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Implementation of the European Neighbourhood Policy: A Decentred Comparative Analysis of Tunisia and Egypt

Prof. Mohammed Hashas

SUPERVISOR

Prof. Thomas Christiansen

CO-SUPERVISOR

Luca Saviolo (648132)

CANDIDATE

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Abstract

The European Neighbourhood Policy (ENP) has marked an historical turning point in the evolution of the European Union (EU)'s action beyond its borders. Seen as an attempt of recasting the EU's strategy and means of engagement in the Mediterranean, the ENP has not lived up to expectations, triggering wider inconsistencies in the form of an allegedly differentiated bilateralism (Bicchi, 2010a; Del Sarto, 2015, 2021; Del Sarto and Schumacher, 2005). Scholars have long focused on the ENP's analysis and the EU's engagement with the southern shore of the Mediterranean through an inside-out, EU-centred approach to explain the ENP's structural variance among different partners. Research has been dense particularly on the effectiveness of the ENP and its implementation (see Bicchi, 2007, 2009, 2010b, 2014b; Hollis, 2012;Lehne, 2014; Pace, 2009), but less has been done to explain countries' variance from a domestic, decentred perspective. If decentring allows to avoid oversimplifications and to grasp the multidimensional and non-linear nature of policy implementation (Fontana, 2019; Pace et al., 2009). It also refuses conceiving the ENP as a one-way structure, therefore treating the EU's neighbours as primitive units (Wendt, 1987, 1995), as enclosed in pre-determined, fixed relations with the EU whose balance has been arbitrarily taken for granted in favour of the latter. Based on the existing ENP literature and on the recently developed academic branch of decentring perspective (see Bechev and Nicolaïdis, 2010; Keukeleire and Lecocq, 2018; Nicolaïdis and Fisher Onar, 2013; Roccu and Voltolini, 2017), it narrows down the focus on a comparative analysis between Tunisia and Egypt from 2014 to 2017 to investigate the domestic factors influencing ENP's implementation under the European Neighbourhood Instrument (ENI). More specifically, it argues that the degree of (mis)match between the ENP programmes and the interests of domestic political actors and the nature of the interests in terms of policy stability and policy conflict shape a country's performance trajectory, while administrative capacities and CSOs are placed at a subordinated level. Interactions among variables will also be investigated.

1 Introduction

The European Neighbourhood Policy (ENP) represents a milestone in the evolution of the European Union's (EU) external action. Seen as an attempt of recasting the European engagement with the southern shore of the Mediterranean, it aimed to overcome "new dividing lines between the enlarged EU and its neighbours" and to promote and strengthen relations "on mutual commitment to common values" (European Commission, 2004: 3). However, the ENP has not lived up to expectations, and harsh criticisms have been raised on the widening gap between normative rhetoric and its actual practice (Del Sarto, 2015, 2021; Del Sarto and Schumacher, 2005; Seeberg, 2009).

Despite misfit between norms and actions being exhaustively proved, the ENP performance has largely varied across EU partners since its establishment, drawing a picture of differentiated bilateralism (Bicchi, 2010a; Del Sarto and Schumacher, 2005). If the EU reform programmes have been extremely attractive for Morocco, Tunisia has long been seen as the bad student that cherry picks specific components while avoiding any deep political commitment. Cooperation with Algiers has been considered problematic, while relations with Egypt have mostly focused on economic matters in a somewhat similar, but less structural manner than Tunisia. Conversely, engagement with Lebanon, Libya and Syria has been widely limited by specific-country conditions that pushed the EU to act in a more pragmatic and realist way (Seeberg, 2009, 2018). The Arab Springs did not really invert the trend at a regional level. Rather, the 2011 and the 2015 ENP Reviews formalised a differentiated approach that reflects "different ambitions, abilities and interests" of the EU's neighbours (European Commission, 2015a: 4). Academics have largely focused on the ENP through a wide variety of perspectives. Research has been dense particularly on the effectiveness of the ENP and its implementation through inside-out approaches (see Bicchi, 2007, 2009, 2010b, 2014b; Hollis, 2012; Lehne, 2014; Pace, 2009). But less has been done to explain partners' variance in implementation performance from a domestic, local perspective, risking remaining stuck into Eurocentric, inward-looking analyses. Decentring the theoretical framework thus requires reconsidering some key issues: what does explain country's performance in the ENP implementation? What are the factors affecting ENP's implementation in partner countries? And to what extent do domestic variables influence ENP's implementation?

These issues did not receive much attention in academic literature, and when they did so was merely through first-time engagements that would require much deepening and widening. This work aims to address this set of questions to contribute to the literature on ENP implementation in the Southern Neighbourhood. By drawing on the recently developed academic branch of decentring perspective (see Bechev and Nicolaïdis, 2010; Keukeleire and Lecocq, 2018; Nicolaïdis and Fisher

Onar, 2013; Roccu and Voltolini, 2017), it narrows down the focus on a comparative analysis between Tunisia and Egypt from 2014 to 2017 to investigate the domestic factors influencing ENP's implementation under the European Neighbourhood Instrument (ENI). Aiming at analysing the ENI performance – the main EU external funding instrument for the Neighbourhood from 2014 to 2020 – this work only covers the 2014-2017 specific period of time in line with the division of the multiannual financial framework for EU external financing (2014-17; 2018-21) and the expected average implementation timeframe of 3-4 years (Bicchi, 2010a). The choice also responds to the occurrence of external circumstances that could have furtherly delayed the implementation process, such as the Covid-19 Pandemic.

