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The implementation of the European Neighbourhood Policy in Tunisia and Morocco: when domestic actors make a difference

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Contents

List of Acronyms

AAP	Annual Action Program
AGR	Activités Génératrices de Revenues
AP	Action Plan
AREF	Académies Régionales de l'Education et Formation
CAT	Centre d'Assistance Technique
CCDH	Conseil Consultatif des Droits de l'Homme
CNDH	Conseil National des Droits de l'Homme
CNEF	National Chart for Education and Training
CPR	Congress for the Republic
CSE	Conseil Superior de l'Enseignement
CSP	Country Strategy Paper
DLCA	Direction Lutte Contre l'Analphabétisme
EEAS	European External Action Service
EMP	Euro-Mediterranean Partnership
ENI	European Neighbourhood Instrument
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood Partnership Instrument
EU	European Union
GBO	Gestion Budgétaire par Objectifs
IER	Instance d'Equité et Réconciliation
INDH	Initiative Nationale pour le Développement Humain
MENA	Middle East and North Africa
MDCI	Ministry of Development and International Cooperation
NIP	National Indicative Program
PAGBO	Programme d'Appui à la Gestion Budgétaire par Objectifs
PAI	Programme d'Appui à l'Intégration
PAR	Programme d'Appui à la Relance
PEE	Programme Environnement et Energie

PEFESE	Programme d'Appui à l'Education, la Formation Professionnelle, l'Enseignement Supérieur et l'Employabilité
PJD	Islamist Justice and Development Party
RCD	Democratic Constitutional Rally
RNI	National Rally of Independents
SANF	Strategy for Alphabetization and Non-Formal Education
SPRING	Support for Partnership, Reforms and Inclusive Growth
USFP	Union Socialiste des Forces Populaires

List of Figures

List of Tables

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Publications

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Abstract

The goal of this work is to go beyond context free analyses of EU external action and to analyse the implementation of the European Neighbourhood Policy (ENP) in the Mediterranean by taking into account the role of local actors in the countries that are the final recipients of the policy. The starting assumption is that the implementation of the ENP cannot be explained merely in light of the ENP policy design and genetic weakness, as well as only in light of EU interests and actorness. While relevant, these explanations at the core of the prevailing top-down approach to the study of EU external policies provide just a frame of explanation, insofar as they are not able to fully capture ENP implementation's dilemmas, as well as how implementation works on the local ground. Moreover, they are not able to explain the commitments-payments gap and the different implementation performance of the neighbouring countries. The aim of this thesis is to analyse how EU external policies are implemented in the domestic context of the recipient countries and to explain the obstacles and the facilitating conditions, which affect implementation on the ground and account for the countries' different performance. By using the ENP in Morocco and Tunisia as a case study, this work analyses the role played by three specific domestic actors -political actors, administration and civil society- in determining ENP implementation performance on the ground. Secondly, it investigates how the Arab Spring affected these explanatory variables and, in turn, shaped the implementation of the policy after 2011. The work argues that domestic actors can make a difference insofar as the degree of (mis)fit between the goals of domestic political actors and the ENP reform agenda, the degree of administrative capacity and the degree of strength and autonomy of civil society influence the implementation of the ENP on the ground and the absorption of EU funds. Secondly, if after 2011 there was a big variance in the way Mediterranean countries absorbed and implemented ENPI funds, this is because the Arab Spring, with its different degrees of change and (in)stability across countries, altered in a different way the value of the three explanatory variables, determining different ENP implementation performances.

Introduction

In the "art and craft" of European Union (EU) external policy-making, implementation is one of the most problematic aspects. It is an interactive endeavour that ultimately depends upon the skilful hands of multiple actors and upon "external" circumstances that might potentially alter it (Pressman & Wildavsky, 1984, p. 183; O'Toole, 2004, p. 326). EU institutions and the Member States are not the only relevant actors of the implementation's endeavour. In the domain of external policies, implementation inevitably depends also on the interaction with the third countries that are the final recipients of the policy and upon their domestic actors and conditions. It is up to local actors' will and capability to implement EU programs and spend EU money for specific purposes so to guarantee implementation on the ground. Similarly, systemic events altering local conditions in the recipient countries might affect the pace and the quality of implementation. The consequences of the Eurozone economic crisis, the Arab Spring or the Ukraine crisis are all examples of circumstances potentially altering the implementation of EU external policies.

Traditionally, the literature on EU external policy-making has mainly adopted a top-down approach that frames the policies and their implementation from the EU point of view. In the recurrent debate on the EU rhetoric-practice gap, the inconsistency between EU stated goals and actual outcomes is explained by focusing on the role of the European institutions or on the limits of the EU approach in terms of policy content, instruments and outcomes (e.g. Smith, 2003; Borzel & Risse, 2004; Barbé & Johansson-Nogués, 2008; Dearden, 2008a; Orbie, 2009). While this "inside-out" perspective is fundamental, it is not able to fully capture the "dilemmas of the implementation" (Bicchi, 2010a) that lay behind EU external policies, as it does not shed light on how implementation actually works on the local ground and how the EU interacts with local actors. The adoption of the sole top down perspective, by starting from the authoritative decision and analysing the role of the EU centrally located actors and their instruments, fails to fully account for implementation in the domain of external policies, as "a wide gap can arise between expectations in Brussels and actions in non-member countries" (Bicchi, 2010a, p. 982).

On this point of view, the analysis of the interaction with local actors and conditions is a "missing link" (Robichau & Lynn, 2009) in the study of EU policy-making towards third countries. While Europeanization and enlargement literatures deal with the question of the extent to which member and candidate states "make European policies work" (Siedentopf & Ziller, 1988), here the puzzle is to what extent neighbours and third countries make EU external policies work.

The European Neighbourhood Policy (ENP) in the Mediterranean is a case in point. The increasing gap between the money committed to sustain reforms in these countries and the actual payment rates reveals that the peculiarities of the local implementing environment influence the recipient country's capacity to absorb- and therefore spend- EU funds. At the same time, the variation of performance across the countries of the same region shows that Brussels has to deal with different outcomes as generated by the different manner in which its policy has been implemented in Tunis or in Rabat. Furthermore, in the post-Arab Spring environment, where some of the old constraints disappear while others continue to stand, and where the stage is set for new political actors, ENP's sensitiveness to neighbours' domestic conditions becomes even more important in light of the different degrees of change and (in)stability after 2011.

Using the ENP in Morocco and Tunisia as a case study, the aim of this thesis is to analyse how EU's external policies are implemented in the domestic context of the recipient countries. By focusing on the role of local actors, and in particular on the role of domestic political actors, administration and civil society, it seeks and to explain the factors that in terms of obstacles and the facilitating conditions affect implementation on the ground and account for the countries' gaps and different performance.

Outline of the thesis

The thesis is organized in two parts, one theoretical and one empirical. The first part, which includes the first two chapters, defines the research puzzle, the research questions, the literature review, the theoretical framework and the methodology. In particular, it sets out the framework to analyse the implementation of EU external policies in third countries and suggests the notion of governance as a framework for implementation. Moreover, it discusses the hypotheses of the study and what domestic variables are hypothesized to account for the implementation of the ENP on the ground. Domestic political actors, administration's capacity and civil society are analysed in terms of their implications for the implementation of the ENP. Furthermore, in order to address the research questions, the Arab Spring is investigated as an intervening variable that modifies the values of the selected explanatory variables and influences the implementation of the ENP after 2011. To test the hypotheses, Morocco and Tunisia are adopted as meaningful case studies because of their different paths in the wake of the uprisings and in light of their opposite performance in terms of absorption capacity after 2011. Finally, the methodology, including the questionnaire used for the interviews, is illustrated.

The second part, which is composed of Chapters 3, 4 and 5, tests the hypotheses and discusses the empirical analysis. In particular, the three chapters respectively analyse the role of domestic political actors, administration and civil society in Tunisia and Morocco, by investigating how these variables affect implementation on the ground; whether and how they changed after the Arab Spring as well as how this change influenced the implementation of ENP's programs in the two countries.

Chapter I

The implementation of the ENP in the Southern neighbours: the importance of local actors and domestic conditions

1.1 The Research Puzzle

Of the many EU external policies that embody the "complexity of joint action" in implementation (Pressman & Wildavsky, 1984), the ENP in the Southern Mediterranean is indeed a case in point. Launched in 2004 as a logical response to the historic enlargement that changed the external borders of the Union (European Commission, 2004a), the ENP has become a framework to promote political, social and economic reforms, development and modernization in the neighbourhood[1] (Ferrero-Waldner, 2005). As such, it has emerged as the main EU reform policy for the Mediterranean and the fundamental venue for Euro-Mediterranean relations (Panebianco, 2008). Since 2005, almost all Mediterranean partners[2] have gradually adopted an ENP Action Plan (AP), i.e. a bilateral political document, which sets an agenda of political and economic reforms by reflecting EU's interests and democratic values, the country's needs and capacities, as well as by defining short and medium-term priorities for action.

In order to implement the bilateral AP, the ENP is equipped with a specific financial instrument, the European Neighbourhood Partnership Instrument (ENPI), today called European Neighbourhood Instrument (ENI)[3], which is the ENP's financial tool and is one of the six instruments of EU external action[4]. It provides a framework for planning and delivering EU assistance in the neighbourhood (ENPI Regulation, 2006), by defining how, where, when and for what EU money can be spent (European Commission, 2009, p. 52). The ENPI, therefore, provides funding to the

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[1] The ENP includes 16 countries. Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Tunisia and Syria are the Southern neighbourhood; while Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine are the Eastern neighbourhood.

[2] With the exception of Algeria, Libya and Syria. Algeria adopted a mere "road map" for the implementation of the Association Agreement. Libya started the negotiations for a Framework Agreement (equivalent of an Association Agreement) that were suspended in February 2011. Syria agreed upon an Association Agreement with the EU, but never signed it.

[3] The ENPI was adopted from 2007 to 2013 and replaced by the ENI for the period 2014-2020.

[4] Along with the Instrument for Stability, the Development Cooperation Instrument, the European Instrument for Democracy and Human Rights, the European Development Fund, and the EU instrument for nuclear safety.

neighbouring countries to sustain their internal reforms and to transform political decisions into concrete actions on the ground. Funds are programmed through two sets of programmatic documents that are jointly negotiated between the EU and the local authorities: the National Indicative Programs (NIP), which cover the periods 2007-2010 and 2011-2013, and Annual Action Programs (AAP), which, through specific Action Fiches, identify every year specific programs of bilateral cooperation according to the priority areas set by the NIPs. The AAPs determine the type of program, the funds committed, the objectives pursued, the expected results and the implementation methods. The main purpose of these documents is to program EU aids in order to achieve the goals of the AP. Under the new ENI, EU assistance is instead defined in a single document called Single Support Framework.

Figure 1. ENP's main implementing documents

ENP		What
Policy Content	Action Plan	Agenda of political/economic reforms; Medium/short terms priorities

Implemented through

Policy Instrument	ENPI	Financial tool to allocate resources and deliver EU assistance
Programmatic/Operative Documents	Country Strategy Papers (CSP)	Define general goals for a period of 7 years (2007-2013).
	National Indicative Programs (NIP)	In line with the CSP, they define more specific goals and allocate resources for the periods 2007-2010 and 2011-2014.
	Annual Action Program (AAP)	In line with the priority areas set by the NIPs, they identify specific programs of bilateral cooperation every single year.

Since 2007, which was its first implementation year, ENPI has provided more than €9 billion (out of €13 billion originally committed) and the new ENI was granted a budget of €15.4 billion for the period 2014-2020. Yet, in the last ten years, the ENP and its implementation were often blamed for the

recipient countries' slow uptake of reforms. Since its establishment, the policy has suffered of implementation problems that prevented it from achieving its aims, with the major consequence that "there is hardly any other external policy of the EU with a larger gap between its stated objectives and the actual outcomes" (Lehne, 2014, p. 4).

The Arab Spring was a further test for the effectiveness of the ENP and, as the protests crossed the Mediterranean, the policy poor record came even more under the spotlight. "The popular uprisings showed that the Arab population shared many of the very principles and values promoted by the EU [...]. However, it was also clearly evident that the democratic revolts occurred despite, rather than because of the actions of Europe" (Keukeleire & Delreux, 2014, p. 59). Against this background, the EU could not help but review the policy in the attempt to keep the pace with a "changing neighbourhood" (European Commission, 2011a). The new ENP was anchored to the promotion of deep democracy and inclusive economic development, in the name of an incentive based approach that rewards all the countries proceeding with reforms (European Commission, 2011b; European Commission, 2011a). Furthermore, in order to support a real "more for more", additional resources were allocated to Mediterranean countries under the new SPRING[5] umbrella program. Yet, even if the EU committed more funds to neighbours in fact it spent less than before, with a widening gap between what has been promised and what has been actually delivered (Bicchi, 2014b, p. 27).

The ENP's gap between goals and outcomes is widely captured by the analysis of the ENPI allocations to sustain reforms in the partner countries. The level of payments and the payments-to-commitments ratio is generally considered as an indicator of program performance. The underneath logic is that payments normally occur only when specific contractual obligations are carried out (e.g. signature of financing agreements, respect of disbursement conditions in budget support operations, service contracts or grants in projects operations, etc.). This means that if the recipient country does not proceed with specific reforms and respect disbursement conditions, or if specific activities are not carried out, payments are delayed or not executed and the overall performance of the program lags behind. From the outset, the ENPI has revealed an increasing gap between its payments and commitments and significant differences have emerged in the neighbouring countries in the way they have absorbed and implemented their allocations of funds.

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[5] Support for Partnership, Reforms and Inclusive Growth

Figure 2
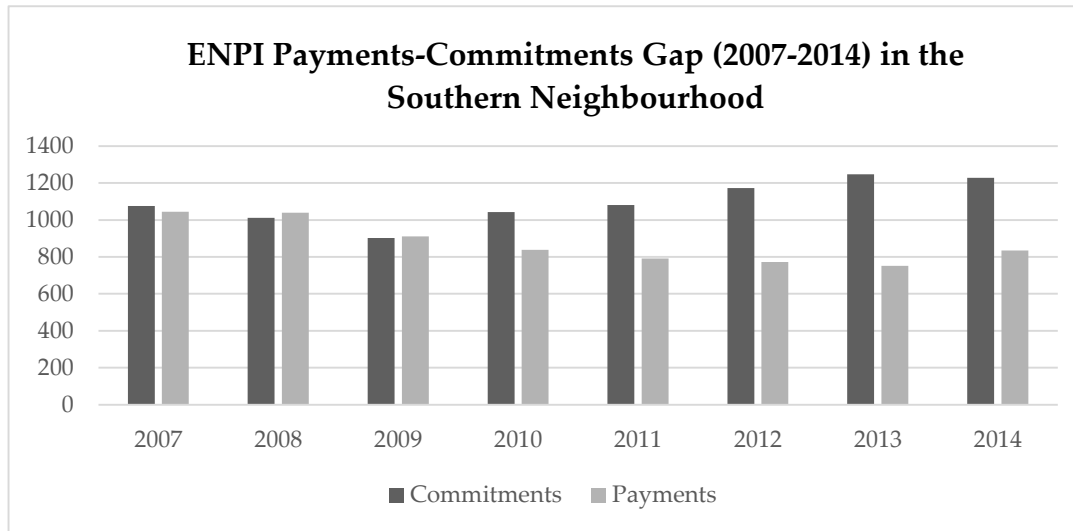
ENPI Payments-Commitments Gap (2007-2014) in the Southern Neighbourhood

Source: Author's elaboration based on the ENPI Overview 2007-2013 (European Commission, 2014b) and ENPI Statistical Annex 2015 (European Commission and High Representative, 2015). The data shown in the figure does not include regional cooperation.

The payments-commitments gap shown in Figure 2 for the southern neighbourhood region reveals that ENPI performance has diminished across the years, with the period 2011-2014 faring worse than the previous period 2007-2010. Therefore, despite the sharp increase in EU allocations after the Arab Spring, disbursement rate has significantly decreased since 2011, with a substantial lag between payments and commitments (Bicchi, 2014a; Bicchi, 2014b). This trend goes exactly in the opposite direction of the previous MEDA program[6] and financial instrument of the Euro-Mediterranean Partnership (EMP), where low levels of effective payments during the first phase (1995-1999) were gradually offset by a significant growth in the period 2000-2004 under MEDA II (Natorski, 2008). While the general decline in the rate of payments from 2011 onward is easily explicable in light of the instability generated by the Arab Spring, one of the most interesting aspects is the considerable difference in the way the countries of the region have absorbed and implemented ENPI funds (ANNEX 1).

Overall, in the period 2007-2010 (Table 1), i.e. during the first four years of ENPI implementation, the analysis of the cumulative payments-to-commitments ratio for each country reveals that Morocco is the largest beneficiary of EU funds and the country with the best performance in terms of absorption capacity. In Jordan, Algeria, Tunisia and Egypt cumulative payments are also very high, representing more than the 90% of the original commitments, while Libya lags behind with

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[6] It was replaced by ENPI in 2007.

a mere 17%. After the Arab Spring, the ranking is completely overturned. In particular, by looking at Table 2, which illustrates the cumulative payments-to-commitments ratio in the four years between 2011 and 2014, two main considerations deserve attention.

<table>
<tr><td colspan="3">*Table 2*[7]</td></tr>
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Table 2[7]

ENPI Payments-to-Commitments Ratio 2007-2010

1	Morocco[8]	113.92%
2	Algeria	94%
3	Jordan	94%
4	Egypt	93%
5	Tunisia	90%
6	Syria	84%
7	Lebanon	67%
8	Libya	17%

Table 1

ENPI Payments-to-Commitments Ratio 2011-2014

1	Tunisia	84%
2	Algeria	68%
3	Jordan	58%
4	Egypt	50%
5	Lebanon	48%
6	Morocco	45%
7	Libya	40%
8	Syria	38%

First, in line with the general trend already outlined above, as commitments increased in comparison to the previous period the disbursement rate declined for every country (with the exception of Libya). This is especially true for Jordan and Egypt that dropped nearly by half over the considered period.

Second, in a context of uncertainty and instability where all the southern neighbours were confronted with reduced absorption capacity, Tunisia was the only country that, *against all odds*, was able to maintain a high payment rate (84%), which earned it the first place in the ranking. This is of particular interest if we consider that since 2011 Tunisia has undergone huge political transformations. The country, therefore, was not only able to absorb EU's funds in spite of the prevailing uncertainty, but it also fared better than other countries less affected by the Arab Spring. In this regard, Morocco is a case in point. If in the period 2007-2010, Morocco had one of the best performances in terms of

[7] Both Tables 1 and 2 are author's elaboration. Source: ENPI Overview 2007-2013 (European Commission, 2014b) and ENPI Statistical Annex 2015 (European Commission and High Representative, 2015). Please note that Palestine was excluded from the analysis in light of its special character. Similarly, Israel was not included as it receives disproportionately low amounts of EU funds in view of its status as a developed economy and, therefore, it is often considered as an outlier (Tocci and Cassarino, 2011).

[8] The commitments-payments ratio for Morocco is this high because during the period 2007-2010 payments exceeded commitments.

payments-to-commitments ratio, after 2011 it has drastically reduced its absorption capacity, lagging behind all the other countries. This is particularly relevant if we consider that it did better only than Syria and Libya, where low performance is not surprising at all and obviously related to the ongoing war. Furthermore, in comparison to other countries such as Tunisia, the Moroccan regime appears to have gone largely unchanged despite the Arab uprisings and its good relations with the EU have been maintained throughout and in the aftermath of the Arab Spring (Balfour, 2012a, p. 32). Therefore, one might expect the "Moroccan Spring" to have a reduced impact on the implementation of the ENP, with less uncertainty and relatively minor changes in the country's policy performance and funds absorption. By contrast, the country's developments after 2011 seem to have greatly affected the implementation of the ENP on the ground.

Why is this the case? What do explain implementation gaps in the neighbouring countries and their variance in performance? The data reveal that in the domain of external policies implementation is a huge challenge for the EU (Dearden, 2008b) and that adequate attention should be devoted to the peculiar local conditions that affect the recipient country's ability to receive and spend the resources allocated to meet policy goals. The implementation of the ENP cannot be explained merely in light of the ENP policy design and genetic weakness, as well as only in light of EU interests and actorness. These explanations do not allow to fully account for implementation success and problems, as well as for the gaps between payments and commitments or the variance across countries. As suggested by Darbouche (2008), scholarly debates on EU external action "tend to focus on the internal policy dynamics of the EU and its institutional mechanisms, whilst paying less attention to the explanatory potential of variables at the receiving end of policy processes" (p.372). In this sense, giving analytical agency to Southern Mediterranean policy recipients is important to understand how European policy initiatives fit into their agendas and capacities, as well as how reforms are concretely implemented on the ground (ibid.). Whereas the EU cannot be neglected from the explanatory picture, insofar as it plays an important role in terms of application or not of conditionality and design of policy programs, domestic actors in the neighbouring countries matter by favouring or hindering the implementation of the ENP on the ground. In this sense, the puzzle is to what extent local actors in neighbouring countries make EU external policies work, i.e. how, when and why they can make a difference. The contrasting performances among countries raise some fundamental questions about the factors that account for the considerable differences and gaps in implementation, as well as the way the Arab Spring affected the implementation of the ENP at the local level. Furthermore, they provide the

opportunity to conduct a comparative analysis between the best country (Tunisia) and the worst (Morocco[9]) in terms of absorption capacity after 2011.

Finally, an analysis of implementation on the ground is key to opening the "black box" of numerical data. It is useful not only to explain the gap between commitments and payments, i.e. the reasons that constrain a country's absorption capacity, but also to investigate positive cases where the level of effective payments is high vis-a-vis original allocations. This is particularly significant to shed light on the conditions behind positive performance, as well as to unveil any difficulty or delay that could have occurred during implementation and that at first sight could be overlooked only because *eventually* the payment was executed.

1.2 Research Questions

The rationale of this work is to go beyond context free analyses of EU external action and to analyse implementation in the domain of external policies, by taking into account local actors and conditions in the countries that are the final recipients of the policy. In particular, it seeks to analyse the role played by three specific domestic variables -political actors, administration's capacity and civil society- in determining ENP implementation performance on the ground. Furthermore, if it is true that these three variables play a role in the implementation of the ENP, then it is interesting to investigate how the Arab Spring affected them and, in turn, shaped the implementation of the policy after 2011. The main research questions will be:

1) How do domestic actors account for the differences and the gaps in implementation at the local level?

2) How did the Arab Spring affect implementation at the local level?

These two explanatory research questions should be preceded by a third more general and descriptive question, i.e. 3) How are EU external policies implemented in the recipient countries?

This question is justified on the idea that before explaining *why* EU external policies are implemented in a certain way, or before explaining the dynamics that account for implementation differences,

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[9] Morocco is actually not the last in the ranking of the payments-to-commitments ratio for the period 2011-2014. Yet, Syria and Libya, which are the last two countries in terms of performance, would not be suitable for a comparative analysis in this case. Given their current exceptional situation, it would be impossible to control the intervening variable of war.

successes or problems, descriptive questions should precede explanatory ones (White, 2009, p. 47). To answer this general question, three guiding sub-questions may be helpful: What kind of actions are carried out to implement the goals of the policy? What kind of actors are involved? What is the interaction between the central external actors (donors) seeking to put the policy into effect and the local actors (recipients) upon whom action depends?

1.3 The ENP as a case of external policy's implementation

Drawing on Keukeleire & McNaughtan (2008), EU's external policy can be defined as the set of policies "directed at the external environment with the objective of influencing that environment and the behaviour of other actors within it, in order to pursue interests, values and goals" (p.19). External policies are therefore different from the mere "external relations" that are only about maintaining relations with external actors, without aiming at influencing them or their environment (ibid.). Furthermore, we define it as "a set of polic*ies*" because EU external policy is multifaceted and can be framed as the sum of different policy areas, ranging from political and economic dimension, to social and environmental aspects (Panebianco, 2012b, p. 24).

In line with this definition, the ENP is an external policy that "concentrates on developing bilateral relations between the EU and individual countries, in an attempt to influence their internal and external policies" (Smith, 2005, p. 762-763). In this sense, it fits in the definition of "structural foreign policy", i.e. a policy that is aimed at influencing or shaping structures in a sustainable way" (Keukeleire & Delreux, 2014, p. 330). At the same time, the ENP[10] "is a prime example of a comprehensive approach" to external policy that "combines long-term political association, trade policy, sector policies and financial cooperation with shorter-term policies and measures of CFSP/CSDP instruments" (European Commission, 2013a, p. 19). This is why the policy is often considered as a framework composed of different "regimes" (i.e. sets of principles, norms, rules, procedures) across a wide range of sectors, with the purpose to regulate neighbourhood relations in many spheres of activity (Bendiek, 2007, p. 27).

In light of the research problem mentioned above, the ENP is an interesting case to study the implementation of EU external action for different reasons. First, by borrowing from the definition

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[10] For a specific analysis of the notions "external policy" vs. "external relations" as applied to the ENP case, see Kuznetsov (2009) who distinguishes respectively between "neighbourhood policy" and "good neighbourly relations".

provided by Sedelmeier (2005: 401-405) with reference to EU's enlargement policy, the ENP can be regarded as a "composite policy" that draws on policies in a broad range of issue areas and that has a macro and meso dimension. The macro dimension concerns the overall framework of the policy in terms of broader objectives and instruments. The meso dimension translates this framework into substantive policy outputs (i.e. the Action Plans and the Country Strategy Papers), and sets the policy instruments into the various areas[11] of the composite policy (i.e. the Annual Action Programs). Against this background, the ENP is an interesting umbrella to analyse the implementation of the EU external action on the ground and its frustrations in different areas.

Secondly, as a policy that relies on a wide range of financial instruments, implementation methods and modes of interaction with domestic actors, the ENP is a good case to show the complexity of implementation in external policies. Under the ENP, the EU makes use of both budget support, based on a direct disbursement into the country's national treasury, and decentralized projects, where payments may be devolved to local authorities or non-governmental actors. In both cases, local actors are "veto-points" that lengthen the chain of command and increase the chances to take different directions from the originally intended course (Bicchi, 2010a, p. 977). Actors on the ground, therefore, resemble what bottom-up implementation studies call as the "street-level bureaucrats" (Lipsky, 1980), i.e. the final actors whose discretion and capability impinge upon the translation of the policy into action. In this vein, success depends on the partner countries' capacity and willingness to implement reform programs.

Thirdly, implementation is evolution, i.e. "at each point we must cope with new circumstances" (Pressman & Wildavsky, 1984, p. 163). The ENP in the Southern Neighbourhood is a good case to analyse the implementation of EU external policies in unstable and changing contexts. The uprisings in the Arab world demonstrated the existence of a fertile ground for the structural changes that the EU was hoping for but that the ENP itself could not induce (Keukeleire & Delreux, 2014, p. 330). Therefore, the ENP implementation gaps- namely the decreasing rate of payments after 2011 and the variation in countries' performances- highlight how sensitive the EU is to the changeable domestic conditions in target countries (Bicchi, 2009, p. 76), and call for an investigation of the local implementing environment and its peculiarities.

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[11] As said by Sedelmeier (2005: 405), "the key characteristic of a composite policy is that different groups of policy-makers have the lead for its different components". For more information on the way the ENP's multi-sector character informed the policy formulation and generated a "competitive collaboration" between the various agents involved in the drafting of the ENP, see Jeandesboz (2007).

Fourth, the ENP has been the main vehicle for EU funds to Southern Mediterranean countries (Bicchi, 2014a, p. 318) and it has remained the main tool to address the challenges posed by the Arab Spring events (Gillespie, 2013). Hence, it is a good case to analyse the implementation of EU aids on the ground.

Finally, because of its broad nature, the ENP is part of -and intersect with- other external policies of the EU, such as EU development policy, EU wider foreign policy and EU Mediterranean policy. According to the ENPI regulation (2006: art.10), the support to be provided to neighbouring developing countries "should be coherent with the objectives and the principles of the European Community Development Policy", in line with the European Consensus on Development that allowed for a substantial broadening of the EU's development orbit beyond strictly aid policies (Orbie, 2012, p. 21). With its support for prosperity and for the fight against poverty (two of the famous three *P*s defined in the EC Communication (2003) a "Wider Europe"), the ENP clearly commits to poverty eradication, which is the primary objective of EU development policy. Moreover, with its multi-faceted approach, the ENP is consistent with the notion of comprehensive development supported by EC Communication (2011), "Increasing the Impact of EU Development Policy: An Agenda for Change", which states that the goals of development, democracy, human rights, good governance and security are intertwined.

The engagement in the neighbourhood can also be seen as a highly distinctive feature of the broader EU foreign policy in its immediate periphery (Dannreuther, 2007; Marchetti, 2006; Varwick & Lang, 2007). As a policy that contributes to further advancing and supporting the EU's foreign policy objectives (European Commission, 2004a, p. 8), the ENP ties in elements from the EU's Common Foreign and Security Policy (former second pillar) and external relations (former first pillar), by including perspectives on political dialogue, prevention and management of conflicts (Jeandesboz, 2007, p. 388). Finally, the ENP is also one of the two *volets* of the EU Mediterranean Policy, together with the EMP (Panebianco, 2008). The ENP in fact did not replace the EMP, but merely reconfigured it (Seeberg, 2009, p. 81), in line with the EU "policy topping approach" which is based on the introduction of new policies in addition and over existing ones (Herman, 2006, p. 373). Overall, therefore, the analysis of the implementation of the ENP provides interesting insights on the implementation of other important external policies of the EU.

1.4 Literature review

Since the launch of the ENP in the early 2000s, there has been a big bulk of academic works analysing the policy, its characteristics and its implementation. Overall, two main lines of research have informed the literature on the ENP.

1.4.1 Rationale and evolution of the ENP

The first line of research focuses on the rationale, scope and evolution of the policy. Academic contributions in this domain analyse the origins and features of the ENP as a policy that emerged to be an alternative to the accession process, but that drew its main characteristics from the previous EU enlargement policy (Dannreuther, 2006; Kelley, 2006; Bechev & Nicolaïdis, 2010; Cadier, 2013; Haukkala, 2008; Primatarova, 2005; Gebhard, 2010). Along the same lines, other contributions investigate the implications of the ENP in terms of the benefits the EU is willing to grant neighbouring countries in exchange for economic and political reforms, and the relative challenges stemming from incentives that do not include the membership perspective (Comelli, 2004; Johansson-Nogués, 2004; Dodini & Fantini, 2006; Balfour & Rotta, 2005; Tocci, 2005). Some other literature adopts a governance perspective and frames the relationship between the EU and its neighbours as harmonization that should lead to the extension and adoption of EU internal rules by neighbouring countries (Barbé et al., 2009, p.834-835). In this context, the ENP is the EU most ambitious project of external governance (Wetzel, 2011) and its rationale is rooted in EU perception of interdependence and in its attempt to engage externally in those areas of governance that, albeit securitized inside, are vulnerable in third countries (Lavenex, 2004).

With reference to the Mediterranean area, most studies on the evolution and content of the ENP analyse its relationship with the EMP and the Union for the Mediterranean, as well as the broader implications in terms of Euro-Mediterranean relations and scope for reform (Bicchi, 2011; Comelli, 2005; Süel, 2008; Alcaro & Aliboni, 2005; Baracani, 2006). More specifically, someone sees the ENP as the bilateral component of the wider Euro-Mediterranean system of governance (Cardwell, 2010). Finally, whereas some literature adopts an optimistic stance seeing the ENP approach as a new driving force in the Mediterranean (Emerson & Noutcheva, 2005), others claim that the ENP is ill designed to promote the socio-economic development of the neighbourhood (Del Sarto & Schumacher, 2005), even more so after Spring 2011.

1.4.2 ENP effectiveness and implementation performance: an inside-out approach

The second and most relevant line of research on the ENP concerns implementation in terms of effectiveness and performance. In this context, the idea of a gap between rhetoric and practice is a recurrent and significant theme (Cavatorta & Rivetti, 2014). In light of Mediterranean countries' immunity to sustainable reforms and to EU's policy incentives, some scholars stress the existence of a "dysfunctional relationship" between the conceptual underpinnings of the ENP and its desired policy outcomes (Del Sarto & Schumacher, 2011, p. 934-35). Similarly, others identify in the ENP 'the risk of a new "capability-expectation gap" in the international relations of the EU' (Kahraman, 2005, p. 2). Lehne (2014) talks of "implementation problems" and "incoherent implementation", while Tocci (2014) mentions a general ENP "failure". Along the same lines, Whitman and Wolff (2010) point to the ENP as a policy that is "ineffective" in addressing challenges in the neighbourhood and Bosse (2007: 59) refers to a gap between political rhetoric on shared values and the capability to enforce these values. Others bring up the attention on the ENP "underperformance" (Gnedina & Popescu, 2012) and on the discrepancies between what the EU promises and what actually delivers (Bicchi, 2014).

Against this background, the scholarship working on the implementation of the ENP is mainly concerned with assessment, evaluation and impact in order to appraise outcomes as to whether the ENP has achieved its goals (e.g. Kleenmann, 2010; Bicchi, 2010b; Whitman & Wolff, 2010) and to investigate the factors that account for its shortcomings. Most explanations for ENP poor implementation adopt an "inside-out" approach, i.e. their analysis is conducted from the point of view of the EU, with a focus on the structural underpinnings of the ENP and on EU instruments, roles and capacities to fulfil the original goals of the policy. In this context, for some scholars the real cause behind ENP underperformance can be laid on the very nature of the policy and on its weak incentives unable to foster reforms in target countries. In the absence of a membership perspective, the ENP is not able to motivate neighbours to change their domestic institutions and policies because the promised incentives are too modest to obtain costly reforms (Whitman & Wolff, 2010; Epstein & Sedelmeier, 2008; Schimmelfennig, 2005; Schimmelfenning & Scholtz, 2008). This is particularly true for the Mediterranean, where the carrots offered in the context of the ENP are not sufficiently appealing for the neighbours to accept reforms and harmonization with EU rules (Tovias, 2010; Panebianco, 2012b; Youngs, 2005, p. 10). Furthermore, as the benefits on offer from the ENP are not directly connected to fulfilment of objectives and are rather only vaguely summarized at the start of the Action

Plans, the latter can hardly provide a real incentive for reform (Smith, 2005). This is why the notion of "conditionality-lite" seems to be better suited to capture the weakness and vagueness of the incentives and conditions within the ENP (Sasse, 2008).

If implementation of the ENP consists in carrying out Actions Plans' goals, then implementation is inevitably flawed in light of the weaknesses underneath these bilateral documents. Most scholars define the Action Plans as a patched shopping list, lacking a real plan for implementation and reflecting a policy that is overloaded by a huge density of goals (Herman, 2006; Missiroli, 2007). Others stress the absence of clear benchmarking, the lack of criteria and timetables for implementation, and the ambiguity of concepts -such as democracy or rule of law- that vaguely specify the envisaged reforms (Del Sarto & Schumacher, 2011; Balfour, 2007; Smith, 2005). On this point of view, the Action Plans are a "masterpiece of diplomacy" (Del Sarto, 2007, p. 71) as their ambiguity is the only mean to overcome the impasse of interests that are often difficult to reconcile in the negotiations between the EU and the neighbours.

Other authors focus on the interests, role and actorness of the EU, stressing that the ENP is designed to meet the self-interest of the EU and its member states (Missiroli, 2010; Smith, 2005; Cavatorta et al. 2008). In particular, if the ENP is not able to fulfil its promised goals in the domain of democracy and human rights, it is because in the neighbourhood the EU is a realist actor in normative clothes and pursues a realist agenda where values are tramped by stability and security concerns (Seeberg, 2009; Panebianco, 2008; Emerson, et al., 2005; Pace, 2007; Tocci, 2006). Therefore, ENP implementation in this domain is flawed because of the unwillingness of the EU to apply conditionality and to endanger stability in the name of democratic reforms. "EU values vs. EU interests" has thus become a recurring theme in the literature concerned with the ENP and its implementation. Many academic works have adopted a qualitative and "content" analysis approach aimed at analysing the words in the ENP documents and their meanings, in order to assess the gap between rhetoric and practice. The prevailing idea shared by scholars is that the EU has not been consistent in the promotion of values, which remains unsatisfactory on the ground in the name of a logic of utility (Barbé & Johansson-Nogués , 2008; Bosse, 2007; Bogutcaia, Bosse, & Schmidt-Felzmann, 2006; Jeandesboz, 2007).

After the Arab Spring, the academic debate on the performance of the ENP has become even more heated. A plethora of academic works agree that the Arab revolts were a clear litmus test for the weakness of EU policy and a challenge to the traditional assumptions of stability over political change (Tocci & Cassarino, 2011; Driss, 2012; Balfour, 2012a; Panebianco, 2012a; Behr, 2013; Freudenstein, 2011; Perthes, 2011). While someone analyses the failure of the ENP as a consequence of the changing

geopolitical context and of the dramatic transformation of the neighbourhood (Tocci, 2014), most of the post-2011 literature continues to link the discussion on ENP implementation to its policy design, pointing to the incapability of the EU approach to respond adequately to rapidly changing circumstances (Lehne, 2014). Scholars focus on the factors that explain policy failure in light of the uprisings, while critically analyse the reviewed ENP and assess the extent to which it embodies a real change vis-à-vis the past. In this regard, ENP performance is analysed as affected by an approach that is not really new and where the logic of the "more for more" is actually a "more of the same" (Bicchi, 2014a; Ebeid, 2012; Schumacher, 2011; Teti, 2012; Khader, 2013). Furthermore, implementation risks to be hampered by the lack of EU delivering capacities in light of its institutional structure (Morillas & Soler i Lecha, 2012). Since in the field of the "more for more" member states are the real decision makers, scholars question the real willingness and capacity of the EU to deliver the promised incentives and to implement monitoring mechanisms (Balfour, 2012b; Tocci & Cassarino, 2011; Tocci & Colombo, 2012).

1.4.3 ENP effectiveness and implementation performance: an outside-in approach

In the literature on the ENP examined so far, the analysis departs from the EU in terms of implementation capacities and policy design. By contrast, few works have explicitly adopted a reversed "outside-in" approach that devotes more attention to the domestic context of the target countries and that investigates the role of local dynamics behind ENP's deficits. In this sense, some scholars say that the problem is not the EU that is not offering enough, but the authoritarian consolidation of some neighbours that makes it difficult to induce change and promote interests and values (Gnedina & Popescu, 2012). Some literature provides more detailed analyses of the neighbours' domestic dimensions, pointing out the local features (in particular the role of domestic political elites) that account for ENP's problems and showing that the impact of EU conditionality depends on how it resonates in the domestic environment of the recipient countries (Seeberg, 2009; Wolczuk, 2009). Similarly, Casier (2011, p. 46) focuses on the way the ENP provisions resonate with the role of domestic actors and their agenda in neighbouring countries; and Kratochvil & Lippert (2008) shed light on the attitude of political elites towards the ENP, their relative costs and benefits and the reasons for sustaining or opposing a specific reform. Along the same lines, Haddad and Pagodda (2006) analyse why and to what extent the governments of the southern partner countries would be willing to reform their economies and political regimes and the interests that they pursue. Others interestingly analyse

how Mediterranean and Eastern neighbours perceive EU values and see the ENP (Bosse, 2007; Bogutcaia, Bosse, & Schmidt-Felzmann, 2006; Bendiek, 2008); while someone else adds domestic variables to the explanation of the ENP's limited results in promoting governance in the neighbourhood (Kleenmann, 2010). Finally, according to the most recent literature, if EU funds were "lost in transition" with an increasing gap between payments and commitments, it is a direct consequence of the political unrest and uncertainty which, after the Arab Spring, stirred the Mediterranean countries' domestic environment (Bicchi, 2014a).

1.4.4 The limits of the existing literature

In light of the above-discussed state of the art, we can identify two main features that characterize the established literature on the implementation of the ENP. The first is that scholars have mainly adopted a top down and inside-out perspective. As shown above, implementation is analysed from the point of view of the EU and ENP policy design, EU interests and its institutional architecture are identified as the main explanatory variables for implementation problems. While this perspective provides important insights, it does not fully account for the ENP gaps and its "dilemmas of implementation" (Bicchi, 2010a), as it does not shed light on how implementation actually works on the local ground and how the EU interacts with local actors and conditions. Some scholars have in this sense recognized the need to shift the focus on the recipient country's domestic conditions, on the claim that EU policy-making is not unidirectional but rather influenced by the way its "targets" receive and implement the policy (Pace, Seeberg, & Cavatorta, 2009). However, in the case of the ENP, few works have really adopted an outside-in approach that focuses on domestic conditions and implementation on the ground, while studies investigating the variance of performance across neighbouring countries are even rarer. Similarly, the post- Arab Spring literature has analysed the uprisings more in terms of pitfalls and opportunities for the EU, and less in terms of impact on the implementation of the ENP. Therefore, "the generally predominant inside-out analysis has to be complemented by an outside-in perspective, in which not the EU but the other region or society is the point of departure" (Keukeleire & Delreux, 2014, p. 332).

The second feature of the literature on the ENP is that scholars have principally focused on implementation in terms of outcomes and goals' achievement, without taking into account what has actually been implemented. This approach is consistent with the trend that has traditionally informed

the study of EU external policy-making, where attention is more on outcomes and impact evaluations, and less on procedural aspects[12] (Dannreuther, 2007). However, the assessment of implementation in terms of *impact/outcomes* (i.e. the goal achievement) should be *preceded* by adequate analyses of implementation as a *process* (i.e. the modes of execution and the practices on the ground). Implementation cannot be assumed as an automatic process, and if the policy discourses fail to be transformed into practice, it makes little sense to evaluate the potential impact of the policy (Bicchi, 2010a). Outcomes cannot be properly assessed without looking at the processes, i.e. before investigating the gap between EU promises and performances "evaluators have to know [...] what went wrong and why" (Pressman & Wildavsky, 1984, p. xvi). In this vein, the micro-implementing environment of the recipient countries and implementation processes cannot be neglected.

1.5 Minding the gap: the importance of local actors and domestic conditions

This thesis seeks to complement existing literature on the ENP and to fill some of the gaps in the current research. On the assumption that the focus on EU or policy-related variables is not able to fully account for countries' implementation gaps, variance in performance or for the impact of the Arab Spring on implementation on the ground, it analyses ENP implementation in terms of recipient countries' local actors and domestic conditions before and after 2011. As suggested by Casier (2010, p. 112), "the focus has been too much on the EU. More efforts should be undertaken to investigate how the ENP is received in the target countries". There are in this sense several reasons as to why local actors in neighbouring countries are an important starting point for the investigation of implementation dynamics.

First, scholars normally tackle the implementation of the ENP in terms of "harmonization" to EU standards, "transposition" of EU norms or "adoption" of EU rules in the neighbouring country. However, since the primary goal of the policy is to support domestic political reform and economic transitions in the neighbourhood (Gänzle, 2009), the ENP touches directly upon the ability of the neighbours to conduct reforms. Therefore, implementation is something more than the mere transposition of EU norms. Rather, it implicates the broader reform capacity of the recipient country and the Action Plans become a central policy implementation tool directly linked to the partner countries' reform agenda. In this sense, an analysis of the implementation of the ENP on the ground

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[12] See Jupille (1999); Ginsberg (2001) Hill (1993).

and a focus on domestic actors provides a privileged and dynamic observation point on the neighbours' internal political processes and policy-making. The implementation of ENP programs in a given policy sector is likely to be a *mirror* of the same goals, conflict of interests and difficulties that characterize the country's policy process in that sector. An investigation of the ENP on the ground is thus relevant not only to explain how the policy is received and implemented in the partner countries, but also to gain insights on their internal dynamics and processes, and on how political power and conflicting interests in society are managed.

Secondly, implementation is a crucial pathway that determines whether a policy is effective or not (Milio, 2010, p. xvii) and a greater understanding of the local context and actors becomes of prime importance to ensuring correct implementation of aid programs (Dearden, 2008b). The ENP has greater chances of being effective and promoting reforms if it is correctly implemented in the partner country. As shown in the first paragraph, an allocation of extra funds to the neighbours does not necessarily have an impact in terms of policy effectiveness, as, if the resources are not absorbed, the possibility to produce any result is nipped in the bud. Especially in the post Arab Spring environment, it has become crucial not just to show the gap between EU's promises and practice, but "also to identify the mechanisms through which this happens, so as to better understand how to redress the imbalance in political initiative" (Bicchi, 2014b, p. 39).

By focusing on local actors in the neighbouring countries, this thesis attempts to provide a novel investigation not yet tackled in the literature. In particular, it seems to come at a perfect timing, in a crucial moment that sees the ENP being at the crossroads and engaged in a thorough overhaul of its principles, instruments and scope. While someone warns that the ENP in its original version is today dead (Tocci, 2014), the dramatic transformation of the neighbourhood in the last years has posed the need to completely rethink EU approach and to adapt it to actors and developments on the ground. This is why Juncker's Commission decided to launch in March 2015 public consultations for a deep review of the ENP, with the purpose to reframe the policy in light of a better understanding of partners' values, interests and aspirations, difficulties and ongoing changes (European Commission, 2015). This thesis thus attempts to a better understanding of "what's going on" in the neighbourhood, by providing insights on the implementation of the ENP in light of its current review and future reformulation. As the notion of policy cycle assumes, the policy process is divided into several phases where what happens in implementation influences policy (re)formulation through an interactive learning process (Hill & Hupe, 2002, p. 45). In the current moment of policy review, an analysis of

implementation on the ground contributes to an understanding of the ongoing programmatic decision making that will likely shape ENP's future developments.

