamental human rights as set out in the Universal Declaration on Human Rights, which guides their internal and international policy and constitutes an essential element of this Agreement." ²⁰

Researcher *Ali Mourad* of LADE explains the fact that shared values are described as an "essential element" for cooperation enables the EU to terminate cooperation under international law if these essential values are disregarded.

The EU delegation in Beirut rates the use of conditionality and the cessation of projects as critical. The EU tends not to perceive itself as a political protagonist but favours a technocratic conception of itself. Thus, the EU delegation emphasises its task is not to give instructions to democratically elected governments by applying political conditionality. Furthermore, *Alexis Loeber* (EU delegation) points to the danger of the unstable balance in Lebanon which can easily collapse following a reduction in funding or a premature termination of projects. Such steps could cause diplomatic doors to close again and the EU could jeopardize its current influence, the EU delegation predicts.

However, the EU's argument of stability is too focussed on short term results and is in line with the EU's traditional approach to its Southern neighbours. The Union has oftentimes supported undemocratic regimes or procedures in the Arab region in an attempt to secure regional stability. Considering that short term stability is usually merely feigned stability, as demonstrated by the events of the Arab Spring which shook the entire region politically, the prioritisation of short term stability means the EU acts contradictory. By doing so, the EU is working against its long-term interests in the region. A consequent and effective realisation of the ENP, including a stringent link to the compliance with shared values (as agreed upon within the Association Agreement), is more solid and sustainable in the long run.

The interviewees express various different viewpoints when asked about the use of conditionality. The position of conditionality as an indispensable tool to exert political pressure on the Lebanese government is, for instance, expressed by *Wadih al-Asmar* (CLDH):

²⁰ Council of the EU (2002): Association Agreement, 7293/02, RL 4.

"If they give us money then they need a return for this on the political level. (...) So I told the EU Delegation that they should stop funding, if the results are far not reached. (...) If you are afraid of losing stability and you don't apply conditionality you support a corrupt system and nothing will change. This is wrong stability and instead of being a leverage to change something in Lebanon, the EU is an excuse for the Lebanese government to sustain the existing system."

On the contrary, *Ziad Abdel Samad* (ANND) believes the utilisation of conditionality constitutes an interference with Lebanon's political sovereignty. He is of the opinion that the EU should indeed build up political pressure on the Lebanese government, however, that direct conditionality is not a suitable avenue. In between these positions at either end of the range of opinions, there are also compromises on the table. *Nizar Saghieh* (Legal Agenda) suggests that Lebanon should be prompted to guarantee that EU funds are utilised solely for the intended purposes. He says that such guarantees, regardless of the details of their composition, are essential at project level in order to prevent funds from disappearing in Lebanon's corrupt system.²¹ However, *Nizar Saghieh* disagrees with the implementation of a system of conditionality at a macro level, with the reasoning that the risk of abuse and interference from abroad would be too great.

The analysis shows that, in any case, there should be a mechanism within the ENP dedicated to ascertaining that funds are utilized in an effective manner, as agreed upon in the Action Plan. After all, both sides developed and agreed on these common goals. Conditionality therefore does not need to assume the guise of conditions forced on Lebanon from the outside, but can rather be seen as a shared responsibility, the abidance by is in the interest of both sides in order to achieve the ENP's increased effectivity. Moreover, a number of interviewees remarked an indicator with which to measure the ENP process' effectivity is lacking at the moment. To summarize, on the one hand, long-term effectivity needs to be monitored at project level, says *Antonio-Martín Porras-Gómez*, Professor of Politics at AUB. On the other hand, *Wadih al-Asmar* suggests the need for an indicator at macro level, meaning a global benchmark for the efficient implementation of the ENP. These suggestions derived from interviews can provide the source for the development of a binding

²¹ Lebanon was rated no. 136 out of 174 countries on the Corruption Perceptions Index published by Transparency International. See https://www.transparency.de/Tabellarisches-Ranking.2574.0.html [21.8.2015].

commitment for the implementation of the ENP. This does not have to mean conditionality in terms of political direction from the outside. After all, local actors, including the EU delegation, generally view conditionality defensively. However, most interviewed Lebanese protagonists agree that the EU needs to build up pressure on the government in order to achieve common goals and to ensure the ENP contributes to permanent improvements.

