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**EU and Morocco: a complex partnership in
the Mediterranean area**

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Introduction

Historically, the Mediterranean has represented the center of dialogue, a confrontation between different civilizations that have made of it an ancient crossover on whose shores they have left a bit of their culture and history. The great Mediterranean historian Fernand Braudel defined it as “the sea that unifies and divides”; since for ages it has been also the soil for wars and conflicts. Its strategic position has been contended among people and global players so to transform it, despite its geography, into a global sea. China with its BRI is considered an emergent power in the region, challenging the ancient presence of the European Union. The latter has been capable of establishing, since its creation, deep and strategic partnership with its Mediterranean neighbors, namely the countries of the MENA region, starting with association agreements, to then shift to forms of cooperation from a Mediterranean perspective: the European Mediterranean partnership, European Neighborhood policy up until more recent initiatives such as the Union for the Mediterranean.

In this context, the Kingdom of Morocco has been considered by the European Union as a possible partner of its southern border, to cooperate in different fields. Indeed, such closeness between Morocco and the EU has been due to Morocco’s inclusivity and attractiveness for strategic interests in the Western World. Its ties with western actors have been carried on from the independence, under the monarchies of King Hassan II to Mohammad VI, the actual monarch, in different diplomatic choices. Morocco’s foreign policy has been alternating between strong and strategic ties with neighboring African countries and the western world namely with the USA, becoming a Major non-NATO ally, and with the European Union and the Christian world, as the visits of the popes John Paul II and Pope Francis testify.

The European Union has certainly been one of the closer western partners for Morocco and different agreements and partnerships have demonstrated their strong friendship. Firstly, they have established the association agreement (1969), the Treaty of Rome, at the beginning, established, in a period characterized by a recent decolonization in North Africa, some preconditions for dialogue, which would only later give rise to a genuine Mediterranean policy. Furthermore, the Global Mediterranean Policy (1973-1992) leading to the signature of cooperation agreement namely the legal basis for Morocco-Community’s relations, represented a turning point for a greater European commitment in the Mediterranean Region and awareness for the growing social and economic imbalances. However, its unsuccessfulness led to the Renewed Mediterranean Politics (1992 -1995) which represented a wake-up call for the revision of the Community policy in the area, addressing new needs within a new approach. However, their relations needed deeper assessment, so to reach the Euro -

Mediterranean association agreement falling within the framework of the Euro-Mediterranean partnership (1996) i.e., the Barcelona process based on three pillars: policy and security, economy and finance, social and cultural affairs. Then, the European Neighborhood policy (2004 - today) with the ambitious political initiative aimed at gradually moving beyond commercial and cooperation relations towards a closer integration of Morocco in the EU, and finally the achievement of the “advanced status” in the EU (2008) granting Morocco with stronger ties in economic and political fields. However, their relations have not always been “all fun and games” since they have been threatened by the presence of big global powers, China and the GCC countries, with ambitious interests in Morocco.

Moreover, other challenges to their cooperation have emerged: the management of the migration flows, which since 2018 have been growing in the Western Mediterranean. Indeed, Morocco is the MENA region’s country with the highest number of departures of national and third nationals migrating to Europe, and it is also the only African country sharing a land border with Europe through the Spanish enclaves of Ceuta and Melilla. Because of its role as sending and transit country, Morocco has envisaged a dialogue with the EU and its member states, Spain mostly, for the migration management among which the Tampere Council conclusions, the Rabat Process, the Mobility partnership, and finally the EU readmission agreements (EURA) an important instrument, which has shown the strong Morocco’s opposition generated by its “hard bargain” attitude to favor its ambitions. As it has been highlighted, Morocco has used a coercive approach relaxing its borders control and thus provoking a migration crisis as recently happened in the two Spanish enclaves. Once again, as denounced by many Spanish sources, Morocco has instrumentalized the migration flows to favor its strategic interests: the recognition over the enclaves and the Western-Sahara long contested territory. However, this episode has seen the imminent response of the EU by condemning Morocco’s behavior and calling for a better management and dialogue on migration.

Therefore, this work’s purpose is to highlight the EU’s interest in enhancing dialogue with its Mediterranean neighbors in various fields, as testifies the deep study of the different Mediterranean policies. Particularly, the attention is posed on the complex cooperation with Morocco which resulted to have achieved results but also limits. On one hand, the EU has positively enhanced its soft power for the development of a democratic reform, social, political, and economic improvements through the help provided by the FTA and funds. However, many of those projects remained unfulfilled and too much economic centered. On the other hand, Morocco has been a great partner in the implementation of Mediterranean policies, but its bargain approach has obstacle the good management of one of the greatest concerns of the Mediterranean area: migrations. Nevertheless,

Morocco remains the most reliable partner in the southern shore of the Mediterranean for the European Union and vice versa.

This work wants to retrace their relations and remember that without dialogue there would be only hate and misunderstanding and that both the EU and Morocco aspire to overcome obstacles for a more enhanced and clear cooperation that will benefit both their interests.

The thesis is structured as follow: the first chapter retraces the history of the Mediterranean since the first settlements of the three monotheistic religions, the domination of its waters, the years of colonialism up to the dispute for its control between the USA and USSR to the more recent presence of major international players such as China and the European Union. Then, it presents the engagement of the European Union in the Mediterranean with different forms of cooperation, from association agreements to Mediterranean policies aimed at deepening the dialogue with the neighboring countries of the Mediterranean shores. The second chapter shows the regional and bilateral relations with Morocco, a country strongly committed to western relations, retracing their ancient friendship. Therefore, the first part provides a full understanding of the Mediterranean centrality for the enhancement of dialogue as a way of cooperation and good conviviality between different civilizations and powers. While the second has the functional aim to show the EU willingness to cooperate with Morocco in such a strategic Mediterranean area with social, financial, and political instruments. Finally, the last chapter analyses the growing migration flows in the Western Mediterranean waters and presents the complex cooperation in this field between Morocco and the European Union with a special attention to Morocco's strategy to exploit migration as leverage in the relations with the European Union.

1. The Mediterranean: an area of dialogue and political confrontation.

Preamble

The Mediterranean has represented for centuries the fulcrum of history, culture, and exchange between East and West. It is a central entity where two or more voices meet and give birth to a dialogue, moments of interaction under the form of relationships, rivalries, or more forms of cooperation. According to Ferdinand Braudel, the long history of the Mediterranean has been characterized by its rich environment, its peoples and above all its endless conflicts.

What is the Mediterranean?

“It is a thousand things together. Not one landscape, but countless landscapes. Not one sea, but a succession of seas. Not one civilization, but a series of civilizations piled on top of each other. Travelling in the Mediterranean means meeting the Roman world in Lebanon, prehistory in Sardinia, Greek cities in Sicily, the Arab presence in Spain, Turkish Islam in Yugoslavia. It means meeting very ancient realities, still alive, alongside other ultra-modern ones. It also means immersing oneself in the archaism of the island worlds and at the same time being amazed at the extreme youthfulness of very ancient cities, open to all the winds of culture and profit, and which for centuries have guarded and consumed the sea” (Braudel, 1985, p. 5-6).

The Mediterranean is a very ancient space, where for ages everything has converged, enriching, and broadening its history. It represents the place where Greeks, Romans and Muslims and other populations shifted from one side of the Mediterranean to another, century after century generating new civilizations and leaving a deep trace in the culture, language, art, and history. A clear example is given by the three monotheistic religions born on the shores of the Mediterranean basin, that for millennia have disseminated principles, values and moral rules shared by the following generations. Let just think about the Muslim influence in Spain or in Sicily and the imprint they have left in the language, folklore, culture, and art. The Mediterranean has been, and still is, the witness of incredible interactions, so that it can be considered not only a mere natural place, but also a geological one, where common interests and rivalries have made possible the establishment of deep forms of dialogue. However, recently, Redaelli has explained that different historical events have affected the basin, and the perceptions in the region, especially in Europe, changed accordingly, first moving toward inclusiveness and then towards separation (Redaelli, 2021, p. 5).

The time and the history have been central keys for the establishment of relationships in the Mediterranean region between countries on both shores. From colonialism to the years of EU-MENA

cooperation's, when the countries of the eastern and southern Mediterranean and the European Union enhanced their social, economic, and political ties.

The first phase of the European Mediterranean Policy (1957 -1990) was assessed in the Treaty of Rome and in the first-generation agreements. The Treaty of Rome at the beginning established, in a period characterized by a recent decolonization in the North Africa, some preconditions for dialogue, which would only later give rise to a genuine Mediterranean policy. It expressly recognized the principle of *economic association*¹ with third countries with the aim of preserving and expanding traditional trade routes and contributing to the development of non-Community areas. Former Articles 113, Art. 227, Art. 238, a Protocol and two Declarations were, among the various provisions, the most legally relevant ones regarding the Community's capacity to build association agreements. Furthermore, the Global Mediterranean Policy (1973-1992) represented an achievement in the relations between the European Community and the Mediterranean countries, highlighting the need for a greater European commitment in the Mediterranean Region and its awareness for the growing economic imbalances. However, its unsuccessfulness led to the Renewed Mediterranean Politics (1992-1995) which represented a wake-up call for the revision of the Community policy in the area, addressing new needs within a new approach. The following Euro Mediterranean Partnership - EMP (1995-2004) officially announced at the Barcelona Conference of 1995 was based on three areas: policy and security, economy and finance, social and cultural affairs. It was clearly an innovative partnership also aimed at promoting bilateral cooperation through associations Euro-Mediterranean agreements (MEDA programs).

Subsequently, the new millennia opened the doors to the establishment of European Neighborhood Policy (2004-today) which establishes peaceful and comparative relations. The benefitting countries must demonstrate shared values and the adoption of political, economic, and institutional reforms, as well as legislative harmonization, to establish closer economic integration with the EU. Finally, new perspectives for dialogue were settled with Union for the Mediterranean which represents the framework for multilateral ties between the EU and non-EU Mediterranean states. It completes the bilateral relations between states, and it develops the *acquis*, stimulate the efforts, and strengthens the achievements of the EMP, under the Barcelona Process of 1995.

¹ In this period the relations with the Mediterranean third countries were based on pre-existent bilateral relations with the ex-colonies. The Treaty of Rome recognised the principle of economic association with those countries to preserve and deepen the economic ties as well as contribute to their development.

However, all these ambitious policies remarked results and obstacles. Indeed, the European work on “political reform” remained inconsistent because of the failure in applying the conditionality clause, as well as the EU’s members lack of unity and political will. Parallely, the EU’s action remained distant from achieving the democratization process and in the diffusion of its fundamental values. Consequently, the EU’s biggest mistake is to not confuse the goal of “democratization” with that one of “Europeanization” which could appear to the Arab world as an attempt to exporting its institutional model (Khader, 2013).

1.1. The sea that unifies and divides.

The Mediterranean is a sea with special microclimate and a particular richness given by the fact of being a sea between lands on whose shores live people so different but similar at the same time (Ferhat, 2005). Indeed, it has always been the center of the historical memory and an immense archive of historical and political dynamics.

In the second half of the XIX century, the Mediterranean was the destination of the great *voyageurs* of the Grand Tour², the destination for the exotism of intellectuals like O. Wilde and Lawrence. However, within the European expansionism on the Eastern and Southern shore at the end of the century, we assist to a new scenario of colonization and civilization under the imperial myth of *Mare Nostrum*, conception that will be overcome in the 30s with a new sensibility.

Indeed, the Mediterranean has always been the sea that unifies, the myth of the universality and pluralism, that has the force to overcome every frontier. The French writer Camus, enemy of nationalism and defender of federalism of nations, talked about it in terms of place of interaction between countries and civilizations. Nowadays the *Mare Nostrum*, Brondino explains, has become a new “*liquid frontier*” between East and West, between cultures and religions, developed and underdeveloped world (Brondino, 2018, p. 8).

Typically, the Mediterranean is considered the sea that “*unifies and divides*” since it physically connects its shores, permitting exchanges and interactions, but at the same time divides because of the differences and the conflicts of interest among the civilizations populating it. The concept of “unity into the diversity” represents the manifestation of the main elements of Braudel’s thesis, where in many cases, the unity seems to prevail over the diversity since the history of the Mediterranean has

² A long journey through Europe, and especially through Italy, considered of fundamental importance for the education and cultural formation of writers, intellectuals, and members of the upper classes between the 17th and 19th centuries.

proved to be more inclined to the search of equilibrium, dialogue, and cooperation. Such elements make the Mediterranean a crossover, “a system where everything merges and reassembles into an original unit” (Braudel, 1985). Although, highlighting the qualifying criterion of the “encounter” does not mean hiding an history also made up of clashes and diversities. Indeed, its history has showed, and the present is still the prove of it, that the diversity generates contrasts, battles, wars, and fights for supremacy.

Moreover, the Mediterranean is considered an area of civilizations, more precisely of plural civilizations. Its essential peculiarity is to have hosted in its history, in succession and simultaneously, different civilizations that have found in the "internal sea" something more than a geographical and physical location, drawing from it those vital elements that have made their common Mediterranean character. A clear example is given by the coexistence of the three monotheistic faiths namely the Christians, Jewish, and Muslims: Three characters unified by a common area for centuries and centuries whose ideologies and interests changed accordingly. The first is that of the West or better to say that of Christianity or as Fernand Braudel would say “*Romanity*”, where Rome in fact has been and remains the centre of the old Latin and Catholic universe, that extends to the Protestant world to the worlds across the Atlantic. Christianity was affirmed as the official religion of the Roman empire with Emperor Constantine’s conversion to Christianity in 312 A.D.

The second is Islam, which could be defined as a counter-western civilization, as it presents both contrasts and similarities with the latter: The West has experienced the Crusades, Islam has experienced the jihad also known as the holy wars. Christianity is headed to Rome while Islam is headed, from any distance to Mecca and the tomb of the prophet (Braudel, 1985).

The third one is Judaism: Jewish communities were located along the entire Mediterranean perimeter, and more in particularly in Alessandria and Rome where they gave birth to the diaspora. If for Fernand Braudel the Mediterranean was a vast plain of water, the Jews made of it a single large market, of which they knew and populated every rock. The Jews communities on the shores of the Mediterranean were in fact as numerous as its grains of sand and connected by a dense network of trade. As a community they were spread along the shores of the Mediterranean as it happened for example in Spain, from where the Jews were expelled in 1492, the same year of the conquest of the Muslim kingdom of Granada. The history of Spanish Jews, the *Sephardim*³ is the one that has most stimulated

³ From *Sefarad*, a term of biblical origin used in Hebrew to designate Spain.

the historiography, intertwining with the problem of the specificity of the Spanish national path and with the history of the Spanish Inquisition and forced conversions⁴.

As Corrao highlighted, the rivalries between the three, especially between Christianity and Islam, were testified by the first Mediterranean conflicts for the control of the ports, and therefore of trade and markets with the East, combined with the need to protect the pilgrims and holy places of Jerusalem, resulting in altering fortunes in the relations between the Italian Maritime Republics and the various Islamic sultanates of Middle East and North Africa (Corrao, 2020, p. 2).

“The most prestigious riches come from the sea, the centre of transport. Master of riches is who dominates the sea” (Braudel, 1985) would say. In fact, in the 10th century, at the height of its civilization, Islam was the undisputed ruler of the “Internal Sea”. Only in the 11th century, with the continuing crusades, the situation started to change: The ships of the Italian cities became the undisputed conquerors of the entire surface of the sea. Byzantine ships were dismantled, those of Islam rejected. The sea was gradually conquered by Christians with warships, pirate ships and merchant ships (Ibidem:123). For a long time, the Mediterranean has been the scene of the clashes between the Christian and Islamic worlds. The confrontation was reopened by the Catholics Ferdinand of Aragon and Isabella of Castille, when they accomplished the reconquest of the Iberian Peninsula (Granada 1492) and even occupied bases in the Maghreb, from Oran to Tripoli (in 1509 and 1510 respectively). Bono remarks that, although the hostilities between the two different realities, they contributed to the dissemination of contacts, travel, commercial and cultural exchanges; also producing a cross-fertilization and transmission of cultures and knowledge acquired in the field of mathematical sciences and philosophy, especially in the Iberian Peninsula and Norman Sicily (Bono, 1999, p. 11-15).

Finally, it is possible to state that from the Arabic invasion of Sicily to the Crusades, the Reconquest of Spain, the Battle of Lepanto, and the following European colonization up to the more recent Mediterranean crisis and contemporary jihad in the Near and Middle East the Mediterranean was, and still is, the clear symbol of unity into the diversity, the symbol of plurality, of political and social confrontation with the other and the different, but at the same time of dialogue and conviviality. Those are simply some of the main events characterizing the exceptionality of this region, which is nowadays the centre of the global geopolitics.

⁴ *Marranos* were Sephardic Jews (Jews of the Iberian Peninsula) who during the Middle Ages converted to the Christian religion.

1.1.2. *The Mediterranean's role in history.*

The rich narrative about the interactions on the shores of the Mediterranean brought to the settlement of new historical events. The end of the Abbasid Caliphate in 1258 represented a deep turning point in the history of Islam when the Mameluke Turks succeeded in governing the region by ensuring optimal conditions for the trade routes between the East and West for the following three centuries, before the arrival of the Ottomans (Campanini, 2019).

Moreover, other major events were occurring on the Mediterranean shores; in the 14th century the famine spread in Europe, then followed by the Black death; the unbalancing relations between North and South as well as the piracy battles on the two shores (Corrao, 2020). Indeed, within a new complex reality the Mediterranean experienced the changes of trade routes and the emergence of new geopolitical actors.

As it has been stated, the Mediterranean as the centre of confrontation between different civilizations and powers, as well as the centre of the market economy thanks to its geographical position and its favourable climate for the growth of agricultural products, had been the point of departure and arrival of the Silk Road until 1498. However, after the circumnavigation of Africa by Bartolomeo Diaz (1498) which changed the trade route toward India, it lost its centrality. The discovery of America (1492) contributed to the shift of economic interests towards the Atlantic taking the supremacy away from the Mediterranean and leaving it in the hands of the piracy (Corrao, 2020, p. 5-6). The consequences of such change of direction were very impactful for the civilizations settled on the shores of the Basin. With the Mediterranean's loss of centrality Islam experienced other conflicts, this time pirate wars, with kidnapping and forced conversions: from Christianity to Islam and vice versa. The Christian world has also experienced a strong crisis of the economic activities that led to shift from commerce in *Mare Nostrum* to international loans.

As matter of fact, the decline of the Maritime Republics brought to the rise of the Ottomans influence, that despite the conflicts with the pirates could conquer strategic ports. Nevertheless, beside the conquest of the ports of Tunis, Oran, and Algiers, the trade between the southern and northern shores of the Mediterranean continued (Corrao, 2020, p. 5-6). Important goods continued to be imported from Africa, like honey, sugar, leather, and gold in exchange of northern products like silk, salt, and precious goods.

In the 16th century, Spain asserted itself strongly in the western basin, while the eastern side remained under the Ottoman Turks despite the defeat at Lepanto in 1571⁵. This “equilibrium” between the two shores lasted until 1683, the year of the siege of Vienna ⁶, when the European victory marked the beginning of the decline of the Ottoman Empire (Bono, 1999, p. 31).

The 17th and 18th century were marked by the rivalry between the European powers and saw for the first time the appearance on the scene of a power geographically outside the *mare nostrum*: England. The latter strategically entered the Mediterranean with the occupation, in 1704, of Gibraltar⁷, at the same time when, in the East, the pressure of Russia on the Ottoman Empire began. With Napoleon's expedition to Egypt in 1798 the decline of the Ottoman power became more and more evident, and the Mediterranean returned to play a leading role in history. Napoleon's Egyptian campaign was part of a broad French strategy to hit England and cut its links to India. However, the French grand Mediterranean project was cut short by the prompt reaction of the British Navy with the victory at Abukir in 1798⁸. The French expedition to Egypt made evident the military weakness and backwardness of the Islamic world and led it to a period of reform *tanzimat*⁹ and renewal. This was a culturally flourishing era with an opening to European progress and technological innovation.

Consequently, during the 18th and 19th centuries the British dominated the sea. The opening of the Suez Canal in 1869 led to the revival of the sea as a major trade route and the development of new ports along the strategic route to their dominions in India. Following the opening of the Suez Canal, therefore, the Mediterranean regained its own importance as a transit sea, as it had already had in the past and in the Middle Ages for the traffic between European and Asian regions.

⁵ Naval engagement in the waters off southwestern Greece between the allied Christian forces of the Holy League and the Ottoman Turks during an Ottoman campaign to acquire the Venetian Island of Cyprus. The battle was the first significant victory for a Christian naval force over a Turkish fleet and the climax of the age of galley warfare in the Mediterranean.

⁶ The Siege of Vienna, (1683), is an expedition organized by Ottomans against the Habsburg Holy Roman emperor Leopold I which led to their defeat thanks to John III Sobieski of Poland. This represented the beginning of the end of Ottoman power in Eastern Europe.

⁷ The Muslim occupation was concluded by the Spanish in 1462 when Isabella I annexed Gibraltar to Spain in 1501. But in 1704, during the War of the Spanish Succession, George Rooke conquered Gibraltar for the British, and Spain formally gave it to Britain as agreed by the Treaty of Utrecht in 1713.

⁸ The Battle of the Nile, also known in France as the Battle of Abukir Bay (properly Abū Qīr), was an important naval battle related to the conflict between revolutionary France and Great Britain, in particular the expedition commanded by Napoleon Bonaparte and known as the Egyptian campaign, which took place between the British fleet commanded by Rear Admiral Sir Horatio Nelson and the French fleet under the leadership of Vice-Admiral François-Paul Brueys D'Aigalliers. It took place between the evening of August 1 and the morning of August 2, 1798. The battle marked the triumph of the British Navy.

⁹ It indicates a period of reforms under the Ottoman Empire from 1839 to 1876.

The occupation of Gibraltar, Malta (1800), Cyprus (1878), Egypt (1882) and Palestine (1917) gave to England the strategic dominance over the entire Mediterranean which, after the opening of the Suez Canal, had assumed again the role of privileged route of great maritime communication.

However, the conquest of Algeria (1830) by France marked the beginning of the antagonism between the two European powers, both eager to take advantage of the Turkish decline. The French occupation in Algeria opened the phase of European colonialism in the Mediterranean, a period in which European powers expanded their dominance according to their own interests (Bono, 1999, p. 18). Spain acquired the coastal strip of Morocco; Italy conquered Libya, while France had already imposed its protectorate on Tunisia since 1881.

Between the end of the 19th and the beginning of the 20th century, therefore, European powers directly or indirectly controlled many Mediterranean territories in the middle east, thus provoking different forms of resistance and often feeding strong anti-European sentiments. The competition between European powers to expand their hegemony eventually brought the Mediterranean back to a central position. In addition to France and Great Britain, Italy and Germany were also able to expand their domains. British superiority was limited to supporting the Ottoman Empire to prevent the Tsar's fleet from freely entering the Mediterranean.

Moreover, the First World War led to the defeat of the Ottoman Empire and its partition, setting the stage for numerous conflictual situations. The signature of the previous agreements known as Sykes Picot¹⁰ led to the division of the Empire's territories between the European powers: Syria and Lebanon were assigned to France, while Palestine and Iraq to Great Britain. Furthermore, the end of the Second World War brought to a dramatic epilogue: the crisis of the great European powers, which had already begun with the First World War, reached its peak impeding colonialist powers as France and Great Britain to maintain their colonial empires.

Finally, the end of the war marked the beginning of an era of decolonization, following the rise and affirmation of new independent states¹¹. The dominance of Great Britain, which continued throughout the nineteenth century, ended only after World War II, when the British hegemony was replaced by the United States. Thus, a new international balance was starting within two emerging superpowers: USA and USSR. From the end of the Second World War, the Mediterranean became a frontier between the two opposing blocks (Bono, 1999, p. 27). The nationalization of the Suez Canal, which

¹⁰ Secret agreements signed in 1916 between England and France on the accord of USSR to divide the influence zones and to control the Ottoman Empire's territories.

¹¹ Lebanon, Syria, and Jordan in 1946; Libya in 1951; Morocco and Tunisia in 1956 while Algeria in 1962.

took place in July 1956, clearly showed the impotence of France and Great Britain ¹². At the same time, the Suez affair could be considered a turning point, as it changed the international orientation of Great Britain and France. Those events marked the end of the contention for domination of the Internal Sea, which had already faded with the presence of the Americans and Soviets.

1.1.3. New Millennia and new challenges: toward a new Mediterranean order.

In the post-war period, the ideological struggle which made Europe a continent divided by an iron curtain, split the Mediterranean into opposing spheres of influence exercising a policy based on the principle of balance: in this period, the Mediterranean became a secondary basin, no longer a decisive hub for international economic and commercial exchanges. During the Cold War period the US and the USSR developed, directly and indirectly, a policy of political and military interference in the Mediterranean. From Nasser's nationalist revolution; the 1954 liberation struggle in Algeria; 1955-6 Morocco and Tunisia independence, followed by the first Arab Israeli war in 1948 -1949 to the bloody nationalist interlude in Iran, from 1951 to 1953, the Mediterranean had thus become, with all its hinterlands of Balkan Europe, North Africa, and the Middle East, up to the Gulf, the main place of political convergences and clashes of the strategic lines of West and East.

At the beginning, within this bipolar approach, it was not easy for a European state to develop its own "Mediterranean" policy. However, the collapse of the Soviet Union in 1991 and the end of the Cold War modified the strategies in the Mediterranean and led to alternative solutions for the Mediterranean security. According to Redaelli, within the Soviet collapse, Europe emancipated from the protection of the Americans, to then proclaim itself as an important political and economic actor able of developing its own policy and achieving its own interests in the Mediterranean region (Redaelli, 2021). Indeed, the 90's represented for Europe the beginning of the cooperation between the countries on the Mediterranean shores within the Barcelona Declaration in 1995 to then shift to the establishment of a Euro-Mediterranean partnership (Euro med). The European action in the Basin was different from the USA's one which was based on the project of a Greater Middle East¹³. Geographically speaking the Greater Middle East covers a big area enlarging the Mediterranean Sea towards Central Asia and the Indian Ocean. The agenda of the Greater Middle East was complex and basically addressed: the fight against terrorism and the propagation; Turkey's position; the

¹² France and England and Israel occupied the Suez Canal but the intervention by USA and USSR with the support of the UN led to their retreat.

¹³ This concept was determined in 2003 during the speech of the American president G.W. Bush to promote socio-economic development in the region.

enlargement of NATO engagements; the Arab Israeli issue and the conflict between Israelis and Palestinians as well as political, economic and social reforms (Brighi & Petito, 2009, p. 185).

Comparing the EU and USA's strategy in the Mediterranean region it is possible to state that both allude to the promotion of democratic values and the economic and social development, but they also present some important differences. Geographically, the European Mediterranean policy was more limited in scope compared to the USA's project of the Greater Middle East, since it was only addressed to countries of the Mediterranean, North Africa, and the Middle East. Moreover, the EU's attitude in the region was more inclined to the use of "soft power" opposing to the USA "hard power" which included the use of military force. The European vision was based on cooperation in different sectors and its military force acts only to prevent conflicts and manage crises, and it considers the Mediterranean as a vital area. On the other hand, the American vision of the Greater Middle East does not consider the Mediterranean strategically, besides the interest in the energetic resources, but framed it in a peripheral and marginal position.

However, despite the EU action toward the Mediterranean third countries, in the first years of the new millennia the Basin experienced an economic decline and a series of internal conflicts, especially on the southern bank. The Mediterranean firstly witnessed the rise of jihadist's movements connected with the 9/11 attacks and which led to the Anglo-American invasion of Iraq in 2003. Then, the sectarian polarization between Shiites and Sunnis¹⁴, the diffusion of protests in 2011-2012 which generated the Arab uprisings, the outbreak of civil wars in Iraq, Syria, Yemen, and Libya, then evolved in proxy wars. As stressed by Redaelli, those events characterized the profound crisis of the security and policy of the Mediterranean Basin which was also deepened by the lack of a strategic coherence among western countries and by missing common perceptions of any possible risks and threats both at the regional and the international level (Redaelli, 2021). Another aspect characterizing the crisis of the Basin was the fourth European enlargement provoking the rise of strong divergences (among the MS) in political priorities and perceptions of the challenges such as the European regional security one. Diverging policies and intra-European rivalries emerged in many situations, such as in the relations between France and Italy over Libya's future.

Furthermore, the new millennia highlighted another big challenge for the stability of the Mediterranean order and the promotion of EU action: growing migration flows from the MENA and Sub-Saharan regions toward Europe with the consequence of diffusing alarmism on the Basin's security. This attitude evolved in sovereigntist movements and islamophobia and anti-Mediterranean

¹⁴ They also were provoked by fight for regional and political supremacy between Saudi Arabia and the Islamic Republic of Iran.

political approaches. From the 9/11 attack by al-Qaeda and the following USA invasion of Iraq in 2003, which contributed to the tensions between the West and MENA's region, to the diffusion of terrorist's attacks in Europe between 2015-2016, all this led to the emergence of growing security complex toward the "Islamic danger". Indeed, this was followed by disgraceful campaigns against Muslim communities subjected to marginalization and discrimination. Such growing "security complex" (Redaelli, 2021, p. 3-4) on the shores of the Mediterranean increased the confrontations between East and West representing another big challenge in the Basin.

The clashes between East and West have been always very tight since the past, just remembering the Crusades but also the exacerbations developed between the two during the period of colonialism, as well as the different considerations of the "Other". This idea of the "other" is perfectly analysed by Hasan Hanafi in his book *Islam in the Modern World* section *From Orientalism to Occidentalism* depicting this tendency to consider the West as the "centre" while the East as the "periphery". Hanafi criticizes the fact that the history of the world seemed to be written "*as if the West was the very centre of the Universe and the end of history*", as well as many common prejudices linked to conception of the "other": Orientalism has depicted many images of the East, for example being associated to "*blacks or yellows, to despotism, primitive mentality, selvage thinking, Semitic mind, Arab mind, violence, fanaticism, underdevelopment, dependency, sectarianism, traditionalism, and conservatism*" (Hanafi, 1978-94).

Despite years have passed and history has changed, today the Basin still represents a space where many antagonisms are confronted. Such encounter/clashes' characteristic of the Mediterranean is due to the contraposition between identities and values of those different monotheistic faiths, on which nation-states after the colonization have emerged. According to Brondino, other sources of contraposition between East-West are the lack of openness to the modernity of the Muslim Arab World due to continuing clashes between the Sunni and Shiites Islam as well as the growing globalization (Brondino, 2018). The latter is a phenomenon that makes possible the interactions of different civilizations and cultures together, namely what the Mediterranean has always represented in terms of area of exchange.

However, this phenomenon led to a strong homologation in front of many cultural and identity differences. Indeed, the lack of basic knowledge of the "other" causes prejudice and violence which must be defeated, since the globalization should be exploited for the emergence of another reality, based on the interdependence and cooperation which will be widespread only if we really understand what means unity into the diversity, and only if we open our minds to dialogue and cultural confrontation in a common space which takes the name of Mediterranean. Miriam Cooke describes

in her masterpiece the *Mediterranean Thinking* what means be citizen of the Mediterranean (Cooke, 1999): “To be a Medizen is to understand oneself as a citizen of three continents that, from the sixteenth century, have reached out to a fourth continent across the Atlantic...” (Cooke, 1999). With these words she makes us understand that the “Mediterranean Thinking” is that complex way of adapting, understanding, and living together with shared mixtures of religious, culture, history, politics, and cousin cultures. This is what makes us citizens of the Mediterranean (*Medizen*) able to go beyond the rigidity of the land, of our space.

Moreover, the 21st century, despite the continuing challenges, transformed the Basin into a “global sea”, beside its geography, by acquiring a renewed centrality. The Mediterranean become a global sea with the presence of new global actors. Firstly China, with its ambitious project the *Belt and Road Initiative*¹⁵, it occupies the second place as the largest trading partner after the European Union. This project combines both the commercial element and the energy and infrastructural one. China’s objective is to satisfy economic and commercial interests while remaining as much as possible in a neutral position in case of conflicts or crisis of the MENA area. The main difference between China and the western countries’ approach in this area was the fact that China was more inclined to the promotion of “*development peace*” rather than the West’s “*democratic peace*”, pointing out that among the main causes of the Mediterranean’ regional instability, there were also the economic instability, high unemployment’s rates, population growth and brain drain and low levels of education (Redaelli, 2021, p. 13-14).

This global approach, where regional single state-Actors interact with non-state ones, prevailed over the Euro-Mediterranean one which has been weakened by the losing relationships between the states on both shores. Some of the reasons of the EU action’s unsuccess were the increasing fragmentation of the Basin, the instability of the Mediterranean regionalism worsened by the lack of capacity of the EU to react with stable policies and the fragility of some Mediterranean countries in southern Europe such as Italy, Greece, and Spain fearing the risk of a polarized geopolitical space.

Moreover, the balance of the Mediterranean Basin has been compromised also by other reasons: the demographic alteration between the two shores of the sea and the growing in satisfaction of the younger class for the lack of employment opportunities (Ibidem). However, the growing rifts within the Mediterranean demonstrated its capacity to be resilient to crisis and problems as well as to always shine on with its central role. The Basin is able to perform the functions of political and

¹⁵ BRI is a transcontinental long-term policy and investment program which aims at infrastructure development and acceleration of the economic integration of countries along the route of the historic Silk Road. Online: <https://www.beltroad-initiative.com/belt-and-road/>

anthropological mediation between cultures and lands and at the same time it plays an important “balancing role” in the global space. This renewed centrality of the Mediterranean depicts it as a “pivotal hub” playing an important role in the protection of the area and in the adoption of new strategies with a growing attention to the polarization and sectarian identities that lies on the Basin’s shores. The (UNDP, 1994) Human Report made possible the advancement in 2012 of the idea of Human Security which clearly shows the need to move from a state-centered security to a people-centered one. This means addressing the basic needs of the population, of a state, of minorities living on the shores of the Mediterranean, combating the lack of opportunities, under development, and social-economic inequalities (Ibidem).

What is crucial for the Mediterranean?

The relaunch of social, political, and cultural initiatives based on the common idea of human and collective security, as well as developing new and functional policies and forms of cooperation between the two shores. The priority is to make people and countries to live in freedom and security respecting the values of democracy and human rights to show to next generations that war generates war, and that peace and dialogue would only bring to something good. Indeed, Riccardi during a conference on the Mediterranean at university of Al-Azhar in 2012 remarked the need to build up a stable Mediterranean vision comprehending also economic, political, and religious relations. Such vision will bring to the realization of a true and authentic civilization which does not want to impose on the others but that is opened to the coexistence of different values and principles (Riccardi, 2014).

1.2. European Union: promoter of dialogue in the Arab world and the Mediterranean region (1957-today).

The dialogue, Corrao claims, is the only possible way to avoid the clashes of civilisations, however, this cannot be done without the knowledge and the respect of the other, without the self-control and without a strong sense of responsibility (Corrao, 2006, p. 6).

Despite the numerous clashes and challenges in the Mediterranean region, mostly animated by interests and supremacy, there still is at the basis the problem of reciprocal East-West stereotypes which constitute a big wall for the enhancement of dialogue and cooperation. In many circumstances, the Arab world has been associated by the West to the idea of foreigners entering illegally in the countries and committing crimes and terroristic attacks, especially after the catastrophic 9/11 attacks,

diffusing anti-Islamist approaches. While the West has been depicted by the Arab world to the exploiter of petroleum and to colonialism and supremacism (Brondino, 2018).

However, since the Mediterranean has been for a long time a central area characterized by crisis and conflicts it now needs to acquire a stability and a better coexistence of its different civilizations and political powers by fighting the generalizations and prejudices and by reaching social, cultural, and economic dialogue.

From where should we start?

Firstly, there is a strong need to better diffuse information and knowledge among people. It would be crucial to use the mass communication to spread the news and to inform people about the world's changes and the values shared by other populations. We live in a multicultural world made of diversities and we should be able to look at things from many different perspectives to better understand the different and complex realities (Corrao, 2006).

Secondly, it would be important to listen to the other's points of view, without thinking that our point is the best one. Dialogue is necessary to spread understanding and set the basis for new and solid forms of cooperation and partnership useful to overcome common obstacles and satisfy common interests (Ibidem).

As matter of fact, the need to enhance dialogue within neighbouring countries is important to prevent sectarianism and cooperate on areas of common interest. In this context, the European Union has been a central actor for the diffusion of its fundamental principles in many Mediterranean neighbouring countries and for their economic and social development, by establishing different forms of cooperation and partnerships. Because of a strong need to act and progress the EU has been enhancing dialogue with aim of facing the growing disbelief between the two shores of the Mediterranean, between the "periphery" and the "centre" and breaking those walls of hatred and violence.

1.2.1. From the Treaty of Rome to the first-generation's agreement (1957-1990).

European attention to the Mediterranean basin began in the late 1950s. The origin of Euro-Mediterranean policy dates to the Treaties of Rome of March 1957. Signed by the representatives of France, West Germany, Italy, Belgium, Holland, and Luxembourg, it was the occasion for the establishment of the European Economic Community which foresaw the progressive implementation of economic integration through the creation of a common market. The objectives of the treaties were

the abolition of customs duties, a common trade policy and the free movement of people, goods, services, and capital. Furthermore, they also provided for the possibility of concluding trade agreements with Mediterranean non-member countries, to preserve trade routes as well as to ensure to Europe a leading position in an area of enormous strategic importance. At the beginning of the 19th century, economic relations between Mediterranean third countries¹⁶ and Europe have been based on the need to integrate part of them, and in particular the Maghreb, into the 'metropolis'¹⁷ economy. At the birth of the European Economic Community (EEC) in 1957, Morocco, Tunisia, and Algeria¹⁸ were, because of their privileged relations with France (as its former colonies), the Mediterranean countries closest to the Community, both politically and economically. Indeed, the Treaty of Rome at the beginning established, in a period characterized by a recent decolonization in the North Africa, some preconditions for dialogue, which would only later give rise to a genuine Mediterranean policy. It expressly recognized the principle of *economic association*¹⁹ with third countries with the aim of preserving and expanding traditional trade routes and contributing to the development of non-Community areas. Former Articles 113, Art. 227²⁰, Art. 238 of the Treaty of Rome²¹, a Protocol and two Declarations were, among the various provisions, the most legally relevant ones regarding the Community's capacity to build association agreements. As regards the Protocol, it leaved unchanged the favourable customs regime enjoyed, prior to the entry into force of the Treaty of Rome, of certain countries traditionally linked to a Member State. In this case, the intention not to damage the economy of the Mediterranean countries, and to preserve for their benefit certain facilities, motivated by deep-rooted political ties, led to the admission of 'special regimes' that

¹⁶ With the notion of Mediterranean third countries, we intend all countries in North Africa and Southwest Asia with which the European Union established the Euro-Mediterranean Partnership with the 1995 Barcelona Declaration and so on. Among Mediterranean third countries it is usual to make a further classification relating to some countries belonging to specific geographical areas or regions; in fact there are Maghreb countries (in Arabic al-Maghrib, "the Sunset, the West"), such as Morocco, Algeria and Tunisia and Mashreq countries (from the Arabic root sh-r-q, meaning "East, Orient" or also "place of the dawn") that is Egypt, Jordan, Palestinian Territories (West Bank and Gaza), Lebanon, Syria and Israel.