Finally, in order to explain the role of domestic actors in the implementation of the ENP, this work relies upon an original data collection and provides new data on ENPI payments, which are usually very rare. Normally, EU accounting data on countries' payments and commitments is only given on an aggregated level, with the major consequence that it is very hard to reconstruct, on a disaggregated level, the actual commitments and payments per single ENP program. Here the biggest effort was exactly to obtain this kind of data, in order to open the "black box" of aggregated numbers and obtain a clearer picture of countries' absorption capacity. The existing data in fact does not allow to understand which countries' programs actually received funds, how much and when.

Chapter II

Explaining implementation in the neighbouring countries: explanatory variables and methodology

2.1 Implementation theory and EU policy making

Implementation is the translation of a policy into action (Barrett, 2004, p. 251) by a wide range of instruments and actors. As an interaction between the setting of goals and the actions geared to achieve them (Pressman & Wildavsky, 1984, p. 8), implementation is the stage of the policy process where the theory of change embedded in the policy design, the instruments and the resources allocated during the formulation process are tested against reality (Dimitrakopoulos & Richardson, 2001, p. 336). As such, implementation is a link between policy expectations and results and therefore it is the foundation of evaluation (Pressman & Wildavsky, 1984, p. xvii). In order to understand policy success or policy failure and why certain policy outcomes were achieved or not, the key issue is indeed to assess precisely what has been done and what went wrong and why (Smith & Larimer, 2009, p. 157). In this context, implementation studies pessimistically contend that "implementation gaps" in terms of a tension between original intentions and final outcomes are normal. Implementation is a complex and non-linear process where the mere execution of the policy (*process*) does not automatically imply the goals' achievement (*outcomes*). Pressman and Wildavsky's work "How great expectations in Washington can be dashed in Oakland" (1984) gives a flavour of these difficulties by convincingly pointing out how the implementation of a large-scale federal project can be very difficult. Against the backdrop of several "decision points" which must be passed during the implementation process, of different perspectives and of asymmetric relations between the formulators and the implementers, it is very easy that the "high hopes of the centre are often dashed against the rocks of the periphery" (Dimitrakopoulos & Richardson, 2001, p. 353).

If Pressman and Wildavsky (1984) wonder how policy programs in a federal system can work at all, it is not surprising to detect implementation problems in a complex and multi-level governance system as the EU (Dimitrakopoulos & Richardson, 2001). Policy process in the EU is essentially a multi-level and multi-arena game, with a large number of actors, and facing an array of policy-making

venues (Richardson, 2001, p. 8). This is due to the hybrid nature of the EU policy system, "where decision-making is conducted at one major level (European) and implementation at another (national) - or rather a multiplicity of national levels" (Pridham, 1996, p. 48-49). Hence, the policy process goes through a number of levels, stages, and actors while final implementation inevitably relies upon the will and the capability of national political systems to adopt and implement EU law and policies. This means that successful implementation is a question of how to make actors at the lower national and subnational levels observe and implement the results of political decision-making (Lampinen & Uusikylä, 1998, p. 233). Therefore, what applies to implementation in general is particularly true for the domestic execution of EU policies (Treib, 2014). In this domain, Europeanization research, i.e. the literature studying the processes through which Member States transpose and implement EU norms at the domestic level and the factors that facilitate or constrain compliance with EU law, has become an important subfield in EU studies[13] (Sverdrup, 2005; Leiber, 2007). A large bulk of quantitative studies has paid attention to implementation performance in the EU, debating about the existence of a transposition problem at the domestic level and inquiring about the magnitude of Member States' non-compliance (Börzel, 2001; Haverland & Romeijn, 2007; Azzi, 2000; Mendrinou, 2007). Others have instead focused on implementation processes, investigating the interplay between the European and domestic factors (Börzel, 2000, p. 142) that account for implementation deficits and for performance variation across member states (Borzel & Risse, 2000; Bursens, 2002; Collins & Earnshaw, 1992; Falkner et al. 2004, 2007; Giuliani, 2003; Kaeding, 2006; Knill & Lehmkuhl, 1999; König & Luetgert, 2008; Mbaye, 2001; Pridham, 1996; Tallberg, 1999).

If implementation is a complex process for the policy-making *within* the EU, it is even more convoluted when it comes to EU *external* policy-making. In this field, EU's external action range from security to development cooperation and makes use of several financial instruments. EU external policies are formulated through a very complex and complicated decision-making process (Borzel & Risse, 2004), spanned over the European External Action Service (EEAS), the Commission's DGs, the Council and the Member States. Normally, in order to program EU external action, the identification and approval of specific programs and projects is developed on the basis of documents prepared by the Commission's services in cooperation with beneficiary countries and Member States (Natorski, 2008). In this context, final implementation inevitably lies in the coordination and interaction with the third countries that are the final recipients of the policy and whose will, local conditions and capability guarantee implementation on the ground. Domestic players and context features are essential as they

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[13] For a complete review of Europeanization literature, see also Mastenbroek (2005) and Treib (2014).

ultimately affect the implementation of EU's external policies and can dash Brussels' expectations. In the case of the ENP, implementation cannot be given for granted as an automatic process linearly following from the policy objectives defined in the Action Plans. "The passage [of legislation] does not guarantee implementation according to the legislative intent" (Kingdon, 1995, p. 3) as the mere knowledge of the policy goals is not a guarantee for compliance and successful implementation (Sabatier & Mazmanian, 2005). Policy realization is conditional on external circumstances (Pressman & Wildavsky, 1984) and on the contextual factors within the implementing environment (Matland, 1995). Against this background, how can we analyse and explain the implementation of EU external policies in third countries?

2.2. Theoretical Framework for a comprehensive understanding of implementation dynamics

2.2.1 Dependent Variable: Implementation as a process

In the established literature, implementation is defined in several ways[14]. Many definitions are concerned with the meaning of the verb to implement, while others analyse it in terms of interaction between goals and expectations, on the one hand, and actions and results, on the other (see note 14). For the purpose of this work, implementation is understood as the *process* translating policy into action (Barrett, 2004, p. 251), i.e. the process that encompasses those actions (decisions, activities etc.) by public and private individuals (or groups) that are directed at achievement of objectives set forth in the policy decision (Van Meter & Van Horn, 1975, p. 447-8; Lester & Goggin, 1998, p. 5).

As already mentioned, the literature on EU external policies and implementation is dominated by a "goals achievement bias" which tends to focus on outcomes while underplaying processes. The latter involves action on the behalf of the policy, whereas outcomes refer to the ultimate effect on the

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[14] For Hill and Hupe (2002:3) implementation means to carry out, accomplish, fulfil, complete; similarly, for Mazmanian and Sabatier (1983:20) it is "the carrying out of a basic policy decision" and for John (1998:204) it is the turning of policy intentions into action. Others analyse implementation in terms of interaction. For Pressman and Wildavsky (1979: xv) implementation is the "interaction between the setting of goals and actions geared to achieve them"; for Ferman (1990:39) it is the interaction between policy expectations and perceived policy results; O'Toole (1995: 43) defines it as the "connection between the expression of governmental intention and actual results"; finally, for Barrett and Fudge (1981:4) implementation is the interaction and negotiation "between those seeking to put policy into effect and those upon whom action depends".

policy problem (DeGroff & Cargo, 2009). The process therefore is fundamental to explain why specific outcomes are achieved or not. To grasp the notion of implementation as a process we can recall the Eastonian distinction between implementation "output" and "outcome" (Easton, 1983). The "outcome" refers to the goal achievement and asks the question: Do the activities have any effect on the problem? The "output", instead, concerns the "implementation behaviour" by asking the questions: "Are the specified activities established?" and "How is the policy being implemented by the implementation agency?" (Hill & Hupe, 2002, p. 145). Along these lines, here the analysis is on implementation as output, on the idea that the investigation of EU external policies and their implementation gaps should focus on processes in order to explain the *why* of specific outcomes. In other words, as O'Toole (2000: 273) puts it, "what happens between the establishment of policy and its impact in the world of action?"

In the case of the ENP, implementation is the process through which reforms are implemented in the neighbouring country. Therefore, "implementation behaviour" is defined in terms of those actions or activities (such as signing agreements, disbursing and spending funds, passing new laws, adopting and enforcing policy decisions), which the EU (Commission and local delegations) and local actors undertake in order to implement reforms and to achieve the goals established in the Annual Action Programs and in the Action Plans.

As already mentioned, the level of payments and the payments-to-commitments ratio[15] is considered as an indicator of implementation performance on the logic that, if the recipient country does not proceed with specific reforms and respect disbursement conditions, or if specific activities are not carried out, payments are not executed or delayed. However, for a detailed investigation of implementation processes, numerical data on payments and commitments should be complemented with an analysis of policy dialogue. Policy dialogue is a common platform for discussion between the EU and the partner country (government, national control bodies and civil society) on policies objectives and their expected results. As such, it is a framework to take stock of implementation of reforms and it can be used as a forward-looking tool to identify policy slippages, to assess progress and to reach a common understanding with the authorities on measures to meet policy objectives (European Commission, 2012, p. 11). Policy dialogue, therefore, is essential to ensure a clearer link between the use of resources and achieving results (ibid). In this sense, it allows to take stock of

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[15] This is what Guillaumount & Guillaumont (2007, p. 4) define as a country's absorptive capacity, which is measured as the gap between commitment and payment.

implementation processes and the difficulties that could have occurred during implementation and that at first sight might be overlooked by high rates of payments[16].

Given this definition of implementation processes and in order to understand what went wrong and why, an analysis of *how* the policy is implemented is not enough. Rather, it is necessary to point out the casual explanatory factors that affect implementation processes. "Evaluators are able to tell us a lot about what happened – which objectives, whose objectives, were achieved – and a little about *why*[emphasis added] – the causal connections" (Pressman & Wildavsky, 1984, p. 203).

2.2.2 Explaining implementation: traditional approaches and their limits in the domain of external policies

Two main theoretical approaches have traditionally informed implementation research. While adopting different perspectives, top-down and bottom-up studies are both addressed to understand the factors that facilitate or constrain implementation and that cause difficulty in reaching the stated goals (Winter, 2006; Hill & Hupe, 2002; Matland, 1995).

Top-down approaches start from the authoritative decision and look at the actions directed at the achievement of the stated goals. Implementation is assumed to be a hierarchical process where policy designers are the central actors and the attention is on the factors that can be manipulated at the central level (Matland, 1995, p. 146). The analysis is top-down as implementation is assumed to be a hierarchical process that from the "top" moves down the administrative system for execution (Barrett, 2004, p. 252). A direct causal link is assumed between policies and observed outcomes and the impact of implementers on policy delivery is overlooked (Pulzl & Treib, 2006, p. 91). Implementation is influenced by the number of actors and the problems of coordination between the links in the implementation chain (Pressman & Wildavsky, 1984); the degree of required change and the validity of the casual theory (Mazmanian & Sabatier, 1983; Van Meter & Van Horn, 1975); the characteristics and commitment of the implementing agencies (Van Meter & Van Horn, 1975); the clarity of policy goals and roles (Mazmanian & Sabatier, 1983; Hogwood & Gunn, 1984).

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[16] The interviews conducted with EU officials in Delegations in Tunisia and Morocco, revealed that, especially in budget support, policy dialogue is an important indicator for the implementation processes. The rationale is that EU's support to a third country's sectoral policies is *avant tout* a political question and political results cannot be measured only by the quantitative indicator based on the disbursed funds.

Against this background, a top-down analysis applied to the ENP starts from the policy goals set forth in the Action Plans and in the Annual Action Programs, and looks for the actions directed at the achievement of the objectives. This is the predominant approach in the literature and implementation performance is explained from the EU stance in terms of inconsistencies and lack of clear and genuine goals; long chains of commands that from Brussels to the Delegations produce small deviant steps (Bicchi, 2010a) or lack of adequate incentives and sanctions from the EU. However, while insightful, this kind of analysis provides just a frame of explanation. By overlooking the contextual factors within the implementing environment of the recipient countries, it fails to fully account for gaps and performance's variation in EU external action.

By contrast, bottom-up theories provide a "reversed focus" as they study what actually happens at the recipient level and analyse the real causes that influence action on the ground (Pulzl & Treib, 2006, p. 92). Here implementation problems originate from the interaction of the policy and the micro-level setting (Berman, 1978). Central planners cannot influence micro-level factors, as local organizations react to the macro-level plans, develop their own plans and implement them, with the major consequence that there is a wide variation in how the same national policy is implemented at the local level (Matland, 1995). Implementation is thus influenced by the services' deliverers or "street-level bureaucrats" (Lipsky, 1980) and it may be shaped in a way that is completely different to that of policy formulators (Barrett & Fudge, 1981). In particular, Hjern & Porter (1981) focus on the role of "implementation structures", i.e. the networks of private and public organizations that are involved in the policy execution and whose capacities and patterns of coordination influence implementation within a particular locality.

Along these lines, a bottom-up analysis to EU external policies provides a reversed focus *vis-à-vis* top-down explanations and complementarily accounts for implementation gaps by scrutinizing the domestic context of the recipient country in terms of micro-level peculiarities and implementation structures. Yet, in the case of the ENP, and more generally in the domain of external policies, bottom-uppers encounter the same theoretical difficulties of top-downers. If the latter overlook actors and conditions on the ground at the recipient level, the former downplay the role of the EU and its interaction with domestic actors. Given the peculiar and multilevel character of external policies, the two aspects cannot be neglected. The main theoretical difficulty is that in the domain of external policies the macro level of the EU ultimately overlaps with the micro level of the recipient. EU Delegations in third countries are a case in point as they perfectly embody this overlapping: they are EU representatives whereas deeply embedded in the micro-implementing environment of the

recipient country. This is even more relevant if we consider the growing role of Delegations, which, on the wave of the de-concentration process[17] and the Lisbon Treaty, improved their functions in aid implementation and country analysis, and became important actors in bringing the EU closer to the relevant context (Bicchi, 2014a).

The main problem behind the adoption of top-down or bottom-up perspectives is that they were conceived to explain national policy implementation without external interferences. In order to account fully for the implementation of EU external action, the two approaches should be integrated and re-conceptualized in such a way to avoid rigid analyses and to address the peculiar and multilevel character of external policies.

2.2.3 Explaining implementation in the domain of external policies: governance as a framework for implementation

The governance approach provides an interesting "third way" to study implementation, as an "alternative" focus that while drawing on the top-down/bottom-up debates avoids their analytical rigidity. Its main merit is to emphasize the multivariate character of policy action and the multi-layered structural context where multiple actors are involved in arrays of negotiation, implementation and service delivery (O'Toole, 2000, p. 276). In implementation research, the concept of governance is rooted in the so-called third generation studies that combine central steering and local autonomy (Pulzl & Treib, 2006, p. 95). In this regard, Goggin, et al. (1990) recognize the multi-dimensional character of implementation theory (Hill & Hupe, 2002, p. 100) and adopt the perspective of centrally defined policy decisions whose implementation depends upon negotiations between lower implementers and central authorities. Hence, the focus is upon state/local level inducements and constraints, organizational capacity, co-ordination and interaction among mutually dependent actors (Scharpf, 1978) at different layers and units of government (Ripley & Franklin, 1982). Similarly, Elmore (1985) combines "forward mapping", i.e. the analysis of policy goals and instruments with "backward mapping", i.e. the implementation behaviour at the lower level; and Sabatier's (1986) advocacy

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[17] The de-concentration process was launched in 2001 to allow a large-scale devolution of project management towards the Delegations, on the idea that "anything that can be better managed and decided on the spot, close to what is happening on the ground, should not be managed or decided in Brussels" (European Commission, 2000, p.20).

coalition framework starts from the variety of public and private actors involved with a policy problem and combines it with the external socio-economic conditions that constrain actors' behaviour.

By recognizing the multi-actor and multilevel character of policy action, these studies abandon simplistic hierarchical models and go beyond the top-down/bottom-up centred debate on the question of the appropriate unit of analysis (O'Toole, 2000, p. 266). They pave the way to an understanding of implementation framed in terms of governance, as they move away from a concentration on government as a locus (Hill & Hupe, 2002, pp. 13-16) and draw attention on the wide range of actors and processes of policy, wherever they might be (O'Toole, 2000, p. 276). Therefore, the governance approach provides a complete understanding of the multiple levels of action and kinds of variables that can influence implementation processes, by emphasizing different layers of cooperation and societal actors (ibid.).

In European studies, governance perspective is widely adopted as an analytical tool to study the peculiarities of EU political system and its policy-making[18] (Longo, 2008). While the "multilevel" governance model explains important aspects of EU internal system[19] (Marks, Hooge, & Blank, 1996), the notion of "external" governance emerges spontaneously to conceptualize EU's external relations when mutual interdependence is high and adaptation to EU templates meets the interest of third countries (Lavenex & Schimmelfenning, 2009, p. 792). The modes of governance, therefore, are a heuristic device for the analysis of EU- third country relations (ibid, p. 796-797).

Opting for a governance perspective, the ENP is less a traditional hierarchical "conditionality framework" with a clear hierarchy of goals, strategies, and instruments, and rather more open to horizontal co-owned governance structures (Lavenex, 2008, p. 939-944). Against this background, "despite a dominance of the EU's agenda, third countries have to agree with the selection of topics of cooperation and can bring in their own priorities" (Lavenex et al., 2009, p. 816). The principle of joint ownership, which is at the very base of the ENP, calls for a clear recognition of mutual interests and for priorities that are defined by common consent, varying from country to country (European Commission, 2004a). Hence, it is up to ENP countries to decide to what extent they would like to cooperate with the EU (Lavenex & Schimmelfennig, 2011). The joint elaboration of ENP Action Plans and program commitments, the joint evaluation of progress, the attempt to establish stable sectoral communication (Lavenex, 2008; Lavenex & Schimmelfenning, 2009), as well as policy dialogue, they

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[18] For a detailed review of the notion of governance and its use in Comparative Politics, International Relations and EU studies see Kohler-Koch & Rittberger (2006).
[19] In particular, it is useful to explain EU decision-making processes, which unfold across different territorial levels and multiple public and private actors.

all pave the way to implementation in terms of governance, i.e. a system where the responsibility for policy design and implementation is distributed between different levels and actors (Milio, 2010, p. 14). This is even more relevant if we consider that, under the ENP, aid modalities seek to promote neighbours' domestic ownership of policies and the use of domestic capacities and institutions for implementation. Especially in budget support, the purpose is to protect governments' ownership of the policy process and to leave them the right political space to decide how to reach policy goals. This implies that ENP implementation can be framed as governance across different levels and actors. Its efficiency is not only conditional on EU institutional strength, rules' legitimacy and resources (Freyburg et al. 2009; Lavenex & Schimmelfenning, 2009; 2011) but also on the domestic structures of the recipient countries in terms of administrative and implementation capacities, as well as coordination and actors' agreement on the need for common arrangements (Lavenex, 2008; Lavenex et al. 2009).

In order to frame implementation in terms of governance, Milward and Provan's definition (1999, p.3 quoted in Hill and Hupe 2002, p.14-15) is quite attractive. They define governance as "concerned with creating the conditions for ordered rules and collective action, often including agents in the private and non-profit sectors, as well as within the public sector. The essence of governance is its focus on governing mechanisms – grants, contracts, agreements – that do not rest solely on the authority and sanctions of government". Following this definition, while the ENP is mainly intergovernmental and executed primarily by the recipient state and its administration, private actors and representatives of civil society are constantly involved as part of programs' stakeholders. Furthermore, the governing mechanisms in terms of grants, contracts and agreements rest on both the EU (either the Commission or the Delegations) and the domestic actors of the recipient country (institutions and non-state actors).

Instead of the sterile top-down/bottom-up distinction, the governance approach bypasses the limits of traditional implementation studies and gives attention to the variety of *loci* and horizontal and vertical relations that inform implementation process (Hill & Hupe, 2002). In particular, implementation is reframed in terms of performance via governance in the delivery of policy results (O'Toole, 2000, p. 281). In this way, in the domain of EU external policies, the conditions on the ground at the recipient level can be studied and it is possible to avoid the rigidities of analyses based on a single and specific analytical direction.

2.3 Implementation and domestic conditions: looking for explanatory variables

Governance is here adopted as a framework for capturing implementation of EU external policies, across different levels and actors. In this vein, and in light of the above mentioned ENP's features (neighbours' ownership, decentralized and budget support aid modalities etc.), in order to analyse the connection between governance and implementation it is necessary to consider how implementation gaps are influenced by institutions and actors operating on a decentralised level (Milio, 2010, p. 15), i.e. in the recipient neighbouring countries.

The bulk of the analysis here is a focus on the neighbouring countries' political elites and veto players, administration and its capacities, as well as on civil society and its autonomy. These three variables are considered as the main elements of the "domestic (f)actors explanation" for the effectiveness of ENP external governance (Barbé et al. 2009; Lavenex & Schimmelfenning, 2009; Freyburg et al., 2011) and are identified by implementation, Europeanization and development studies as important actors potentially hampering implementation on the ground. Furthermore, as here we want to understand how the Arab Spring affected the implementation of the ENP on the ground and countries' different performance after 2011, the analysis of these three variables is well suited for this purpose. Administrative capacity, political elites and state-civil society relations were in fact some of the main elements directly affected by the Arab Spring and its consequences.

2.3.1 The role of domestic political actors

Domestic political actors in neighbouring countries play a critical role in determining which ENP reforms will be adopted and how. The implementation of reforms is in fact inevitably influenced by the goals and the interests of ruling elites and policy processes are closely linked to political processes, since they essentially aim at deciding how different interests in society should be considered or not, given limited resources (European Commission, 2007b). Domestic political actors can be defined as the actors who have the political power to influence policy decisions. In this sense, they can be seen as "veto players", i.e. actors whose agreement is required to promote policy change (Tsebelis, 1995). Veto players can be "institutional", according to their institutional role as defined in a country's constitution, or "partisans" if generated by the political game[20] (Tsebelis, 2002).

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[20] For an extensive investigation of veto player analysis and its state of the art see Ganghof (2003).

Europeanization literature recognizes the importance of domestic political and institutional actors to explain why some Member States fail to comply with European standards (Falkner et al. 2004) and sees domestic political actors as "veto points" that determine the quality and the time of implementation (Haverland, 2000). If a directive is not in line with the policy legacy of the country or with actors' preferences, it is more likely that the implementation process gets stuck (Duina, 1997; Mastenbroek & Kaeding, 2006; Treib, 2003). Similarly, enlargement literature recognizes that the success of conditionality depends on the recipient countries' veto players and the extent to which reforms resonate with their interests (Schimmelfenning & Scholtz, 2008; Wolczuk, 2009; Vachudova, 2008; Sadurski, 2006).

In the ENP, the goals and the interests of key institutional and political actors are crucial for the implementation of reforms, as their support or opposition to policy change, as well as their degree of attention for a specific policy sector, ultimately influence the execution of ENP's reform programs (Lavenex, 2008; Hagemann, 2013). This is even more relevant if we consider that, under budget support, ENP programs normally sustain already existing governmental and national policies. Therefore, the same goals and (conflict of) interests that influence the implementation of a national policy in a given sector are likely to be mirrored in the implementation of the corresponding ENP program. Against this background, for the purpose of this analysis, domestic political actors are operationalized by considering their goals and resources. The goals are analysed in terms of the degree of (mis)fit between domestic actors' objectives, as expressed in their political agenda, and those in the ENP reform agenda. In this way, it is possible to understand their attitude towards ENP-related reforms and to single out the actors in favour or against specific policy changes and why. Their resources are instead analysed in terms of power vis-à-vis other actors and expertise to promote specific goals.

2.3.2 *Administration's Capacity*

Administration is traditionally concerned with the carrying out of public policy (Heady, 1996). Therefore, administrative capacity as the ability of the state to provide services to citizens through its bureaucratic structures (Esman, 1978) is considered as a key tool of policy implementation. International development studies have increasingly stressed the linkage between poor implementation of development programs and lack of administrative capacity (Sapru, 1994; Ugwuanyi

& Chukwuemeka, 2013). This is why international donors, including the EU, attach high importance to capacity building and provide a wider range of instruments and technical assistance for this purpose.

Scholars suggest that, in many cases, countries' poor implementation or non-compliance with international agreements are not necessarily intentional or due to missing political willingness, but are rather related to a lack of administrative capacity[21] (Milio, 2007). Europeanization literature recognizes that Member States' bureaucratic efficiency, internal division of competences or administrative constraints may unintentionally hamper the successful implementation of directives (Mbaye, 2001; Bursens, 2002; Knill & Lehmkuhl, 1999). Similarly, enlargement literature sheds light on the importance of domestic institutions and internal coordination for the transposition of EU *acquis* (Zubek, 2011; Verheijen, 2000).

In the case of the ENP, administrative capacity is referred to the capacity of institutions in the recipient country to implement key reforms. The implementation of the ENP bilateral programs and the absorption of EU funds are thus related to the capacity of the administration to carry out specific actions and to meet the reforms goals. Administrative capacity is therefore a key implementation tool, especially if we consider that under budget support programs the responsibility for the management of the transferred funds rests with the partner government. This means that once EU funds are transferred to the national treasury (only after the respect of the agreed conditions for payment), they are planned for, budgeted, spent and audited through the procedures of the partner government (European Commission 2007a; 2012, p. 11). Furthermore, as budget support is focused on performance and results appraisal, and disbursement is assessed against data that should be reliable, the partner country should have a well-functioning system in place for monitoring progress (European Commission, 2012, p. 46). Similarly, in the programs that are based on project approach under indirect management (former decentralised management) the European Commission may entrusts budget implementation tasks to the partner countries, which in this case are in charge of awarding grants or managing all the other relevant procedures (e.g. procurements, calls for tenders etc.). For this purpose, a specific "project management unit" is normally created by the partner country. These examples show the importance of a sound administrative capacity for the implementation of the ENP.

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[21] The debate around voluntary and involuntary non-compliance is rooted in International Relations literature, and it evolves around two main approaches. The enforcement approach considers states' willingness as the main cause of compliance, while the management approach points to the role of administrative and financial capabilities. For an analysis of these approaches in Europeanization literature, see Tallberg (2002) and Treib (2014).

Give these considerations, administrative capacity is here defined as the ability to implement reform and to oversee the correct implementation of the overall program (Milio, 2010) and it is referred to all the structures -such as ministers, agencies and departments- that are in charge of carrying out the required functions. Indicators to measure administrative capacity are coordination between the actors involved and resources in terms of both information (clarity of goals and roles) and sufficient administrative personnel.

2.3.3 The role of civil society

Civil society[22] is a crucial actor for policy implementation. Its importance rests on the recognition that societal problems cannot be solved exclusively by governments and that civil society's participation to the policy process improves the quality of planning and implementation, by better targeting the needs of beneficiaries (Brinkerhoff, 1999a; 1999b; Bratton, 1989a). In this sense, civil society plays different roles, as policy advocate and dialogue promoter on the "demand side", and as service deliverer and project manager, on the "supply side" (Bratton, 1990; Brinkerhoff, 1999b). Similarly, in the domain of external policies, civil society is a key actor in the implementation of aid programs, as it implements projects and takes part in policy discussions and consultation processes with external donors, by contributing to a better definition of their strategy (European Commission, 2002).

In the case of the ENP, the very principle of ownership highlights the importance of an active participation of civil society for a successful implementation of reforms (Rossi, 2012, p. 121). In the wake of the Arab Spring and of the increasing attention to civil society's role in driving political changes, the relevance of non-state actors in implementation of EU programs is even bigger. This is why the new ENP attaches great importance to the partnership with civil society. Furthermore, as civil society organizations normally share the same values and commitments the EU wants to promote in its ENP relations, civil society is ultimately a crucial actor for programs' implementation (Rommens &

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[22] The literature defined the notion of civil society in different ways. Alfred Stepan defines it as an "arena where manifold social movements…and civic organizations from all classes ... attempt to constitute themselves in an ensemble of arrangement so that they can express themselves and advance their interests" (1988, p.3-4). Similarly, Larry Diamond defines civil society as referring to formal and informal groups of "citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state, and hold state officials accountable" (1994, p.5).

Thiers, 2008). Civil society organizations can either carry out projects that aim to implement the priorities of a specific ENP program, or can autonomously put forward initiatives and proposals for financing (European Commission, 2002). In the case of budget support, while the recipient country's government is the main actor that directly manages EU funds, civil society participation is crucial for the policy targeting and for the definition of the national strategies supported by the corresponding ENP program. Furthermore, since budget support funds flow through the government accounts and are managed through its own budgetary procedures and arrangements, civil society organizations are an important mechanism for accountability, especially in those countries where parliaments are too weak to carry out their control.

The scope of civil society in policy formation and implementation is influenced by the willingness of the state to respond to inputs from non-state actors and more generally by the government-civil society interactions (Brinkerhoff, 1999b). In particular, the type of political regime (whether authoritarian or democratic) and the prevailing legal framework and its regulations (whether restrictive and limiting organizations' activities as well as the possibility to receive public funds) define the space available to civil society (Sidel, 2011; Brinkerhoff, 1999a; 1999b; Bratton, 1989b). This is particularly the case of the Southern Mediterranean where the fate of civil society has been closely tied to the regimes in place and crucially affected by their strong autocratic features (Kienle, 2011, p. 146). Furthermore, according to Knodt and Jünemann (2007, p. 262), state-civil society relations can be seen in a dichotomous or integrative way. In the first case, civil society is completely independent of the state and in a conflictive and polarized relation to it; in the second case, there are no definitive divisions between the state and civil society and the latter both controls the state and enhances its legitimacy. Against this background, in the case of the ENP, scholars have recognized the importance of an active and autonomous civil society and of participation as one of the conditions for the effectiveness of ENP external governance (Freyburg et al. 2011; Lavenex, 2008; Lavenex & Schimmelfennig, 2011). At the same time, civil society's empowerment is not enough if organisations are lacking the expertise and the capacity to handle managerial and technical issues (Brinkerhoff, 1999b).

Civil society is here analyzed considering its numerical strenght, its "space" and degree of autonomy *vis-à-vis* the state and its capacity to implement projects. In the first two cases, indicators are: - the number of CSOs existing in a given policy area as influenced by the existing legal framework; the type of existing administrative procedures; -restrictions to freedom of association; -degree of involvement of civil society in policy formulation and implementation; -the extent to which civil

society actors are able to influence specific policy decisions. In the second case, indicators are: expertise and resources (personell and money).

2.3.4 The Arab Spring

Not so many events attracted scholars' attention as the Arab Spring[23] did in the last couple of years (Panebianco, 2012b). The wave of protests[24] that swept across the Mediterranean was seen as a moment of historic proportion that profoundly changed the political landscape of the region. The events put the countries on a path of political transformation, which in some cases led to major shifts with the toppling of well-established authoritarian regimes (Tunisia and Egypt). In other cases, it instead led to minor changes in the wake of more limited top-down reforms (Morocco and Jordan) while in some others it crumbled into the void of civil war (Libya and Syria). Whatever the outcome, and whether leading to regime change or not, the uprisings in fact had a big impact on Arab political systems (Asseburg, 2012, p. 5). The popular revolts delivered unprecedented twin blows: leadership change, i.e. the removal of the incumbent rulers in response to mass demands; and institutional change, i.e. the renegotiation of the rules of the game (Brownlee, Masoud, & Reynolds, 2015, p. 3). As such, the Arab Spring ultimately affected domestic political actors, administrative capacity and state-civil society relations.

First of all, in many cases the Arab Spring changed the existing political arena, leading to elites' reshuffles. Following the uprisings, elections were held in many countries across the region, including those that were only moderately affected by the protests (Brownlee, Masoud, & Reynolds, 2015). This paved the way to the establishment of (new) political parties (Amour, 2013) that were now allowed to run for votes and to emerge as a vehicle for political expression and representation (Hamid, 2014). While in some cases old elites were able to resist change through a mere readjustment of their ruling strategies, new actors outside the traditional political game were able to emerge (Perthes, 2012). This is the case of Libya, where members of the exiled and marginalized opposition under Gheddafi re-emerged in the National Transitional Council (Lacher, 2012), or the case of Tunisia, Egypt and

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[23] The label Arab Spring is highly contested, as it is blamed to be too much optimistic against an uncertain and ambiguous reality. Nevertheless, here the term is used in a neutral connotation, to merely refer to the uprisings that affected the political systems of the Mediterranean neighbouring countries. For an analysis of the "linguistic" debate on the "Arab Spring" label, see Aarts et al. (2012).

[24] For an analysis of the causes and implications of the Arab Spring, see Joffé (2011) and Brownlee, Masoud, & Reynolds (2015).

Morocco, where Islamists gained the largest share of votes in political elections. The Arab Spring, therefore, affected domestic political actors in the neighbouring countries, with élites' reshuffles and the emergence of new actors.

Second, by fostering leadership and institutional/constitutional changes, the Arab Spring generated instability and institutional volatility, with a high degree of officials' turnover. Therefore, it impinged upon the administrative capacity of Mediterranean countries, since political instability and recurrent changes of government can affect the administrative context and its delivery capacity (Milio, 2010).

Finally, the Arab Spring shaped state-civil society relations. The manifestation of huge cross-class popular protests was probably the main empirical novelty for the Arab World (Bellin, 2012). The collapse of regimes in Tunisia and Egypt allowed people to associate without restrictions for the first time in decades (Kienle, 2011). Furthermore, the revolutionary context prompted the development of public participation and public sphere (Amour, 2013), with the major consequence that people in power became more dependent on the public acceptance of their policies (Asseburg, 2012, p. 5). These developments shaped the role of civil society in policy formulation and implementation, since, as suggested by Brinkerhoff (1999b) in government/civil society relations, the objectives of the relatively stronger partners tend to prevail.

Overall, the Arab Spring is both a systemic opportunity and a constraint that transforms the fixed settings where actors can move (Panebianco, 2012a, p. 155). As such, it potentially alters the value of the selected explanatory variables and influences their causal relation with implementation.

2.4 Hypotheses

To explain ENP implementation on the ground, the main argument of this thesis is based on the importance of three domestic variables in neighbouring countries: the role of domestic political actors, the role of administration's capacity and the role of civil society. The hypothesis is that there is a positive relation between these variables and the implementation of the ENP on the ground (H1). Namely:

H1a: the degree of (mis)fit between the goals of domestic political actors and the ENP reform agenda shapes the implementation of the ENP on the ground, insofar as the more the policy addresses the

orientation and the interests of local political actors, the more likely is smooth implementation and fund absorption.

H1b: the degree of administration's capacity shapes the implementation of the ENP, insofar as the sounder administrative capacity, the more likely smooth implementation and funds absorption.

H1c: the strength and the degree of autonomy of civil society influence the implementation of the ENP, insofar as the stronger and more autonomous is civil society, the more likely are smooth implementation and funds absorption.

These relationships are better illustrated by the right part of Figure 3 (1st Hypothesis).

Figure 3- Hypotheses

2nd Hypothesis		1ST Hypothesis		
Intervening Variable		**Explanatory Variables**		
ARAB SPRING				
-Elections (H2a) -Institutional/Constitutional Changes (H2a)	→	DOMESTIC POLITICAL ACTORS (H1a)	→	IMPLEMENTATION
Institutional Instability and Volatility (H2b)		ADMINISTRATION'S CAPACITY (H1b)		
--Change on State/Civil Society Relations (H2c)		CIVIL SOCIETY (H1c)		
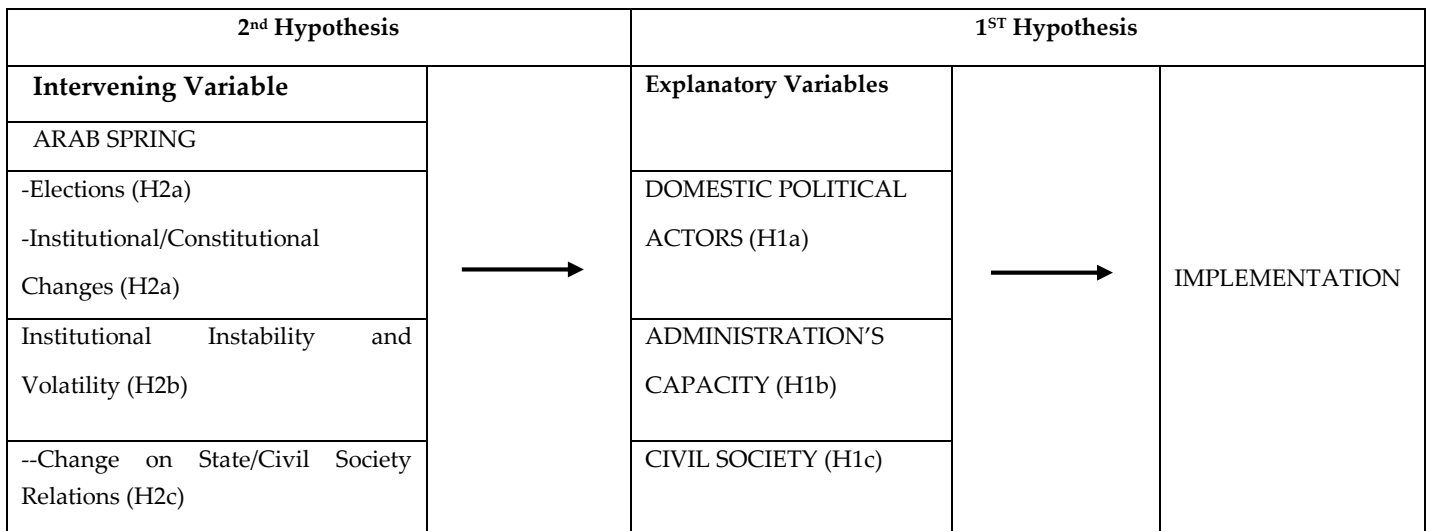
Secondly, if H1 is valid, i.e. if it is true that domestic political actors, administration's capacity and civil society have a determinant role in the implementation of the ENP on the ground, the countries' variance in performances after 2011 is explained as an effect of the Arab Spring on these three specific variables (H2), and in turn on implementation. To put it differently, if after 2011 there was a big variance in the way Mediterranean countries absorbed and implemented ENPI funds, this is because the Arab Spring, with its different degrees of change and (in)stability across countries, altered in a different way the value of domestic political actors (H2a), administration (H2b) and civil society (H2c), determining different ENP implementation performances. This effect occurs through the mechanisms that were identified in the previous paragraph. By paving the way to new elections and to renegotiations of the rules of game through institutional and constitutional changes, the Arab Spring

altered the value of the variable domestic political actors, leading to the emergence of new actors and to élites reshuffles with a consequent potential change on actors' goals and resources. Similarly, by generating institutional volatility and turnover, it affected countries' administrations and their capacities in terms of ability to implement reforms and oversee correctly programs' implementation. Finally, by impinging upon state-civil society relations, it shaped the strength and the space reserved to civil society. The first (left) part of Figure 3 (2nd Hypothesis) better illustrates the relationship between the Arab Spring, its mechanisms and the effect on the explanatory independent variables.

2.5 Case Selection

In order to answer the research questions and to test the hypotheses, this work builds on the two different cases of Morocco and Tunisia. These two cases present a number of interesting aspects that allow to analyse the dynamics behind the implementation of the ENP. Moreover, they respect the primary criterion for cases selection, i.e. they provide variation on dimensions that are relevant to the research problem and to the objective of the study (George & Bennett, 2005, p. 83).

The two countries have both a long-standing tradition of cooperation with the EU[25] and were among the first neighbours to adopt an AP in 2005. However, while departing from very similar APs, they had different performances in the implementation of the ENP. If Morocco emerged as a "good practice" country (Natorski, 2008) and as the "bon élève" of the ENP in light of its very good results in the implementation of the AP's priorities, by contrast Tunisia stood out as the "bad" because of its resistance to turn economic success into political opening (Bicchi, 2010b; Lavenex & Schimmelfenning, 2008). Moreover, Morocco and Tunisia display a useful variance in the independent variables of this study. They have always had different kind of domestic political actors, with an executive monarchy and competitive authoritarian regime for the first and a presidential regime with a hegemonic electoral authoritarianism for the second. Their administrative capacity has always been different, with Tunisia being more developed than Morocco. Finally, civil society has traditionally been more open and articulated in Morocco *vis-à-vis* the stifled and closed environment of Tunisia, which left little room to

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[25] EU cooperation with Tunisia and Morocco can be dated back to the 1960s and the 1970s, when the two countries signed with the European Community trade and cooperation agreements to sustain their socio-economic development. In the 1990s, a broader framework to manage political, economic and cultural cooperation was established with the signature of the EMP Association Agreements. Since then, the two countries were among the main beneficiaries of the MEDA programs.

non-state actors and civil society's organizations. The choice of these two cases is therefore justified on the idea that they allow to analyse the different performances in the implementation of the ENP and to test the first hypothesis. Furthermore, as shown in the first chapter, the data on the ENPI cumulative payments- to commitments ratio for the period 2011-2014 provides the opportunity to conduct a comparative analysis between the best (Tunisia) and the worst (Morocco) country in terms of absorption capacity after 2011 (see Figure 4).

Figure 4
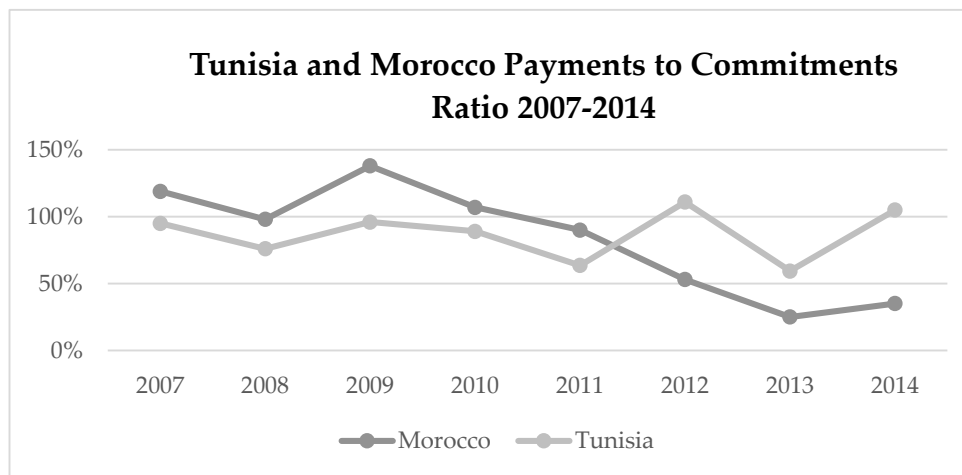
Source: Author's own elaboration on the ENPI data (2015).

The case selection is also justified on the ground that the Arab Spring generated contrasting results in these two countries. Tunisia is where the uprisings kicked off, where the regime collapsed and where authoritarian rule was supposed to be the most solid; whereas Morocco is a case of partial awakening that did not move much during the uprisings and where the fundamentals of the regime are still in place, with a mere reconfiguration of authoritarian power (Pace & Cavatorta, 2012; Cavatorta & Dalmasso, 2013). In this regard, they are useful to test the second hypothesis, i.e. that their different performance after 2011 is due to the diverse way the uprisings affected their domestic political actors, administration's capacity and civil society.

Overall, therefore, Tunisia and Morocco are meaningful case studies which allow to test the hypotheses of this work and which recall Seawright and Gerring's (2008, p. 297) definition of "diverse cases", i.e. the cases which "exemplify diverse values of X, Y or X/Y".

2.6 Methodology and Data Collection

The gist of methodology is a comparative case study. A case study is an in-depth examination that allows for a thorough understanding of complex issues and processes, and that emphasizes detailed contextual analysis of a limited number of events or conditions and their relationships (Soy, 1997). As such, it can extend knowledge or add strength to what is already known through previous research (ibid.). As a case study, the comparative case study still strives for the "thick description" typical of case study method, but it examines in rich detail the context and the features of two or more instances of specific phenomena, in order to discover contrasts, similarities or patterns across the cases (Campbell, 2010, p. 174). In this sense, it produces more generalizable knowledge about causal questions.

Here the purpose of the case study is to offer an in-depth insight into the specific features of domestic political actors, administration and civil society in the neighbouring countries and how they affect the implementation of the ENP. Furthermore, it allows for a comparative analysis between Tunisia and Morocco in order to generate evidence to test the hypotheses. In particular, following George and Bennett (2005, p.63-72), the comparison here is both "structured", in the sense that the research questions were asked for each of the case under study, and "focused", i.e. it deals only with certain aspects of the examined cases.

Whereas someone critics the case study method on the idea that the analysis of a small number of cases does not offer grounds for generality of findings (Soy, 1997), or that the definition of the method is often too vague (Gerring, 2006, p. 6), the case study remains a widespread research method that offers different benefits. In policy studies, one of its major strengths is that it enables to study thoroughly the complexity of programs and policies in their precise socio-political context. Moreover, it allows to analyse the influence of key actors and their interactions and to explain how and why things happened. Finally, it is useful for exploring and understanding the dynamics of change, as well as for determining the factors that were critical in the implementation of a policy program, by describing and interpreting events as they unfold in the real life setting (Simons, 2009, p. 23). In order to design case study research, scholars propose some main steps (Soy, 1997; Yin, 2014; Stake, 1994; George & Bennett, 2005):

-Define the research questions and hypotheses

-Select the cases

-Determine data gathering and analysis techniques

-Collect data in the field

-Analyse data

The first two steps have already been defined. Research questions were described in the first chapter and hypotheses and explanatory variables were introduced in the previous paragraphs. Moreover, Tunisia and Morocco were chosen as two cases of contrasting performance in terms of implementation and absorption capacity.