The greatest danger in the implementation of conditionality is that the partner country's individual responsibility could be eroded by the external conditions. Even if commonly defined goals were the basis for such conditionality, it would need to be verified that these goals are actually developed from political commitment on both sides and that they are truly supported by Lebanon. Ownership within the political process of the ENP is a fundamental cornerstone in the partnership and effectivity of politics. Only a sense of ownership can deliver the assurance that the EU's neighbour states enter a cooperation within the framework of the ENP not only to receive funding, but also with an interest in achieving the goals agreed upon. This aspect will be examined in detail below.

Lebanese ownership in a politically paralysed state

The EU highlights in its consultation paper (2015: 9) the importance of strengthened ownership within the ENP so as to make it more effective: "One of the most often repeated criticisms of the ENP is a lacking sense of ownership with partners, across their societies, and the general public's weak awareness of the policy's aims and impact."

Many interview partners agree with the EU Commission in this point. They add that all domestic political processes in Lebanon have come to a standstill which means the country can even be labelled a fragile state at this point in time, as expressed by *Fadi Daou* from the Adyan Foundation, for example. Since the ENP in its structure is an intergovernmental policy, it naturally relies on functioning governments. Defects in the operational capability of state institutions thus impede the establishment of Lebanese ownership within the ENP. Moreover, the political situation in the region has been aggravated by the crisis in Syria

which also affects the implementation of the ENP in Lebanon.²² The aspect of ownership on the Lebanese side is to be examined by analyzing how well institutions function in Lebanon and whether they are legitimate. This will give an indication as to whether they can create ownership within the ENP procedure.

Currently, domestic political processes in Lebanon are halted, the reasons for which are manifold. State institutions are being blocked by increasing political and secretarian tensions within the country. The government of national unity is experiencing difficulties agreeing on a common route. To make matters worse, the country has not had a president in over a year and is therefore missing the entity to sign off laws and mediate controversial domestic issues. In theory, new laws can be passed also without a president if a unanimous vote can be reached in the Cabinet. This broad consensus, however, is lacking in most cases. For this reason, just old legislative proposals and decrees of individual ministries are currently passed. Antonio-Martín Porras-Gómez (AUB) explains that, against this backdrop, the implementation of the Action Plan within the framework of the ENP is currently virtually impossible. Even though Lebanon, despite these circumstances and in addition to the conflicts in its neighbouring countries, has remained surprisingly stable, the current structural limitations mean that the government does not have the capacity and willpower available that are necessary for political change. Furthermore, Ziad Abdel Samad (ANND) notes that Lebanon also lacks a national development plan.²³ The possibility for the government to establish ownership for the ENP process is thus structurally limited at this point in time.

The ENP with Lebanon cannot be assessed as an equal partnership with a mutual accountability and equally shared creative drive as long as both sides cannot profit from similar resources, for instance in relation to an individual strategy development. In addition, Waël Hachem of the foreign ministry comments that Lebanese ownership within the ENP is impaired due to the lack of a "coordinative centre". Though the government is the main

²² The continued civil war in Syria and the violence committed by *daesh* drive more and more refugees into Lebanon. In addition, the secretarian balance in the country is fragile, as most refugees are Sunnis and as the Shiite Hezbollah has joined forces with Assad against *daesh* and Al Nusra (both Sunni).

²³ The question to be asked is whether the ENP Action Plan can be utilized as a development strategy for Lebanon. However, this aspect was not included in the fieldwork but emerged as a new question during the course of this research.

partner for the EU during political negotiations of the ENP, its implementation requires coordination with many different protagonists and there is currently no adequate forum for this exchange. He therefore proposes that the foreign ministry should capture information and interests in relation to the ENP to increase Lebanese ownership and the general effectiveness of the cooperation. Another point raised in the interviews is that Lebanon can only be assumed as a contributor to the ENP process if the country's suggestions are really taken into account by the EU. The foreign ministry criticizes that this is usually not the case. Thus, it will be interesting to see, if the upcoming results of the ENP review contain Lebanese demands.