¹⁷ During the colonial period, Morocco, Tunisia, and Algeria were under the control of France (metropolises): Morocco was a French protectorate from 1912 to 1956, Tunisia from 1881 to 1956, and Algeria was a French colony from 1848 to 1962.

¹⁸ At the time of the birth of the EEC, Algeria was a French department and was in fact integrated into the Community by Article 227 (now Article 299) paragraph II of the Treaty of Rome which states that: "As regards the French overseas departments, the special and general provisions of this Treaty concerning: free movement of goods, agriculture (except Article 40 paragraph 4), liberalization of services, competition rules, safeguard measures (Articles 109 H and 226) and institutions; shall apply as from the entry into force of the Treaty". Online: <https://op.europa.eu/en/publication-detail/-/publication/254b1625-be54-4cd3-86e9-4ba45e1f3935/language-en>.

¹⁹ In this period the relations with the Mediterranean third countries were based on pre-existent bilateral relations with the ex-colonies. The Treaty of Rome recognised the principle of economic association with those countries to preserve and deepen the economic ties as well as contribute to their development.

²⁰ The Overseas Countries and Territories, the list of which is set forth in Annex IV to this Treaty, shall be the subject of the special arrangements for association set forth in Part Four of this Treaty. <https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:11957E/TXT&from=BG>.

²¹ <https://netaffair.org/documents/1957-rome-treaty.pdf> (P.78).

were not in line with the regulatory criteria of the common market. As regards the Declarations of Intent annexed to the Treaty, one of them provided for a status of association to the Community of independent countries of the franc zone, particularly Morocco and Tunisia. The expression "economic association", used in one of the Declarations of Intent, thus seemed to denote a desire to distinguish the agreements intended to be concluded from the association agreements (without adjectives) contemplated by Article 238; in reality, when the two agreements with Morocco and Tunisia were initiated in 1969, it was to Article 238 that the approval and implementing regulations would refer²².

Article 238 of the ECC (now Article 310 TFEU)²³ stated that the Community "*may conclude with a third State, a union of States or an international organization agreement establishing an association involving reciprocal rights and obligations, common action and specific procedures*"²⁴.

Those first legal steps represented how strong the Community's interest was in the Mediterranean area in building up the preconditions for a closer dialogue and in maintaining special regimes for trade with some countries, the so-called 'associated countries'²⁵, category included in the Treaty of Rome precisely to allow preferential treatments between certain members of the Community and Mediterranean third countries.

Indeed, from the mid-1960s the EEC took an approach towards the Mediterranean countries based namely on preferential trade²⁶ and association agreements with the individual countries of the Basin, the "first-generation agreements", and so the relations enhanced by the EEC with the Mediterranean countries up to 1972 can certainly not be considered as inspired by a comprehensive vision. The Community's main objective was to achieve, to an extent that varies from country to country, a certain liberalization of trade, even when it uses the formula of association. Between 1961 and 1963, we assist to the first association agreements with Greece and Turkey and only between 1965 and 1973,

²²Euro-Mediterranean Association Agreements, available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Ar14104>.

²³ Official Journal Treaty establishing the European Community (Nice consolidated version) - Part Six: General and Final Provisions - Article 310 - Article 238 - EC Treaty (Maastricht consolidated version) - Article 238 - EEC Treaty. Online: <https://op.europa.eu/en/publication-detail/-/publication/254b1625-be54-4cd3-86e9-4ba45e1f3935/language-en>

²⁴Sources and scopes of the European Union Law. Section D. Online at: https://www.europarl.europa.eu/ftu/pdf/en/FTU_1.2.1.pdf.

²⁵ The associated country is not required to contribute to the Community budget and is exempt from the obligations inherent in the implementation of the Treaty, except for the provisions concerning it. (Original Rome Treaty text)

²⁶ EEC member states are bound not only to the fulfilment of the obligations provided for by the Treaty of Rome, but also to the observance of the rules contained in the General Agreement on Tariffs and Trade (GATT), which, pursuant to art. 24, subordinates to the creation of free trade areas the granting of 'preferential' trade treatments, i.e., more favourable than the generalized system of the most favoured nation clause.

associative agreements²⁷ for the maintenance of special links were concluded with Tunisia²⁸ and Morocco (1969). Furthermore, Mixed Trade and Technical Cooperation Agreements with Lebanon (1965), Trade Agreements with Spain and Israel (1970), Portugal and Egypt (1972) and Yugoslavia (1973) were concluded.

However, many were the limits of the first ECC approach toward the Mediterranean region.

Firstly, despite these initial pillars of the Mediterranean policy concerned cooperation in social, economic, and political fields (Belloni, 1979), it ended up to be mostly “economically cantered” revealing the ECC’s main interest to establish economic ties.

Secondly, the Community lacked an overall vision which generated different solutions for each country giving birth in many cases to bilateral agreements of economic nature.

Thirdly, it provided only fragmented financial aid, particularly in the agricultural sector.

Finally, these agreements showed how Mediterranean non-member countries have historically not been considered as part of a homogeneous area, that of the Basin. This because the ECC preferred to deal mostly with separate countries, establishing simple bilateral relations to defend previously established economic and political interests. Indeed, it was not possible to talk about a real and genuine Mediterranean policy. Nevertheless, the 70’s were characterized by a greater European commitment to the Mediterranean third countries with the establishment in 1972 of a Global Mediterranean Policy and then the Renewed Mediterranean policy.

1.2.2. From the Global Mediterranean Policy (1973-1992) to the Renewed Mediterranean policy (1992-1995).

At the summit held in Paris from 19 to 21 October 1972, France and the Heads of State and Government defined a new global approach of the European Community in the area by identifying fields of action related to regional, environmental, social, energy and industrial policies. This summit represented a turning point in the relations between the European Community and the Mediterranean countries with the establishment of the "Global Mediterranean Policy" (1973-1992) highlighting the need for a greater European commitment in the Mediterranean Region and its awareness for the

²⁷ It is aimed at promoting and reinforce the trade and economic relations between the parts to assure the rapid development of the associate country and its own employment level.

²⁸ Official Journal of the European Union, n. 198 8 August 1969, pp. 5 e ss.. (n.198, 1969) Online: [https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:21969A0328\(01\)&rid=1](https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:21969A0328(01)&rid=1).

growing economic imbalances. Moreover, those years were also characterized by the "Euro-Arab Dialogue" of 1974, in which the members of the Arab League²⁹ and of the then European Community participated. It was an opportunity not fully and genuinely exploited because it would have failed due to the lack of cohesion on the issues and priorities of the negotiation agenda.

The need to redefine relations in the Mediterranean has motivations both internally to the Community and linked to the world situation: on the one hand, the 1973 enlargement of the EEC (with the entry of England, Denmark, and Ireland) necessitated a redefinition of previous trade and cooperation accords; on the other hand, fears related to oil supplies pushed the "Europeans" to new openings towards Arab countries. However, with this "global" approach toward the Mediterranean region the Commission wanted to, from one hand, to pursue actions already started in the trade sector aimed at liberalizing the commerce, and at the same time, to spread cooperation (Tsoukalis, 1977, p. 35-37). Those trade agreements were aimed at establishing provisions on different fields: the industrial products, agricultural products as well as cooperation for development.

The novelty was that also non-member Mediterranean states, such as Turkey, Cyprus, and Malta, were included in the Global Mediterranean Policy working through financial protocols (aid and loans of the European Investment Bank) and preferential trade arrangements, that at the same time were aimed at improving the exchanges between the ECC and the third states. The policy's main objective was to increase European trade in the Mediterranean while opening the European Market to Mediterranean industrial and agricultural products. There also was a part dedicated to the social clause for the management of the migration issue, which became a great concern in the Community, mainly with the closure of European territories to new migration flows after 1973 (Ibidem). Such new global cooperation agreements differed from the *first-generation agreements* namely for the extension of the fields of intervention (the so-called multisectoral³⁰), as well as the regulation of trade (therefore they are called cooperation agreements and not trade agreements). In addition, relations between the EEC and Mediterranean third countries were no more only founded on the Community's concessions, but on cooperation pushed by the common will to act in synergy. The new agreements were defined as "global" since the Community wanted to consider Mediterranean third countries in their entirety,

²⁹ The Arab League, founded in Cairo, is a regional multi-national organization of Arabic-speaking countries on the African and Asian continents. Its main mission is to promote trade and economic growth as well as sovereignty and political stability in the region. As of 2021, the League consisted of 22 member nations and 5 observer nations (Kenton, 2021).

³⁰ In addition to the commercial sphere, these agreements must concern the economic-financial, technical, social, and institutional sectors, to allow, through cooperation, these countries to create agricultural and industrial infrastructures and to try to implement their own development programs.

no longer as individual states, but as countries whose problems must be considered in a single regional framework.

Despite the ambitious projects for the enhancement of a solid ECC external action the Global Mediterranean policy did not deliver the expected results. Many were the limits and the difficulties. Among the main reasons of its unsuccess there were certainly the international monetary crisis, as well as the growing inflation and political tensions. More particularly the situation worsened because of the global economic recession following the Oil Shock of 1973³¹. This global economic crisis, which was weakening the major global economies, set back the Community's interest in continuing the exportations with the Mediterranean third countries by preferring the defense of its own products: agri-food and textiles ones. As regards the first sector, not only the partial tariff concessions, but also the export facilities of Mediterranean third countries, limited by a series of mechanisms, had in fact a negative impact on the volume of exports, to significantly limit the effects of the reduction of customs duties. For the second sector, on the other hand, the strategy used was different: 'voluntary' self-limitation agreements were applied; in fact, Mediterranean non-member producer countries were asked to 'voluntarily' renounce the advantage offered by the previous cooperation treaties³². Indeed, the ambition to enhance stronger relations with the Mediterranean third countries was thus unfulfilled. This was probably since the two basic objectives, which led to the birth of the Global Mediterranean Policy, were totally mistaken.

First, the Community's need for secure supplies of raw materials, mainly oil products, especially after the oil shock, which justified the opening to the development and export needs of Mediterranean third countries. Then, the conviction that the Community economy could also be a driving force for the economies of Mediterranean third countries, with positive repercussions on their development and on the outlets for Community products. However, once these assumptions have disappeared, all the contradictions of this vision emerged, some of which were irremediable and still partly, or completely, unresolved. One of the main contradictions (considering the prevalence of exports from Mediterranean third countries), was connected to the agricultural exports, and the protectionist mechanisms provided by the Common Agricultural Policy (CAP)³³. Another important contradiction

³¹ The 1973 oil crisis began in October 1973 when the members of the Organization of Arab Petroleum Exporting Countries proclaimed an oil embargo. The embargo was targeted at nations perceived as supporting Israel during the Yom Kippur War (Smith, 2006, p. 329)

³² After the end of the Multifibre Arrangements, the Agreement on Textiles and Clothing (ATV) with the Mediterranean countries will also be abolished. Indeed, China's integration into the WTO and competition from other Asian countries have threatened the preferential access of textiles from the southern Mediterranean to the European market (Khader, 2009).

³³ The CAP is a shared competence between the European Union and the Member States. Pursuant to Article 33 of the EEC Treaty, the CAP aims at ensuring reasonable prices to European consumers and fair remuneration to farmers, mainly through the common organisation of agricultural markets and the respect of the principles, set forth in the 1958 Stresa

was linked to the concessions to enter EU markets that were not enough to increase Mediterranean third country exports. Moreover, there were determining factors that have not been taken into account at all: the ability to produce goods that in terms of quality and standards for meeting the demand of an increasingly sophisticated market such as Europe's, which therefore requires action on the one hand on human resources, and on the other on the technological development and the production system of Mediterranean third countries (Belloni, 1979, p. 564-568).

Furthermore, among the other reasons of the Global policy's unfulfillment there were the great divergences between the Mediterranean countries. The new European enlargement (1979-1986) that made the Community counting new members with Greece, Spain, and Portugal highlighted their concurrent behavior in the agriculture sector and their weak stability in the industrial sector. Big divergences could be noticed also in the Maghreb countries especially the four countries of the Arab East and Israel, Malta, Cyprus, and Spain considering their different approach to the economic and social fields. It is interesting to notice how their economic situation and their demographic index were so dissimilar: Spain and Israel have very developed industries so to be considered developed countries compared to countries like Egypt, Lebanon, Syria, Jordan (Ibidem). The situation was also worsened by the internal corruption and concentration of the revenues in the hands of the MENA countries' élite who did not support the economic growth of the countries. Moreover, the 1989 was also the year of the Fall of the Berlin Wall signing the end of the Cold War, events that paved the way to the joining Europe from Eastern European countries.

Finally, the Global Mediterranean policy failed because of the absence of economic and social solidarity between the different contracting part of the Mediterranean policy (Ibidem, p. 568). So, it is possible to say that the Global Mediterranean Policy after its 18 years of implementation (1972- 1990) resulted to be a failure.

Firstly, it remained trade-driven and so did not efficiently spread European investments, considering that only 1% of the total European investments was addressed to the southern Mediterranean (Khader, 2013).

Secondly, it did not close the gaps between the two shores of the Mediterranean and did not promote economic development, regional integration, and democracy in the less developed areas of the Southern Mediterranean. This lack of attention to the real needs of this area, led to the necessity to

Conference. The CAP is one of the most important policies of the European Union (agricultural expenditure represents approximately 45% of the Community budget).

put the accent on the development of human resources, in terms of qualification and specialization of the workforce, and of the production system, particularly in technological terms.

Renewed Mediterranean policy (1992-1995).

The '90s opened in the light of great political turmoil: the fall of the Berlin Wall, which marked the end of the Cold War and the outbreak of the Gulf War, the explosion of Islamic protests in Algeria³⁴ and the socio-economic condition of Mediterranean third countries due to a demographic bust, high unemployment rates, insufficient economic growth and severe balance-of-payments imbalances driven by lower oil prices and increased food dependence.

Furthermore, other problems reemerged in this context such as the East-West imbalances. The rise of fundamentalist Islamism, the emphasis on the policy of rearmament and non-conventional proliferation, the internal delegitimization of nationalist regimes that remained in power through repressive and authoritarian policies, increase the problem of stability and security which became, from then on, the focus of European policy towards the southern regions (Redaelli, 2021).

The Mediterranean policy of the European Union, which in previous years was based on the objectives of international economic cooperation and integration, is now aimed at achieving stability and security in the Mediterranean area. Those growing problems represented a wake-up call for the revision of the Community policy in the area, addressing new needs within a new approach. These new needs, while partly taking up the proposals of the end of the 1980s developed within the European Economic and Social Committee and the European Trade Union Confederation and following the document drawn up by the European Council in Strasbourg (December 1989), were translated into the *Renewed Mediterranean Policy*, which did not change the basic approach of the Community actions, but changed the perception of the Mediterranean Countries: after the enlargement to the South of the Community (Greece, Spain and Portugal), the concept of “proximity” of the Mediterranean Countries³⁵, previously conceived as distant countries belonging to the so-called 'Third World', started to prevail (Khader, 2009).

The Renewed Mediterranean Policy was launched with a Resolution adopted by the EEC Council of Ministers on 18th December 1990³⁶, re-adapting a Communication of the Commission of June of the

³⁴ Due to the annulment of the legislative elections of 1992, in which the Islamic front had won, the internal situation became more tense and the fight between government forces and armed Islamic groups began, resulting in assassinations, massacres of civilians and a hindrance to the evolution of relations with Europe.

³⁵ Which will be better implemented under the EMP and ENP.

³⁶ Commission of the European Communities, A Proposal for a Renewed Mediterranean Policy, SEC (90) 812, June 1, 1990. Online at: https://ec.europa.eu/commission/presscorner/detail/it/MEMO_94_74.

same year. The latter stressed the need to implement measures in the field of environmental protection, human resources development and requested the renewal of the financial protocols with the Mediterranean countries fixing the modalities for a community financial collaboration aimed at promoting economic and social reforms. Its objectives were to be pursued by strengthening existing bilateral cooperation or association agreements. Financial cooperation was undoubtedly the main innovation of the Renewed Mediterranean policy. Interventions were not only fixed by financial protocols and managed by local governments, but horizontal cooperation³⁷ was also established to deal with half of the funds destined to the Basin (Khader B. , 2013).

Since 1992, the areas of intervention have been: environment, regional cooperation, and decentralized cooperation³⁸. It is precisely the decentralized cooperation representing one of the most relevant aspects of the Renewed Mediterranean Policy, almost an anticipation of the next phase, the Euro - Mediterranean Partnership. Indeed, the development of the Mediterranean Countries, in this new perspective, was promoted through the collaboration between civil society actors belonging both to the Community and to the Mediterranean neighbors. In this new context, quite far from the Global Mediterranean one, it is possible to notice new programs (for example the MED programs) launched by the Commission and which consist in a series of decentralized cooperative actions undertaken by networks of organizations operating in the public or private sector in the Community and in Mediterranean third countries. The Med programs originated from the Community's willingness to develop multilateral cooperation with and between Mediterranean third countries³⁹.

Although these actions have represented some of the most advanced cooperation experiences carried out by the Community, the commitment made in favor of the Mediterranean basin has proven to be insufficient to fill the North-South gap, which continues to grow in proportions. In fact, the strategic review requested by many parties has not taken place, although a change of direction has been introduced. While in the first phase of Mediterranean policy, Mediterranean third countries were conceived as Third World countries, with the enlargement of the Community towards the South, it was 'realized' that this Third World was in fact very close. Therefore, the notion of proximity was privileged, but connected to that of security risk and fear. The social and religious tensions and the never resolved internal conflicts, represented by a zone of instability very close to the southern European borders, represented a preoccupation. The importance attributed to the countries of Central

³⁷ EU caselaw defines horizontal as "cooperation between two or more actual or potential competitors" and vertical as "cooperation between companies operating at different levels of the production or distribution chain (330/2010, 2010).

³⁸ It includes innovative aspects of the policy, namely enriching the scope of action of the Community which addresses its own interventions not only in the economic and financial field but also in the cultural one.

³⁹The relations between the European Union with the Mediterranean, MEMO/94/74. Online: https://ec.europa.eu/commission/presscorner/detail/it/MEMO_94_74.

and Eastern Europe⁴⁰ (many of which joined the Community in the fourth enlargement) also contributed to increasing the concerns between the two shores of the Mediterranean.

Overall, it is necessary to underline how the new line of intervention, the horizontal financial cooperation, which has been implemented in the meantime, allowed financial increases not to be channeled, as in the past, only into financial protocols essentially managed by the governments of Mediterranean third countries. Furthermore, the most important innovation, i.e., the introduction of decentralized cooperation, anticipated the concept of the subsequent Euro-Mediterranean Partnership.

Khader noticed that a policy that seriously and realistically addresses the underdevelopment of Mediterranean non-member countries continues to be rejected, ignoring the issue of their foreign debt, which has been and still is a fundamental factor to be resolved to allow the area's economies to recover (Khader, 2009). Indeed, the following policy recognizes that the objectives of economic stability and the creation of a free trade area (FTA) could not be achieved simply by updating financial protocols and agreements. Peace, stability, and economic growth in the Mediterranean region are among the main priorities for Europe, which must redirect its interventions in this region according to these important goals.

1.2.3. The Euro-Mediterranean Partnership (EMP) 1995-2004.

The unsuccessfulness of the first phase of Mediterranean policies led to the beginning of a new chapter for the EU-Mediterranean's relations, this time aimed at establishing a true partnership. The latter began to take shape in 1992, following a Commission Communication on "The future of relations between the Community and the Maghreb"⁴¹. However, this first regional approach would later be extended to the entire Mediterranean basin. In October 1994, the Commission approved a text calling for the adoption of a more incisive Mediterranean policy and the establishment of a new Euro-Mediterranean Partnership. Only in March 1995, the Commission would call for: "The consolidation of the Mediterranean policy of the European Union: proposals for the creation of a Euro-Mediterranean partnership"⁴².

At the basis of the Euro-Mediterranean Partnership there is a project of interregional cooperation and integration which is essentially based on the creation of a free trade area, promotion of human rights,

⁴⁰ Namely: Poland, Hungary, Czech Republic, Slovakia, Bulgaria, Romania, Netherlands, Baltics, Albania, and Slovenia.

⁴¹ Commission Communication on "The future of relations between the Community and the Maghreb", April 30th 1992, SEC (92) 401. Online: <https://op.europa.eu/en/publication-detail/-/publication/42dbf6f9-08c6-11ea-8c1f-01aa75ed71a1/language-en/format-PDF/source-search>.

⁴² <https://eur-lex.europa.eu/legal-content/CS/LSU/?uri=CELEX%3A52005DC0139>.

contribution to development. The idea that animates those closer relations is now based not only on the geographical proximity, but also on the historical and cultural proximity of the areas bordering the Mediterranean. The partnership represents the main instrument to contain the risks that the economic gap between the two sides of the Basin and the deep socio-political fractures (Islamic fundamentalism, very weak democratic institutions) may lead to a clear detachment from the Union.

The Barcelona Conference of 1995 officially launched the Euro-Mediterranean Partnership (EMP)⁴³ with the participation of fifteen members of the European Union and twelve Mediterranean non-member countries: Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, Tunisia, Turkey, and the Palestinian Authority⁴⁴.

The EMP was based on three objectives (also known as baskets): the creation of a common space of peace and stability also defined as “political and security partnership⁴⁵”, then the establishment of an area of “shared prosperity” through an economic and financial partnership, a third one namely a “social, cultural and human partnership”⁴⁶ aimed at developing the human resources, comprehension of different cultures and exchanges between civil societies.

Firstly, the establishment of an area of peace and stability follows the Charter of the United Nations and the Universal Declaration of Human rights, and the other obligations established by international law. It is aimed at developing the status of right and democracy, the respect of human rights and fundamental freedoms, freedom of association, religion, auto determination and so on. Indeed, the democratization of political regimes, legitimacy and pluralism are all essential elements that allow the emergence of inter-state relations based on the peaceful resolution of disputes according to the principles of international law.

Secondly, from the economic point of view the Barcelona text refers to socio-economic developments and reforms to be achieved within 2010. The latter aims at improving employment and GDP levels as well as reducing poverty and wealth disparities. To achieve this goal, it is necessary to create a

⁴³ Barcelona euro-Mediterranean Conference, final declaration and programme of work, 27-28 November 1995, in <http://euromedtextile.free.fr/Euromed/barcelonehtm.htm>.

⁴⁴ Represented by Yasser Arafat. Mauritania participated with the special status of observer with the right to speak; as a member of the AMU; while Libya was excluded because it was under sanctions. It was basically the same eleven Mediterranean third countries as in the past, with the difference that instead of Yugoslavia there was the new Palestinian partner. In fact, the former Yugoslav republics, after the dissolution of Yugoslavia, were included in the CEECs.

⁴⁵ In the overall vision of the European Union the long-term objective of the Euro-Mediterranean Partnership is the creation of a security regime through the so-called Confidence building measures, as an alternative to the traditional security dilemma based on the use of military means. But since the creation of mutual trust in the Mediterranean, which is still a theatre of conflict, is difficult to achieve, the concept of Confidence building measures, which is the pillar of the European security system, has been blurring and in the language of the Euro-Mediterranean Partnership we more realistically refer to Partnership building measures, that is, measures aimed at developing the partnership.

⁴⁶ Supra.

favorable business environment, particularly for small and medium-sized enterprises. Indeed, the partners will establish a schedule setting the steps to build a Euro-Mediterranean Free Trade Area by 2010 where trade in agricultural and fishery sector and trade in services will be progressively liberalized. It aims also at fostering the signing of association agreements, promote regional agreements and bilateral free trade agreements and push toward the entry into force of the Agadir agreement⁴⁷.

The novelties brought by the EMP are the establishment of an innovative regional cooperation, compared to the previous community policies for the Mediterranean, based at the same time on the multilateral cooperation. This is synergically done through the work of the institutions of the Euro-Mediterranean Partnership together with the representatives of the partners at governmental and non-governmental levels; political leaders, senior officials, parliamentarians, civil society sectors and experts meeting regularly within the framework of the Euro-Mediterranean Partnership. Moreover, the EMP is also aimed at promoting bilateral cooperation through associations Euro-Mediterranean agreements⁴⁸ linking the Mediterranean countries (Tunisia 1995, Israel 1996, Morocco 1996, Jordan 1997 and OLP 1997) with the European Union, as well as sub-regional cooperation.

The MEDA program⁴⁹, which has a double vocation namely bilateral and regional, is the most important novelty of the EMP since it wants to make the financing more consistent⁵⁰ and better distributed according to a new balancing line: liberalization and economic rebuilding through private European investments, as well as socioeconomic balance and the development of social and education services and a better attention to environment and rural areas⁵¹.

⁴⁷COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT
/*COM (2005) */ 139 final. Online:
<https://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2005:0139:FIN:EN:PDF>.

⁴⁸ The Euro-Mediterranean Association Agreements are new generation bilateral agreements, concluded between the European Union countries and the countries adhering to the Euro-Mediterranean Partnership. Euro-Mediterranean Association Agreements have been established with Algeria, Egypt, Jordan, Lebanon, Morocco, Syria, Tunisia, and the Palestinian Territories (West Bank and Gaza). They replace the first-generation agreements, i.e., the cooperation agreements concluded in the 1970s. These agreements give a proper discipline to the political dialogue between North and South, serve for the progressive liberalization of trade in the Mediterranean area and finally establish the conditions of economic, social, and cultural cooperation between the European Union and the partners countries.

⁴⁹ The countries benefitting: Morocco, Algeria, Tunisia, Egypt, Palestine, Israel, Jordan, Syria, Lebanon, Turkey, Malta, Cyprus.

⁵⁰ The first legal basis of the MEDA programme was 1996 MEDA Regulation (Council Regulation no 1488/96) for the period of 1995-1999 where the programme accounted for € 3.435 billion. On November 2000, a new improved regulation (Nr.2698/2000) establishing MEDA II for the period of 2000-2006 was adopted. The funding of the new programme amounts to € 5.35 billion, Online: <http://www.euromedi.org/inglese/home/parteneriato/meda/index.a.sp>.

⁵¹ Council of the European Union, Council Regulation (EC) No. 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership, in OJ, Series L, No. 255, 09 October 1996.

Thirdly, it emphasizes the importance of dialogue and the respect between different cultures and religious and it intends to promote actions favoring intercultural dialogue and the reciprocal knowledge and comprehension of the “other”. In such matter, in 2005 in Alexandria it was created the Foundation Anna Lindh⁵² for the intercultural dialogue, which will play a stronger role under the UfM.

However, despite many countries have counted benefits from the policy, many critics have been moved to the EMP. Many of the objectives established were not achieved, especially in the security and political fields. The main critic is addressed to the high optimism of the program established under the Barcelona Declaration:

As Redaelli points out, the aspirations to promote political pluralism and human rights clashed with bilateral interests, intra-European rivalries and economic motivations making them far from being achieved. Instead of promoting a liberalization of those regimes, the EU programs offered support and legitimacy to them. Then, the Union started to lose interest in engaging with southern and eastern Mediterranean countries, in particular after the economic crisis of 2008 and the rise of souverainist movements and growing islamophobia and anti-immigration attitudes (Redaelli, 2021, p. 6). Moreover, the unsuccess of the policy has been also provoked by the peace process in the Middle East and the opposition of many Arab countries to regularize the relations with Israel.

As many specialists highlighted, the European Union's initiative towards the Mediterranean was based on a fundamental condition, namely the success of the peace negotiations of the Arab Israeli conflict. Indeed, the failure of the Madrid peace process - which took place between 1994 and 1995 - represented an insurmountable obstacle to the development of the EMP, leading to its progressive downsizing. The unresolved Arab Israeli conflict, following the failure of the Madrid process, had very negative repercussions on the Barcelona process. Without a solution to the Arab Israeli conflict, one could not hope for security cooperation policies of the countries involved in the conflict. Other factors contributed to its instability: the Al-Aqsa Intifada, the 9/11 attacks and the invasion of Afghanistan followed by the USA's invasion of Iraq in 2003.

In conclusion, the Barcelona Declaration marked a turning point in relations between the EU and the Mediterranean countries, fostering democratic reformas well as economic and financial development, but many of its objectives have remained unfulfilled; the overall balance sheet must therefore be said to be fundamentally negative. The project, perhaps too ambitious, has not achieved the desired results. In Barcelona, an important lesson was learnt, namely that the Mediterranean is not an impermeable

⁵² Aimed at promoting Intercultural Trends and Social Change in the Euro-Mediterranean region.

frontier that can isolate people for long and allow wealth and poverty to coexist peacefully. The EMP has not succeeded in stimulating the economies of the Mediterranean countries, nor in reducing the gaps between the countries of the northern and southern shores.

1.2.4. Between bilateralism and regionalism: European Neighborhood Policy –ENP (2004-today).

Within the EMP unsuccess and the new European enlargement in 2004⁵³, the largest enlargement ever, and the willingness to avoid differences between the enlarged EU and its neighbors, a new policy was launched, with aim of fostering cooperation and integration with the neighbors which did not have the perspective of becoming member.

The European Neighborhood Policy (ENP) was officially announced in March 2003 with the document “Wider Europe – Neighborhood: A New Framework for Relations with our Eastern and Southern Neighbors”⁵⁴. The initiative was addressed to the countries of the southern and eastern shores⁵⁵ to promote *"an area of stability and prosperity within and beyond Europe's new borders"*⁵⁶. According to the Commission’s document, in fact, the EU should develop an area of prosperity and good neighborliness - *"a ring of friends"* - with which it can establish peaceful and stable relations. As matter of fact, benefitting neighbors’ countries, had to demonstrate compliance with the EU shared values and the implementation of its political, economic, and institutional elements as well as the legislative harmonization and to achieve closer economic integration with the EU. As consequence, Western European and Southern Mediterranean countries could participate to the EU’s market enjoying integration and liberalization, free movement of people, goods, services, and capitals.

Therefore, it is an ambitious political initiative which aims at gradually moving beyond commercial and cooperation relations towards a closer integration between the EU and its neighbors. In the economic field, the ENP offers to the neighboring countries a strengthening of preferential trade relations, a participation in the internal market of the Union, greater financial assistance, the improvement of interconnection with the EU (in the energy, transport, and telecommunications sectors), and the possibility to participate in some Union programs and initiatives.

⁵³ Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia.

⁵⁴Commission of the European Communities, Communication from the Commission to the Council and the European Parliament. Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM (2003) 104, on 11 March 2003, in http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf.

⁵⁵Eastern countries like Belarus, Moldova, and Ukraine. Caucasian states like Armenia, Azerbaijan, and Georgia, as well as Southern countries like Algeria, Palestinian National Authority, Egypt, Jordan, Israel, Libya, Lebanon, Morocco, Tunisia, and Syria.

⁵⁶ COM (2003)104.

The European Neighborhood Policy works through Action Plans, namely documents signed between the European Union and individual countries which list the priorities of bilateral cooperation and the reforms to be implemented. For the implementation of the Action Plans, an *ad hoc* instrument called European Neighborhood Partnership Instrument⁵⁷ was created to "*promote progressive economic integration and deeper political cooperation between the EU and partner countries*" and "*to address the targeted opportunities and challenges arising from the geographical proximity between the EU and its neighbors*"⁵⁸.

In brief, the Action Plans operate in the areas of political dialogue and reforms; justice and internal affairs; economic-social reforms and development; trade, market, and regulation reforms. Specifically, the first part of the Action Plans refers to political dialogue and cooperation. In the political field, cooperation also foresees the involvement of neighboring countries in some areas of Common Foreign and Security Policy (CFSP) and European Security and Defense Policy (ESDP), such as conflict prevention and peacekeeping operations.

In the economic field, as already anticipated, the objective is the partial participation of the neighbor countries to the internal market. To reach it they are called to modify their own legislation and open their economies lowering the trade barriers.

Furthermore, as noticed by Aliboni, there are some differences between the EMP and the ENP. The latter has a more economic approach, and it is more bilateral, while the other is more concentrated on security and political matters, and it is more collective (Aliboni, 2010). The ENP has been mostly considered a bilateral policy between the EU and partner countries. Over the years it has developed, and it integrated regional and multilateral cooperation initiatives, i.e., the Eastern Partnership (2009), the Euro-Mediterranean Partnership (relaunched in Paris in July 2008). Indeed, the ENP resulted to be a success compared to the EMP. From the democratic point of view, it is possible to notice the progress in the defense of human rights especially for women's rights in countries like Egypt, Morocco, and Jordan, compared to others that continued to apply methods of torture and limitation of freedom of expression and association. Advancements have been made also in the field of dialogue and mobility, by adopting measure to ease the entering of neighbor's countries in the EU. Because of that, the exchanges between ENP countries and EU have risen considerably.

⁵⁷Relations and goals will be further advanced through the European Neighbourhood Instrument (ENI), which has replaced the European Neighbourhood and Partnership Instrument (ENPI), so that it reflects real needs and considerations that have emerged over the years. The Regulation setting up the ENI underlines that it should give support to the implementation of the political initiatives shaping the ENP, including the Eastern Partnership and the Union for the Mediterranean. Available <https://www.eu-neighbours.eu/en/policy/european-neighbourhood-instrument-eni>

⁵⁸ COM (2003)104.

However, developments have been very weak in the *governance* dimension: In countries like Lebanon, Algeria and Israel there still is death penalty. Then, there still is the question of immigration according to which there is still not a just protection and assistance in most of the Member states of the ENP, many of whom did even not apply to the Refugee Convention of 1951 and to the 1967 Protocol. The electoral question in many of these countries is still critical, as a large proportion of them do not legally comply with international standards. Some exceptions have showed that new regulations, recently introduced, have improved the quality of elections in states such as Morocco and Lebanon. Furthermore, the main challenges in the neighbors' countries remain linked to the reform in public administration and corruption, areas in which the situation is worsening (Ibidem).

Finally, in 2010-2011, the European Neighborhood Policy underwent a revision entitled "*A new response to a changing Neighborhood*"⁵⁹, namely after the general turmoil provoked by the Arab uprisings. A new principle was introduced, called "*more for more*", which grants greater investments to countries which consolidated the democratic reform (fight against corruption, freedom of expression, free and competitive elections, judiciary independence). The main purpose is encouraging partner countries in their transition towards democracy. The new approach wants to strengthen the partnership between the European Union and its partners; reinforce and establish healthy democracies; and achieve economic growth. In 2015⁶⁰ a review of the ENP has been proposed by former President Juncker and requested by Member states. Since then, it has been stated that there is a need to focus on new goals: security sector reforms, conflict prevention, counterterrorism as well as anti-radicalization policies, always in compliance with international human rights law. Namely after the November 13th terroristic attacks in France, the intensification of security cooperation with the neighbors was needed. This would be done through a stronger cooperation between the civil society and social partners. On the regional level, the ENP would include other regional actors, beyond its neighbors, to work together for regional challenges⁶¹. Within those, and other measures the EU will boost the ENP by establishing a framework for stronger relations with all partners.

⁵⁹JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, *A new response to a changing Neighborhood*. /* COM/2011/0303 final */. Online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52011DC0303>.

⁶⁰JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, *Review of the European Neighbourhood Policy*, JOIN (2015) 50 final, Brussels, 18 November 2015. Online: https://eeas.europa.eu/archives/docs/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf.

⁶¹ Supra.

1.2.5. *New perspectives for dialogue: Union for the Mediterranean- UfM (2008-today).*

An attempt to relaunch the Barcelona Process was represented by the Union for the Mediterranean (UfM), established on July 13, 2008, in Paris on a proposal presented by former French President Nicolas Sarkozy⁶² and intended as a continuation of the Euro-Mediterranean Partnership i.e., the Barcelona Process of 1995. It was signed by the forty-three representatives of the States Parties: in addition to the twenty-seven EU countries and the ten Maghreb and Mediterranean countries (such as Algeria, Israel, Egypt, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey, and the Palestinian National Authority). Indeed, the Union for the Mediterranean welcomed other new members: the small European state of Monaco, Mauritania (previously only an observer in the Barcelona process) and especially the Mediterranean countries of the Balkans (Croatia, Bosnia and Herzegovina, Montenegro, Albania).

The initiative was born, as mentioned, on the impulse of former President Sarkozy who suggested to reinforce the relations between the European Union and the countries on the Mediterranean. The French proposal derived from different reasons that have been weakening the Euro-Mediterranean relations. Among the causes there were the political fragmentation introduced with the ENP and the dissatisfaction that previous policies had produced. The massive presence of European states in the ENP had generated a situation of imbalance, where the southern and eastern countries ran the risk of marginalization. Among the reasons, there is also the process of enlargement which has led to a weakened cohesion of the Union, since the European attention was mostly addressed to the east and the Caucasus and very little toward the Mediterranean (IAI, 2008, p. 1-14).

Sarkozy's proposal, for the realization of a Mediterranean Union (UfM) made up of all the peoples of the Mediterranean basin, led to the invitation all the Heads of State and Government of the States bordering the Mediterranean to meet in France in June 2008 to establish a political, economic, and cultural union based on egalitarianism among States. In Sarkozy's words, the UM constituted "*a union of projects*" with the aim of "*making the Mediterranean the world's largest laboratory' for co-development*"⁶³. It also welcomes relations between the EU and the Mediterranean countries that are not members. It deepens the bilateral relations between states, it develops the *acquis*, reinvigorates the efforts, and strengthens the achievements of the EMP. With

⁶²SARKOZY N., *Discorso sull'Unione mediterranea*, on 7 February 2007, in <http://video.libero.it/app/play?id=0e3dd3c239710ceec07fe3a00751e0d6>.

⁶³French President's speech on the UfM in Tangier, 2007. Online: <http://www.ambafrance-uk.org/Discours-du-President-Sarkozy-sur>.

the launching of the UfM, the Barcelona Declaration remains valid, but a new impetus is sought through three steps: by reinforcing the co-ownership of multilateral relations with a system of co-presidencies (one for the EU, and one for the Mediterranean); by setting up a joint Secretariat and Standing Committee; by putting political relations at higher levels between the EU and its Mediterranean partners; by concretizing these relations through new regional and sub-regional projects⁶⁴.