2.6.1 Data Collection

The data were collected through three main methods: document analysis, interviews, and access to the EU financial transparency system. The document analysis is based on an extensive study of two main categories of documents:

-Programmatic Policy Documents: Morocco and Tunisia's Annual Action Programs and Action Fiches between 2007 and 2013, in order to identify which programs and projects were financed and the EU funds that were committed.

-Evaluation reports: ENP Implementation General Reports and ENP Progress Reports for Tunisia and Morocco between 2006 and 2015; and Evaluation reports per single ENP program (where available).

The documentary analysis was enriched by interviews that were conducted with key actors involved in the implementation of ENP programs. The interviewees were systematically selected by identifying the actors mentioned under the heading "Parties Prenantes" in the Action Fiches of each analysed program. In some cases, they were identified through snowballing. Furthermore, for each program three categories of actors were interviewed: political actors, administration, and civil society. The interviews were semi-structured to allow for hypotheses testing and a specific questionnaire was designed for this purpose to serve as a basis for the interview. The aim of the questionnaire was to identify the role of domestic political actors, of administration and its capacity, and of civil society in implementation, as well as their main characteristics and the difficulties encountered during implementation. Some questions were also devoted to understand whether and how the Arab Spring shaped each explanatory variable (see Annex II). The use of interviews was extremely useful to obtain specific information on implementation processes on the ground and to identify the difficulties per single ENP program. The ENP evaluation reports are normally very generic and merely focused on the achievement or not of certain outcomes. As such, they do not allow to grasp implementation processes or the peculiarities of specific ENP programs, and interviews become therefore a

fundamental tool for data collection. However, interviews have also a big limit, i.e. the difficulty to obtain reliable data in light of the risk to collect biased information. This is why in this work the insights gained from the interviewees were often cross-checked through the use of "objective" data gained from evaluation reports and official documents and statistics.

Finally, the figures on ENP payments were collected through the EU financial transparency system or other internet sources such as OpenAid Search or the IATI Register of International Transparency. In this sense, this thesis draws upon original data, by providing new data on ENP payments that are normally scarce. As recognized by other scholars trying to proceed with the same analysis, the biggest difficulty is that EU accounting data is only given on an aggregated level. It is quite easy to find figures on countries' payments and commitments per single year, but as they are only at an aggregated level "it is by no means trivial to reconstruct actual commitments and payments for the different programs and investment facilities within the ENPI" (Wesselink & Boschma, 2012, p. 14). Therefore, traditional data does not allow to understand who gets what, when and how within a specific ENPI program. The lack of disaggregated data is actually a problem that all the scholars working on the implementation of EU financial instruments have been struggling with. With reference to the MEDA program, Natorski (2008, p. 6) recognizes the existence of an empirical gap widened by the enormous difficulties in obtaining reliable empirical data. In this context, the analyst is forced to become a "statistical detective", who is often faced with official numbers that "do not square" (Mañé Estrada and Maestro Yarza, 2001: 5; quoted in Natorski, p. 6). Here, the biggest effort was exactly "to make the number square" and to disaggregate data on payments and commitments by obtaining data on payments per single ENP program, with a request for document access through the EU Financial Transparency System.

2.6.2 Data Collection in the field

The fieldwork was carried out in a time-span of seven months spent in Morocco, Tunisia and Brussels. Furthermore, the fieldwork in Tunisia was complemented by an internship period of four months in the section of political cooperation at the EU Delegation in Tunis. Overall, 65 semi-structured interviews were conducted with political and administrative officials, as well as civil society organizations in both Tunisia and Morocco; with EU officials in Delegations in Rabat and Tunis; with EU officials in Brussels, from the Commission-EUROPEAID and the EEAS (see ANNEX III). The main goal of the fieldwork was to conduct interviews, in order to complement and enrich desk-based

research, and to collect additional information and documentation, including data on payments. In particular, in order to enlighten the difficulties for implementation on the ground, the interviews were tailored to point out the main obstacles and difficulties encountered in the implementation of a specific program or aid modality. For instance, in the case of budget support programs whose payments were not executed or delayed, the interviews tried to find out which specific disbursement conditions were not respected by the country and why.

2.6.3 Analysis

The ENP is an "umbrella" which funds regional, inter-regional and bilateral programs. Here the data analysis is restricted only to the implementation of bilateral programs as they are the most important component of the ENP, which attracts the vast majority of funding (Wesselink & Boschma, 2012, p. 13; Comelli, 2004) and allows to study the dynamics of implementation on the ground for single neighbor. The analysis starts from 2007 as this was the ENPI first year of implementation, and it covers Morocco and Tunisia's Action Fiches within the NIP 2007-2010 and the NIP 2011-2013. For Morocco, the following Action Fiches were selected:

- The ENPI Program to support the National Human Development Initiative (AAP 2007/AAP 2012)
- The ENPI support to National Alphabetization Strategy and Education Policy (AAP 2007/2010; AAP 2009/2010)
- The ENPI Program to support the reform of the health system (AAP 2008)
- The ENPI support to gender equality (AAP 2011)
- The ENPI program to support the Instance d' Equité et Reconciliation (AAP 2008)
- The SPRING support to Morocco

For Tunisia, the following Action Fiches were selected:

- -The ENPI Program to support the national budgetary reform (AAP 2007)
- -The ENPI Program to support Environment (AAP 2007)
- -The ENPI Program to Economic Integration (AAP 2008-AAP 2010)
- -The ENPI Program of Economic Revival I, II, III (AAP 2011/2012/2013)
- -The ENPI Program for Market and Competitiveness

- -The ENP program for Education and Employability
- -The SPRING Program for Tunisia (Program to Support Justice+ Program to Support Civil Society, AAP 2012).

This choice is justified on the ground that these key different ENP bilateral Programs allow to take stock of implementation and its different dynamics across years, as well as before and after the Arab Spring. Moreover, they offer a good diversification in terms of policy sectors. Even if the two countries have different Action Fiches in light of their specific needs, the bilateral programs remain perfectly comparable as they address very similar goals, if analyzed against the broader objectives of the two countries' Action Plans. Annex IV shows Morocco and Tunisia's programs for the period 2007-2013. The data on commitments were reconstructed on a disaggregated level[26].

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[26] The commitments indicated in each Action Fiche for a given year were mathematically added (e.g. all the Action Fiches for 2007) to verify whether the final result was the same as indicated on an aggregated level by the Statistical Annex in the same given year (e.g. total country's commitments for 2007).

Chapter III

The implementation of ENP programs in Morocco and Tunisia: the role of domestic political actors

Domestic political actors play a key role in the implementation of the ENP. Their goals and (conflict of) interests, their agenda and their support or opposition to policy change, as well as their specific role and veto player status defined by the constitution and by the rules of the game shape the internal processes of domestic change. As such, domestic political actors inform the political dialogue with the EU and determine which ENP reforms will be adopted and how. The implementation of an ENP program in a given sector is likely to reflect the same interests and difficulties that characterize the country's policy process in that sector. In this sense, the degree of (mis)fit between the goals of domestic political actors and the ENP reform agenda shapes the implementation of the ENP, on the idea that, by quoting Maggi (forthcoming), the more the EU policy addresses the orientation and capabilities of domestic political actors, the more likely smooth implementation and fund absorption by the neighbouring country is easy to achieve. The aim of this chapter is to analyse the role of domestic political actors in Morocco and Tunisia and how they affect the implementation of the ENP programs on the ground. For this purpose, a general analysis of Moroccan and Tunisian political actors is firstly carried out, in order to point out their role within the political system and their veto player status, as well as their specific goals and resources in terms of power strategies and expertise. Quoting Dente (2011, p.42), political actors' goals can be "process-related goals", i.e. objectives that are not strictly related to the problem as such, but essentially linked to the policy process in terms of relations with the other actors; and "content-related goals" (ibid. p. 61), i.e. specific objectives and preferences directly related to the problem as such and to the solutions that could be adopted.

By analysing political actors' roles and goals, it is possible to identify the specific political and institutional context where ENP programs are supposed to be implemented and how the objectives of the concerned actors and their attitude towards ENP-related reforms affect the implementation of the policy.

3.1. Tradition and State-Penetrated Pluralism: Domestic Political Actors in Morocco

The political regime, as one of the main components of a country's political system, can be defined as the set of values, norms, rules of the game and structures of legislative and enforcement authority that inform a political community (Morlino, 1980, p. 33-35). While the values are the general ideologies and beliefs at the base of the regime, formal norms and informal rules of the game set political conflicts and shape the transformation and execution of public demands. Finally, the structures of authority define the distribution and exercise of power (ibid). In Morocco, the ideology informed by the dualism of tradition and modernity, on the one hand, and the constant overlapping of formal constitutional norms and informal rules of the game, on the other, shape policy processes and the relations between the regime's main structures of authority, i.e., the King, the Parliament and the Government.

3.1.1 The King: an institutional veto player and a policy entrepreneur between formal and informal rules

Morocco is a centralized political system with much power held by the King (Zartman, 1990, p. 223). According to the Constitution (2011), Morocco is a constitutional monarchy based on a formally granted separation of powers (art.1) and on a multi-party system (art.7). Yet, the country's regime resembles more an executive monarchy where, from Hassan II to Mohamed VI, the King plays a large role and whose formal extensive constitutional powers are reinforced by strong informal powers (Storm, 2007, p. 116).

In terms of formal norms as stated in the Constitution (2011, Title III), the King is the head of the State and the guarantor of its continuity. As such, he is an arbiter between the institutions and is in charge of the cohesiveness of the system. He appoints the government and presides the cabinet meetings; he can dismiss the cabinet and dissolve the parliament, and exerts his statutory powers by royal decrees. Finally, he presides over the supreme council of magistracy and the royal armed forces. The King has therefore a strong power over all aspects of the state apparatus, paving the way to a system where the monarchy dominates the institutional realm (Daadaoui, 2010a, p. 3-4). Moreover, there is formally no provision or sanction in case of abuse of royal power (Maghraoui, 2001a, p. 79). Against this background, the King is an institutional veto player, as he is an actor whose agreement is

required to promote policy change and whose prerogatives derive from his institutional role and power as codified in the Constitution.

Yet, we cannot properly understand Moroccan politics and the role of the monarchy without an analysis of the extensive *informal* powers and mechanisms of political control that allows it to shape the political game. For example, while the King has the formal power to appoint the prime minister and, on the latter's recommendations, the cabinet, traditionally he has not followed these recommendations. Therefore, although not formally holding ministerial posts, the King does so in practice by appointing loyal technocrats that give the monarchy an informal foot in government (Storm, 2007, p. 117). Similarly, while formal political elections should be the results of popular legitimacy, informally political power is a royal gift (Sater, 2009a, p. 30) that depends upon parties' attitude to enter into a pact with the regime. Finally, since the King can on his own initiative terminate the functions of one or more members of the cabinet, this makes members of the government informally responsible to him and secondarily to the parliament (Maghraoui, 2001a, p. 79). This complex linkage between formal norms and informal rules of the game is embedded in the concept of tradition, which is a fundamental element of the governing system and which plays the role of an implicit constitution (Monjib, 2011, p. 4). As the King is the head of state on the one hand, and the symbol of the national unity and the "Commander of the Faithful"[27] on the other, he is both a temporal and a spiritual ruler, whose royal decisions are therefore sacred (Daadaoui, 2010a, p. 3). The constitution itself seals this mutual relationship between formal norms and informal rules of the game by endowing the King with sacred characteristics[28] that are not subject to debate (Sater, 2009b, p. 181).

This dual institutional and spiritual nature informs the resources and the strategies at the King's disposal to influence political and policy processes. In particular, he benefits from political-symbolic resources, such as the consensus that derives from charisma, personal status or ideology (Dente, 2011, p. 44). His broad political and popular legitimacy is rooted both in tradition, which grants a wide spiritual consensus able to secure the monarchy from instability (Daadaoui, 2010a, p.3), and in temporal authority, i.e. the monarchy as a symbol of national unity and a legitimate form of governance (Maghraoui, 2001a, p. 75).

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[27] The symbolic role of the King was built through key moments of Moroccan history. For example, in the aftermath of the independence, Mohamed V emerged from the struggle for liberation as both a strong political and religious leader; as the hero of independence and as the protector of the faith (Storm, 2007, p. 14). Similarly, Hassan II's miraculous survival of the two coups attempted by the Royal Armed Forces (FAR) in the 70s boosted his crafted image of divinely protected King (Boukhars, 2010, p. 40). Furthermore, the King and his Alaoui dynasty, which has been governing Morocco since 17th century, allegedly descend from the Prophet Muhammad.
[28] According to article 23 of 1996 Moroccan Constitution, "The person of the King shall be sacred and inviolable".

In terms of strategies, the King has traditionally adopted key tactics at the institutional level to shape and control the political arena. The first of these strategies is the manipulation of political contestation, by promoting and institutionalizing a competitive multi-party system in order to fragment and control political forces, exacerbate their internal divisions and foster the proliferation of new parties (Daadadoui, 2010b, p. 197; Storm, 2007, p. 17; Maghraoui, 2011, p. 684). In this context, cooptation is a key mean by which the monarchy selects not only its political allies but also its opponents (Maghraoui, 2001a, p. 80), by allowing the latter to join the governmental coalition in exchange for a moderation of their positions (Storm, 2007). Another strategy is to swing the royal approach from hardliner, i.e. by resorting to repression[29] (Ottaway & Riley, 2008, p. 164) every time the monarchy's dominance could be undermined, to liberalizer, i.e. by calling for elections and for top-down reforms when faced with the risk to loose popular support (Storm, 2007). Finally, the King's control of power dynamics is achieved by promoting the emergence of pro-monarchy parties or by appointing loyal technocrats in the executive. The *makhzen* and the shadow government of royal advisors (Arieff, 2013a, p. 3) are a case in point.

Given these considerations, what is the role of the King in Morocco's policy processes and decision-making? Firstly, the King is a major *agenda-setter* for the country, pushing reforms on the national agenda (Malka & Alterman, 2006, p. vii) and informing political debates. Over the years, the speeches of the King have become a point of reference for political parties and often serve as a guideline for the government (Maghraoui, 2011, p. 691).

Second, the King has often emerged as an *arbiter* in policy-making. When sensitive issues are at stake risking to divide the Kingdom, the King claims his royal prerogative to be a "conflict manager" able to settle controversial questions. The issue of cultural pluralism with reference to the Berber language and its formal recognition and teaching, on the one hand, and the reform of Morocco's personal Status Code (the *mudawwana)* in order to improve women's rights and status, on the other, are a case in point. The first case is referred to the vexed question of Berber cultural rights, whose recognition has traditionally been regarded as undermining the integrity of Moroccan Arabic identity. Largely repressed during the 1980s, the Berber-Amazigh movement resurged during the early 1990s (Silverstein & Crawford, 2004), signing the "Agadir Charter" to outline Berbers' specific cultural demands. However, in the same period the government's attempts to marginalize the Berbers in the public sphere and to limit the activities of Amazigh associations culminated with the arrest of some

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[29] This is what happened in the 1960s and the 1970s, during the so-called "years of lead". In order to face the popular riots sparked by the economic crisis, Hassan II suspended the Constitution, dismissed the government and limited civil freedoms.

young Berber activists (Ennaji, 2014, p. 99). Faced with the outcry, the King decided to invoke his royal authority to settle an issue which touched directly upon Moroccan nationalist discourse and which, in the King's opinion, fell within his own responsibility as the guarantor of Moroccan unity. Therefore, in August 1994 he delivered a speech with the purpose to balance Moroccan society's competing claims while attempting to satisfy the demands of Berber activists (Denoeux & Maghraoui, 1998, p. 124).

Similarly, when in the 1990s heated debates on the reform of the *mudawwana* and the improvement of women's legal status started to polarize Moroccan civil society and political panorama, by opposing feminist associations to Islamist and conservative segments of society, the King delivered a speech to settle the controversy and to depoliticize the on-going debates. Hassan II asked political parties not to bring the issue into their programs and electoral campaigns (Denoeux & Maghraoui, 1998, p. 119) and labeled the *mudawwana* as a "religious" matter that fell only and exclusively under his own responsibility, as Commander of Faithful (Harrak, 2009). In this context, after inviting women's associations to address the issue directly to the Palace, he consulted with a delegation of women chosen by him (Denoeux & Maghraoui, 1998, p. 119-120) and created a special Commission in charge of reforming the Personal Status Code. The final approved (small) changes to the Code were officially promulgated by royal decree. The Berber and women questions, therefore, are two examples of controversial issues that show how the King can act as an arbiter of the policy process or as a "director", i.e. the "subject who guides the process", alters the status quo and settles existing conflicts (Dente, 2011, p. 62). Furthermore, by asserting his royal prerogative to act above the fray of daily politics without bearing the costs of controversial decisions, and by reminding other actors that he was the only one entitled to manage key delicate issues, the goals of the King as a "director" were mainly "process-related goals" essentially linked to the relations with the other actors.

Finally, the King is often regarded as a master of reforms and a "prime mover", as the actor that has traditionally taken all the major decisions in the country, and the only one in Moroccan political arena able to push through controversial reforms (Kohstall, 2010, p. 17; Maghraoui, 2011, p. 681). In this sense, the King resembles what Dente (2011, p.61) defines as the "promoter" or "initiator", i.e. the one that raises the problem and proposes to adopt specific solutions. Mohamed VI's policy initiatives, which owed him the title of the "King of Reform" (Maghraoui, 2001b), are a case in point. For example, in the domain of women's rights, he took the initiative to appoint women to posts traditionally reserved to men and he proposed a statute, which was then approved by the parliament, to reserve 30 parliamentary seats to women (Malka & Alterman, 2006, p. 47). In the domain of human rights, he gave a new input to Moroccan human rights policy, by launching the *Instance d'Equité et Réconciliation*

(IER) as an institution in charge of investigating past human rights' abuses and compensating the victims. In the domain of social development, he gave birth to the *Initiative Nationale pour le Développement Humain* (INDH), a broad and comprehensive initiative to face the high level of poverty and the low human development of the country. Finally, in the domain of education, he launched the National Charter for Education, in the wake of the reform program already initiated by his father Hassan II. In all these cases, the King as an "initiator" pursues "content-related goals" with specific preferences and the solutions.

Interestingly enough, in order to push for reforms, the King often sets special Commissions that are created to draft reform programs and to build consensus on sensitive policy issues, by integrating different political and civil society actors in the policy process (Kohstall, 2010, p. 205). The special Commission on the reform of the Personal Status Code, or the COSEF, i.e. the Commission in charge of the reform of education, are an example. In these cases, these Commissions are an instrument which is not only relevant to push for specific content- related goals, but also process-related goals by controlling the process and mediating among different competing actors and interests. In this sense, the Commissions represent a tool to institutionalize the practice of royal arbitrage (Denoeux & Maghraoui, 1998, p. 117). In many cases, therefore, the roles of the King as a both promoter and as a director can coincide and be mixed (Dente 2011, p. 62), and he emerges as a *policy entrepreneur*, that uses his knowledge to further his policy ends and that waits for problems to float by and to which attach solutions (Kingdon, 1995, p. 165-6).

To sum-up, in Moroccan policy process the King plays different important roles in both agenda setting and decision-making. These roles are further reinforced by the Constitution (2011, art. 50) which states that, after being passed by Parliament, a law does not take effect until it has been officially promulgated by royal decree (*dahir*). However, the policy process in the country cannot be limited only to the King, as it is a rather complex process dependent also on the consensus and the role of political parties, in line with the consensual and pluralist nature of Moroccan political system.

3.1.2 Vibrant or Constrained Arena? The role of Political Parties

Morocco is a pluralist political system where the King managed to open up political contestation, allowing for political inclusion and the development of a multi-party system[30]. Since the early years after independence, an increasing number of political parties populated the political arena and participated in elections. The high degree of pluralism is exemplified by numbers, with over 15-20 parties contesting parliamentary seats since the 80s (Storm, 2007), and reaching a peak of 36 parties in 2007 elections. However, in spite of this apparent vibrant political space, Morocco's pluralism is state-penetrated (Daadaoui, 2008, p. 249) with party contestation unfolding in an unfree environment where the King has the ultimate control (Storm, 2007, p. 24) and where parties' normal functions cannot be properly carried out.

Normally, political parties are in charge of representing popular will, by mediating between the citizens and the state and by simplifying, aggregating and articulating individual interests (Della Porta, 2002). In this context, their goal is to contest through elections, in order to gain access to political power and exercise it. In Morocco, the parties' room for manoeuvre to carry out these basic functions is constrained by both political parties' key characteristics and by the political system in which they are embedded.

In terms of key characteristics, Moroccan party phenomenon did not originate as an institutional need tied to parliamentary and political representation (A'boushi, 2010), but rather it was organizationally linked to the struggle for independence (Jandari, 2012, p. 7), with all the main parties emerging in the context of the National Movement. Parties came out as weak organizations whose deep internal divisions led to a proliferation of new parties that resulted from parties' internal splits and subsequent merger, with the major consequence of a general uncooperative climate fed by the persisting resentments among parties and their members (Storm, 2007, p. 34). Moreover, parties in Morocco are generally lacking a clear program/political agenda while ideology has a poor role in the definition of their priorities, with deputies switching party allegiances easily and frequently[31] (Willis, 2007, p. 15). Thus, Moroccan parties resemble political shops opening for business during election campaigns (Jandari, 2012, p. 19). These key internal and organizational features limit parties' capacity to carry out their representative function and feed a general popular disaffection towards political

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[30] The country's Constitution of 1962 states that "there shall be no one-party system". The same principle was confirmed in the following constitutional amendments of 1970, 1972, 1992, 1996 and 2011.
[31] For instance, at the end of the third year following 1997 elections, 102 deputies had changed party and someone more than once. See Willis (2007).

parties, on the idea that they are unable to truly represent popular will and the preferences of society (Howe, 2005; National Democratic Institute, 2012; Daadaoui, 2008, p. 249-250; 2010a). Moreover, their limited capacity to address different segments of the population and to cover all the country's constituencies in municipal elections reduce their representative action. Finally, Moroccan political parties do not completely fit into the traditional definition of parties as groups whose ultimate goal is to capture and exercise political power through elections (Daadaoui, 2008, p. 249-250). Rather, their main objective is to position themselves and to get more space into the political system, by contesting the rules of the game set by the state and the institutional supremacy of the regime (ibid.). In this regard, with the exception of Islamist parties who pursue specific agendas and content-related goals, the greatest part of Moroccan parties is committed to pursuing process-related goals.

In terms of political system, the high degree of party-system fragmentation and the predominant role of the King are also a constraint to the normal functioning of parties. The royal control of political elections is a case in point. By deciding whether and when to call for new elections or not, by harassing opposition parties and by favouring loyalists in elections, the King and the *makhzen* have traditionally had a clear control of political processes and of the parliament and government's composition (Maghraoui, 2001a). For instance, until the early 2000s, only four of Morocco's post-independence prime ministers had a formal party affiliation, with the vast majority being royal technocrats (Willis, 2007, p. 3). Moreover, the fragmentation of the party scene alimented a pluralism that is often empty of content (Jandari, 2012) and that prevents political parties to have a strong popular base (Daadaoui, 2008, p. 249), with governments always lacking absolute majority and composed of a mix of different parties (Storm, 2007, p. 125). In this way, the key features of the political system constrain the legislative and executive power of parties[32], as well as their representative function[33]. Morocco thus resembles a "competitive electoral" authoritarianism (Grassi, 2008), i.e. a competitive multiparty system fuelled by a "manipulated pluralism" (Zartman, 1990).

However, in spite of this background and of their weaknesses, Moroccan political parties and oppositional forces are relevant actors, which, throughout the cycles of conflict and consensus that have informed their relation with the King, have often displayed an increasing capacity to contest and negotiate the rules of the game (Daadaoui, 2008, p. 286). In this sense, oppositional parties' main

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[32] It is worth mentioning that the law 36-04 of 2006, which regulates political parties, defines them as "organizations" whose role is to organize and represent citizens, without mentioning any further institutional or political role related to the exercise of power (see Kohstall 2010; Jandari 2012 and Storm 2007).

[33] For example, there were no elections between 1970 and 1977, denying the citizenry's right to be represented through parties and limiting the capacity of the parliament to be a tool for voicing opposition. See Storm (2007, p. 37).

strategy has often been to boycott elections and constitutional referendums every time they were dissatisfied with the rules of the game or with the content of the new constitutions. Moreover, before taking part in the first opposition-led government of Moroccan history in 1997 (Daadaoui, 2008, p. 286), some of the biggest parties (such as the USFP- Union Socialiste des Forces Populaires) and the *Koutla* (i.e. the union and the common platform of oppositional forces) directly confronted with the monarchy and refused several times its invitations to join the coalition governments (A'boushi, 2010). Oppositional parties have also tried to enter often into talks with the King by asking for reforms and the constitutional amendment of 1996 can be partly seen as the result of their successful pressure (Storm, 2007).

Moroccan political parties do have a role in policy-making, in light of a pluralistic system where the King needs the support of political parties to achieve consensus and effectively implement reforms. In this regard, Kohstall (2010) shows that the involvement of political parties in the Commissions in charge of education and women reforms was key to achieving consensus and to easily obtaining the subsequent adoption by Parliament, as parties were already bound by the agreement their representatives had reached behind closed doors. Similarly, parties within the government have a key role in supporting or hindering the implementation of reforms, insofar as the lack of political engagement can often prevent the adoption of key implementation or budgetary measures. This is the case of the IER's recommendations, which, despite being a royal initiative, took years to be implemented, or the case of the new personal status code, whose implementation has been slow and with serious difficulties, in light of the government's lack of enthusiasm *vis-à-vis* the reform (Malka & Alterman, 2006, p. 48-49). Henceforth, "the King decides on basic policy lines and the government implements them with more or less freedom of interpretation" (Kausch, 2007, p. 6).

3.2 The implementation of ENP programs in Morocco: the role of domestic political actors

Since the launch of the ENP, Morocco has been at the forefront of the neighbourhood policy. It is one of the first countries to have adopted an Action Plan in 2005 and the primary recipient of EU funds in the Mediterranean[34], with more than €1 billion allocated under the ENPI since 2007. In terms of programs implementation and funds absorption Morocco has registered remarkable results with an extremely high payments-to-commitments ratio (113.92%) for the period 2007-2010, in comparison to

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[34] The EU is Morocco's main international donor, contributing to more than the half of its international aids.

the other Mediterranean neighbours (see Table 1, Chapter 1). Moreover, the NIP 2007-2010 was very broad and covered different policy domains, from social development to human rights and governance.

Morocco ENP Progress Report for 2007 describes the country as a partner that has progressed in all the domains of the AP, with excellent performances in terms of cooperation programs' implementation and absorption capacity of EU funds (European Commission, 2008). Similarly, the country's ENP Progress Report for 2010 confirms the satisfactory implementation of the AAPs of the previous years (European Commission, 2011d, p. 22), as reflected by the high payments rate for 2007, 2008, 2009 and 2010 (see figure 5 below).

The goals of Moroccan political actors and their willingness to be an active partner of the neighbourhood policy have inevitably influenced the policy dialogue with the EU and the implementation of the ENP in a positive way, contributing to the country's very good performances. Morocco ENP Country Report confirms this point, by stating the "the country has given the new European Neighbourhood Policy a very warm reception and has been very cooperative regarding its implementation" (European Commission, 2004b, p. 5).

The King has always shown a clear interest in the engagement with the EU and Mohamed VI has been defined as "probably the most European-oriented Arab leader" (Warning, 2006, p. 21). Hassan II's formal application to join to the European Community in 1987[35], and Mohamed VI's demand of an "Advanced Status"[36] that could be «plus et mieux que l'association, […] moins que l'adhésion»[37], are examples of the royal attitude towards the EU. A content analysis of Mohamed VI's 386 royal discourses delivered between 1999 and 2014 shows that by average at least three speeches per year contain clear references to "les amis Européennes" and to the strategic partnership with the EU, reiterating Moroccan engagement to build solid relations with the EU in multiple dimensions and domains of actions[38] (Mohamed VI, 2010).

Relations with the EU were already good under the EMP even before the formulation of the ENP and Morocco was among the first partners to sign an Association Agreement in 1996, which entered into force on 1 March 2000 (Bicchi, 2010b, p. 209). The ENP therefore came to represent a

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[35] For this purpose, Hassan II sent a letter to the Danish president of the Council of Ministers. However, the application was rejected for geographical reasons as Morocco is not a European country (Haddadi, 2002, p.151).
[36] Morocco was the first Mediterranean country to obtain an "Advanced Status" from the EU, on 13-10-2008.
[37] Mohamed VI, Speech. 20 March 2000, Paris.
[38] http://www.maroc.ma/fr/discours-du-roi [Last Accessed June 2015]. The content analysis was carried out over 386 discourses delivered in the last 16 years. The purpose was to quantify and analyze the presence of the following words within royal speeches and their contextualized meanings: "European Union"; "Strategic Partnership", "Euro-Mediterranean Relations", "Advanced Status", "European Neighbourhood Policy".

continuation of the Kingdom's European aspirations (Darbouche, 2008, p. 372), with the King explicitly sharing the goals of the policy as addressed to manage the challenges of the neighbourhood, while demanding to the EU a strong engagement for its successful implementation (Mohamed VI, 2005a).

Following the guiding role of King's speeches, Morocco's ministers and government officials adopted the same narrative of royal discourses (Del Sarto, 2006, p. 205), and even left-wing parties and trade unions supported the cooperation with the EU as a strategic option (Senyücel et al., 2006, p. 16). During his first cabinet as Moroccan Prime minister for the period 1998-2000, the USFP oppositional leader Abderrahmane Youssoufi declared, at the dawn of the Association Agreement with the EU, that all the conditions were finally favourable to achieve "une phase qualitativement supérieure" in EU-Morocco relations[39]. Similarly, in the exploratory talks with the EU, the following technocratic government of Driss Jettou (2002-2007), which was in power during the launch of the ENP and Morocco's adoption of the Action Plan, expressed its full agreement on "the goals, methodology and implementation calendar" of the ENP[40] and identified it as a venue for a further strengthening of the relations between the two actors (EuroMed Synopsis, 2005). This is also confirmed by the fifth meeting of the EU-Morocco Association Council, where the EU Delegation welcomed Morocco as a pioneering country in the ENP and praised it for having defined the AP's goals "au plus haut niveau politique" (Association Council EU-Morocco, 2005). Finally, Prime Minister Abbas El Fassi from *Istiqlal* party, who led the government from 2007 until the post Arab Spring's elections, defined the ENP as a "saut qualitatif" which allowed the rapprochement of Morocco to the EU, in light of their geographical proximity and common values[41].

Morocco's consistent orientation towards Europe as supported by the King and all political forces, be they left-wing (USFP), technocratic (Driss Jettou) or right-wing (*Istiqlal*), is a factor that was favourable to the implementation of the ENP (Senyücel, et al., 2006, p. 16). Furthermore, the willingness of Moroccan leadership to proceed with key reforms that were later supported by specific ENP programs was another element facilitating the implementation of bilateral programs, as the domestic actors' agenda overlapped with ENP's one. Under the NIP 2007-2010, of the programmed €654 Mil. more than the 80% was in the form of budget support, i.e. a direct and non-targeted financial transfer to sustain Moroccan government in the implementation of already existing policies in different

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[39] Maroc Hebdo, 22-10-1999. http://www.maghress.com/fr/marochebdo/39009 [Last Accessed June 2015].

[40] European Commission, Press Release « *L'Union européenne, par sa politique de voisinage, offre son soutien aux réformes au Maroc* »; 5/02/2004. http://europa.eu/rapid/press-release_IP-04-170_fr.htm [Last Accessed, June 2015].

[41] L'Opinion, 1-02-2010, « *Visite officielle de M. Abbas El Fassi en Pologne* ».

sectors. The use of budget support shows the maturity of cooperation with Morocco[42] and it allows to support specific sectoral reforms which are the top of the country's national agenda. It is not by chance that, within the above mentioned period, the 51% of the NIP programmed resources was tailored to sustain some of the country's biggest socio-economic reforms launched few years before (such as the INDH, the reform of Education, the reform of health and insurance system, the Plan "Maroc Vert" for agriculture).

In this context, the resources programmed by the NIP were allocated to bilateral cooperation programs defined by AAPs for the years 2007, 2008, 2009 and 2010. The first step for the implementation of AAPs bilateral programs is the joint negotiation of a financing convention that is prepared by the Delegation, sent back to Brussels Headquarters for approval and eventually signed by Moroccan authorities. In the case of budget support, the financing convention defines the budget allocation and the disbursing conditions that must be met by Moroccan authorities in order to receive the budget support tranches. Normally, the tranches can be fixed, with a predetermined amount, or variable, when the tranche that is actually paid "varies" proportionally to the performance of the country and to the achievement of the financing convention's conditions. For the period 2007-2010, Morocco's performance was highly satisfactory with excellent levels of absorption capacity (see Figure 5).

Figure 5
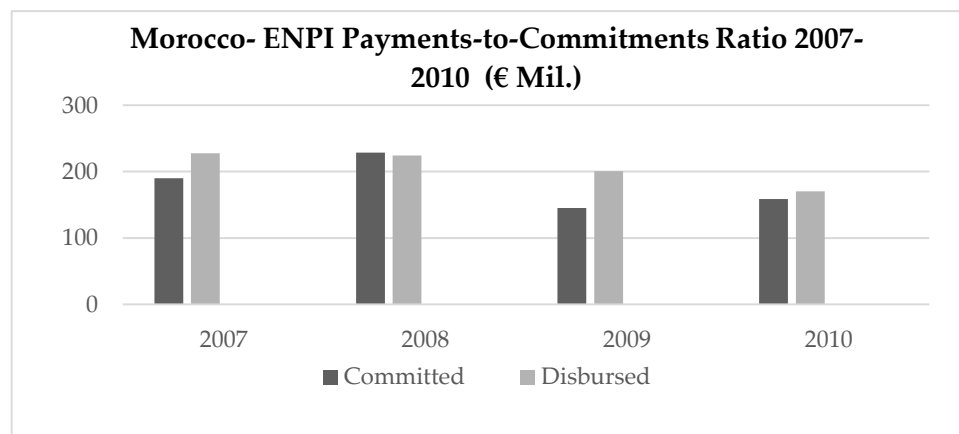
Source: Author's Elaboration on the base of the ENPI Overview 2007-2013 and the ENPI Statistical Annex 2015

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[42] This is because only the countries that respect the eligibility criteria can benefit from budget support as an aid modality. The eligibility criteria refers to specific elements that should be in place for budget support to be delivered: 1) a well-defined national policy and strategy; 2) a credible and relevant stability-oriented macroeconomic policy; 3) a credible and relevant programme to improve public financial management; 4) a transparency and oversight of the budget. See European Commission's Budget Support Guidelines (2012).

If we consider that out of the 13 programs financed during this period (see Annex IV), 11 were budget support and only 2 were programs with project approach (of which one mainly based on institutional twinnings[43]), this means that Morocco's very good absorption capacity between 2007 and 2010 is related to the country's willingness and capacity to respect the disbursement conditions, allowing the EU to proceed with payments and the country to receive budget support tranches. In this context and in line with what has been said above, the role of domestic political actors and their goals were a key variable to guarantee the respect of EU conditions and in turn the country's good absorption capacity, for two reasons. First, their willingness to continue the traditional engagement with the EU in the context of the ENP; and secondly, the need for EU money in order to sustain the country's ongoing reform programs which perfectly matched with the ENP's agenda. The good policy dialogue with the EU confirms this point, as understandings on commitments and conditions were generally achieved without significant divergences for the majority of bilateral programs[44]. The following detailed analysis concerning the implementation of some of the major ENP budget support programs for the period 2007-2010 allows to shed more light on all these dynamics.

3.2.1 EU Support to the «Initiative Nationale pour le Développement Humain» (INDH).

The INDH was officially launched by King Mohamed VI in May 2005, as a global and high profile initiative to promote human development. In particular, in the aftermath of the 2003 Casablanca attacks, it emerged as a political answer to the country's worrying low human development indicators with the purpose to fight poverty and to prevent social exclusion and growing unemployment from turning into terrorism and extremism (UE Fiche d'Action Maroc, 2007a, p. 1-8; Morocco National Indicative Program 2007-2010, p. 4-6). In his royal discourse announcing the launch of the INDH, the King denounced the poverty and the marginalization of a large segment of Moroccan population and recognized the «problématique sociale» as the biggest challenge for the country and as the starting point for his new ambitious initiative (Mohamed VI, 2005b). In this regard, by giving a new importance to reducing poverty and vulnerability, he broke with his father's historical legacy that gave little attention to social issues (World Bank, 2006) and considered any reference to poverty as a taboo

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[43] The "Programme d' Appui aux Recommendations du IER" (AAP 2008) and the "Program P3AIII" for the implementation of the Action Plan (AAP 2008) are the only two project-approach programs for the period 2007-2010, with the P3AIII mainly based on institutional twinnings with European administrations.
[44] Author's interview with EUROPEAID officer, Brussels, 23 May 2014.

subject[45]. Moreover, by being defined as «chantier de règne, ouvert en permanence» and as a global project of «ingénierie sociale» (Mohamed VI, 2005c), the INDH emerged from the outset as a long-term initiative endowed with a strong symbolic value. This symbolic character was backed at the operational level by the establishment of a special trust account, i.e. a « Compte d'affectation spéciale» separated from the normal State Budget, of 10 mil. Dirhams (910 Mio Euros) for 5 years. In line with its comprehensive nature, four strategic components[46] were identified for the period 2006-2010, in order cover the poorest urban and rural communes, as well as the most vulnerable populations, by the means of targeted interventions (Initiative Nationale Developpement Humain, 2011).

In this context and alongside the aids of other international donors such as World Bank, the EU contributed to provide financial support to the INDH through the ENPI. The inclusion of the INDH in the funds programmed by the NIP 2007-2010 came directly from a request of Moroccan authorities[47], with the purpose to secure international funding for the normal exercise of the program[48]. The EU, for its side, agreed to support the INDH through the ENPI as this directly contributed to the implementation of the point 2.2 "Economic and Social Reform" of EU-Morocco Action Plan, by addressing the goals of fight against poverty and of a better distribution of resources in the different regions of the country. The AAP 2007 therefore allocated €60.4 Mil. to the "Programme d' Appui à l'Initiative Nationale de Developpement Humain", which became the ENP program with the highest amount engaged for the budget year 2007, in comparison to the other programs of the same year.

In terms of program's implementation, the ENPI financing convention with the EU was signed in December 2007 with a sectoral budget support to sustain only one specific component of the INDH, i.e. its «volet rural »[49]. In line with the logic of budget support, specific disbursement conditions and performance indicators were established in the financing convention, as key criteria and results to be respected by Morocco's authorities in order to receive the EU payment of the annual tranches. The

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[45] Interview with a former Moroccan Official from the Agence de Developpement Social, Rabat, 25 June 2014.
[46] The rural component, targeting 360 poorest communes and providing access to basic services and infrastructures; the urban component, targeting 250 urban areas with high levels of unemployment and promoting income-generating activities; the vulnerability program to improve welfare programs for the most vulnerable peoples and finally the cross-cutting program for capacity-building.
[47] 5th EU-Morocco Association Council, November 2005. After having presented his country's new initiative, the Moroccan delegated minister of Foreign Affairs explicitly urged the EU to include the INDH in the future EU-Morocco financial cooperation under the ENPI (Association Council EU-Morocco, 2005).
[48] The main problem of the INDH is that the program's expenses have an *additional* character and do not replace the State's normal expenses in the social domain.
[49] The EU decided to focus only on one single component of the program in order to have a better channelling of EU funds. Moreover, the choice of the rural component was justified on the ground that rural areas were the most in need and that the repartition of the INDH global budget had a greater impact on the budget of rural governments or "Communes".

main conditions and performance indicators[50] were related to key elements of the INDH rural component, e.g. to improve access to basic social services and infrastructures in the rural areas, to reduce poverty through income-generating activities, i.e. "Activités Génératrices de Revenues (AGR)", and to improve local governance structures (e.g. by increasing the number of women in the local councils in charge of INDH projects). The program's high payment rate, equal to the 95% of the original commitment, indicates that Moroccan authorities were generally able to meet disbursement conditions (see Table 3).

Table 3-Morocco ENPI Payments- Programme d'Appui à l'INDH

ENPI- Appui à l'INDH (AAP 2007)	2007	2008	2009	2010	TOT	Ratio
Payments (€ Mil.)	21.4	5	21.5	9.5	**57.4**	**95%**
Commitment (€ Mil.)					**60.4**	

Source: Data retrieved through a formal request to the EU Financial Transparency System.

This good performance can be analysed in light of Moroccan domestic actors and political system. When the King launched the INDH, it emerged as a national and global initiative involving all political and institutional actors. In his discourse, the King charged directly the Prime Minister with the task to implement the INDH and, in light of the subsequent 2007 elections, demanded political parties to include in their programs the elaboration of key projects, in line with the goals of the initiative (Mohamed VI, 2005b). The INDH therefore came to represent an overarching policy framework, which informed government priorities and put social issues and development at the top of Moroccan agenda. In this context, when Abbas El Fassi was appointed as Moroccan Prime Minister after 2007 elections, the support to the INDH became one key point of his governmental program. In his speech to the Parliament, he gave a central priority to the socio-economic development of the country and committed to the implementation of the INDH's projects, with a particular attention to

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[50] Normally, the financing conventions between the EU and Moroccan authorities (as well as with any country receiving EU funds) are not publicly available and the procedures to demand for formal access are long and complicated as they require not only the authorization from EU but also from the receiving country's authorities. However, specific disbursements conditions and performance indicators can be derived from the programs' Action Fiches, where expected results, actions and possible indicators are defined.

rural development, reorientation towards AGRs and strengthening of infrastructures[51]. Moreover, in light of his role as president of the INDH's strategic and pilotage committees, he launched an Action Plan for the convergence of the INDH's projects with the other governmental policies[52]. Therefore, quoting Kausch (2007, p. 6), El Fassi's program giving a central role to development and to the INDH can be seen as a clever move to use the legitimacy and the structures of the policy initiated by the King. This is not surprising after all, if we consider the magnitude of the responsibility placed upon him. He was the first partisan actor to be again prime minister after five years of technocratic (and loyalist) government and he was lacking a strong popular base in light of the low voters' electoral participation. In this context, he had to protect the power he had received as a royal gift and to increase his popular legitimacy. The INDH could be in this sense an important tool.

Against this background, it is not surprising that the ENP program did not experience particular difficulties. In light of the key goals of domestic political actors, Morocco was able to achieve a good absorption capacity of EU funds, by meeting all the main disbursement conditions and performance criteria. In this sense, during El Fassi's government, which basically covered all the first phase of the INDH, more than 6,000 projects were launched under the rural component, including both support to infrastructures and to the AGRs (Initiative Nationale Developpement Humain, 2011). World Bank's Completion Report on the INDH confirms this data and suggests that satisfactory progresses were achieved in the access to basic services and in the inclusion of women into INDH's local governance bodies (World Bank, 2012), which were also some of the EU performance indicators. Finally, El Fassi's key interest in the program positively informed both the policy dialogue with the EU Delegation on the implementation of the ENP program and the political dialogue at the Association Council level[53], on the base of reciprocal collaboration and of Moroccan efforts to meet EU requirements[54].

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[51] La Gazette du Maroc, "En Présidant le Comité Stratégique INDH: El Fassi redonne un nouveau souffle au Chantier de Règne", 29-12-2007.

[52] Auhourdhui.ma, "Développement humain: Le budget de l'INDH attendra 3 milliards de dirhams en 2008", 26-12-2007.

[53] During the 7th EU-Morocco Association Council, Morocco expressed its «pleine satisfaction pour l'accompagnement apporté par l'Union européenne en faveur de […] l'INDH» (Association Council EU-Morocco , 2008).

[54] Interview with EU Official, EU Delegation in Morocco. Rabat, 3-07-2014.