Normally, Action Plans and goals of the ENP are solely discussed with the government. The Lebanese parliament as the only directly elected institution in Lebanon has no role to play in these negotiations. Questioned on this matter, the EU delegation indicates that the elected government is a legitimate partner in Lebanon and that political negotiations are therefore held there. This course of action is questionable from the viewpoint of political theory, given that ownership and legitimacy of the ENP as a political tool are increased with the official inclusion of further parties in the process — especially, if these are elected by the people directly. In Lebanon, however, the parliament was elected in 2009 and took it upon itself to extend its mandate until 2017, which has eroded its political legitimacy in the eyes of many interview partners.

The inclusion of non-state actors in political processes is also commonly regarded as a way to increase the local connection of politics. The admission of non-state entities should hence be reviewed in relation to the ENP with Lebanon, as it may be a measure to increase the support and effectivity of the programme. Furthermore, the inclusion of civil society actors is of great importance especially where state institutions are limited in their functionality – as, without doubt, it is the case in Lebanon. This idea finds support amongst a majority of interview partners. One suggested solution in order to increase broad Lebanese ownership within the ENP is to engage in a trialogue of government, civil society and the EU in future. In light of the weakness of the Lebanese government this seems to assume great importance, as described by *Fadi Daou* of the Adyan Foundation:

"My theory is that the EU gains when it develops in its ENP a more triangular alliances between the EU, the government and the civil society. This is very important for the EU, because it will create more credible interlockers in the civil society and also for the efficiency of its politics, because it will also create a direct relation between the government and the civil society. This will be a kind of tool to put pressure on the government."

While numerous non-state protagonists are included in the implementation process of the ENP, as described above, the question of how much agency these entities have in political negotiations of the ENP remains. The conclusions derived from this research project have demonstrated that non-state actors are currently only consulted separately from the EU. It should be pointed out that a stronger involvement of voices from civil society would correspond with the *bottom up* approach highlighted in the 2011 ENP review and would contribute to the realization of previous ENP reforms.

The interviewees' assessment of the political power and creative will of civil society actors turned out to be rather negative. Apart from the fact that they are not elected and therefore derive their legitimation merely from their representative function, *Maroun Sfeir* indicates: "Civil society actors are not political enough in Lebanon, they are not organic but opportunistic." This observation is reinforced by *Wadih al-Asmar* of the CLDH human rights centre, who accuses many NGOs in Lebanon of being driven by the motive of financial profit, rather than pursuing real activism.²⁴ Nonetheless, some devoted NGOs could take on a certain monitoring role after being structurally included in the ENP. During strategic ENP meetings, their role could be to monitor and inspect Action Plans and Progress Reports. This could heighten the ENP's effectivity as its basis would expand which would facilitate exerting pressure on the government. *George Ghali* of ALEF confirms: "Through the ENP we try to push for certain structural and political reforms in Lebanon. Actually the ENP plays the role of carrot and stick in order to have some political reforms."

The EU and notably the EU delegation in Beirut are perceived by many NGOs as a suitable tool to hold the government accountable for certain political goals. This is an important

²⁴ Lebanon has an abundant number of NGOs. The EU already cooperates with over 100 of them in Lebanon. However, around 625 are registered in the small country. Source: http://www.beirutsyndrome.com/articles/ngo-complex/ [14.8.2015].

function of the ENP in Lebanon because the government itself has not shown any interest in cooperating with civil society. A significant example of this could be observed when the Lebanese government initiated an Arab conference on the ENP (24 June 2014). NGOs were also invited in order to present their views, even though they were scheduled for the afternoon following the meeting of the ministers. It was indicative that though the foreign minister was to officially head the meeting with the NGOs, he left the hall immediately after some words of welcome. Thereafter, EU Commissioner Johannes Hahn - responsible for the Neighbourhood Policy – held the rest of the meeting alone with the representatives from civil society. As demonstrated in this incident, there is hardly any dialogue being held between the Lebanese government and civil society in relation to the ENP.

An additional problem faced by the EU when ascertaining the legitimacy of actors in neighbouring states is the question of how to handle extremist or militant movements. Specifically in the case of Lebanon, this needs to be examined in relation to the Hezbollah which has established itself as a political party, but at the same time forms a state within the state and refuses disarmament. *Fadi Daou* (Adyan Foundation) defines them as a confessional group which is armed illegally. *Karim Makdisi* (AUB) also points out that the EU needs to consider these dynamics and that it should develop a general standpoint, even though this will be no easy feat given the domestic political dynamics within the EU. Currently, the military branch of the Hezbollah is listed as a terror organisation by the EU, whereas the EU cooperates with its political branch within the framework of the ENP. An effective handling of radical actors could be to include them in the political system as such an inclusion mostly results in moderation.

