

The Outcome Document of the Second MAJALAT Neighborhood South Seminar on Southern Neighborhood Policies

3-4 September 2019

Golden Tulip el Mechtel, Tunisia

The Second MAJALAT Neighborhood South Seminar on Southern Neighborhood Policies was held on the 3rd and 4th of September 2019 at the Golden Tulip Mechtel Tunis in the presence of 90 representatives of civil society organizations from the Neighborhood South engaged in the political dialogue with the European Union. The attendees included representatives from workers syndicates, social movements, youth and women's organizations and human rights and development organizations.

The seminar was divided into two days where it provided a space for CSOs in the region to discuss the developments at international, regional and national levels that affect them and to define main priorities and recommendations regarding EU policies in the region. The seminar follows a year-round cycle of thematic workshops that launched discussions on several focused entry points regarding Economic Policies and Social Dialogue, Climate Justice and Social Justice, Governance and Rule of Law, Migration and Security and counter-terrorism. The outcome recommendations developed below will be addressed to the European Commission in the Brussels Civil Forum taking place on the 2nd and 3rd December 2019.

I- Main elements defining International and regional mutation affecting the Euro-Mediterranean Region

The international trade system conceived after the Cold War as the scheme to create development is appearing to collapse. In this context, there are three trading blocs responsible for most of the global trade: China, USA and the European Union. The rules by which this system abide are now being declared not efficient, creating distortion on the trade and financial markets -due to the polarization of trade- and placing the world in the face of a tremendous climate crisis. These indicators speak volumes in terms of the level of inequality and social injustice facing countries of the region. In addition, wars, poverty and the implemented policies are resulting into irregular migratory flows that are being dealt with a security approach with the lack in the respect of the fulfillment of human rights . While migration is treated as problem, it should be considered a solution: migrants are a source for the country of reception facing low natality rates



and aging population and for the country they are leaving. Even with the adoption of the Agenda 2030 that tackles these issues and the agreement on the common shared responsibility principle to remediate to these problems- with a different burden between countries-the policies implemented are not suitable and there is a lack of political willingness shown by the leaders of the developed countries: human consumption has been growing, where 27 tones of material per capita are being consumed by developed countries and 2 tons per capita are being consumed by developing countries disproportionately between the latter countries¹.

On another hand, the European Union is facing several structural crises. Numerous EU countries are still under the weight of the global financial crises triggered by the 2008 financial meltdown even with the tentative remedial policies implemented; widening the inequality gap between the European countries and within them². In addition, European countries do not have a common approach and political perspective to security and conflict issues, particularly those affecting the Southern Neighborhood region such as the Syrian and Libyan conflicts. Also, the recent EU elections demonstrating the rise of the far right and populist parties and the high abstinence vote indicate the potential changes within the EU and at the level of its external policies; notably with the stricter approach to a security based migration policy on a national and regional level.

The change is noticeable in the strategic documents that are being developed by the new commission and the parliament, in particular the Multiannual Financial Framework 2021-2027³ that will determine the budget spent on each of the Union's priority and the modality of the spending. The change in the focus areas and their categorization has great impact on aid intervention and funding in the Neighborhood South region. As the sixth heading in the budget regrouped the allocation of the "Neighborhood and the World" including humanitarian and development aid in the same fund and unified the instrument of development cooperation that will be used under the NDICI (Neighborhood, Development and International Cooperation Instrument). The latter will be the EU's main tool to contribute to (1) eradicating poverty (2) promoting sustainable development (3) prosperity (4) peace and stability; while also covering the funds for humanitarian aid, the Common Foreign and Security Policy, support to overseas countries and territories and the instrument for the Pre-Accession Assistance. The unification of all of these funds under one instrument has potential negative consequences on the human rights fund effectiveness and other negative implications for numerous reasons. First, funds related to human rights under the program- theme oriented NDICI are listed as a separate component and thematic pillar, undermining the importance of adopting a crosscutting HR approach to the all components and themes. Second, the democratic decision-making dynamics are questioned with the new flexibility given to the European Commission, where it has more power than the European Parliament in this process; which could deprioritize the interest of the Neighborhood South in the implementation of external cooperation activities. Third, the MFF

¹ According to the SDG12 statistics on the lifestyles of people <https://unstats.un.org/sdgs/report/2019/goal-12/>

² World Inequality report 2018 <https://wir2018.wid.world/part-2.html>

³ Multiannual Financial Framework proposal: EU budget for the future, https://ec.europa.eu/commission/sites/beta-political/files/communication-modern-budget-may_2018_en.pdf



increases the funds allocated to the private sector which harmonizes with the larger role given to this sector as a development actor in the EU; calling for a more urgent need to work on accountability, transparency and access to information mechanisms for EU countries and countries from the Neighborhood South.