Furthermore, this initiative addresses the common challenges of the Euro-Mediterranean region: economic and social development; the global food security crisis; environmental degradation, including climate change and desertification with the aim of promoting sustainable development; energy; migration; terrorism and extremism; and promoting dialogue between cultures. Many of them have been stressed in the previous policies but few have been successfully achieved. Indeed, from a political and institutional point of view, the UfM is clearly a very different body from the previous political organizations. According to Aliboni, the sharing of decisions and the active participation of Southern Mediterranean countries are the main distinctive elements of the UfM compared to the EMP and constitute a surplus (Aliboni, 2008). Moreover, differently from the EMP, the UfM's institutional structure is based on a biennial co-presidency (with a European president and one among the southern countries) and a joint secretariat both intended to emphasize the co-ownership of the Mediterranean partners, but which also highlight a certain re-dimensioning of the role of the European commission favoring an intergovernmental approach, assigning a priority role to the states. The UfM also consists of a biennial summit of heads of state and government, an annual conference of foreign minister of MS and a conference of senior officials (SOM). Since 2010, it is the Joint Secretariat - based in Barcelona - that manages the projects, then presented to the high officials who draft them for ministers and heads of state and government. The Secretariat identifies, implements, and coordinates specific projects, in line with the principles and macro-objectives of the Barcelona Process. In addition to following specific projects, the UfM has focused on projects that foster cooperation between regions⁶⁵. However, in its early years, the UfM had difficulty in taking off, both due to the lack of a specific financial instrument, as in the case of the EMP and ENP, and because the emphasis on the intergovernmental dimension has not failed to give a political character to a cooperation that was intended to focus primarily on projects in the field of economic development. After an initial phase of adjustment, the UfM developed 50 projects and initiatives in 2013, while 29 projects were launched

⁶⁴ Supra.

⁶⁵ <https://ufmsecretariat.org/who-we-are/structure/>.

in 2014 for a total amount of €4 billion⁶⁶. Today, the UfM as an international organization for regional cooperation and as partner of the WHO is mobilizing initiatives to protect lives and livelihoods from Covid-19. The UfM is mostly working on assessing the issue of climate change, pollution, and water contamination. It has launched a project to face Covid-19 consequences on water supplies, underlining those experts around the Mediterranean are working on contingency and recovery plans for the sector's urgencies provoked by the Covid-19 pandemics on many Mediterranean countries, including Morocco.

In conclusion, from 1972 up until today the EU relations with the Mediterranean and Arab countries have been based on many initiatives: From the Global Mediterranean policy, the euro-Arab dialogue, the Renewed Mediterranean policy, the EMP and ENP up to the Union for the Mediterranean. As already stated, most of those policies, based on EU's economic, political, and social action, registered improvements, and limits. Kader remarks that on one hand, the European work on "political reform" remained inconsistent because of the failure in applying the conditionality clause, as well as the EU's members lack of unity and political will. Parallely, the EU's action remained unfulfilled in the democratization process and in the diffusion of its fundamental values and principles. Indeed, the EU must not confuse the goal of "democratization" with that one of "Europeanization" which could appear to the Arab world as an attempt to exporting its institutional model as (Khader, 2013) noticed. The real issue is that in many situations the EU has proved to be more concerned on being a "soft power model" and its policy has been too much security and economically driven rather than assessing the true needs of the third Mediterranean countries.

However, the Arab uprisings served as a wake-up call for the EU to allow the revision of past policies and readjust them to the new emerging realities in the Mediterranean and in the Arab World (Khader, 2013, p. 34-35). As Khader remarked on 8th of March 2011, the Commission communicated⁶⁷ that the EU must not be "a passive spectator" since it must respond to the needs of the peoples of its neighborhood through a "qualitative step forward" by diffusing common values like democracy, human rights, social justice, good governance, and the rule of law.

⁶⁶Union for the Mediterranean Activity Report, 2014. Online: https://ufmsecretariat.org/wp-content/uploads/2015/04/Report_web_FINAL.pdf.

⁶⁷JOINT COMMUNICATION TO THE EUROPEAN COUNCIL, THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, *Partnership for democracy and shared prosperity with the Southern Mediterranean*. Brussels, 8.3.2011, COM (2011) 200 final. Online: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0200:FIN:en:PDF>.

2. The EU-Morocco cooperative framework.

Preamble

The road that led Morocco to strengthen its relations with important international actors has been long and characterized by many historical events; More than ever the independence from the French protectorate in 1956 and the territorial disputes, namely the question of Western Sahara, leading to a gradual need to achieve regional stability.

Every third world country which has experienced freedom from colonial domination has been confronted with its underdevelopment and its dependence on the outside world. The means of a possible unbalancing situation is driven by a political action at two levels: at the national level by the orientation of the political-economic decision towards the national development, and at the international level for the redefinition of the international relations. Indeed, in the aftermath of its decolonization, Morocco had to choose between two directions: one of gradual rupture with the order established by the protectorate and the direction made of adaptation, animated by a spirit of conciliation with the international actors based on reciprocal interests. Indeed, since its independence Morocco has, in many cases, maintained a strong alignment with countries of the Western Bloc especially in the fields of democratization, collective security and equilibrium in the Mediterranean region.

This tendency to establish strategic relations with international actors and its long-standing continuity in the fundamental lines of its foreign policy as well as its clear international position, already since the Cold War years, Pizzigallo explains, have given authority and credibility to the Kingdom of Morocco, strengthening its role as a privileged interlocutor of Western and Arab diplomacies (Pizzigallo, 2014).

Firstly, with the Arab world, Morocco insisted on the doctrine of non-alignment and third-world solidarity from an anti-colonialist perspective to then spread forms of cooperation and alliances.

Secondly, already since king Mohammed V and then under king Hassan II there was a closer dialogue with the Western world, where Morocco established deep forms of relations with the United States, which has always been one of the closest countries supporting Morocco's independence and its revendication of the Western Sahara. Furthermore, within the URSS approach toward the Mediterranean, which was threatening the Middle East and the Arab world, Morocco perused a strategic line in the Basin, especially with a strategic partner: the European Union. Indeed, King Mohammed V used to say that as Mediterraneans its important to act together to defend our positions,

adding “*There is an old Arab proverb saying that we need two hands to clap; it is necessary that you don't leave us with one hand*” (Pizzigallo, 2014, p. 138).

The trip to Europe of King Mohammed V⁶⁸, had the important objective of consolidating the image and role of Morocco as an interlocutor between the West and the Arab world, to ensure, in the collective interest, stability and peace in the Mediterranean (severely tested by the Suez crisis) and at the same time to restore economic and financial cooperation with France.

Although Morocco has been strongly committed to the normalization of relations with neighboring countries, namely with western ones, trying to find support for the territorial disputes with Algeria (ended with the signing of the Treaty of Ifrane), and with the question of the Western Sahara, the government of Rabat has focused its attention also on the issue of peace and stability in the Eastern Mediterranean strained by the Arab Israeli wars. Animated by the sincere desire to contribute to the peace process in the Middle East, Morocco, thanks to the personal diplomacy of King Hassan (not always shared), was able to act as a mediator activating the channels of communication between the parties.

Furthermore, in an apparently more relaxed international climate, an ambitious program of cooperation between the countries of the European Union and the countries of the southern shore of the Mediterranean began. Indeed, the relations with the European Union, constant in time even if not always linear, constitutes a special characteristic of Morocco's foreign policy.

In Morocco, nowadays, we assist with the King Mohammad VI to a conscious relationship of traditions and rights making it one of the countries with the highest capacity for international contamination. Indeed, this strong peculiarity of Morocco distinguishes it from other African countries 'realities, demonstrating its willingness to cooperate with international actors, most importantly with the EU in an area of strategic importance, the Mediterranean.

This second chapter will start with the attentive analysis of Morocco's inclusive nature mostly moved by secondary strategic goals, finding references in the diplomacies of King Hassan II and Mohammed VI's, both in domestic and foreign policy. Furthermore, it will concentrate on the EU-Morocco cooperative framework: Negotiations between Morocco and the European Union began in 1963 and led to the conclusion of an agreement in 1969. The agreement envisaged a contribution to the socio-economic development of Morocco by the European Union, notably through loans from the EIB (European Investment Bank). Subsequently in the Mediterranean framework, between 1976 and

⁶⁸ Mohammed V, King of Morocco from 1927 to 1953. After an exile between 1953 and 1955, he retook power from 1957 to 1961.

1996, four financial protocols were signed, leading to the MEDA program, the main operational instrument of the Euro-Mediterranean Partnership. From 1996 onwards, under the European Neighborhood policy, European aid increased, and Morocco gradually became the first beneficiary of the European financial envelope for the Maghreb countries (1.6 billion euros between 1996 and 2006, i.e., almost a quarter of the envelope). Since 2007, Morocco and the EU have envisaged cooperation in the form of a privileged partnership, which would also make it possible to strengthen trade and political consultation. Negotiations gradually led to Morocco obtaining the Advanced Status, an agreement compatible with the European Neighborhood Policy.

Finally, it will open a parenthesis on Morocco's dialogue with emerging global actors such as the GCC countries, whose ties have been limited to partnership by maintaining Moroccan's neutrality in the regional affairs to not damage its interests, and then with China. The latter is one of the emerging trade superpowers in the Mediterranean basin investing in the Maghreb countries, among which Morocco, used as corridor to Europe. However, both have been challenging the European-Morocco's cooperation, although Europe remains the predominant trade partner in the region.

2.1. Morocco, the Arab world and West: From King Hassan II to Mohammed VI.

The roots that have made Morocco a country particularly engaged on the international scene lie in its political and institutional evolution. Indeed, its tendency to open to the world is a symptom, on the one hand of an ongoing process of democratization which will evolve over time, making it capable of extraordinary ties with neighbouring countries and beyond (the EU for example), projecting Morocco towards higher democratic standards and towards a process of institutional and political development, by preserving solid state institutions and thus guaranteeing a future of stability and peace. On the other hand, a way of bargain its interests with strategic international actors like USA and EU.

The starting point of the Morocco's deeper involvement in the international scene dates to the beginning of Morocco independence from French's protectorate in 1956, through the diplomatic actions of the members of the Alaouite Dynasty⁶⁹: firstly, under Muhammad V (1927-1971), King Hassan II (1961-1999), then succeeded by his son Muhammad VI enhancing a period of transition after 38 years of absolute power.

⁶⁹ It denotes the current Moroccan royal family and reigning dynasty. They are a sharifian dynasty and claim descent from the prophet Muhammad through one of his relatives.

Under the sultan Muhammad V, Morocco started economic and cultural expansionism, in parallel with the development of international diplomatic relations. Firstly, during his reign, Moroccan foreign policy was oriented on several fronts. Positioned in the realm of non-aligned countries, Morocco adopted a policy of "non-dependence," as defined by the Istiqlāl, which consisted of maintaining relations with France, the United States and Western bloc countries, while diversifying its diplomatic relations, particularly with the USSR, China, and other communist countries (Berramdame, 1987, p. 163-190). After obtaining independence (1956), the sultan, and before engaging in international politics, faced the intentions of reforming the internal politics where the French presence had been strong, trying to free the nation economically from the latter (Ihrai, 1986, p. 151). Indeed, with the Arab and African countries, Morocco's official discourse insisted on the doctrine of non-alignment and third-world solidarity from an anti-colonialist perspective. Even before achieving independence, in fact, Allal El Fassi⁷⁰ had represented the Istiqlāl at the Bandung conference in 1955, where Morocco promoted several initiatives of dialogue on the African continent. For example, it was one of the main initiators of the Conference of Independent African States, convened by Nkrumah in Accra in April 1958. On the occasion of these international conferences and meetings, Morocco began to forge relations with countries with which it had previously had only sporadic contacts. The anti-colonialist struggle and third-world solidarity brought Morocco closer, to its "Arab brothers", to the countries of sub-Saharan Africa belonging to the progressive wing, such as Ghana, Guinea, and Mali. It was, therefore, during this period that Morocco began to expand its sphere of action in Africa, crossing the threshold of the Sahel which had traditionally represented the geographic limit of Moroccan presence in the south of the Sahara.

Furthermore, in this period Morocco was engaged on several fronts in support of the anti-colonialist struggles and the new forms of imperialism from the West. Firstly, in Algeria, to whose National Liberation Front (FLN) gave great diplomatic and military support (part of the army, the fringe that would take power after independence, was based in Oujda). In the same spirit, Morocco participated in the UN mission during the Congo crisis of 1960⁷¹, siding with Patrice Lumumba⁷² and his government. The Congo crisis was one of the central issues addressed during the Casablanca

⁷⁰ A leading Moroccan politician and emblematic figure of Moroccan nationalism, he associated his name with the Istiqlal Party, of which he was one of the ideologues before becoming its leader in 1960.

⁷¹ Initiated immediately after the proclamation of independence of the nation from Belgian colonial rule on June 30, 1960, this period was characterized on the one hand by a strong political instability represented by the clash between the supporters of the President of Congo Joseph Kasavubu and those of Prime Minister Patrice Lumumba, and on the other by an extensive series of riots and disturbances in most of the country, resulting in open armed revolts and attempts to secede from various provinces in opposition to the central government.

⁷² He was a Congolese politician and independence leader who served as the first Prime Minister of the independent Democratic Republic of the Congo (then Republic of the Congo) from June until September 1960. He played a significant role in the transformation of the Congo from a colony of Belgium into an independent republic.

Conference held between January 3 and 7, 1961, a month before the assassination of Lumumba on February 13 and the death of Mohammed V himself on February 26. At the conference there were representatives of Ghana, Guinea, Libya, Mali, the United Arab Republic (RAU) and the Provisional Government of the Algerian Republic (GPRA). The idea behind the Casablanca Conference was to achieve African unity, fighting against all forms of colonialism and foreign interference with the aim of maintaining their independence. Indeed, on the agenda there were certainly strategic claims; the Congolese, Algerian and Palestinian issues, Moroccan claims on Mauritania and Western Sahara, racial discrimination (especially in southern Africa), African unity and the creation of common institutions, as well as the question of French nuclear testing in the Sahara.

However, in 1961 the king died leaving a deep trace in Morocco's international foreign policy. Hassan II, who enjoyed already a certain importance, became the king of Morocco in 1961. His reign was in many cases criticized for having built a rigid dictatorial system remembering this period as the "years of lead". Indeed, under the 1962 constitution he consolidated his hegemony over the political system as article 19-35 of the Moroccan Constitution demonstrated. Article 31 established the sovereign's direct control over the Kingdom's foreign policy, *"to the detriment of a Ministry of Foreign Affairs that was increasingly depoliticized and relegated to administrative duties"*⁷³.

However, according to El-Houdaigui in the management of the foreign policy, the sovereign reactivated a system of decision-making inherited from the Moroccan sultan political tradition, adding elements of the modern state, where the sultanic system was articulated around a single decider the king, representing the will of the community (al-umma). On the international level, the monarchy occupied a status of mediator-stabilizer anchored in its diplomatic tradition (El-Houdaigui, 2003).

Under king Hassan II, foreign relations were dictated by the need to maintain privileged and strategic relations with western countries. Indeed, Hassan II's political and ideological positions led to a gradual abandonment of the doctrines of "third worldism" and non-alignment, in favor of a closer rapprochement with the western world. During his reign, therefore, there was an intensification of economic and political relations with the United States and the countries of Western Europe, as well as the countries of "moderate" Africa. The relations with the West were also deepened by the approach to the Christian world, remembering the sultan invitation of the Pope John Paul II. On August 19, 1985, in the large stadium in Casablanca, the Pope addressed more than 80,000 young

⁷³ The King accredits ambassadors to foreign powers and international bodies. Ambassadors or representatives of international bodies are accredited to him. He signs and ratifies treaties. However, treaties affecting the finances of the State may not be ratified without the prior approval of Parliament. Treaties likely to call into question the provisions of the Constitution shall be approved in accordance with the procedures provided for in the reform of the Constitution.

Moroccans, claiming that Christians and Muslims have much in common, as believers and as men and despite past misunderstandings, waste of energies in battles and wars, it is important start building relations based on friendship and dialogue⁷⁴.

However, Morocco's choice of this shift to pro-Western positions was essentially due to two strategic factors:

The first was the loss of the allies of the Casablanca Group, which was heading towards dissolution due to political differences between its various members, thus leaving the Kingdom without support for its territorial claims. Indeed, since the 70s Morocco's domestic and foreign objectives were mostly placed in the orbit of the Sahara question, making it the main priority after the preservation of "territorial integrity". The second and more significant was the rivalry with socialist Algeria, which had gained independence on July 5, 1962. Soon after this date, in fact, border clashes began between the two countries due to the unresolved territorial issue⁷⁵.

In parallel with Morocco's commitment to enhance relations with neighboring countries, namely western ones, often driven by territorial issues, the government of Rabat also focused its attention on sensitive issues such as the question of peace and stability in the Eastern Mediterranean destabilized by the Arab Israeli wars. Thanks to King Hassan's diplomacy and his willingness to contribute to the Middle East peace process, Morocco was able to facilitate communication between the two sides of the conflict. In fact, in 1977 the king granted discreet hospitality to the first secret talks between Israeli and Egyptian diplomats which represented a big step leading, a year later, to the signing of the Camp David agreement in 1979.

As matter of fact, King Hassan II, more than ever, demonstrated to be a sustainer of peace and stability, confirming the importance of Morocco as credible interlocutor between the West and the Arab World (Pizzigallo, 2014). Indeed, Morocco was one of the first and few Arab countries to recognize the State of Israel and to maintain normal diplomatic relations, which were however interrupted in October 2000 to reaffirm its firm support to Palestine. However, Morocco's ultimate goal was not only the link with Israel, but also the strengthening of relations with USA for its main

⁷⁴ Address of his holiness John Paul II, 1985. Apostolic Journey to Togo, Ivory Coast, Cameroon, Central Africa Republic, Zaire, Kenya and Morocco. Online: https://www.vatican.va/content/john-paul-ii/en/speeches/1985/august/documents/hf_jp-ii_spe_19850819_giovani-stadio-casablanca.html.

⁷⁵ The War of Sand was fought in September-October 1963 between Morocco and Algeria. The conflict erupted because of a territorial dispute that arose between the two states, particularly over the border areas of Béchar and Tindouf. On September 25 Moroccan forces launched a major offensive across the Algerian border, putting the poorly equipped and trained Algerian troops in serious difficulty; however, the Moroccan attack caused strong international disapproval, and Egypt and Cuba supported the Algerians. After the failure of an attack in the direction of Tindouf, the Moroccans ceased the fire on October 30th under pressure of the Organization of African Unity.

priority: the Western Sahara issue. Moreover, it is important to remember that, under his reign, Morocco has contributed to the readmission of Egypt in the Arab League, and it has hosted international and regional conferences, such as the Islamic Conference and the Arab committees in 1994, and the economic conference on the Middle East and North Africa.

Among the most relevant diplomatic ties with the West, Morocco enhanced relations with the United States, the European Union and some of its countries. Morocco's closeness to the USA was due firstly to the strong preservation of the right of self-determination, so to consider it an important partner for the independence's struggle, demonstrated by Eisenhower's position against France, Israel, and Britain in the Suez crisis (Willis & Messari, 2003, p. 17-18). Indeed, their ties were confirmed by USA recognition of Moroccan independence in 1956. Therefore, the two countries have a long history of working together bilaterally and regionally.

Moreover, soon after the Madrid Conference on the future of the Palestinian cause, whose occupied territories had been gradually liberated, granting the basis for the Arab Israeli agreement (1994) and the institution of the National Palestinian authority, Morocco, in such apparent climate of international stability enhanced stronger relations with another western partner: the European Union. The latter represented, and still represents nowadays, a special parenthesis of the Morocco's foreign policy, where the Mediterranean has played as backdrop for regional and bilateral relations. When on July 23rd, 1999, after thirty-eight years of reign, king Hassan II died, at his funeral participated representatives of more than 50 countries among which the president of the Italian Republic Ciampi, who spoke of his disappearance with sorrow highlighting that Morocco had lost an enlightened leader. More precisely, the entire international community has lost a statesman who was open to dialogue, and who enhanced relations with other countries, particularly those on the Mediterranean, representing a fundamental condition for the well-being of his country and the entire Mediterranean area (Pizzigallo, 2014).

However, despite Morocco under King Hassan II showed to be a country open to relations with western actors and a promoter of peace on the international scene, domestically speaking it is not possible to say the same. As already mentioned, this period was remembered as the "years of lead" namely constituted by a rigid political system during which fierce political repression was exercised, by the king itself, and hundreds of dissidents were killed, arrested, exiled. Furthermore, in November 1975, the Green March⁷⁶ organized towards the territories of the former Spanish colony of Western

⁷⁶In the struggle between Morocco and Algeria over Spanish Sahara (later Western Sahara), Hassan pushed for Morocco's claim to the territory, and in November 1975 he organized a "Green March" of 350,000 unarmed Moroccans into the

Sahara gave him the opportunity to rebuild unity around his person, to establish a kind of cult of personality.

Furthermore, the lack of a clear democratic path was visible in the early tradition of the Moroccan's constitutions. Immediately after the independence, the 1962-1972 constitutions reaffirmed the role of the monarchy and reinforced the constitutional traditions of the king's power and a parliament with limited powers. However, only with the approval of a new constitution (1992 -3) and its revision (1996) there was a clear novelty parliamentary speaking: within the nomination of the Prime Minister Abderrahmane Youssoufi, leader of the socialist union of popular forces, the historical opposition became the major party, leading, for the first time in Morocco, to the governmental alternation (Bonella, 2014, p. 30-31).

On the contrary, under the reign of Hassan II's son Mohammed VI, it is possible to assist to a new *ouverture* of Morocco internally and internationally speaking. Indeed, with the accession to the throne of the new King, a new phase for Morocco began. The enactment of a series of reforms aimed at relaunching the process of modernization of the country, produced a decisive improvement in the economic indices of Morocco as well as reinvigorating the process of democratization of the country. Indeed, this period of opening started with the King's decision to release about 8 thousand political prisoners and the establishment of a "Commission for truth and reconciliation" with the aim of closing the chapter of the years of lead.

Mohammed VI's reforms concerned many different important questions, such as the condition of women where Morocco made a significant intervention for a gradual and progressive change within the approval of the new Family Code, the *Moudawana*, which came into force in 2004⁷⁷. The latter has improved the status of women by recognizing their important role in Moroccan society. In the wake of the latter, another major reform was introduced, aimed at promoting the education of female official preachers of Islam (*murshidāt*, guide). Those reforms have paved the way for the Morocco's accession to the CEDAW (Committee on the Elimination of Discrimination against Women) in 2008 and 2011. However, the new Moroccan family code has tried to limit excesses, but difficulties remain in implementing the new rules in a society culturally rooted in traditions (Corrao, 2014, p. 296-297).

territory to show popular support for its annexation. Western Sahara was in fact divided between Morocco and Mauritania (1976), Online: <https://www.britannica.com/topic/Green-March>.

⁷⁷ The new family code *Moudawana*, was unanimously adopted by the Moroccan parliament in February 2004. The new law is a landmark reform of the status of Moroccan women putting them on equal footing with men regarding marriage and children. The new code places the family under the joint responsibility of the husband and the wife instead of the husband only and curbs the submission of women to the guardianship of a male member of the family, online: <https://euromedrights.org/publication/the-moroccan-family-code-moudawana/>.

In addition, a further sign of openness and renewal was realized on the cultural and historical level, with the creation of the Royal Institute of Amazigh Culture⁷⁸ in July 2001. Indeed, the recognition of Amazigh culture as a fundamental element of Moroccan identity, has represented a very important step in the framework of Morocco's democratic development. Moreover, the king's recognition of the Amazigh identity within the nation has increased the process of political and cultural inclusion aimed at uniting the Moroccan people (Anghelone, 2014, p. 113-115).

However, the King's attempts to build up a growing participation in the democratic life of Morocco have been subjected to a slow down due to the political elections' results of 2007, with only 37% of votes. This had clearly showed the lack of people interest and participation to the political life which have then paved the way for general discontent manifested through uprisings in the country. The Arab uprisings that have characterized Morocco were different compared to those ones in other Arab countries⁷⁹. Indeed, Moroccan people were peacefully asking for more political, institutional, and social reforms. Notably, Mohammed VI in such delicate context has thus demonstrated to be a mediator; he was open to dialogue and listened to the necessities of his population avoiding violent clashes. He answered to people's requests by announcing a series of important reforms assessed within the approval of the new Constitution in 2011. Many were the areas reformed under the constitutional text: human dignity, integration of ethnic communities, solidarity, and the construction of a strong democratic state of law. Among them there was the regionalization process⁸⁰ which was aimed at considering the regions as territorial identities within the framework of the unity of state and at establishing an equilibrium and national solidarity at inter and intra-regional level.

The constitutionality of the new text is set out in the preamble, which is now an integral part of the new constitution. It is essentially about the protection and promotion of human rights and fundamental freedom as well as international humanitarian law. Later, new rights of economic and social nature have been added such as the right of home, health, welfare, access to water and durable economic development (Bonella, 2014, p. 34-50). Significantly, the adoption of the 2011 Constitution represented a big step for Morocco's democratization process as the preamble points out: *"With fidelity to its irreversible choice to build a democratic State of Law, the Kingdom of Morocco resolutely drives the*

⁷⁸ The Royal Institute of the Amazigh Culture aims to incorporate the Amazigh languages into the educational system of Morocco. IRCAM will also focus on reinforcing the status of Amazigh culture at national, regional, and local levels. Additionally, continued efforts will be made to develop cooperation with other institutions and organizations nationally and regionally, as well as internationally. Moreover, IRCAM will serve as a base of reference about academic studies and research on a regional and international level.

⁷⁹ In Morocco they were specifically known as the protests of the 20th of February.

⁸⁰ It is aimed at establishing a territorial organization of the Kingdom according to a decentralized system and based on an advanced regionalism. The latter distributes the powers in a more democratic way and attributes to the regions a role of political coordination for the socio-economic development of the territory and to avoid disparities among them.

*process of consolidation and of reinforcement of the institutions of a modern State, having as pillars the principles of participation, of pluralism and of good governance. It develops a society where all enjoy security, liberty, equality of opportunities, respect for their dignity and for social justice, within the framework of the principle of correlation between the rights and the duties of the citizenry*⁸¹.

Moreover, the king himself claimed that by launching the constitutional reform project a major step forward the process of consolidating a model of democracy and development has been made ⁸² (Pfohl, 2014). Since then, Morocco passed from being a constitutional, democratic, and social monarchy to a constitutional, democratic, parliamentary, and social monarchy.

As result of a fruitful reign, institutionally speaking, Morocco demonstrated to be inclusive and open to dialogue while listening the citizen's needs. The protests that broke out in Morocco during the period of the Arab revolutions did not call into question the king's authority or the existing political and institutional set-up but demonstrated its strength and inclusivity. This was possible because the monarchy represents a very strong element of national unity and because the latter was able to understand the political changes in progress by initiating a series of reforms capable of responding to the demands of the population, both on the political-institutional and on the economic level.

As at the domestic level, the King also demonstrated his attention to dialogue on the international one. In foreign policy, Mohammed VI remained firmly anchored in the fundamental guidelines identified and pursued by his father: the defense of territorial and national integrity, the strengthening of good relations with Arab countries, and loyal friendship with the United States and the European Union, as well as active role in the Mediterranean cooperation and the Middle East peace process. The latter, saw no signs of improvements while no agreement had been reached by the two parts, nullifying the considerable direct or indirect efforts made by many diplomacies (including the Moroccan one). Thus, on the 28 of October 2000 the Second Intifada broke out, creating shock and concern in the international community and in the Arab world, starting with the government of Rabat, which immediately ordered the closure of diplomatic liaison offices with Israel, freezing diplomatic relations between the two countries. As consequence, Morocco, facing with the precariousness of the Israeli-Palestinian negotiations, supported the Washington government by intensifying cooperation and dialogue in the field of security and intelligence (Pizzigallo, 2014). However, it is important to mention that Mohammed VI did not play an important role in the Arab Israeli conflict like his father

⁸¹ Morocco Constitution 2011. Available online : https://www.constituteproject.org/constitution/Morocco_2011.pdf.

⁸² King Mohammed VI, March 2011.

Hassan II, who worked for the rapprochement between Israelis and Palestinians. Mohammed VI, anyway, president of Al Quds, showed support for the legitimate rights of the Palestinian people.

As already mentioned, Moroccan's foreign relations with the United States have very ancient historical roots. The two countries have a long history of working together bilaterally and regionally. Both share common challenges in the field of security, policy, economy, and sustainability. Indeed, they have established strong bilateral ties, especially after the period of contentions provoked by the Iraq war. The Kingdom continued to show its interests for the USA also in its "war against terror", and despite knowing the risk of being condemned by the Islamic groups, it risked demonstrating that its main priority, once again, was the western Sahara dispute and doing so it could achieve possible recognition by the USA. Indeed, the terroristic attack in Casablanca reflected the fact that Morocco was aligning with the West, becoming one of the countries most exposed to terrorism. Consequently, the relationship with Washington government and the Rabat one improved considerably in the security and military cooperation fields. The USA designated Morocco a Major Non-NATO Ally⁸³ in 2004 and from then, the U.S. and Moroccan militaries hold joint exercises and training. Morocco has become a strong partner in counterterrorism and collaborates with U.S law enforcement to guarantee both countries' national security interests⁸⁴. As result of this strategic alignment, today, relations with the United States are namely concerning the Western Sahara question which has remained the main priority in the Morocco's foreign policy agenda. On December 10th, 2020, former President Trump announced the USA's recognition of Morocco's claims over the Western Sahara as a result of Morocco agreement in normalizing its relations with Israel. Trump administration sent drones and weapons for intelligence assistance and since then the ties between the Moroccan and American president strengthened.

As in the article⁸⁵ Laurenza pointed out, the relations between the two have advanced over time. Indeed, a month after the announcement of the normalization agreement between Morocco and Israel, a US delegation went to Western Sahara, presumably to advance the process of establishing a Washington consulate in the region (Laurenza, 2020). The visit began on January 9 and featured David Schenker, the US State Department's deputy assistant secretary for Near Eastern affairs. The tour, described as "historic," represented the prelude to the opening of a U.S. consulate in Western Sahara, after Washington, as part of the Morocco-Israel understanding announced on December 10,

⁸³ The American President Bush attributed to Morocco the status of Major-Country non-NATO ally, then succeeded by the Free Trade agreement between the USA and Morocco.

⁸⁴ U.S Relations with Morocco; bilateral relations fact sheet. Bureau of near easter affairs, 2020. Online: <https://www.state.gov/u-s-relations-with-morocco/>.

⁸⁵ <https://sicurezzainternazionale.luiss.it/2020/12/14/marocco-arrivo-dagli-usa-droni-munizioni-un-miliardo-dollari/>

recognized Rabat's sovereignty over the region. The latter is at the center of a decades-long territorial dispute between the Moroccan government and the Polisario Front⁸⁶, a separatist movement, supported by Algeria, which seeks to establish an autonomous state in the territory. During the visit, Schenker remarked the importance of Morocco as a key partner to ensure stability in the region and which shares with the U.S. strong ties in the military field. He also highlighted that the cooperation between Rabat and Washington is becoming stronger and the recognition of Moroccan sovereignty over Western Sahara, as well as the easing of relations between Morocco and Israel, are among the most significant developments in two centuries of friendship between the United States and the North African Kingdom. These developments were made possible thanks to the leadership of the Moroccan monarch, Mohammed VI, who promoted a large-scale reform program, while continuing to lend support to issues of common interest, first and foremost peace in the Middle East and North Africa, as well as stability, development, and security in the region.

Finally, as already mentioned, Morocco since its predecessors and especially under the reign of Mohammed VI, has also maintained very important ties with the European countries and the Christian world. Indeed, it is possible to mention the interreligious meeting in 2019 between Pope Francis and King Mohammed VI in Rabat. That prophetic event, as described by Pope Francis, showed that the encounter and dialogue are means of peace and harmony for humanity, recalling the need to break the walls of hate and division⁸⁷. Indeed, in that land (Morocco) that is a natural bridge between Africa and Europe, the Pope wished a new impetus to the construction of "a world of greater solidarity" and a dialogue that respects the richness and specificity of each people and each person. Pope Francis followed in the footsteps of Pope John Paul II, who visited him in 1985. With the European Union deeper economic, and political relations have been strengthened during the years at regional and at bilateral level representing one of the most solid cooperation in the Moroccan's foreign policy.

⁸⁶ It is a politico-military organization striving to end Moroccan control of the former Spanish territory of Western Sahara, in north-western Africa, and win independence for that region. The Polisario Front is composed of indigenous nomadic inhabitants, the Sahrawis. It began in May 1973 as an insurgency (based in neighbouring Mauritania) against Spanish control of Western Sahara. After Spain withdrew and Morocco and Mauritania partitioned Western Sahara between themselves in 1976, the Polisario Front relocated to Algeria, which support the organization with bases and military aids. Mauritania made up with the Polisario Front in 1979, but Morocco then unilaterally annexed Mauritania's portion of Western Sahara, online: <https://www.britannica.com/topic/Polisario-Front>.

⁸⁷ The courage of encounter and an outstretched hand, Pope Francis, 2021. Online: <http://www.santosepolcro.va/content/ordinequestresantosepolcro/en/la-chiesa/notizie-dalla-chiesa-universale/il-coraggio-dellincontro-e-della-mano-tesa.html>.

2.2. *ECC-Morocco Relations: from association (1969) to cooperation (1976).*

Morocco and the European Union have very ancient ties, already king Hassan II used to refer to Morocco as a tree rooted in the African soil, but whose leaves are moved by the winds of Europe. This metaphor, used to remark Morocco's proximity to Europe both in terms of ideologies and geography. Indeed, the Strait of Gibraltar separates Europe from Morocco by only 13 kilometers. The importance of the latter to maintain strong ties with the Union and the vocation to serve as a link between East and West has been confirmed by history, which designated Morocco as a privileged partner of Europe at the very beginning of European construction.

Morocco, as we have seen in chapter 2.1, has always been a country traditionally open to foreign relations and dialogue, particularly with Europe. Historically, the North and South of the Mediterranean have practiced exchanges and developed flourishing trades. The nature of the links has varied according to the times without compromising the constancy or integrity of these exchanges. Indeed, since Morocco is at the gateway to Europe, it is always open to the other European culture. This openness can be explained by geographical, historical, and economic factors.

Going back to the colonial era, its structure of production and trade was deliberately placed in the orbit of the metropolitan economy, modulated according to its needs. The relationship between Morocco and Europe was at first simply an historical legacy and a moral demand. It was a price asked by the former colonial powers and imposed on their future partners. Indeed, a deeper relationship was to be established between the two parties on the basis of association agreement. The latter stems directly from the Treaty of Rome, which in its fourth part provided for the right of association of the Overseas Countries and Territories with the Community⁸⁸. In the Treaty of Rome, giving birth to the EEC, it was possible to find the principle of cooperation enclosed in the Declaration of Intent, stating that the Community could conclude conventions for economic association with the independent states of the franc area as they were intended *"to maintain and intensify the traditional trade flows between the Member States of the EEC and the independent countries and to contribute to their economic and social development"*⁸⁹. Regarding the Maghreb countries, this Declaration was addressed only to Morocco and Tunisia since Algeria was not yet independent. Furthermore, a Protocol annexed to the

⁸⁸Treaty establishing the European Community, documents and attachments. Online: <https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:11957E/TXT&from=BG>

⁸⁹ "EEC – Tunisia Cooperation Agreement. Europe Information: Development DE 37, February 1982", 2012.

Treaty authorized France to maintain preferential trade agreements with these countries by way of derogation from customs union rules⁹⁰.

However, even after independence, Morocco continued to suffer from underdevelopment, an unstable and weak economy, and it showed a certain distrust of the EEC which sought to consolidate itself as an economic giant. On the other hand, its neighbor's problem war in Algeria was seriously impeding any initiative for the opening of negotiations between Morocco and the Community. It was not until 14th December 1963 that Morocco, together with Tunisia (Algeria will join after its independence), requested the opening of exploratory talks about its involvement in the common market to the Council of Ministers of the EEC. The negotiations took place in three stages: July 1965, November 1967, and February 1969 the year in which the association agreements were finally signed. The length of the negotiations was justified by the difficulty in finding solutions which would satisfy the interests of the Community and of the Maghreb agricultural producers of the Mediterranean, in a moment where the Community agriculture policy for agricultural products (wine, olive oil etc.) was being realized⁹¹.

The purpose⁹² of the Association Agreements between the EEC and the Maghreb States was aimed at promoting economic and social development through economic, technical, and financial help in order to foster economic diversification, notably through industrial development and the modernization of the agriculture sector. Although they established an association, the agreements were mostly restricted to trade relations and were therefore only a first step for a future extensive cooperation (Ibidem).

Indeed, since the beginning of the association agreement, the Council's mandate to the Commission addressed trade relations. It set out for each product category the concessions that the EEC was prepared to grant by distinguishing between industrial and agricultural products. For its part, Morocco granted the Community a certain number of tariff and quota concessions on a series of mainly industrial products. On the quota front, the level of liberalization towards the Community was consolidated and, in addition, for a certain number of products, Morocco opened quotas in favor of the Community, affected by an annual increase coefficient⁹³. However, the agreement creating an association between Morocco and the EEC had registered, on the one hand, limits linked to the

⁹⁰Cooperation Agreements between the EEC and Maghreb countries, European Information Development 1982. Online: <http://aei.pitt.edu/7755/1/7755.pdf>.

⁹¹ Supra.

⁹² Supra.

⁹³ European Union, <https://ec.europa.eu/trade/policy/countries-and-regions/countries/morocco/>.

agreement itself and, on the other hand, limits inherent to the legal and political realities of the two partners (Essebbani, 2008).

After long and difficult negotiations, the agreement that came into force was not as complete as the Tunisian and Moroccan governments had wished: in 1963, they wanted to create a genuine free trade area as provided for in Article XXIV of the GATT⁹⁴ with the Community, which would have given them the benefit of economic, technical, and financial assistance as well as favorable provisions concerning the workforce.

For instance, the limits emerged from the 1969 Association Agreement were different (Essebbani, 2008):

- 1) The agreement would only cover trade. It would concern about 60% of Moroccan and Tunisian exports to the common market.
- 2) Instead of an all-encompassing agreement, the EEC wanted to offer only a kind of trade agreement carefully balanced in its parts and limited in duration to five years.
- 3) There is no doubt that the Moroccans and Tunisians were very keen on technical and financial aid, although these agreements provided for the protection of young industries in the two Maghreb countries. But Morocco and Tunisia are agricultural countries, and it is very difficult for both to be industrialized countries, especially as they had just emerged from colonization and suffer from structural obstacles: the low diversification of the less developed partner's production, the nature of their exports, which are essentially made up of primary products, and the unsuitability of their marketing channels for international competition. Therefore, an increase in agricultural production, could not be sufficient to bring about economic development, and it is necessary to ensure industrialization, which is the only way to bring them economic and political independence and to raise their industry to a level of development such that it can become a real striking force, capable of playing the role of modernization and capable of erasing economic and social dependence.

Furthermore, the framework of the Moroccan-EEC Association Agreement was also marked by the *de facto* inequality of the power relations of the two partners. On the one hand, there was the EEC,

⁹⁴ GATT article XXIV allowed countries to grant special treatment to one another by establishing a customs union or free-trade association, provided that (1) duties and other trade restrictions would be "eliminated on substantially all the trade" among the participants, (2) the elimination of internal barriers occurred.

an integrated and developed European grouping of countries with a strong and diversified economy. On the other hand, Morocco, an underdeveloped country with a disjointed and dependent economy.