3.2.2 The other big "chantiers de reforme": the EU support to Alphabetization and Education in Morocco

Since the late 1990s, Morocco has engaged in a reform of its social sectors, by launching big *chantiers de reforme* with the purpose to address the country's low human development indicators. One of the first initiatives was in the domain of alphabetization and education where, after years of stasis and low profile actions, the institutional willingness to improve Moroccan education system and to fight the country's high rate of illiteracy was manifested in 2000 with the adoption of the National Chart for Education and Training ("Chart Nationale de l'Education et Formation"- CNEF) (Bougroum & al., 2006, p. 66). The adoption of the CNEF, which currently represents the main policy framework and indicates the long-term goals of the country's education policy in both formal and non-formal sectors, came out as a clear result of Morocco's pluralistic system where the language of consensus reigns. As shown by Kohstall (2010, p. 201-203), the education reform launched by Hassan II could not have been really pushed forward without securing the consensus of the entire political landscape and in particular of opposition and National Movement parties, which had a clear link to most student and teacher unions. In this sense, the creation of the *Alternance* government created a momentum for reform, insofar as the King's concession to create the first opposition-led government allowed to achieve a general partisan consensus on the establishment of the COSEF, i.e. the special royal Commission in charge of developing the education reform. By reuniting all the representatives of political parties, including the leading leftist party USFP, the COSEF swiftly adopted the CNEF and the laws for its implementation were unanimously approved by the Parliament, where the various political parties were bound by the consensus their representatives had reached behind closed doors. Within the new policy framework defined by the CNEF, Morocco adopted two main initiatives i.e. the national Strategy for Alphabetization and Non-Formal Education (SANF) and the Urgency Plan to reform the education system. The SANF was launched by Moroccan government in 2004 with the purpose to reduce -and in the long term eradicate- analphabetism in the country through four specific programs[55]. Moreover, the priority given to the issue of illiteracy was further strengthened by the creation of a specific State Secretary (Secrétariat d'État- SE) in this domain. At the same time, the COSEF was replaced in 2006 by the Conseil Superior de l'Enseignement (CSE), a consultative authority

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[55] The General Program realized by the Ministry of Education and covering all the illiterate people over 15 years old; the Public Operators Program managed by other ministries and administrations, which carry out alphabetization activities in their domain of competence; the Association and NGOs Program, opened to all the associations involved in alphabetization activities; and the Program by Private Sector, concerning all the alphabetization activities realized by enterprises (Direction de la Lutte Contre l'Analphabétisme, 2012).

directly linked to the King and in charge of issuing an annual report on the state and the deficits of Moroccan education system. It is on the base of these reports that in 2008 an Urgency Plan was launched in order to improve and accelerate the reform of education, on the base of four axes and 27 different projects[56].

Against this backdrop, the EU contributed to support Morocco's education and alphabetization reform with two specific ENPI bilateral programs: the "Programme d'Appui à la Stratégie Nationale pour l' Alphabétisation"- that was allocated €27 Mil. by the AAP 2007 and 2010 (of which €23 Mil. in budget support)- and the "Programme d'Appui à la Stratégie de l'Education"- that was allocated €93 Mil.[57] by the AAP 2009 (of which €89 Mil. in budget support). The inclusion of these two programs in the NIP 2007-2010 came not only from a request of Moroccan authorities to obtain international funds for their "chantiers de reforme", but also from the EU clear interest in the social development of the country. "L'UE espère que le Maroc prendra de mesures concrètes pour […] la lutte contre l'analphabétisme" (Association Council EU-Morocco, 2005) and "encourage le Maroc à poursuivre et à accentuer les investissements dans les secteurs sociaux en particulier, l'éducation, la santé, la formation professionnelle" (Association Council EU-Morocco , 2008). In this sense, the two programs directly contributed to the implementation of the point 2.6 of the EU-Moroccan AP, with reference to the domain of education, training and governance of the education system. Moreover, the strong EU willingness to proceed with these ENPI programs is also exemplified by the fact that, in the case of the Program to sustain Moroccan alphabetization strategy, the identification mission revealed that many of the preliminary criteria to approve a budget support were not in place. However, the EU decided to proceed anyway with the program's formulation and to provide quick technical assistance to Moroccan authorities so that all the main conditions could be met by the signature of the financing convention (UE Fiche d'Action Maroc, 2007b, p. 10).

In terms of program's implementation, the ENPI financing conventions for the two programs were signed in 2008 for the Alphabetization Program, and in 2009 for the Education Program. In the first case, the main goal of EU budget support was to sustain the institutional role of the SE and the implementation of the SANF. The main disbursement conditions and performance indicators were therefore related to the adoption of measures to strengthen the capacity of institutional and civil society actors and to the reduction of illiteracy rate with a decrease in the men-women gap (UE Fiche d'Action

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[56] The goals of the Plan are: 1) To make school compulsory until the age of 15 years old; 2) To improve the quality of the teaching system; 3) to face the transversal problems of the system; 4) to define concrete budgetary means for the success of the reform (Ministere de l'Education et de la Recherche, 2009)

[57] Of which €73 Mil. to be engaged in 2009 and €20 Mil. in 2010.

Maroc, 2007b). In the second case, instead, the purpose of EU budget support was to sustain some key goals of the Education Urgency Plan and in particular the reduction of the school-abandon rate, the strengthening of school personnel and quality teaching, and the improvement of governance. In this context, the main disbursement conditions and performance indicators concerned, among the other things, the development of a key strategy in support of the *préscolaire*, i.e. preschool activities, and the implementation of measures for teachers' training and institutional decentralization (UE Fiche d'Action Maroc, 2009).

Between 2008 and 2011, all the annual tranches foreseen by the two financing conventions were normally paid (see Table 4), revealing that for the indicated period the implementation of the two programs proceeded at a good pace and that Moroccan authorities were normally able to meet EU disbursement conditions and performance indicators.

Table 4- Morocco ENPI Payments- Programme d'Appui à la Stratégie d'Alphabétisation and Programme d'Appui à la Stratégie de l'Education

Payments (€ Mil.)	Appui à la Stratégie d'Alphabétisation (AAP 2008)	Appui à la Stratégie de l'Education (AAP 2009)
2008	3.65	
2009	3.2	29
2010	6.8	13
2011	6	21.9
Total Commitment for the period 2008-2013	23	89
Ratio Payments/Commitments until 2011	85%	71%

Source: Data retrieved through a formal request to the EU Financial Transparency System.

This good performance in the implementation of the two ENP programs can be analysed in light of Morocco's domestic actors and political system, considering two key elements. The first element is related to the clear political engagement of Moroccan authorities, in light of the priority that since the late 1990s was accorded to the reform of education and to the promotion of alphabetization by all political forces. In his discourses, Mohamed VI has increasingly mentioned these issues, calling for a national mobilization and for a collective and governmental responsibility to improve the

country's performance[58]. In the wake of these royal orientations the fight against illiteracy and the promotion of education were erected "to the status of key national priorities" (Secretariat d'Etat auprès du Ministre de l' Education Nationale, 2004, p. 7) and the decade 2000-2009 was labelled as the «Décennie Nationale de l'Education et de la Formation» (Commission Spéciale Education Formation, 1999). In this context, it is not surprising that El Fassi's government clearly committed to push forward these reforms and, through a governmental declaration in October 2007, it called for the creation of a National Agency for the Fight against Illiteracy with the purpose to replace the SE. While the too much consensual nature of Morocco's policy system is often a burden which slows the approval of reforms (such as the long consensus-building process for the establishment of the COSEF in the 90s), in this case it helped to build a general political consensus about the importance of education as a national issue.

The second element is related to the country's need of international money to support the implementation of the alphabetization and education strategies. Whereas the national budget for education has seen a rapid growth throughout the years, confirming the priority accorded to this sector, one of the main weaknesses of Morocco's policy-making process is its incapability of programming reforms that are coherent with the means at disposal. This is reflected both in the SANF, where from the outset a problem of economic viability was posed by the existing gap between the goals of the policy and the existing available funding (UE Fiche d'Action Maroc, 2007b, p. 10), and in the Urgency Plan, where the original ministerial budgetary envelop did not cover all the estimated costs (Tawil, et al., 2010, p. 75). In this regard, the country's limited resources to sustain education reforms have contributed to the high absorption rate of EU funds and to Moroccan authorities' efforts to meet EU requirements. As a Moroccan Official from the *Agence Nationale Lutte Contre l'Analphabétisme* put it to the author: "Absorption capacity of EU aid in education and alphabetization is really high. We have such a big shortage of financing resources that we are able to absorb EU funds easily, as we always need more and more"[59]. This was further confirmed in Brussels, where some official recognized that, while the Eurozone crisis affected Morocco only indirectly, paradoxically it contributed to foster the country's absorption capacity by significantly impinging upon the already existing shortage of public resources[60]. Therefore, the orientation of Moroccan authorities matching the

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[58] See the Royal Speeches of 13 October 2003, 12 October 2007 and 30 July 2008.
[59] Author's interview with a Moroccan officer, Direction of the fight against analphabetism- *Agence Nationale de Lutte Contre l'Analphabétisme*, Rabat, 25 June 2014.
[60] Author's interview with EUROPEAID officer, Brussels, 22 May 2014.

ENP agenda, on the one hand, and the need of financial support, on the other, facilitated the implementation of the ENP programs in education and alphabetisation.

3.3 Exclusionary Politics and Myth of Reformism: Domestic Political Actors in Tunisia

Since its independence, Tunisia has been a republic with a strong and highly centralized presidential system dominated by a single political party. The President and his party have traditionally been the dominant actors of the political system, with a key control on the countries' executive, legislative and judiciary powers.

From Bourguiba (1957-1987) to Ben Ali (1987-2011), the presidential strategy has always been the same: to promote controlled liberalization in the first years of power with the purpose to consolidate legitimacy, while gradually resorting to repression in order to contain opposition and guarantee a tight grip on power. This is the case of Bourguiba, who promoted a vast program of socio-economic reforms and political liberalization in the first years of his presidency. However, this process had a U-turn when in 1972 he declared himself president for life and when he started to counter opposition and unrest with repression, by jailing thousands of activists and tightening his control over representative institutions (Gasiorowski, 1992). By the same token, when Ben Ali became president with a bloodless coup in 1987, he immediately proceeded with reforms and controlled liberalization as a way to build legitimacy for his presidency and to distance himself from the autocratic rule of his predecessor. For this purpose, as shown by Sadiki (2002a, p. 125-131), Ben Ali released political prisoners, legalized some of the previously banned political parties and did a national pact with opposition forces by starting a dialogue with Ghannouchi, the leader of the Islamist party Ennahda (Renaissance Party). However, within a few years, in order to consolidate his power and stability, he discarded the more formidable political opponents and resorted to serious violations of human rights and fundamental freedoms, as well as to harsh repression against the Islamists of Ennahda. In particular, the co-optation of legal opposition parties in order to develop a common effort against the Islamists, forced the opposition to play by the rules set by the regime in the wake of a new national consensus based on cooperation against the "Islamist threat" (Martin-Muñoz, 2014, p. 112).

In the wake of Bourguiba's legacy and then under Ben Ali's rule, Tunisia emerged as "presidential monarchy" (Zartman, 1990, p. 240), i.e. a system dominated by a president who faced no serious institutional constraint and who directed a party which was virtually indistinguishable from

the organs of the state (Alexander, 2010, p. 36). The Democratic Constitutional Rally (RCD) -former Bourguiba's NeoDestur- was in fact the sole ruling party, controlling political life with virtually no opposition. Ben Ali emerged therefore as Tunisia's latest Bey in the wake of what became a pure absolutist rule (Murphy, 2011, p. 299).

In this context, the country's policy-making process was closed and completely monopolized by the President and the RCD, with Ben Ali as a key agenda-setter who defined alone "the pace, scope and spheres of reform" (Murphy, 1999, p. 223) and pushed for reform through a top-down management where only marginal resistance was tolerated (Murphy, 2013, p. 37). The presidential autonomy in policy-making was further strengthened by a centralized decision-making through the control over executive and legislative institutions. Whereas according to the original Tunisian Constitution of 1959 the parliament had the legislative initiative and the power to censure the government, in practice it never had the chance to fully carry out its functions, as until 2011 it was always dominated by the RCD. The presidential party managed to obtain a stunning majority in each parliamentary election held between the country's independence and 2011, limiting therefore the role of the parliament to a mere arena for debate on national policy and to a mere bureaucratic body in charge of passing the bills presented by the executive. Similarly, while the policy-making profile of consultative bodies composed of civil society experts, such as the Economic and Social Council, was raised, their effective power over policy remained insubstantial (Penner Angrist, 1999). Ben Ali's entourage emerged as the sole hegemon in policy-making and as the only actor in charge of value allocation and execution of public demands (Sadiki, 2002b, p. 507).

The President was clearly an "institutional" veto player, i.e. an actor whose agreement is required to promote policy change in light of his institutional role. Specifically, his institutional prerogatives derived directly from the Constitution and- above all- from its constant being amended and re-amended. Bourghiba's decision to establish the title of presidency for life through a constitutional amendment (later nullified in the late 80s), as well as Ben Ali's successful maneuver to abolish the limits to presidency terms as established by the Constitution are a case in point (Gana, 2013, p. 4). In all these cases, the president pursued specific "process-related goals" (Dente 2011, p.42), as he aimed to guarantee his exclusive grip on power in the relations with the other actors of the political system.

Furthermore, the presidential party emerged as a "partisan" veto player in light of the partisan prerogatives which directly derived from the rules of the political game and which made impossible for opposition parties to replace the dominant role of the RCD (Alexander, 2010, p. 36). As already

mentioned, in all the parliamentary elections held since 1959, the presidential party was always able to win more than the 80% of popular consensus, which owed it a stable overreaching majority in the national assembly. Similarly, in presidential elections, Bourguiba and Ben Ali stood basically unopposed several times and, even when competing with other candidates, they were always able to obtain more than the 90% of votes. While these results can partly be explained in light of the RCD's historical popularity and its role at the forefront of the independence movement, they were mainly achieved through harassment of oppositional forces, repression and censorship. Many political parties were banned and prospective presidential candidates were diverted from candidature by establishing burdensome and politically controlled procedures[61]. In light of the presidential exclusionary politics, Tunisian political parties were essentially weak and unable to exercise their legislative and representative functions. Therefore, in contrast to Morocco where manipulated pluralism still paves the way to a competitive authoritarianism and a multiparty system, Tunisia resembles a "hegemonic electoral" authoritarianism (Grassi, 2008), where there is no room for competitive elections and the system is dominated by a single hegemonic party.

The promotion of key reforms was the master strategy adopted by the regime to secure its stability and authoritarian nature. In particular, the promotion of neo-liberal market oriented policies and the creation of a business friendly environment were the main "content-related goals" at the top of Ben Ali's agenda, with the purpose to use economic success as a mean for stability (Cavatorta & Haugbølle, 2012, p. 183-185). Through five-year development plans, which were Ben Ali's main programming tool, the regime committed to a process of economic reform to boost growth and it developed a governmental narrative supporting the idea of Tunisia as an "economic miracle" (Tsourapas, 2013) or as a "model student of market capitalism" (Hibou et al. 2011, p. 12). In this sense, under Ben Ali, Tunisia experienced all the benefits of middle-class economic expansion while being denied political pluralism and empowerment of the less advantaged majority (Hubert Lewis, 2001, p. 36), in the wake of an integration of capitalism and authoritarian rule (Camau, 2008). Tunisia's good economic results and the success of the government's broad social policy became two major policy assets for containing popular criticism towards political repression, while the narrative of the "Islamic Threat" became a justification for the lack of rapid political liberalization that was thus postponed to some later future (Martin-Muñoz, 2014, p. 113).

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[61] In order to run for the presidency, each potential candidate had to get the approval of at least 30 political figures. However, as the RCD was dominating the Tunisian political life, it was very difficult to meet this requirement.

More generally, the regime embraced the theme of an incremental reform process or modernization of both economic and socio-political nature (Tsourapas, 2013, p. 11). The idea of "reformism", i.e. the willingness of Tunisian government to show itself on being, and on being thought of, as reformist became therefore the backbone of official discourses (Hibou, 2011, p. 213). The underlying rationale was to promote the idea of a permanent gradual *Changement* with the purpose to ensure the survival of the regime (Tsourapas, 2013, p. 11) and to use the reforms as a tool for the reproduction of hegemonic political practices (Sadiki, 2002c). To the eyes of Tunisian people, the idea of a slow but incremental change was justified on the ground that Tunisia's society was ready only for gradual mutations, in line with the logic "small steps, small gains"[62]. As Erdle (2010, p. 421) shows, the ultimate aim of Tunisian reformist discourse was not to reform the country but "to preserve and perpetuate the decisional and distributive monopoly of the established political order". This is why reformism resulted from a multiplicity of objectives, often in contradiction to each other: to build the state and contribute to the centralization of power while simultaneously limiting state power; to rationalize the state and discipline society while striving for the horizon of freedom (Hibou, 2012, p. 305). In this regard, if in Morocco the dualism between tradition and modernity informs the ideology of the regime, in Tunisia this role was played by the *myth* of reformism as a mode of the exercise of power (Hibou, 2011, p. 213).

3.4 The Implementation of ENP Programs in Tunisia: the role of domestic political actors

After an initial diffidence toward the perceived European bias of the ENP proposal (Bicchi, 2010b, p. 214), the EU-Tunisia AP was adopted in July 2005 and the EU committed more than €500 Mil. for the period 2007-2010. From the outset, Tunisia emerged as an ambivalent country with a hybrid performance in the context of the ENP. If in the domain of economic reforms the implementation of the ENP programs was very satisfactory, in the sectors of governance, human rights or justice no bilateral cooperation program was negotiated and the dialogue in this sense remained barely absent. As stated by the ENP Tunisia Country Strategy Paper, "in contrast to the performance of the Tunisian economic and social model, progress on the political aspects has been slow" (EU- Tunisia Country

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[62] Intervention of Mr. Zouhaier Mdhaffar, Minister for the Public Function and administrative development, Ministerial Round Table, May 2004.

Strategy Paper 2007-2013, p. 4). Tunisia was thus particularly able to separate the economic dimension of the ENP from the political one (Bicchi, 2010b, p. 216).

All this considered, it is not surprising that in terms of programs implementation and funds absorption Tunisia registered good results with a high payment-to-commitments ratio (90%) for the period 2007-2010, insofar as the NIP included *only* programs of economic development. Economic governance and competitiveness, employability and sustainable development were in fact the only NIP's priority areas. In this sense, the ENP Progress Reports for 2007 and 2008 praised the country for its progresses in the domain of economic reforms and for its good absorption capacity of EU funds (ENP-Morocco Progress Report 2007, p.2; 2008, p.20), as reflected by the payment rate for 2007, 2008, 2009 and 2010 (see figure 6 below). Moreover, the fact that in the NIP 2007-2010 the 50% of programs was in budget support suggests «une certaine maturité de la coopération fondée sur une longue expérience de programmes jugés satisfaisants et une appropriation certaine des réformes» (UE Fiche d'Action Tunisie, 2008a).

The goals of Tunisian political actors and their ambivalence towards the neighbourhood policy by prioritising economic development over political reforms have inevitably influenced the policy dialogue with the EU and the implementation of the ENP bilateral programs. When Ben Ali came to power, he maintained the same close and cordial relations with Europe that Bourguiba had fostered for decades (Ritter, 2015, p. 47). Therefore, since the early 90s, Tunisia has set itself among the Mediterranean countries with the oldest and intense cooperation with the EU and it was the first country to sign an Association Agreement in the domain of the EMP. Tunisia was defined by the EU as a key supporter of the Barcelona Process (EU Memo, 2001) and was one of the first countries to embark on the ENP. "The Tunisia of President Ben Ali is persuaded that the European Neighbourhood Policy will be beneficial and useful" in light of the country's ambition "to join the group of developed countries", as expressed by Ben Ali in his discourse to the nation for the anniversary of independence [63] in June 2007.

However, while giving importance to the EU and its policy initiatives, Ben Ali still framed them in a delicate balance between international relations and domestic politics (Ritter, 2015). Therefore, in line with its agenda, Tunisia explicitly embraced the economic commitments of the Association Agreement and opened its internal market to Europe with an ambitious program of tariff dismantling. Nevertheless, at the same time it "decided to embark on cooperation in the areas of good governance

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[63] Intervention of the RCD Ministry of Higher Teaching, Education and Research Mr. Bououny Lazhar at the Third Conference on "La politique européenne de voisinage et le Maghreb", Hammamet, June 2007.

and justice and home affairs on a very gradual basis only" (ENP- Tunisia Country Report, 2004, p. 4).

For the ENP AP, Ben Ali called more for trade and economic reforms than political dialogue in sensitive

areas such as justice or governance. In this sense, in the case of the ENP Tunisia experienced a "process

of Europeanization without adherence, a *light* and *à la carte* version of Copenhagen criteria", buying in

the principles concerning the development of a competitive market economy and bypassing those of

human rights and rule of law (Camau, 2008).

Overall, Ben Ali's agenda and its key control on the country's priorities and policy-making

affected the implementation of the ENP for the period 2007-2010 in three ways. First, the priority given

to economic reforms in line with the governmental narrative of a Tunisian economic miracle

contributed to the country's good absorption capacity for the period 2007-2010 (see figure 6).

Figure 6
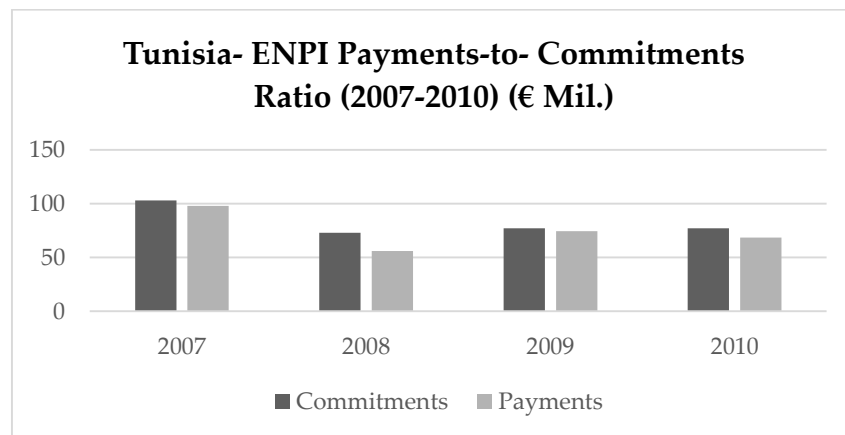
Source: Author's Elaboration on the base of the ENPI Overview 2007-2013

While not as good as Morocco, for the period 2007-2010 Tunisia maintained a good absorption capacity

equal to 90% in terms of payments-to-commitments ratio. The willingness of Tunisian authorities to

proceed with key economic reforms that were supported by the ENP, as well as to show to Europe the

Tunisian miracle in terms of modernization and opening, facilitated the implementation of bilateral

programs, insofar as the domestic actors' agenda overlapped with ENP's one. The main priorities of

the NIP in terms of competitiveness, employability and innovation were in fact perfectly in line with

Tunisian economic narrative and top issues: trade, investments, convergence with the EU, and the

"mise à niveau" as a form of state voluntarism in the name of modernization and international

economic opening (Hibou, 2005; Murphy, 2006). Tunisian authorities were thus willing and able to

respect EU disbursement conditions (in case of budget support) and to implement relevant projects (in

case of decentralized approach), allowing the EU to proceed with payments. Moreover, the policy

dialogue was informed by the very similar understanding of economic priorities for the country on the part of the EU and of the Tunisian regime (Bicchi, 2010b, p. 216).

Secondly, the fact that the NIP was focused only on economic reform was a major asset able to guarantee Tunisia's good absorption capacity, insofar as the country would have delayed or even cancelled the implementation of programs in sensitive political domains, with a consequence reduction of EU payments rate. The choice to bypass different kinds of programs came not only from a request of Tunisian authorities in light of their key priorities, but also from a choice of the EU, in view of the serious difficulties already experienced in the past for the implementation of the MEDA projects on justice and media. As an EU Official from the EEAS said in an interview, in these two domains the projects were respectively delayed and canceled and the dialogue with Tunisian authorities remained really hard and full of misunderstandings. For example, while the EU wanted to push for a real reform of justice, the government argued that the aim of the project was merely to install new PCs in the ministry of justice; or while the EU wanted to push for independent media, the government prepared a list of pro-regime journalists that could participate to the EU program. Moreover, whereas the EU Delegation on the ground was resolute to stop the negotiation of the financing convention in light of these misunderstandings, Brussels insisted to continue with the process, in line with the principle that "it is always better to do something"[64]. Against this background, even if the Tunisia Country Strategy Paper prepared by the Commission included many key reform objectives in different domains, the EU decided to avoid the inclusions in the NIP of sensible programs that would have not matched with the Tunisian agenda. Rather, it decided to support gradual economic reforms, by accepting that reforms in sensitive areas would necessarily be limited: "in view of the serious difficulties in implementing third-generation MEDA projects and the problems surrounding the recent launch of the justice support programme, the Commission takes the view that efforts over the first period of the CSP should focus on good economic governance" (Tunisia National Indicative Program 2007-2010).

Third, Ben Ali's commitment to fight terrorism and Islamic extremism became his trump card to obtain a dominant position in the negotiation of the NIP priorities, as well as to get EU blind eye to the application of conditionality. Ben Ali appeared in fact to be a key regional ally in the battles both to defeat Al-Qaeda-linked Islamist militancy and to promote liberalizing economic reforms (Murphy, 2011, p. 299). In this sense, Tunisia's good absorption capacity was influenced not only by the goals of Tunisian authorities, which matched with the ENP's agenda, but also by the EU softness in the assessment of performance criteria and indicators. Following the guidelines from Brussels, people

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[64] Interview with EEAS Official-Brussels, May 2014.

from the Delegation could not help but managing misunderstandings and dialogue on reforms with a very diplomatic attitude: "c'est très bon, mais on voudrais seulement vous faire comprendre que la perception qu'on a en Europe c'est un peut different"[65].

Overall, the role of domestic political actors, their goals and rhetoric were a key variable for the implementation of the ENP on the ground, as better illustrated by the following paragraphs.

3.4.1 Tunisian reformism and the "syndrome of the bon élève": the EU Programs to sustain economic integration and competitiveness

Since the late 1990s, Tunisia has embarked on a process of economic liberalization and integration in the world economy, by developing an outward driven model of economic development and a reformist policy inspired to western modernity (Chena, 2012). In this context, it adopted many reforms to improve the country's economic performance in terms of growth and macro-economic equilibrium, as well as in terms of budget management. The government's priorities for the period 2007-2010 were set out in the XI Plan for Development, which identified the national strategy to boost Tunisian economy in the name of integration, liberalization, growth and productivity (Tunisia XI Plan 2007-2010).

In this regard, the EU contributed to support Tunisia's economic reforms with the ENPI "Programme d'Appui à l'integration" (PAI) - that was allocated €70 Mil. by the AAP 2008 and 2010 (of which €69 Mil. in budget support) and that directly contributed to the implementation of the point 2.2 "Economic and Social Reform and Development" of EU-Tunisia Action Plan. In terms of program's implementation, the ENPI financing convention was signed in July 2009 and the main goal of EU budget support was to sustain Tunisia's national strategy for growth and development by strengthening the integration of the country in the world economy and improving its business climate, including easier access to finance. The main disbursement conditions and performance indicators were therefore related to the acceleration of growth; the adoption of measures to ensure the coherence and coordination of macro-economic policies; the reduction of public deficit, the promotion of economic integration and regulatory convergence, as well as the strengthening of competitiveness for enterprises (UE Fiche d'Action Tunisie, 2008b) .

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[65] Interview with EU Delegation Official, Tunis, February 2015.

Between 2008 and 2010, the tranches foreseen by the financing convention were normally paid (see Table 5), revealing that for the indicated period the implementation of the program proceeded at a good pace and that Tunisian authorities were normally able to meet EU disbursement conditions and performance indicators.

Table 5- Tunisia ENPI Payments- PAI

ENPI- PAI (AAP 2008)	2008	2009	2010	TOT	Ratio
Payments (€ Mil.)	24	18	24,1	**66,1**	**95%**
Commitment (€ Mil.)	24 (tranche fixe)	21	24	**69**	

Source: Data retrieved through the IATI Register and the EU-Tunisia cooperation Report 2013.

The good performance in implementation and absorption of EU funds can be analysed in light of Tunisia's domestic actors and political system, considering two key elements. The first element is related to the clear political engagement of Tunisian authorities in light of the high priority accorded to the reform of Tunisian economy in terms of liberalization and international economic integration. The second element is related to Tunisian myth of reformism and the need to present itself as "le meilleur élève maghrébin" (Chena, 2012) to the eyes of international financial institutions and in particular to the EU.

Both in the XI and XII Development Plans, Tunisia clearly committed to ambitious goals of reform that were all oriented to the rapprochement with the EU and to meet its high regulatory and economic standards. In this sense, the Plans announced reforms that were axed on the AP and the deepening of the partnership with the EU in order to achieve the level of the "homologues européennes". In particular, in the domains supported by the PAI, Ben Ali's Plans called all the economic operators "to multiply their efforts" with the purpose to accelerate growth in view of the economic relation with the EU; proposed reforms to boost the competitiveness of national enterprises and to ensure their access "au marché européen à des conditions équivalentes à celles imposées aux entreprises européennes"; and announced a regulatory convergence towards EU legislation (Tunisia XI Plan 2007-2010; Tunisia XII Plan 2010-2014).

Tunisian government proceeded with structural reforms in the framework of the PAI (UE Fiche d'Action Tunisie, 2010) and was particularly active to meet EU conditions and performance indicators for tranches disbursement. Without entering into too much technical details, between 2009 and 2010 several laws and decrees were adopted to align Tunisian norms with European and international standards, and key measures were approved to revise the customs' tariff regime, to improve the business environment and to reform the microcredit access. Moreover, in the domain of coordination for macro-economic policies, the number of meetings annually organized among ministries and stakeholders doubled (World Bank, 2012; African Development Bank, 2011). The positive implementation of the program and Tunisia's good absorption capacity were a direct consequence of Ben Ali's centralized decision-making and of the State's pervasive control over economic operators to make sure that reforms could be working. In this sense, the implementation of PAI's reforms was not only an economic matter, but also a political and state affair to obtain international legitimacy. This is also why the regime aimed not only at respecting the performance indicators set by international donors, but also at demonstrating that the country had achieved outstanding performances, often also through an artificial construction of data and indicators[66] (Hibou et al. 2011, p. 12).

These same dynamics are also interestingly illustrated by the EU "Programme de Modernisation Industrielle" (PMI). This program is not part of the NIP 2007-2013 and it was implemented few years before. Still, it has an analytical value for the purpose of this thesis, insofar as it is the direct predecessor of the new Programme d'Appui à la Compétitivité des Entreprises et au Access au Marché (PCAM) programmed by the AAP 2008 (and later analysed here), as well as it is an illuminating case of the Tunisian "syndrome of the *bon élève*" at the international level. As a project approach implemented between 2002 and 2007, the goal of the PMI was to sustain the upgrading (i.e. the "mise à niveau") and the modernization of Tunisian enterprises through a support of €50 Mil. Even in this case Tunisian absorption capacity was good with the 94% of the original budget effectively spent and 1221 enterprises involved[67]. However, this success should not be interpreted merely in terms of Tunisian economic priorities, but above all in light of the political value attached to the good performance of the program and to the will to demonstrate to Europe that "everything in Tunisia was working well"[68]. For this purpose, Tunisian authorities decided that the highest possible number of

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[66] For example to show that foreign investments in the country have increased, for the construction of the indicator the number of actual realized investments and the number of merely agreed projects are merged. See Hibou et al. (2011).

[67] Final Evaluation Report of the PMI, April 2011.

[68] Interview with EU Official, EU Delegation in Tunisia, Tunis, February 2015.

enterprises had to be involved in the program and fixed in this sense a quantitative goal to be attained. The Ministry of Industry was then charged to make sure that the established number of enterprises would be involved in the PMI, "whether they wanted it or not, whether they needed it or not"[69]. Therefore, while the rationale of the PMI was to help Tunisian enterprises according to their specific needs and requests, the government's approach was merely addressed "to make numbers" to the eyes of the EU. With this goal in mind, the big enterprises mainly based in Tunis geographical area, as well as those linked to the state, were the main beneficiaries as it was easier to obtain their participation into the program. In other cases, the government itself pushed for the creation from scratch of new enterprises by directly contacting young graduates: "you have to become an entrepreneur, you have to open a company".[70] The PMI was therefore a success insofar as a big number of enterprises was effectively involved in the program, yet this result came from the state pervasive control and pressure obliging them to participate[71]. In this sense, the implementation of the PMI was affected by the same internal dynamics, which concerned the execution of the corresponding Programme National de Mise à Niveau, where the government was much more interested than enterprises in the success of implementation (Hibou, 2005).

3.5.2 Reformism and Environment: the ENP Program Environment and Energy

Under Ben Ali's regime, environmental policy was given a prioritized position in both presidential programs and national development plans, and few years after seizing power a Ministry of Environment and the National Agency for Protection of the Environment was created. However, Ben Ali's eco-friendly gestures were aimed in part to please the EU (Goldstein, 2014) in line with a political discourse that was constantly shaped according to the themes dear to international donors (Laroussi, 2009).

The EU decided to support Tunisia in the environmental sector with the ENP "Programme Environnement et Energie" (PEE) that reflected the "concrete willingness of the CE to sustain the efforts of Tunisian government in the implementation of an efficient policy of development" (UE Fiche d'Action Tunisie, 2007). Included in the AAP 2007, the main goals of the PEE were to sustain the

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[69] Ibid.
[70] Ibid.
[71] Ibid.

institutions in charge of the elaboration and implementation of environmental and energy policy, to reduce the environmental impact of industrial enterprises and to improve the energy management.

In terms of program implementation, the PEE adopted a project-approach with a decentralized management and its financing convention entered into force the 1st January 2009. While the implementation of the program was accelerated only after 2012, two main elements influenced the execution of the program during Ben Ali's regime. The first is again related to the State's control on enterprises and its willingness to "faire du chiffre". In this sense, the implementation of the PEE component related to the energy management was one of the first to start at the operational level, insofar as it concerned the adoption of ISO certifications by enterprises and the acquisition of devices to improve the energy control. While this component became fully operational after the revolution, from the outset its implementation was influenced by Ben Ali's state apparatus "that directly knocked at the door of enterprises demanding to adopt this or that certification, this or that device, and everyone could not help but execute the orders coming from above"[72].

The second element is related to Ben Ali's full control of the organs of the state and, in particular, of the Ministry of Environment, which was massively infiltrated by the RCD. More specifically, the state budget for environment was used to feed the myth of reformism, i.e. to convey the idea of a constant change, of a constant reform and improvement in the domain of environment. The money was therefore mainly used to improve the "green look" of Tunisia, by renovating public gardens or improving the green areas of urban quarters. The proliferation of the "boulevards de l'environnement" in each Tunisian city contributed as well to build "the façade that in environmental affairs Tunisia is working well, even when public enterprises are the main polluters"[73]. All this considered, in the context of the PEE, the EU explicitly required that the unity in charge of managing the program (the "Unité d'Appui au Programme (UAP), in the jargon of technical cooperation) could be an independent and impartial unit, completely detached from the Ministry of Environment and with an independent national responsible, in order to avoid infiltrations from the RCD[74]. While this unit was created in mid-July 2009, its activity at the operational level was very slow and there was a time gap between the identification of the PEE and the real implementation[75]. This was also because the management unit met serious difficulties in light of the obstruction from the Ministry of

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[72] Interview with EU Delegation Official, Tunis, February 2015.

[73] Interview with Tunisian Official, APAL Agency, Tunis, February 2015

[74] Interview with EU Delegation Official, Tunis, February 2015; Interview with Tunisian Official from the PEE Unité d'Appui au Programme.

[75] Interview with Tunisian Official, APAL Agency, Tunis February 2015

Environment and the National Agencies, which felt to have received a serious blow to their centralized control and power and which therefore acquired a detached attitude towards the PEE: "it's not our project, it's the UAP's project"[76]. While the program could achieve a good absorption capacity (around 85-90%), yet the legacy of these complex relations posed many obstacles to the activity of the management unit.

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[76] Ibid.

Chapter IV

The Arab Spring and domestic political actors: what impact on the implementation of the ENP?

From Morocco to the Gulf, the Arab Spring has affected all Arab-majority countries in the Mediterranean region (Haynes, 2013, p. 170), with a big impact on their political order and systems. Domestic political actors were the first to bear the costs of political upheavals, as the events altered the fundamental relationship between people and their governments, presenting leaders throughout the region with pressures for reform (James A. Baker III Institute for Public Policy , 2014). This is also the case of Morocco and Tunisia, where the uprisings inevitably shaped the political arena and domestic actors. Even if with different degrees of intensity, with Morocco maintaining the key features of its political system while Tunisia experiencing a regime change, in these two countries popular pressures triggered both leadership changes, with new elections and the removal of the incumbent rulers, and renegotiations of the rules of game, with institutional and constitutional reforms. Moreover, they allowed the emergence of relatively new political actors, i.e. the rise of Islamist parties, which, with their victory in the elections held after 2011, became one of the main features of the post-Arab spring political landscape (Al-Anani, 2012, p. 466). In this context, the Arab Spring ultimately affected the implementation of the ENP programs in Morocco and Tunisia, insofar as it differently shaped domestic political actors' key goals and resources in the two countries.

4.1 The effect of the Arab Spring in Morocco: change or immunity?

Inspired by the upheavals in nearby Tunisia and Egypt, protests spread to Morocco with thousands of people taking the streets and demonstrating on 20th February 2011. In this context, the 20 February Movement became soon the Moroccan offshoot of the upheavals in the Arab world and emerged as a composite movement which, while not being comparable to the broad-based popular uprisings that ousted presidents Mubarak and Ben Ali, was able to pressure for reforms and to mobilize several segments of Moroccan society (Hoffmann & König, 2013, p. 1-5). Amongst the demands voiced by protesters, some were related to the socioeconomic conditions of the population

in terms of poverty, unemployment and education, while others were explicitly political by demanding deep constitutional reforms and political changes in the name of a parliamentary monarchy (Fernandez-Molina, 2011, p. 436-37). The regime tried to address these demands swiftly, with Prime Minister El-Fassi holding problematic consultations with political parties and key civil society stakeholders, while preparing a program of socio-economic measures and political reforms (ibid. p.437-438).

In such a context, the King seized the moment and, by playing his traditional role of arbiter and conflict manager, announced a big constitutional reform in an official speech on March 9th 2011. For this purpose, he followed the traditional practice of appointing a Commission *ad hoc* composed of experts and key stakeholders directly chosen by him. Moreover, by launching vast consultations with several actors across the nation, he pursued the key strategy of fostering countless versions of the needed reform, leaving therefore to the palace the *hard* task of summarizing all the different propositions (Benchemsi, 2012a). The results of the constitutional revision were merely cosmetic: while the head of government would now come from the biggest party in the Parliament, the King remained the main holder of political power's reins and still endowed with "inviolable" characteristics (Fernandez-Molina, 2011; Arieff, 2013a). 2011 Constitution can be thus seen as the embodiment of the King's traditional strategy of "political dualism" to respond to societal demands, i.e. his tendency to develop public consultations and political pluralism, on the one hand, while resorting to royal arbitration and deciding on overarching issues in order to preserve the monarchy's prerogatives, on the other (Denoeux & Maghraoui, 1998). In this regard, it is not surprising that the rush referendum called to approve the new 2011 constitutional amendments drew a turnout of 73 percent and passed with a near-unanimous 98.5 percent majority, a result that was stunning even for Moroccan long history of constitutional referendums (Benchemsi, 2012b, p. 57). This success can also be explained in light of the King's traditional legitimacy that has remained almost untouched during the demonstrations with protesters essentially campaigning against the *makhzen* and the incumbent El Fassi's government, while never questioning Mohamed VI's role or calling for his deposition (Bank, 2012). Therefore, in comparison to other countries in the region, Moroccan regime was able to skillfully manage protests by the means of top-down reforms and by using carrots more than sticks (Fernandez-Molina, 2011, p. 438).

Political parties had a limited role in both protests and constitutional debates. Only small left political parties participated in the 20 February Movement, with the major opposition parties such as the USFP and the Islamist Justice and Development Party (PDJ) remaining outside the fray of

demonstrations (Hoffmann & König, 2013, p. 7-8). At the same time, the process of constitutional reform was a paramount example of parties' domestication by the monarchy (Maghraoui, 2011, p. 686). Rather than seizing the moment of change and trying to shape political debates by taking the initiative, political parties preferred to stick with consensus and to leave to the Palace the full control of the political game (ibid.). As a consequence, the constitutional reform obtained the almost unanimous backing of the parliamentary parties (Fernandez-Molina, 2011, p. 439).

The renegotiation of the rules of the game with the revision of the Constitution was not the only consequence of the "Moroccan Spring". Rather, the King decided to boost the ongoing reform process by calling for new parliamentary elections in November 2011. Against to what many observers would have predicted, the electoral results were unprecedented for the country insofar as the King's loyalist Party of Modernity and Authenticity did not win the elections (Dalmasso, 2012, p. 218-219) while the Islamist PJD emerged as the electoral winner with a plurality of 107 seats in the parliament (27%). Since 2002, the PJD had been the only Islamist party ever allowed to contest parliamentary elections in Morocco, in light of its willingness to seek regime's co-optation and to show that it was a systemic actor willing to play according to the established rules[77] (Storm, 2007, p. 86-88). However, it had never managed to win. The creation in 2011 of the first Islamist cabinet in Morocco with PJD's Abdelilah Benkirane as Prime Minister was a remarkable novelty (Benchemsi, 2012a), which stemmed directly from the Arab Spring demonstrations insofar as the new constitutional reform required the King to select a prime minister from the largest party in the parliament. At the same time, the PJD's victory is rooted in the general trend that in many Arab Spring countries[78] saw Islamists moving at the forefront of politics as power holders (Al-Anani, 2012, p. 466). In this sense, for some observer Benkirane's party, which had steadfastly refused to endorse the February 20 movement, eventually became its greatest beneficiary (Daragahi, 2013).

To the eyes of many, Morocco remains a country that escaped the Arab Spring and bypassed its consequences (Maddy-Weitzman, 2012), insofar as it was able to keep stability in comparison to Tunisia, Egypt and Libya, which saw instead a sharp rise in political instability and social unrest (Tawil, 2013). However, the events which followed 2011 elections in Morocco show that the country was not so immune to the consequences of the Arab Spring, with political instability and social unrest ensuing slightly quicker than otherwise predicted. As the PJD did not win an overwhelming majority

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[77] Unlike the Islamist Justice and Charity movement that refused to participate in the political system and that was also officially banned in light of its rejection of the King's spiritual authority.

[78] For an interesting analysis on how the Arab Spring drastically reshaped Islamist politics in the Middle East see Al-Anani (2012).

and rather controlled only the 27% of the Parliament, in early 2012 it was forced to create a coalition government with the *Istiqlal* and other two small secular parties, i.e. the Popular Movement and the Party of Progress and Socialism. However, in mid-2013, the *Istiqlal*'s decision to withdraw from the government and to join the political opposition was a major blow to PJD-led government, which not only lost the second most powerful ally of the coalition but also fell short of majority (Arieff, 2013a). The *Istiqlal*'s decision was mainly moved by disputes over policy direction and by the party's increasing dissatisfaction with the Head of the government Benkirane, who was criticized for his inability to lead the government, his unilateral policy-making unwilling to share power with the coalition partners, and his inefficiency to address the country's economic and social problems[79]. In this context, Morocco's political landscape plunged into instability and crisis, with the PJD struggling to find a new coalition partner and embarking on long negotiations under the King's arbitrage.

Two main factors influenced the PJD's attitude to swiftly find a compromise so to come out of the crisis: the fear of anticipated elections as an option often mourned within the royal circles, and the ousting of Egypt's Islamist President Mohammed Morsi, which contributed to aliment anti-Islamist movements across the region and in Morocco (Sakthivel, 2013). In October 2013, there was finally a government reshuffle with the center-right National Rally of Independents (RNI), a party close to the Palace, joining the new governmental coalition. Benkirane remained the Prime Minister but its party lost many key cabinet seats and ministerial posts, which were given to the RNI.

Finally, governmental instability was not the only feature of Moroccan political landscape after the Arab Spring, with social unrest rising in the aftermath of 2011 elections. The country's first protests under the PJD government, with riots breaking in early 2012 because of unemployment (Dalmasso, 2012) and the thousands of Moroccans taking the streets to protest against the Islamist government in 2013 are a case in point.

4.2 The implementation of ENP Programs in Morocco after 2011: the role of domestic political actors

The political landscape as redesigned by 2011 protests considerably affected the implementation of the ENP in Morocco and its general performance. Whereas the country had

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[79] "Istiqlal Withdrawal from Governing Coalition: Does Chabat want to become Caliph instead of the Caliph Benkirane", *Morocco Tomorrow,* 2013.

remarkable results in terms of absorption of EU funds between 2007 and 2010, in the following four years between 2011 and 2013 it worsened its performance and absorption capacity of ENPI funds. Of the €708.5 Mil. committed for the period 2011-2013 less than the half was actually disbursed (see figure 7) and payments were often delayed.

Figure 7
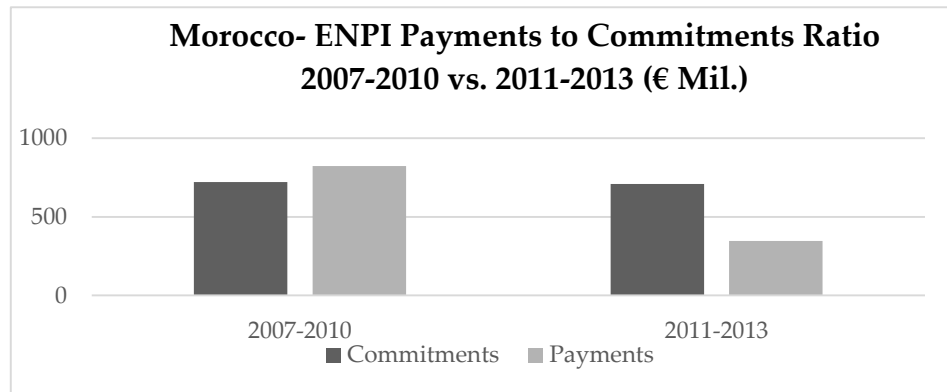
Morocco- ENPI Payments to Commitments Ratio 2007-2010 vs. 2011-2013 (€ Mil.)