II- Challenges facing the civil society on both shores of the Mediterranean

On the northern shore of the Mediterranean, the civil society appears to have more freedom and space at the legislative level and in terms of existing mechanisms for its participation in decision making such as the *Iniciative Citoyenne Europeenne* (ICE)⁴ that allows civil groups to ask the EU to legislate on a certain issue. However- in practice- there is a noticeable degradation in the space given to this civil society and a noticeable attack on its eligibility and on the safeguarding guarantees it once possessed : the restriction to access public spaces and to the right of assembly that are coupled with a security lash back from the government (arrests, police attacks, usage of tear bombs and semi-lethal weaponry in protests etc...). For example, Greece has banned the entry of Albanese and Turkish militants without any explanations; in France, the state of emergency launched was used as a pretext to assign residence and pre-requisition to some ecological activists before the COP21. On another hand, several constraints are placed on the financial independence of CSOs and on its access to information leading to its shrinking space: complex registration procedures, restrictive laws on the origin of the funds, restrictive lobbying laws, cuts in publics subsidies for civil society since 2012 in several countries such as Ireland, Hungary, Bulgaria, Denmark and Finland and the absence of regulations guaranteeing the full access to information on a national level even if the article 11 of the European Treaty on Transparency⁵ guarantees the possibility to knowledge and public exchange of information in different sectors.

In the Southern shore of the Mediterranean, the civil society is evolving in a complex and paradox environment with several factors contributing to its shrinking space. The state of emergency and counter-terrorism approach ,adopted by governments of countries of the region and promoted by the EU as a way to tackled migration ,are used as a tool to install violence among civil movements and CSOs and to stem migration. The war economy prevailing in certain conflict and post-conflict countries are resulting into the financing of protagonists. This context is leading to non- effective actions towards the numerous human rights violations and a lack of accountability. On another hand, civil society in the region does not have sufficient financial support and related legislation to allow it to function independently, in addition to the lack of dialogue space and its mechanism within the mentioned countries and with their institutions and particular sectors.

⁴ <https://ec.europa.eu/citizens-initiative/public/initiatives/open>

⁵ <https://www.europarl.europa.eu/at-your-service/en/transparency/>

Priorities and recommendations of the Working Groups

A- Economic Policies and Social Dialogue

The focus of this group was on the determination of recommendations and priorities related to the two entry points selected for this thematic for the 2019: (a) **Role of the private sector** and (b) **Trade and Investment Policies** in the region.

- 1- **Expanding the dialogue between the European Union and Civil Society Organizations and other related parties around the assessment of the ongoing dialogue and on previous policies and trade agreements and their implications on development;** in order to propose specific alternatives that take into consideration equality, social justice and development priorities in the countries of the Southern Neighborhood. In addition, the creation of a structured mechanism to evaluate all agreements, with the participation of specialized technical committees and the adoption of a participatory mechanism to gather information from the early phases of the agreement.
- 2- **Organizing a structured dialogue between the European Union and partner countries in the agreements from the region (currently Tunisia) and CSOs and trade unions on topics related to the priorities of these countries as an integral part of the agreement negotiation** such as sustainable agriculture, development of industrial technics, issues related to food sovereignty and others. In addition to working on ex-ante impact assessment of trade agreements to evaluate its coherence with other European policies.
- 3- **Supporting research and development programs for sustainable development in the countries of the Southern Neighborhood,** based on the priorities identified by the region. In addition, supporting knowledge and technological exchange as part of the agreements.
- 4- **Concerning the ongoing negotiations for the DCFTA with Tunisia, and expanding to other foreseen trade agreements with countries from the region:**
 - a- Avoiding removing tariff barriers on internally subsidized goods by the EU (such as red meat, dairy, and wheat) until the question of European internal support is decided in the WTO in light of the US-EU conflict over tariffs.



- b- For non-tariff barriers, avoiding using standards and quotas with protectionism objectives for goods that Tunisia is allowed to export (mainly agricultural and pharmaceutical products)
- c- Adopting international monitoring standards, the principle of equivalence of standards through mutual recognition agreements- similar to those between EU member states, while preserving standards assuring decent work.
- 5- **Creating a binding multilateral mechanism involving civil society to monitor the impact of European private investment and European TNCs in Southern Neighborhood countries**, with attention to adapting standards by types of companies, their size, and the sectors in which they invest.
- 6- **Creating a mechanism to monitor and hold accountable existing and future business enterprises in conflict zones in the Southern Neighborhood under the reconstruction phase**, such as Libya and Syria.
- 7- **Working on promoting transparency and access to information mechanisms in partnership countries and on the level of EU components**, to support a joint monitoring and accountability mechanism

B- Migration and Mobility

The focus of this group was on the determination of recommendations and priorities related to the two entry points selected for this thematic for the 2019: (a) **Social Protection and Migrants' Rights** (b) **The level of engagement if the civil society in bilateral discussions on the issue** in the region.