Finally, the unsuccessful was due to the lack of coherence on what had been agreed between the two parts. Firstly, the maintenance of close links with their former metropolis and, secondly, the assessment economic necessities. However, it became clear, after analyzing the results of the agreement, that those objectives have not been achieved. The opening up of the Community to Mediterranean third countries, including Morocco, was planned in such a way as to enable it to control the flow of its trade quantitatively and qualitatively according to its needs and strategic objectives. From this point of view, the main objective of the association in the agricultural sector was to make up for the Community's food deficit and to solve the immediate problems of the Common Agricultural Policy, without trying to foresee a long-term complementarity between the productions of the two countries (Essebbani, 2008). Moreover, in the same perspective as the Community enlarged and harmonized its agricultural, commercial, and social policy by abolishing intra-Community material and technical frontiers, barriers of all kinds were gradually being erected to trade with third countries. This led us to wonder whether the Community would not be conceived tomorrow as a fortress excluding its immediate neighborhood. In this case, the southern flank of the Western Mediterranean.

As consequence, as Khader recognizes, the EEC's policy toward the Mediterranean third countries was hardly part of a co-development strategy, but rather a simple egoistic strategy of extending the zone of influence and exchange in the Mediterranean (Khader V. B., 1991). Dependence, deteriorating terms of trade and a chronic trade deficit are all indicators of the failure of this type of association. The idea of a co-development project within the Western Mediterranean remained a pious hope, difficult to concretize in the context of this 1969 association agreement (Essebbani, 2008).

Nevertheless, the limits set by the 1969 Association Agreement were overcome with a new policy that led to the signature of the 1976 Cooperation Agreement. The expiry of the 1969 trade agreement was supposed to allow for a more ambitious and comprehensive agreement to be established by 1973. However, the economic circumstances were not favorable because at a time the nine Member States were preoccupied with building their Mediterranean policy and developing common agricultural regulations. The Community was also experiencing a period of economic stagnation because of the crisis that had hit the entire developed capitalist world since the early 1970s. Moreover, the October 1973 war, which led to a rise in the price of oil, created a new situation in North/South relations highlighting the need to strengthen North/South relationship, on the one hand, with the opening in Paris of the Conference on International Economic Cooperation, which had the ambition to create the conditions for a better understanding of the problem of underdevelopment, as well as the solutions

that could be envisaged by common agreement by the two hemispheres, to solve the difficulties of the countries of the South (Essebbani, 2008). On the other hand, the recommendation made by the European Parliament in a resolution of January 1971 stating that "*the EEC's action in the Mediterranean basin should be based, from that moment onwards, on a coherent overall doctrine*" emphasized the EEC's particular obligations in this region. This resolution was expressed at the level of the Commission in a memorandum to the Council of Ministers in August 1971, highlighting the need and the interest of the EEC in seeking ways to make the commitments undertaken more homogeneous and effective.

As a result, the cooperation agreements were mainly concluded in the framework of the Global Mediterranean Policy whose approach was developed at the 1972 Paris Summit to remedy the lack of an overall vision on the part of the EEC in its relations with the Mediterranean countries (Ibidem:111). Particularly, negotiations between Morocco and the European Economic Community have been ongoing for three years and have led to the conclusion of a cooperation agreement between the two parties only in 1976. This cooperation agreement represented the legal basis for Moroccan-Community relations. Of unlimited duration, this agreement had the merit of being more comprehensive than the previous one. Beyond its commercial dimension, it integrates novelties in the financial and technical fields but also, in the social one. Indeed, there was a more dynamic approach aimed at establishing wider cooperation between the partners by combining different projects for the economic, social development of the Maghreb countries⁹⁵. The signature of the cooperation agreement⁹⁶ was intended to promote comprehensive and balanced cooperation between Morocco and the EEC. Indeed, this agreement wants to achieve broader cooperation with the consequence of contributing to the economic and social development of Morocco and to the strengthening of relations between the two parties. To this end, the accord provides for the implementation of provisions and actions in the field of economic, financial, and technical cooperation, but also in the field of labor. Unlike the 1969 agreement, which lasted for five years, this is an agreement of indeterminate duration, and it is a cooperation agreement and not an association agreement, although it has the same legal basis, namely Article 238 of the Treaty of Rome. However, due to the different level of development of the two partners, the advantages granted by Morocco to the Community were limited to the most favored nation regime.

⁹⁵ Cooperation Agreements between the EEC and Maghreb countries, European Information Development 1982. Online: <http://aei.pitt.edu/7755/1/7755.pdf>.

⁹⁶ Cooperation agreements were also concluded on 7 January 1976 with Tunisia and on 16 January 1976 with Algeria.

Moreover, what is interesting to notice is that Morocco could derogate from the provisions of this clause in a certain number of cases, such as when it is a question of taking certain measures in favor of border trade or in the case of maintaining or establishing customs unions or free trade zones or finally, in the case of measures adopted with a view to the economic integration of the Maghreb or in favor of developing countries. This agreement had the advantage of not being binding in the sense that Morocco retains the option of modifying its trade regime vis-à-vis the Community by creating new import duties and taxes or increasing existing ones, and of also taking measures of quantitative restrictions by establishing quotas, when either of these measures is necessary for the needs of its industrialization or its development (Essebbani, 2008).

Although, it set ambitious goals the commercial and social results of this agreement have not been very satisfactory. The failure of this premature Global Mediterranean policy could be attributed to several reasons: the protectionist attitude in the European industrial sector and the protectionist nature of the CAP. In addition, at the social level, this failure of relations was due to the negative attitude of the EEC in terms of equal treatment of immigrants or social security. Furthermore, in the specific case of Morocco, the global nature of this Mediterranean policy, resulted in having a discriminatory treatment favoring Spain and Portugal which has seriously impeded Moroccan agricultural exports. By granting a similar status to the exports of the other Mediterranean countries, the EEC took away from Morocco the advantage of the monopoly of tariff preferences that it enjoyed long before its independence (Ibidem). This policy was mostly trade-driven, and it did not contribute to fill neither prosperity gaps between the two shores of the Mediterranean nor regional integration in the South.

2.3. *EU-Morocco's partnership in the Mediterranean framework.*

Since the signature of the 1976 Cooperation Agreement, relations between the EU and Morocco have always been improving. Since then, the Morocco's request for membership⁹⁷ in the Community emerged⁹⁸. The King Hassan II stressed the fact that the request was justified by the fact that Morocco has political institutions that not only bring it closer to Western Europe, which has chosen a parliamentary and liberal democratic system of government, but that also allow it to integrate itself into it⁹⁹.

⁹⁷Taking advantage of the French presidency of the European Council, Morocco applied in March 1984 for membership of the EEC.

⁹⁸ Already in 1987, Morocco applied to become a member of the European Communities. This application was rejected by the Council on the grounds that it was not a European State according to the decision of the Council 1.10.1987.

⁹⁹ Supra.

Notably, this request was an eminently political and forward-looking gesture, tending to let the Community know that Morocco aspired to a more advanced relationship, to a mutual partnership and wanted to go beyond the narrow framework in which their relations were confined. Indeed, the partnership would therefore create a new dynamic: the fundamental idea was to go beyond cooperation-assistance, the results of which, as we have seen, have been mixed, and to move towards a mutual, balanced, and egalitarian partnership. These new ties desired by Morocco would certainly allow it to reach a higher level of development insofar, as the free trade area will allow Moroccan products to enter the Community market freely and for Moroccan companies to become European competitors (Confluences Méditerranée, 1997).

Indeed, the beginning of the nineties was marked by the institution of a framework that would ensure a greater opening of the Moroccan economy to the EU through the conclusion of a new agreement whose expected objective was to go beyond the limits of the first agreement of 1969, then followed by the signature of the second cooperation agreement in 1976.

The establishment of the Association Agreement in 1996, marked the areas of enhanced cooperation to support the process of economic transition and the establishment of an FTA (free trade area). The latter is conceived as a component of a long-term partnership framework and a key element for the realization of the Euro-Mediterranean economic area.

The political opening of the European Community towards the southern countries of the Mediterranean, which took place mostly from 1992 onwards, occurred in a particular regional and international context characterized on the one hand by a particular political situation (the creation of the AMU) and on the other hand by the beginnings of the new configuration of Europe, which took shape with the accession of the countries of the Free Trade Economic Association (EFTA)¹⁰⁰ as well as the gradual integration of the countries of Central and Eastern Europe into the EU.

The new policy orientation of the Union towards the Maghreb, and Morocco in particular, seemed to be in line with the proximity policy implemented by the Community at the beginning of the 1990s in favor of its three peripheral circles: the North, the East, and the South framed by the Mediterranean basin.

¹⁰⁰ In 1960, Great Britain created the European Free Trade Association (EFTA) (Stockholm Convention of Stockholm Convention of 4 January 1960), which included seven states: Great Britain, Sweden, Denmark, Norway, Austria, Switzerland, and Portugal, later joined by Finland, Iceland, and Liechtenstein. The aim is to establish a free trade area limited to industrial and processed agricultural products without common tariffs vis-à-vis the EU. common customs tariffs vis-à-vis the outside world.

2.3.1 *EU-Morocco's relations in the Euro-Mediterranean Partnership (1996).*

As previously mentioned, EU-Morocco's relations were initially governed by first generation trade agreements respectively in 1969 and 1976, which were accompanied by financial protocols including traditional project aids. However, after several years of experience, it became clear that these traditional patterns of cooperation were completely unsuitable. Thus, a new impetus was given to the relations between the two partners and to the economic integration of Morocco into Europe through the signature and implementation of an Association Agreement. This agreement falls within the framework of the Euro-Mediterranean Partnership resulting from the Barcelona Process.

It is a 2nd generation agreement which replaces the 1976 cooperation agreement, and which aims to move exchanges between the two partners up to a higher level: Morocco agreed to create a Free Trade Area (FTA) with the EU. For its part, the EU would contribute financially to Morocco's transition to this FTA, notably through the structural adjustment facility, support for the private sector and support for socio-economic balance. It is a high-level agreement which aims to strengthen economic and financial relations between the two partners as well as extending them to various non-economic aspects. The latter are considered innovative aspects linked to human rights and democratic principles but also cultural and social ones.

Precisely, the objectives that the Euro-Mediterranean Partnership would assess are threefold:

- 1) the realization of an area of peace and stability based on the principles of human rights and democracy. It is the political aspect that occupies a prominent place in this new partnership.
- 2) the construction of an area of shared prosperity through the gradual establishment of a free trade area between the EU and the SMCs and between the SMCs themselves. This is the economic and financial component, whose central element is the establishment of FTAs in the whole Euro-Mediterranean area.
- 3) The improvement of cooperation between the different peoples of the region. This is the social and human component, which aims to establish a social, cultural, and human partnership to promote understanding between cultures and religions.

Indeed, it was only on the 26th of February 1996 that Morocco signed this Association Agreement with the EU. The latter which has been in force since 1st March 2000 presented many opportunities but also several challenges. This agreement is also known as the Euro-Mediterranean Association

Agreement aimed to foster a framework for political dialogue between the European Communities and their Member states, of the one part, and the Kingdom of Morocco, of the other part¹⁰¹.

It was based on three pillars of cooperation:

- 1) Politics and security
- 2) Economics and financial affairs
- 3) Social and human affairs

Firstly, the agreement was aimed at providing accurate basis for “*political dialogue*” between the EU and the Kingdom of Morocco on international issues of common interest, as well as to contribute to the consolidation of “*security and stability*” in the Mediterranean region and in the Maghreb area. As reported¹⁰²: “*A regular political dialogue shall be established between the Parties. It shall help build lasting links of solidarity between the partners which will contribute to the prosperity, stability and security of the Mediterranean region and bring about a climate of understanding and tolerance between cultures*”.

Secondly, economically speaking, it was aimed at gradually establishing a Free trade area over a timeline of maximum 12 years. Then, it was supposed to reduce and remove the custom tariffs and quotas on goods from both countries. This agreement was based on the general principle of the admission for each of the two partners of the other's industrial exports, free of duties and taxes having similar and equivalent effect. Industrial products originating in Morocco were admitted free of customs duties and taxes having the same effect and without restrictions and measures having equivalent effect in the EU countries. Conversely, customs duties and taxes having equal effect attributable to the import into Morocco of industrial products from the EU countries were progressively abolished according to the timetables provided for in Article 11 of the agreement¹⁰³.

It is interesting to notice that the Moroccan industrial exports have entered the European market freely since the cooperation agreement of 1976. However, the novelty is that this Association Agreement had led to the total liberalization of trade of industrial products between Morocco and the EU at the end of the transition period. Furthermore, for agricultural products, the agreement provided for the

¹⁰¹Official Journal L 070, 18/03/2000 P. 0002 – 0204. Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part. Available online: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22000A0318%2801%29>.

¹⁰² Supra.

¹⁰³ Official Journal L 070, 18/03/2000 P. 0002 - 0204

examination of their situation to determine the measures for their liberalization from 1st January 2001 (Boussetta, 2001).

Moreover, the EU wanted¹⁰⁴ to support Morocco to achieve sustainable economic and social development through joint ventures, administrative and technical assistance, and regular economic dialogue covering different areas such as regional cooperation, financial services, environment, and transports. Financially speaking, it was aimed at updating economic infrastructures and modernizing economy as well as examining the effects on the Moroccan economy after its introduction in the free trade area.

Thirdly, they enhanced cooperation in social and cultural matters so that “*Moroccan nationals working legally in the EU must be free from any discrimination compared to national of the country concerned. EU national working in Morocco must be accorded the same treatment*”¹⁰⁵. Furthermore, it stressed continuous cultural cooperation to boost mutual knowledge and understanding.

Undoubtedly, the agreement established also institutional and general provisions such as the Association Committee responsible for the establishment of the agreement which meets at the official’s level, and it is composed of EU and Morocco’s representatives. Then, the Association Council working at ministerial level has the role to check major issues within the agreement itself and any other bilateral and international subject of collective interest (Ibidem).

However, despite the numerous benefits coming from the agreement, many were the constraints and the challenges emerged. As highlighted by Boussetta:

On a purely commercial level, Moroccan industrial exports would benefit from a certain leverage effect directly linked to the establishment of this free trade area (Boussetta, 2000, p. 188-189). Indeed, the advantages granted unilaterally by the EU would from then be institutionalized and secured. The element of insecurity and their possible questioning will thus be completely removed. Form one hand, the FTA could also allow Moroccan exports to conquer new markets in the textile and clothing sector. However, it should be noted that these exports concerned products that are vital for European producers. Indeed, they would increasingly have to face a double danger:

Firstly, the European textile industry would undergo profound technological changes which tend to reverse the comparative advantage (low wages) to the detriment of Morocco. Secondly, textiles sector

¹⁰⁴ Decision 2000/204/EC, ECSC, on the conclusion of the Euro-Mediterranean Agreement establishing association between EU and Morocco. Summary Available online: http://publications.europa.eu/resource/ellar/86787825-ba9b-11e9-9d01-01aa75ed71a1.0001.02/DOC_1.

¹⁰⁵ Supra.

is considered sensitive at the level of the EU, which often calls for self-limitation agreements and the safeguard clause.

From an economic point of view, the contribution of the FTA could be considerable. Indeed, due to the adjustments, restructuring and upgrading that it requires, the FTA agreement brought greater efficiency of the production tool, a better allocation of resources and the enlargement of the markets opening great prospects for economies of scale and lower cost prices. However, from a financial point of view, the FTA was likely to have a pull effect on potential European investments. The beneficial effects of a FTA also lie at this level with the possibility of massive inflows of European capital in the form of direct investments, portfolio investments or joint ventures with national companies.

Nevertheless, all these considerations do not mean that the national economy would not have constraints during the transition period. Moreover, at least other three major challenges could be highlighted (Ibidem):

Firstly, the constraint of competitiveness of the national companies and their capacity to face the strong competition of their European colleagues who are more organized, better managed, and very efficient. The stimulating and driving effect that this FTA would have on Moroccan companies supposes their ability to generate a competitive offer both on the domestic market and on the European market. This important challenge appears to be very difficult to meet for a productive network composed mainly of small and medium-sized family businesses, which are undercapitalized, fragile, managed in a traditional manner and dependent on fiscal and tariff protection. Other factors such as the absence of basic infrastructure, the persistence of cumbersome, inappropriate, and outdated regulations, the high cost of energy are all factors that penalize the competitive dynamics of national companies.

Secondly, the tax issue, since the dismantling of customs duties following the establishment of the FTA will result in a loss of (customs) revenue. These tax losses were estimated at 1.8% of GDP, and consequently a profound tax reform is therefore essential to adapt the Moroccan tax structure to the imperatives of openness and integration within Europe.

Thirdly, there was the problem of foreign investments. Indeed, the announced effects that the institution of a Free trade area could have, remains very hypothetical. This opportunity could only become effective, Boussetta explains, if the general environment for these investments improves significantly. This concerns in particular the simplification of procedures and administrative steps,

the profound reform of justice, the attenuation of the land constraint. Certainly, improvements have been made in recent years, but there is still a long way to go in this field¹⁰⁶.

Furthermore, it is interesting to notice that the main instrument used by the EU for the implementation of this partnership is the MEDA program¹⁰⁷. It is considered the main financial instrument of the Euro-Moroccan's Association Agreement with a double objective:

1) To deal with initiatives of common interest in the three areas of the Euro-Mediterranean Partnership: strengthening political stability and democracy, establishing a Euro-Mediterranean free trade area and the development of economic and financial cooperation as well as considering the human and cultural dimensions.

2) To put in place support and assistance measures granting long-term stability and prosperity, in particular in the fields of economic transition, sustainable development, the environment and the fight against poverty.

For Morocco, the essential objectives of the MEDA I program are articulated around two main components (Natorski, 2008):

The first component of the program, which consists of supporting economic transition, concerns four areas of intervention:

- Actions to support the gradual introduction of free trade in the general context with the EU and with the other Mediterranean countries. This includes dialogue on tariff dismantling and tax reform that must accompany the transition period, technical support for the promotion of possible association agreements with other Mediterranean countries.
- The promotion of European investments, especially through measures to bring companies together. The already existing instruments in this field such as Euro-partnership, Med-Enterprise, Med Partenariat will be completed and improved.
- The dynamization of the Moroccan private sector with the objective of reorienting its evolution towards the perspective of free trade. The support instruments for this essential

¹⁰⁶ Decision 2000/204/EC, ECSC.

¹⁰⁷ Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership [Official Journal L 189 of 30.07.1996] Online: https://eur-lex.europa.eu/legal_content/EN/TXT/HTML/?uri=LEGISSUM:r15006&from=IT.

factor of anchoring Morocco to Europe are numerous: contributions in risk capital, professional training, guarantee funds, support for professional associations, etc.

- The upgrading of economic infrastructures in strategic areas such as water, electricity, energy, telecommunications, highways, etc. Various means are used in this field: subsidies for studies and technical assistance, EIB loans.

Moreover, the second component of the MEDA I program aims to contribute to a harmonious development through the promotion of socio-economic balance by improving the living conditions of rural populations and reducing social and regional inequalities. Most importantly, the 27 countries signatories of the Barcelona Declaration committed themselves to several projects to defend the principles of democracy and human rights.

Boussetta stressed that, for Morocco, two categories of projects can be distinguished (Boussetta, 2001, p. 9):

Firstly, projects that concern only Morocco and that have benefited from the support of the E.U. These projects, which are 15, consist of providing support for associations and organizations in the field of freedoms and human rights. This is the case for the Democratic Association of Women of Morocco (ADFM), the Moroccan Organization for Human Rights (OMDH) and the AFAK association¹⁰⁸. Among these projects, we can mention the introduction of the human rights education in the school curriculum, the establishment of an information and legal advice center, the publication of a collection (compendium) of conventions ratified by Morocco. Secondly, there were also regional projects involving Morocco in favor of freedoms and human rights that concern a group of Mediterranean countries of which Morocco is a member.

However, despite Morocco has become one of the main beneficiary of the MEDA programme, with a total of €1.472 million for 1995–2006, €660 million under MEDA I (1995–1999) and €812 million under the MEDA II (2000–2006)¹⁰⁹ many of which declared to be employed in the contrast to unemployment, poverty and migration, (Qadim, 2010) remarked the limits of the Euro Mediterranean Partnership through the assessment reported by (Yousef, 2017) outlining that the ruling elite has not been motivated nor responsive to comply with human rights and democracy standards defended in the Barcelona Declaration. Indeed, no country has really been benefitting from democratic

¹⁰⁸ It stands for “civisme et développement”. It has for Mission the development of the infrastructure of primary schools in the region, creating a classroom climate and help students perceive the school as a pleasant environment.

¹⁰⁹ Official Journal L 070, 18/03/2000 P. 0002 – 0204. Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part. Available online: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22000A0318%2801%29>.

improvements and the economic liberalization policies enough to register democratic and economic growth and to develop the most needed sectors. In addition,¹¹⁰, the EU protectionist attitudes in the agricultural sector increased the economic problems for the Mediterranean partners (Attina, 2017).

2.3.2. *Morocco in the European Neighborhood Policy (2004) and the unsuccessful democratic reform.*

The new millennia brought to a stronger and more solid cooperation between the European Union and Morocco. With the inauguration of the European Neighborhood Policy in 2004, which was reviewed in 2015, Morocco and the EU improved their ties based on mutual responsibility and share commitment to the universal values of democracy, human rights, and rule of law.

Indeed, in 2004 the European Neighbourhood Policy (ENP), which involves Morocco and other countries neighbouring the EU, wanted to establish an area of peace, stability, and prosperity. *“The ENP wanted to prevent the formation of any division between the EU and its neighbours by proposing closer ties on security, political, economic, social and cultural fields. It also aims at strengthening the Europe's borders security with the cooperation with its neighbourhood. Essentially, the EU aims to establish closer relations with its partner countries. To this extent the EU offers greater support for the implementation of political, economic, social, and regulatory reforms, a gradual participation in the internal market and in certain European programmes”*¹¹¹.

The implementation of this process would depend on the will of each partner country to engage in this broad agenda. In the specific case of Morocco, clear ambitions were illustrated in an EU-Morocco Neighbourhood Action Plan¹¹², which was jointly adopted in July 2005.

Aliboni stressed the fact that in the ENP, the EU engagement with third countries was established with every partner and the bilateralism was assured through the Action Plans: roadmaps signed bilaterally by the EU and every partner country establishing clear objectives in the short and medium term and checked every year through a reinforced political dialogue (Aliboni, 2005, p. 47-58). Indeed, Morocco was one of the first countries of the Mediterranean region to sign the Neighborhood

¹¹⁰ Attina, F. (2017). The Euro- Mediterranean Partnership, p. 185. Cited in (Yousef, 2017, p. 27). assessed: *The Realist and Liberal View*”, *European Foreign Affairs Review*, 8 (2).

¹¹¹ European Commission, 2007-2013. Online: https://ec.europa.eu/regional_policy/en/policy/what/glossary/e/european-neighbourhood-investment

¹¹² https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/morocco_en

Action Plan with the EU, by gradually becoming a privileged partner of the EU in the field of political and economic, technical and development cooperation¹¹³.

Whitin this framework, the Action Plan¹¹⁴ was aimed at deepening their bilateral relations covering all the areas of cooperation: political, security, economic and cultural ones. It would increase the development and the implementation of policies and measures aimed at promoting economic growth, social cohesion, reduce poverty lines and increasing employment as well as contributing to the long-term objective of sustainable development¹¹⁵. It had a duration from three to five years, and it would better work thought its instruments, compared to the Association Agreement, by supporting the Moroccan's aim of put its economic and social tools in line with those of the EU. However, this step requires an approximation of the Moroccan legislation, standards, and regulations to those of the Union in many areas. It will enable an enhancement of trade investments and growth with the ultimate objectives of regional economic integration.

Looking deeper to the ENP perspectives it must be noticed that it would bring to many advantages:

Firstly, it will be helpful to move beyond the mere existing relationship to a higher degree of integration such as permitting Morocco to access to the international market and to participate in the key aspects of the EU policies and programs.

Secondly, it will upgrade the intensity of political cooperation through enhanced political dialogue.

Thirdly, it will permit the convergence of economic legislations as well as the reduction of trade barriers by stimulating investments and growth.

Finally, it will increase the EU financial support to Morocco, granting additional financial assistance for the implementation of the areas covered by the Association Agreement. Undoubtedly, the EIB will play an important role to support the infrastructure investments and the private sector development. In such context, the European Commission suggested the implementation of a New European Neighborhood and Partnership Instruments (ENPI) to foster cross-border and transnational cooperation between the EU and Morocco as well as to promote a better integration and social cohesion and fill the development gaps interesting both.

Furthermore, the EU has supported the Moroccan political reform through the Action Plans by identifying legislative reform and international human rights standards, as well as fundamental

¹¹³ https://eeas.europa.eu/archives/docs/enp/pdf/pdf/country/enpi_csp_morocco_en.pdf

¹¹⁴ Supra.

¹¹⁵ <https://www.iemed.org/observatori-en/recursos/documents/documents-oficials/eu-morocco-action-plan>

freedoms as priority areas, but also, capacity building in public administration, decentralization, adherence to international convention and the fight against corruption and the rights of association and expression. This EU-Moroccan Action Plan was meant to diffuse a comprehensive, social, political, and economic reform program (Kausch, 2009).

Additionally, Morocco has called for regulations and legislative measures covering different fields of the social sector. Indeed, for the fiftieth anniversary of independence, and on the initiative of King Mohammed VI, a report on *"50 years of human development in Morocco and perspectives for 2025"* was written in January 2006. The latter highlighted Morocco's efforts on social issues, by remarking the existing lacks and the proposes for a long-term development solution¹¹⁶. In his speech of 18 May 2005, the King launched the national human development initiative (NHDI), for social development, poverty reduction and assistance for the extremely vulnerable people. Other initiatives aimed at reforming the social sector were the "National Education and Training Charter", the "Strategic Framework for Development of the Education System" and the quite recent "National Strategy for Equity and Gender Equality"¹¹⁷.

However, despite the implementation of the ENP has seemed to improve the economic and democratic situation in Morocco, where the European Union has used its "soft model" to export its prototype of liberal democracy and to spread positive conditionality, it has showed to have limits and obstacles.

Many diplomats, among which Coll asserted that the ENP path was condemned to fail in the southern Mediterranean shore, because of a lack of incentives, opposed to the case of the Eastern Europe (Coll, 2013). Furthermore, he also pointed out that the latter was not clear on the objective of promoting democracy and human rights since the civil societies were ignored in the process. Moreover, the main problem highlighted was the centralization of power by countries' political elite and the lack of direct participation of the civil society.

Indeed, the country report (CR)¹¹⁸ underlined that there were big deficits in Morocco's political reform, particularly the high concentration of power in the monarchy's hands, which has also unbalanced the influence over the appointments of some political positions such as the Prime Minister, the Home Affairs and Defense Ministers and Foreign Affairs one, then the limited competences of the Parliament, the weak party system within a limited pluralism, the exclusion of

¹¹⁶ https://eeas.europa.eu/archives/docs/enp/pdf/pdf/country/enpi_csp_morocco_en.pdf

¹¹⁷ [https://ec.europa.eu/regional_policy/en/policy/what/glossary/e/european-neighborhood-investment](https://ec.europa.eu/regional_policy/en/policy/what/glossary/e/european-neighbourhood-investment)

¹¹⁸ COM (2004)373 final.

relevant political parties and a fragmented electoral system limiting the parties because of the arbitration role of the king.

As already stated, the EU allocated for the Governance and human rights facility in Morocco 5 million euros under the MEDA program and 28 million euros under the ENPI. However, those funds showed very weak levels of investments for the period 2005 -2006 since there were no allocations for democratization purposes. As consequence of this, it is possible to remark the unstable situation of the judiciary, the limitation of freedom of press, speech and association and the high level of corruption. The evolution of these topics can be observed in **Table 1** (Govantes, 2020), where improvements seemed to be reached only with the adoption of the 2011 Constitution by King Mohammad VI.

Table 1. Progress on democracy-related subjects showed on ENP follow-up reports (2005–2010).

Reports topics	2006	2007	2008	2009	2010
Judiciary & institutional system	EU is concerned about the judiciary situation. It expects reforms regretting the lack of means.	Similar to the former session. EU considers judiciary does not guaranty the citizens' rights.	Similar to the former session.	Similar to the former session. King dedicates a speech (August 09) to a future reform of the judiciary.	EU continues claiming for reform on the judiciary. Morocco commits to Constitutional reform in 2011, rebalancing powers.
Freedom of press	EU expects new press code abolishing opinion crimes.	EU regrets non-approval of press code. It points out harassment to free press.	EU stresses the continuation of the harassment.	EU regrets non-approval of press code. It denounces major actions of censorship.	
Electoral process		EU remarks organization and transparency of 2007 election, in which Morocco accepted UN observation.	Morocco impulses legal reforms to raise female representation in 2009 election. A framework for international observation is awaited.	Similar to the former session. Irregularities in electoral process reported.	
Corruption			EU worries for the high level of perceived corruption shown in international indexes.	National Committee against corruption created. The perception of corruption keeps growing in indexes.	The level of perceived corruption starts to go down. Morocco approves 2010–2012 Plan against corruption.
Freedom of speech and association			EU reports rising police pressure on protests and difficulties to create associations, especially in W. Sahara.	Regulations proposed by associations not adopted. De facto relaxation to create associations.	Regulations proposed not adopted. Rising attacks on public freedoms, especially in W. Sahara.

Source: Author's elaboration from ENP Morocco's follow-up reports (2005–2010).

(Govantes, 2020, p. 708) *Progress on democracy-related subjects showed on ENP follow-up reports(2005-2010).*

Starting from the first topic, namely the judiciary system, it is possible to notice that since the adoption of the ENP in 2006 the EU has assessed the problem but did not have the means to achieve a valuable progress. However, progress has been remarked after the adoption of the 2011 Constitution rebalancing the powers.

Secondly, the topic of the freedom of press is a hard topic and it is the result of the inadmissibility of a western-styled press code including the abolition of repression and prison penalties for opinion crimes. However, the EU action has not brought to successful results since acts of repression and censorship have never ceased. A clear example of this has been the condemnation in 2005 and the banned from publishing for 10 years to critical journalist Ali Lmrabet for his satirical journals *Demain* and *Doumane* (Ibidem).

Thirdly, the electoral process's weakness is due to the lack of a real capacity of the electors, followed by a passive suffrage and even the direct control of the party system by the monarchy. Moreover, there was a high political disaffection as revealed by 2007 elections with a historically low voter turnout of only 37%. Another reason was the clear king's capacity to influence the party system as well as the corruption level remained high over the years.

Finally, the question of the freedom of speech and assembly as well as the strong police pressure toward protesters and the difficulty of creating new associations has been assessed by the EU. However, they remain quite frequent in the Western Sahara territory.

To conclude, it is possible to assess that the European Neighborhood Policy was intended to go beyond the form of association between the countries and offer to the EU's neighbors a deep form of political relationship and the prospect of a significant measure of economic integration through gradual integration in the EU internal market. The European Union and Morocco found an opportunity to strengthen their reciprocal historical ties and promote stability, security, and prosperity on a basis of partnership and common interests. This approach contributed to the establishment of a strategic neighborhood partnership and the pursue of ambitious goals based on the mutually recognition and acceptance of common values such as democracy, the rule of law, good governance, respect for human rights. However, as noticed, in such fields the EU has not completely succeeded in filling the democratic gaps interesting Morocco's civil society.

Consequently, at the EU-Morocco Association Council of 23 July 2007, Morocco and the European Union decided to launch a joint reflection process aimed at strengthening bilateral relations. On 16 May, 18 July, and 17 September 2008 Morocco presented a series of concrete proposals aimed at giving substance to the aspired 'Advanced Status' in the European Union. For its part, the European Union also drew up several proposals aimed at realizing stronger ties.

2.3.3. Morocco acquires the Advanced Status in the EU (2008).

On October 2008, the EU and the Kingdom of Morocco signed a Join Document to strengthen their bilateral relations. Morocco's advanced status with the EU could be translated in "more than association, less than accession"¹¹⁹.

As Martin remarked, this document agreed by an *ad hoc* working group within the Association Council, presents a series of actions establishing a schedule to led EU–Morocco's bilateral relations

¹¹⁹ https://ec.europa.eu/regional_policy/en/policy/what/glossary/e/european-neighbourhood-investment.

towards an advanced status (Martin, 2009). Indeed, this status would reinforce the political cooperation between Morocco and the EU responding to their respective strategic priorities and leading to a progressive integration of Morocco in the EU's common market, with a financial support proportionated with the ambition of this new development. Indeed, through the Advanced Status the EU seemed to honor Morocco for its reforms in the last ten years, by granting a higher level of relations always in the framework of the European Neighborhood Policy (ENP).

The actions listed in this document assess the political, economic, financial social and human fields, as well as the participation of Morocco in certain Community agencies and programs. Notably, the 'political and strategic dialogue' is the field where the Joint Document is more innovatory in comparison to the existing framework of EU–Moroccan relations.

Most importantly, it establishes¹²⁰ *ad hoc* summits between leaders of both parties, including informal meetings of ministers of foreign affairs. It also envisages *ad hoc* sectoral meetings with Moroccan government ministers on the fringes of regular EU Council of Ministers meetings and mutual consultation in multilateral fora, as well as *ad hoc* invitation of the Ambassador of Morocco to committees and groups of the Council of the EU, as well as the participation of Morocco in Common Foreign and Security Policy (CFSP) and in EU crisis management operations.

Furthermore, the document highlights the necessity of a closer parliamentary cooperation and technical assistance measures to increase security and judicial cooperation¹²¹. This implies the gradual adherence of Morocco to the conventions of the Council Europe, which also reflect taking into consideration the human rights field. Indeed, the progress in the human right area and the dialogue with the EU in such matters can be considered the most positive aspect of the Advanced Status with the hope that the reinforcement of political reform may lead to higher level of "norms compliance" in the medium term (Kausch, 2009).

From the economic point of view, the parties agreed on the medium-term objective to establish a Common Economic Area inspired by the European Economic area (Martin, 2009).

Indeed, for the establishment of the latter 4 axes would be followed¹²²:

- 1) The legislative approximation of the Moroccan frameworks to the *Acquis Communautaire*

¹²⁰ European Commission, *Joint Document on the Morocco Advanced status in the EU*, 2008. Online: https://ec.europa.eu/external_relations/morocco/docs/document_conjoint_fr.pdf

¹²¹ Supra.

¹²² Supra.

- 2) The conclusion of a deeper and comprehensive Free Trade Agreement increasing the FTA in industrial goods to be completed by 2012
- 3) Booster economic and social cooperation
- 4) Accession of Morocco to the trans-European network and sectoral cooperation

However, it is important to point out that the legislative convergence does not overcome what has already been done in the framework of the EU-Morocco Action Plan within the ENP. On the other hand, the FTA needed to be extended from industrial goods to agriculture, services, and capitals as well as the advancement of free movement of persons, dispensable element, for the realization of a Common Economic Area.

Moreover, other novelties were included in the Joint Document permitting a closer dialogue between the two¹²³. For instance, it was aimed at strengthening dialogue and cooperation on the employment sector and the energy sector, where both parties agree to strengthen their existing dialogue in the framework of the Association Agreement and the Joint Declaration on priorities for cooperation in the energy sector (July 2007) to adopt energy policies based on sustainable development and integrating security of supply, competitiveness, and environmental protection¹²⁴. Morocco's ambition is to fully integrate its energy market with the European energy market, namely for electricity and gas, through the acceleration of the convergence of policies and legislative, institutional, regulatory and governance frameworks relating to the energy sector towards the arrangements in force at the Community level. In addition to this integration of the Moroccan market into the European energy market, both parties note that the consolidation and reinforcement of existing infrastructures throughout the Moroccan territory for the interconnection of the electricity and gas networks of the South and North of the Mediterranean will promote South-South trade and allow Morocco to strengthen its role as a transit country for energy products and will, therefore, lead to a more active role for Morocco in regional cooperation¹²⁵.

Overall, the acquisition of advanced status in 2008, which led to stronger ties of cooperation between the two subjects, shows how Morocco was the first country in the Maghreb area to enjoy this status. EU-Morocco bilateral relations have embraced, as we have listed, new agreements and new

¹²³ Council of the European Union, Sixth meeting of the EU-MOROCCO Association Council (Brussels, 23 July 2007). Online: https://ec.europa.eu/commission/presscorner/detail/en/PRES_07_178

¹²⁴ Supra.

¹²⁵ EEAS, 2008. *Document conjoint UE-Maroc sur le renforcement des relations bilatérales/ Statut Avancé*. Online: https://eeas.europa.eu/archives/docs/morocco/docs/document_conjoint_fr.pdf

objectives. Moreover, it is important to mention that, although other countries such as Tunisia ¹²⁶ (2012) and Jordan¹²⁷ (2008) have granted deep relations with the EU, Morocco is one of the countries that has benefited the most from the ENP, receiving around 205 million euros in 2009 only. It is for this reason that we can define it as an important economic partner for the EU in relevant areas such as the fight against terrorism and illegal immigration, issues that will be discussed in more detail in Chapter 3.

However, as Martin pointed out, the action of the EU in the Mediterranean region followed a contradictory way (Martin, 2009, p. 244). Indeed, within the Union for the Mediterranean policy (UfM) it took change of direction from the political conditionality in the region pursued under the ENP. As noticed, EU's relations with the Mediterranean partners in the last 15 years, from the EMP in 1995 to the UfM in 2008 has showed to bring to a contradictory reality and confusion. Indeed, the EU was too much focus on the objective of increasing the visibility of the partnership, identified as one of the main priorities in the Euro-Mediterranean Barcelona Summit held in 2005, with the consequence of weakening the credibility of the EU's strategy in the region. Furthermore, the EU action in the region did not fill the gaps interesting the single states and the Mediterranean area. Although the countries acquired an Advanced Status, particularly aimed at bringing legislative approximation and modernization of most needed sectors and important economic assistance, these would require much more efforts and substantial financial means (Ibidem). Indeed, in the advanced status context both the two actors, namely the EU and Morocco must be coordinated. From one hand Morocco must use EU's model to achieve an advanced level of political and economic reform, from the other hand EU member states must promote those incentives that are most relevant for Morocco's development (Ibidem).

Surprisingly, in the most recent period 2014-2020, the financial aid that has been allocated to Morocco through the ENP has amounted to a share of 1.3 - 1.6 billion euros¹²⁸, delivered through bilateral agreements in key areas such as: the reduction of unemployment, good governance, and respect for the rule of law, sustainable growth, and access to social services.

¹²⁶ In 2012, taking account of the progress achieved, the EU and Tunisia agreed to establish a 'privileged partnership' with a detailed action plan for 2013-2017. In July 2018, the EU-Tunisia Association Council adopted the main guiding lines for the EU-Tunisia Privileged Partnership for the period 2018 -2020. Tunisia and the EU launched a mobility partnership in March 2014, which led to the opening of negotiations on visa facilitation and readmission agreements. Online: https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia_en.