Thinking Neighbourhood Policy a step ahead

The conclusions drawn in this research paper on the effectivity of the ENP to date demonstrate that it is not sufficient to tend to the symptoms of problems alone. In fact, sustainable changes can only build on political will.²⁶ In order to analyze whether such a

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²⁵ Furthermore, interview partners shared that they were only invited to the meeting following pressure by the EU delegation in Beirut.

²⁶ See parallels to the debate on the effectivity of development cooperation which is also criticized to be ineffective on a macro level during the last 60 years. See Franz Nuscheler (2008): *Die umstrittene Wirksamkeit der Entwicklungszusammenarbeit.* INEF-Report 93/2008.

political commitment on the part of the ENP exists in Lebanon, the political will on both sides must be examined. The EU Commission (2015: 3) comments: "In this regard, an effective ENP needs to be closely integrated into an overall EU Foreign Policy with a comprehensive approach using all instruments both of the EU and of Member States." However, reference has already been made to the EU delegation's virtually (un)political self-perception in Beirut. Likewise, the political will of the Lebanese government was discussed in detail and rated insufficient at this point in time. The EU's approach of merely promoting individual projects without a clear political agenda behind appears to be little promising in view of the analysis of the ENP with Lebanon so far. These two levels rather need to be connected more closely.

Furthermore, interview partners agreed with the observation that a revision of the ENP is necessary, however, that it has come at the wrong moment. On the one hand, Lebanon is threatened by existential problems due to the Syrian crisis and the influx of nearly 2 million²⁷ Syrian refugees in a country with a population of only 4,3 million. This becomes most prominent in the accommodation of refugees and their provision with essentials. In addition, the country's political functionality is blocked internally and a legislative vacuum prevails. Any political reforms are hindered as the presidential office is still vacant, the parliament has arbitrarily extended its mandate, the two major governing parties, the March 14 Alliance and the March 8 Alliance, cannot agree on national strategies, and the Hezbollah is a professed warring party in Syria.²⁸ On the other hand, the crisis in Syria has aggravated the fear of Islamist terror attacks in Lebanon and there are concerns that the neighbouring conflict could spill over, the interviews reveal. According to the EU delegation in Beirut, Lebanon was one of the most committed partners amongst the Southern neighbouring states before the outbreak of the crisis in Syria (2011). However, by now the political processes in the country have become so inhibited that the implementation of the ENP has receded into the background.

²⁷ This is an estimated number, for background information see Tagesschau.de: http://www.tages-schau.de/ausland/libanon-119.html [14.08.2015].

²⁸ Even though the president largely fulfils a representative function since the Taif Agreement in 1989, it remains the president's task to complete the legislative process by signing off new laws. Alternatively, the government of national unity can pass a law with a unanimous vote by all ministers. This mechanism is rarely applied due to the internal political tensions.

This makes it vital for the EU to not limit its efforts with the ENP to short term security interests in political questions in Lebanon. In line with this, fear for stability cannot make an ineffective ENP acceptable. Instead, the EU within the framework of the ENP needs to learn from the experiences of the Arab Spring and develop the ENP into a long-term and value-based foreign policy which can function at a political level as well as at the level of individual projects. This approach allows for the ENP's dilemma between values (*soft power*) and pragmatic interests as described at the outset to be resolved. The question is not whether values or interests should assume a central place within the ENP, but rather the goal needs to be to balance both elements expertly in order to achieve stability in Lebanon in the long-term.