Source: Author's elaboration based on the ENPI Overview 2007-2013 (European Commission, 2014a).

This reduced performance and absorption capacity can be explained in light of the changes brought by the Arab Spring. The previous paragraphs demonstrated the first hypothesis of this work, i.e. that domestic actors and their agenda have a key role in determining the implementation of the ENP on the ground and the absorption capacity of EU funds. Therefore, if Morocco's performance and absorption capacity worsened after 2011, this is because the Arab Spring altered the value of the variable "domestic political actors" and, in turn, shaped the implementation of the ENP on the ground. Given these considerations, the poor results after 2011 can be adduced to two main processes. The first is related to the emergence of the PJD as an actor that, while not being a freshman of Moroccan political scenario, gained power for the first time and shaped policy processes with new content-related goals not always in line with the royal guidelines. The second is the institutional deadlock, which stemmed from the process of constitutional renewal in 2011 and from the governmental crisis in 2013. All these processes contributed to divert attention and energies away from sectoral reforms, making it harder for Morocco to meet ENP programs' requirements for tranches payment[80]. Moreover, if before 2011 the EU was generally compliant and not particularly rigid in the application of conditionality (Baracani, 2006), the Arab Spring marked a shift in EU approach, by paving the way to an increase in

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[80] Author's interview with EUROPEAID Official from Morocco Desk, Brussels, 24 May 2014.

conditionality and in the number and type of conditions attached to the disbursement of funds (Bicchi, 2014a, p. 329). Henceforth, the country's developments on the ground and EU discretional assessment of the payment dossiers, through which Moroccan authorities justify their progresses and demand EU payments, explain Morocco's reduced absorption capacity after 2011. This is further confirmed by the interviews held with Moroccan Officials from the department of EU Relations within the Ministry of Finance, who said that while the quality of policy dialogue with the EU has remained unchanged after 2011, disagreements often emerged on whether budget support conditions could be considered fulfilled or not[81]. The following analysis on the implementation of some key ENP programs after 2011 can better illustrate the dynamics here discussed.

4.2.1 When the agenda and the expertise change: the PJD and the implementation of the ENP Programs.

The ENP «Programme d'Appui à la Stratégie de l'Education», which was financed under the AAP 2009 to sustain the implementation of the government's Urgency Plan for the reform of education, was one the ENP programs whose performance was directly affected by Moroccan political changes after 2011. As already mentioned, before 2011 the program recorded a good performance in terms of tranches' payments and Moroccan authorities' capacity to meet EU requirements. By contrast, after the Moroccan Spring, and in particular between 2012 and 2013, the program's performance in terms of fund absorption was interestingly reduced (see Figure 8):

Figure 8
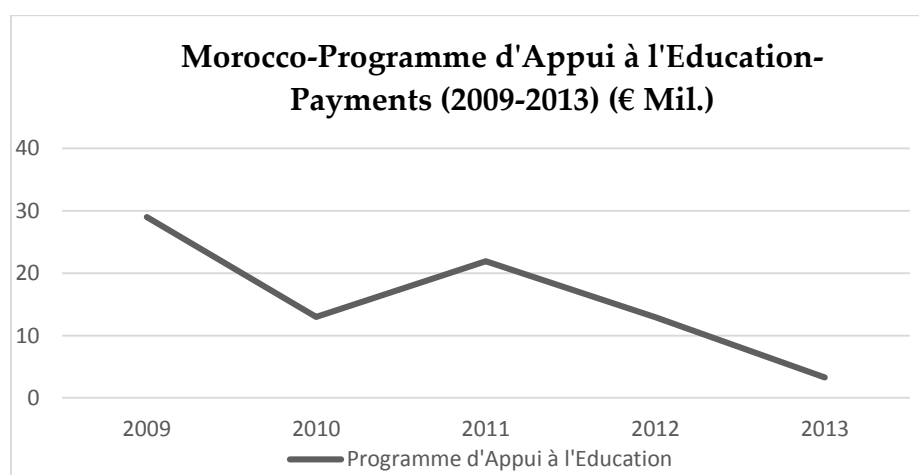
Morocco-Programme d'Appui à l'Education-
Payments (2009-2013) (€ Mil.)

Source: Author's elaboration based on the data retrieved through a formal request to the EU Financial Transparency System.

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[81] Author's interview with Moroccan Officials, Direction of EU-Morocco Relations, Ministry of Finances, Rabat, July 2014.

Whereas the annual payment of the budget support's tranches continued to be processed, the decrease in the payments for 2012 and 2013 reveals that the EU decided to apply its conditionality, i.e. it decided to reduce the amount of the variable tranches in light of the non-fulfilment of some specific conditions and indicators. The variable tranches are in fact determined according to a performance score[82] that is used to identify the percentage of the tranche that will disbursed. Therefore, if the receiving country is not well performing in some of the conditions and indicators attached to disbursement, the EU may still proceed with the payment but reduce its amount. In the case of the ENP bilateral program for education, the EU decision can be explained on the ground that Benkirane's cabinet decided to put an end to the efforts for guaranteeing a public preschool support. As one of the key pillar of the Urgency Plan for education, the implementation of a sound governmental strategy in the domain of the *préscolaire* was one of the key conditions defined by the EU for tranche release. Therefore, the governmental decision not to proceed in this sense was one of the causes behind the decrease in the ENP program's performance and payments[83]. Interestingly enough, in his royal discourse of August 2013 the King harshly criticized the new governmental education policy, blaming Benkirane for having hampered the reform of Moroccan education system and for having marginalized El Fassi's Urgency Plan, by unilaterally questioning some of its essential components like the *préscolaire* (Mohamed VI, 2013). Therefore, the rise of the PJD and the change in the government's agenda with a partial degree of misfit *vis-à-vis* the ENP supported-reforms hindered the smooth implementation of the program.

By the same token, the EU support to gender equality in Morocco was another ENP program which inevitably suffered from the country's renewed political landscape after 2011 elections. Programmed by the AAP 2011, the *«Appui à la promotion de l'équité et de l'égalité entre les femmes et les hommes»* was allocated €45 Mil. to sustain the National Gender Equality Strategy adopted in 2006 and the implementation of its Action Plan 2010-2015. Whereas the Program's financing convention with the EU had been already negotiated by the previous El Fassi's government and was ready to be signed, when the Islamists came to power the PJD minister for women and solidarity Bassima Hakkaoui refused to sign[84]. As a major consequence, the financing convention was retarded and it took more

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[82] Specifically, there are two different scores. The first is the "individual performance score" that is based on the degree of performance of a given indicator; the second is the weight given to the same indicator in relation to the overall set of indicators. The sum of these two factors will give the "overall performance score". See European Commission (2012).

[83] Interview with an EU Official, Section of Cooperation, EU Delegation in Rabat, 26/06/2014.

[84] Interview with EU officials, Brussels, May 2014- Rabat July 2014.

than one year to find a common understanding on the wordings of the document, delaying the payment of the first fixed tranche of budget support.

Similarly, the negotiation of the *"Programme d' Appui au Statut Avancé"* programmed by the AAP 2011 took long time as the new government was reluctant to proceed with regulatory convergence to the EU *acquis*[85]. Moreover, when the EU decided to adopt a SPRING initiative of €3 Mil. to support the House of Representatives in the exercise of its new responsibilities after the Constitutional reform, the PJD questioned the utility of this initiative and criticized it as a direct threat to the independence of the legislative institution[86].

In all these cases, the implementation of ENP programs was influenced by the quality and the difficulties of policy dialogue between the EU and the PJD, as well as by the degree of (mis)fit between the latter's agenda and the ENP's envisaged reforms. At Brussel level the perception was that, at least after the immediate creation of the new Islamist-led government, the PJD was not so prone to deal with the EU and to proceed with the reforms supported by the ENP, even when these reforms had already been initiated by the previous government[87]. This is the case of the above mentioned ENP programs for education and women's rights. In particular, the fact that Minister Bassima Hakkaoui retarded the financing convention with the EU only to change a word in the title appears to have been dictated more by a matter of principle and ideology than by the substantive content of the convention. In this sense, she conveyed the idea that her Ministry of Social Development, Solidarity and Family was not in need of EU money[88].

This attitude would be reflective of the traditional PJD's position towards the cooperation with the EU. The domestic "consensus by default" on EU-Morocco relations has normally included also the PJD, with Benkirane being conscious of his country's international interests (Del Sarto, 2006, p. 209-210) and in favor of economic and trade cooperation with the EU (Fernandez Molina, 2007, p. 58). However, Islamists have generally been skeptic of the Euro-Mediterranean Partnership and of the ENP, by questioning often their utility for the country and believing that the EU would impose its cultural and social values through the funding of certain development projects, especially those that promote women (Glennie & Mepham, 2007, p. 13; Ammor, 2005, p. 151). The PJD's opposition to the reform of the family code that in 2004 was aimed at ensuring the respect of women's rights is a case in point. While the party said that the criticism was addressed not to the content of the reform but to its

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[85] Interview with EUROPEAID Official, Brussels, May 2014.
[86] Moroccan Times, *Istiqlal-PJD: Tensions around the parliamentary channel projects*, March 2014.
[87] Interview with EUROPEAID Official from Morocco Desk, Brussels, 24 May 2014
[88] Interview with one of the founding members of the FMAS- Forum des Alternatives Maroc

method that excluded the PJD from the reform-centered debates (Cavatorta & Dalmasso, 2013, p. 237), some party members criticized the revision as being imposed according to a European liberal view (Glennie & Mepham, 2007, p. 11).

If for someone the PJD's ideology and agenda were the main factors affecting the dialogue with the EU on the ENP reforms, according to other interviewees the inexperience of the new political elites who were not familiar with the already existing policy programs[89] was another element that further constrained the pace of ENP implementation. In this regard, the PJD's lack of expertise confirms that long-time cooptation does not automatically imply professionalization (Boubekeur & Amghar, 2006, p. 10). Even if the party had been well entrenched in Moroccan politics since 1997 legislative elections, in previous governments it had never played a role other than opposition. Therefore, while the 2003-2009 municipal mandate boosted PJD's political participation and fostered its apprenticeship into the realm of local politics (Catusse & Zaki, 2010), the party was not sufficiently experienced when it entered the domain of national politics from a privileged position. Some Officials at EU Delegation in Rabat identified the lack of expertise as one of the main issues which affected policy dialogue and the possibility to achieve common understandings on ENP bilateral cooperation programs: "the problem is not the PJD as such, but its expertise and the people not used to assume ministerial responsibilities"[90]. In particular, from the EU Delegation's standpoint, the need to deal for the first time with PJD political actors who were not used to cooperation with the EU was the main change and difficulty of the post Arab-Spring context, especially in comparison to the past *Istiqlal*-led government whose victory in 2007 elections basically meant political and technical continuity in terms of "more of the same" (Kausch, 2009, p. 169). In this sense, the cabinet reshuffle of mid 2013 facilitated dialogue insofar as the RNI ministers, who replaced some of the previous PJD's posts, were more experienced in the domain of bilateral relations and knew very well Europe[91].

4.2.2 The impact of the constitutional reform and of the cabinet reshuffle on the implementation of the ENP

Whereas the adoption of the new Constitution was an input to push for many otherwise blocked reforms, the institutional deadlock provoked by the approval of the new document, the

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[89] Interview with an official of the Agence du Developpement Social, Rabat, June 2014.
[90] Interview with EU Delegation Official, Division of Political Affairs, Rabat, 3 July 2014.
[91] Ibid.

installation of the new government and the long legislative processes to adopt the laws for the implementation of the Constitution constrained Morocco's capability to meet EU conditions for budget support and amplified the already endemic slowness of the system to proceed with reforms. This is the case of the ENP "Programme d'appui sectoriel à la réforme du système de santé", i.e. a budget support program of €86 Mil. that was defined by the AAP 2008 to sustain the governmental strategy 2008-2012 for the reform of the health system. While the program had been well-performing until the Moroccan Spring, the payments decreased until zero in 2011 (see figure 9).

Figure 9
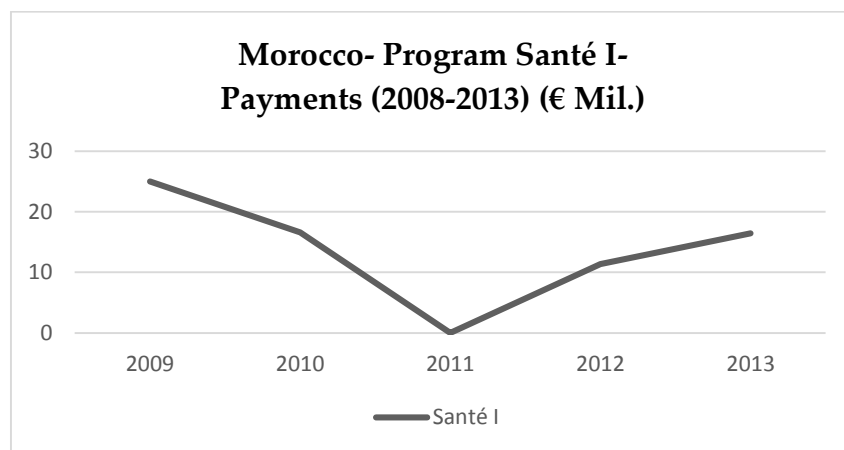
Morocco- Program Santé I-Payments (2008-2013) (€ Mil.)

Source: Author's elaboration on the base of the data retrieved through a formal request to the EU Financial Transparency System

The main reason is that one preliminary disbursement condition defined by the financing convention of the program was not met, with the consequence that the payment therefore could not be processed. This is mainly due to the process of constitutional reform that momentarily diverted attention and energies away from the health system reform, with long delays in the implementation of the legislative and regulatory framework conditionally required by the EU program. This was further induced by the fact that the draft version of the *Loi de finances* for 2011, which had been deposed by the previous government, was withdrawn by the PJD-led government (UE Fiche d'Action Maroc, 2012). By contrast, in 2012 and 2013 the payments could be processed in light of the progresses realized by Morocco in the domain of the health reform. In particular, two factors were relevant for the pace of the reform and for the implementation of the ENP program. The first is the new Constitution, which gave an important input to the reform of the health system by establishing the fundamental rights to life (art.20), health and access to basic health services (arts. 21,31,34). The second is the new Health Minister who, unlike his predecessor who failed to give real impulse to the reform, was increasingly active, by

being well cooperative with the EU and by extending in March 2012the basic medical coverage, which allowed to unlock one of the EU conditions for payment[92]. In this new context, the EU had also the possibility to work jointly with the Ministry on the elaboration of a National Sanitary Chart.

However, the rhythm of the reform continued to be quiet, also because, in line with the endemic sluggishness of Moroccan political system, the progresses in the implementation of the new Constitution have generally been very slow. While in 2012 a clear calendar for implementation was still missing and only one organic law was adopted (ENP-Morocco Progress Report, 2012), in 2013 the implementation of reforms continued to remain limited (ENP-Morocco Progress Report , 2013), with a consequent impact on the implementation of the ENP.

The EU program to support the governmental strategy for the equality between men and woman is again a case in point. While the financing convention of the program was finally signed in July 2012, the EU decided to reduce the amount of the first fixed tranche on the ground that the preliminary conditions on the establishment of the institutional framework for the implementation of the strategy were not yet met[93]. In fact, at the time of the signature of the ENPI financing convention, the laws for the establishment of an Authority for parity and fight against discrimination, as well as the law on violence against women and its articulation with the reform of the Penal Code, were still not adopted (ENP-Morocco Progress Report, 2012). Even if the new Constitution gave an important input for the review of existing penal procedures, the approval of the reform was extremely long. Against this background, the normal implementation of the ENP program was partly hampered, as it was necessary to wait for the new legislative developments.

Similarly, even if the NIP 2011-2013 had programmed a specific program to support Morocco's reform of justice, EU money could be committed only in 2014, in light of the country's years of stasis and lack of a clear operational strategy that could be effectively supported by the EU (ENP-Morocco Progress Report, 2011). Again, whereas the new Constitution gave an important input in this domain, the High Instance on national dialogue for the reform of justice was created only in May 2012 and the National Chart for justice could only be adopted in mid-2013. Therefore, even if the EU was ready to support Morocco in the reform of the justice sector, the ENP program was long delayed as its launch was conditional to the establishment of a clear operational strategy by Moroccan authorities.

Overall, between 2011 and 2013 the retards in the approval of reforms, as well as in the set-up of the new institutional bodies charged with policy implementation, contributed to delays in the

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[92] Interview with EU Officials in charge of the ENP Health Programs, EU Delegation, Rabat, July 2014.
[93] Interview with EU Official, EU Delegation, Rabat, June 2014.

implementation of ENP programs[94] and to low absorption rates insofar as budget support conditions could not always be met. In this context, the governmental instability of mid-2013 and the consequent cabinet reshuffle further distracted from reform efforts and contributed to boost the endemic slowness of the system, as well as to reduce the country's absorption capacity of EU funds. As confirmed by the ENP Progress Report 2013: «Si en 2013 les engagements ont connu un montant sans précédent, traduisant le dynamisme imprimé dans la conception de nouvelles stratégies et politiques, un certain ralentissement des décaissements de l'assistance financière a été constaté, qui témoigne des retards dans la mise en oeuvre de certaines politiques sectorielles».

4.2.3 The INDH: the outlier above the fray of events

If after the Arab Spring the implementation of ENP programs was influenced by the quality and the difficulties of policy dialogue between the EU and the PJD, as well as by the slowness embedded in the process of constitutional reform, in other cases implementation dynamics reflected the internal complexity of Moroccan politics in its variety of actors and interests. In this regard, the ENP program to support to the INDH is again a case in point as it was the only bilateral program which maintained full absorption capacity and remained completely immune to the political changes of 2011 and their consequences. As already mentioned, the INDH is something more than a mere initiative to promote human development, insofar as it is a "chantier de reign" directly sponsored by the King. It is not by chance that the INDH is the only public policy in Morocco to have an anniversary, a slogan and a logo exhibited at every event celebrating the national cause (Bono, 2011 quoted in Bergh, 2012 p.413). The INDH emerges as a highly visible and unquestionable public agenda which no political party is supposed to put in question (Bergh, 2012, p. 413) and it reflects the palace's increasing awareness that legitimacy cannot rest entirely on religious or historical authority, but that it also depends on the living conditions of the people (Martín, 2006). In this sense, Mohamed VI's promise that the INDH would be "ni un projet ponctuel, ni un programme conjoncturel de circonstance" (Mohamed VI, 2005c) was in fact kept and the INDH was renovated in 2011 with the launch of its second phase.

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[94] Interview with EU Delegation Officials in charge of Health and Education Programs, Rabat, 1-3 July 2014

It is not surprising, therefore, that the INDH was completely immune to 2011 changing political landscape, with the PJD expressing its complete and total support for the initiative[95], in line with the INDH's essence as a "national pact for human development" (Initiative Nationale Developpement Humain, 2011). If the King is normally above political changes and partisan politics (Daadaoui, 2010a), in the same way his royal "shelter" elevated the INDH above the fray of every day politics and, in turn, ensured a smooth absorption of EU funds.

4.2.4 Domestic contrasting interests and the implementation of the ENP

While the INDH is an "uncontested" policy, in other cases conflicting interests between the government and the palace take the reins of ordinary policy-making. The reform of the subsidy system ("Caisse de Compensation") is an example. In this case, the EU is not directly engaged with a specific bilateral program, but the reform is assessed as central for the realization of other programs, namely the Advanced Status and the "Hakama-Governance" which was programmed by the AAP 2012 to promote the good management and the transparency of the financial system. The subsidy fund absorbs the 18% of the State General Budget (European Commission, 2011) as it provides subsidies for basic necessities (from cereals to gas). From the EU standpoint, the reform of this system is central to ensure the viability of public finances (ibid) by the means of a direct targeted financial transfer to the populations in need[96]. In this context, while the approach adopted by the PJD Minister of Governance Najib Boulif was perfectly in line with the EU's one, and it envisaged to gradually substitute the subsidies through direct cash transfers to poor families, the royal circles were highly reluctant (Masbah, 2014, p. 4). The reasons behind the resistance were mainly related to the economic interests of the *Makhzen* and to the fear that the PJD government would increase its popularity by cash transfers to millions of Moroccans (ibid). As a direct consequence, the *Makhzen* invalidated three PJD parliamentary nominations to warn that the reform had to be shelved (ibid). Therefore, in this case contrasting interests constrain the pace of the reform and impinge upon the execution of the above mentioned ENP programs.

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[95] Interview with a World Bank Official, Rabat, June 2014.
[96] La Tribune, *Maroc-UE: Comme Réussir le Statut Avancé*, 14/06/2011

4.3 The Jasmine Revolution and the regime change in Tunisia

The Tunisian or "Jasmine" Revolution was the first spark that fueled the Arab Spring, by indirectly igniting further revolts across the region (Pinfari, 2012). In late December 2010, the self-immolation of Mohamed Bouazizi against police's corruption and bribery triggered general unrest and popular demonstrations. In few weeks, the spread of the uprisings across the entire country culminated with the departure of Ben Ali and the subsequent collapse of his regime after almost 23 years. As for all the other Arab Spring countries, Tunisian protests originated from a complex mix of political and socio-economic demands[97]. The situation of economic stagnation exacerbated by the high level of unemployment among young graduates, the growing socio-economic inequalities as a direct detrimental effect of economic liberalization measures, as well as the political corruption and the repression of fundamental freedoms were all among the main causes (Pollack, 2011; Roccu, 2012). In this regard, as Penner Angrist (1999) had already well predicted in the late 1990s, "as long as [Tunisian] economy performs reasonably well, regime stability is assured. But in the event of a downturn, the lack of peaceful mechanisms for public, popular articulation of dissent means that over the medium to long term instability could loom on Tunisia's horizon".

Tunisian revolution led to paramount shifts in the country's political landscape, insofar as it caused the collapse of a regime that was deemed to be one of the most stable in the Arab World (Cavatorta & Haugbølle, 2012, p. 179) despite (or just due to) its authoritarian traits. The first Arab Spring's consequence for Tunisia was a leadership change with the removal of the incumbent rulers. Unlike Morocco, where the top-down reforms promised by the King were sufficient to quell the protests and to stabilize the situation, Ben Ali's discourse announcing that he would not run for another term in 2014 and pledging political and economic reforms was not enough to discourage the demonstrations, which continued to demand his resignation. Therefore, he was forced to resign and to leave the country in mid-January 2011. In the aftermath of Ben Ali's ousting, three interim cabinets were created. The former Ben Ali's Prime Minister, Mohammed Ghannouchi, headed the first two cabinets, which followed each other in only ten days. Even if the second cabinet included only three members of the RCD who were relegated to minor positions, protests against the government as a symbol of the former regime forced Ghannouchi to step down (Arieff, 2011). Caïd Essebsi was therefore appointed new Prime Minister and he remained in office until new elections. Moreover, the ex-ruling party RCD was soon banned, the political police disbanded and more than one hundred

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[97] For a detailed analysis of the economic causes of the Arab Spring see Escribano (2013) and Springborg (2011).

parties were legalized, including the Islamist party Ennahda, which had been outlawed by Ben Ali in 1991.

The first free and fair elections were held in October 2011 to elect the members of the Constitutional Assembly in charge of drafting the new constitution. As for Morocco, the Arab Spring opened the doors of power for Islamists and, after decades of brutal repression and exclusion, Ennahda won a plurality of seats (41%) in the National Assembly (Al-Anani, 2012, p. 466). The winning party formed a governing coalition (the "Troika") with other two (secularist) parties of the historical opposition, i.e. the Ettakatol and the Congress for the Republic (CPR)[98]. In this context, Ennahda's Secretary General Jebali became Prime Minister, while CPR's leader Marzouki was elected President of the Republic. As for the PJD in Morocco, even if Ennahda had not participated to the early demonstrations still it reaped the benefits of the Arab awakening (Cavatorta & Dalmasso, 2013) and after decades of exile, it had the possibility to lead its first cabinet in Tunisian history. While being an Islamist party, from the outset Ennahda's leaders portrayed themselves as moderates in favor of democratic participation, the separation of religion and state, and women's freedoms (Arieff, 2013b, p. 6). Throughout their electoral campaign, they vehemently opposed anything that could sound like and Islamic state and emphasized their support for a civil democratic state based on good governance and human rights (Hidde Donker, 2013, p. 212).

Nevertheless, Ennahda government was affected by two major political crises sparked by the murders of two opposition leaders in only six months, which fed rumors on the Ennahda alleged involvement in the killings. The first crisis, which occurred in February 2013 when the left-secular leader Chrokri Belaid was killed, led to Jebali's resignation after that Ennahda refused his proposal to address the crisis by forming a non-partisan cabinet of technocrats (Arieff, 2013b). A new cabinet led by Ennahda Prime Minister Laarayedh was therefore created. However, it has to be noticed that, unlike Morocco's 2013 cabinet reshuffle, in the case of Tunisia's new cabinet of mid 2013 the Troika still held together and did not expand beyond the original parties of the coalition. The second crisis, sparked by the assassination of the politician Mohamed Brahmi in July 2013, led to major consequences insofar as it provoked a real political deadlock. After months of negotiations under the guidance of a National

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[98] Ettakatol was created in the early 1990s but it had very limited role under Ben Ali's rule. Although participating in legislative elections it never managed to win any seats in the Parliament. Moreover, its secretary general attempted to run for presidential elections in 2009, but he was barred from the race. Similarly, the CPR was created in 2001 but outlawed under Ben Ali's regime. However, it continued to exist *de facto* until its legalization in 2011, thanks to the activities of its exiled leader Moncef Marzouki. While facing several difficulties for their survival and for the very exercise of their functions, these two parties were part of Tunisian historical opposition together with Ennahda.

Dialogue, both opposition parties and Ennahda agreed with the creation of a technocratic government led by Prime Minister Jomaa, who remained in office until early February 2015. Like for Morocco's PJD, to the eyes of many Ennahda's decision to finally give in and pave the way to a technocratic government was influenced by the decreasing popularity of the party as well as by the fear following the deposition of President Morsi in Egypt (Cesari, 2014, p. 224).

As in Morocco, the removal of the incumbent rulers was not the only effect of the Arab Spring in Tunisia, as the country undertook a fundamental process of renegotiation of the rules of the game. The replacement of the old constitution, which was largely identified with authoritarianism, and the drafting of a new constitution became a national priority at the top of the agenda (Cavatorta & Dalmasso, 2013). Unlike Morocco, where the constitutional reform occurred within the closed doors of the royal committee, in Tunisia the reform process was handed to a democratically elected national assembly. However, the process proceeded at a very slow pace and, whereas the new constitution was supposed to be drafted in one year, in fact it took much longer in light of several difficulties that impinged upon the work of the assembly. The lack of preparation of the new elites, important cleavages on sensitive issues (such as the freedom of belief and gender equality) and –above all- the political deadlock of mid 2013 complicated the negotiations on the new document. Nevertheless, the new constitution was finally adopted in January 2014. While recognizing that the people are the source of all powers (art. 3) and extending the bill of freedoms and rights, the new document established a hybrid form of government with the President of the Republic and the Prime Minister sharing power within a complex system of check and balances with the Parliament.

4.4 The implementation of ENP Programs in Tunisia after 2011: the role of domestic political actors

The political landscape as redesigned by 2011 protests considerably affected the implementation of the ENP in Tunisia and its general performance. Between 2010 and 2011, EU financial aid doubled, passing from a commitment of €330 Mil. for the period 2007-2010 to a commitment of €614 Mil. for the period 2011-2014. Moreover, Tunisia was the first beneficiary of the new EU umbrella instrument SPRING. In contrast to Morocco, in the years after the Arab Spring, Tunisia had a good absorption capacity of EU funds and it was able to maintain a high payment-to-commitment ratio. This is particularly interesting if we consider that, in a context of uncertainty where all the EU southern neighbours were confronted with reduced absorption capacity, Tunisia was the

only country able to maintain a high payment rate (84%) and to be the first in the rank of Mediterranean countries (see table 2, chapter 1). Tunisia, therefore, was not only able to absorb EU's funds in spite of the prevailing uncertainty and its huge ongoing political transformations, but it also fared better than other neighbours that were apparently less affected by the Arab Spring, such as Morocco. Moreover, if after the Arab Spring the EU increased its commitments in many ENP countries but in practice it spent much less than before, Tunisia was instead able to improve its absorption capacity proportionally to the increase in EU funds, maintaining a good ratio between payments and commitments (see Figure 10).

Figure 10

Tunisia ENPI Payments-to-Commitments Ratio 2007-2010 vs. 2011-2014(€ Mil.)
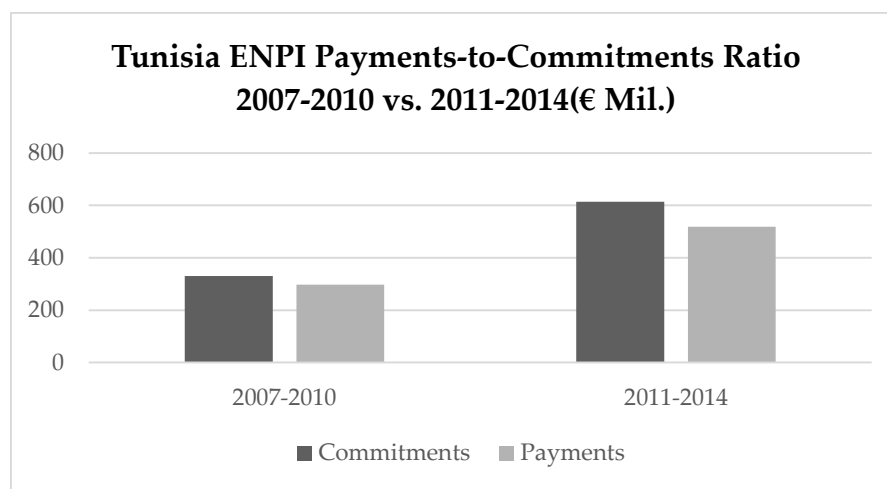
Source: Author's Elaboration on the data retrieved from the ENPI Overview 2007-2013, and ENPI Statistical Annex 2015.

This good performance and absorption capacity can be explained in light of the changes brought by the Arab Spring and more specifically by the way it altered the variable "domestic political actors" in Tunisia, shaping in turn the implementation of the ENP on the ground. The key broad goal for all the transition governments that followed Ben Ali's ousting was to have a clean break with the past and to introduce political and economic reforms that could tackle the people's democratic aspirations. In this sense, the country's political agenda clearly changed *vis-à-vis* the past, including for the first time sensitive political reforms. Against this context marked by a (potentially democratic) regime transition and a new political agenda, the EU could focus on different programs other than traditional economic reforms. For the first time governance issues were established among the conditions for budget support, the reform of justice was included in the AAP 2012, as well as a specific program for the support to civil society was implemented. Moreover, in 2015 the first Human Rights

and Democracy Committee after 5 years was finally planned. Tunisia's good absorption capacity was therefore influenced by the launch of new programs that perfectly matched the country's emerging post-revolutionary priorities.

The political and policy dialogue with the EU also changed, insofar as it became much easier and more transparent *vis-à-vis* Ben Ali's period. As an EU Official of the Delegation in Tunis put it during an interview: "during Ben Ali, there was a clear gap between reality and official discourses, which forced us [the EU] to answer with a very filtered and diplomatic language. After 2011 everything has changed, also the discourse and the language used by our Tunisian counterparts". Moreover, before the revolution it was simply unthinkable that a representative of the Ministry of International Cooperation could come to EU Delegation, as there was a tight control on anything Tunisian Officials could say or do. Similarly, when an EU representative used to go to the Ministry it was impossible to have bilateral meetings with a single ministerial Official, as there was always someone else meticulously recording the conversation to verify what the other colleague would say[99]. EU Officials themselves were often controlled by political police and put on file[100]. By contrast, after the revolution relations on the ground became much easier, insofar as there was a constant, more open and direct dialogue between Tunisian representatives (not only high level Officials, but also General Directors) and members of the EU Delegation. Finally, after the revolution the general perception both in Brussels and in the Delegation was that the new ministers of the Troika government were very well disposed towards cooperation with EU[101], in line also with Ennahda's attitude to "seek closer tie with the European Union"[102] and "to achieve the advanced partner status"[103]. As a matter of fact, in October 2013 Ennahda-led government organized an inter-ministerial council to analyse all the international donors' cooperation programs in order to point out their difficulties on the ground and to improve their implementation[104].

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[99] Interview with EU Official from EU Delegation in Tunis, Tunis, February 2015.

[100] Ibid.

[101] Interview with EU Officials from EU Delegation in Tunis, February 2015 and EUROPEAID in Brussels, May 2014.

[102] Alarabiya, *Tunisia's Ennahda says it is 'natural' for Islamists to lead the country*, 26 October 2011

[103] Rachid Gannouchi, A day to inspire all Tunisians – whether Islamic or secular, The Guardian, 17 October 2011.

[104] Interview with EU Delegation Official, Tunis, February 2015.

4.4.1 "Breaking with the past": the ENP Programs PAR I, PAR II and PAR III

In the aftermath of the revolution, the interim government was faced with a turbulent context where political and macro-economic stability were the major priorities. On the one hand, it was necessary to tackle quickly the country's precarious economic situation, as worsened by the war in Libya[105], the reduction in international investments and tourism, and the rapid decrease in banks' deposits. On the other hand, there was the need to address people's democratic aspirations and growing socio-economic demands.

In this context, the EU (together with the World Bank and the African Development Bank) decided to support the interim government with an urgency program, in order to guarantee the country's macroeconomic stability and to make sure that the state could continue to deliver its basic services as well as to keep the administration going. The AAP 2011 and the SPRING, therefore, allocated €99 Mil. to the budget support "Programme d'Appui à la Relance" (PAR I). The launch of this program came directly from a request of Essebsi's interim government that demanded international support for a program of immediate emergency measures which would signal a "clear break with the past" and which would focus on governance, employment and regional disparities, financial sector and social services (World Bank, 2012). In this sense, the PAR I really broke with the past, insofar as it included for the first time governance and transparency measures, together with economic and social actions. The program's financing convention was signed in September 2011 with the first budget support tranche disbursed the following December (Ecorys, 2013).

In terms of program implementation, even if Tunisia was facing one of the most delicate moments of the transition, EU conditions were all implemented as planned, with the consequence that for the PAR I the country had an excellent absorption capacity of the ENP funds (see table 6). This outstanding performance in spite of the ongoing critical conditions can be explained in light of two elements. The first is that all the EU envisaged measures were calibrated to meet the interim government's limited mandate, which could not go beyond the adoption of a medium-term package of reforms. The second is related to Tunisian's new political agenda, informed by the post-revolutionary priorities. In this sense, the early transition period came to represent a major window of opportunity for both the country and the EU, paving the way to the adoption of pivotal governance measures that would have been simply unthinkable few months before. Therefore, even if the PAR

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[105] The exportations towards Libya were an important component of Tunisian total exportations of goods. Moreover, more than 65.000 Tunisian working in Libya were forced to get back to Tunisia.

supported very sensitive reforms, Essebsi's government was highly committed to the implementation of the program, as a way to signal to the population the much awaited and discussed "break with the past" (World Bank, 2012). In particular, the government proceeded to improve transparency by giving citizens the right to information with the adoption of a law decree that removed all the main constraints to document access, as well as it finally allowed the publication of the reports of the Court of Audit. Moreover, a new law on the right of association was approved[106].

When Ennahda-led government came to power in early 2012 it continued along the same lines of the previous interim government, by focusing on immediate priorities and adopting a detailed package of short and medium term measures, which were presented to the parliament in April 2012. In particular, the package included a set of economic reforms to boost growth and employment, as well as governance measures in the name of transparency, administration and reform of justice. The EU confirmed its support to the new governmental program by launching the second phase of the PAR, which was allocated a budget support of €63 Mil. by the AAP 2012. The overall goal of the program was not only to support the country's socio economic stability, but to explicitly sustain its political transition (Ecorys, 2013). Therefore, while the other joint donors, such as World Bank and African Development Bank, mainly focused on growth and regional development, the EU strengthened the measures on the governance pillar with key actions on the reform of public finance and justice.

In terms of program implementation, PAR II was designed as a single-tranche budget support operation to allow a substantial quick-disbursing of financial resources, given the peculiar country's conditions and the limited mandate of Troika's government. Despite the moment of political uncertainty and the tensions heating the debates on the reform of the constitution, all EU envisaged measures were implemented by the Ennahda-led government, with an excellent absorption capacity of PAR II's funds (see table 6). The first reason for this good absorption capacity was that the new government was very cooperative with the EU and continued along the line of its predecessor, committing to the need of a *rupture avec le passé*. The second reason is that the EU program was explicitly designed to meet the government's limited capacity and its lack of expertise, in order to make the payment conditions feasible and to have a good chance to disburse the funds. "The reforms we pushed were quite modest but they were all done"[107]. This is particularly interesting if we think that, by contrast, the World Bank's version of the PAR II met serious difficulties, insofar as the proposed

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[106] Interview with EU Official from the EU Delegation, Tunis, February 2015.
[107] Note above

conditions in the domain of economic reforms were simply too much ambitious for the country's capacity. In the wake of the need to act quickly, the Ennahda's representative accepted unconditionally all the World Bank's proposed measures. Yet, the way the program had been designed and Ennahda's lack of expertise that impeded it to figure out the real feasibility of program before accepting it, made it hard to respect the initial conditions[108].

The success in the implementation of governance measures was also confirmed in the third version of the PAR. Financed under the AAP 2013 and the SPRING with €110 Mil., the PAR III focused explicitly on the organization of new elections and the development of democratic institutions. These priorities were established in the wake of Tunisian first political assassination of February 2013, as well as under Brussels's impulse to respect the goals of the new ENP and of the Partnership for Democracy and Shared Prosperity. The second Ennahda cabinet led by Prime Minister Laarayedh laid the ground for the disbursement of the first EU tranche, by reiterating the break with the past and the need "to put the country on the path to democracy and a state of law"[109]. The «Haute autorité indépendante de la communication audiovisuelle» was established in May 2013, as well as the organic laws on the prevention of torture and on transitional justice were adopted at the end of 2013. Finally, the following Jomaa's technocratic government was able to lead the country on the path of new elections in 2014, which allowed to unlock the payment of the PAR III biggest variable tranche. "The organization of elections was the main condition attached to the disbursement of EU funds. In this sense, the technocratic government adopted a very concrete approach, and it did exactly what it was supposed to do"[110].

Table 6- Tunisia- ENPI Payments Programme d'Appui à la Relance (PAR)

	2011	2012	2013	2014	Tot Payments	Payments-to Commitments Ratio
PAR I	€55 Mil.	€44 Mil.			€89 Mil.	100%
PAR II		€63 Mil.			€63 Mil.	100%
PAR III			€10 Mil.	€100 Mil.	€110 Mil.	100%

Source: Author's elaboration on the EU-Tunisia Cooperation Report 2013.

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[108] Ibid.

[109] EuroAsia News, *Tunisia Lawmakers Approve New Government*, March 2013.

[110] Interview with EU Delegation Official, Tunis, February 2015

Unlike for Morocco, the willingness of the new Tunisian authorities to break with the past and to act quickly, as well as their interests in ENP Programs that matched their priorities contributed to the good absorption capacity of the PAR(s).

4.4.2 "Breaking with the past": discarding old issues and reducing control

Whereas the logic of "breaking with the past" was a fertile land for the implementation of ENP after the revolution, in other cases it represented a challenge, insofar as it questioned some goals of the EU Programs that had been identified and signed under the ancient regime. The "Programme d'Appui à l'Education, la Formation Professionnelle, l'Enseignement Superieur et l'Employabilité" (PEFESE) is a case in point. Programmed as a budget support of €61.3 Mil. by the AAP 2009, the goal of the PEFESE was to support the objectives of the XI Development Plan in terms of efficiency and quality of the education system, as well as employability of young graduates. Whereas the program was identified in 2009 and its financing convention was signed in December 2010, in practice its implementation began after the revolution. In this context, Ennahda-led government was particularly cooperative with the EU, insofar as it accepted the financing convention and wanted to advance quickly the implementation of the program[111]. However, in the renewed post-revolutionary context Tunisian authorities called into question some PEFESE measures that directly reflected the former axes of Ben Ali's presidential program. One of them was the orientation of a high percentage of young students towards the so-called "filieres techniques", i.e. institutes of vocational training to improve employability and match the needs of the job market. Whereas this action per se was not particularly controversial and the EU still today believes in its usefulness, Tunisian authorities refused to implement it as it was associated with the past[112]. Moreover, in light of Ben Ali's obsession "to make numbers", the action in question was simply considered by the new authorities as an "imaginary goal"[113] that could have never been achieved according to the high standards envisaged by the presidential program. Henceforth, they preferred to give up the EU money attached to this condition rather than implementing a goal of Ben Ali's regime.

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[111] Ibid.
[112] Interview with EU Delegation Official, Tunis, January 2015.
[113] Interview with Tunisian Official, from the Ministry of International Cooperation, February 2015.

Similarly, the PEFESE included an indicator concerning the number of Tunisian universities endowed with a framework-contract within the process of university financial and administrative autonomy. In the wake of 2011 transformations, also university governance was affected by several changes and for the first time Deans and Departments Directors were elected by their university rather than being appointed by the Ministry. The major consequence was that once this new governance was installed, universities' heads explicitly refused to recognize the validity of the existing framework-contracts as something that was related to the past and to old authorities. Therefore, even if the PEFESE had a good absorption capacity, the amount of some of the variable tranches was partially reduced every time EU measures regarded some action, law or goal belonging to the ancient regime.

In some other cases, the "break with past" resulted in a clear rupture with the previous state's centralized and pervasive control. If in the long term this could imply a step ahead toward the reform of the country, in the short term it resulted in a general laxity and lack of discipline. The ENP Program PCAM is a case in point. Launched by the AAP 2008, it allocated €23 Mil. to sustain the competitiveness of Tunisian enterprises and their access to international market. The financing convention of the program was signed in 2009, but in practice it started to be operational in 2013, also in light of retards due to the occurring of the revolution. The program was designed to address the needs of enterprises by providing experts and technical assistance. For this purpose, the so-called "Centres d'Assistance Techniques" (CAT) were in charge of visiting the enterprises and advertise the program as a key operational tool that could allow enterprises' requests to tackled. However, if under Ben Ali's regime the CATs were embedded in a tightly controlled system and enterprises were forced to participate in governmental and international programs (as already seen with the PMI), after the revolution this top-down pressure came to be lacking. In particular, Ennahda Ministry of Industry under Jebali's cabinet was missing enough expertise and he was not able to ensure a tight control on the state services, with people stopping going work in the CATs and a total lack of discipline between 2011 and 2012[114]. As a major consequence, no CATs visited the enterprises and gave visibility to the EU program, which therefore could not be really operative. Whereas the PCAM was later able to accelerate its performance, which resulted also in a good absorption capacity of EU funds, in the short term it suffered from the lack of the same top-down pressure that under the ancient regime had guaranteed the success of its predecessor PMI.

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[114] Ibid.

4.4.3 "Breaking with the past": a new policy window to support the reform of justice

Another important consequence of the "breaking with the past" narrative was that for the first time the EU could launch an important program to support the reform of justice. Launched by the AAP 2012 and financed with a SPRING contribution of €25 Mil., the "Programme d'Appui à la Reforme de la Justice" (PARJ) aimed at promoting the independence and the effectiveness of Tunisian justice. Despite the general moment of instability, the program was quickly negotiated with the Ennahda-led government and its implementation started only few months after the signature of the financing convention. Again, the country's new political priorities and the eagerness to act were a major asset for the implementation of the PARJ, whose budget was absorbed very quickly (already around the 70% in February 2015). If during the previous MEDA Justice Program there were many obstacles and the old regime blocked the implementation of key sensitive actions, in the new post-revolutionary context the government's approach changed completely in the name of an almost over-do attitude: "Everything was a priority for them, and it was even difficult to narrow their huge shopping list of actions"[115]. In this regard, the dialogue with EU was very easy insofar as Ennahda Ministry of Justice was very cooperative and open to all the proposals[116].

The reform of justice system during Ennahda's government was eventually not easy and characterized by several stop and goes, as exemplified by the government's unilateral decision to dismiss 80 judges or by the long and controversial question of transitional justice. Yet, the government's agenda matching the goals of the (new) ENP allowed to lay the ground for a quick implementation of the PARJ.

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[115] Interview with EU Delegation Official in charge of justice programs, Tunis, February 2015.
[116] Ibid.

Chapter V

The implementation of ENP programs in Morocco and Tunisia:
the role of administration and its capacity

Whereas it is for the political level to make key choices about sectoral reforms, it is up to the administration to undertake actions correctly (Milio, 2007, p. 40). Administration is extremely important as it carries out a work that is often less visible but crucial for making things happen in government, for translating laws made by politicians into action, as well as for delivering public programs to citizens (Guy Peters & Pierre, 2012, p.1). As such, the administration is key for implementation and its capacity to carry out specific actions and to meet policy goals is therefore extremely relevant insofar as it shapes considerably policy implementation processes (Héritier, 2001). The lack of administrative capacity in performing actions cannot be replaced by the willingness of political class to do well (Milio, 2007, p.40), as the feasibility of reforms could be constrained by a limited administrative capacity to execute them. The demand for performance as a core element of public management (Heinrich, 2012, p. 32) and the importance of capacity in administration have been a recurrent theme in the study of administrative structures and policy implementation (May, 2012, p.288; Meyers & Lehmann Nielsen, 2012, p. 316). A strong and capable bureacracy is one which swiftly can deliver a wide-variety of public services (Guy Peters & Pierre, 2012, p.6) and concrectly execute reforms and pursue public purposes (Lynn, 2001; Meyers & Lehmann Nielsen, 2012), by transposing political preferences (Lodge, 2012, p.545). The capacity of administration is dependent on its internal degree of cooperation and coordination (O'Toole, 2012, p.295-296) but also on its structures, size and autonomy (Egeberg, 2012).