¹²⁷ In November 2008, during the first meeting of the EU-Jordan Association Council in Brussels, Jordan submitted a request for an "advanced status", under which the Kingdom would be considered more than an EU partner. On October 26, 2008, Jordan and the European Union agreed the European Neighbourhood Policy (ENP) Action Plan, under which the Kingdom enters an "advanced status" partnership.

¹²⁸ European Commission, *European Neighbourhood Policy and Enlargement Negotiations*, 2019. Available online: https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/morocco_en

The novelties in the bilateral relations between the EU and Morocco, however, undoubtedly concern both the negotiations for the establishment of a Comprehensive Free Trade Area (DCFTA) ¹²⁹, and the admission of Morocco, since 2014, to the Erasmus plus program (Ibidem), which has allowed European and Moroccan university students to benefit from a period of study in Europe and Morocco, strengthening the cultural link between the two partners.

Recently, in February 2021, the European Commission has adopted a Joint Communication for the renewal of partnership with the Southern Neighborhood countries, establishing a new Agenda for the Mediterranean “*to relaunch and reinforce the EU’s partnership with the region*”¹³⁰. The Joint Communication concerns an Economic and Investment Plan for the Southern Neighbors to ensure the improvement of people’s life quality standards in the region and an economic recovery, including resolving the problems due to the following COVID-19 pandemic¹³¹.

High Representative/Vice-President Joseph Borrell affirmed that “*A strengthened Mediterranean partnership remains a strategic imperative for the European Union. 25 years after the Barcelona Declaration and 10 years after the Arab Spring, to address these challenges, it is important to renew our mutual efforts and act closely together as partners, in the interest of all of us. Determination is needed to work together with our Southern Partners on a new Agenda that will focus on people, especially women and youth, and help them meet their hopes for the future, enjoy their rights and build a peaceful, secure, more democratic, greener, prosperous and inclusive Southern Neighbourhood*”¹³².

The Plan is composed of 12 preliminary initiatives to strengthen resilience, build prosperity, and increase trade and investment to support competitiveness and inclusive growth as well as addressing common challenges such as migration and green transition.

Concerning Morocco, the projects will be addressed to (Ibidem):

- 1) support to Morocco’s economic recovery plan
- 2) support to the green transition

¹²⁹ It would lead to an easier access to public markets for industrial products, the free movement of capital and payments, custom and trade facilitation, sustainable development, and sanitary and phytosanitary measures. DCFTA favours closer economic integration reducing the non-tariff barriers and liberalising trade in services.

¹³⁰ JOINT STAFF WORKING DOCUMENT *Renewed Partnership with the Southern Neighborhood Economic and Investment Plan for the Southern Neighbors Accompanying the document*, JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS *Renewed partnership with the Southern Neighborhood A new Agenda for the Mediterranean*, SWD/2021/23 final. Brussels, 9.2.2021 Online : <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52021SC0023>.

¹³¹ Supra.

¹³² European Commission, *European Neighborhood Policy and Enlargement Negotiations*. Online: https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/morocco_en

- 3) support to a modern and just social protection system
- 4) support to digital development and innovation
- 5) support to renewable energy, energy efficiency and resource efficiency, including water use
- 6) support to the development of the agricultural sector

Furthermore, as it has been noticed by Laurenza, the European Union has improved its aids by allocating around 200 million euros to support the Kingdom of Morocco in the development of its food industry and agricultural businesses (Laurenza, 2020). The initiative is to be inserted into the "Green Morocco" plan, launched by Rabat in 2008, and the "Green Generation 2020-2030" strategy.¹³³ The latter, launched last February, aims to create around 350,000 jobs in agriculture, fisheries, and other related areas, mainly for younger people, as well as increase agricultural exports to \$6.4 billion and agricultural gross domestic product (GDP) to \$26.5 billion by 2030¹³⁴. The funds already given by the Moroccan government and integrated with European funds have been directed to various sectors in the agricultural and food industry, from cooperatives to small and medium-sized enterprises to larger companies. Indeed, all of this has one main objective, which is to increase the employment rate of the population, thus supporting the purchasing power of families.

Finally, as result of years of EU-Morocco dialogue, considerable progress has been made and several reforms have seen the day. Of course, some of these reforms have not yet been implemented or their effects will only be felt in the medium or long term, but Morocco has been set on this path of progress. The country's prospects are good, as it still needs to free itself from current constraints and complete the reforms under way.

Overall, it is possible to state that Morocco has maintained a special relationship with the EU in terms of political and economic reform. Indeed, the EU Commission remarks¹³⁵ that:

¹³³ Moroccan agriculture, which is the main force behind the national economy, has been able to achieve a number of benefits thanks to the ongoing mobilization around the Green Morocco project, launched by His Majesty King Mohammed VI in April 2008. The project, which has enabled Moroccan agriculture to become one of the first sectors of productive development, modernizes agriculture, promotes agricultural investment, good integration of production chains, ensures food security, increases exports of agricultural products and enhances the value of local products. Online: <https://www.maroc.ma/en/content/green-morocco-plan>.

¹³⁴ Supra.

¹³⁵ European Commission, countries, and regions, 2020. Online: <https://ec.europa.eu/trade/policy/countries-and-regions/countries/morocco/>

- Morocco is the EU's 20th biggest trade partner, representing 1% of the EU's total trade in goods in 2020.
- Morocco is the EU's biggest trade partner among the Southern Neighborhood countries, with 25% of total EU trade in goods with the region.
- The EU is Morocco's largest trade partner, accounting for 56% of its goods trade in 2019. 64% of Morocco's exports went to the EU, and 51% of Morocco's imports came from the EU.

However, the region in which Morocco is located, and its position on the Mediterranean as a bridge between the Middle East and Europe have attracted new global actors which have challenged the EU-Morocco's strong ties.

2.4. *EU competing with big global players in Morocco: GCC and China.*

The European Union, the main source of investment in the Maghreb, has always occupied a privileged position with the countries of its southern neighborhood. For decades, as it has been remarked in the previous sections, Morocco has been considered the most 'advanced' partner of the EU in North Africa and the southern neighborhood. The preservation and continuous reaffirmation of the privileged relations with the EU has been one of the main priorities of its reign policy since the 1990s.

As Molina explains, respect to the rest of other states in the region, where there was a heavy presence of global actors such as the USA or the Soviet Union in the Cold-War period, in post-colonial Morocco, "Europe had the monopoly on foreign influence, due to a structural economic dependence, administrative training and learning, and rhetorical action at the highest political level" (Fernández-Molina, 2019). In this context, Morocco has played the role of "model student of the EU" within five defining optimal characteristics: extensive national consensus, low level of contestation, both horizontally (among elites) and vertically (elites-public opinion); reciprocity and mutual reinforcement between Morocco's self-definition and European expectations; its position as a 'stabilizer', 'balancing actor', 'bridge' or 'nexus' between Europe and Africa, between the West and the Arab and Muslim world, as well as "religious moderator" (Ibidem:124).

However, with the years and with different strategic interests, it reduced its dependence on the EU by diversifying political and economic ties. Indeed, this rhetoric has become a recurring theme of the official discourse and public debate on Moroccan foreign policy.

From the beginning of 2008, the spread of the Arab uprisings in 2011 and the years after, it has been possible to assist to unexpected shocks of the Morocco-EU relations. Firstly, the spread of the 2008

economic crisis¹³⁶ which interested many countries among which the European Union leaving a deep sign on their relations. Indeed, this economic recession provoked a serious disruption of normal international relations. Furthermore, among the other reasons there was the new international strategy of low politics made by the Polisario Front and the Sahrawi nationalists, through the denunciation of the human rights violations and illegal exploitation of annexed Western Sahara's natural resources imputed to Morocco, through parliamentary and judicial channels. The major bilateral crisis in this field occurred in 2015-2016 because of the Polisario Front's action¹³⁷ through judicial channels. In two consecutive rulings on the same case, the Court of Justice of the EU (CJEU) annulled first the application of the EU-Morocco agricultural trade agreement to Western Sahara (General Court judgment, December 2015)¹³⁸ and ruled that Western Sahara does not legally form part of Moroccan territory, and so no Euro-Moroccan agreement can be applied there (final appeal ruling of the Grand Chamber, December 2016)¹³⁹. Indeed, it is in this context that signs of disengagement from the EU have been remarked in Moroccan behavior. Significantly, it was possible to notice a need of diversification of international ties and partners. New relations were established with the Gulf Cooperation Council (GCC) countries and emerging countries such as China that choose countries like Morocco (or Tunisia) as opposed to the other Maghreb countries for two reasons. Firstly, their proximity to the European Union and their strong relations with the latter. Secondly, their respective economies offering a favorable climate for attracting foreign capital, with a long-term perspective.

Particularly, the relation between Morocco and the GCC have been pushed by many aspects: the investment attractiveness and the fact that Morocco was a Sunni country. However, their relations remained anchored to a form of partnership rather than membership, from one hand within Morocco's willingness to maintain a neutral position in the regional conflicts and from the other hand with its ambition to pursue strong economic interests but remaining tied to its "African brothers".

Moreover, the MENA region and especially the Maghreb countries attracted emerging countries like China. The Morocco-Chinese relationship can be retraced to November 1958, when Morocco represented the only second country in Africa to recognize the People's Republic of

¹³⁶ The crisis in Europe shifted from banking system crisis to sovereign debt crisis since many countries bailed out their banking system by using taxpayer's money.

¹³⁷ <https://wsrw.org/en/a105x3314>

¹³⁸ *Frente Polisario v Council EU*. Case T-512/12 (European Court of Justice, 12 10 2015).

¹³⁹ Judgement of the Court of Justice of the EU (CJEU), Appeal— External relations — Agreement between the European Union and the Kingdom of Morocco concerning liberalisation measures on agricultural and fishery products — Decision approving the conclusion of an international agreement — Action for annulment — Admissibility — Locus standi— Territorial scope of the agreement — Interpretation of the agreement — Principle of self-determination — Principle of the relative effect of treaties, December 2016. Online: <https://curia.europa.eu/juris/document/document.jsf?docid=186489&doclang=en>.

China¹⁴⁰ and have been pursued up until nowadays. A stronger cooperation was established in 2016 when Chinese President Xi Jinping and Moroccan King Mohammed VI with the signature of a joint communiqué on the establishment of a strategic partnership between the two countries. However, the Moroccan's attractiveness for China was not only dictated by economic and trade interests but also by the promotion of equal partnership, mutual benefits, and non-interference in each other's international affairs. Since then, the trade partnership between Morocco and China has increased considerably: China has become Morocco's third largest trading partner after France and Spain as the OEC states¹⁴¹. Nevertheless, despite Morocco diversified its trade partners the European Union remains the largest trade partner and biggest source of foreign direct investment (FDI), tourist arrivals, and migrant remittances for the Maghreb.

2.4.1. The strategic partnership between the Gulf Cooperation Council (GCC) countries and Morocco.

When in 2011, the Arab uprisings erupted in Morocco, with citizens demanding some political changes it represented a crucial moment in the recent history of the Kingdom where King Mohammed VI, advised by France, Spain, and the United States, called up for new reforms to transform the regime into a constitutional monarchy. In addition, he tried to diversify his partners on the international scene, looking for new strategic allies for investment expansionism and for regional strength.

Since the year of its creation (1981) the Gulf Cooperation Council (GCC)¹⁴² has been attentive to any request for accession. It was only in 2011, in the wake of the Arab uprisings, that the GCC asked membership to Morocco and Jordan. What is important to highlight of those two countries is that they are constitutional monarchies capable of contain the 2011 uprisings. Beside this, other reasons pushed the GCC for choosing those two countries. Jordan has been chosen for the geographical proximity since it shares borders with Saudi Arabia, and because it had strong economic ties with the Gulf monarchies. On the other hand, Morocco had another story. Despite it is geographically distant from the GCC, it enjoyed strong attractiveness for its strategic position as a bridge between the Arab world and the West. Moreover, Morocco had strong interests in attracting investments from the Gulf monarchies to expand and boost its economy (Rousselet, 2014).

Stepping back in history, it is possible to remark that before the Arab movements, the Maghreb country which was in the orbit of the Gulf monarchies was Tunisia, up until when the direction shifted

¹⁴⁰ <https://thediplomat.com/2017/03/morocco-chinas-gate-way-to-africa/>

¹⁴¹ OEC, 2021. *Morocco's profile*. Online: <https://oec.world/en/profile/country/mar>.

¹⁴² GCC is a regional organization counting 6-member countries, Oman, Saudi Arabia, Kuwait, Bahrain, the United Arab Emirates and Qatar.

toward Morocco. Historically, the financial flows between Morocco and the Gulf were limited to very few estate investments, many of them financed by the Saudi princes, or through joint ventures, i.e., Moroccan Emirati company for development (SOMED) and the Moroccan-Kuwaiti development Consortium (CMKD). Those examples showed that the trade flows between Morocco and the GCC were not very valuable, although there was an increase in the share of the Foreign direct investments between 2003 and 2008 (Ibidem). Moreover, the economic relations between Morocco and GCC were mostly based on donations from which Morocco benefitted in 2002 for the development of infrastructure's system with the realization of the "Tangier Med" port where 300 million dollars were subsidized by the Abu Daby Fund for Development from Sheikh Zayed.

However, the spread of the "Arab revolutions" in 2011, as Barnett remarks, strongly contributed to changing the approach of the Gulf countries toward Morocco. Their actions were a component of a broader system of regional GCC activism, aimed at shaping political ties across the Middle East and North Africa (Barnett, 2013).

As far as Morocco is concerned, the GCC countries were motivated by the desire to strengthen and preserve the only Sunni monarchy in the Maghreb. Indeed, the fact that Morocco is a Sunni monarchy was very significant for the accession to the GCC namely because it represented possible realization of a Sunni Axis whose objective was "to counter the Shia threat or not" (Rousselet, 2014). In addition, other key reasons to pursue this cooperation were the possible establishment of links between the royal families of the Gulf and the Moroccan's one, as well as Morocco's strategic military power. Firstly, the Morocco's royal family has a symbolic role for the Arab world since they are descendants of the Prophet¹⁴³. This symbolic and religious references would have strengthened the ties between both royal families.

Secondly, from a more strategic point of view Morocco is considered not only a window on the Mediterranean basin and on the Atlantic Ocean, but also a strategic military partner with strong mobilizing military forces. As it has been remarked by (Louer, 2013, p. 245-260) Morocco would serve as a great source of trained "Sunni manpower" in the coup-proofing strategies. Morocco has professional military and security supplies that could improve the skills of the GCC Peninsula Shield Forces (El-Katiri, 2011). The usage of new military forces would help to decrease the structural weakness of GCC armies, sometimes unequipped of human resources to protect their vast territories and strategic sea routes. The power and capacity of the Moroccan military forces and their combating

¹⁴³ The Alawite dynasty is "Cherifian" namely descendant of Muhammad through his daughter Fatima, via one of her two grand-sons Hassan and Hussain.

skills are well recognized and respected among the GCC countries. Indeed, Morocco enjoys strategic tactics and rules from its operational experience nationally and internationally (Ibidem).

On the other hand, Morocco's interest for the Gulf monarchies was moved by strategic goals, namely obtaining official support to its involvement in the Western Sahara conflict. King Mohammed VI certainly wanted to deepen his strategic relationship with the GCC to strengthen Morocco's regional political power and the geopolitical framing of its conflict with oil-rich neighboring Algeria. The latter has used its oil capital to increase its defense spending and diplomatic offensive to support Polisario separatists and their claims for the secession of Moroccan-controlled Western Sahara. As matter of fact, Morocco has been trying to keep up with the Algerian military spending spree and to balance its power in the Maghreb. Boukhars affirms that deepening political and economic relations with the GCC countries will bring to a major diplomatic, political, and economic strength (Boukhars, 2011).

Economically speaking, as it has been noticed by (Srour-gandon, 2014, p. 4) for its part, Morocco saw an opportunity to strengthen economic ties with the GCC countries by establishing a strategic partnership. Despite Europe remained the largest trade partner and biggest source of foreign direct investment (FDI), tourist arrivals, and migrant remittances for the Maghreb, European's economies have been stagnant; firstly, with the 2008 recession and then with a GDP contraction in 2012¹⁴⁴. Furthermore, Europe also imposed austerity policies and cutting foreign spending. As consequence of this, many of the Maghreb governments were seeking new economic partners (Barnett, 2013).

Indeed, by associating with the financial powers of the GCC, the Kingdom of Morocco could both play the role of a bridge to the EU and, above all, offer access to the countries of sub-Saharan Africa. It is in this context that in mid-October 2012, the King of Morocco made an official visit to Saudi Arabia, the United Arab Emirates, Kuwait, and Qatar. As a result of this visits, the Kingdom obtained investments counting more than 5 billion dollars over the 2012-2016 period in the industry, tourism, agriculture, and energy sectors but also in socio-economic areas aimed at fostering youth employment.¹⁴⁵

Moreover, to crown this strategic rapprochement, Morocco signed a framework cooperation agreement with the GCC in 2012 aimed at strengthening trade, attracting investors (reduction of tariff

¹⁴⁴ In the first three months of 2012 the eurozone economy fell, but then in the second quarter of the year it contracted by 0.2% and it shrank by 0.1% in the third quarter. The GDP numbers pushed the euro lower. It fell to a three-week low against the US dollar of \$1.3320 (Business, 2013).

¹⁴⁵ <https://www.thenationalnews.com/thenationalconversation/comment/moroccos-visit-to-the-gcc-further-its-strategic-shift/>

barriers) and defining priority areas (transport, new technologies, renewables, chemicals and pharmaceuticals). The agreement provided for the establishment of a joint commission bringing together the Moroccan Ministry of Foreign Affairs and the General Secretariat of the GCC to supervise the progress of investments as well as the creation of a bank of facilitating investors' access to key Moroccan sectors¹⁴⁶. The agreement also aimed at ensuring the development of cooperation between specialized financial institutions. Furthermore, the Qatar Investment Authority signed an agreement with the Moroccan government to consolidate infrastructure and strengthen the country's economy in December 2013. At the end of 2011, a \$3.4 billion investment fund, Wessal Capital, was created jointly by Kuwait Investment Authority, Qatar Holding, the Abu Dhabi Aabar fund and the Moroccan Fund for Tourism and Development. This fund was announced on 12 May 2014, and it would invest \$1.10 billion in tourism infrastructures (Srouer-gandon, 2014, p. 6-7).

Then, at the 5th meeting of the Morocco-Qatar High Joint Commission in March 2014 (Rabbah, 2021), the head of government, Abdelilah Benkirane, indicated the positive evolution of bilateral cooperation, notably thanks to the development of several essential sectors such as culture, justice, employment, tourism, and crafts. The monarchies strongly supported the renovation of heritage in Morocco such as the conservation of Islamic heritage and the renovation of the port of Casablanca¹⁴⁷. Consequently, the presence of the GCC countries in areas where the influence of the European Union was traditionally predominant, such as in culture and tourism, constituted a possible threat for the EU-Morocco relations.

However, theoretical challenges and political heterogeneity and economic divergences made this membership far from being achieved (Rousselet, 2014, p. 4-5). Indeed, Morocco and the GCC countries present very different economic structures, the latter are rentier states whose revenues come from the oil and they are strongly committed to investments. While Morocco is not an oil country, and its GDP is mostly based on its revenues from taxes. Furthermore, other two problems obstacles this membership. Firstly, the geographical distance would be problematic for the establishment of a trade area, secondly the societal choices in relation to the place of religion. Indeed, the Gulf monarchies are based on a strict reading of Islamic law, while Morocco has chosen the formula of “moderate Islam” (Ibidem:6).

For the following reasons Morocco decided to establish a privileged partnership rather than a membership. The justification was also the result of Morocco's intention to reaffirm its “Maghrebi belonging” (Rousselet, 2014) and to respect the South-south cooperation based on regional and

¹⁴⁶ Supra.

¹⁴⁷ <https://lematin.ma/journal/2021/maroc-qatar-determine-renforcer-cooperation/359113.html>.

geographical coherence and by its intention to maintain a neutral position in the GCC's conflicts. As clearly Martinez points out, when the diplomatic crisis with Qatar¹⁴⁸ emerged, it has led to a great ferment for the Moroccan government (Martínez, 2017). King Mohammed VI neither wanted to be involved in this conflict, nor lose ties with any of the parties, and it is for this reason that he decided to remain neutral, and to act as a mediator. Indeed, when few days after Saudi Arabia, Bahrain, the United Arab Emirates, Egypt, Libya, and Yemen ceased relations with Qatar, the king of Morocco decided to send airplanes providing help. However, it is important to mention that while Mohammed VI has helped the Doha government to face the blockade from its neighbors, he has kept his relationship with the Saudis, by imposing his role as a neutral and pacific actor (Ibidem).

Clearly, Morocco has always been vigilant toward its independence and aware of losing autonomy in any international arrangements. Indeed, despite Saudi Arabia has been insisting for Morocco and Jordan to join the GCC since 2011, Rabat has not advanced from its neutral position. King Mohammed VI recognizes the importance of the money and political support of the Gulf monarchies, but at the same time he does not want to be subjected to the Saudi power and get involved in possible controversies (Ibidem).

Recently, as highlighted by Jacobs, important regional developments have strengthened the Moroccan economic and political relations with the Gulf Arab states (Jacobs, 2020). On the 28th of October 2020, the United Arab Emirates announced that it would open a consulate in the contented territory of Western Sahara, de-facto under Morocco's control. Indeed, Rabat's main foreign policy priority is to increase the international recognition for its control over the Western Sahara territories, and the opening of the UAE consulate in Laayoune¹⁴⁹ was considered a great improvement for Morocco's legitimization of the territory.

This represented a great diplomatic achievement for Morocco as well as a sign of stronger relations with the UAE. Indeed, two questions explain the Moroccan's stronger rapprochement toward the UAE: firstly, two weeks earlier the Kingdom of Morocco supported the Saudi-led boycott of Turkish products announced by the head of the Saudi Chamber of Commerce, Ajlan al-Ajlan:

¹⁴⁸ The Qatar Diplomatic Crisis began on June 5, 2017, when Saudi Arabia, the United Arab Emirates, Bahrain, and Egypt with the interruption of diplomatic relations with Qatar and forbid Qatari-registered aircraft and ships from using their airspace and sea lanes. Arabia blocked Qatar's only land passage. The Saudi-led coalition cited Qatar's alleged support for terrorism as the main reason for their actions, claiming that Qatar had violated a 2014 agreement with members of the Gulf Cooperation Council (GCC), of which Qatar is a member. Saudi Arabia and other countries have criticized Al Jazeera and Qatar's relations with Iran.

¹⁴⁹ It is a city in the Western Sahara region, currently controlled for the most part by Morocco and disputed with the Sahrawi Arab Democratic Republic.



عجلان العجلان
@ajlnalajlan

المقاطعة لكل ما هو تركي، سواء على مستوى الاستيراد أو الاستثمار أو السياحة، هي مسؤولية كل سعودي "التاجر والمستهلك"، رداً على استمرار العداء من الحكومة التركية على قيادتنا وبلدنا ومواطنينا،

11:27 PM · 2 ott 2020 · Twitter for iPhone

(Ajlan al-Ajlanon Turkish boycottage. Source : <https://twitter.com/ajlnalajlan/status/1312142156513964033?s=20>)

Therefore, Rabat raised taxes on the imported Turkish goods by up to 90% in response to the hostilities of the Turkish government. However, Morocco's decision has been considered as independent from the Saudi-led Boycott and related to Morocco-Turkey trade imbalances and the need for a new trade agreement (Allouche, 2020). Secondly, the possible realization of UAE's desire to push Morocco toward the normalization of relations with Israel. Indeed, in 2019 Morocco's foreign minister seemed to have met to discuss about normalization with Israel's Prime minister, although it has been denied soon by the Moroccan Government and explained that Morocco was offered help regarding Iran (Staff, 2019).

Overall, while Morocco decided to maintain an official neutral position in the Gulf dispute, as we have seen in the Qatar's diplomatic crisis, and to strengthened economic ties with Saudi Arabia, the UAE and Qatar, it appears clear that it is aligning more with the Saudi-UAE axis because of their reciprocal strategic interests.

As far as Saudi Arabia is concerned, international observers (Kilani & Cafiero, 2021) have perceived a rift between Morocco and Saudi Arabia in the period from 2017 to 2020 due to different reasons. Firstly, the strong Morocco-Qatar relationship among other sensitive issues. Secondly, tensions between the Abu Dhabi-Riyadh alliance and Rabat have been further accentuated by both Morocco's exit from the Saudi-led Arab coalition in Yemen in February 2019 and the Emirati and Saudi media surprising reporting on the Western Sahara conflict.

However, the recent regional and global scenario is more inclined to a rapprochement. Signs of improvement of Morocco's relations with Saudi Arabia have been remarked since February 2020 when President of the Saudi Consultative Assembly Abdullah Ibn Muhammad Al-Sheikh visited Morocco to discuss the means of improving Moroccan-Saudi relations. The same month, Nasser Bourita, went to Saudi Arabia with King Mohammed VI's advisor, Fouad Ali El Himma. Notably, Morocco's enhanced ties with Abu Dhabi and Riyadh without going against Rabat's relations with Doha (Kilani & Cafiero, 2021).

Moreover, in December 2020, Morocco became the fourth Arab state to announce its plans to formalize diplomatic relations with Israel. This development was a good sign for a continuation of improvements in Rabat-Abu Dhabi relations. Indeed, Morocco followed Bahrain, Sudan, and the United Arab Emirates in easing its relations with the Jewish state as consequence of a major foreign policy effort of the Trump administration promising the recognition of the kingdom's sovereignty over the long-disputed territory.

Finally, in the first months of 2021 the al-Ula¹⁵⁰ GCC Summit was held, and it stressed the importance of the special strategic partnership between the GCC and the Kingdom of Morocco by highlighting Morocco's interests with all Gulf monarchies but without its involvement in such a polarized sub-region. Like Algeria and Tunisia, Morocco recognized that a strong GCC would be important for its interests. Moreover, Morocco, within its inclusive and dialogical nature, has been a strong supporter of diplomatic measures aimed at improving stability and decreasing polarization in the Gulf since for Rabat, a strong and unified GCC is important for the common interests (Ibidem).

2.4.2. *China's interests in the MENA region: focus on Morocco.*

As already stated in Chapter 1.1.3, the Mediterranean has become a global sea with the presence of new global actors. One of them is China that with its ambitious project the *Belt and Road Initiative* (2013)¹⁵¹ is considered the second largest trading partner after the European Union. The BRI was aimed to connect China, the Middle East and Europe through economic and cultural corridors. When it was launched in September 2013 by the Chinese President Xi Jinping, it initially did not consider most MENA countries. As the initiative advanced, however, more and more countries were included in this project because of their importance as a suppliers of energy products and because of their strategic geographical location.

As result of the Chinese's government intention to make the MENA region and the Maghreb an integral part of the BRI¹⁵², many countries among which Algeria, Tunisia and Morocco strengthened their relations with the big giant. President Xi presented the Chinese's new approach toward the

¹⁵⁰ The 41st Gulf Cooperation Council Summit held on January 5, 2021, in the Saudi city of al-Ula, brought the blockade of Qatar to an end. The summit's final communication stated that the GCC member states will "stand together as one to confront any threat to the security of the block" and prevent any "violation of sovereignty of any member state". Online: <https://www.dohainstitute.org/en/PoliticalStudies/Pages/The-Gulf-Reconciliation-Summit-Circumstances-and-Significance-of-its-Timing.aspx>.

¹⁵¹ <https://www.beltroad-initiative.com/belt-and-road/>

¹⁵² China and the Maghreb, *Chatham House*. Online: <https://www.chathamhouse.org/2020/02/expanding-sino-maghreb-relations/2-china-and-maghreb>.

region following the known “1+2+3” cooperation pattern¹⁵³. The “1” represents the main path of collaboration which is the energy sector. The “2” refers to the infrastructure building, trade and investments aimed at collaborating with the Arab states for a better improvement of the living conditions. The “3” englobes the three high-technology fields of nuclear energy, space satellites and renewable energy.

Zoubir remarked that China’s involvement in the MENA region is not a new phenomenon. Algeria is one of the countries with oldest relations with it, while Morocco and Tunisia only established diplomatic ties in 1958 and 1964. During the Cold War Morocco, under King Hassan II (1961 -1999), showed more interest compared to Tunisia toward the communist China, then pursued by King Mohammed VI since he visited China in 2016, representing another Morocco’s big change of direction toward new partners (Zoubir, 2020).

In the last two decades, China’s interest toward the MENA region, especially toward Morocco and Tunisia has mainly been centered on the economic field. Indeed, the Maghreb region, within a market value of over 100 million people¹⁵⁴, is considered important because of its position at the northern gateway to the African continent.

Nevertheless, China must deal with the strong EU competition in these countries. Indeed, years of cooperation and agreements separates China from the desire to take the EU’s place. For instance, the EU signed association agreements with Tunisia in 1995 and with Morocco in 1996 and it has remained the larger trade partner in the region. Zoubir explains that the narrow amount of Chinese direct investments reflects the general scarcity of investment experience of the Chinese enterprises in the region, which has been one of the challenges for the Morocco and China’s cooperation in particular in the production of energy (Zoubir, 2020, p. 10).

Despite the first scarce results, Morocco and Tunisia have strengthened their relations with Beijing by establishing strategic partnerships respectively in 2016. This rapprochement was motivated not only by economic and strategic interests, but also by the fact that Chinese’s approach was meant to reach equal partnership, mutual benefits and non-interference in each other’s international affairs, elements which have been reprimanded to the western partners. As Fulton claims, China does not carry the same political approach used by many western countries like the United States or former colonial powers. Therefore, China has been pursuing strategic ties with Israel and Palestine, the Saudi Arabia, Iran and the Emirates and Qatar. Chinese leaders’ strategy is aimed at insisting that the BRI

¹⁵³ Supra.

¹⁵⁴ <https://blogs.imf.org/2019/04/23/expanding-trade-across-the-maghreb/>.

is an inclusive initiative. Indeed, framing the BRI allows China to widespread its presence in an competitive environment without being involved in political and security interests (Fulton, 2019).

Furthermore, what distinguishes China from the western countries was the fact that it was more inclined to the promotion of “development peace” rather than the West’s “democratic peace”, pointing out that among the main causes of the regional insecurity of the MEDA area, there were also “the economic downsizing, high unemployment’s rates, population growth and brain drain” to be considered (Redaelli, 2021, p. 13-14).

Overall, what is interesting to notice is that China has established with the Maghreb countries partnership diplomacy rather than alliances. In such case, both sides agree to cooperate in areas of common interests by remaining at the same time competitive. As highlighted by (Fulton, 2019, p. 9) China uses such strategic partnership as a “hierarchical range of relations”, from a “friendly cooperative partnership” to a “comprehensive strategic partnership” and as visible in **Table 2** (“Quick Guide to China’s Diplomatic Levels”, 2016) each level has different priorities.

Table 2: Hierarchy of Chinese Partnerships

Partnership	Priorities
Comprehensive Strategic Partnership	Full pursuit of cooperation and development on regional and international affairs
Strategic Partnership	Coordinate more closely on regional and international affairs, including military
Comprehensive Cooperative Partnership	Maintain sound momentum of high-level exchanges, enhanced contacts at various levels, and increased mutual understanding on issues of common interest
Cooperative Partnership	Develop cooperation on bilateral issues, based on mutual respect and benefit
Friendly Cooperative Partnership	Strengthen cooperation on bilateral issues, such as trade

Source: “Quick Guide to China’s Diplomatic Levels,” *South China Morning Post*, January 20, 2016, cited in Fulton, 2019)

Indeed, the Chinese’s approach in the region has been attractive for many Maghreb countries, especially in a conflictual political context. The Arab uprisings and the fall of some regimes in the region, in many cases sustained by the western allies, made China’s policy interesting. Indeed, China has demonstrated to the Maghreb countries to follow a different approach compared to that of the Western countries in the region, since it was not ment at imposing its own political, economic, and cultural system (Zoubir, 2020, p. 11).

Morocco with its strategic position as a natural bridge between West and the Arab world and its attitude as a pro-western state, is considered a valuable asset for China, becoming the most legitimate country in North Africa to receive Chinese investments. The port of Tangier is the third most important in the world after Shanghai and Panama and it represents a strategic spot for Beijing since the objective is first and foremost Mediterranean, to push the Silk Roads to bring investments from Africa to Europe. However, the Morocco-Chinese relationship is not new. It dates to November 1958, when Morocco was the only second country in Africa to recognize the People's Republic of China¹⁵⁵.

Furthermore, their relations have been strengthened by numerous reciprocal official visits during which agreements were signed¹⁵⁶ and where they agreed on policies of non-interference in domestic affairs, win-win co-development, equality, and stability. Moreover, China has also supported the regime in stabilizing the 2011 uprisings (Ibidem).

In 2016, Chinese President Xi Jinping and Moroccan King Mohammed VI have signed a joint communiqué on the establishment of a strategic partnership between both countries. As (Guerraoui, 2016) reports, the building of a strategic partnership represents a landmark in the development of bilateral ties. President Xi recalled that China has always considered the Sino-Moroccan relations important, and it considered Morocco as a key and strategic regional partner. As matter of fact, the two countries will increase exchanges between their heads of state, government leaders and officials, strengthening communication and coordination on strategic issues and promoting cooperation and exchanges between legislative bodies and political parties¹⁵⁷.

Firstly, the main initiative of the agreements was the announcement of Chinese's citizens no longer needing visas to travel to Morocco. Furthermore, both sides recognized the respect for the sovereignty and territorial integrity of all countries, assuring the support of each other's efforts to maintain regional peace and stability¹⁵⁸. Indeed, both call for a peaceful resolution of international and regional crises and disputes. They oppose to the involvement in other countries' affairs, and they condemn the use of force and terrorism in all its forms. Both want to strengthen cooperation in areas such as, agriculture, environmental protection, fisheries, infrastructure construction and digital communication, expand cooperation in renewable energy and develop a partnership in industry, metallurgy, and electronics. Moreover, China would help in Morocco's industrial recovery program

¹⁵⁵ <https://thediplomat.com/2017/03/morocco-chinas-gateway-to-africa/>

¹⁵⁶ In 2002 with King Mohammed VI's visit to China, both countries signed agreements on economic and technological cooperation, environmental protection, social development, health, tourism, and employment.

¹⁵⁷ <https://thearabweekly.com/morocco-establishes-strategic-partnership-china>

¹⁵⁸ Supra.

and encourage its companies to take part in infrastructure construction projects ¹⁵⁹ in the country. It would also strengthen military exchanges and cooperation in tourism and education.

Finally, Morocco's strategic partnership with China (2016) was a sign that the North African Kingdom is approaching to other political and economic partners far from its traditional markets, which had been mainly the European Union. However, as reported in **Table 3** (Changes, 2018) since 2016 there has been registered a weak increase in trade between China and Morocco, despite Chinese exports have risen. In 2018 the increase has been major with a risen of 10% of Chinese share of Morocco's total imports, while the Morocco's export to China have been low. This showed that the EU has remained the predominant Morocco's trading partner registering more than half of Morocco's imports and around two-thirds of its exports.

Table 3: Morocco-China trade, 2014-2018.

(\$ billion, unless stated)	2014	2015	2016	2017	2018
Imports from China	3.51	3.14	3.81	4.08	5.04
Total imports	46.54	38.12	41.86	45.20	51.25
Imports from China/total (%)	7.5	8.2	9.1	9.0	9.8
Imports from EU	23.93	20.36	23.33	25.72	28.64
Imports from EU/total (%)	51.4	53.4	55.7	56.9	55.9
Exports to China	0.27	0.24	0.23	0.31	0.27
Total exports	23.89	22.33	23.01	25.67	29.32
Exports to China/total (%)	1.1	1.1	1.0	1.2	0.9
Exports to EU	15.13	14.23	14.97	17.07	19.45
Exports to EU/total (%)	63.3	63.7	65.1	66.5	66.3

Source: (Changes, 2018) available at: [https://www.oc.gov.ma/sites/default/files/2019-07/Rapport%20BC 2018.pdf](https://www.oc.gov.ma/sites/default/files/2019-07/Rapport%20BC%202018.pdf)

Nevertheless, since 2018 the Direct investments by China in Morocco have increased. Some thirty Chinese companies have been established (to be compared however with the 900 French companies established), notably in the telecommunications, IT, and automobile sectors. In addition, tourism flows have increased since the abolition of visas after the 2016 royal visit, with the number of Chinese tourists rising from 10,000 in 2015 to over 200,000 in 2019. However, the highest point was reached in April 2019, when BMCE - Morocco's main bank and among Africa's most important - and China Communication Construction Co. signed a memorandum committing the two parties to the construction of Tangier Tech Mohammed VI, a project already announced by the Moroccan King in

¹⁵⁹ The Chinese hi-tech industrial zone in northern Morocco is the most ambitious project. It aims at establishing the Mohammed VI Tangier tech City worth 10 billion dollars and aimed at capitalizing on Tangier's proximity to Europe.

2017. It is a business center with high-tech port logistics facilities that covers a total of 2,000 hectares of land and expected to create 100,000 jobs¹⁶⁰.

Despite these significant improvements, some obstacles persist. Firstly, the language remains obviously a barrier as the MENA countries are usually more familiar with Western languages and culture, and because of constraints due to integration.

As Zoubir recognizes, the Chinese enterprises' integration into an already established European industrial chain in Morocco results difficult. Particularly, the emerging Chinese enterprises must cope with an already settled French industrial system (Zoubir, 2020). However, they are not familiar with this model since they are used to deal with the industrial system of Northern America and Eastern Asia. Furthermore, the other obstacle is the inefficiency of the Morocco's government, the restrictive business law, and low levels of human capital (Ibidem).

As highlighted¹⁶¹, there are several fields in which China's engagement with the MENA countries will have relative effects for EU's economic and security interests in the medium and long term. As a model of non-democratic influence and economic development in the region, China is slowly turning into a competitor of the West. Its economic influence on the region has the power to challenge that of western actors like the United States and Europe. MENA countries, particularly those affected by difficult domestic situations, will need Chinese grants for the development of critical infrastructure and to improve weak sectors. As matter of fact, it is important for the European Union to acknowledge this change, the presence of a new and big global actor as China with also a strong interest toward Europe, as well as the need to monitor China's economic and security presence there and find new strategies to deal with it on MENA's affairs. Indeed, with this approach it would help them to persuade Beijing supporting a stable multilateral framework that protects European interests (Lons, Fulton, Sun, & Al-Tamimi, 2019). Furthermore, it is therefore up to Europeans to reinvent their relationship with countries like Morocco, strengthening bilateral and regional relations. Otherwise, China could in the long term become the leading economic power in the Mediterranean region and consequently have a soft power that destabilizes European interests.