- 1- **Reviewing the Marrakech Global Compact on Migration and its implementation**, which represents a step back from the provisions presented by the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families⁶; particularly regarding women's rights , detention conditions of migrants and the possibility of states to push back on measures.
- 2- At the level of social protection and the fight against the exploitation of migrant workers: **Creating mechanisms at the EU level for the control and protection of the seasonal workforce of the Neighborhood South working in Europe and in the region** (for example, Moroccans working in strawberry fields in Spain).
- 3- **Adhering to the International Convention of 1990 and work on its enforceability vis-à-vis States and conventions of the International Labor Organization (ILO)**, in particular ILO Convention 143 on the right of migrant workers. In addition, reviewing the EU's commitment to the climate conventions and their effective implementation (i.e to ensure

⁶ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>

equal rights between migrants, refugees and nationals, guarantee the renewal of stay and changing the criteria of exceptional regulation policies).

- 4- **Supporting cooperation programs targeting:**
 - a- Alternative and mainstream community media in the Neighborhood South and in Europe to change the vision on migration.
 - b- Cultural programs promoting the mobility of young people, artists and others.

- 5- **Relaunching the EuroMed tripartite dialogue between the European Union, the Neighborhood South governments and the independent civil society of the region (including independent trade unions).**
- 6- **Encouraging member states to decriminalize solidarity and rescue of migrants.**
- 7- **Creating a trust fund that deals specifically with the protection of migrants and displaced persons based on a fast, integrated, flexible and short-term approach, different from the current approach promoted by the ongoing funds such as the Fund For Africa or MADAD.**
- 8- **Expanding programs that facilitate the mobility of young people in the Neighborhood South for education and capacity building** in order to include disadvantaged groups (such as women, people in rural areas and people with disabilities)
- 9- **Creating a dialogue on the role the EU could play in simplifying visa procedures** (e.i the legal basis for the use of visa processing companies).
- 10- **Evaluating the results of the delegated cooperation agreements and, if necessary, reframing them (targeting practices of international organizations in the region that sometimes replace civil society),** in addition to creating a transparent mechanism.
- 11- **Support the creation of a committee including the civil society of the region to follow on the implementation of the recommendations.**

C- Governance and Rule of Law

The focus of this group was on the determination of recommendations and priorities related to the two entry points selected for this thematic for the 2019: **(a) Fighting Corruption (b) Shrinking space for civil society** in the region.

- 1- **Calling for the application of laws related to freedom of association in countries of the Neighborhood South** and creating a standardized mechanism with the civil society to identify the where space is shrinking.



- 2- **Distinguishing independent CSOs from GoNGOs and establish a vetting mechanism to identify GoNGOs with experts to establish criteria through an objective process** – to be represented as the view of independent civil society organizations.
- 3- **Working on simplifying the procedures of the access to EU funding for CSOs, mostly local ones;** in addition to working on strengthening CSO capacities to answer EU contract terms.
- 4- **Establishing specific funding to local key CSOs** to avoid competition with international and regional CSOs.
- 5- **Stopping the export of weapons and surveillance tools to the Neighborhood South that are used against Human Rights Defenders (HRDs) and civil society** and establish a multi-stakeholder follow up mechanism with the civil society on these tools.
- 6- **Reviewing the strategies and laws related to fighting against terrorism at an EU level based on mainly a security approach** and to consider a new approach taking into consideration human rights and sustainable development specifically in relation to the migration and displacement
- 7- **Reviewing the current mechanism for the protection of civil society members,** including ensuring the rapid access to visa and asylum for Human Rights Defenders at risk.
- 8- **Taking robust action towards the Israeli's government violations** and:
 - a- Providing financial support to criminalized CSOs working for Palestinian Human Rights- including boycott actions.
 - b- Respecting the EU's own agreements and international law and stopping its economic relationship in the Israeli settlements.
- 9- **Strengthening the implementation of independent monitoring tools including the civil society for the agreements with countries of the Neighborhood South.**

D- Climate and Social Justice

The focus of this group was on the determination of recommendations and priorities related to the **(a) policy approach to be adopted for climate and social justice**

- 1- **Creating an environmental justice system to sanction eco-crimes caused by European multinationals and direct investments affecting the Southern Neighbourhood region.**
- 2- **Focusing on shifting Official Development Aid (ODA) more towards European climate action and less towards Security and border control.**
- 3- **Working on the maintenance of the enabling environment of civil society in Europe and the region in terms of freedom of association, demonstration and access to funding;** in order to protect climate justice defenders and to avoid any form of corruption.

- 4- **Focusing on funding projects that are directly related to climate and environmental issues and keeping its commitment to delivering a just transition to a 100% renewable, no nuclear, super energy-efficient, zero-fossil-fuel Europe by 2030 in the Neighbourhood South**
- 5- **Adopting a system of granting environmental acceptability certificates to the private sector.** This measure is to limit the easy permit for large projects and companies that are not monitored
- 6- **Imposing transparency measures to multinationals through the requirement to display carbon footprints.** This helps at creating competition between them and ease the shift towards a faster ecological transition.
- 7- **Creating a multi-stakeholder committee including civil society and particularly environmental advocacy networks from the Neighbourhood South region to monitor the implementation of the recommendations**