These considerations do have a resonance in the case of the ENP. Even though the interests and the agenda of local domestic actors fit with the reforms supported by the ENP programs, the lack of administrative capacity could nevertheless generate implementation gaps, through the non-fulfillment of EU's conditions and performance indicators. The ability of administrative structures in the recipient country to implement specific reforms is therefore extremely relevant insofar as the sound implementation of the ENP bilateral programs and the absorption of EU funds are conditional on the capacity of the administration to carry out specific actions and to meet the reforms goals.

Moreover, administrative systems are not isolated from the institutional framework –both political and constitutional- in which they operate, with the major consequence that all the major

changes affecting that framework inevitably reverberate on the administrative structures (Rugge, 2012, p. 228). The institutional volatility brought by the Arab Spring and the constitutional and political changes which suddenly came up from the wave of protests affected administrations in many MENA countries, and in turn their capacity to implement ENP Programs.

Administrative capacity is here defined as the ability of the relevant structures (such as ministers, agencies and departments) to oversee the correct implementation of a policy/reform program in terms of being able to carry out the required functions, to coordinate with other actors and of having available resources such as information (clarity of goals and roles) and sufficient administrative personnel. The aim of this chapter is to analyse the role of administration and its capacity in Morocco and Tunisia and how it affects the implementation of the ENP programs on the ground before and after 2011. For this purpose, a general analysis of Moroccan and Tunisian administrative capacity is firstly carried out.

5.1 Bottlenecks and Over-Centralization: Administration in Morocco

As already described in chapter 3, Morocco is a dual political system rooted in a mix of tradition and modernity. In the first sphere, the world of legitimacy is based on the King's leadership and on privileges due to ancestry blood ties; in the second sphere, the King is the head of a modern state with the rise of administrative institutions and a modern bureaucracy concerned with means-end efficiency, policy implementation and legal rational legitimacy (Sater, 2009a, p. 2-3; Daadaoui, 2011, p. 55). In this context, since the late 1990s there was a strong political engagement for the reform of public administration as expressed in royal discourses and governmental declarations[117]. A white book on administrative reform was published in 2000, while a comprehensive reform program was launched in 2002.

Morocco has a very centralized administration and numerous administrative structures (El Yaagoubi, 1998), whose administrative capacity is generally defined as weak, in light of a too much centralised and hierarchical civil service based more on seniority than on meritocracy or skills (Baracani, 2006, p. 62). In particular, in terms of administrative structures, in many policy sectors they are inadequate or too small for the kind of tasks assigned to them, with a lack of human or financial

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[117] E.g. the General Political Declaration of the First Minister and his Letters of political development in 2004 and 2006.

resources and a gap between resources and needs that make it difficult to implement or enforce legislation (EU-Morocco Country Strategy Paper 2007-2013). Moreover, in terms of coordination and clarity of roles, there is often an overlapping of competence, with too many hierarchical levels and departments, as well as the use of more structures at one time within the same Ministry (Ben Osmane, 2014). Finally, in terms of human resources, there is a growing discrepancy between the skills required and the competences of the staff, while the remuneration system is badly managed. Effective human resource management is constrained by a system that lacks appropriate recruitment strategies and adequate information systems, as well as provides inadequate training budgets (World Bank, 2009). Overall, the shortcomings of Moroccan administration are rooted in complex administrative processes and procedures, administrative bottlenecks and bureaucracy, an unwieldy decision-making process, and chaotic management of human resources (African Development Bank, 2007b).

These problems are even bigger at the regional or local level and coordination between authorities, especially between central and local levels, is a major challenge. This is mainly due to the fact that the logic of centralization has always prevailed over the logic de-concentration. In the French tradition[118], the process of administrative de-concentration refers to the redistribution of responsibilities by the central government to local representatives of the central government, i.e. local branch offices of a given Ministry or territorial actors such as provincial or prefectoral heads (World Bank, 2009). In this sense, the 1996 Constitution defined local administrative delegations as «services locaux des administrations centrales » (art. 102), i.e. as a mere tool at disposal of the structures concentrated at the central level. As shown by a World Bank report (2009), this ancillary role is reflected by the fact that normally local de-concentrated administrations do not have financial autonomy, with the line Ministries in charge of preparing their budgets in a centralized manner and with little input of the local level. Moreover, the de-concentrated services of most line Ministries have little influence on the recruitment and management of their staff, with significant capacity gaps between the central and local level. The main consequence is an excessive concentration of services, decision-making and resources at central level, weak de-concentration processes and poor territorial coverage of the sectoral Ministries in the different provinces of the Kingdom (Ben Osmane, 2014; African Development Bank, 2006). Against this background, the circulation of information on goals and roles is highly difficult.

Similarly, the process of decentralization experiences the same difficulties. In the French tradition[119], the concept of decentralization implies a transfer of responsibilities by the central

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[118] In the Anglo-Saxon tradition, this is often referred to as "administrative decentralization".

[119] In the Anglo-Saxon tradition, this process is often referred to as "devolution" or "political decentralization.

government to sub-nationally elected authorities, as regions, provinces, prefectures, or municipalities (World Bank, 2009). Since the 1990s, several royal initiatives pushed for an intensification of the powers of regional governors (Ben Osmane, 2014) and in 2008 a national plan was adopted for this purpose. This kind of territorial policy gave birth to a territorial *decoupage* organized around the communal, provincial and regional level, with 16 regions headed by a regional governor (the wali). While the process of decentralization is predominantly political, yet it is extremely important for administrative capacity, insofar as it is complementary to the administrative de-concentration, improves the management of resources and allows a better focus on local problems and needs (Zyani, 2002). However, even if a process of decentralization was gradually implemented, yet it suffers from the same difficulties of the de-concentration process, in light of the too much-centralized nature of Moroccan administration (ibid.). In particular, central government representatives and line ministries have a dominant role, with the prefectural and provincial level still tightly controlled by the state and endowed with a limited power and budgetary autonomy (Bergh, 2013).

Moroccan authorities have embarked on a big reform process mainly focused on the modernisation of administration, efficiency and transparency in the management of budget resources, as well as on the management of human resources and the simplification of procedures through e-government. However, whereas some important efforts were made, still it is a long and sensitive reform, which proceeds at a slow pace. Moreover, de-concentration has lagged behind the decentralization process, with reforms occurring in a limited and fragmented manner (World Bank, 2009).

5.2 The impact of the Arab Spring on Morocco's administration and its capacity

The adoption of the new Constitution in 2011 gave a new input to the improvement of public governance and to the reform of administration, with the PJD government placing administrative reform and transparency at the core of its program, as a privileged axe of governmental action and a key element of socio-economic development (UE Fiche d'Action Maroc, 2012). In particular, in the domain of decentralization, the new Constitution provided a new framework for regionalization, by recognizing that "the territorial organization of the kingdom is decentralized" and "based on an advanced regionalization". This process could promote an improvement of administrative capacities in terms of a better coordination between central and decentralized levels, yet progresses in the domain

of regionalization have been so far very slow and only in 2014 three organic laws on regions and provinces were adopted (ENP-Morocco Progress Report, 2012; 2013; 2014).

If the adoption of the new Constitution provided a positive input that in the long term could lead to better administrative capacities, in the short-term Morocco's administration was negatively affected by the Arab Spring. First, the Moroccan Spring generated institutional volatility and officials' turnover, in light of the instability provoked by the constitutional review and governments' changes in 2011 and 2013. Government stability is in fact a key element to ensure continuity and coherence within the administration. By contrast, instability and cabinet's changes allow for an administrative paralysis and a turnover of administrative officials in terms of a change in the civil servants who are responsible for specific programs. Against this background, implementation is negatively affected insofar as it is difficult to proceed with the execution of reforms under these peculiar conditions, with delays and discontinuities (Milio, 2007). In the case of Morocco, therefore, the two cabinet changes in less than two years affected Morocco's already weak administrative capacity to execute reforms.

Secondly, the PJD's lack of expertise further contributed to delays and paralysis in Moroccan administration. As a Europeaid Official put it in during an interview, "the PJD was not ready to take power as it did not have any experience in managing administration and it took months to appoint the new administration"[120].

5.3 Moroccan administrative capacity and the implementation of ENP programs

Even if Morocco has always had a generally weak administration capacity, yet the experience of some bodies and the good organization of some of its structures contributed to the good implementation of the ENP programs before 2011, such as in the case of the program for alphabetization or the support to the INDH. By contrast, in other cases such the ENP program to support the health system, the weakness of administration affected the general performance of the Program. After 2011, the impact of the Arab Spring on the already weak capacity of administration contributed to reduce the absorption of EU funds.

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[120] Interview with EUROPEAID Official from Morocco Desk, Brussels, 24 May 2014

5.3.1 When political willingness is not enough: the role of administrative capacity in the ENP Program for Alphabetization

The ENP budget support to sustain alphabetization strategy is again a case in point. As already mentioned in the paragraph 3.3.2, this EU program was launched in 2008 to sustain the implementation of Morocco's National Alphabetization Strategy. Until 2011, its performance was considered very positive (UE Fiche d'Action Maroc, 2010), in light of political actors' matching agenda and strong engagement. However, political actors' support was not the only reason behind the program's good performance. As one of the goals and indicators of the program was the strengthening of institutional and administrative capacity in a logic of de-concentration (ibid.), the capacity of the administrations involved contributed as well to the program's good implementation and absorption of EU funds.

In particular, whilst waiting for the creation of an agency *ad hoc* in the domain of alphabetization, the EU main interlocutor was the *Direction Lutte Contre l' Analphabetisme* (DLCA) that, within the Ministry of National Education, was in charge of the implementation of the national strategy. The DLCA assumed this task in 2007 when it replaced the former SE, which had been established in 2002 to transform political engagement into an institution able to coordinate for the first time[121] all the public actors in charge of alphabetization (Bougroum & al., 2006). However, following 2007 elections, El Fassi's government decided to unexpectedly dissolve the SE with the purpose to create a specialized agency in this domain with an ambitious *feuille de route*[122]. Since then, the DLCA became the *chef de file* in the transitionary period until the creation of the new body (that in fact did not occur before July 2011).

All this considered, the fact that EU financing convention was signed in September 2008, i.e. when the SE was no more in place, was a big advantage for the subsequent implementation of the ENP program for three reasons. First, the creation of the SE reflected Moroccan administration's traditional trend to multiply its structures at the expense of rational management and, in this sense, while giving visibility to alphabetization issues, the SE posed more additional institutional complications at the central and local level than what it resolved (World Bank, 2008). Second, in this way the ENP program could bypass the institutional volatility provoked by the sudden elimination of the SE. Third, the fact

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[121] Until the 1990s, the fight against illiteracy was not an explicit political goal. Therefore, there was no strategic plan or coordination among the actions carried by the different public actors.
[122] Interview with a Moroccan Official from the Agence Nationale Lutte contre l'Analphabetisme. Rabat, June 2014.

that the DLCA, by replacing the SE, became the EU major interlocutor was another major asset, as it was much older and with more experience than the young and still institutionally weak SE.

The DLCE had a key role in the coordination of the different public, private and civil society actors involved into the program, as well as in the monitoring of the activities. In particular, it was able to ensure a close collaboration with all the other ministries[123] implied in the implementation of the National strategy. While its structure was limited for the tasks it had to carry out and the pilotage over other actors was difficult (UE Fiche d'Action Maroc, 2010), it had a well-qualified team with expertise for implementation and monitoring[124] and the technical assistance provided by the EU allowed a further institutional strengthening. Moreover, the DLCA was able to guarantee a good daily coordination with the other donors, by avoiding duplication in the interventions and by organizing *ad hoc* meetings with all the technical and international partners. In this sense, it fulfilled one of the general conditions for disbursement required by the ENP program (ibid.).

Finally, the DLCA developed its de-concentrated structures at the local level with the *Académies Régionales de l'Education et Formation* (AREF), which are structures in charge of carrying out alphabetization activities within their jurisdiction at the local level, by elaborating regional action plans and by managing the subventions for the local NGOs. Even if they were only recent structures with problems in terms of human resources and management responsibilities, the ENP program's performance indicators (such as the measures concerning the strengthening of institutional capacities, the monitoring of the AREFs' regional plans and the reduction of analphabetism in the 11 AREF with the highest rate), could still be respected with a good payment rate (as already shown by Table 6). Moreover, the AREFs' difficulties in terms of monitoring and evaluation of the projects implemented on the ground, could be offset through the combined use of external monitoring by a *bureau d'études* and the internal monitoring managed at the central level by the DLCA[125].

Against this background, the Arab Spring had a major impact on the implementation of the program, insofar as it altered Morocco's administrative capacity in the domain of alphabetization. If until 2011, the disbursement of the tranches could normally be processed, in 2012 the payments of the program decreased until zero (see figure 11):

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[123] Among the others, the Ministry of Economic, the Ministry of Islamic Affairs, the Ministry of Interior and the Ministry of Youth.
[124] Interview, note 96
[125] Ibid

Figure 11
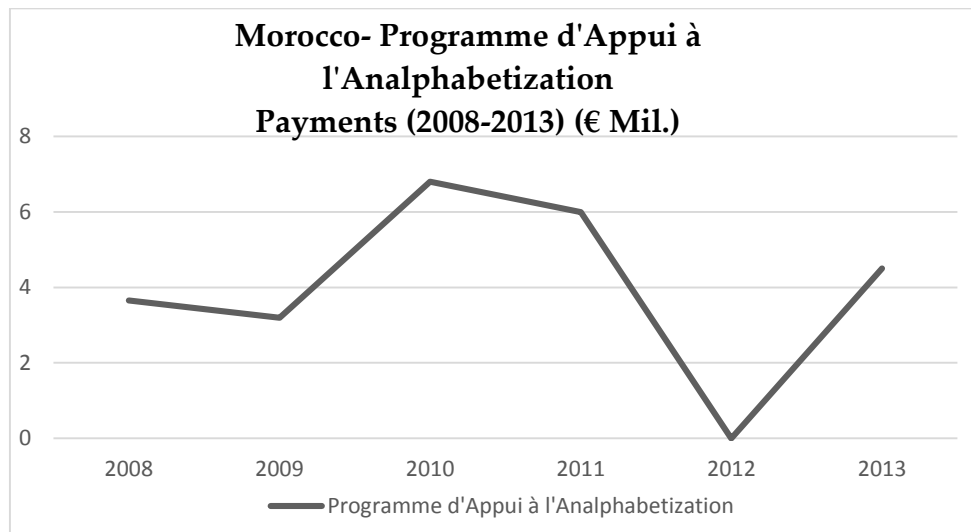
Morocco- Programme d'Appui à l'Analphabetization
Payments (2008-2013) (€ Mil.)

Source: Author's elaboration based on the data retrieved through a formal request to the EU Financial Transparency System.

The main reason behind the lack of tranche release in 2012 is related to the institutional volatility in the wake of the Arab Spring. The new Constitution gave a new input to alphabetization and recognized education as a human right (Conseil Superieur de l'Education, 2014). Moreover, it pushed for the creation of the much-awaited specialized body in the domain of fight against illiteracy. The law for the creation of the *Agence Nationale Lutte Contre l'Analphabetisme* was finally adopted in mid-July 2011 and the DLCA was dissolved. However, the creation of the new body and the dissolution of the DLCA provoked a complete paralysis, insofar as the administrative council of the DLCA formally concluded its activity and stopped to meet, in spite of the fact that the new *Agence Nationale* was not yet operational. Therefore, the implementation of the ENP program was momentarily affected by an institutional deadlock, by the lack of a clear interlocutor and by staff turn-over for key positions that led to insufficient capacity for administration[126].

Interestingly enough, in spite of the changes of 2011, the political commitment in the fight against illiteracy remained unchanged. In this domain, the new PJD government accelerated the creation of the Agency and adopted a strategy of continuity *vis-à-vis* the previous government, by maintaining its commitments at both national level and international level[127]. This political engagement is further confirmed by the fact that the new Agency emerged as an autonomous body

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[126] Interview with an EU Official, EU Delegation Rabat. July 2014.
[127] Interview, Note 96

directly linked to the head of the government and that political parties were represented in its Administrative Council[128]. However, this engagement at the political level was not enough to guarantee the respect of EU's conditions and indicators. Henceforth, the performance of the ENP Program for Alphabetization in 2012 confirms that the lack of administrative capacity in performing actions cannot be replaced by the willingness of political class to do well.

5.3.2 Morocco's weak administrative capacity and the ENP Program for the reform of the health system

The ENP program to support the reform of Moroccan Health System is another example that demonstrates the importance of administrative capacity for implementation. It was launched in 2009 to sustain the Ministry of health in the implementation of its program of action, with the purpose to improve the care package and the quality of the services offered by Moroccan health system. As already said in the previous chapter (paragraph 4.2.2), the tranches' payments were processed annually with the exception of 2011, when the general institutional deadlock turned energies and attention away from sectoral reforms. However, whereas the low performance of 2011 was contingent upon the peculiar circumstances of period, the general performance of the program was also affected by Morocco's weak administrative capacity. The fact that under this program the EU could disburse only €69.5 Mil. out of the €82 Mil. originally committed (see Figure 12) was also a consequence of the weaknesses of Morocco's administration, which made it difficult to respect EU indicators.

Figure 12
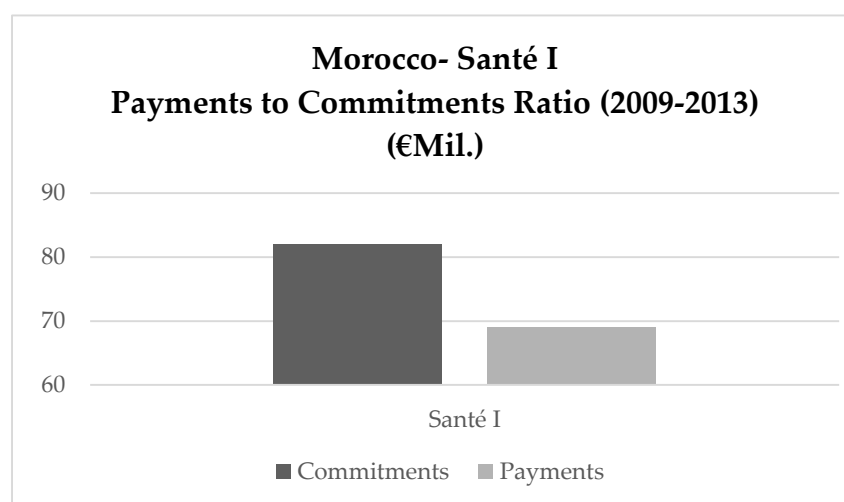
Morocco- Santé I
Payments to Commitments Ratio (2009-2013)
(€Mil.)

Source: Author's elaboration on the base of the data retrieved through a formal request to the EU Financial Transparency System.

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[128] Ibid.

The country's ability to respect these indicators is dependent both on the capacity of the administration as well as on the indicators' nature and the degree of difficulty. In the case of the above mentioned program, the most problematic indicator was the one concerning the repartition of the medical personnel on the ground. The repartition of human resources on the territory is in fact a big problem, which creates inequalities in the medical cover and in the access to basic services. This is mainly due to the limited capacity of the Ministry of Health and of local administrations to ensure the presence and the availability of medical personnel in the rural world[129]. Moreover, the capacity of the Ministry of Health to enforce legislation and to translate its political orientations into concrete strategic planning and implementation is extremely limited (UE Fiche d'Action Maroc, 2008a). The lack of an integrated system to monitor performance and the use of different and fragmented systems is another major weakness, insofar as any sectoral body is in charge of data collection and statistical analysis in order to critically assess the progresses of the sector (UE Fiche d'Action Maroc, 2014). These problems are even bigger at the deconcentrated levels, in light of the Ministry's difficulties to coordinate all its other delegations at a lower level. This is also why the EU tried to push for the sensitive reform of regionalization, as a mean for political decentralization and for a better distribution of resources. Finally, there is often an overlapping of roles with more Directions intervening on the reform, while dispersing and duplicating the efforts on the ground.

The post 2011 political landscape was a major asset for the advancement of the health system's reform and of its administrative capacities, insofar as the new administrative nominations allowed a change of the Ministry's administrative personnel, with a new director who particularly pushed for efficiency and transparency in the reform processes[130]. Therefore, unlike the ENP program for alphabetization, in this case the personnel turnover was more a facilitating condition to improve administrative capacities than a constraining element. The recognition by the new Constitution of regionalization processes, the adoption in 2011 of the law-decree on the organization of hospitals and the Ministry of Health's internal decision about the organization of its deconcentrated services contributed to this trend. Moreover, the establishment of the SROS, i.e. the regional schemes for health services, was also another positive step insofar as it was conceived to help the planning and the organization of health services at the regional level, in order to coordinate efforts and to facilitate responsibility sharing between the central level and the decentralized territorial units[131].

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[129] Interview with EU Officials in charge of the ENP Health Programs, EU Delegation, Rabat, July 2014
[130] Interview, note 100
[131] See the "Décret n° 2-14 du 5-62 relatif à l'organisation de l'offre de soins, à la carte sanitaire et aux schémas régionaux de l'offre de soins".

However, while this new context laid the foundations for a potential improvement of administrative capacities in the long term, the rhythm of the reform and the implementation of the Constitution and new laws were very slow both at the political and administrative level. Therefore, as the ENP program finished in 2014, its implementation could not benefit from the potential improvements in the administrative capacities of Morocco's health sector, and the ratio commitments/payments did not progress much in the short term after 2011. In this sense, it would be interesting to observe the new ENP Program "Santé II", which was launched by the AAP 2014 and whose implementation could theoretically be facilitated by the administrative developments of the past four years, and by the launch in 2015 of a reform of human resources in the health sector to improve the distribution of personnel in the rural areas[132].

5.3.3 When administrative capacity is low and EU procedures are strict: the ENP Program IER II

The ENP "Programme d'accompagnement aux Recommandations de l'Instance Equité et Réconciliation en matière d'Histoire et de mémoire» (IER II) was programmed by the AAP 2008 to allocate 8€ Mil. for the implementation of the IER recommendations. The IER was launched in 2004 by Mohamed VI to investigate the human rights' abuses of the past and to break the mould of silence that had traditionally characterized the regime of his father (Malka & Alterman, 2006). In particular, the mission of the IER was to expose the truth about the violation of human rights made by Moroccan regime between 1956 and 1999 and to allow the rehabilitation of the victims with the purpose to preserve the memory and guarantee the non-repetition of these violations. After having held public consultations with the victims and having analysed more than 20000 dossiers, the IER elaborated a set of recommendations about the actions to be taken. The *Conseil Consultatif des Droits de l'Homme* (CCDH) was given the task by Mohamed VI to implement these recommendations.

In this context, the goal of the ENP program was to support the implementation of three key IER recommendations: the adoption of a modern law on archives; the creation of a research institute on Morocco's history and the diffusion of historical knowledge to the great public (UE Fiche d'Action Maroc, 2008b). Unlike all the other programs of the NIP 2007-2010 which were budget supports, the

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[132] In this regard, 2015 was labeled as the year of "Santé Rural".

ENP program IER II was the only one to adopt a project approach. The implementation of the program was therefore decentralized and assigned to the CCDH as implementing authority.

The implementation of this ENP program is another example which shows that political willingness cannot replace administrative capacity. Out of the 8€ Mil. committed less than the half was actually paid by the EU and spent by the CCDH, with many of the of the originally foreseen activities being cancelled. "Political willingness was there and there was not political obstruction whatsoever, but the program was affected by a number of operational issues and administrative deficiencies"[133]. In particular, two factors affected the capacity of the CCDH to spend EU money and to carry out the required activities: its administrative capacity and the strictness of EU contracting procedures.

Created by Hassan II to improve the international image of the country, the CCDH was characterized by a complete lack of autonomy and authority (Vairel, 2004). It emerged as a mere advisory body placed under the King, whose members were appointed by royal decree and whose main function was merely to formulate opinions or proposals (Denoeux & Maghraoui, 1998). In this context, it is not surprising that from the outset the capacity of the CCDH to implement IER's recommendations was not adequate for the size of the task. Moreover, it was a small structure with few human resources and as such it took very long to put in place the team that was in charge of implementing the EU program. As said by some interviewees, probably the fact the financial agreement with the EU had not established in advance the list of activities to be carried out, further contributed to lengthen implementation. The CCDH in fact had to undertake a long process of consultations with the major stakeholders from each relevant area supported by the ENP program (archives, history and memory) in order to collect recommendations on what had to be done. While this consultation process was very participative, it came out with a plan of activity that was very fragmented and with a huge list of items, due also to the fact that the existence of a public policy in the domain of archives, memory and history was something completely new for Morocco.

In this regard, when finally the CCDH had finally decided upon its action plan to implement the ENP program (two years after the signature of the financing convention), the Moroccan Spring happened and the implementation of the program was suddenly further affected. In particular, in the wake of the new climate and constitutional changes, the CCDH was transformed into the Conseil National de Droits de l'Homme (CNDH), i.e. it was transformed from being a consultative body into a national institution in charge of the protection of human rights. The CNDH therefore acquired much more power and a greater mandate, which was reflected at the administrative level in the development

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[133] Interview with EU Officials from EU Delegation in Morocco, June 2015.

of its structures, in the increase of human resources and in the appointment of a new director who was very charismatic and proactive. However, while this renewed context would have laid the basis for accelerating the implementation of the ENP program, the new CNDH director was also appointed as head of the commission in charge of drafting the new Constitution, with the main consequence that the EU program came in second rank. "The program was affected by the fact the after the Arab Spring the institutions in the field of governance were very busy with the ongoing political changes, so they were just unavailable to fulfil their obligations in terms of cooperation with the EU"[134].

The EU strict rules to spend ENP money (all the contracts and the money must be respectively signed and engaged within three years after the signature of the financing convention) further contributed to hamper the implementation of the program, insofar as the CNDH was not in the condition to cope with the EU tight timetable. Therefore, only the half of the budget could be spent and many of the original activities were cancelled. Even though much smaller than what originally foreseen, there were anyway interesting achievements and the program contributed to increase the visibility of sensitive issues in the domain of archives and memory. However, the combination of the CNDH reduced capacities and the EU strict procedure contributed to the program's low absorption capacity.

5.3.4 When administrative capacity is good: the ENP support to the INDH, again

The ENP program to support the INDH has already been analysed as a successful program that enjoyed a big political support and that under the King's shelter was put above the fray of ordinary politics and above the changes of 2011. As already said, political willingness is not a guarantee for good performance insofar as administrative capacity is also needed to correctly execute actions. What was crucial for the very good performance of the INDH was not only its political value and high visibility, but also the administrative capacity of the structures in charge of its implementation. The symbolic value and patriotic discourse of the INDH was in fact displayed also in the way it was planned and managed. Rather than being entrusted to the Ministry of Social Development, which suffers from considerable institutional and administrative fragilities, the INDH implementation was assigned to the Ministry of Interior (Martin, 2007, p. 435) as the only actor able to ensure a broad

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[134] Ibid.

territorial scope across the whole country in terms of control and human resources[135]. Moreover, strategic supervision and coordination at the national level was entrusted to a committee chaired directly by the prime minister. In this way, the INDH was able to bypass the most recurrent problem of Morocco's administration: the incapacity of the line ministries to cover all the areas of the Kingdom with their deconcentrated structures. The program's clear implementation responsibilities allowed a good coordination between the central, provincial and local levels and avoided duplications of roles and initiatives. The implementation mechanisms were in this sense adequately engineered, with the definition of local and provincial development committees in charge of avoiding overlapping with line ministry programs. Against this background, the general institutional volatility and administrative turnover of the Arab Spring was completely avoided, by ensuring continuity at the administrative level within the INDH National Coordination Unit.

5.4 Strong Bureaucracy and Tight Top-Down Management: Administrative Capacity in Tunisia

The development of administration in Tunisia can be dated back to the colonial period, when the persistent growth of a modern centralized and bureaucratic state allowed for the emergence of a stable administration (Anderson, 2014). Since then, a good public administration was built on the tradition established by President Bourguiba in the 1960s and on key governmental reforms (World Bank, 2014). Under Ben Ali's regime and in the wake of the country's efforts towards the "economic miracle", public administration's reform and modernization became a governmental priority and a permanent goal, on the idea that public sector could be the motor of development for the country (Brockmeyer et al., 2015). Especially between the late 1990s and the early 2000s, the pace of reform was accelerated and a "Plan de Mise a Niveau de l'Administration" was designed in order to renew administration and create adequate administrative structures to support the implementation of economic reform.

As in Morocco, Tunisian administration emerged from a very centralized and closed system where administrative structures had strong links to the leading party and strong discretionary powers (ENP- Tunisia Country Report, 2004). However, unlike Morocco where over-centralisation implied the

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[135] Interview with a former Moroccan Official of the Agence de Developpement Social, Rabat, June 2014.

development of fossilized, too-much hierarchical and slow administrative structures, in Tunisia the capacity of administration was positively and directly influenced by the State's tight control that guaranteed a continuous and efficient work by the administration, according to the established reforms priorities. In this sense, Tunisian administration recalls the notion of a "strong bureaucracy" intended as a self-serving and self-referential bureaucracy (Guy Peters & Pierre, 2012, p.6). Even if it emerged as an administration at the service of the state rather than of the citizen, international observers and donors have always deemed administration in Tunisia as good and competent in the execution of reforms, in light of its quality and remarkable progress in terms of legal and institutional organization *vis-à-vis* other MENA countries (EU- Tunisia Country Strategy Paper 2007-2013; Zardi, 2004; African Development Bank, 2007a). In particular, the fact that Tunisia began its modernization process even before the end of the colonial period in 1956 was a major asset for the development of its administration, insofar as the following adjustment process of the 1980s and 1990s became less traumatic for administrative structures. The well-established acceptance of juridical positivism and secularism and the long experience of the state administration in fact allowed Tunisia to tackle administrative modernization more successfully than other Maghreb countries, such as Morocco (CAIMED, 2003).

In terms of administrative structures, while often proliferating with an elephantiasis syndrome, in many policy sectors they have always been adequate, efficient and well-tailored to the kind of tasks assigned to them. The five-year Development Plans contributed to this result, by including structural re-organization and better definition of responsibilities according to the envisaged reforms and priority goals. Moreover, the simplification of administrative procedures and the adoption of IT tools contributed to improve the efficiency of administrative structures. A State Secretariat in charge of Computers and Internet was attached to the Prime Ministry, with the purpose to enhance the computerization of state institutions and to develop a synergy in this domain between the different ministerial departments (Zardi, 2004).

In terms of coordination, roles overlapping was often a direct consequence of structures' proliferation, with the multiplication of administrative units belonging to different generations and in charge of the same issues (CAIMED, 2003). However, this problem was gradually tackled with a structural reorganization of public services and the adoption of organizational charts for ministries. More generally, the country's centralized and top-down management was able to guarantee a good coordination among administrative structures.

Finally, in terms of human resources, Tunisian civil service was run by a staff that was generally qualified and relatively efficient, especially at central level (ENP- Tunisia Country Report, 2004). Moreover, unlike Morocco, the management of the state human resources was done through an efficient administrative and payroll management computer system (Zardi, 2004).

These positive features of Tunisian administration were less developed at the local level. The Tunisian territory is divided into 24 Governorates, which are in turn divided into delegations. Whereas a policy of administrative decentralization began in 1989 and increasing pressures for administrative de-concentration emerged in the last decade, still the process proceeded at a slow pace. This was mainly due to historical reasons insofar as during colonial period decentralization was introduced only in a limited manner. Moreover, in Ben Ali's highly centralized system, governmental authorities mainly concentrated control and power at the central level to avoid any erosion of their autonomy. In this context, regional Officials felt obliged to address any issue to the competent ministry at the central level, even if the law would allow them some margin of maneuver (ARLEM, 2014). Therefore, historically strong central control coupled with limited resources and inefficiency on the local and regional levels (Fedtke, 2013), with the main consequence that there was a neglect of public services in the hinterlands (African Development Bank, 2012).

5.5 The impact of the Arab Spring on Tunisian administration and its capacity

The reform efforts carried out by Tunisia in the latest years to modernise its public administration were intensified in the aftermath of the Revolution. The adoption of the new Constitution in 2014 gave a new input to the improvement of public governance and administrative reform, by establishing that "public administration serves citizens and public interest, its organization and operations are according to principles of impartiality, equity, public service continuity and according to rules of transparency, integrity, effectiveness and accountability"(art.15). Similarly, Ennahda placed administrative reform at the core of its program, as a key component of the republican system and of the new Tunisia[136]. In the wake of regime transition, decentralization became a priority goal for the interim government, which published a white book on regional development with the purpose to decentralize and deconcentrate responsibilities to lower administrations in different

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[136] Ennahda Movement Program, 2011.

domains (OECD, 2015). Similarly, the new Constitution represented an important achievement in this sense, insofar as it devoted an entire chapter to the issue of decentralization as the very base of local power (art. 131) and as the first step for a more efficient administration. Finally, in the domain of human resources Tunisian transitional government presented itself as an employer of last resort and, in order to address social demands, it significantly increased the size of the public sector with 90.000 new employees between 2011 and 2012 (Brockmeyer et al., 2015).

If the regime transition and the adoption of the new Constitution provided a new input to reinforce Tunisian administrative efforts in the long term, in the immediate aftermath of Ben Ali's ousting Tunisian administration suffered from a big instability and institutional volatility. The dramatic and fast turn of events in January 2011, the rapid succession of transition governments and the high degree of officials' turnover affected the capacity of administration to carry out its basic functions and the coordination among the different departments. Especially during the first months after the revolution and before 2011 elections "people were not really focused on their work"[137] and there was a "lack of discipline in the administration"[138] as the traditional tight control from the state was lacking. Moreover, there was a high turnover of people with general directors and administrative officials changing quickly and frequently.

However, despite this initial instability, Tunisian administration was able to recover quickly and after the establishment of the first troika cabinet, the situation was gradually stabilized in 2013 with the administration getting back to its normal functioning[139]. The main reason for this continuity is that the administration was already well-established and experienced and this allowed it to be in the long term resilient to the troubles that accompanied the revolution in its first months (OECD, 2015). However, this resilience is not only related to Tunisian administration's history and to its good capacities, but also to the mentality of people within administration, insofar as many of them were attached to past and worried of changes, as well as to lose their posts[140]. In this sense, post-revolutionary administration in Tunisia continued to reflect the logic behind the traditional notion of reformism and its contradictory goals (Hibou, 2012), by reforming itself while still continuing to be the same.

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[137] Interview with Tunisian Officials, APAL, Tunis, February 2015.
[138] Interview with EU official, EU Delegation in Tunisia, Tunis, February 2015.
[139] Interview with Tunisian Official, Ministry of International Cooperation, Tunis, February 2015
[140] Interview with EU Delegation Official, Tunis, February 2015

5.6. Tunisian administrative capacity and the implementation of ENP programs

In light of what has been said, Tunisian administration played a key role in the execution of reforms and governmental programs, as well as in the implementation of the ENP and absorption of EU funds. Under Ben Ali's regime, a skilled administration coupled with the State's tight control allowed a good administrative capacity for the implementation of EU programs. This is for example the case of the PAI, where the good absorption capacity was not only related to Tunisia's economic priorities and to the "syndrome of the *bon élève*", but also to the Ministry of Development and International Cooperation (MDCI) which was able to guarantee an efficient coordination among the sectoral ministries; as well as to the quality of the administration that committed with the goals of the program and was able to implement difficult technical measures (African Development Bank, 2011). Tunisian administration was even more important after the Arab Spring. In spite of the important political changes and a long period of instability, unlike Morocco it was able to quickly restore its capacity and guarantee the implementation of ENP programs on the ground (UE Fiche d'Action Tunisie, 2012).

5.6.1 When the program is too much ambitious, but administration is still there: the implementation of the PAGBO

The ENP "Programme d'Appui à la Gestion Budgétaire par Objectifs" (PAGBO) is a clear example of the ambiguous role played by Tunisian administration and its unstable balance between change and resilience. Launched by the AAP 2007, the PAGBO allocated €30 Mil. in budget support to sustain Tunisian government in the implementation of an effective GBO, i.e. a reform aimed at improving the quality of public finance management system with a better organization of public resources. Whereas the PAGBO suffered from the reticence of some segments of Tunisian administration to execute it, at the same time its implementation reaped the benefits of a competent and proactive administration without which the GBO would have not really taken off.

For its intrinsic characteristics the reform was extremely complex and it proceed at a slow pace, as shown also by the fact that it had been stagnating since 2004. In particular, the administrative reticence about some key components of the GBO was really hard to overcome. The question of

budgetary control was one of them, as a very sensitive issue that involved more than six interlocutors, all unwilling to give up their prerogatives and blocking the reform[141]. Similarly, the question of IT systems and the adoption of a specific software for the GBO was another key problem, insofar as Tunisian administration was proud of its own system and was reluctant to change it. Finally, the PAGBO was incredibly ambitious[142], as it was designed according to the French model of GBO, which did not really match with Tunisian reality. Consequently, it was really difficult for Tunisian authorities to meet EU payment conditions.

Nevertheless, the administration unit in charge of the PAGBO had a key role in the execution of the program, insofar as it was gradually able to implement some pilot experiences in five ministries where GBO units were created. In this way, even if with some retard (no payment in 2009), it was still able to meet EU conditionality and guarantee the disbursement of the two first tranches of the PAGBO (see figure 13).

Figure 13
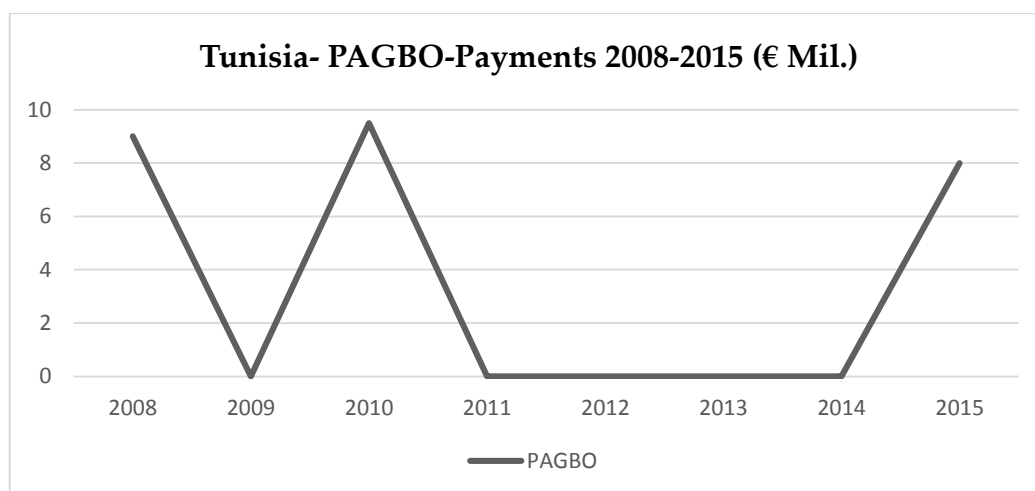
Source: Author's own elaboration. Data retrieved from the EU-Tunisia cooperation report 2013, as well as from interviews. Please note that the value for 2015 is only indicative, as at the time of the interviews the payment dossier was still being processed.

The role of the GBO unit was even more important after the revolution. Between 2011 and 2014 the payments of the PAGBO decreased until zero, in light of the unstable context that made it even harder to cope with EU too much ambitious conditions and performance criteria. The lack of payments was related to the general process of transition and to the lack of an appropriate juridical framework, which slowed the pace of implementation. As a matter of fact, it took years to draft the new organic

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[141] Interview with former director of the GBO Unit, Tunis, February 2015.
[142] Interview with EU Delegation Official, Tunis, February 2015.

law on budget, with all the energies of the national assembly mainly devoted to the review of the constitution. In this context, Tunisian administration within the GBO unit played a key role to push for the reform under the post-2011 new political conditions. When Ennahda-led government came to power, it did not have much expertise in budgetary domains and the GBO was not at the top of its priorities[143]. However, the qualified people within the GBO unit were able to revamp the interest in the reform and to push for a political commitment in this sense: "En fait, c'était une reforme portée par l'administration[144]". Consequently, an entire inter-ministerial meeting was devoted to the GBO, increasing the latter's visibility and position on the political agenda. Whereas the complexity of the reform and the ambition of the EU program coupled with a moment of uncertainty, the administration "was still there" by pushing the GBO at the political level, committing to its goals and overcoming some internal reticence. This is further exemplified by the fact that, even if no payment was processed for four years, the absorption capacity of the program was still good, with about €25 Mil. disbursed[145] out of the originally committed €30 Mil (83%).

5.6.2 Between change and momentarily instability: the implementation of the PEFESE

The ENP Program PEFESE, launched to improve the employability and the quality of Tunisian education system, directly suffered from the post-revolutionary uncertainty and in 2012 the payments of the program decreased until zero (see figure 14).

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[143] Interview with EU Delegation Officials, Tunis, February 2015; Interview with the Tunisian Official from the GBO unit.
[144] Ibid.
[145] Indicative data. At the time of the interviews the payment dossier was still to be processed. However, according to the GBO Unit, the payment of the variable tranche would be between the 60% and the 80% of the original amount.

Figure 14

Tunisia- PEFESE Payments 2011-2014 (€ Mil.)
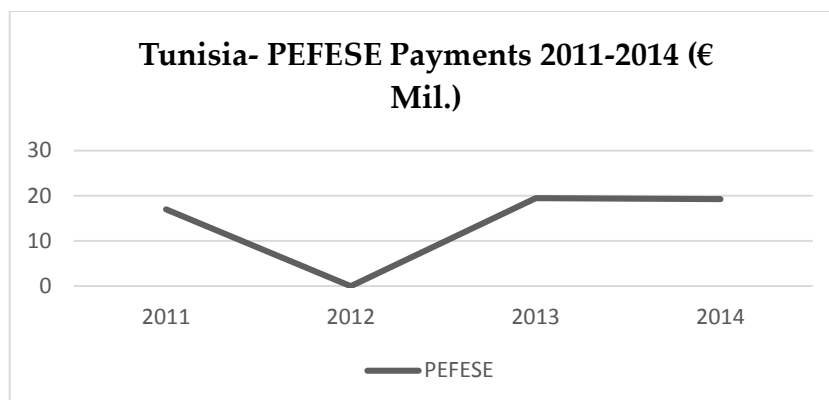
Source: Author's Elaboration on the data from the EU-Tunisia Cooperation Report 2013

The weak performance of 2012 was contingent on the difficulties of the moment, which reduced administrative capacity, generated many retards in the implementation of the activities and in the definition of the operational responsibilities, in terms of delays in monitoring and dysfunctions in the services charged with implementation. Against this background, it was difficult to respect EU conditions and to proceed with the preparation of a dossier for the request of payment. These challenges were amplified by the fact that the program involves five different Ministries (the three ministries of education, the ministry of international cooperation and the ministry of finances). As an EU Official put it during an interview: "Our biggest difficulty in the aftermath of the revolution was to put everyone around the table and to make the steering committee in the conditions of being able to start working"[146].

In this sense, two major factors impinged upon the performance of PEFESE in 2012. The first is related to the institutional changes in the structure of the Ministry of Development and International Cooperation (MDCI), which exacerbated the lack of clear responsibility for coordinating the program. Prior to the revolution, the Ministry was organized into a department for international cooperation and into a department of planning, which had the authority to oversee the government's development agenda, by preparing the five-year plans and translating into action Ben Ali's programs[147]. After the revolution, the name of the Ministry and its functions were changed twice[148], weakening its structure

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[146] Interview with EU Delegation Official, Tunis, January 2015.

[147] The original name of the Ministry was in fact "Ministry for International Cooperation and Planning".

[148] After 2011 elections, it was divided into two Ministries: the Ministry of Investment and International cooperation and the Ministry of Regional Development and Planning. Later, its name was further changed into Ministry of Development and International Cooperation.

and reducing its role as a coordinator. "Given the role played by the MDCI during Ben Ali's regime, after the revolution all the Ministries did not want to work with it in the same manner as before and refused to comply with its general guidelines. For the first time, they started to address their demands directly to us [the EU] and no more through the MDCI"[149]. The program's coordination was therefore initially weakened insofar as there was not a clear responsibility for coordinating actors and for launching the activities at the level of each ministry.

The second element is related to the institutional turnover that affected the program, as many of the people who had started PEFESE in 2009-2010 changed after the revolution. In particular, the Ministry of Higher Teaching was the one with highest volatility, with General Directors changing every 5-6 months between 2011 and 2012: "as soon as they started to understand PEFESE, they left"[150]. Moreover, the changing officials within the Ministry of Higher Teaching were the ones that often resisted the implementation of the program because "they were asked to give importance to a program to which they had not participated since the beginning"[151]. In the already difficult context of transition, "they could not accept that their efforts for the respect of EU conditions would go for a budget support that directly swelled the coffers of the Ministry of Finance"[152].