Indeed, recently, there has been another example of possible threat to the EU-MENA'S relations. The double impact of the COVID-19 pandemic and oil price crisis could also likely affect the relationship

¹⁶⁰Chinese CCCC & CRBC companies take over construction of industrial hub near Tangiers, the North African Post, 29 April 2019. Online: <https://northafricapost.com/30377-chinese-cccc-crbc-companies-take-over-construction-of-industrial-hub-near-tangiers.html>.

¹⁶¹China's great game in the Middle East, *European Council of Foreign relations*, 2019. Online: <https://ecfr.eu/publication/china-great-game-middle-east/>.

between the MENA countries and China. China is using the COVID-19 pandemic to expand its influence in the region through the strategy of “mask diplomacy”¹⁶². Indeed, since the beginning of the pandemic in the MENA, Beijing has sent assistance to some countries of the region and therefore MENA’s ruling elites have been expressing their gratitude and recognition for Chinese generosity (Sidło, 2020).

Specifically, Morocco, as accorded on July 7th, 2021, aims to produce the anti-Covid vaccine at home¹⁶³. It is King Mohammed VI who signed the agreements to launch the project. The result of a public-private agreement, the trial that counts on the collaboration of the Chinese National Pharmaceutical Group (Sinopharm) aims to produce "in the short term" 5 million doses of vaccine per month, to gradually double the production capacity in the territory.

This “Chinese-Morocco sanitary partnership” would have different advantages for both countries, as Ziccardi noticed: As far as China is concerned, this agreement consolidates the direct strategic presence of the Chinese pharmaceutical giant in Morocco, providing for the transfer of technologies and know-how of the Sinopharm (Ziccardi, 2021). From the other hand, besides economic advantages, production of the Chinese vaccine in Morocco could enable the Rabat government to gain prestige and assume a more solid position in Africa, especially in terms of diplomacy, responding to Mohammed VI's desire to give his kingdom soft power capabilities in the south. It is a significant change in status that could enable Morocco to confront the ambitions of neighboring Algeria more assertively, which is also interested in increasing its influence in the Sahel and West Africa (Ibidem).

3. Migration routes towards the Western Mediterranean: a new challenge for EU-Morocco’s relations.

Preamble

As the great French historian Fernand Braudel described, the Mediterranean has been considered an endless basin mediating between opposite shores, and which has been therefore the center of dialogue and pluralism of civilizations. People have crossed it to settle on its shores, but many, have traversed it to flee from wars, persecution, and famine. The migrants, whose terrible life conditions have pushed

¹⁶²The Chinese Belt and Road Project in the Middle East and North Africa, 2020. Online: <https://www.iemed.org/publication/the-chinese-belt-and-road-project-in-the-middle-east-and-north-africa/?lang=ca>

¹⁶³https://www.ansamed.info/ansamed/it/notizie/stati/marocco/2021/07/07/coronavirus-marocco-pronto-a-produrre-vaccino-cinese_dab45e9a-2c9b-4f56-87bd-4a68755d1e73.html.

them to escape from their land of origin to find a better future elsewhere, travelling across the Mediterranean to reach Europe through journeys that reveal to be dangerous and sometimes fatal.

Every year many thousands of refugees and migrants continue to risk their lives on dangerous travels, most of the time organized by smugglers and traffickers, leaving from sub-Saharan African countries crossing North Africa in the hope of reaching European coasts through the Mediterranean Sea. In fact, many African countries, especially sub-Saharan ones, are still experiencing an era of demographic boom; poverty, scarcity of natural resources, water in particular and, because of a multitude of reasons, including the three above, conflicts and wars of all kinds are increasing. Recently, the phenomenon of migration has increased particularly also because of the outbreak of civil wars and above all the Syrian war. Specifically, the economic and social situation in sub-Saharan Africa is characterized by a very low level of per capita income and a very high poverty rate. In addition, as highlighted by (Barros, Lahlou, Escoffier, Pumares, & Ruspini, 2002), there is a strong imbalance in external trade, with Africa exporting mainly raw materials and unprocessed products, as well as mass illiteracy and under-education, which are worsening the current situation of underdevelopment.

Generally, Frontex reports that the mostly used Mediterranean route to reach Europe, until 2017, was the Central one¹⁶⁴. Indeed, in 2016 around 181.376 migrants crossed the Central Mediterranean route departing mostly from Libya. From 2017 the situation ameliorated thanks to the establishment of the EU-Turkey¹⁶⁵ agreement for migration management¹⁶⁶. However, since 2018 the number of migrants crossing the Central Mediterranean dropped significantly, although data have showed an increasing number of migratory flows in the Western Mediterranean waters. Such decrease is the consequence of new measures to restrict irregular migratory flows adopted by European Member States, within an increased cooperation with Libya, which is considered the main boarding country for the Central Mediterranean migration route.

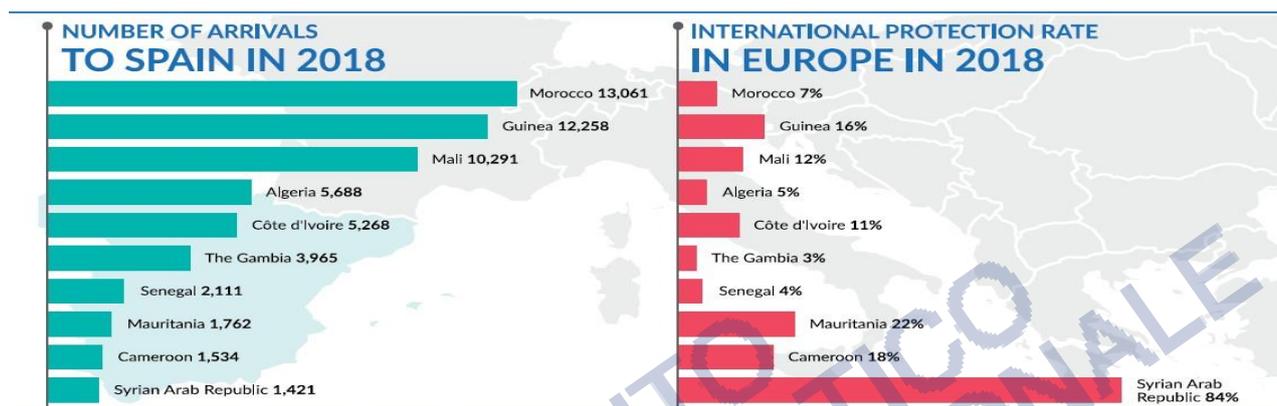
Indeed, in 2018, the Western Mediterranean route from Morocco to Spain became the main gateway to Europe. As the (UNHCR, 2019) clearly reported, more and more people, at the beginning of the 2018, have entered Europe through Greece than through Italy or Spain, because of an increase since 2017 in the numbers crossing the land border from Turkey. Most people who arrived in Greece were from Syria, Iraq, and Afghanistan and many of them were looking for international protection. In the

¹⁶⁴ <https://frontex.europa.eu/we-know/migratory-routes/central-mediterranean-route/>

¹⁶⁵ On March 18, 2016, the European Council and Turkey reached an understanding to stop the flow of irregular migration via Turkey to Europe. According to the EU-Turkey statement, all new irregular migrants and asylum seekers arriving from Turkey to the Greek islands and whose asylum applications have been declared inadmissible are to be returned to Turkey. Online: <https://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-eu-turkey-statement-action-plan>.

¹⁶⁶ <https://frontex.europa.eu/we-know/migratory-routes/central-mediterranean-route/>

second half of the year, fewer Syrians arrived by sea in Greece, accounting for only 14% of all arrivals by sea in comparison to 38% in the first six months. Meanwhile, the number of people crossing the sea to Spain increased from May 2018 onwards, with more than 10,200 arrivals in October, which made Spain the main gateway to Europe in the second half of the year. Among the arrivals there were many Moroccans but also people from Guinea and Mali.



Graph 2: International Protection rates of arrivals to Spain in 2018

(Source: Routes towards the Mediterranean: reducing risks and strengthening protection, UNHCR 2019).

Likewise, according to Frontex risk analysis for 2019¹⁶⁷ the number of illegal migrants choosing the Central Mediterranean route decreased shifting the attention onto the Western Mediterranean, where in 2018 in particular Moroccan and Sub-Saharan migrants crossed the Strait of Gibraltar or the Alboran Sea in massive flows, making the Western Mediterranean route the first migration route used to reach European coasts. To cross the Strait the migrants chose very dangerous travel systems, they are transported in small fishing vessels used to move them from Moroccan waters to the Spanish ones.

Moreover, as we can clearly understand, Morocco thanks to its geographical position has been used as a country of departure for more than half of the migrants that have headed to the Canary Islands on the Western African route. The migrants who come from sub-Saharan countries usually use different land routes to Algeria and Morocco and from there they try to reach Spain by sea. Firstly, from West Africa they pass through Agadez, Niger's largest city, to reach Morocco and Algeria. Secondly, they use the Sahara Desert to reach Morocco while sometimes using an alternative route across Mali although it is considered very dangerous.

Understandably, Morocco plays an important role in the migratory routes. It is considered both a country of origin and transit for migrants, becoming the main point of departure towards Europe, with 41,861 arrivals in 2020 (including 1,535 arrivals by land in the Spanish enclaves Ceuta and Melilla).

¹⁶⁷ https://frontex.europa.eu/assets/Publications/Risk_Analysis/Risk_Analysis/Risk_Analysis_for_2019.pdf

An increasing number of young Moroccans are leaving the country by sea to escape socioeconomic difficulties, while growing sub-Saharan people are using it as a transit country to access the European continent (UNHCR, 2020).

However, since the creation of the EU and especially soon after the implementation of the Schengen agreement, the EU has been working on the freedom of movements and security, making immigration one of the priority issues of EU's foreign policy. Indeed, several initiatives have been taken, such as Frontex (The European Border and Coast Guard Agency) aimed at promoting and coordinating border management following the respect of EU fundamental rights charter. Moreover, different European operations have seen the day to fight against illegal migration and to grant border control with European and non-European bordering countries.

Since 2020, the number of arrivals has increased dramatically and is now about 10 times higher than in the same period last year. Unfortunately, such increase in arrivals is partly due to new COVID-19 restrictions decided by many African countries, which have impeded movement through the traditional migration routes and worsened social and economic conditions in many countries of origin¹⁶⁸. As remarked by the Frontex Migratory Map¹⁶⁹ for the period 2021 (January-June) the number of illegal migrants using the Western Mediterranean route has reached 5.720 with 3 top countries of origin: Algeria, Morocco, and Mali.

Nevertheless, soon after the large increase of migratory arrivals on the Western Mediterranean route in 2018, the European Union has issued several initiatives with partner countries, especially transit countries, including intensified cooperation with Maghreb, such as in the case of Morocco. The fields covered by the cooperation with Morocco include the security-borders management, socio-economic integration, the institutional support, and cooperation to grant protection and rights of migrants. Specifically, Morocco has always been engaging with migration and emigration policy. Indeed, efforts to regulate international migration have been leading to a Euro-Mediterranean dialogue where Morocco, as a country of origin, transit, and destination, plays an important and strategic role. More than ever, its geographical proximity to Europe and its long-lasting relations with the latter would help them to develop different strategies to cope with the illegal migration flows that are provoking many victims every year in the Mediterranean.

¹⁶⁸ <https://www.consilium.europa.eu/en/policies/eu-migration-policy/western-routes/>

¹⁶⁹ <https://frontex.europa.eu/we-know/migratory-map/>

The key EU objective at the 1999 Tampere Summit on Justice and Home Affairs (JHA)¹⁷⁰ highlighted the necessity of a comprehensive approach and a closer dialogue with countries of origin and transit. With the Barcelona declaration (1995), Morocco benefitted of 40 million euros for the management of border controls and migration flows. However, the European Mediterranean policy did not improve the situation as expected, therefore the European Neighborhood Policy (ENP) thought the 2005 Action Plan put more the accent on the migratory question with the externalization of the European migration policy. Moreover, the following years have been marked by the introduction of new initiatives among which the Rabat process (2006) and the Mobility Partnership whose most ambitious project, the European readmission agreement (EURA) with Morocco, has been challenged by its bargain approach. From one hand, due to the implementation costs and from the other hand the TCN clause strongly debated by Morocco that feared the threatening of its relations with the Neighborhood African countries.

Furthermore, Morocco has been at the center of the migratory crisis of Western Mediterranean toward Spanish enclaves. As it has been pointed out by (Brenner, Forin, & Frouws, 2018) since many Moroccans are among the main arrivals in Spain, this could be a sign that Morocco, the boarding country for the Western Mediterranean route, has purposely been relaxing the control on migration outflows or it has been using this strategy for territorial revindication over the Western Sahara. Many situations have showed Morocco's relaxation of its borders for its nationals and third countries nationals. This strategy has been seen as a Morocco's attempt to instrumentalize migration to achieve its own diplomatic interests, i.e., the revindication over the long-contested territories in the Western Sahara and over the Spanish enclaves of Ceuta and Melilla. Indeed, recently this has led to a true "Spanish-Moroccan" migratory crisis in the Western Mediterranean, namely in the two Spanish enclaves, counting many young victims. This has been mainly provoked by Morocco's contestation against the treatment of the leader of the Polisario Front in Spain and the lack of the EU position in the Western Sahara question. However, the response by the European Commission has been firm: "No one can intimidate or blackmail the European Union," remembered Margaritis Schinas¹⁷¹, denouncing that migration cannot be instrumentalize for satisfy diplomatic interests.

Overall, two question rise spontaneous; what has been the EU reaction? And how will be the EU - Morocco's future relations? this situation has made Europe understand that it is necessary to do more in the field of immigration, to make agreements with transit countries, and to reach a new pact to

¹⁷⁰ https://www.europarl.europa.eu/summits/tam_en.htm#c

¹⁷¹ Schinas, M. (2021, May 19). Interview: La UE advierte a Marruecos: "Europa no se dejará intimidar". (I. A. me, Intervistatore). Available online: <https://www.rtve.es/play/audios/las-mananas-de-rne-con-inigo-alfonso/margaritis-schinas-europa-marruecos-chantaje-migracion/5908078/>.

regulate migration with neighboring countries, as well as taking a position over the Western Sahara conflict which could favor both itself and its relations with one of its closer trade partners, Morocco.

3.1. Morocco as origin, transit and receiving country: central actor in the regulatory framework of Euro-Mediterranean migration.

To understand the migration management in the Mediterranean between the EU and Morocco it is important to present an overview of the historical patterns of migration in, to and from Morocco.

Since its independence, Morocco has been considered a country of emigration because of the convergence of needs between European countries, especially Belgium and France and its economic and social interests (Lahlou, 2015). Indeed, the cultural, economic, and political heritage of the colonial period have played a major role shaping the principal destination of the emigrations' flows, making France the most chosen one¹⁷².

The 20th century saw many Moroccan nationals moving to Europe and to North America. Migration flows to Europe have been ongoing until restrictions were imposed on labor migration to Western Europe in the mid-1970s. Indeed, the Moroccan diaspora headed primarily to northwestern Europe, where countries such as France, Germany, the Netherlands, and the United Kingdom were experiencing great economic development, a period known as the Golden Age of Capitalism¹⁷³. However, the subsequent slowdown of western countries' economic growth due to economic stagnation, did not particularly affect Moroccans' motivation to emigrate; in fact, in 1972 Moroccan emigration reached its highest point (Haas, 2007). Indeed, the 80's saw a growing number of new arrivals in Europe where settled Moroccan communities increased mostly due to family reunification and family formation.

Furthermore, from the 1980 to the late 2000s, the destinations of Moroccan migration flows diverged. If at the beginning France was the most attractive destination, since the 80's Moroccans started to emigrate to Southern Europe, namely to Italy and Spain. Moroccan immigrants reaching Italy and

¹⁷² De Bel-Air, Françoise, "Migration Profile: Morocco", Migration Policy Center – European University Institute Paper Series, Migration Policy Centre; Policy Briefs; 2016/05 (2016). <http://hdl.handle.net/1814/41124>

¹⁷³ The period known as the Golden Age of Capitalism started from the end of the Second World War in 1945 to the early 1970s, coinciding with the Bretton Woods collapse. It was a period of economic prosperity with the achievement of high and sustained levels of economic and productivity growth. Online: <https://www.un.org/development/desa/dpad/tag/golden-age-of-capitalism/#:~:text=The%20Golden%20Age%20of%20Capitalism%20spanned%20from%20the%20end%20of%20economic%20and%20productivity%20growth..>

Spain were employed in unskilled jobs, mainly in agriculture, tourism, building, and domestic assistance. Thus, the Italian and Spanish governments, like their northern neighbors in the 1980s, adopted several regularization campaigns to legalize the status of the growing number of undocumented migrants staying in their territory, which increased after the adoption of the Visa. Indeed, the accession of Spain to the EU in 1986 and the development of labor occupations in the 1990s (in agriculture, building sector, and services) attracted large inflows of low-skilled, often irregular, Moroccans to Southern Europe (Ibidem).

In the late 90s, Moroccans emigrated to United States and the French-speaking Canadian region of Quebec for highly skilled workers migrants, while a modest number also went to the Gulf States. Indeed, a little number of Moroccans joined the Arab migration to the Oil-rich Gulf countries during the oil crisis, but the presence of Moroccans was not particularly significant, and, above all, it was temporary, ending after Saddam's occupation of Kuwait in the 1990s and the growing politics of Gulf countries.

However, in the aftermath of EU enlargement and especially soon after the Spain's integration into the Schengen area in June 1991, and thanks to Morocco's geographical proximity to the European Member States, a growing number of "transit" migrants has been channeled to Europe. The majority were, and still are nowadays, originated from sub-Saharan African states fleeing political and economic crises. For the lucky ones who manage to enter Morocco, which is considered an excellent springboard to Europe, several possibilities open for accessing the old continent. Usually these migrants (or eventual asylum-seekers) enter Morocco through the permeable Algerian border and use it as corridor to their way to Europe passing by the cities around the two Spanish enclaves, Ceuta, and Melilla, by reaching northern coast or the Canary Islands. The territorial proximity of the Spanish enclaves of Ceuta and Melilla and the Iberian Peninsula encourage migrants to transit through Morocco where once they arrive in Oujda, they try to pass towards the north. However, because of the reinforcement of the control of the Strait of Gibraltar by the Spanish authorities (radars, thermal cameras, speedboats, helicopters, reinforcement of the civil guard), some migrants often chose to take a more expensive route and attempt the long crossing (120 km) between the southern coast of Morocco and the island of Fuerteventura. Usually, sub-Saharan migrants reaching Morocco are from Nigeria, Mali, Senegal, Congo, Ivory Coast, Cameroon, Guinea, and Gambia. In 2020¹⁷⁴ there was a 30 % increase of irregular migrants in Spain compared to 2019, and irregular arrivals in the Canary

¹⁷⁴ Implementing the pact-strengthening comprehensive migration partnerships with priority countries in North Africa: Morocco. Brussels, 14 April 2021 (Or.en) 7459/21. Available online: <https://www.statewatch.org/media/2308/eu-council-pact-comprehensive-migration-partnership-morocco-7459-21.pdf>

Islands increased by more than 800 %. Indeed, in 2020 according to the Frontex data, around 17 317 irregular migrants were registered, 13 601 of which were linked to Morocco as last departure country (Ibidem). In 2020, 11 759 Moroccan migrants arrived in the Canary Islands, representing 51 % of the total arrivals (Ibidem). Furthermore, as already said Morocco is also a country of destination and so last year, in 2020, Morocco hosted 8 138 refugees and 5 395 asylum seekers from more than 45 different countries (Ibidem).

However, although most migrants view Morocco as a transit country with an “easier” access to Europe via southern Spain or the Canary Islands, an increasing number who does not succeed in entering Europe apparently favor settling in Morocco as a "second best" alternative rather than returning to their unsafe, politically unstable, and extremely poor countries of origin (Haas, 2007). Indeed, Morocco seems for many the right place where find job or study, in particular for those enjoying a fee-visa status like Senegalese and Malians.

Apparently, soon after the adoption of the National Immigration and Asylum Policy in 2013¹⁷⁵, also refugees are settling in Morocco thanks to the possibility to receive protection and assistance. The (UNHCR, 2021) report noted that in 2020, it has been counted many refugees among which Syrian Arab Republic (55%), sub-Saharan Africa (25%) mostly coming from the Central African Republic, Ivory Coast, the Democratic Republic of the Congo and from the Middle East (15%) such as Iraq, Palestine, and Yemen¹⁷⁶. More than ever, after the pandemic of Covid-19 the Government of Morocco in collaboration with the UNHCR and other stakeholders have provided to refugee protection and health assistance.

As matter of fact, Morocco has been engaging with the migration flows for many years. Indeed, efforts to regulate international migration have been leading to a global architecture that aims to involve states of origin and transit. This architecture is presented in the Euro-Mediterranean context where Morocco, as a country of origin, transit, and destination, plays an important and strategic role. More than ever, its geographical proximity to Europe and its long-lasting relations with the latter would help them to develop different strategies to cope with the illegal migration flows that are provoking many victims every year in the Mediterranean.

Since mid-1990s onwards, the EU has been putting more attention to migration-control and the 1999 Tampere Presidency Conclusions¹⁷⁷ put cooperation with third countries at the top of Europe’s agenda

¹⁷⁵ <https://migrants-refugees.va/country-profile/morocco/>

¹⁷⁶ <https://reporting.unhcr.org/morocco>

¹⁷⁷ European Council. “Presidency Conclusion”, Tampere, 15 and 16 October 1999. Available online : https://www.europarl.europa.eu/summits/tam_en.htm#c

to manage irregular migration. As consequence, Moroccan authorities have been exploiting this political opportunity to push their country back onto the European agenda. Indeed, Morocco's emerging interest in cooperating with Europe on irregular migration control was a diplomatic strategy to regain regional relevance. According to Natter, Morocco's management of the migration's flows have been pushed by a double objective: to strengthen the cooperation with the European Union and to regain regional importance (Natter, 2013). Indeed, Morocco has itself been engaged with the regulation of migration policies where according to the political vision of King Mohammed VI, it had to become the African country of reference on the international scene, with the ultimate objective of strengthening cooperation with the neighboring Europe and regaining its regional relevance. Through internal reforms, Morocco has, in fact, reorganized its migration policy, initially regulating the exit from the Kingdom of intending Moroccan emigrants and then, more recently, addressing its role as a country of transit and destination. Indeed, Mohammed VI, in 2003 decided to implement a new strategy to exploit Morocco's "geographic rents", turning migration policy into an indirect foreign policy tool to improve its regional importance (Natter, 2013, p. 15-18). Effectively, Morocco was experiencing a series of diplomatic setbacks that significantly decreased its geopolitical importance, particularly exacerbated by socio-political changes in Europe, which caused its partial isolation (Ibidem). Notably, same years before the European Union had rejected its applications for membership (1987), then shifting its attention to the accomplishment of the enlargement with the accession of southern countries and the strengthening of trade and political ties with Eastern Europe after the fall of the Iron Curtain. Whereas, in terms of relations with African countries, in 1984, Morocco left the African Union because other countries, such as Algeria and South Africa supported the recognition of the independence of the territories of Western Sahara and the admission of the Sahrawi Arab Democratic Republic declared by Polisario as a member state (Hertog, 2016, p. 280).

For all the above reasons, at the beginning of the new millennia Morocco developed a new approach to migration. However, when Morocco put the topic of irregular migration on top of their agenda in 2003, it was considered neither a socio-demographic question nor a public concern in the country. Indeed, many have often considered from one hand Morocco's new approach to immigration as 'bowing to European demands', while from the other hand, as Morocco willingness to improve its political weight in the region (Natter, 2013). Moreover, the terroristic attacks to the heart of Morocco on 16 May 2003 where twelve suicide bombers targeted five of the symbolic places in Casablanca, killing 33 civilians, highlighted the need to guaranteeing regional security.

Since the adoption of this new strategy aimed at exploiting the "geographical rent" by using migration as leverage on international relations, Morocco has in 2003, adopted a series of reforms to combat

illegal migration (Ibidem). Firstly, it gave birth to the Directorate of Migration and Border Directorate of Migration and Border Surveillance¹⁷⁸, which will have seven regional delegations in charge of supervising the territories considered to be the major emitters of irregular migration: specifically Tangier, Tetouan, al-Hoceima, Nador, Oujda, Larache and Layoune. Secondly, soon after the military confrontation with Spain over a territorial dispute of the small island of Perejil, Morocco took a decisive step to impose migration control through the 02/03 Law on the "entry and stay of foreigners in the Kingdom of Morocco, emigration and illegal immigration" which aims at regulating immigration and emigration to and from Morocco and at establishing sanctions and procedures to combat irregular migration. Furthermore, in 2007 a cooperation agreement between Morocco and UNHCR was signed for the first time. At the international level, Morocco has ratified several conventions concerning the rights of migrants such as the Geneva Conventions in 1956 or the Convention on human right.

Finally, after the increasing number of migrants seeking to reach Europe, the latter together with third neighboring countries among which Morocco, has considered cooperation necessary to have an effective management of migration flux. However, Natter remembers that Europe's interest in cooperating with third countries on irregular migration's assessment had been considered an occasion for Morocco to reacquire its role as a "pivotal partner" (Natter, 2013) and a diplomatic move for regional recognition as in the Polisario front's affair. The latter has threatened the EU-Moroccan relations in the management of migration flows toward the Spanish enclaves of Ceuta and Melilla, then leading to the adoption of more effective measures.

3.2. Insights of dialogue on migration management between the European Union and the Kingdom of Morocco: from the Tampere Council onwards.

The case of Morocco, a neighboring country of the Union in the Southern Mediterranean, allows us to understand the importance of migration's management in the Euro-Morocco cooperation pattern. For instance, Morocco, a traditional country of emigration then evolved into a transit one, has progressively modified its relations with Europe for the management of the migration flux and readmission procedures.

¹⁷⁸ See "SM le Roi Mohammed VI préside une séance de travail consacrée à la question de la migration et de la surveillance des frontières", in *AtlasVista Maroc*, 11 November 2003, <http://www.avmaroc.com/actualite/roi-mohammed-a6019.html>.

It is known that every day, more and more people are fleeing from difficult living conditions in their countries of origin, namely people from sub-Saharan countries affected by political instability and famine. These migratory phenomena have repeatedly been described as the greatest humanitarian emergency of our time, as the long sea journeys claim more victims every day. In front of such growing migratory pressure, the responsibility of the European Union and that of its member or neighboring states has been invoked. In this regard, within the so-called 'external dimension' of immigration policy, 'positive' instruments have been adopted for the management and control of irregular immigration. These include economic assistance, cooperation, and development where the EU wants to redress the precarious situation in the third origin countries of migration and to produce positive effects and counteract long-term migratory pressures. Indeed, it is important to consider that the issue of immigration is placed at the top of the EU's foreign policy agenda. In its 1994 communication on immigration and asylum policies¹⁷⁹, the European Commission emphasized the need to adopt a comprehensive approach aimed at reducing massive migratory pressures through cooperation between third countries of origin and transit. Indeed, on both shores of the Mediterranean, there has been a willingness to strive for cooperation in order to solve the root causes of irregular immigration. An example to be considered is certainly the case of European Union and the Kingdom of Morocco, a cooperation which has shown to go beyond economic interests.

Firstly, Guidi highlights that the objective of combating illegal immigration through international cooperation was defined as the 'external dimension' of immigration and asylum policy (Guidi, 2015), then highlighted as a key EU objective at the 1999 Tampere Summit on Justice and Home Affairs, where it has been stated that: *“The European Union needs a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit. This requires reducing poverty, improving living conditions and job opportunities, preventing conflicts, and consolidating democratic states and ensuring respect for human rights, in particular rights of minorities, women, and children. To that end, the Union as well as Member States are invited to contribute, within their respective competence under the Treaties, to a greater coherence of internal and external policies of the Union. Partnership with third countries concerned will also be a key element for the success of such a policy, with a view to promoting co-development”*¹⁸⁰. Then, since the Tampere European Council conclusions, the issue of immigration has been included in the need to open a dialogue between the EC and non-EU states,

¹⁷⁹ Communication from the Commission to the Council and the European Parliament on Immigration and Asylum Policies. / *COM (94) 23 final */ , 23 February 1994. Available online: http://aei.pitt.edu/1262/1/immigration_asylum_COM_94_23.pdf

¹⁸⁰ European Council. “Presidency Conclusion”, Tampere, 15 and 16 October 1999. Available online: https://www.europarl.europa.eu/summits/tam_en.htm#c

so that it could become a source of incentives for countries that accept the new disciplines, according to the *more for more* principle (Guidi, 2015).

Among the historical, political, economic, and social characteristics presented in the previous section, mobility between Morocco and Europe was a particularly relevant topic in their cooperation pattern. As already highlighted in Chapter 1.2, at beginning the cooperation between the European Union and Mediterranean Countries, and with Morocco essentially, was the result of Euro Mediterranean initiatives and Association Agreements, which were mainly concerning trade and financial issues. Under the Barcelona Declaration in 1995, which created a political and financial framework for a wider dialogue on relations between the European Union and the other Mediterranean countries, some novelties were introduced such as the issue of security, social and cultural relations as well as migration. Under this approach, the European Union wanted to buttress its role in international relations and especially in the regional cooperation with its southern neighbors. The migration management, which was part of the “*social, cultural and human affair partnership*”¹⁸¹, was issued through proposals and practical measures to enforce cooperation in the fight against illegal migration and human trafficking. However, the results were not very optimistic because the economic debate predominated. This Euro-Mediterranean initiative has often been perceived as a partial failure: compared to the ambitious objectives that were set, the effectiveness has been limited and the partnership has often been seen as a “European-led instrument” (Lannon & Elsuwege, 2004). Indeed, Migration was barely mentioned in the original program, and this may explain the initial failures of migration policies in this framework. Moreover, with the Association Agreement of 2000, a higher level of cooperation was reached but that *de facto* confirmed the essential commercial nature of the deal and the migration issues were only partially addressed to foster a dialogue on the condition of migrant’s workers and return of illegal migrants. Indeed, up until the establishment of Amsterdam treaty, the European Institutions poorly addressed a sensible issue such as migration. However, within the Tampere Council’s Presidency Conclusions, it was established a High-Level Working Group (HLWG) on migration and asylum aimed at implementing a cross-pillar Action Plan for targeted countries, among which Morocco.

At the beginning, Morocco contested its marginal role and the absence of an equal partnership as the other third states had. Although bilateral relations among Member States and Morocco provided legal framework for long period purposes’ entrances, the European Union took a relevant decision putting

¹⁸¹Euro-Mediterranean Partnership, MEMO/97/36. Available online: https://ec.europa.eu/commission/presscorner/detail/en/MEMO_97_36

Morocco, as all African and Middle East Countries, within the list of Countries needing the Schengen Visa.

Finally, migration began to emerge as an important issue in this process from the 2000s onwards. Thus, in 2005, on the tenth anniversary of the Barcelona Declaration¹⁸², as the European Union sought to reactivate the Euro-Mediterranean Partnership, migration became the fourth key sector¹⁸³. Within this partnership, Morocco has been able to negotiate several economic advantages, for example the agreements on fisheries, or the project to establish a free trade area. It has also benefited from the MEDA program for the financing of adjustment measures, the main instrument for implementing the Euro-Mediterranean partnership. In this context, the funding foreseen for Morocco in the framework of MEDA II (2000-2006) largely concerned migration: a program of 40 million euros was planned for the management of border controls in order to combat irregular migration, and 5 million euros were earmarked for institutional support for the movement of people (creation of information and orientation centers for workers wishing to emigrate). In addition, funding for the development of the northern provinces, the main region of Moroccan emigration, was also included under the theme of migration management (Qadim, 2010). In total, the MEDA budget allocated to Morocco for 2000-2006 reached 426 million euros, of which 115, or 27%, was to be devoted to the fight against unemployment, poverty, and migration (Haas, 2005). Morocco is one of the main beneficiaries of the MEDA program as it has been already remarked, and a good partner for the EU. Indeed, these aspects seem to suggest that Morocco has been able to use its strategic position in the Euro - Mediterranean configuration to negotiate these benefits.

Furthermore, the European's will to externalize migration controls was emphasized in the European Neighborhood Policy (ENP), which has been gradually taking precedence over the Mediterranean Policy (EMP) in the field of migration. It is also within this framework that Morocco's active role in negotiations concerning migration management is even more clearly visible. With the adoption of the European Neighborhood Policy, the European Union has placed increasing emphasis on migration issues and border control in its relations with the Maghreb countries. Despite the signing of the Neighborhood Action Plan in 2005 under the ENP, the funding of operational projects with Morocco remained under the MEDA program until the creation in 2007 of the European Neighborhood Policy

¹⁸² https://www.europarl.europa.eu/former_ep_presidents/president-borrell/euromed/en/default.htm.

¹⁸³ https://www.europarl.europa.eu/former_ep_presidents/president-borrell/speeches/en/files/sp0068.htm

Instrument (ENPI). However, the 2005 Action Plan for cooperation in the Justice and Home Affairs pillar focuses mainly on migration, and it states the following priorities¹⁸⁴

- Developing legislation according to international principles and standards on asylum and refugees
- Ensuring the effective management of migration flows; Prevent and combat illegal migration to and via Morocco
- Improving cooperation regarding the readmission of Moroccan nationals, stateless persons, and nationals of third countries.
- Starting dialogue on visa issues.
- Strengthening border management.

Compared to the European Mediterranean Policy, the European Neighborhood policy (ENP) was much more clearly aimed at creating a “buffer zone” between sub-Saharan African countries and Europe (Sarto & Schumacher, 2005). In this respect, it is possible to speak of an externalization of European migration policies, i.e., European countries are seeking to exercise “long-distance control” over migration by involving the Maghreb countries in the fight against irregular migration, generally through the conclusion of specific agreements with the countries of transit and departure of migrants (Qadim, 2010).

Moreover, in the framework of the European Neighborhood Policy, the AENEAS program was established to provide “*financial and technical assistance to third countries in the areas of immigration and asylum*”¹⁸⁵ which was created in 2004 by the European Union, has been the EU’s instrument of choice for financing initiatives in third countries aimed at controlling migration, as in the case of Morocco.

Lastly, the initiative of the Union for the Mediterranean (UfM) launched by the former French president Sarkozy wanted to “*revitalize efforts to make the Mediterranean an area of peace,*

¹⁸⁴ COUNCIL DECISION on the position to be adopted by the European Community and its Member States within the Association Council established by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, with regard to the adoption of a Recommendation on the implementation of the EU-Morocco Action Plan. /* COM (2004) 788 final */. Available online: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2004:0788:FIN:EN:PDF>

¹⁸⁵ REGULATION (EC) No 491/2004 of the European Parliament and of the Council of 10 March 2004 establishing a programme for financial and technical assistance to third countries in the areas of migration and asylum (AENEAS). Available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32004R0491&from=en>

democracy, cooperation and prosperity”¹⁸⁶. However, although it emphasizes its intention to revitalize the EU's role as a regional power in the peace-building process in the MENA region, it did not specifically address the migration management and the cooperation with Morocco as main transit, origin, and destination country. Indeed, as Balfour remarked, the UfM is another unsuccessful attempt to boost the “business as usual” in the relations between the two shores of the Mediterranean (Balfour, 2009). This is the reason why a new approach to migration was needed; deeper attention was conceived under the Rabat process in 2006 and in the readmission procedures to assess migrants’ rights protection.

3.2.1. Framing a better management of migratory flows in the Mediterranean: The Rabat process and the Mobility Partnership.

Consequent to the Global Approach to Migration and Mobility (GAMM)¹⁸⁷ launched in 2005, the European Union has been engaged in several negotiations and regional dialogues to address migration, particularly with Morocco and other African countries. In particular, the Euro-African Dialogues on Migration and Mobility also known as the Rabat Process, the EU-Africa Dialogue on Migration and Mobility¹⁸⁸, the Euro-Mediterranean Partnership, the ACP-EU Dialogue on Migration¹⁸⁹, the 5+5 Dialogue¹⁹⁰, and the Global Forum on Migration¹⁹¹. In general, these dialogues served as a political and technical forum to identify common interests and possible strategies for political cooperation.

However, the main hub for discussion is the Euro-African Dialogue on Migration and Mobility (Rabat Process). The latter was officially launched in 2006 in the aftermath of the first Euro -African Ministerial Conference on Migration and Development, held in Rabat. The meeting was first

¹⁸⁶ ufmsecretariat.org

¹⁸⁷ Communication from the Commission to the European Parliament, the European Economic and Social Committee and the Committee of the regions. *The Global Approach to migration and mobility*, */ COM (2011) 743 final */.

¹⁸⁸ It is part of the comprehensive partnership between the African Union and the European Union. Morocco initially excluded from the African Union for the Western Sahara dispute; it has been readmitted in 2017. It entails migration as subject of the partnership since the Tripoli Declaration on Migration and Development in 2006, and it includes the Rabat, Tripoli, and Khartoum process. Online at: <https://www.khartoumprocess.net/about/africa-eu-dialogue-on-migration-and-mobility-mmd#:~:text=The%20MMD%20falls%20into%20the,full%20respect%20of%20human%20rights>.

¹⁸⁹ It is a dialogue between European Union and African- Pacific countries, whose cooperation on migration is based on the art. 13 of the Cotonou agreement, which establishes, among other, a commitment for concluding readmission agreement. Online at: <https://www.iom.int/acp-eu-dialogue-migration-and-development>

¹⁹⁰ The EU is not part of the dialogue which entails ministerial meetings of sovereign states from both the shores of western Mediterranean, however EU institutions are occasionally involved, and the dialogue is fostered by them, particularly by the Union for the Mediterranean. It focused on migration since 2003 meeting in Tunisia.

¹⁹¹ It is part of the United Nation framework of cooperation therefore it is not an EU launched initiatives, however European Union and Morocco are both parties of the process.

proposed by France, Spain, Morocco, and Senegal, as an attempt to internationalize the management of particularly intense migratory flows. As reported in the Rabat process's official website¹⁹², it was aimed at enhancing dialogue between the national authorities of the countries of origin, transit, and destination along the West and Central African migration routes, namely passing through the Strait of Gibraltar, Ceuta and Melilla and the Canary Islands, to share responsibilities and actions among all states involved. Consequently, the stated objectives of the Rabat Process coincide to a large part with the objectives of the EU's Global Approach to Migration and Mobility (GAMM): preventing and fighting irregular migration, managing border protection and return procedures, easing mobility and promoting legal migration and integration and international protection (Ibidem).