The ENP's main strength is its flexibility and its capacity to constantly evolve and improve. The current review of the ENP provides the unique opportunity to fundamentally review the instrument, to design it more tailor-made to individual partner countries and at the end to make it more effective in Lebanon. The interviews held in the context of this research project have delivered suggestions to these goals which are significant for the practical ENP with Lebanon. However, these results can potentially benefit the future development of the entire Southern Neighbourhood Policy. Furthermore, it should be noted that the success of the ENP is not only dependent on the quality of the instrument – even though the quality is to be improved through the revision process – but that the political will of all parties involved plays a major role. In order to achieve a stronger political position, the EU itself should be subjected to an internal consultation or revision in relation to the ENP in order to define the ENP's significance as an instrument within EU foreign policy and to strengthen it as much as possible. The results derived from this paper appear at a fitting point in time as the recommended actions and viewpoints taken from qualitative and exploratory interviews can inform the ENP's revision process as well as been be compared later on to the official results of the EU's research.

Annex

Total Official Development Assistance (ODA) disbursements by all donors and multilateral institutions to Lebanon 2009-2013

	2009	2010	2011	2012	2013	TOTAL BY COUNTRY	%
United States	98.2	63.4	64.9	252.1	75.9	554.4	22.2%
EU Institutions	53.3	40.2	88.0	66.1	153.0	400.6	16.0%
France	78.5	50.5	53.1	84.2	61.5	327.7	13.1%
UNRWA	48.0	53.5	57.3	65.9	61.8	286.6	11.5%
Arab Fund (AFESD)	23.8	24.9	30.7	42.4	32.5	154.4	6.2%
Germany	22.6	21.1	21.8	29.6	24.3	119.5	4.8%
Kuwait (KFAED)		28.5	27.7	34.9	17.4	108.5	4.3%
Italy	21.4	18.9	15.1	13.1	13.7	82.2	3.3%
Spain	17.3	17.6	18.5	11.2	7.8	72.5	2.9%
United Arab Emirates	21.9	6.3	6.7	7.7	20.0	62.6	2.5%
Japan	7.9	8.4	11.6	19.7	10.7	58.3	2.3%
Norway	7.1	7.0	9.1	11.8	17.9	52.9	2.1%
Canada	9.8	4.0	2.1	3.8	31.5	51.3	2.1%
Switzerland	2.7	4.8	5.0	5.8	12.4	30.6	1.2%
United Kingdom	3.9	3.0	2.0	5.3	9.9	24.0	1.0%
Sweden	1.9	0.7	2.6	2.5	4.1	11.8	0.5%
WFP					9.2	9.2	0.4%
Belgium	3.6	3.1	1.2	0.4	0.5	8.7	0.3%
Denmark	1.1	2.0	0.5	0.0	4.7	8.3	0.3%
OFID	1.7	1.7	2.4	1.5	0.8	8.1	0.3%
Portugal	6.9				0.0	6.9	0.3%
Korea	2.0	1.4	1.2	0.7	0.7	6.0	0.2%
UNICEF	0.5	0.6	0.6	2.1	1.9	5.7	0.2%
UNDP	0.6	1.8	1.4	0.7	0.6	5.1	0.2%
Australia	0.4	1.2	0.7	2.2	0.3	4.7	0.2%
GEF	0.8	0.6	1.3	1.1	0.6	4.4	0.2%
Greece	2.1	0.8	0.7	0.6	0.1	4.3	0.2%
Ireland	0.1	0.5	1.4	1.2	1.0	4.2	0.2%
Netherlands	0.5	0.8	0.7	0.5	1.4	3.9	0.2%
Finland	1.4	0.5	0.5	0.3	1.1	3.8	0.2%
UNFPA	0.4	0.5	0.5	0.7	8.0	3.0	0.1%
Isl.Dev Bank				2.3		2.3	0.1%
Luxembourg	0.2	0.1	8.0	0.3	8.0	2.2	0.1%
Austria	0.1	0.1	0.1	0.4	1.3	2.0	0.1%
UNPBF			0.0	0.8	1.0	1.8	0.1%
New Zealand	0.4	0.5	0.5	0.3		1.7	0.1%
WHO			0.4	0.4	0.4	1.2	0.0%
Poland					1.1	1.1	0.0%
Czech Republic			0.1	0.1	0.2	0.4	0.0%
Estonia					0.1	0.1	0.0%
UNHCR					0.1	0.1	0.0%
TOTAL IN YEAR BY EURM	441.1	369.0	431.3	672.6	583.3	2497.3	100.0%

Source: Presentation of the EU delegation in Beirut (2015): *EU Institutions and Member States Cooperation with Lebanon 2009-2014.*