However, despite the momentarily instability of 2012, the implementation of the PEFESE could get back to its normal functioning in 2013, as exemplified by the fact that the tranches payments could restart as normally foreseen and remained almost constant in 2013 and 2014. "It was an exceptional context and just a matter of time. After the initial uncertainty, we were able to settle the situation"[153]. This is further confirmed by the fact that despite the lack of payments in 2012 the general absorption capacity of the program was good, with €55.8 Mil actually disbursed out of the €61.3 Mil originally committed (equal to 91% in terms of payments-to-commitments ratio). The stability in the ministries of education and employment was essential in this sense, as they were able to set a team that did not change between the formulation of the program and its execution[154]. Moreover, the Officials from these ministries truly committed to the goals of the program, as it provided a strategic framework in a moment in which, in light of the political changes, an overall national strategy was still lacking. In this

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[149] Interview with EU Delegation Official, Tunis, January 2015.

[150] Interview with a Tunisian Official from the Ministry of International Cooperation, member of the PEFESE Steering Committee.

[151] Ibid.

[152] Ibid.

[153] Ibid.

[154] Interview with a Tunisian Official in charge of Education and Employability, MDCI, Tunis, February 2015.

way, it was easier to restore an adequate administrative capacity and to offset the volatility within the Ministry of Higher Teaching.

Chapter VI

The role of civil society in Morocco and Tunisia: the implementation of the ENP

The literature on policy-making and foreign aid pays much attention to the role of civil society and its presumed ability to foster change and implement policy reforms. Civil society is seen as both a policy advocate and dialogue promoter, as well as a service deliverer and a policy implementer. In this sense, the notion of civil society is not limited to the autonomous space of the NGOs and organizations (CSOs) that are created on a voluntary base and are independent from the state. In its broadest meaning, civil society is a public sphere i.e. an arena of argument and deliberation, where demands are developed, issues discussed and activities organized (Dimitrovova, 2009; Sater, 2007; Cavatorta, 2006).

Civil society is a fundamental actor for the implementation of ENP goals, together with political authorities and administration. In ENP documents, civil society has a valuable role in the identification and execution of priorities of action (European Commission, 2007c), and its relevance is noted with reference to different policy sectors. In terms of implementation, the importance attached to civil society applies not only to project approach, where non-state actors are the direct receiver of EU funds[155] and contribute to implement through projects the priorities of a given ENP program, but also to budget support. In this case, in fact, civil society participation is crucial for the policy targeting and for the implementation of the national strategies that are supported by the ENP. Whereas the government is the main actor that directly manages EU funds, still civil society can act both as an advocate and dialogue promoter to pressure the government for the respect of EU conditions, as well as a service deliverer for the implementation of national policies. The implementation of a given ENP program is therefore likely to reflect the same goals and difficulties that characterize the role of civil society in the country's normal policy process.

The importance of non-state actors for the implementation of the ENP is even bigger after the Arab Spring, insofar as the events shaped the traditional state-civil society relations by fostering CSOs' empowerment and transforming the space reserved to civil society in light of constitutional renovations and new elections. The ENP as renewed after 2011 therefore emphasized the need to

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[155] This may happen when: a) the EU Delegation manages a call for proposal under centralized management b) when the call for proposal is managed in decentralized way by a local authority.

strengthen and promote the role of civil society actors in the reforms and changes taking place in the neighborhood. As stated by EU Commissioner Füle: "I attach great importance to the partnership with civil society in the ENP […]. We have significantly enhanced our engagement with civil society of partner countries to maximise public support for reforms" (European Commission, 2013b).

The aim of this chapter is to examine the role of civil society in Morocco and Tunisia and how it affected the implementation of ENP programs on the ground. Drawing from the work of Riley & Fernández (2014) and readapting it to the purpose of this thesis and to the study of implementation, civil society is here analyzed considering three main dimensions. The first is referred to the organizational strength of civil society, in terms of the number of CSOs existing in a given policy area as influenced by the existing legal framework, administrative procedures and freedom of association (Riley & Fernández, 2014, p. 440). The second dimension is civil society's autonomy and "space" in terms of the qualitative relationships between the state and non-state organizations. In this context, civil society can be autonomous, when it is independent from the state and able to influence policy formulation and to have a control on its space of activity, or heteronomous, when the state dominates the sphere of voluntary organizations and it is able to shape their agenda and activities (ibid.). Finally, the third dimension is civil society's capacity to implement projects, in terms of expertise, human and financial resources.

In this context, international donors share the idea that the strength, the capacity and the autonomy of civil society to influence national policies and carry out actions and projects is extremely relevant for policy implementation. In the case of the ENP, the EU states that the policy "works when the willingness to reform is there and society plays an active part in the process" (European Commission, 2013a). In line with these considerations, the hypothesis here is that the implementation of bilateral programs and the absorption of EU funds is more likely when civil society is organizationally strong, capable and autonomous.

6.1 Spaces of Freedom and Boundaries of co-optation: Civil Society in Morocco

Civil society in Morocco is often described as among the most diverse and vibrant of the MENA region (Kausch, 2008). Since the late 1980s and early 1990s, Moroccan civil society experienced a

considerable development[156], which was the result of the opening up of public liberties as well as of state disengagement from public services with a concomitant increase in the population's needs (Civicus, 2011).

In terms of public liberties, freedom of association has been a constitutional right since 1968 while the 2002 association law introduced considerable measures of liberalisation (Kausch, 2008). Under Mohamed VI, civil society enjoyed a degree of freedom never experienced before, with a reduction of controls (Dalmasso, 2012). In order to be legally registered, associations must inform authorities of their foundation and must be issued a formal receipt to confirm their status. The legal recognition allows associations to have access to public and international subventions and to carry out their activities. Moreover, NGOs can also apply for the status of public utility, which is acknowledged under royal discretion to the associations that pursue a goal of general interest and allows to enjoy financial advantages in terms of donations, public subventions and tax exemptions. Yet, many associations criticize the unclearness and lack of transparency in the criteria adopted to grant the public utility status, which appears to be limited to a small number of "favourites" and not related to the importance of the social contribution of organisations (Civicus, 2011). The few that are granted the status of public utility in practice are said to be mostly GONGOs, i.e. non governmental organizations that are not independent from the government and very close to the palace (Kausch, 2008).

The peculiar economic context of the early 1990s had an important effect on the development of civil society, insofar as Moroccan adoption of World Bank's program of structural adjustment made the state unable to address daily needs and fostered the spreading of new associations to carry out basic services[157]. In this context, new organizations spontaneously emerged in the domain of development as service deliverers to offset the state's lack of agency and to assume responsibility for socio-economic matters (Dimitrovova, 2009).

The relations between civil society and the state are embedded in the key features of Moroccan political system, which have shaped the arena for civil society's action between bottom-up initiatives and top-down processes of political co-optation. More specifically, the control of the palace over the political party system persists into the state-civil society relations. As well illustrated by James Sater (2007), in the three decades after independence Moroccan civil society developed as an actor

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[156] The data about the number of civil society's organizations in Morocco are different according to the source. According to the CIVICUS Index (2011) there are between 30.000 and 50.000 associations, whereas Kausch (2008) mentions an estimated number between 30.000 and 80.0000. According to the latest 2014 report of the Interior Ministry, there are 116.836 associations.

[157] Interview with one of the founding members of Moroccan Association for Solidarity and Development (AMSED).

entrenched in the dominant modes of power, with the first-emerging associations closely tied to the political process and serving political parties' presence in the population (such as the Moroccan League for Human Rights that was closed to the Istiqlal, or the Moroccan Association of Human Rights led by the political orientations of the USFP). In this sense, there was not so much room for autonomous action and the public sphere was unable to transform social demands into public issues (Sater, 2007, p. chapter 3). Only by the late 1980s/early 1990s the already mentioned development of civil society corresponded to a process of disentanglement between power structures and civil society, with an increase in the number of the associations able to intervene in the public sphere, as well as to discuss and criticize public issues (Sater, 2007, chapters 4-5). The mobilization for the reform of women's rights and the consequent renewal of the Personal Status Code, as well as the recognition of Berber identity (Denoeux & Maghraoui, 1998) or the increasing call for human rights are all rooted in civil society's action as a promoter and a policy advocate with a stake in policy formulation.

However, the increasing role of civil society in policy formulation and the King's reaction to civil society's demands with the creation of the IER and the reform of the Family Code should be seen not only in terms of bottom-up pressures but also in terms of top-down co-optation (Dalmasso, 2012). The state acceptance of civil society's expression of dissent was in fact a way to strengthen the regime's consensual nature, channelling grievances in appropriate state controlled arenas (Sater, 2007). On their side, Moroccan associations accepted to be co-opted and to play by the rules of the game, i.e. to promote single and narrow issues or immediate interests that would not touch upon the very nature of the system, with large parts of Moroccan civil society becoming overtly apolitical (Dalmasso, 2012). This means that while critical NGOs are not forbidden they are in practice kept "on a long leash" (Kausch, 2008).

Overall, it is possible to say that the gradual process of political opening allowed for the development of an organizationally strong civil society as exemplified by the extensive diffusion of spontaneous CSOs. However, organizational strength remains a necessary -but not sufficient- condition for being autonomous and enjoying an independent space for activity. Therefore, whereas some associations attempt to remain autonomous actors, others are state sponsored organizations, without an independent agenda and a real autonomous space for action. Moreover, whereas bottom-up initiatives were often relevant to shape policy-making, they remain always embedded in the co-optation dynamics of the political system and within the "système d'encadrement makhzenien de la société marocaine" (Lacroix, 2006).

Finally, in terms of associations' capacities, lack of professionalism, poor self-financing and dependence on the state, as well as unpaid volunteering which leads to members' volatility are the main weaknesses and challenges (Civicus, 2011). These problems affect the already weak ability to influence the reform process and are even more constraining in the case of small associations, insofar as the latter can hardly survive when faced with a lack of human and economic resources. In this sense, authorities can often limit NGOs organizational and financial autonomy by blocking the authorization and registration process and by favouring selected associations closed to power circles.

6.2 The implementation of the ENP in Morocco and the role of civil society before 2011

The configuration of Moroccan civil society influenced the implementation of the ENP. The NIP 2007-2010 does not include initiatives directly addressed to civil society, insofar as the greatest part of programs is in budget support. However, many of these programs relied upon associations for the execution of the corresponding national strategies, or targeted the inclusion and the reinforcement of associations among the attended results (Bono, 2007). As already shown in chapter 3, Morocco has traditionally been at the forefront of the ENP and between 2007 and 2010 it had a very good absorption capacity, with a high payments-to commitments ratio. This good performance is related not only to the authorities' willingness and capacity to respect EU disbursement conditions, but also to the role played by civil society.

First, the development of an organizationally strong civil society based on the extensive diffusion of CSOs facilitated the implementation of the national strategies supported by the ENP programs. Especially in development sector, Moroccan NGOs emerged as important service delivers and implementers of national policies on the ground. In this sense, they became a key tool to facilitate policy execution and achieve the results required by EU indicators. Second, Morocco has often managed to impose its preferred CSOs as beneficiaries of EU programs (Darbouche & Colombo, 2011, p. 140) and this has facilitated the exploitation of the associative sector as "un instrument de captation de l'argent de la cooperation" (Lacroix, 2006). The prevalent use of budget support programs under the ENPI 2007-2010 contributed to strengthen these dynamics, insofar as most of the EU money was channelled through government bodies and ended up in the same pro-government circles of civil society (Dimitrovova, 2009, p. 7). The ENP Programs to support the National Alphabetization Strategy and the INDH are significant in this sense.

6.2.1 When civil society is organizationally strong: the implementation of the ENP Program on Alphabetization

The EU supported Morocco's alphabetization reform with a specific budget support program of €23 Mil. to sustain the implementation of the country's National Alphabetization Strategy and to strengthen institutional and civil society actors' capacities in the fight against illiteracy. The relevant ENPI Action Fiche states that the success of the program would be dependent not only on the willingness of Moroccan authorities to implement the National Strategy, but also on the "effective action of civil society" and on the presence of an extensive number of non-state actors able to develop their capacities and implement the national policy (UE Fiche d'Action Maroc, 2007b). Indeed, in light of the high and growing number of CSOs in this domain, civil society "represents a key player upon which the very success of Moroccan alphabetization policy depends" (Cerbelle & Bougroum, 2011).

With the exception of 2012 when there were no disbursements due to administrative weakness and volatility (see Figure 11), in absolute terms the program's performance was very good with €24.1 Mil. disbursed out of the original commitment. This positive result was favoured by the strength of Moroccan civil society as a service deliver in the domain of alphabetization. Since the early 2000s, in the context of civil society's general development and voluntary mobilization, many NGOs imposed themselves as major actors in the fight against illiteracy, exploiting presence on the ground and proximity to better address people's needs (Cerbelle & Bougroum, 2011). This extensive associative tissue became soon the base for service delivering, with the NGOs managing activities on the ground on the behalf of the AREFs and accompanying the socio-economic insertion of beneficiaries (European Commission, 2014a). Against this background, the implementation of the ENP program was facilitated by the presence of a good associative milieu that supported the execution of the national policy and contributed with its activities to the reduction of illiteracy rate (which was one of the program's indicators). As put it by a Moroccan official during an interview: "in the implementation of alphabetization policies, associations represent the 50% of the actors involved. If we had so many beneficiaries of literacy programs, this is mainly thanks to civil society engagement"[158]. The National Alphabetization Strategy supported by the EU Program included an operational component managed exclusively by civil society and only in 2010-2011 more than 940 conventions were concluded with CSOs for the alphabetization of over 340.000 people (Moroccan Education Ministry, 2011). Moreover,

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[158] Interview with Moroccan Official from the Agence Lutte Contre L'Analphabetisme. Rabat, July 2014.

an ambitious training program was realized by the DLCA to strengthen the capacity of associations in the domain of projects management (ibid.).

Obviously, the long-time and quantitative establishment of civil society in the domains of literacy and education does not automatically imply that NGOs are free of weaknesses. The low amount of the subventions, the high turnover and the lack of professionalization, as well as the lack of proper coordination with institutional actors jeopardize the work of associations on the ground (Cerbelle & Bougroum, 2011; Moroccan Education Ministry, 2011). However, these challenges remain contained in the case of the GONGOs created under the state's impulse (such as the very powerful Mohamed V Foundation), and which exploit all the legal, financial and administrative benefits that derive from their peculiar character (Bougroum & al., 2006). In this regard, all the interviewees recognized the key role played by NGOs in the implementation of the National Strategy[159], insofar as "they went where the state was not able to arrive"[160], and in a context in which the state acts as the initiator and civil society as the implementing agent (Dimitrovova, 2009). Overall, the implementation of the corresponding ENP program and the relative absorption of EU funds was positively influenced by the organizationally strong nature of Moroccan society in the domain of alphabetization, as reinforced also by the impulse of the state-penetrated associations.

6.2.2 Between Participative Spaces and Boundary Setting: the implementation of the ENP Program to support the INDH

The role of state-penetrated civil society in policy implementation is even more evident in the case of the INDH. Launched by the King to promote the country's human development, from the outset the INDH emerged as an initiative built upon «une participation des populations pour une meilleure appropriation et viabilité des projets et des interventions» (Mohamed VI, 2005c). The rationale was to develop a participative approach in both the identification and implementation of projects, by allowing people to express their needs through participatory planning, increased delegation of responsibility to elected local governments and involvement of civil society through NGOs (World Bank, 2012a). Therefore, in a context where the participatory sphere is promoted, the

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[159] Interview with Moroccan Civil Society Activist from Zakoura Foundation for Education; Casablanca, July 2014; Interview with Moroccan Official from the Agence Lutte Contre l'Analphabetisme, Rabat, July 2014.
[160] Ibid.

NGOs emerged as a central element of the INDH's implementation process (Berriane, 2010). More specifically, in the INDH's complex implementation structure[161], civil society -and in particular NGOs' leaders- have a key role in the elaboration and execution of projects, as well as in the deliberative process within the established provincial and local committees, in close collaboration with representatives of the state and local elected members (Initiative Nationale pour le Developpement Humain, 2006).

The ENP sustained the rural component of the INDH, with a budget support that targeted the fight against rural poverty, the promotion of AGRs and the reinforcement of local governance. As EU contribution was mediated by the Ministry of the Interior, which was the *chef de file*, the ENP provided only indirect support to Moroccan associations. Yet, the latter had a fundamental role for the implementation of the EU Program, insofar as the activities were "those already foreseen by the [rural] *volet* of the INDH" (UE Fiche d'Action Maroc, 2007a). Therefore, for its execution the ENP Program depended on the INDH participatory implementation structure and on the work of NGOs for the promotion of projects and AGRs. The good performance of the program, exemplified by the high absorption of EU funds (95% payments-to commitments ratio; see paragraph 3.2.1), is rooted in the regime's attempt to design new spaces of participation, while setting key boundaries for the involvement of civil society in the INDH.

From the outset, the INDH fostered the rapid growth of civil society and an impressive increase in the number of local associations, which were often created for the sole purpose of submitting a project proposal (Bergh, 2012; Bono, 2010). In this sense, the "INDH effect" contributed to the booming of Moroccan associations in the early 2000s, and it allowed for the empowerment of new actors and for the redistribution of resources at the local level. However, the growing number of NGOs enabled to achieve a greater control over society by the state, which controlled the implementation of the INDH by defining who could participate or not (Berriane, 2010). As the INDH resources were regulated by representatives of the central authority, only the associations linked to local governors or wishing to cooperate with the Ministry of Interior were likely to gain access to INDH resources (Bergh, 2012). This implied the exclusion of critical associations that had a politicized agenda in terms of rights-based claims[162] and that were independent from the regime's control (Dimitrovova, 2009). Similarly, the lack of clear and transparent criteria for the selection of the members within the INDH's local committees

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[161] The INDH is based on a pyramidal structure that starts from the "équipes d'animation communale", and goes through a "Comité Local de Développement Humain" (CLDH) and a "Comité Provincial de Développement Humain" (CPDH).

[162] Interview with a Moroccan civil society activism from the Espace Associatif, Casablanca, July 2014

allowed for the selection of actors who were already well known to local authorities and far from political engagement (Berriane, 2010). Moreover, the implementation of the INDH seemed to neglect the actors already rooted, active and experienced, by favouring instead weak organizations, whose mission had been formulated only around the policy (Bono, 2007). As shown by Bono, the alleged participatory mechanisms of the INDH were used to keep control and distribute funds in a selective way, by favouring the civil society actors that lacked the capabilities to control autonomously their space of activities (2007). In this sense, more than being a catalyst for participative action, Moroccan associations accepted to be mere service deliverers, while national authorities assumed the role of a transmission belt between international donors and civil society. The regime's control was particularly easy in light of its yearly experience in encouraging a controlled development of civil society. Moreover, especially in the local areas where civil society was organizationally weak and lacking capacities, "the local councillors have invaded and come to dominate this sector as presidents or members of associations, eager to influence the allocation of INDH resources" (Bergh , 2012). This allowed the regime to maintain a key control on the implementation of the INDH and its actors, in order to make sure that the highly prioritized "chantier royal" could live up to its name, by being a success and a showcase of national legitimacy and international visibility.

It is not surprising, therefore, that the ENP program did not experience particular difficulties, meeting all the main disbursement conditions and performance criteria. Between 2005 and 2012, 9626 projects were realized in the rural areas and the 90% were implemented by NGOs and communities (World Bank, 2012a; Initiative Nationale pour le Developpement Humain, 2013). Even if the implementation of the INDH was more an opportunity to mobilize financial resources through a controlled development of civil society rather than an approach to stimulate real participatory governance (Bergh, 2012), to the eyes of international donors the program "was fully implemented in terms of geographical coverage and disbursement targets were met" (World Bank, 2012a, p. 6). In fact, even though within specific boundaries, in terms of data there was an effective increase in the percentage of targeted population who reported having participated in the participatory process, with more than 700 participatory diagnostics for the rural and urban component. In this context, where "much reporting was essentially oriented towards donor requirements as well as to government's needs to oversee implementation and disbursement progress", the ENP program had a very good payment rate.

Overall, the good performance of the ENP programme was influenced by both the strength of civil society in terms of the high number of associations participating to implementation on the ground;

and by the heteronomous character of Moroccan civil society, which was easily co-opted in the INDH structures. Moreover, the analysis of the program's implementation revealed the difficulty for the EU (and more generally for international donors) to surpass the omnipresence of state-sponsored organizations and to alter the structural setting of civil society activity (Darbouche & Colombo, 2011).

6.3 Tunisia: A Stifled Civil Society between Repression and Legislative Restrictions

Unlike Morocco, where the opening up of freedom and liberties allowed for the considerable development of civil associations, in Tunisia until 2011 civil society had a very limited space and independency to operate, with a systematic control that was established already in the early years after independence. Thanks to repression and to legislative restrictions, the regime was not only successful in preventing the development of civil society through a progressive removal of the areas of freedom, but it was also able to infiltrate society and to exploit it for the regime's purposes. In particular, after an initial controlled liberalization, Ben Ali tried to ensure that civil society could remain an unavailable political weapon (Alexander, 1997) and already in the early 1990s he proceeded with a shut-down of civil society in order to neutralize the grassroots (Coupe & Redisse, 2013; Hochman Rand, 2013, p. 54).

In terms of legal framework, although the freedom of association was enshrined in the constitution, a restrictive legislation (and in particular the 1959 association law) posed several obstacles to the development of an independent civil society, by erecting entry barriers and restricting manoeuvre for action. The creation of new associations was under the control of authorities and subject to an authorization issued by the Ministry of Interior, which disposed of full discretion with regard to the approval or dissolution of CSOs. Moreover, the members and the leaders of associations could be sued or imprisoned for any violation of the regulatory provisions in force or for operating within an unlicensed organization (Foundation for the Future, 2013). Foreign associations faced additional constraints, insofar as they needed authorization also from the Minister for Foreign Affairs while the routine contacts between foreign governments and local NGOs were subjected to strict restrictions and could incur imprisonment and criminal penalties (NCVO, 2013). In such a context, it was very difficult and risky for international donors to establish contacts with (human rights) activists inside the country (Feliu, 2010). Finally, the regime restricted the financial autonomy of CSOs. Contributions could come only from members' subscriptions or from funding approved by the Ministry of Interior, and foreign funding faced even stricter controls, with governmental monitoring, freezing and confiscation.

Thanks to this climate of fear and intimidation, Ben Ali managed to create a profound strategic malaise for the organizations that could constitute the bedrock of associational life (Alexander, 1997), and fostered popular disenchantment and lack of interests towards politics (European Union, 2012). All these limitations hindered the development of CSOs, with only an average of 75 associations created per year between 1980 and 1987, and only an annual average of 191 in the years 2000s (Foundation for the Future, 2013). Moreover, associations were allowed to operate only in specific uncontroversial categories of action, such as public interest, culture, development or charity. Therefore, of the 9969 associations registered at the end of 2010, only 1% included human rights advocacy groups (ibid).

In official discourses, Ben Ali justified these restrictions on the ground that "the state fixes the fundamental framework, creates the climate and provides the necessities for competition and dialogue," and that "civil society should accept these and oppose any act that goes against the national consensus"[163]. However, dialogue with civil society was not really an option insofar as consultation mechanisms with public authorities were almost inexistent, with low possibility for an effective collaboration and involvement of civil society in decision-making (Foundation for the Future, 2013; European Union, 2012). The main consequence is that most associations were service-oriented and co-opted by the regime, with little room for citizen action (Freedom House, 2012).

Over all, under Ben Ali's regime, Tunisian civil society was organizationally weak as exemplified by the limited diffusion of spontaneous CSOs in the wake of a highly constrained context. Moreover, with the exception of a minority of human rights associations[164] that struggled to maintain their autonomy, the greatest bulk of existing associations could not operate independently, with the state dominating the agenda of CSOs and using them as a tool at the service of government. In this sense, civil society activism prior to the revolution was relatively limited and strictly regulated by the state (Behr & Siitonen, 2013).

Finally, in terms of capacities, many CSOs lacked experience insofar as their action was limited to few activities on the ground, and they did not have expertise and competences in terms of projects writing[165]. Moreover, the lack of financial resources further contributed to hamper CSOs and jeopardize their activities.

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[163] Ben Ali's discourse at a symposium on democratic transitions in November 1990. Quoted in NCVO (2013).
[164] Under Ben Ali there was only a minority of ten independent associations, including the Tunisian League for Human Rights, the Association against Torture in Tunisia, the National Council for Liberties in Tunisia, feminist organizations such as TANF and AFTURD. See the Study on Civil Society Organizations in Tunisia by the Foundation for Future (2013).
[165] Interview with Tunisian civil society activist, Tunis, February 2015.

6.4 The implementation of the ENP in Tunisia and the role of civil society before the Arab Spring

The implementation of ENP bilateral programs in Tunisia was directly influenced by the configuration of Tunisian civil society. For the period 2007-2010 Tunisia emerged as an ambivalent country able to separate the economic dimension of the ENP from the political one. In the domain of governance, human rights or justice, a weak civil society stifled by the pervasive control of the state made it impossible to formulate and implement ENP programs in these sectors. The Country Strategy Paper, which translated into strategic priorities the goals of the Action Plan, originally included among its objectives "political reforms concerning democracy and human rights, the rule of law and sound institutional governance" (EU- Tunisia Country Strategy Paper 2007-2013). However, no ENPI funding could be programmed and committed in this sector. This is not only because political reforms were not part of the authorities' agenda (as already shown in chapter 3), but also because civil society was too weak and controlled to proceed in this sense, making the formulation and the potential implementation of relevant ENP programs extremely difficult. As an Official of the EU Delegation in Tunis put it: "A [budget support] program to sustain political and institutional reforms was simply unthinkable because Tunisian authorities would have never accepted it. Moreover, whereas civil society could have been our major ally in this sense, it was basically too weak and too much state penetrated to be even minimally able to exert pressure on the government for political reforms and for the respect of potential conditionalities". The same problems apply to project approach programs insofar as Tunisian CSOs had low capacities for absorption of EU funds due to the obstacles erected by the regime (such as funds blockage or strict control of activities), low experience and lack of human and financial resources. The main difficulty was giving money to NGOs on Tunisian territory without consulting the Tunisian government (Mouhib, 2014, p. 366); and if the money passed through the state's coffers, they would end up in regime's controlled associations.

These dynamics within the ENPI are further confirmed by other budget lines, such as the problems met in the implementation-or better in the "non-implementation"- of the European Instrument for Democracy and Human Rights or in the freezing of EU subventions to the Tunisian League for Human Rights (see Mouhib, 2014 and Lacroix 2006).

Overall, the lack of a strong, autonomous and capable civil society hindered the implementation of the ENP in Tunisia for the period 2007-2010 and contributed to impede the commitment and absorption of EU funds in the sector of political reforms. However, in the domain of

economic reforms the picture is slightly different. As already mentioned in Chapter 3, between 2007 and 2010 Tunisia had a very good absorption capacity of ENPI funds, insofar as the NIP included only programs of economic development. In this context, Tunisia's good performance was due not only to the willingness of Tunisian authorities and to their agenda. The implementation of EU programs was ensured also thanks to a pervasive control over private civil sector, enterprises[166], and environmental NGOs.

6.4.1 Between heteronomy and the"syndrome of the bon élève": civil society and ENP implementation

In the implementation of ENP programs in economic or environmental domains (such as the already mentioned PAI or PEE), Ben Ali's control of enterprises and civil private sector was key to ensure that the reforms envisaged by the ENP could be working, at least in terms of numbers. In the wake of the syndrome of the "bon élève" and in line with the obsession to "faire des chiffres", the regime exploited private sector as a tool at the state's disposal. In this context, new enterprises and organizations were created from scratch and they were forced to be involved in specific programs or to adopt key measures and regulations, irrespectively of their nature, goals or willingness. The regime's pressure was particularly easy in a context where civil private sector, as the greatest part of civil society, was mainly partisan and heavily infiltrated by political power (European Union, 2012). In this sense, the regime could use civil society as an artifice to preserve the appearances (Foundation for the Future, 2013). As said by some entrepreneurs interviewed by Beatrice Hibou (2005), Ben Ali's regime was seen by private sector at the same time as a burden and as a protection, in line with the idea that a « système qui contrôle est celui qui donne ». Therefore in this case, the success in the implementation of the ENP economic/environment programs directly stemmed from the heteronomous character of Tunisian civil private sector, which was subjected to the state pressure and easily obliged to certain behaviours.

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[166] Whereas civil society is often conceptualized as including only no-profit NGOs, in its broadest meaning civil society is a broader space of citizenry that encompasses the associative sphere and the private sector. For a detailed analysis of the debate on this point, see Van Rooy (2013), chapter three.

6.5 The "Awakening" of Civil Society and the Implementation of the ENP after 2011

The Arab Spring is very much rooted in the "awakening" of civil society that sparked massive protests against the incumbent regimes. At the same time, in a process of mutual influence, the political context as redefined by the Arab Spring shaped the space for civil society and altered the existing relationships between the people and their governments. In Tunisia, the uprisings transformed completely the arena for civil society, which became much more autonomous and independent from the state, as well as organizationally stronger with a booming in the number of associations. In Morocco, where the key authoritarian elements of the political system remained in place, the post Arab Spring landscape shaped state-civil society relations in terms of an increased polarization, with a constitutionally strengthened civil society striving for more autonomy, and a new government attempting instead to stifle autonomous associations and to deepen heteronomy and state-penetration. Henceforth, the Arab Spring ultimately affected the implementation of the ENP programs in Morocco and Tunisia, insofar as it differently shaped civil society's space and its relations with the state in the two countries.

6.5.1 Civil society and the "Moroccan Spring": increased autonomy or deeper heteronomy?

Echoing the anti-regime protests of the other countries in the region, the response of Moroccan population appeared fairly quickly. The 20th February Movement was soon at the forefront of the protests, as a broad coalition of activists and a horizontally organized, non-hierarchic "movement of movements" that launched a joint call for a large national mobilization in the name of political changes and constitutional reforms (Fernandez-Molina, 2011; Hoffmann & König, 2013). The 20th February Movement was mainly composed of civil society activists, human rights associations, leftists and banned Islamists (Hashas, 2013), and in light of its nature and composition it represented one of the new spaces of activism that were prompted by the Arab Spring and that were much more audacious than the traditional existing opposition organizations (Cavatorta, 2012; Fernandez-Molina, 2011). Faced with a popular mobilization across 53 cities, the King directly reacted to the political demands of the 20th February Movement, by announcing the launch of constitutional reforms that would address the call "the people want a new constitution" which was resonating in the streets (Maghraoui, 2011). In this sense, the Movement was able to challenge the regime and to put pressure for deep

political reforms, by calling also for a rejection of the new constitution in light of its cosmetic changes and of the top-led reform process.

However, the fact that the referendum on the new constitution passed with an overwhelming majority despite the Movement's pressure for a boycott, and that the regime was able to quell quickly the protests, is a litmus test for the traditional relations between the state and civil society, as influenced by the key features of Moroccan political system. As suggested by Dalmasso (2012), Moroccan civil society has been gradually depoliticized in its interactions with the regime, dissociating itself from the traditional forms of politics and focusing on narrow interests, which do not question the political system as a whole. This explains why Moroccan civil society as a category did not participate to any significant extent in the protests and why it soon abandoned the role of mobilizing the Moroccan street (Dalmasso, 2012 p. 217-218). In fact, even if the 20th February Movement was joined by thousands of young Moroccans and was able to act as a regime challenger, still the protests were not as massive as in the other MENA countries. Moreover, when the Movement denounced the constitutional reforms as a "Makhzen's masquerade", to the eyes of the majority of people all the Movement's most important demands had already been met with no need of more protests (Benchemsi, 2013). As a major consequence, in public discourses there was a gradual shift from the reference to the 20th February Movement to the royal 9th March speech (Maghraoui, 2011), while the participation of civil society to the constitutional review process was more a "façade of involvement" (Kausch, 2008).

Despite its limits, the activism of Moroccan civil society actors between bottom-up pressures and top-down co-optation was relevant to shape the political landscape, by sparking protests and paving the way to new elections and constitutional reforms. At the same time, in a process of mutual influence, the political context as redefined after 2011 shaped the space for civil society and its relations with the regime, through the adoption of a new constitution and the rise of the PJD-led government. Formally, the new constitution enlarged the legal space for civil society and marked an improvement of its role in policy-making and public sphere, by establishing a framework for participative democracy and social dialogue in "the enactment, the implementation and the evaluation of [..] the initiatives of the elected institutions and of the public powers"(art.12;13). However, this preponderant role remains marginal at the level of implementation, in line with the long and slow process for the execution of the new Constitution (ENP-Morocco Progress Report 2011;2012).

The conversation about the role of civil society was even more influenced by the Islamist government, which directly impinged upon the already difficult state-civil society relations. The first critical step in this regard came only few months after the installation of the new cabinet, when in

March 2012 the PJD Minister for the Relations with Civil Society Lahbib Choubani unexpectedly denounced the Moroccan NGOs that were receiving foreign aids and reported them for lack of transparency by publishing a small list with their names. Moreover, in two years all the state funding for the major (autonomous) NGOs were blocked[167]. The tough reaction from civil society appeared fairly quickly, condemning the governmental declaration as a direct and explicit attack against some specific associations which were considered as troubling for the state and the government (i.e. the big NGOs touching upon sensitive issues). To the eyes of civil society's organizations, the PJD's move was an attempt to "museler les ONGs par le bias de la carotte du financement public" (El Azizi, 2012) and to strengthen the associations close to the party and to its ideology[168], while blocking those pursuing a different agenda[169]. Civil society responded in April 2012 with the launch of the "Appel de Rabat", a vast platform of 400 NGOs that was created as a direct reaction to the declarations of the government and as a call for a national debate on the prerogatives of civil society after the adoption of the new constitution.

Mr. Choubani launched a National Dialogue on Civil Society and the New Constitutional Prerogatives and formed a Committee to lead this dialogue. For this purpose, he presented a governmental strategy to "veiller à la gouvernance de la société civile" and to reform the "arsenal juridique qui encadre l'action associative"[170], as well as adopted a draft decree on the creation of an inter-ministerial committee to coordinate public policies on civil society[171]. However, the associations of the "Appel de Rabat" boycotted the official national dialogue on the ground that the Committee included only small-unknown associations that were not truly representative of Moroccan civil society. This is why all along 2013 the "Appel de Rabat" sparked a long process of non-governmental public debate, which became in all respects a second national dialogue, parallel to the official one, with more than 20 regional meetings, over 5000 militants and more than 3500 associations involved[172]. The main rationale was to react against the unilateral manoeuvres of the PJD Minister, which were seen as an

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[167] Interview with one of the founding members of the Espace Associatif and the Forum des Alternatives Marocaine.

[168] Only with the advent of the PJD-led government, some Islamist oriented associations (such as the "Association Musulmane de Bienfaisance") received after several years the green light for the recognition of their public utility status (See El Azizi, 2012 and the "Liste Des Associations Reconnues D'utilite Publique" published by the Government Secretary General).

[169] Interview with one of the founding members of the Espace Associatif and the Forum des Alternatives Marocaine.

[170] "Motivations du dialogue civile non gouvernamental des associations democratiques", www.debat-democratique.com

[171] http://www.maroc.ma/fr/actualites/conseil-de-gouvernement-du-mercredi-05-novembre-2014

[172] "Motivations du dialogue civile non gouvernamental des associations democratiques", www.debat-democratique.com

attempt to stifle civil society[173] and to impose a legal framework for a partnership with the state without a real consultation[174].

The major consequence of all these dynamics was the development of reciprocal suspicion and a lack of trust between civil society and the government, which in turn affected civil society's structure of opportunity to influence policy-making and to carry out its activities on the ground. In particular, whereas the adoption of the new constitution was a major conquest for civil society insofar as it became for the first time a constitutionalized actor, the new political context fostered a polarization in state-civil society relations, with a struggle between increased heteronomy and search of autonomy.

6.5.2 The implementation of the ENP in the post Arab Spring Morocco and the role of civil society

The implementation of the ENP in Morocco after 2011 was directly influenced by the constitutional prerogatives of civil society, as well as by the increased polarization in state-civil society relations and the bigger reciprocal suspicion. The ENPI Program to support gender equality is the most relevant in this sense.

The adoption of the new constitution was seen by civil society as an important juridical victory, as for the first time it was included in the constitution and emerged as a constitutionalized actor[175]. The new constitution laid the ground for an environment which enabled the empowerment of civil society, in terms of performing a new role of mediator between the state and society (Touhtou, 2014), as well as gaining a new foothold in policy-making. This new autonomy and influence on policy-making represented a potential asset for the implementation of the ENP in the country, insofar as civil society strengthened its role to influence policy decision and to pressure the government for the respect of EU conditions and the ENP-supported reforms. This is for example the case of the ENP Program to support Equality between Men and Woman, which was launched in 2012 to improve conditions for the promotion of gender equality and which included among its expected results and indicators the establishment of a juridical framework for women protection. As already mentioned (paragraph 4.2.2), at the time of the signature of the financing convention the EU was forced to reduce the amount of the first fixed tranche, as the institutional framework for the implementation of the National Equality

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[173] « Financements Étrangères, les ONGs s'opposent au projet de Choubani ». *L'Economiste*, n. 4398, 12/11/2014.

[174] "Motivations du dialogue civile non gouvernamental des associations democratiques", www.debat-democratique.com

[175] Interview with a Moroccan civil society activist, Casablanca, June 2014.

Strategy was still not in place. Indeed, in 2012 the law on violence against women and the reform of the penal code had not yet been adopted. Exploiting their long experience of activism for women's rights, Moroccan civil society and NGOs had a key role in campaigning and pushing for the overhaul of penal code, with an amendment of the art.475 in early 2014, as well as the adoption of the law on violence against women[176] (Sadiqi, 2015). Whereas it was not the first time for Moroccan civil society to push for key reforms in the domain of women's rights, the new constitutional acknowledgement of civil society's key role contributed to strengthen the force of proposal behind its bottom-up initiatives[177]. The implementation of the ENP program was thus facilitated by these dynamics, as the input provided by civil society could accelerate the complex process of reform of women's rights, and in turn allowing for the fulfilment of EU conditionalities for funds absorption.

However, in the post 2011 political landscape, the constitutionalization of political participation in Morocco and the formal improvement of civil society's space is jeopardized by the increased polarization between the government and non-state actors, in the wake of the PJD's attempt to maintain a tight control and to stifle autonomous associations. The declarations of the Minister for Civil Society Choubani, the blockage of state funding for all the bigger autonomous NGOs, as well as the launch of a National Dialogue that involved only minor civil society's actors had two major consequences. In terms of policy-making, these manoeuvres increased the reciprocal suspicion between the government and civil society, reducing the capacity of the latter to influence policy decision and to coordinate with governmental actors on key national policies (thus increasing the gap between the high hopes behind the constitutionalization of civil society, and their actual deliver). In operational terms, according to most of the interviewees from Morocco's associative sector, after 2011 many NGOs were affected by key limitations and lack of funding to carry out their daily activities. By contrast, other associations close to the PJD managed to enjoy privileges and funds[178]. Actually, the fact that associations close to the government managed to be financially and operationally favoured is not a new and exclusive phenomenon rooted in the post-Arab Spring environment. As already shown in the previous paragraphs, the co-optation of associations and the diffusion of GONGOs has always been a feature of Morocco's associational life. However, autonomous associations and big independent NGOs could normally carry out their activities (including receiving state funding) with the awareness of being sometimes excluded from certain advantages or programs (as for instance the case of many

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[176] Interview with a civil society activist, Rabat, July 2014; Telephonic interview with a Moroccan civil society activist, July 2015.

[177] Ibid.

[178] Interviews with different Moroccan civil society activists, Rabat and Casablanca, June-July 2014.

regime-critical NGOs in the context of the INDH). By contrast, after 2011 many independent NGOs had to face a real political obstructionism, which affected their funding and the possibility to carry out activities on the ground[179].

In this context, the NGOs[180] working in sensitive policy sectors such as human rights, health or democracy were among the most affected, whereas low policy sectors such as education, culture or development were less influenced[181]. To the eyes of civil society's activists, these political attempts of control were rooted in the PJD's fear of civil society in light of its new constitutionalized prerogatives[182], as well as in the idea that big independent NGOs in sensitive sectors pursue foreign "western" agendas[183] contrary to the ideology of the government[184].

The emergence of operational constraints jeopardized the capacity of many associations to act as a service deliverer on the ground, affecting in turn the implementation of ENP programs, especially in the most sensitive sectors. This is again the case of the Program for Women's Equality, if we consider that one of the key activities of the program is to promote awareness about gender equality by formulating and implementing a plan for equality (UE Fiche d'Action Maroc, 2012). The lack of confidence[185] between the government and the main (independent) women's rights associations, as well as the limitations on their activities, make the realization of awareness-raising actions much harder (with a consequent impact on the fulfilment of EU conditions and performance indicators). The work of big specialized NGOs would be indeed fundamental for the realization of these kind of activities on the ground.

The polarized state-civil society relations affected also the implementation of the new Neighbourhood Civil Society Facility. Formulated to increase the role of civil society in the neighbourhood, in line with the Commission's communications on the new ENP and on the Partnership for Democracy and Shared Prosperity, the Neighbourhood Facility was officially launched in Morocco in April 2013. However, at the time of writing, in mid-2015, it is not yet operational and

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[179] Ibid.

[180] The Adala Justice Association, the Moroccan League of Human Rights, the Moroccan Association of Human Rights, the Moroccan Association for the Fight against Aids, the Association of Young Lawyers are some examples of the associations that were affected.

[181] Interview with Moroccan civil society activists, note above

[182] Ibid.

[183] Declaration of the Moroccan Association for Human Rights, http://www.amdh.org.ma/En/releases/boycott-fmdh-eng

[184] Interview with Moroccan civil society activist

[185] The decisions of many Moroccan NGOs to boycott the World Human Rights Forum, held in Marrakech between 27 and 30 November 2014 is a case in point. The decision was justified as a reaction to the interdiction of many of their activities.

still under negotiation with the government "pour qu'il puisse l'accepter"[186]. Therefore, even if the aim of the program is to strengthen civil society and to realize a road map for the implementation of its new constitutional role, the governmental attempt to control civil society hampered the actual realization of the program.

6.5.3 Civil Society and the Arab Spring: a new era of associative dynamics in Tunisia

Even if Ben Ali's repressive strategy was able to stunt Tunisian civil society for decades, by elevating the risks of engaging in protest and making collective action much harder to organize (Alexander, 1997), Tunisia was the cradle of the Arab Spring with thousands of citizens taking the street against the regime. The self-immolation of the street vendor Mohamed Bouazizi was able to spark massive political upheavals that with the use of the media and social networks reached soon a point of no return: in a few weeks, Ben Ali was ousted and forced to leave the country. Moreover, even though civil society's biggest request had been attained, unlike Morocco Tunisian people did not stop protesting and pressured for the dismissal of the first transition governments, which were considered too much linked to the previous political establishment.

The strength of Tunisian civil society, which was at the forefront of a profound political change, may be surprising in light of the past legacy of repression, heteronomy and containment. Yet, while always subject to the efforts of the State to curtail its autonomy, civil society in Tunisia has struggled for so long to obtain independence that it was able to develop a kind of political culture in the form of "civisme" (Murphy, 1997, p. 120). Moreover, the protests were far from being a revolution of the dispossessed, but rather they were supported by the country's highly educated middle class, which was equally tired of the dubious economic growth and absence of freedom (Murphy, 2011).

President Ben Ali's hurried exit to Saudi Arabia not only allowed for political and constitutional changes, but also for a completely new reframing of state–society relations (Deane, 2013, p. 8) by inaugurating a "new era of associative dynamics" (European Union, 2012). First, from the revolution onward there was a boom in the number of CSOs with the registration of over 100 new associations the very day after Ben Ali's fall and between 7000 and 10000 new associations, unions, and professional organizations that were registered within 10 months after the revolution[187] (Freedom House, 2012). The

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[186] Telephonic interview with Moroccan Activist, July 2015. Telephonic Interview with EU Delegation Official in Morocco, July 2015.

[187] Between 2011 and 2013, the annual average was of 2500 new organizations per year.

quantitative expansions was complemented by a qualitative expansion, with the creation of associations active in different areas and especially in those that were neglected under the former regime, such as human rights and democracy (Foundation for the Future, 2013). Moreover, the quantitative and qualitative diffusions of CSOs was accompanied by a geographical spreading, beyond the traditional concentration in large cities and coastal areas (ibid.). The mushrooming of associations was fostered by the adoption of a new legislative framework and new law on associations, which put an end to coercive practices[188] and allowed for relaxed regulations, including the access to foreign funds.

The emergence of civil society and community empowerment was often credited as one of the drivers for Tunisian deep political transformation (Deane, 2013). From the outset, civil society was able to impose itself and to contribute to the country's political transition by actively participating in the new High Instance for the Realization of the Revolution's goals, the Superior Instance for Elections and the Commission for Political Reforms and Democratic Transition (European Union, 2012). Similarly, it was involved in the activities of the National Constituent Assembly, which opened its doors to promote a dialogue with CSOs (Foundation for the Future, 2013). In other cases, Tunisian civil society was not only the initiator of political transition, but also its guarantor when the country was at a political standstill. This is the case of end-2013 when, following the second political assassination in a few months, a moment of crisis and political deadlock emerged with the opposition demanding for the dissolution of the Ennahda-led cabinet and the creation of a technocratic government. In such a context, civil society emerged as a mediator with the General Labor Union of Tunisian, the Tunisian association for defending human rights, Tunisian Lawyers Association, and the Union of Industry and Commerce leading a national dialogue to go out from the impasse. In doing so, they succeeded in the adoption of a road map that included a plan for the approval of a final draft of the constitution, the resignation of Ennahda and the formation of a technocratic government.