To reach these objectives, the dialogue is headed by a steering committee, with an annual shifting presidency, composed of ten partner States, equally distributed among European Union and ECOWAS Member States which are Belgium, Burkina Faso, Equatorial Guinea, France, Italy, Morocco, Senegal, and Spain. More precisely, the Rabat process¹⁹³ wants to pursue dialogue which is usually expressed through multi-level meetings addressing migration and development in political, technical, and operational dimensions. In fact, it consists of ministerial conferences, meetings of senior officials (SOM) and technical meetings. The first is the highest level of the dialogue which is usually held every three years (while the others may be convened more often) and ends by adopting a declaration in the form of an action plan, which identifies the priorities for that period. Moreover, the Rabat process, along the Khartoum one, has the mandate of monitoring the implementation of the Joint Valletta Action Plan (JVAP), which has been taken as a response to the 2015 Mediterranean migration crisis. The most recent strategic groundwork is the Marrakesh Political Declaration and Action Plan of 2018-2020 and it is the fifth action plan since the foundation of the Rabat Dialogue in 2006¹⁹⁴. It concerns 5 domains and 10 objectives with 23 related actions, all within the ultimate object of fighting illegal immigration and providing asylum and protection to the migrants¹⁹⁵. However, as Collyer noted, it must be acknowledged that this project suffers from the lack of Algeria's participation, which, due to diplomatic tensions with Morocco and the European Union's Mediterranean policy, withdrew its membership. Indeed, the inability to bring Algeria and Morocco together in the same forum fragments European attempts to address the migration issue and is a major cause of their overlap but also of their limited effectiveness (Collyer, 2016, p. 606-623).

¹⁹² <https://www.rabat-process.org/en/about>

¹⁹³ Supra.

¹⁹⁴ Supra.

¹⁹⁵ Supra.

Furthermore, the tighter Morocco-EU relationship and cooperation on migration has been possible thanks to two initiatives which testify the EU's willingness to "reward" Morocco's effort in undertaking reforms from one hand, on migration flow management and political-economic liberalization, on the other hand to further implement its agenda on migration externalization and market liberalization. Firstly, it is possible to remark the adoption of a joint document establishing an "Advanced Status" of Morocco in the EU, as previously analyzed in Chapter 2.3.3, substituting the precedent Association Agreement, and fostering new mutual commitments in all the sectors of the ENP's framework.

Secondly, the establishment of a "Mobility Partnership" within a non-binding framework to improve bilateral political negotiation on mobility with the aim of achieving Readmission Agreement in exchange of Visa facilitation¹⁹⁶. The agreement is aimed at "*easing visa procedures for certain categories like students, researchers, businessmen and women. In the long term, it wants to achieve full visa-free mobility for Moroccan citizens, considering the global bilateral relations between the EU and Morocco, and on the basis that safe and well-managed mobility can be assured*"¹⁹⁷.

This policy framework, which implements the EU's Global Approach to Migration and Mobility, was established with Morocco in 2013 in the turbulent political period of the Arab uprisings and it was signed between the Kingdom of Morocco, the European Union, and its member countries, specifically Germany, Belgium, Spain, France, Italy, the Netherlands, Portugal, Sweden, and the United Kingdom. It is basically divided into two parts, one in which are listed the commitments that the EU takes towards regular Moroccan migrants who enter its member countries (visa facilitation, integration, comparison of educational and professional of educational and professional qualifications, fight against xenophobia, etc.) and the other that concerns the objectives of combating irregular immigration and reinforcement of measures for the management of migratory flows by Morocco. The most ambitious project was the commitment to a limited circular migration conditional on the highest level of engagement in migration management, i.e., the signing of the EURA (the EU readmission agreement). However, the failure to conclude the EU-Morocco readmission agreement, which Europe has been repeatedly proposed to the Kingdom since 2003, is, in fact, one of Europe's major knots to unravel in its relations with this North African country.

¹⁹⁶ One of the main objectives reported: "*To open negotiations between the EU and Morocco, in accordance with the signatory parties' internal procedures, for the conclusion of an agreement to facilitate the issuing of visas, with a view to ensuring more fluid mobility between the EU and Morocco*". Joint declaration establishing a Mobility Partnership between the Kingdom of Morocco and the European Union and its Member States, Brussels, 3 June 2013 (05.06), 6139/13. Available online: https://ec.europa.eu/home-affairs/sites/default/files/what-is-new/news/news/2013/docs/20130607_declaration_conjointe-maroc_eu_version_3_6_13_en.pdf.

¹⁹⁷ <https://www.statewatch.org/news/2013/march/statewatch-news-online-3/>

Moreover, some criticalities were found to this new form of cooperation. On the one hand, the Euro-Mediterranean Human Rights Network (EMHRN)¹⁹⁸ doubted the sufficiency and efficacy of ensuring the interests of the most vulnerable migrants and that no initiative was presented against the exploitation of migrants (Network, 2013). Then, it has been noticed by Reslow, that the Mobility Partnerships has been usually promoting campaigns to highlight the existence of legal routes or to harmonize professional qualifications and to remark the adoption of funds to increase the flux's management capacity of states, however they did not really create new opportunities to legalize the entries (Reslow, 2019, p. 277).

Despite numerous criticisms, soon after the outcome of the Mobility Partnerships in Morocco, a great attention was paid to migration policies in the Southern Neighborhood and to migrants' rights facilitating integration, work possibilities and even access to citizenship. However, the European Union remained focused on the importance of the conclusion of readmission agreements with the Member states and its neighborhood countries, important instrument for the management of migration arrivals.

3.2.2. European readmission agreements (EURA): a never-ending dialogue with Morocco.

In international law, readmission agreements are conventions between two or more states in which collaboration mechanisms are defined between the state of origin and the state of destination of irregular migrants, including measures to combat illegal immigration. Readmission agreements have developed multilaterally since 2000 with the introduction of the first pillar through competencies in the areas of visas, asylum, immigration, and free movement, etc., giving the Community the power to conclude readmission agreements with third countries (Ottaviano, 2015, p. 97-98) as expressly affirmed in art. 79 (3) of the TFEU¹⁹⁹.

Indeed, given the Community's powers introduced by the Treaty of Amsterdam, the Tampere European Council of October 1999 established the conclusion of readmission or inclusion agreements between the European Community and relevant third countries or groups of countries.

As set out already in the Tampere Council conclusions, the cooperation with countries of origin and transit shall be conducted with the scopes of contrasting illegal immigration, combating human

¹⁹⁸Euro-Mediterranean Human Rights Network (2014), "Analysis of the Mobility Partnership signed between the Kingdom of Morocco, the European Union and nine Member States on 7 June 2013" (http://euromedrights.org/wp-content/uploads/2015/03/PM-Morocco_Final-Version-EN.pdf), p.9.

¹⁹⁹ Official Journal of the European Union C 202, Consolidated version on 7 June 2016. Online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2016:202:TOC>

trafficking, promoting legal method of entrance, controlling their border and readmitting nationals, within a comprehensive approach to foster the respect of Human Rights and development of certain areas. It is important to remember that all individuals under readmission procedures benefit from procedural rights and safeguards (legal representation, judicial reviews, respect of the *non-refoulement*, etc.) that are guaranteed by different conventions among which: the European Convention on Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR); 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and 1951 Geneva Convention relating to the Status of Refugees. In addition, EU countries must observe the EU Charter of Fundamental Rights when implementing EU readmission agreements. As a result, returns can only be made based on a return decision issued in accordance with these warranties²⁰⁰.

As remarked by Panizzon, the readmission agreements incarnate an intrinsic conflict between the “territorial sovereignty of states to decide on the entry, stay and departure of foreigners on their country and a customary legal duty to abstain from expulsions” (Panizzon, 2012). Thus, there are two customary obligations for the readmissions: the duty to take back one's own nationals and the customary principle of *non-refoulement*, which forbids removing a person from a receiving country if, in the latter, it is subjected to torture or inhuman or treatment which serves as a legal barrier to readmissions (Ibidem).

Moreover, as noted by Cherubini and Villani, since the Sevilla Council of 2002²⁰¹, the European cooperation with countries of origin or transit has increasingly pursued the path of development aid as a means of reducing the pressure of irregular immigration, and by making this aid conditional on the joint management of flows and the readmission of expelled nationals (Cherubini & Villani, 2015, p. 41-48). The road to the inclusion of the migration issue in a broader dialogue with countries of origin and transit has been institutionalized by the Global Approach to Migration and Mobility (GAMM)²⁰² since the 2005 Hampton Court Council Summit, providing the EU with a framework that defines procedures and objectives.

As Kaiser noted, up to late 2000s, the EU has concluded readmission agreements (EURAs) with 17 countries and autonomous regions many of which are in the EU's Eastern neighborhood (Kaiser,

²⁰⁰ EU Readmission Agreements: facilitating the return of irregular migrants. Briefing European Parliamentary Research Service, April 2015. Available online: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/554212/EPRS_BRI\(2015\)554212_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/554212/EPRS_BRI(2015)554212_EN.pdf)

²⁰¹ Presidency Conclusion, Sevilla European Council 21 and 22 June 2002, DOC/02/13 Brussel, le 22 June 2002. Available online: https://ec.europa.eu/commission/presscorner/detail/en/DOC_02_13

²⁰² COM (2011) 743 final

2019). To cite some of them: Albania (2006), Russia (2007), Ukraine (2008), Macedonia (2008), Bosnia and Herzegovina (2008), Montenegro (2008), Serbia (2008), Moldova (2008), Pakistan (2010), Georgia (2011), Armenia (2014), Azerbaijan (2014), Turkey (2014), and lastly Cape Verde (2014). Conversely, the EU has been struggling to establish readmission agreements with countries in its Southern Neighborhood. It negotiated agreements with Morocco (2000), Algeria (2002), Tunisia (2014), and Jordan (2015), however none of these negotiations have led to successful results (Ibidem).

For the specific case of Morocco, which is considered a country of emigration as well as a country of transit, it was invited by the European Commission to open negotiations to sign a readmission agreement in April 2001, however it took two years of discussions, mainly within the EU-Morocco Association Council, to finally start negotiations in April 2003 (Coleman, 2009, p. 150). In this regard, the Association Agreement, signed in 2000, already included a joint declaration on a general commitment to undertake measures to readmit nationals, indeed stating that: "*The Parties agree to adopt bilaterally the appropriate provisions and measures for the readmission of their nationals in cases where they have left their countries. For this purpose, in the case of the Member States of the European Union, 'nationals' shall mean citizens of the Member States as defined for Community purposes.*"²⁰³. However, by 2005, eight negotiation rounds had taken place and yet no agreement had been signed (Coleman, 2009) and after five years, in May 2010, the negotiation rounds were fifteen, but the outcome was not positive as expected (Wolff, 2014) and many were the causes.

Firstly, the main question regarded the implementation costs. The costs of implementing an EURA mostly interested the readmission of nationals and third-country nationals (TCNs). Indeed, countries must readmit their own nationals under customary international law as established by Article 13 of the Universal Declaration of Human Rights, which states that "*everyone has the right to return to his or her own country*"²⁰⁴. In this case, the application of the EURA would not constitute any new duties for Morocco²⁰⁵ but it would just increase the implementation of an already existing obligation. However, a higher return of Moroccan nationals would represent a loss of remittances, which are considered a valuable source of income for the country (Paoletti, 2010 cited in Kaiser, 2019).

²⁰³ Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part - Final Act - Joint Declarations - Joint Declaration relating to readmission. Available online: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22000A0318%2801%29>

²⁰⁴ Everyone has the right to freedom of movement and residence within the borders of each state. Everyone has the right to leave any country, including his own, and to return to his country (UN, Universal Declaration of Human Rights, 1948) available <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

²⁰⁵ Cited in Kaiser, K. (2019). *EU-Morocco Negotiations on a Readmission Agreement: Obstacles to a Successful Conclusion*. Bruges: Department of EU International Relations and Diplomacy Studies.

Furthermore, a more problematic question is the issue of TCNs²⁰⁶. TCN clause is considered for Morocco too costly, both financially and politically. Unlike the case of nationals, there is no international legal obligation to readmit third country migrants²⁰⁷. Thus, Morocco fears that such question, which is discussed in the EURA, would turn it into a "dumping ground"²⁰⁸ for irregular migrants from sub-Saharan Africa (Coleman, 2009 cited in Kaiser, 2019). Indeed, the Kingdom of Morocco fears negative repercussions on its relations with countries of origin, mostly sub-Saharan countries since Morocco's cooperation on readmission would strip them of valuable remittances and shape a negative image of Moroccan authorities using coercion to extradite migrants on sake of Europe (Carrera, Cassarino, El Qadim, Lahlou, & den Hertong, 2016). Indeed, Morocco wants to diversify its political and economic interests with the African countries, intention demonstrated by its re-accession to the African Union in January 2017. Notably, the latter aspires to a greater political recognition for its claims over the Western Sahara territories. Therefore, through the implementation of an EURA Morocco does not want to turn the back to its West African neighbors.

Secondly, a peculiar and further divisive argument between the two parties was the lack of "forms of evidence" to be provided to Morocco as compensation. These forms of compensation as Coleman explains, were two (Coleman, 2009): financial and technical assistance which would be used to provide border controls, and reception, trial, removal, as well as the expansion of immigration opportunities for Moroccan citizens willing to come to the EU. For the financial and technical assistance, the European Union has granted, as we have already seen, a huge amount of money and professional support to Morocco. Indeed, in the MEDA budget for 2002-2004, the EU allocated €40 million to "curb illegal emigration" (Ibidem p.154) and €70 million was granted in 2002 to the development of the northern region "to encourage EURA negotiations" (Wolff, 2014, p.78) and other have continued to flow under the ENI/ENPI, the Emergency Trust Fund for Africa, and the Development Cooperation Instrument (Kaiser, 2019, p. 9).

Although the EU became conscious of the need to offer mobility opportunities to counteract the negligence to cooperate, what it was about to offer was not considered sufficient by Morocco. This has been partly due to Morocco's convenience in extending negotiations by pursuing what El Qadim called a "*stratégie d'évitement*," i.e., negotiating to avoid an agreement which could place it in an

²⁰⁶ Third countries National.

²⁰⁷ The European Union's readmission agreements confirm the obligation to readmit own nationals, recognised by general international law, and innovate with respect to the customary principle by also providing for the duty to readmit third-country nationals or stateless persons.

²⁰⁸ Coleman, N. (2009). *European Readmission policy: Third Country Interests and Refugee Rights*. Leiden: Brill. Cited in Kaiser, K. (2019). *EU-Morocco Negotiations on a Readmission Agreement: Obstacles to a Successful Conclusion*. Bruges: Department of EU International Relations and Diplomacy Studies.

uncomfortable position (Hertog, 2016, p. 262). However, a more significant argument considers the offer insufficient because these draft agreements are highly selective, targeting privileged categories with relatively easy access to the European Union, such as businessmen, researchers, and students (Abderrahim, 2019). Moreover, as stated by Hadji, the bilateral approach seems to be preferred by Morocco and its European partners when it comes to the readmission of Moroccan nationals as well as third country nationals (Hadji, 2021). Examples of bilateral agreements with European countries are with Spain, France, and Germany. The main particularity of the readmission agreement with Spain, which came in force on 21 October 2012, is that it also concerns the issue of third country nationals (TCN)'s readmission. Indeed, it is considered the only agreement where Morocco deals with the readmission of third-country nationals (Ibidem).

In conclusion, although the European Union has always been a strong economic and political partner, in the fight against illegal immigration and in the management of the migration flows it realized to have lower powers than expected. The externalization of the migration policy to third countries has led to a strong European dependence on the latter, as happened with Morocco, the most important country of origin and transit of migrants, which did not want to play as the "EU's gendarme" in the migratory management (Hadji, 2021). As a result, Morocco has used its strategic position to impose its own conditions on migration management, which the EU must accept if it wants to avoid big migratory crisis (Kaiser, 2019). Morocco has behaved as a "hard bargain" threatening of loosening border controls to obtain economic and political concessions from the EU. Indeed, as noted by Kaiser this threatening rhetoric has been accentuated by an increase in the number of irregular migrants reaching Spain through the two enclaves Ceuta and Melilla. In 2018 the number increased notably, due to Morocco purposely relaxation of border controls to pressure the EU for more financial assistance and for diplomatic recognition. Indeed, recently, a strategic attempt to acquire political support in the Western Sahara question led to another important migratory flow toward Spain (Kaiser, 2019, p. 23-24).

3.3. The migration crisis between Spain and Morocco: Ceuta and Melilla at the center of diplomatic interests.

Since Morocco's independence in 1956, the bilateral relations with Spain have been characterized by periods of conflict and periods of cooperation. There are four main periods that retrace Spain - Morocco's ups and downs.

Firstly, from the Moroccan independence obtained in 1956 up until the end of the Spanish dictatorship in 1975. This period was signed by disputes and conflicts namely for the demarcation of territories.

Secondly, from the 1975 ending Spanish dictatorship to the 1994, year characterized by a crisis of their relations mostly due to the Western Sahara question and the signature of the Fisheries Agreement²⁰⁹.

Thirdly, the tightening of bilateral relations occurred because of the diplomatic crisis provoked by the approval of the autonomy of the cities of Ceuta and Melilla²¹⁰, long contested enclaves between Morocco and Spain, as well as the EU policies on agriculture. Moreover, the tensions were worsened due to the growing number of irregular migrants arriving on the Spanish coasts, passing through Morocco.

Fourthly, the latest period from 2004 up until today has been dictated by improvements in their relations, indeed, in this period important agreements were signed between the European Union and Morocco, just remembering the Advanced Status, as well as bilateral ties were strengthened between Spain and Morocco. However, tensions have restarted because of the never-ending Western Sahara's territories recognition.

As previously highlighted, the relations between these bordering countries have been characterized by cooperation and tensions at the same time. The tensions were mostly due to never ending issues like the Western Sahara revendication, the status of the Spanish enclaves Ceuta and Melilla, the fisheries agreements, and the demarcation of waters, and finally the management of migration flows.

Morocco within its geographical position linking Africa to Europe has been used as a sending and transit country for many nationals and third countries nationals. Such strategic location has been used as a tool to coerce and put pressure on the neighboring states in the management of migration. Indeed, Greenhill claimed that during these years there has been a “diplomatic instrumentalization of migration pressures” (Greenhill, 2010) by Morocco used to manage the contested Spanish Moroccan's issues and to achieve its own interests. Nevertheless, it is important to remember that to achieve its goals and to gain support for its national interests, Morocco had also used its cooperation

²⁰⁹ The first Fisheries Agreement between Morocco and the European Community was signed in 1995. At the time it was one of the most important fisheries agreements signed by the EU with a third country. For a long time, Morocco used the fishing issue as a basic pillar of its claims and demands vis-à-vis the EU. In some of the agreements, Morocco managed to link the negotiations and to obtain trade agreements as compensation, or EU recognition of Moroccan control over the Western Saharan coastal waters.

²¹⁰ The Spanish enclaves of Ceuta and Melilla are located on the northern shores of Morocco's Mediterranean coast. They are the European Union's only terrestrial borders with Africa, located about 250 miles further south along the coast. Highly contested by Morocco, they have been at the centre of diplomatic tensions with Spain since Madrid claims that both territories are an integral part of Spain and have the same status as semi-autonomous regions. Before they were considered port cities serving as military and commercial centres linking Africa to Europe. Since 1995, they were granted with limited degree of self-government as autonomous communities. Online: <https://www.bbc.com/news/world-africa-14114627>.

with the EU as a key instrument to migration policies. For example, we remember that Morocco used its bargaining power in the establishment of the EURA procedures.

However, focusing on the “diplomatic instrumentalization of migration” a first example occurred in 1992 when several *pateras*²¹¹ arrived on the Spanish coasts and every year more and more appeared. The reason was the Morocco’s discontent toward the non-increase of the annual quota for the Moroccan migrants by Spain, as remarked on the *El País*²¹², which led Morocco to threaten the migration’s control. Indeed, the management of irregular migration has been often used by Morocco as a tool to put pressure on Spain for the realization of sovereignty interests. This type of instrumentalization was also repeated in 1994 when King Hassan II wanted to regain the two enclaves of Ceuta and Melilla by opening a Spanish Moroccan reflection commission on the future of the two enclaves²¹³. Through this strategy, the Moroccan authorities stopped controlling migration aiming to enter the two enclaves, which provoke an increase of irregular flows sending in a situation of instability and tension in both cities.

Similarly, such strategic attitude was used during the Perejil Island conflict in July 2002. Although it was a minor element in the conflict, the Moroccan authorities sent a group of gendarmes on the island, arguing that they were working to intercept irregular immigrants, smugglers, and terrorists. However, it was clear that the migration topic was a pretext and another attempt made by Morocco for the contention of this little island. However, the Spanish special forces, under the mandate’s government, conducted a massive operation aimed at restoring the previous status quo, formally returning the island to its status of “tierra de nadie” but affirming, in practice, the recognition of its sovereignty on it. The episode of El Perejil, which lasted for several weeks, showed the weakness of the common security policy and the diplomatic ineffectiveness of the European Union, which expressed itself on the issue only after the Spanish protests. Indeed, the Union expressed its support to the Spanish government by ordering Morocco the immediate withdrawal of its troops from El Perejil (Yarnoz, 2002).

Moreover, the migratory pressure registered in 2005 in Ceuta and Melilla was another event in which irregular migration could be used in favor of Moroccan’s interests. Indeed, the Moroccan authorities took advantage of this situation through three different steps:

²¹¹ Small boats provided by smugglers to transport immigrants in the sea.

²¹² *El País* 24/09/1992. Available online : https://elpais.com/diario/1992/09/26/portada/717458404_850215.html

²¹³ *El País* 20/09/1994. Available online: https://elpais.com/diario/1994/09/20/espana/780012007_850215.html

Firstly, Morocco in this period requested additional financial help to the European Union to deal with irregular migrants. Spain and the European Commission offered Morocco 40 million euros under the MEDA program funds to strengthen border control and combat irregular immigration. However, the Moroccan authorities contested that € 40 million were not enough since it had previously used 120 million euros to reinforce the control at the borders of the two enclaves and on the readmission of the third countries national.

Secondly, as reported in *El País* by Cambrero, Morocco used this tragic event to accuse Algeria of being one of the main perpetrators for failing to cooperate on immigration control and for allowing irregular migrants to enter Moroccan territory from Algerian soil (Cambrero, 2005). Indeed, as also remarked in the article published on *El Mundo*²¹⁴, Morocco accused Algeria and the Polisario Front of exploiting immigration for propaganda ends. With these accusations, Morocco, on the one hand, was pretending to be a "victim" of irregular migration and, on the other hand, it was seeking to remind Europe that it would be a key partner in the fight against irregular migration. Overall, Morocco was trying to gain international credibility by jeopardizing the position of its most feared rival in the region, Algeria.

Thirdly, Morocco profited from the crisis to reach its goal of becoming the main regional leader. Indeed, it has showed continued willingness to cooperate on migration control, as consequence the migration crisis which occurred only two months before the second Barcelona Summit in 2005 made possible the strengthening of EU-Morocco relations. Indeed, since migration was one of the priorities of this Euro-Mediterranean summit, Morocco could gain European recognition and importance at the African and international level.

Notably, in 2005 more than 700 African migrants and refugees attempted to enter the two cities. Moroccan and Spanish agents opened fire causing 13 deaths in Melilla and 4 in Ceuta. Furthermore, in October 2005, there was another terrible episode linked to attempts to enter the two territories. A thousand migrants, mostly from Cameroon, Mali and Nigeria, were arrested by Moroccan authorities in the valleys around the two cities, were deported and abandoned in the middle of the desert near the Algerian border, at 'Ain Chouatar, near Bouarfa (Cambrero, 2005). This event showed how the Spanish Moroccan cooperation and the migration management were taking the wrong path and that some changes were needed. Luckily, since 2006, the flow has been greatly reduced. Some try to reach the beaches of the two Spanish cities by sea. But many migrants have concentrated on the routes to the Canary Islands or Andalusia (Morbello, 2014). The raids in the Moroccan territories in the

²¹⁴ El Mundo.es 16/10/2005. Available online: <https://www.elmundo.es/elmundo/2005/10/16/espana/1129470245.html>

previous months had meant that the route traditionally used by migrants to reach Spain was now in a vice-like grip, and the flow of irregular migrants began to move to other less guarded routes, such as the Canary Islands and it was at this stage that we witnessed the so-called 'crisis de los cayucos'.

On the whole, since the growing concentration of irregular migrants around the two cities over the years, Spain and Morocco's governments have met periodically to negotiate and to increase the pacific dialogue on the issue. In this period, the European Commission addressed the issue of migration at the Spanish-Morocco's borders through the *Visit to Ceuta and Melilla – Mission Report Technical mission to Morocco on illegal immigration” on 7th October– 11th October 2005*²¹⁵. Briefly, the mission was addressed both to Morocco and Spain in changing their strategy to control the migratory phenomena, as well as to the EU itself in increasing its help to manage the situation on the long term. Indeed, the European Union aims at intensifying the cooperation with Morocco as we have seen in the previous section, to launch a dialogue and cooperation with Algeria, to develop a comprehensive migration policy for the main countries of origin and transit in sub-Saharan Africa, as already established in the Tampere Council Conclusions.

However, the situation did not improve as expected and Morocco continued to use irregular migration as leverage, this time for the Western Sahara question. Indeed, Moroccan authorities have often used the Western Sahara issue and irregular migration in a coercive way. For example, in 2009, the hunger strike of a Sahrawi activist (Aminetu Haidar) claiming her right to return to Western Sahara (her home and land of residence) from Spain, who was illegally expelled by the Moroccan authorities²¹⁶, provoked a diplomatic conflict between Spain and Morocco during which the Moroccan Minister of Foreign Affairs, T. Fassi Fihri, warned of interrupting cooperation on immigration control with Spain.

Moreover, two recent events testify the ongoing instrumentalization of irregular migration for diplomatic recognition, one in 2014 and the other in 2021. On 12 and 14 August 2014, as reported in *El Mundo*, a huge number of boats carrying 1,219 sub-Saharan migrants reached the Spanish coasts (SanMartin, 2014). "You have 48 hours," Moroccan gendarmes told migrants waiting in Tangier to cross the Strait of Gibraltar. This indicated that they would turn a blind eye to their shores for two days so that the boats could leave unhindered by police surveillance. This is the story of both immigrants and Spanish and Moroccan police sources. The gendarmes reluctantly obeyed an

²¹⁵ Visit to Ceuta and Melilla – Mission Report Technical mission to Morocco on illegal immigration 7th October– 11th October 2005, MEMO/05/380. Available online : https://ec.europa.eu/commission/presscorner/detail/en/MEMO_05_380

²¹⁶<https://www.amnesty.org/en/latest/news/2009/12/sahrawi-human-rights-activist-returns-home-after-hunger-strike-2009121/>

instruction that encouraged and facilitated the largest wave of small boats in the history of Spanish immigration (Ibidem).

As noticed by Machado, the government of Rabat was putting pressure on the Spanish government to obtain certain advantages at international level. Moroccan sources declared that it was not moved by economic reasons, because the EU has just put 10 million euros into the fence and Morocco ended contention with the fisheries treaty, but rather for other, more political reasons (Machado, 2014). The situation came as a surprise to experts familiar with the area because, in recent months, Rabat had been cooperating with Spain in the fight against human trafficking in a very active and mutually satisfactory way. Also, Amnesty International²¹⁷ remarked that this was a demonstration of strength by the Kingdom, underlining its role as Europe's border guard. Illegal immigration is regularly used as a bargaining leverage in the political game, and because of this almost two hundred people have drowned in the Strait. Indeed, the borders that divide Ceuta and Melilla from the rest of Africa continue to be the scene of clashes between migrants and police, and in this scenario, NGOs have often denounced human rights violations by the Spanish and Moroccan authorities.

Furthermore, as reported by an article on the *Post*²¹⁸, in May 2021 the arrival of thousands of irregular migrants in the city of Ceuta has aggravated the tensions that have been ongoing for several months between Spain and Morocco. Indeed, the Spanish newspaper *El Diario* reported that the Moroccan government has relaxed border controls in retaliation for the Spanish government's decision to admit into the country, for medical treatment, the leader of the Polisario Front Brahim Ghali, the nationalist movement that has been demanding independence for more than 40 years from the Moroccan central government for the territory of Western Sahara (Sánchez & Castro, 2021). Moreover, Spanish newspapers have speculated that the latest events are also linked to Morocco's attempt, not the first, to exploit migratory flows to Spain to obtain money in exchange for cooperation. As already happened in other situations, the Alawi kingdom has been using migration as a bargaining chip for its economic and political interests. Indeed, the Moroccan government has relaxed its migration control efforts on several occasions to put pressure on the Spanish or European authorities to obtain a larger budget allocation or to demonstrate its power over sensitive issues, such as the Western Sahara conflict. This is the phenomenon known by experts as "border externalization", whereby member states finance third countries in exchange for ceding surveillance tasks. For instance, some

²¹⁷<https://www.amnesty.ch/fr/sur-amnesty/publications/magazine-amnesty/2014-4/forteresse-europe-boza-2013-le-demier-espoir>

²¹⁸<https://www.ilpost.it/2021/05/19/spagna-marocco-crisi-migranti/>

days before, the Council of Ministers approved an allocation of 30 million euros to Morocco for its "cooperation" with the EU.

However, young men, families and even many minors, at least 1,500, according to local authority, reached the beaches of Ceuta, mainly by swimming or on-board small boats: among them were many migrants from various central African countries, but mainly Moroccans who were trying to leave the country for economic reasons, given the serious situation caused by the pandemic. The number of migrants increased during the days reaching 8,000 people trying to enter Ceuta in 36 hours passing through the two border breakwaters in the Tarajal and Benzú settlement, until reaching the beaches of Ceuta.

Crisis migratoria en Ceuta



(Crisis migratoria en Ceuta. Source : El País available online <https://elpais.com/espana/2021-05-19/que-esta-pasando-en-ceuta-claves-de-la-crisis-entre-espana-y-marruecos.html>)

This is considered a true migration crisis, registering high numbers, and surpassing all historical records for migratory flows at the southern border. However, this is not the first time that Morocco has clearly cut its border controls and facilitated passage to Spain. In 2014, as already mentioned, with Mariano Rajoy in government, more than 3,000 people set sail from the Moroccan coasts in a single weekend on patera boats with the aim of crossing the Strait of Gibraltar. After about 48 hours, the neighboring country's forces resumed patrolling its waters and arrivals returned to their usual levels.

Despite the known Moroccan's attitude to instrumentalize the migratory flows for its own interests a question raised: What has been the trigger this time? According to the international sources the reasons are two.

Firstly, as previously mentioned, it was due to Spain's decision to host Brahim Ghali, the secretary general of the nationalist Polisario Front movement, treated in a Spanish hospital for COVID-19. After the end of an almost 30-year ceasefire, Moroccan soldiers clashed again with the Polisario Front over control of the Western Sahara territory, a dispute that has been going on for more than 40 years, and Spanish solidarity offered to Ghali was considered an offence by Morocco, which then threatened its relations with Spain.

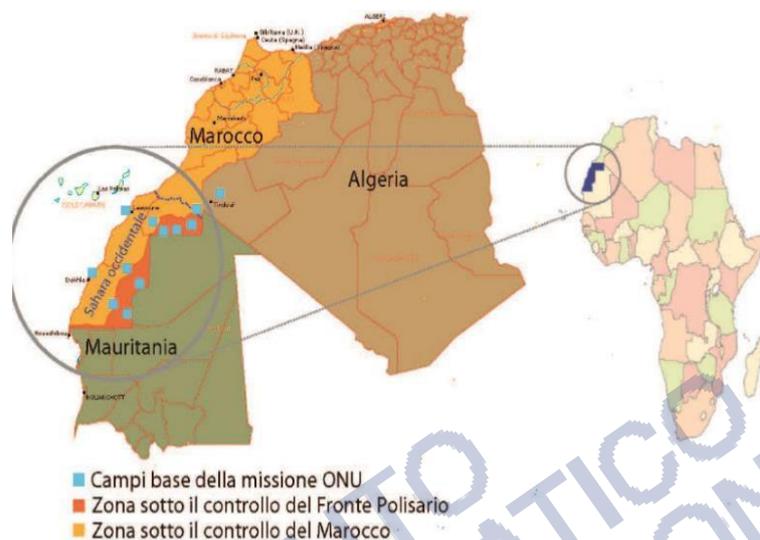
Secondly, as highlighted by Martinez in *El País*, however, the real issue behind these threats is another, namely the fact that last December the former US President Donald Trump recognized Morocco's sovereignty over Western Sahara²¹⁹. The Spanish press claimed that it was Trump's recognition that led the Moroccan government to put increasing pressure on Spain and the European Union for the recognition of Morocco's sovereignty over territories partially controlled by the Polisario Front (Martinez, 2021). Indeed, after Trump's declarations, Spain had limited itself to adhering to the positions of the UN, which recognizes the Polisario Front as the legitimate representative of the Sahrawi people, i.e., those living in parts of the Western Sahara Desert: thus, doing the opposite of what Morocco had wished for.

Notably, the Western Sahara's question has always been a crucial topic for Morocco and for its relationship with Spain. According to Zupi, in the aftermath of Moroccan independence and the end of the French protectorate (1956), Spain, which was also present in that part of Africa, did not abandon the two small enclaves of Ceuta and Melilla on the north coast of Morocco, nor the colony of Western Sahara where, a few years earlier, huge deposits of phosphates had been discovered (Zupi, 2021). The Sahrawi people, mobilized against the colonial occupation, launched an attack in November 1957 on the port city presided by Spanish troops, present-day Tarfaya, on the Atlantic coast. In 1958 Spain defeated the Sahrawi uprising, allying itself for the occasion with France and the armed forces of Sultan Mohammed V of Morocco, who subsequently, for the first time, claimed the Sahara as Moroccan. In 1965-66, two specific UN resolutions²²⁰ were passed that reaffirmed the right of the Sahrawi people to decide by referendum whether to create their own state or join an existing one. Spain did not oppose to this, pointing out the need to first carry out a population census in the region. All this helped to strengthen the Sahrawi people's independence ambitions and, at the beginning of 1967, the Saguia el-Hamra and Rio de Oro Liberation Movement was formed, the first Sahrawi nationalist movement to claim independence. In the early 1970s, the independence movement found

²¹⁹ In practice, the formal recognition by the United States of Moroccan sovereignty over Western Sahara should also entail a scenario of normalisation of diplomatic relations between Morocco and Israel, including on Palestinian and Western Saharan issues.

²²⁰ Resolution 2072 from the General Assembly on 16 December 1965 and resolution 2229 on 20 December 1966.

itself acting at the same time against the Spanish occupation and Moroccan territorial claims. After the bloody Spanish repression of a peaceful demonstration in Zemla (1970), the Sahrawi movement decided to go beyond the peaceful form of resistance and, in 1973, it gave birth to the Polisario.



(Source : CeSPI, available online <https://www.parlamento.it/application/xmanager/projects/parlamento/file/repository/affariinternazionali/osservatorio/NOTE/PI0089Not.pdf>)

In 1974, Spain, having completed the census of the population of Western Sahara - which had registered 74,902 people - declared itself ready to carry out the referendum for self-determination of the Sahrawi people. However, Morocco expressed its clear opposition to Spain's decision (Ibidem).

Consequently, in 1975 the International Court of Justice issued an advisory opinion on 16 October 1975, stating that Western Sahara was not *terra nullius* in the 19th century. The area was inhabited by a predominantly nomadic people, divided politically and socially into tribes led by chiefs recognized as legitimate representatives, who among other things signed the 1884 protectorate treaty with Spain that soon degenerated into colonial rule. The Court excluded any form of territorial sovereignty over Western Sahara by Morocco or Mauritania²²¹. On the day of the publication of the Court's opinion, which seemed likely to provide definitive clarity, King Hassan II called for a march of Moroccan 'volunteers' to take control of what he called the 'Moroccan provinces of the Sahara'. The so-called Green March, renamed the Black March by the Saharawi people, began on 6 November 1975, with 350,000 Moroccans entering the area from the north-west without encountering any resistance from Spain, and a curfew was immediately imposed on the entire Western Sahara. On 14

²²¹ International Court of Justice (1975), "Western Sahara Advisory Opinion", *ICJ Reports*, p.68, para. 162.

November 1975, Spain, Morocco, and Mauritania signed the Madrid Accords, according to which Spain decided to abandon Western Sahara, leaving the dispute in the hands of Morocco, Mauritania and Polisario: the main clause of the agreement, in fact, was to divide the territory between Morocco and Mauritania, while Spain was guaranteed 35 per cent of the phosphate mines and fishing rights in the waters for ten years. Immediately, Morocco and Mauritania increased the deployment of armed forces in the area. However, in 1991 a United Nations mission (Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental, MINURSO), with a few hundred military, was established in Western Sahara to oversee the implementation of the peace plan, called the Settlement Plan (Zupi, 2021). Despite Morocco's adherence to the ceasefire, attempts by the separatist front to carry out military operations against Moroccan army posts have led Rabat to claim the right of self-defense, to guarantee territorial integrity and national security. Some 30 years after the proclamation of the ceasefire, tensions flared up again on 13 November 2020, when the Moroccan authorities decided to intervene in the buffer zone of Guerguerat, a small village in the extreme south-west of Western Sahara, in response to the unacceptable provocations by the Polisario. In fact, already on 21 October, according to Moroccan sources, armed groups loyal to the Polisario Front, amounting to about 70 fighters, had closed the border crossing between Morocco and Mauritania and infiltrated the area of Guerguerat, hindering the movement of people and goods, as well as restricting the work of the UN Mission's military observers.

Recently, as already mentioned, the outgoing US President Donald Trump proclaimed the official recognition of Morocco's sovereignty over the disputed territories. This decision was not entirely unexpected because, despite US humanitarian assistance to the Sahrawi people, the strong US ties with Morocco and the strategy woven to create a belt of unprecedented alliances and mutual recognition around Israel, was among the US administration's priorities. This event has increased the disappointment of Morocco toward Spain and the EU for not recognizing Morocco's sovereignty over areas partially controlled by the Polisario Front.

Overall, as it has been remarked more than once, at the center of the Spanish Morocco's tensions there are the revendication over the Western Sahara and the contention of the two Spanish enclaves with the consequent instrumentalization of the migration flows. Indeed, in such delicate context, which has been the response by the European Union?

3.3.1. Diplomatic revendications and migratory crisis: which response by the EU?



Margaritis Schinas  @MargSchinas · 18 mag

La frontera española de #Ceuta es una frontera europea. Plena solidaridad con España. Necesitamos ya el Pacto de política migratoria europea: acuerdos con países terceros; una robusta protección de nuestras fronteras; solidaridad entre los EEMM, y una política de migración legal.

 206

 865

 2.022



(Margaritis Schinas on Ceuta migration crisis. Source : <https://twitter.com/margschinas/status/1394595277005332480>)

"Ceuta is Europe, this border is a European border and what is happening there is not Madrid's problem, it is the problem of all Europeans. We need a European migration pact, agreements with third countries, robust border protection, solidarity and a policy for legal migration", with this Tweet²²² the European Commission Vice-President Margaritis Schinas expressed his sustain to Europe and Spain while denouncing Morocco's attitude.