Overall, after 2011 Tunisian civil society became stronger as exemplified by the quantitative and sectoral mushrooming of associations, in a much more allowing political and legal context. In contrast to Ben Ali's period, civil society gained key autonomy and a real and stronger foothold in processes of change. Yet, problems persist insofar as the efficacy of civil society's role and the new legal framework are dependent on their sound implementation. Moreover, the establishment of a real

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[188] According to the new law, the Ministry of the Interior is no longer the authority responsible for the creation of an association and it is replaced by the General Secretariat of the government. Moreover, no limitation to the scope of action was established as to what concerns the sectors for associations' activities. Finally, the new law gives foreigners the opportunity to participate in associations as ordinary or founding members.

dialogue between state and civil society is a long process and systematic mechanisms and procedures for consultations are still missing. Beyond the definition of institutional structures for concertation, the reciprocal lack of confidence as influenced by the legacy of the past impinges upon the establishment of a real collaboration. Whereas civil society does not trust the state and strives to keep intact its much-awaited independence, the state doubts of CSOs' credibility and capacities (European Union, 2012). Divisions affect civil society itself, where a certain polarization persists around modern and conservative vision of society (ibid). Finally, in terms of capacities, CSOs are only now starting to build their expertise and strengthening their competences. In the mobilization of financial resources, many organizations still do not know international donors' procedures and therefore find many difficulties in obtaining the financing of project proposals, with the consequence that many CSOs can rely only on limited actions based on the contribution, time and money of their members.

6.5.4 *The implementation of the ENP in Tunisia and the role of civil society after the Arab Spring*

The reframing of state-civil society relations after the Arab Spring affected also the relations between the EU and Tunisian civil society. Whereas before the revolution the EU could have only limited contacts with CSOs, the post-Arab Spring context broadened the "space" for civil society both in strength and autonomy and allowed the EU to apply for the first time a real participative approach. Several consultations were launched with Tunisian associations to identify civil society's reform goals and capacities, as well as to adjust EU programs in this sense. The adoption of this *démarche participative* reflected the spirit of the renewed ENP and of the new European Partnership for Democracy, which attached great importance to the role of civil society actors in the promotion of bottom-up reforms and in their capacity to engage with public authorities. If many of the ongoing ENPI programs had been programmed and defined only with the Tunisian counterparts at the Ministerial level, after 2011 they were reviewed and readjusted to the new context by the means of a brainstorming with civil society.

The political landscape as redesigned after 2011 and the stronger and more autonomous role of civil society considerably affected the implementation of the ENP in Tunisia and its general positive performance. Within the ENPI, the EU could address civil society for the first time and establish a direct dialogue with non-state actors. Yet, the instauration of such a dialogue was not always easy. Especially in the aftermath of the revolution, Tunisian civil society actors were suspicious and very critical of the EU, in light of its past collaboration and appeasement with Ben Ali's regime. The

formulation of the PARJ, which was launched in 2012 to support Tunisian reform of justice, is a case in point. For the identification of the program, the EU Delegation in Tunis started to contact different civil society partners in order to collect their ideas, needs and opinions about the reform of justice. However, the EU faced many difficulties to establish a rapprochement with civil society and to construct a solid dialogue. At the Delegation level, the general perception was of a lack of trust by civil society actors, who were sceptic about the role of the EU and its attempt to approach a delicate issue such as that of justice. Moreover, in the very beginning the biggest challenge was to identify *which* civil society the EU had to engage with, insofar as it was very difficult to understand who was part of the old system and who was an opponent. Therefore, when the Delegation organized some conference and invited some civil society speakers that it thought to be valuable, it often received thousands of mails from other civil society actors, who were blaming the Delegation for having invited someone who was actually embedded in the old system[189]. Despite these initial difficulties, civil society's actors recognized that the EU was one of the first donors to interact directly with them, and to gradually develop "good relations of concertation and ideas-exchange on justice"[190].

When the PARJ was finally launched, the EU targeted directly for the first time Tunisian non-state actors by launching a call for proposal on the reform of justice. More than 200 proposals were submitted in light of the booming of Tunisian organizations in the domain of justice and almost all the funds committed were engaged.

The internal divisions within civil society and the suspicion towards the past was another element affecting the implementation of EU programs after the Arab Spring. The "*Programme d'Appui à la Société Civile*" (PASC) is a meaningful example. Financed under the SPRING, it was launched in 2012 to reinforce civil society's capacities in terms of political dialogue and support to the country's socio-economic development (European Union, 2012). For this purpose, the program was identified in a participative way by consulting 150 organizations from Tunisian civil society, in order to point out the main needs, constraints and problems. The prevailing lack of confidence in state-civil society relations, as well as the divisions among the programs' implementers, affected the PASC in two ways. First, while the program was managed with several regional bureaux across the country, the central management unit was established in Tunis where a coordination team was put in place. All the people who were recruited were young graduates and civil society's activists. From the outset, internal divisions emerged on the management of the program insofar as the appointed PASC director was

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[189] Interview with EU Delegation Official, Tunis, February 2015
[190] Interview with Tunisian civil society activists, Tunis, January-February 2015

paradoxically an ex RCD and was thus seen by the young activists of the PASC team as a representative of the old system and as an actor "trop étatique"[191]. The growing reciprocal suspicion contributed to slow down the execution of activities. Interestingly enough, this tension and difficult relation between the team composed of young activists, on the one hand, and the director who symbolized the past and "the state", on the other, mirrored in a smaller way the general dynamics of the broader state-civil society relations after 2011. As put it by an EU official during an interview: "the program [PASC] is complex, as the goal is to allow civil society and the state to work together. If there is no reciprocal confidence, they cannot work together as they do not know each other. This problem was inevitably reflected in the program and in its very implementation".

Secondly, what emerged clearly from the implementation of the PASC was civil society's polarization around modern and conservative vision of society: "you have people from civil society, especially the young, such as the PASC team, who are hypermotivated and extremely proactive. But you have also the "old" school, such as the PASC director, trying to proceed in a moderate way and hampering those who want to go too fast in the name of change"[192]. Despite the difficulties that slowed down the execution of the program, almost all the committed funds were engaged and a call for proposal for civil society organizations was launched at the end of 2014, with over 140 proposals received.

In spite of the complex relation with the state, in the new context Tunisian civil society acquired an increasing foothold in national debates and policy-making. The GBO and the implementation of the corresponding ENP program PAGBO are a case in point. As already mentioned in the previous chapter, Tunisian administration was a key actor to bring ahead and implement the GBO reform of public finances, paving the way to the implementation of the ENP program and to the absorption of EU funds. Yet, civil society played also a role in this sense thanks to its post-Arab Spring engagement. In 2013, some Tunisian associations produced the first Open Budget Enquiry, showing Tunisia's position in terms of budget transparency. The publication and diffusion of the results became a showcase for visibility on the issue of a more transparent and efficient budget management. In this context, Ennahda-led government accepted to create a committee with civil society associations to guarantee the monitoring of the budgetary reform. Thanks to the role played by civil society, key results were achieved with the publication of the budget of local collectivities and of the so-called "Citizen Budget", i.e. a simplified and more accessible version of the *Loi de Finance*. Civil society was

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[191] Interview with a Tunisian civil society actor and former member of the PASC Unit, Tunis, February 2015
[192] Ibid.

therefore able to exert pressure on the implementation of the GBO and it indirectly contributed to the implementation of the ENP program and to the fulfilment of its conditions.

Overall, despite the difficulties which naturally arose from the legacy of the past, Tunisian good implementation performance and absorption capacity after the Arab Spring was also influenced by the renewed role of civil society, as shaped after 2011.

Conclusions

Do domestic actors make a difference for the implementation of the ENP on the ground?

Do local actors in the neighbouring countries make a difference for the implementation of EU external policies on the ground? And if it so, how, when and why? The goal of this work was to go beyond context-free analyses of EU external action and to put the implementation of the ENP "in context", by taking into account the role of domestic actors in the implementation of EU programs on the ground. The starting assumption is that if "there is hardly any other external policy of the EU with a larger gap between its stated objectives and actual outcomes" (Lehne, 2014, p. 4), this cannot be explained merely in light of the ENP policy design and intrinsic weakness, or only in light of EU interests and actorness. While relevant, these explanations, which are at the core of the prevailing top-down approach to the study of EU external policies, contribute only partially to the explanatory picture, as they are not able to explain how implementation works on the local ground. Moreover, they fail to capture the reasons behind commitments-payments gaps, as well as the different implementation performance of the neighbouring countries.

By contrast, the analysis carried out in the previous chapters shed light on implementation as one of the most problematic and convoluted aspects of external policy-making, where the execution of EU programs depends also on the countries that are the final recipient of the policy. Neighbouring countries may not necessarily be willing or capable to implement ENP reforms and to adapt to Europe (Borzel, 2011). In this sense, domestic actors can make a difference, by either ensuring implementation and a smooth absorption of EU funds, or by hindering execution and contributing to widen the gap between Brussels' expectations and actions on the ground. Giving agency to the ENP partner countries is thus important to understand how EU initiatives fit into their agenda and capacities, as well as how reforms are concretely implemented (Darbouche, 2008). It is only through a thorough understanding of the reality on the ground and of the complexities of domestic actors in neighbouring countries, that it is possible to have a clearer theoretical picture on EU policy-making and on implementation (Pace, Seeberg, & Cavatorta, 2009, p.11). By adopting this perspective, the implementation of the ENP is something more than the mere transposition of EU norms or the adoption of its values. Rather, it implicates the very capacity of neighbouring countries to implement key reforms, and provides a privileged and dynamic observation point on the neighbours' internal political and policy processes.

In accordance with these considerations, to explain ENP implementation on the ground the main argument of this thesis was rooted in the importance of three domestic actors in neighbouring countries: the role of political actors, the role of administration and the role of civil society. More specifically, in order to understand how these domestic actors can make a difference and affect the performance of the ENP, political actors were analysed considering their goals, agenda, resources and expertise; administration was examined in terms of its administrative capacity while civil society in light of its strength and autonomy. Moreover, by adopting a structuractionist approach, domestic actors were analysed against the key features of the political system in which they are embedded and whose structures shaped –and in turn were shaped by- domestic players.

The main hypothesis is that there is a direct and positive relation between the key features of local actors and the implementation of the ENP on the ground. Namely, in a country where there is a high degree of misfit between the goals of domestic political actors and the ENP reform agenda (H1a), where administrative capacity is weak (H1b) and where civil society is not strong or autonomous (H1c), it is more likely to have implementation gaps.

In this context, the Arab Spring was a fundamental systemic event, which set the stage for new political actors and which transformed the structures where actors move. The Arab Spring was therefore analysed as an intervening variable that potentially altered the value of the above-mentioned explanatory variables and in turn influenced their causal relation with the implementation of the ENP. The second hypothesis, therefore, is that if after 2011 there was a big variance in the way Mediterranean countries absorbed and implemented ENPI funds, this was because the Arab Spring altered in a different way the value of the three explanatory variables, determining different ENP implementation performances. Therefore, if it is true that domestic political actors, administrative capacity and civil society have a determinant role in the implementation of the ENP on the ground (H1), the countries' variance in performances after 2011 is explained as a consequence of the Arab Spring's effect on these three specific variables (H2).

Comparing Morocco and Tunisia: when, why and how domestic political actors make the ENP work

The cases of Morocco and Tunisia were differently illustrative of the role of domestic political actors in the implementation of the ENP and the way they inform the policy dialogue with the EU and determine which ENP reforms would be adopted and how, in light of their agenda and support or opposition to policy change. In this sense, the key features of Moroccan and Tunisian political system,

their political actors and their internal policy-making processes, as respectively informed by the dualism between tradition and modernity and by the myth of reformism, influenced the implementation of ENP bilateral programs on the ground.

Between 2007 and 2010, Morocco had an excellent absorption capacity with a high payments-to-commitments ratio and a NIP covering different policy domains. This good performance was affected by the general pro-European attitude (Del Sarto, 2006, p. 209) of the King and in turn of all political forces, as well as by the reform agenda of Moroccan authorities, which perfectly matched with the ENP agenda. The ENP programs to support the National Alphabetization Strategy and the education reform were a case in point. Their good performance was due to the highly consensual nature of Moroccan political system and to the broad consensus by all political actors about the importance of education and alphabetization as a national priority. The fact the ENP programs supported policies which were attached a high priority within the country's agenda allowed to have a good policy dialogue with the EU and to meet disbursement conditions with a good absorption of EU funds.

Similarly, in the case of Tunisia, the features of political actors and their agenda exclusively focused on economic reforms influenced the dialogue with the EU and the implementation of the ENP bilateral programs. If between 2007 and 2010 Tunisia had a good absorption capacity of EU funds, this was because the NIP included only programs of economic development, by focusing on issues such as competitiveness, employability and innovation, which were at the top of Tunisian agenda. The cases of the ENP Programs PAI and PEE were a key example, revealing that the good implementation performance was influenced by Ben Ali's agenda and the priority given to economic reforms in light of Tunisian reformism and of a pro-European attitude committed to demonstrate that Tunisia was a "bon élève". Moreover, Ben Ali's centralized decision-making and its pervasive control of economic operators were key to guarantee the good implementation of the programs, by obliging other actors to participate and to commit to the required measures. By contrast, in sensitive domains, such as justice or political reforms, which did not match with the authoritarian regime's agenda, no ENPI Program could be launched.

For the period 2007-2010, the two countries confirmed the hypothesis H1a. Namely, the degree of (mis)fit between the goals of domestic political actors and the ENP reform agenda shapes the implementation of the ENP on the ground, insofar as the more the policy addresses the orientation and the interests of local political actors, the more likely smooth implementation and fund absorption.

Domestic political actors were the first to bear the costs of the Arab Spring and, even if with different degrees of change and (in)stability, both Morocco and Tunisia experienced a transformation of their political arena after 2011, with new elections, leadership changes and renegotiations of the rules of the game. In this regard, if Morocco had an excellent performance between 2007 and 2010, after 2011 it worsened its absorption capacity, with less than the half of EU funds actually disbursed. By contrast, in spite of its deeper political transformations, Tunisia was able to maintain a high payment rate, faring better than other neighbours apparently less affected by the events. Moreover, if after 2011 the EU increased its commitments but actually spent less than before because of the peculiar contingent conditions of the neighbourhood, Tunisia improved its absorption capacity proportionally to the increase in EU funds. The contrasting ENP performance between Morocco and Tunisia, and *vis-à-vis* the precedent period, can be explained in light of the Arab Spring and of the different way it shaped and "altered" the variable political actors in the two countries, affecting in turn the implementation of the ENP on the ground.

Both Morocco and Tunisia saw new elections and the creation for the first time of a (coalition) cabinet led by an Islamist party. This was one of the main novelties brought by the Arab Spring, insofar as the PJD in Morocco and Ennahda in Tunisia had never managed to gain political power, with the former never winning national elections, and the latter being officially banned under Ben Ali's rule. The rise of new actors and transformation of the rules of the game with the adoption of a new constitution shaped the national agenda and the policy processes in the two countries, with new emerging goals. In particular, in Morocco the rise of the PJD brought a new agenda and policy goals, which not necessarily matched with the ENP programs, even when those programs had already been accepted and negotiated by the previous government. The implementation of the ENP was therefore affected by the quality and the difficulties of the dialogue between the PJD and the EU. The degree of misfit between the new governmental agenda and the reforms supported by the ENP resulted in a reduced implementation performance and absorption capacity of EU funds. In this sense, for some EU Officials the perception was that the PJD was not so prone and used to deal with the EU, as well as familiar with ENP programs. By contrast, in Tunisia Ennahda's attitude was completely different and much more opened and well disposed towards cooperation with the EU, seeking closer ties with Europe. This orientation was rooted in the new rhetoric of "breaking with the past", which informed also the approach of the first three transition governments, and that paved the way to a new agenda where the main goal was to meet people's expectations of political and economic reforms. Tunisian increased absorption capacity after 2011 was therefore influenced by the launch of new ENP programs,

which included for the first time also political reforms and that perfectly matched the country's emerging post-revolutionary priorities and eagerness to act quickly in the name of change.

Morocco's reduced capacity was also influenced by the process of constitutional renewal and by the governmental crisis of mid-2013 that diverted attention away from sectoral reforms and made it harder to meet EU disbursement conditions. In particular, the PJD's coalition was reformed with a big partisan shift from the *Istiqlal* to the RNI, generating political deadlock and institutional instability. By contrast, whereas also Tunisia was affected by a governmental crisis in 2013, its first cabinet reshuffle did not affect the implementation of the ENP in the country insofar as the identity of the original troika remained the same with only few changes in the nominations. Finally, whereas Tunisia experienced a second moment of instability in 2013, in light of the national dialogue and the difficult constitutional reform process, these conditions did not prevent the country from having a good absorption capacity of EU funds with the following technocratic government committing to the "breaking with the past" narrative and making efforts to meet EU conditions.

After 2011,therefore, the two cases confirmed the second hypothesis of this work (H2a), i.e. that if Morocco and Tunisia had a different performance after the Arab Spring, this was because the latter differently shaped their domestic political actors, impinging in turn upon the implementation of the ENP on the ground.

Overall, the comparative analysis allows to identify some key characteristics that explain when, why and how domestic political actors make a difference for the implementation of the ENP.

Goals and Attitude: Political actors' agenda fitting with the ENP and positive orientation towards the EU. If the goals of domestic political actors' agenda fit with the reform goals promoted by the ENP, it is more likely that EU programs will be implemented and funds absorbed. Moreover, a good attitude and orientation towards the EU informs positively the policy dialogue and facilitates programs' implementation. By contrast, a misfit between the goals of domestic political actors and those promoted by the ENP, as well as a non-positive attitude towards the EU, are more likely to hamper the smooth implementation of EU Programs.

Roles: Veto players as agenda-setter. The ENP programs focusing on issues or policies that are put on the national agenda by a veto player are more likely to be implemented without difficulties. The INDH in Morocco is a case in point. The good absorption of EU funds was rooted in the importance of the INDH as a royal initiative, which informed government's priorities and parties' agendas. As such, it stood as a policy above the fray of domestic politics and was protected by the King's shelter and legitimacy, with no political party daring to question its position in the agenda. Similarly, in Tunisia

Ben Ali was a major agenda setter who set the scope and the pace of reform. For all the ENP Programs that matched the prevailing economic "content-goals" of his national agenda, Tunisia was willing and able to respect EU conditions and indicators, while it avoided and not implemented any program, which might concern issues in contrast with Ben Ali's agenda. More generally, the ENP Programs dealing with issues that are promoted by the stronger relative actor are more likely to work. Post-2011 Tunisia is enlightening in this sense, with Tunisian people/civil society becoming the stronger relative actor and main agenda-setter who informed the country's main political and economic priorities, and who made transition governments dependent on the public acceptance of their policies. As such, political actors were eager and committed to implement the ENP Programs, which fully respected post-revolutionary goals as redefined by people needs. Similarly, in the case of the subsidy reform in Morocco, even if the PJD approach matched with the one promoted by the EU, the goals of the Moroccan relative stronger actor prevailed, with the royal establishment opposing the reform and in turn hampering the implementation of the corresponding ENP programs.

Resources: Money and Expertise. The lack of economic resources can contribute to high absorption rates of EU funds and foster efforts to meet EU requirements. This is again the case of Morocco and of the ENP Programs to sustain the INDH and education. The country's shortage of resources and the need of international money to support the implementation of its national policies prompted the smooth cooperation with the EU. By contrast, if foreign money is not a strict domestic necessity, political actors may procrastinate or even obstacle implementation. This is what happened when Moroccan Minister Bassima Hakkaoui retarded the financing convention with the EU only for formal rather than substantive reasons, by conveying the idea that her Ministry was not in need of EU money. Finally, expertise is also a key feature, which affects the implementation of EU programs. The comparative analysis revealed that expertise in the domain of politics and administration, as well as the familiarity with EU cooperation procedures and programs, can facilitate implementation, as domestic actors are more acquainted with goals, policy procedures and requirements. By contrast, when political actors are missing expertise or do not have past experiences of cooperation with the EU, implementation may be hampered or delayed. The PJD lack of expertise and slowness in the appointment of the new administration, as well as its poor familiarity with the EU, were among the factors that contributed to reduce Morocco's absorption capacity after 2011.

Comparing Morocco and Tunisia: when, why and how administration makes the ENP work

If it is for the political level to make key choices about ENP sectoral reforms, it is up to the administration to undertake actions correctly in order to meet policy goals. The lack of administrative capacity, intended as the ability of administrative structures to implement specific reforms, could therefore generate implementation gaps, through the non-fulfillment of EU's conditions and performance indicators. In this regard, the capacity of administration in Tunisia and Morocco informed the implementation of ENP bilateral programs.

Morocco has always had a less advanced administration capacity *vis-à-vis* Tunisia, yet the experience of some bodies and the good organization of some of its structures contributed to the good implementation of the ENP programs before 2011. This is the case of the program for alphabetization, which was positively influenced by the capacity and the experience of the DLCA to implement the National Strategy of Alphabetization and which allowed to respect some of the EU disbursement conditions. Similarly, with a broad administrative structure, clear implementation responsibilities and strategic coverage under the supervision of the Ministry of Interior, the INDH could be soundly implemented, with a good absorption of EU funds. In other cases, such as the ENP program to support the health system, the difficult repartition of human resources on the territory and the limited capacity of the Ministry of Health to coordinate and ensure the presence of medical personnel in the rural world affected the implementation of the program and the capacity to respect some of the EU indicators.

By contrast, Tunisia has always had a stronger administration capacity than Morocco, thanks to a process of modernization and to the state's tight control, which allowed to created adequate structures and qualified personnel. This skilled administration allowed a good administrative capacity for the implementation of EU programs such as the PAI or the GBO, with administrative actors committing to the reform goals and being able to ensure the execution of difficult measures, as well as the respect of EU disbursement conditions.

In this context, the Arab Spring affected administration's capacity in the two countries, by generating institutional volatility. In Morocco, it provoked officials' turnover in light of the governmental changes of 2011 and 2013. In Tunisia, it generated institutional instability and frequent changes in the administrative personnel in the wake of the rapid succession of transition governments and in the wake of the improvise lack of discipline. However, while Morocco's administrative capacity was weaker than Tunisia and directly suffered from the emerging uncertainty, by contrast Tunisian administration was able to recover quickly thanks to its well-established structures and experience. This is why ENP programs in Morocco after 2011 suffered much more than Tunisia from the increased

administrative volatility. This is the case of the alphabetization program whose payments decreased until zero in light of the lack of a clear interlocutor and administrative general paralysis; or the case of the ENP support to the implementation of IER recommendations, where the reduced capacity of the CCDH and its transformation into CNDH affected the implementation of the EU program and impeded to spend half of the original budget. Even if the government was willing to proceed with these programs, political commitment was not enough revealing that it remains a necessary but not sufficient condition for implementation and that administration's capacity is key in this sense.

By contrast, Tunisian administration was able to get back to its normal functioning much quicker than Moroccan administration and, in spite of the period of uncertainty and turnover, it was still able to guarantee the implementation of EU programs. This is the case of the GBO which would have never been implemented without the commitment of the administration; or the case of the PEFESE, that after an initial instability which led to no disbursement in 2012 was able to quickly recover and to have anyway a good absorption capacity *vis-à-vis* the original commitments.

Against this background, the cases of Tunisian and Morocco provided evidence for the hypothesis H1b, i.e. that the degree of administrative capacity shapes the implementation of the ENP, insofar as the more administrative capacity is good, the more likely is smooth implementation and funds absorption. By contrast, when administrative capacity is reduced it is more likely to have implementation gaps and problems in the absorption of funds. Moreover, if after 2011 the two countries had different performances this was because the Arab Spring "altered" their administrative capacities in different ways, with Morocco being much more sensible to the general instability and volatility produced by the events. This therefore confirms the second hypothesis H2b.

Overall, the comparative analysis allows to point out some key characteristics that explain when, how and why the administration in the recipient countries can make a difference for the implementation of the ENP.

Experience and Expertise. Well-established administrative structures, acquainted to modernization and to juridical positivism, and endowed with skilled personnel make it easier for ENP programs to work.

Coordination Capacity. Administrative structures able to guarantee an efficient coordination among the sectoral ministries, good territorial coverage and key implementation responsibilities facilitate the implementation of EU programs. This is the case of the MDCI in Tunisia, or of the Ministry of Interior in Morocco. By contrast, limited coordination capacities hamper good implementation and absorption capacity of EU funds, such as in the case of Morocco's Health Program.

Stability. Stability and continuity in administration favour implementation of ENP programs, as, if the administration is stable, the people involved in the execution remain with high probability the same from the launch of the program to its conclusion. This helps to foster clarity of goals and roles. Moreover, the people who were involved from the outset in the reform program are more likely to commit to the program's goals than the people who joined the process only at a later stage. The implementation of the PEFESE in Tunisia is enlightening in this sense. By contrast, instability, officials' turnover and frequent changes in administration are more likely to affect the implementation of EU programs in a negative way, insofar as they generate uncertainty, paralyses and vacuums with frequently missing interlocutors and people responsible of the programs.

Comparing Morocco and Tunisia: when, how and why civil society can make a difference

Civil society is considered as a key actor in policy-making, in light of its presumed ability to foster change and to implement policy reforms, by acting as both a policy advocate and a dialogue promoter, as well as a service deliverer and a policy implementer. The configuration of civil society in Morocco and Tunisia influenced the implementation of the ENP.

Morocco has always been considered as one of the countries with the most vibrant civil society of the MENA, with a big number of associations able to act in the public sphere and able to be a service deliverer in place of the state. The development of an organizationally strong civil society based on the extensive diffusion of CSOs facilitated the implementation of the national strategies supported by the ENP programs, with NGOs as important service deliverers and tool of policy execution. The ENP program to support Alphabetization is again a case in point, as its implementation was positively influenced by the strength of civil society as a service deliverer in the domain of alphabetization. Similarly, in the case of the INDH the diffusion of several civil society's organizations, many of which created from scratch under the impulse of the INDH, favored the implementation of the program, allowing to meet EU indicators in terms of population participation and number of participatory diagnostics. However, the role of Morocco's civil society must also be framed against the consensual nature of Morocco's political system, with the regime channeling voice in established channels and civil society accepting to play according to the rules of the game. In this sense, Moroccan regime was able to ensure a good implementation of the ENP by often imposing its preferred CSOs as beneficiaries of EU programs. For instance, in the case of the INDH, the good absorption of EU funds is rooted in

the regime's attempt to design new spaces of participation, while setting key boundaries for the involvement of civil society in the INDH.

In Tunisia, civil society had a very limited space to operate because of the regime's successful attempt to remove areas of freedom and to penetrate it, as well as exploiting it for its purposes. Whereas this weak civil society made it impossible for the EU to implement and formulate ENP programs in sensitive domains, insofar as civil society was too fragile and controlled to proceed in this sense, in the implementation of the ENP economic reforms the situation was different. The good performance was in fact ensured thanks to a pervasive control of the state over civil private sector, which was obliged by the state to adopt certain behaviours.

The Arab Spring shaped in a different way state-civil society's relations in Tunisia and Morocco, with the former seeing the emergence of an independent, autonomous and organizationally stronger civil society, and the latter seeing a general worsening of state-civil society relations in terms of an increased polarization. Whereas in Tunisia the new strength and autonomy of civil society was a major asset for the implementation of the ENP, which could now focus on sensitive issues and launch calls of proposal in the domain of justice and civil society's development, in Morocco the new situation was a major blow for implementation. Indeed, even if the new constitution strengthened Moroccan civil society and its capacity to exert pressure on the government for key reforms, the increasing lack of confidence in state-civil society's relations, as well as the PJD's attempts to stifle independent CSOs by blocking state funds, affected civil society's structure of opportunities and its capacity to carry out activities on the ground with an impact on the implementation of the ENP programs.

The opposite cases of Morocco and Tunisia after the Arab Spring, as well as the impossibility to implement sensitive reforms in Ben Ali's Tunisia, provided evidence for the hypothesis H1c. Namely, the strength and the degree of autonomy of civil society influence ENP implementation, insofar as the stronger and more autonomous is civil society the more implementation and funds absorption are likely. However, the analysis revealed also that in some cases the good performance and consequent absorption of EU funds was influenced by the heteronomous character of civil society in certain policy sectors. This is the case of Morocco where for instance the INDH's performance was influenced by the heteronomous character of associations easily co-opted into INDH structures, as well as the case of Tunisian economic reforms.

Finally, the different implementation performance of Morocco and Tunisia after 2011 provides evidence for the second hypothesis H2c. Namely, their different performance after the Arab Spring

was due to the different way the latter affected their state-civil society relations, as well as the strength and the space available to civil society.

Overall, the comparative analysis allows to identify when, how and why, civil society can make a difference in the implementation of ENP programs on the ground.

Strength. A civil society that is organizationally strong with a high number of organizations in a certain policy sector favours implementation, as it acts as service deliver and project implementer for the execution of reforms at the lowest/on the ground level.

Autonomy. An autonomous and independent civil society facilitates the implementation of ENP programs in sensitive sectors, as civil society actors can pressure decision-makers for the definition of priorities. Moreover, it allows a better targeting of EU policy initiatives, insofar as an independent civil society has more possibilities to dialogue directly with the EU.

What role for the EU? The explanatory power of the governance approach

In accordance with all these considerations, what is the role of the EU in the implementation of the ENP? As already mentioned in the second chapter, in the domain of external policies the macro level of the EU ultimately overlaps with the micro level of the recipient. EU Delegations in third countries are a case in point as they perfectly embody this overlapping, by being EU representatives yet deeply embedded in the micro-implementing environment of the recipient country. This means that traditional top-down and bottom-up approaches to study implementation encounter theoretical difficulties in the domain of external policies, insofar as the first overlook the role of local actors and conditions on the ground at the recipient level, while the second downplay the role of the EU. Given the peculiar and multilevel character of external policies, the two aspects cannot be neglected. This is why a governance approach was adopted to frame the implementation of the ENP and to bypass the limits of traditional studies.

The main merit of a governance approach is that, by drawing on a combination of central steering and local autonomy, it emphasizes the multi-actor and multi-level character of action. In this context, the implementation of the ENP is framed as a system where responsibility for policy design and implementation is distributed between different levels and actors. This permits to consider the role of both domestic actors and the EU as well as their reciprocal influence and interaction in the implementation of the policy. In particular, whereas the previous chapters demonstrated that domestic

actors can make a difference, the performance of ENP bilateral programs and the absorption of EU funds are also influenced by the EU approach and its structure of opportunity in the neighboring countries.

For instance, Tunisia's good absorption capacity before the Arab Spring was influenced not only by the goals of Tunisian authorities that matched with ENP agenda or by its administrative capacity, but also by the softness of the EU in the assessment of performance criteria and indicators. Similarly, the fact the EU decided not to include sensitive reforms in the NIP indirectly favored Tunisia's good absorption capacity. This decision was influenced both by Brussels' priorities and by the EU's general structure of opportunity in the country. On the one hand, Brussels' need to maintain good diplomatic relations with Ben Ali, who was considered an important ally against terrorism, paved the way to a cautious approach which forced the Delegation in Tunis to adopt a diplomatic stance and to avoid the application of conditionality. On the other hand, it is also true that the EU Delegation on the ground did not really have the possibility to act otherwise, in light of a hostile context and a tight control even of EU Officials.

The Arab Spring represented in this sense a new window of opportunity that enabled the EU to push for more reforms, by adopting several new programs and committing more EU funds. Moreover, if before the Arab Spring the EU was more prone to turn a blind eye to conditionality and to be less strict in its criteria, after the Arab Spring it increased the conditions attached to its disbursement of funds. In this sense, it contributed to reduce the already difficult absorption capacity of the neighbouring countries after 2011, such as in the case of Morocco. This is for example the case of the implementation of the IER recommendations, where the already reduced administrative capacity of the CNDH coupled with the strictness of EU procedures, which made it hard to cope with EU tight timetable and which impeded to absorb the entire budget originally committed. By contrast, in the case of Tunisia, the increased absorption capacity after 2011 is due not only to the role of Tunisian domestic actors, but also to the way EU programs were designed, with the budget support measures calibrated to meet the transitory governments' limited mandate and capacity. This permitted payments' conditions to be feasible and to increase the chance to disburse the funds. Therefore, whereas domestic actors are fundamental to explain reduced absorption capacities after 2011, EU discretional decisions over conditionality and the strictness of its procedures, as well as the way it designs policy programs, must also be considered as contributing to explain policy implementation.

While focusing on the role of domestic actors, the adoption of a governance approach allows to analyse the implementation of ENP as a complex process where the execution of bilateral programs is

a joint responsibility of different actors at different levels. In this way, it possible to include also the way the EU's action influences policy performance and is in turn influenced by the constraints and opportunities of the neighboring countries.

*Towards a changing topography of the ENP implementation in the Mediterranean?*

The analysis of domestic actors in Tunisia and Morocco and the way they can make a difference for implementation performance leads to new considerations on the implementation of the ENP in the Mediterranean. In particular, it reveals that the topography of the ENP implementation in the area seems to have changed after 2011, with the Arab Spring contributing to transform structures and paving the way to new obstacles and opportunities. At Brussel level, the general EU perception is that the Arab Spring potentially questioned Morocco's model role in the ENP, worsening its performance. By contrast, Tunisia gradually emancipated from its traditional reputation as the "bad" of the neighbourhood (Bicchi, 2010b) and moved rapidly up the absorption capacity ratings. As an EU Official in Brussel put it during an interview: "Morocco is moving away from its reputation of the *bon élève* of the ENP while Tunisia is gradually improving its performance in absorption capacity and policy dialogue". These developments open new perspectives on the geography of ENP implementation in the MENA and become even more interesting in light of the current review of the ENP and its future reformulation.

ANNEX I

Table 7- ENPI South Payments and Commitments 2007-2014 (€ Mil.). Source: ENPI Statistical Annex 2015.

Algeria	2007	2008	2009	2010	2011	2012	2013	2014	TOT
Commitments	57	32.5	35.6	59.0	58.0	74.0	50.0	26.3	**392.4**
Payments	51.3	46.1	47.9	28.1	42.9	30.3	37.3	33	**316.9**
Egypt									
Commitments	137	149	140	192	92	250	47	115	**1,122.0**
Payments	170.3	148.1	151	106.2	39.1	93.2	28.2	91.1	**827,2**
Israel									
Commitments	2.0	2.0	1.5	2.0	2.0	2.0	2.0	-	**13.5**
Payments	2.8	2.7	2.5	3.5	4.5	3.5	3.6	4.4	**27.5**
Jordan									
Commitments	62	65	68	70	116	120	139.6	174.5	**815.1**
Payments	46.1	63.6	49	92	76.3	91.6	96.6	56.3	**571.5**
Lebanon									
Commitments	50	50	43	44	33	92	143	146.1	**601.1**
Payments	32.6	43.5	24.6	26.1	14.1	29.3	79.3	78.2	**327.7**
Libya									
Commitments	2	4	-	12	10	25	30	8	**91**
Payments	-	1.2	1.3	0.6	8	2.9	7.7	11	**32.7**
Morocco									
Commitments	190	228.7	145	158.9	166.6	207	334.9	218	**1,649.1**
Payments	227.5	224.9	200.7	170.1	151.5	110.1	84.1	76.2	**1,245.1**
Palestine									
Commitments	452.7	387	352.6	377.9	413.7	224.0	313.7	309.5	**2,831.1**
Payments	381.4	425.9	327.8	325.5	322.3	264.7	305.5	303.7	**2,656.8**
Syria									
Commitments	20.0	20.0	40.0	50.0	10.0	12.6	51.0	61.3	**264.9**
Payments	34.1	26.5	31.2	18.4	18.8	1.8	29.4	2.0	**162.2**
Tunisia									
Commitments	103	73	77	77	180	130	135	169	**944**
Payments	97.9	56	74.4	68.5	114.3	145.2	80.3	178.5	**815,1**

Figure 15

ENPI Payments to Commitments Ratio 2007-2014 for the Southern Neighbourhood
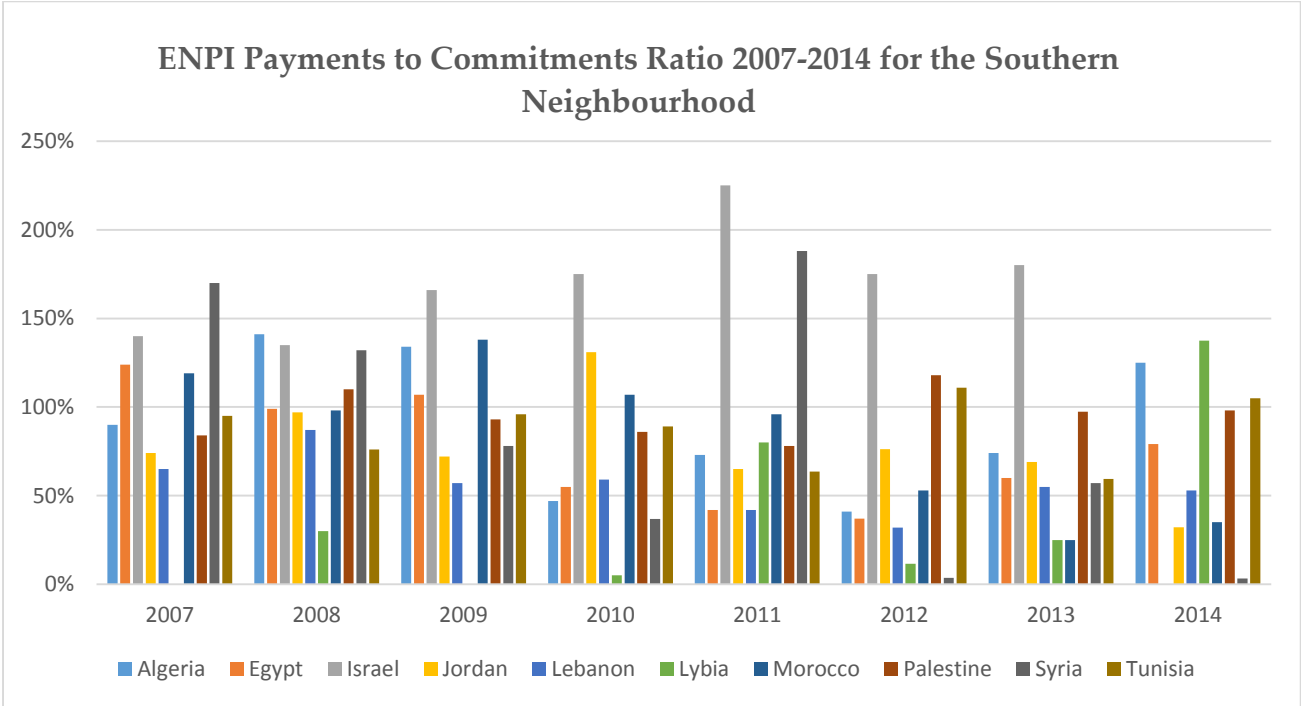
Source: Author's elaboration from ENPI Statistical Annex 2015

ANNEX II

Questionnaire- Semi Structured Interviews

Analytical Dimension	Main Questions
Basic Information	Name of the Interviewee: Date of Interview: Position in the Organization: Duration:
Domestic Political Actors	-To what extent was the government supportive of the reform and its implementation? -Has the political/institutional class propelled or impeded project implementation? -Which were the actors (parties, institutions) in favour/against the reform? Why? Which were the main interests at stake? -Was there any misfit between governmental goals and EU ones in the definition of the reform? How did this impinge upon implementation?
Arab Spring	-To what extent did 2011 elections impinge upon implementation? -Did 2011 protests affect the interests of the ruling elites and the choices concerning the implementation of the program? If it is so, how?
Administration	-What was the role of administration in implementation? -Do you think that administrative capacities were enough to implement the program? -Which were the main obstacles/difficulties in terms of administrative capacities for implementation (e.g. lack of information, of coordination, of economic resources, of clarity of goals/roles)? How have they been solved? -Describe coordination activity within the program. -Were administrative capacities good enough at the local level for the development of local governance/decentralization in the implementation of the program? -What is the interaction between administration and political class?
Arab Spring	-How did 2011 political changes impinge upon administration's capacities and in turn implementation (e.g. turn-over of key ministers, of administrative officials, improvement of local governance and decentralization processes?)

Civil Society	-Which were the main civil society's actors (NGOs, trade unions, interest groups, business associations) involved in the implementation of the program and what was their role? -Did they influence the formulation of the program? Who was the strongest actor? -How did civil society actors manage implementation? Which were the main difficulties/obstacles? Has civil society the capacity (resources, information, and coordination) to implement the program? -Is there a real dialogue between institutional actors and civil society in the implementation of the program? Did civil society voice specific requests/concerns on implementation? -What are the main pros and cons in a "participative" approach to implementation?
Arab Spring	-How did 2011 protests affect civil society in terms of independence/strength vis-à-vis the state? Which civil society actors were mostly affected? -Did 2011 events improve civil society capacity to implement the programs?

ANNEX III
List of interviewed actors by organization

Brussels:

Europeaid- DG NEAR

EEAS

Morocco:

EU Delegation, Rabat

World Bank, Rabat

Agence de Développement Social (ADS), Rabat and Casablanca

Ministry of Foreign Affairs, Direction of the EU and of the Mediterranean Processes, Rabat

Agence Nationale de Lutte Contre l'Analphabétisme, Rabat

Ministry of Education, Rabat

Agence Nationale Assurance Maladie

Forum des Alternatives Maroc (FMAS)

Moroccan Organization of Human Rights

ALCS- Moroccan organization for the fight against HIV

Moroccan Association for Women's Rights

Zakoura Foundation for Education

Espace Associative

Association for the Protection of the Environment

ADALA Justice

Association Marocaine Jeunesse

Association Marocaine de Solidarité et de développement social

Tunisia:

EU Delegation, Tunis

Ministry of National Education, Tunis

Ministry of International Cooperation

Agence nationale protection de l'Environment,

PASC Unit,

PEE Management Unit,

PAGBO Management Unit,

PARJ Management Unit,

Association of Magistrats,

Association Enfants de la terre

Syndacat des Agricoulteurs,

Al Kawakibi Democracy Transition Center

UGTT

NUOR Association against corruption

Different Civil Society Activists

Table 8- EU Funded Programs for the Period 2007-2013 in Morocco

ENPI Commitments	2007	2008	2009	2010	2011	2012	2013
National Human Development Initiative	60 Mil. €					25 Mil. €	
Alphabetization& Non Formal Education	17 Mil. €			10 Mil. €			
Basic Medical Coverage	40 Mil. €						50 Mil. €
Public Administration and Governance Reform	73 Mil. €					75 Mil. €	
Reform of the Health System		64 Mil. €	22 Mil. €				
Support for the Implementation of the recommendations of the IER II		8 Mil. €					
P3A3		20 Mil. €					
Energy Program		76. 7 Mil. €					
Investments and exportations		60 Mil. €					
Education Strategy			73 Mil. €	20 Mil. €			89 Mil. €
National Sewage			50 Mil. €				
Agricultural Policy				70 Mil. €			60 Mil. €
Isolated and Northern Areas				55 Mil. €	20.6 Mil. €		
Advanced Status					91 Mil. €		87 Mil. €
Equality between Men and Women					45 Mil. €		

Forest Policy						37 Mil. €	
SPRING						80 Mil. €	48 Mil. €
TOT Commitments per year	190 Mil. €	228.7 Mil. €	145 Mil. €	155[193] Mil. €	156.6 Mil. €	217 Mil. €	334 Mil. €

Table 9- EU funded Programs for the period 2007-2013 in Tunisia

ENPI Commitments	2007	2008	2009	2010	2011	2012	2013
P3A2	30 Mil. €						
Gestion Budgetaire par Objective (PAGBO)	30 Mil. €						
Environment and Energy (PEE)	33 Mil. €						
EIB-Bonification	10 Mil. €						
Economic Integration (PAI)		50 Mil €		20 Mil. €			
Economic Revival (PAR)					90 Mil. €	68 Mil. €	65 Mil. €
Competitiveness and Market (PCAM)		23 Mil €					
Education and Employment (PEFESE)			65 Mil. €				
Research and Innovation (SRI)			12 Mil. €				
PAPS- Water Management				57 Mil. €			

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[193] In the ENPI Statistical Annex, the total amount for 2010 is € 158.9 Mil. This is because there was a top up of € 3.9 Mil not indicated in the original Action Fiches.

Service Competitiveness (PACS)					20 Mil. €		
Less Developed Areas (PAZD)					20 Mil. €	12 Mil. €	
Local environmental governance and industrial activity at Gabès							5 Mil. €
Tempus							10 Mil.
SPRING					50 Mil. €	50 Mil. €	55 Mil. €
TOT.	103 Mil. €	73 Mil. €	77 Mil. €	77 Mil. €	180 Mil. €	130 Mil. €	135 Mil. €

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