As reported in the article²²³ Schinas also claimed that Europe "will not allow itself to be intimidated by anyone on the subject of migration", adding that the Union would not be a victim of Morocco's strategy to instrumentalize migration by relaxing its borders control. Against the backdrop of a major diplomatic crisis with Morocco, linked to the reception in Spain for treatment of the leader of the Sahrawi independence movement Polisario Front, the Spanish government responded by summoning the Moroccan ambassador to express its "displeasure" with the arrival of these thousands of migrants (Ibidem). Brussels, after expressing its solidarity to Spain, appealed to Morocco, through the voice of European Commissioner Ylva Johansson, to prevent irregular departures from its territory. Moreover, Margaritis Schinas²²⁴ remembered that the EU cannot be intimidated by its partner countries, recalling, and reproaching that over the last 15 months there have already been few attempts by third countries to exploit the migration flows to favor themselves. However, he added that after such dramatic event, the European Union has three different messages to share:

²²² <https://twitter.com/margschinas/status/1394595277005332480>

²²³ Le Parisien avec AFP, 6/05/2021. Available online : <https://www.leparisien.fr/international/afflux-de-migrants-a-ceuta-leurope-ne-se-laissera-intimider-par-personne-reagit-la-commission-europeenne-19-05-2021-LN7TQOJRFRCXZF2WOSNMFJYTWM.php>

²²⁴ <https://www.rtve.es/play/audios/las-mananas-de-me-con-inigo-alfonso/margaritis-schinas-europa-marruecos-chantaje-migracion/5908078/>

Firstly, what has happened in Ceuta few months ago is not only a problem interesting Spain but all the European countries and so as a Union they will have to act together.

Secondly, the role of transit countries and neighbors' countries must be clear, and they must recognize that migration is part of their partnership with the European Union, recalling what has been done to Turkey when migratory events have occurred at the Greek-Turkish frontiers.

Thirdly, the last message regards the need to establish a new migration agreement to better manage the migratory flows, through the establishment of a New European Pact. Moreover, he recognized the importance to take new solutions to respond to the populists' attitudes by affirming that it is essential that the 27 member countries reach a more incisive European agreement on migration so to speak with one voice in the view of such migratory crises. The latter will be Europe's best response to the populists and Europhobes because it will show that Europe can solve difficult and common problems eradicating the idea that immigration is the proof of Europe's unsuccess. On the contrary, it will be proving that Europe can provide solutions on the ground²²⁵.

As consequence of these events, on 9 of June 2021 the European Parliament presented a Joint motion for a resolution²²⁶ on the breach of the UN convention on rights of the Child and the use of minors by the Moroccan authorities in the migratory crisis in Ceuta.

Thereby, the European Parliament recognizes the ties between the European Union and the Kingdom of Morocco, legally contained in the 2000 Association Agreement, the close neighborhood policy (ENP), the presence of Morocco in the Emergency Trust Fund for Africa, the ENI, the Global Europe Program, and the Erasmus + and the Advanced Status under the ENP. However, the recent crisis gave birth to diplomatic tensions between Morocco, on one side and the EU and Spain on the other, where the EU remarked the unrespect provoked with this action and the need to pursue cooperation and good neighborhood relations.

In this Join Motion for Solution the European Parliament highlighted:

The unacceptable behavior by Morocco and the denunciation of the event reproaching that “*such massive movement of people can hardly be considered spontaneous*”²²⁷.

²²⁵ Supra.

²²⁶ European Parliament resolution on the breach of the UN Convention on the Rights of the Child and the use of minors by the Moroccan authorities in the migratory crisis in Ceuta (2021/2747(RSP) B9-0349/2021 } B9-0350/2021 } B9-0359/2021 } B9-0362/2021 } RC1. Available : https://www.europarl.europa.eu/doceo/document/RC-9-2021-0349_EN.html

²²⁷ Supra p.3

The rejection of “*the Morocco instrumentalization of the borders for pursuing political pressure against European member states, and the request “to put an end to the diplomatic crisis between the two in exchange of a deeper cooperation in counterterrorism, human trafficking, and migration”*”²²⁸.

The reaffirmation of “*the inviolability of EU Member States’ national borders and the respect for the territorial integrity of EU Member States as a basic principle of international law and as a principle of European solidarity “and the rapprochement that “undermining the territorial sovereignty of the Member States cannot be tolerated”*”²²⁹.

Finally, the recognition of the need for “*the Commission and the Kingdom of Morocco to cooperate and formally conclude an EU-Morocco readmission pact with the necessary legal granting*”. Indeed, the future EU cooperation with the countries of the southern shore of the Mediterranean needs to be based on the long-term objectives of handling the root causes of unpredictable relocation by fortifying financial improvement, investment, and the creation of new job opportunities²³⁰.

3.3.2. *What does the future hold for the relations between the European Union and Morocco?*

After this migratory crisis in the Spanish enclaves, there is the preoccupation about the Morocco’s future relations with the EU. What will be the future for the EU-Moroccan relations? Margaritis Schinas²³¹ expressed his opinion by remembering that Morocco has a very generous framework in the European Union, and it has signed agreements in all sectors. It is also considered one of the most important trade partners with the European Union and so cooperation between Morocco and all transit countries will be a key for future stronger relations.

Soon, the European Union²³² is intended to achieve a New Pact on Migration and Asylum ²³³which is aimed at guaranteeing security to people seeking international protection or better life opportunities, a better management of border protection and a clearer system of integration and readmission in order to manage future migratory fluxes.

²²⁸ Supra p.4-5

²²⁹ Supra p.6

²³⁰ Supra p.7

²³¹ <https://www.rtve.es/play/audios/las-mananas-de-rne-con-inigo-alfonso/margaritis-schinas-europa-marruecos-chantaje-migracion/5908078/>

²³² <https://twitter.com/vonderleyen/status/1394646949643575298>

²³³ New Pact on Migration and Asylum, available online: https://ec.europa.eu/info/sites/default/files/new-pact-on-migration-and-asylum-package_1.pdf



(Ursula von der Leyen on the migratory flow from Morocco to Ceuta on 18th May 2021. Source: Twitter <https://twitter.com/vonderleyen/status/1394646949643575298>)

In such context, the European Commission expresses its need to start a new approach toward the migrations by strengthening the trust and finding a new equilibrium between responsibility and solidarity.

The latter could be achieved through the following objectives²³⁴:

- 1) Better and more efficient procedures
- 2) Better organized management of Schengen and external borders
- 3) Effective solidarity
- 4) Competence
- 5) Deepening international partnerships
- 6) Flexibility and resilience

Overall, more decisive approaches will ensure clearer responsibilities, helping to reestablish confidence between Member States while providing clarity to candidates. Examples given; compulsory pre-entry screening, collection of data and info in the Eurodac data base, legal guarantees, certainty, and protection for migrants etc. These initiatives will improve the management of key processes, in particular asylum and returns²³⁵.

²³⁴ Supra.

²³⁵ https://ec.europa.eu/info/sites/default/files/new-pact-on-migration-and-asylum-package_1.pdf

Moreover, specifically addressed to Morocco, the European Union must work on its position on the Western Sahara question. Indeed, the EU has never expressed its opinion in a peremptory and unequivocal way on the question of Western Sahara, having, moreover, internally very different positions on the matter. On the one hand, Sweden apposition to any Moroccan annexation of the Western Sahara, recognizing that Morocco has no claim on it and by helping in the MINURSO operation. Then Spain, which has been the most involved in the conflict, demonstrating once again its far support to Morocco by hosting, on May 2021, the leader of the SADR for medical treatment, a betraying act that led to a hard diplomatic crisis between Morocco and Spain. Finally, Germany whose relations with Morocco have been compromised by the criticisms to Trump recognition of Moroccan's sovereignty over Western Sahara in exchange of Rabat's normalization of its relations with Israel. Moreover, diplomatic tensions with Germany have been increased by Morocco's exclusion from the discussions on Libya's political future, during the Berlin Conference on 20 January 2020 where the Ministry had reiterated Morocco's centrality "in the international efforts to resolve the Libyan crisis". In this regard, Rabat had recalled the key role it had played in the conclusion of the Skhirat Agreement on 17 December 2015, thanks to which the "government of national accord" had been established, under the auspices of the UN, and a path towards resolving the conflict in Libya. Indeed, during the second half of 2020, following the Libyan ceasefire on 21 August, Morocco had then hosted several roundtables on the Libya issue, convening rival Libyan factions during rounds of meetings in Bouznika and Tangier. Indeed, Nasser Bourita pointed out that the decision to sever relations with the German embassy in Rabat and cultural organizations was triggered by the fact that Germany has constantly undermined Morocco's interests in recent months, the Ministry also condemned the "complicity" of the Berlin authorities regarding the case of Mohamed Hajib, a former detainee with dual nationality, German and Moroccan, who has been residing on German soil since 2017.

Moreover, these ambivalent positions are compromised, at the same time, by the EU humanitarian aid to refugees in Sahrawi refugee camps, while never shied away from exploiting the economic opportunities offered by its partnership with Morocco (Zupi, 2021, p. 10).

Indeed, the European Union finds itself in a contradictory situation, where a coherent position on the Western Sahara question would be necessary. This is particularly due from one hand to the willingness of maintaining strong ties with Morocco, while on the other hand to keep its normative commitments to promote its own liberal-democratic principles. It is known that in the Western Sahara different cases of violation of human rights have been registered and within the recognition of this territory the EU fears a possible detachment from its values and principles.

However, “the European Union must not be a passive observer in the Western Sahara issue” (Palacio, 2021) affirmed since it could have positive effects on the European international credibility.

Cavanagh remarked that with a deeper engagement with Rabat, which maintains with the EU its position as a trade and security partner, Brussels could demonstrate its ability in being an international moderator and fair trader to revive stagnant UN negotiations, a position it enthusiastically acquired in the 2015 Iran nuclear negotiations (Cavanagh, 2021). Indeed, such position could be used to improve the position of European leadership from two different perspectives: the Union's position within the United Nations and its relations with Africa. By utilizing its great relations with Morocco to advance on the Western Sahara's issue, the EU would be reinforcing its position as an international actor in struggle resolution. Moreover, since the SADR is a member of the African Union, this can represent an opportunity for the Union to affirm itself on a continent where its presence has been challenged by other powers. The Western Sahara has been an issue of international interest for decades, and while the EU's current position represents a challenge to the EU's international credibility, contributing to a constructive and clear resolution of the issue would solve its contradictory position, but it would also improve Brussels' international role as “normative power²³⁶” it wants to be (Ibidem).

²³⁶ The Normative Power role attributed to Europe refers to the EU as an 'ideational' actor characterised by common principles and acting to diffuse norms within international relations.

Conclusion

At the end of my analysis, it is possible to acknowledge that the Mediterranean area has offered the impulse for a dialogue between two important actors, namely the European Union, a model for economic, political, and social development, and Morocco, a strategic country in the MENA region especially for its long-lasting relations with the Arab and the Western world as for its geographical position at the gateway to Europe.

The study made for the first part, based on historical sources, has confirmed the importance of the Mediterranean Sea, capable of unify and divide, the center of the encounter and confrontation between civilizations and political powers which in the end has built a common Mediterranean character. The power of the encounter and dialogue of the Mediterranean area has been exploited by the European Union, even though not always with satisfactory results, to establish its own Mediterranean policy starting since its creation with Association Agreements with third countries to preserve and expand traditional trade roots and to develop non-community areas. Then enhancing broader cooperation in the EMP, ENP, UfM through economic, social, and political projects toward third-Mediterranean countries among which Morocco.

The second part directly shows the paths of cooperation between the EU and Morocco at the bilateral and regional level retracing their ties since 1969 to 2008 when Morocco acquired the advanced status in the Union. However, the many dialogues fostered to implement this complex partnership in the Mediterranean framework resulted to be unbalanced and sometimes disempowered. Firstly, the EU has mostly used these partnerships to impose its own interests without considering the needs and the interests of the counterparts as the ENP and the unsuccess of the democratic reform show, as well as the failure of the Union for the Mediterranean, an inclusive and ambitious project, that unfortunately resulted to be another “business as usual” initiative. Secondly, most of the EU’s policy objectives were economically driven and poorly security and human driven, moreover, most of them did not create binding obligations. Nevertheless, as result of this complex reality more practical policies have been taken at the bilateral level, such as between Morocco and Spain. Moreover, in a particular political and economic situation it has been possible to see that the EU-Morocco cooperation has been challenged by the presence of global players: GCC countries and China. The latter demonstrated more attention to the real needs of states like Morocco, compared to the approach used by the Western actors and by EU in its Mediterranean policies, by assessing “development peace” rather than the West’s “democratic peace”.

In the last part, the research shifts to a broader example of Mediterranean dialogue between the EU and Morocco: the management of the migration flows in Western Mediterranean waters. At the regional and bilateral level both have been cooperating through many initiatives: Tampere Council Conclusions highlighting the need for a comprehensive approach and dialogue with countries of origin and transit, the Rabat process, Mobility Partnership, and lastly the European readmission agreements (EURA). The latter has showed difficulties in obtaining a comprehensive and uniform policy since Morocco still oppose with the aim of continuing the negotiations, however, it decided to cooperate on readmissions only at the bilateral level with Spain. The latter has always been engaged with Morocco about territorial disputes and recently it had to cope with a migration crisis in the two enclaves, Ceuta and Melilla, an additional attempt used by Morocco to obtain from the EU more cooperation funds and diplomatic recognition in the Western Sahara dispute. However, as the official sources reported, the EU institutions have condemned Morocco's bargain attitude and have called for the adoption of a *New Pact for Migration and Asylum* addressed to receiving, transit and sending countries like Morocco that use the migration control in a coercive way to obtain funds and diplomatic recognition. Moreover, the European Union recognized the need to find a solution to the Western Sahara dispute, especially in what concerns the contradictory positions of its member states. Recently, two diplomatic crises between Morocco Spain and Germany have occurred, exacerbating their relations.

So, finally, the best strategy would be that, in this complex reality the EU would invest significantly in cooperation and development of the countries on the southern shore, creating the conditions for these countries to become truly reliable partners through a sharing of values. However, to do this both countries must do their part. On the one hand, the EU should exploit the tools that already exist, further increasing conditionality clauses and encouraging above all "people to people" relations, the only ones capable of having a long-lasting effect on civil society. Indeed, a stronger dialogue is certainly needed to address the real needs of the countries of the neighbouring Mediterranean area. Specifically for Morocco, the EU should, besides enhancing social and political and economic developments, take a firm position on the Western-Sahara conflict, so to avoid contradictory approaches and diplomatic crisis. Morocco, on the other hand, has taken many steps towards democratic transition, however, it is hoped that dialogue and cooperation initiatives can be multiplied to promote further actions to build a common vision of human rights and democracy.

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Summary

Historically, the Mediterranean has represented the center of dialogue, of confrontation between different civilizations that have made of it an ancient crossover on whose shores they have left a bit of their culture and history. The great Mediterranean historian Fernand Braudel defined it as “the sea that unifies and divides”; since for ages, it has been also the soil for wars and conflicts. Its essential peculiarity is to have hosted in its history, in succession and simultaneously, different civilizations that have found in the "internal sea" something more than a geographical and physical location, drawing from it those vital elements capable of establishing a common Mediterranean character. A clear example is given by the coexistence of the three monotheistic faiths namely the Christians, Jewish, and Muslims: three characters unified by a common area and whose ideologies and interests changed accordingly. However, this promiscuous space of interaction, year after year, has been subjected to different changes; firstly it lost its centrality, the discovery of America (1492) contributed to the shift of economic interests towards the Atlantic taking the supremacy away from the Mediterranean and leaving it in the hands of piracy, secondly it has been transformed into a global sea, a space of political confrontation where different global players such as the USSR, the USA, China, and the EU have been contending it.

The purpose of this work is to highlight the power of the encounter and dialogue of the Mediterranean area exploited by the European Union, even though not always with satisfactory results, to establish its own Mediterranean policy through economic, social, and political projects toward third - Mediterranean countries with a special attention to its cooperation with Morocco.

The European Union, with its mediatory nature, has been trying to spread its “soft power” values and principles in Mediterranean third countries²³⁷ by establishing strategic partnerships. The origin of Euro-Mediterranean policy dates to the Treaties of Rome of March 1957, a period characterized by a recent decolonization in North Africa, where some preconditions for dialogue between the Community and third countries on the Mediterranean shores were established but only later giving rise to a genuine Mediterranean policy. In this period the EEC expressly recognized the principle of

²³⁷ With the notion of Mediterranean third countries, we intend all countries in North Africa and Southwest Asia with which the European Union established the Euro-Mediterranean Partnership with the 1995 Barcelona Declaration and so on. Among Mediterranean third countries it is usual to make a further classification relating to some countries belonging to specific geographical areas or regions; in fact there are Maghreb countries (in Arabic al-Maghrib, "the Sunset, the West"), such as Morocco, Algeria and Tunisia and Mashreq countries (from the Arabic root sh-r-q, meaning "East, Orient" or also "place of the dawn") that is Egypt, Jordan, Palestinian Territories (West Bank and Gaza), Lebanon, Syria and Israel.

*economic association*²³⁸ with third countries with the aim of preserving and expanding traditional trade routes and contributing to the development of non-Community areas. Former Articles 113, Art. 227, Art. 238 of the Treaty of Rome²³⁹, a Protocol, and two Declarations were, among the various provisions, the most legally relevant ones regarding the Community's capacity to build association agreements. The Community's main objective was to achieve, to an extent that varies from country to country, a certain liberalization of trade, even when it uses the formula of association. Moreover, from the 70's onwards a more concrete cooperation with countries on the Mediterranean shores was established. The Global Mediterranean Policy (1973 -1992), on one hand, wanted to pursue wider actions aimed at liberalizing commerce, and at the same time, to spread cooperation on different sectors. Despite it represented a new beginning for the EU-Mediterranean relations, it did not close the gaps between the two shores of the Mediterranean and did not promote economic development, regional integration, and democracy in the less developed areas of the Southern bank. This is the reason why the cooperation shifted toward new horizons. Firstly, toward the Renewed Mediterranean Policy (1992-1995) and secondly to the Barcelona Conference held in 1995 giving birth to the Euro Mediterranean Partnership (1995-2004)²⁴⁰. At the basis of the EMP there is a project of interregional cooperation and integration which is essentially based on the creation of a free trade area, economic exchanges, promotion of human rights, development of vulnerable sectors such as labor, education, and civil participation. The idea that animates those closer relations was based not only on the geographical proximity, but also on the historical and cultural proximity of the areas bordering the Mediterranean. The EMP was based on three objectives (also known as baskets): the creation of a "political and security partnership"²⁴¹, then the establishment of an area of "shared prosperity" through an economic and financial partnership, and a third one namely a "social, cultural and human partnership"²⁴² aimed at developing the human resources, comprehension of different cultures and exchanges between civil societies. The EMP has been working through the MEDA, an important financial instrument granting aids and funds. However, this partnership, perhaps too ambitious, has not achieved the desired results. In Barcelona, an important lesson was learned, namely that the

²³⁸ In this period the relations with the Mediterranean third countries were based on pre-existent bilateral relations with the ex-colonies. The Treaty of Rome recognised the principle of economic association with those countries to preserve and deepen the economic ties as well as contribute to their development.

²³⁹ <https://netaffair.org/documents/1957-rome-treaty.pdf> (P.78).

²⁴⁰ <https://eur-lex.europa.eu/legal-content/CS/LSU/?uri=CELEX%3A52005DC0139>.

²⁴¹ In the overall vision of the European Union the long-term objective of the Euro-Mediterranean Partnership is the creation of a security regime through the so-called Confidence building measures, as an alternative to the traditional security dilemma based on the use of military means. But since the creation of mutual trust in the Mediterranean, which is still a theatre of conflict, is difficult to achieve, the concept of Confidence building measures, which is the pillar of the European security system, has been blurring and in the language of the Euro-Mediterranean Partnership we more realistically refer to Partnership building measures, that is, measures aimed at developing the partnership.

²⁴² *Supra*.

Mediterranean is not an impermeable frontier that can isolate people for long and allow wealth and poverty to coexist peacefully. Indeed, the EMP has not succeeded in stimulating the economies of the Mediterranean countries, nor in reducing the gaps between the countries of the northern and southern shores. Then, the unresolved Arab Israeli conflict, following the failure of the Madrid process, had very negative repercussions on the Barcelona process. However, the new millennia opened with the launch of the European Neighborhood Policy (ENP) aimed at promoting a more inclusive approach with greater economic integration and deeper political cooperation between the EU and its neighbors. The Action Plans, namely documents signed between the European Union and individual countries, list the priorities of bilateral cooperation and the reforms to be implemented. The ENP, compared to the EMP, has a more economic approach, and it is more bilateral, while the other is more concentrated on security and political matters, and it is more collective (Aliboni, 2010). However, over the years it has developed, and it integrated regional and multilateral cooperation initiatives. Moreover, the ENP resulted to be a success compared to the EMP from the democratic point of view. Indeed, it is possible to notice the progress in the defense of human rights especially for women's rights in countries like Egypt, Morocco, and Jordan, compared to others that continued to apply methods of torture and limitation of freedom of expression and association. Advancements have been made also in the field of dialogue and mobility. However, for the question of immigration there is still not a just protection and assistance in most of the Member states of the ENP, many of whom did even not apply to the Refugee Convention of 1951 and to the 1967 Protocol. In 2010-2011, the European Neighborhood Policy underwent a revision entitled "*A new response to a changing Neighborhood*"²⁴³, namely after the general turmoil provoked by the Arab uprisings, where a new principle was introduced: "*more for more*" granting greater investments to countries which consolidated the democratic reform. Nevertheless, political fragmentation and the dissatisfaction that previous policies had produced led to an attempt to relaunch the Barcelona Process, represented by the Union for the Mediterranean (UfM) suggested by former French President Sarkozy in 2008 with the aim of "*making the Mediterranean the world's largest laboratory for co-development*"²⁴⁴. The latter welcomes the relations between the EU and the Mediterranean countries that are not members. It deepens the bilateral relations between states, which will develop under the European Neighborhood Policy (ENP).

²⁴³JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, *A new response to a changing Neighborhood*. /* COM/2011/0303 final */. Online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52011DC0303>.

²⁴⁴French President's speech on the UfM in Tangier, 2007. Online: <http://www.ambafrance-uk.org/Discours-du-President-Sarkozy-sur>.

Notably, the European Union by perusing its Mediterranean policy with the countries on the Mediterranean shores, among which the countries of the MENA region, found a valuable partner: Morocco. The reputation of the Kingdom is pluri-secular, its active involvement in the international sphere, its inclusive nature, and its evolution towards western standards, namely with the reforms adopted under King Mohammed VI, have made possible the establishment of strategic ties in the western world. Indeed, since King Mohammed V (1927-61) and then under King Hassan II (1961-99) and Mohammed VI there has been an attention to the establishment of strategic relations with Western actors, where Morocco aligned particularly with the United States becoming a Major non-NATO ally and with the European Union becoming one of its privileged partners. Under King Mohammed V²⁴⁵, Morocco wanted, on the one hand, to consolidate its image as an interlocutor between the West and the Arab world, to ensure, in the collective interest, stability and peace in the Mediterranean (severely tested by the Suez crisis) and, on the other hand, find support in its long-lasting territorial disputes. Although Morocco has been strongly committed to the normalization of relations with neighboring countries trying to resolve territorial disputes with Algeria (ended with the signing of the Treaty of Ifrane), and with the question of the Western Sahara, the government of Rabat has focused its attention also on the issue of peace and stability in the Eastern Mediterranean strained by the Arab Israeli wars. Indeed, Morocco contributed to the peace process in the Middle East, thanks to the personal diplomacy of King Hassan (not always shared), who was able to act as a mediator activating the channels of communication between the parties. It is in an apparently more relaxed international climate, that an ambitious program of cooperation between the countries of the European Union and the countries of the southern shore of the Mediterranean began. Indeed, the relations with the European Union, constant in time even if not always linear, constitutes, on one hand, a strategic asset, and a special characteristic of Morocco's foreign policy.

At the beginning, during the colonial era, Morocco's structure of production and trade was deliberately placed in the orbit of the metropolitan economy, modulated according to its needs. The relationship between Morocco and Europe was at first simply a historical legacy and a moral demand. However, in the aftermath of its political independence (1956), Morocco found itself obliged to define its relations with the EEC which sought to consolidate itself as an economic giant, while proposing a model of association (1969) aimed at promoting cooperation between the EEC and the Maghreb States for economic and social development through economic, technical, and financial helps. Nevertheless, the agreement creating an association between Morocco and the EEC had registered, on the one hand, limits linked to the agreement itself and, on the other hand, limits inherent to the

²⁴⁵ King of Morocco from 1927 to 1953 and then again from 1957 to 1961.

legal and political realities of the two partners (Essebbani, 2008). Indeed, the framework of the Moroccan-EEC Association Agreement was marked by the *de facto* inequality of the power relations of the two partners. On the one hand, there was the EEC an integrated and developed European grouping of countries with a strong and diversified economy. On the other hand, Morocco, an underdeveloped country with a disjointed and dependent economy.

Then, the establishment of the cooperation agreement (1976) represented the legal basis for Moroccan-Community relations. Of unlimited duration, this agreement had the merit of being more comprehensive than the previous one, despite the commercial and social results of this approach have not been very satisfactory because of the protectionist attitude in the European industrial sector and the protectionist nature of the CAP.

The 90's marked the establishment of an agreement that would ensure a greater opening of the Moroccan economy and whose expected objective was to go beyond the limits of the first agreement of 1969, then followed by the signature of the second cooperation agreement in 1976. The Association Agreement, falling within the framework of the Euro-Mediterranean Partnership, was announced in 1996 and signed in 2000, representing the symbol of an enhanced cooperation between the Kingdom and the EU fostering political dialogue, economic transition through the gradual establishment of an FTA (free trade area). The latter is conceived as a component of a long-term partnership framework and an important milestone for the realization of the Euro-Mediterranean economic area. The MEDA program was one of the main instruments used to enhance the EU projects in the region aimed at strengthening political reform, promoting economic and financial operations with the ultimate objective of granting long-term stability and prosperity to improve the living conditions of the populations and reducing social and regional inequalities. However, despite Morocco became one of the main beneficiaries of the MEDA programme, with a total of €1.472 million for 1995–2006, €660 million under MEDA I (1995–1999) and €812 million under the MEDA II (2000–2006)²⁴⁶, very few countries have really been benefitting from democratic improvements and economic liberalization policies enough to register an economic growth and democratic reform. On the one hand, it was namely due to ruling elite's lack of response to comply with human rights and democracy standards defended in the Barcelona Declaration, on the other hand due to the EU protectionist attitudes, in the agriculture sector, toward the Mediterranean partners.

²⁴⁶ Official Journal L 070, 18/03/2000 P. 0002 – 0204. Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part. Available online: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22000A0318%2801%29>.

Furthermore, the EU-Morocco's complex cooperation, in the Mediterranean framework, went on with the establishment of the European Neighborhood Policy (2004)²⁴⁷, then reviewed in 2015. The Action Plan²⁴⁸ contributed to deepening their bilateral relations covering all the areas of cooperation: political, security, economic and cultural ones. Firstly, it was aimed at moving beyond the mere existing relationship to a higher degree of integration, permitting Morocco to access to the international market and to participate in the key aspects of the EU policies and programs. Secondly, it upgrades the intensity of political cooperation through enhanced political dialogue, and it permits the convergence of economic legislations as well as the reduction of trade barriers by stimulating investments and growth. Moreover, the Action Plans identifies the legislative reform and international human rights standards, as well as fundamental freedoms as priority areas. Indeed, one of the main objectives of the ENP was the assessment of the democratic reform in the country. However, particularly the excessive concentration of power in the monarchy's hands, then the limited competences of the Parliament, the weak party system within a limited pluralism, the exclusion of relevant political parties, and a fragmented electoral system limiting the parties due to the arbitration role of the king, have obstacle the democratic reform in Morocco.

Overall, the ENP represented another opportunity for the European Union and Morocco to strengthen their political and economic ties and promote stability, security, and prosperity on a basis of partnership and common interests. Consequently, at the EU-Morocco Association Council of 23 July 2007²⁴⁹, Morocco and the European Union decided to launch a joint reflection process aimed at strengthening bilateral relations. To this end, an *ad-hoc* working group was established where Morocco presented a series of concrete proposals aimed at giving substance to the aspired 'Advanced Status' in the European Union. This implies the gradual adherence²⁵⁰ of Morocco to the conventions of the Council of Europe, which also reflects taking into consideration the human rights field. Indeed, the progress in the human right field can be considered the most positive aspect of the Advanced Status with the hope that the reinforcement of political dialogue may lead to higher level of "norms compliance" in the medium term (Kausch, 2009). Economically speaking, the parties agreed on the medium-term objective to establish a Common Economic Area inspired by the European Economic area through the adoption of the *acquis communautaire*, the conclusion of a comprehensive free trade agreement, to booster economic cooperation. Furthermore, it was aimed at strengthening dialogue and cooperation in the energy and in employment sectors. The actions listed in this document cover

²⁴⁷ European Union, Euro-Mediterranean Partnership, MEMO/97/36.

²⁴⁸ *Supra*.

²⁴⁹ European Commission, *Joint Document on the Morocco Advanced status in the EU*, 2008. Online: https://ec.europa.eu/external_relations/morocco/docs/document_conjoint_fr.pdf

²⁵⁰ *Supra*.

the political, economic, financial, social, and human fields, as well as the participation of Morocco in certain Community agencies and programs. Notably, the ‘political and strategic dialogue’ is the field where the Joint Document is more innovative in comparison to the existing framework of EU – Moroccan relations. Indeed, the acquisition of advanced status in 2008 led the EU-Morocco cooperation to a higher level. As a result of these cooperation projects, the EU Commission²⁵¹ remarked that Morocco has become the EU’s 20th biggest trade partner, as well as the EU’s biggest trade partner among the Southern Neighborhood countries, with 25% of total EU trade in goods with the region. Today, the European Commission launched an Economic and Investment Plan for the Southern Neighbors²⁵² to ensure the improvement of people’s life quality standards in the region and an economic recovery, namely after the following COVID-19 pandemic. Indeed, this has made possible the reinforcement of their relations.

However, its ties with the EU, its strategic geographic position on the Mediterranean as a natural bridge between Africa and Europe have attracted new global actors which have challenged the EU-Morocco’s cooperation. Indeed, Morocco diversified its partners on the international scene looking for new strategic allies for investment expansionism and regional strength. Particularly, the relation between Morocco and the GCC countries was aimed at attracting investments and strengthening Morocco's regional political power over the Western Sahara’s occupied territories and the geopolitical framing of its conflict with oil-rich neighboring Algeria. However, they remained anchored to a form of partnership rather than membership, from one hand within Morocco’s willingness to pursue strong economic and diplomatic ties²⁵³ while maintaining a neutral position in the regional conflicts, and from the other hand, with Morocco’s intention to reaffirm its “Maghrebi belonging” (Rousselet, 2014) and to respect the South-south cooperation based on regional and geographical coherence. Moreover, the MENA region attracted emerging countries like China, showing particular interest toward Morocco. The Morocco-Chinese relationship can be retraced to November 1958, when Morocco was the only second country in Africa to recognize the People’s Republic of China,²⁵⁴ and they have been pursued up until nowadays. A stronger cooperation was established in 2016 when Chinese President

²⁵¹ European Commission, countries, and regions, 2020. Online: <https://ec.europa.eu/trade/policy/countries-and-regions/countries/morocco/>

²⁵² JOINT STAFF WORKING DOCUMENT *Renewed Partnership with the Southern Neighborhood Economic and Investment Plan for the Southern Neighbors Accompanying the document*, JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS *Renewed partnership with the Southern Neighborhood A new Agenda for the Mediterranean*, SWD/2021/23 final. Brussels, 9.2.2021 Online : <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52021SC0023>.

²⁵³ The opening of the UAE consulate in Laayoune was considered a great improvement for Morocco’s legitimization of the Western Sahara.

²⁵⁴ <https://thediplomat.com/2017/03/morocco-chinas-gate-way-to-africa/>

Xi Jinping and Moroccan King Mohammed VI signed a joint communiqué on the establishment of a strategic partnership where the two countries would increase exchanges between their heads of state, government leaders, and officials, through the communication and coordination on strategic issues between legislative bodies and political parties²⁵⁵. However, the Moroccan's attractiveness for China was not only dictated by economic and trade interests but also by the promotion of equal partnership, mutual benefits, and non-interference in each other's international affairs, aspects not fully considered by the western partners. Since then, relations, especially in trade, between Morocco and China have increased considerably: China has become Morocco's third largest trading partner after France and Spain²⁵⁶. Nevertheless, despite Morocco diversified its trade partners the European Union remains the largest trade partner, and biggest source of foreign direct investment (FDI), tourist arrivals, and migrant remittances for the Maghreb.

In the last part, the research shifts to a broader analysis of cooperation in the Mediterranean framework between the EU and Morocco: the management of the migration flows in Western Mediterranean waters. Every year many thousands of refugees and migrants continue to risk their lives on dangerous travels, most of the time organized by smugglers and traffickers, leaving from sub-Saharan African countries crossing North Africa in the hope of reaching European coasts through the Mediterranean Sea. Frontex reported²⁵⁷ that the mostly used Mediterranean route to reach Europe, until 2017, was the Central one. However, in 2018, the Western Mediterranean route from Morocco to Spain became the main gateway to Europe. Indeed, Morocco with its geographical position has been used as a country of transit and departure for more than half of the migrants that have targeted the European coasts on the Western African route.

Since the creation of the EU and especially soon after the implementation of the Schengen agreement, the EU has been working on the freedom of movements and security, making migration one of the priority issues of the EU's foreign policy agenda. Indeed, several initiatives have been taken, just mentioning the creation of the Frontex (The European Border and Coast Guard Agency) aimed at promoting and coordinating border management following the respect of EU fundamental rights charter. Moreover, the European Union has issued other initiatives with partner countries, especially transit countries, including intensified cooperation with the Maghreb, among which Morocco. At the bilateral and regional level both have been cooperating through many initiatives: Tampere Council

²⁵⁵ <https://theArabWeekly.com/morocco-establishes-strategic-partnership-china>

²⁵⁶ OEC, 2021. *Morocco's profile*. Online: <https://oec.world/en/profile/country/mar>

²⁵⁷ <https://frontex.europa.eu/we-know/migratory-routes/western-mediterranean-route/>

Conclusions²⁵⁸ assessing “*a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit*”, the Rabat process²⁵⁹ aimed at enhancing dialogue between the national authorities of the countries of origin, transit, and destination along the West and Central African migration routes, namely passing through the Strait of Gibraltar, Ceuta and Melilla, and the Canary Islands, to share responsibilities and actions among all states involved. Then, the Mobility Partnership to improve bilateral political negotiations on mobility with the aim of achieving Readmission Agreement in exchange of Visa facilitation ²⁶⁰, and lastly the European readmission agreements (EURA) to manage the readmission of nationals and third country nationals. The latter has showed difficulties in obtaining a comprehensive and uniform policy since Morocco still oppose to the readmission of third nationals with the aim of continuing the negotiations, however, it decided to cooperate on readmissions only at the bilateral level with Spain.

The attentive analysis of Morocco’s behaviour in managing the migration flows from its borders to the European coasts has revealed its bargain power and its coercive attitude toward the EU to favour its own interests. Indeed, Morocco has exploited its “geographic rents” turning migration into an indirect foreign policy tool to increase its regional importance (Natter,2013). Many situations have showed Morocco’s relaxation of its border’s controls for its nationals and third countries nationals. This strategy has been seen as Morocco’s attempt to instrumentalize migration to achieve its own interests, i.e., the revendication over the long-contested territories in the Western Sahara and over the Spanish enclaves of Ceuta and Melilla. Indeed, recently (May 2021) this has led to a true “Spanish-Moroccan” migratory crisis in the Western Mediterranean, namely in the two Spanish enclaves of Ceuta and Melilla. The key reasons were Morocco’s contestation against the treatment of the leader of the Polisario Front in Spain and the lack of the Spain and EU position in the Western Sahara question. However, soon after this diplomatic crisis, the response by the European Commission has been firm: “*No one can intimidate or blackmail the European Union,*” remembered European Commission’s vice president Margaritis Schinas²⁶¹,denouncing that migration cannot be

²⁵⁸ European Council. “Presidency Conclusion”, Tampere, 15 and 16 October 1999. Available online: https://www.europarl.europa.eu/summits/tam_en.htm#

²⁵⁹ <https://www.rabat-process.org/en/about>

²⁶⁰ One of the main objectives reported: “*To open negotiations between the EU and Morocco, in accordance with the signatory parties' internal procedures, for the conclusion of an agreement to facilitate the issuing of visas, with a view to ensuring more fluid mobility between the EU and Morocco*”. Joint declaration establishing a Mobility Partnership between the Kingdom of Morocco and the European Union and its Member States, Brussels, 3 June 2013 (05.06), 6139/13. Available online: https://ec.europa.eu/home-affairs/sites/default/files/what-is-new/news/news/2013/docs/20130607_declaration_conjointe-maroc_eu_version_3_6_13_en.pdf.

²⁶¹ Schinas, M. (2021, May 19). Interview: La UE advierte a Marruecos: "Europa no se dejará intimidar". (I. A. me, Intervistatore). Available online: <https://www.rtve.es/play/audios/las-mananas-de-me-con-inigo-alfonso/margaritis-schinas-europa-marruecos-chantaje-migracion/5908078/>

instrumentalized or coerced for achieving diplomatic interests. So, after these tensions two questions rise spontaneous; what will be the EU response? And what does the future hold for EU-Morocco relations? This situation has made Europe understand that it is necessary to strengthen cooperation in the field of immigration, to make new agreements and pacts on asylum and migration with transit and neighboring countries, as well as taking a position over the Western Sahara conflict, due to the contradictory position of its MS and the continuous diplomatic crisis with Morocco, i.e. Germany and Spain, which could favor both the EU and its relations with one of its closer trade partners, Morocco.

Finally, this work has clearly presented the cooperation paths perused by the European Union with the countries bordering the Mediterranean on the economic, financial, and political level, through the establishment of Euro-Mediterranean policies. However, this has led to improvements but also limits. Indeed, the European Union has enhanced comprehensive and ambitious projects with its Mediterranean countries, but the approach used has resulted to be too economic centered putting very little attention to the real needs of its partner countries, i.e., poverty, brain drain, underdevelopment, civil participation.

Consequently, the accent has been mostly put on the EU-Morocco complex partnership, which has developed over time both at regional and bilateral level. Morocco, strategically, enhanced strong relations with the Western actors, among which the EU from an economic, social, and political point of view, so to achieve the advanced status in 2008 and to become its most reliable trade partner in the region. Moreover, their cooperation in the Mediterranean context has also been strongly focused on migration management, being Morocco a country of departure and transit, however revealing its bargain and coercive nature to favor its own interests. The revendication over the long contested Western Sahara territories and the autonomy of the two Spanish enclaves have been the scapegoat to its up and downs with Spain and the EU and its member states i.e., Germany, just remembering their recent diplomatic crisis. Indeed, this has served as a wake-up call for the European Union to review the cooperation with some of its partner countries considering projects of inclusivity, development, and support and taking a clear position on the complex issue of Western Sahara.

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