Based on existing literature, this study focuses on three domestic variables: political actors, administrative capacities and civil society organisations (CSOs). While political actors are here understood with regard to their interests and their nature in terms of policy stability and policy conflict, administrative capacities are assessed with respect to the country's absorbing capacity to grasp both structures and processes. CSOs are defined in terms of civil society-state relations.

While these factors were largely highlighted by the ENP scholars, this dissertation aims to take a step forward by evaluating them as a whole and proposes an alternative, but not exclusive, dialogical framework to account for countries' ENP implementation performance and the actual weight of the specific variables. It argues that the degree of (mis)match between the ENP programmes and the interests of domestic political actors and the nature of these interests in terms of policy stability and policy conflict shape a country's performance trajectory, while administrative capacities and CSOs are placed at a subordinated level. Interactions among variables will also be investigated.

In so doing, this dissertation proceeds as follows. After this brief introduction, the second section provides an extensive review of the already existing ENP literature and its branches and defines a decentred research framework to investigate the ENP implementation in Tunisia and Egypt. The third section illustrates the methodology, while the fourth, fifth and sixth sections turn to the empirical analysis of the dissertation. The impact of the interests of domestic political actors and their nature, administrative capacities and CSOs on the ENP implementation are analysed respectively. Finally, the conclusive section reviews the main findings of this work and traces insights for future research paths.

2 Theoretical Framework: a Decentred Approach

The EU's international role has charmed and garnered vast academic interest among EU scholars. Its external action has indeed nailed down a long-lasting debate over the EU's features and characteristics in the international arena as Civilian Power Europe (CPE) or *Europe puissance* (see Bull, 1982; Duchêne, 1972, 1973, Galtung, 1973). Although an exhaustive discussion of the CPE debate is beyond the scope of this work, it is here worth noting that, academically speaking, it marked a conceptual shift from what the EU is to what it does (Aggestam, 2008; Orbie, 2006), paving the way for greater attention towards effectiveness, capabilities and resources (Hill, 1993). If the collapse of the Soviet Union, the international reaction to the 9/11 and the 2004 big-bang enlargement had an irreversible impact on the way the EU engages outward, a big bulk of academic works was directed to the analysis the EU's new neighbourhood.

2.1 ENP Literature: From Rationale to Effectiveness

Overall, it is possible to detect two main academic branches of studies informing the ENP's analysis. The first branch relates to the study of the EU's policy evolution from the *Barcelona Process* onwards, as well as its scope and rationale. Drawing on it, the second branch pointed to the ENP's performance.

The former line of research has primarily directed its attention to the roots, origins and evolution of the ENP (Bouris and Schumacher, 2016; Holden, 2008, 2020; Lehne, 2014), pointing out its conceptual bonds with the enlargement policy (Bechev and Nicolaïdis, 2010; Kelley 2006; Smith, 2005), and conceiving it as a response to the enlargement's exhaustion trap (Lavenex, 2004; Lavenex and Schimmelfennig, 2009; Lavenex and Uçarer, 2004). Theorizing the ENP as a mode of external governance allowed to account for the process of rule expansion and policy transfer beyond formal membership. This approach provides the ENP with more flexibility moving from hierarchical settings to horizontal forms of interaction (Friis and Murphy 1999; Lavenex 2004, 2008; Lavenex and Schimmelfennig, 2011: 794-796; Weber et al., 2007). Greater attention has also been paid to the EU's actorness and its external posture by identifying the EU as a normative power capable of setting norms, standards and prescriptions beyond its borders (Manners, 2002, 2008, 2013; Manners and Whitman, 1998, 2003). Despite not being merely attached to the neighbourhood, the concept of Normative Power Europe (NPE) has deeply marked the ENP literature. Authors have tackled the NPE through a constructivist approach, arguing that the EU builds and shapes its own identity through internal norms and values "against an outside world" (Diez, 2005: 614; Laidi, 2005). These perspectives are reflected

in the way the EU engages with and define "the others", included the Middle East and North Africa (MENA) (Cebeci, 2022). Raffaella Del Sarto (2015, 2021) applied a realist-constructivist analysis by tracing the ENP as a neo-colonial bordering practice, whereby the EU subjugates its periphery. Del Sarto therefore translates the NPE to Europe as a Normative Empire which does still act in a normative way, but primarily pursues its economic and security interests. Post-colonial arguments have also been adopted by Nora Fisher-Onar (2022) who has claimed the necessity to re-"co-constitute" the relations between the EU and "the Others", while feminist and queer perspectives have criticised how the EU enacts sex, gender and civil rights in the MENA as instrumental for stability and security (Ansorg and Haastrup, 2018; Muehlenhoff, 2022).

If the ENP has been described as an attempt of recasting old wine in new bottles (Del Sarto and Schumacher, 2005; Tocci and Colombo, 2012), the underlying tension between the EU's norms and interests has assumed a more practical dimension in the EU's security-stability nexus (Lounnas, 2022). Authors have largely maintained that the EU's action was constrained by short-termism, widening the gap between original expectations and actual policies (Badarin and Wildeman, 2022; Cassarino and Tocci, 2011; Dandashly, 2017; Durac, 2017). The EU's security-stability nexus has indeed been identified as a "master frame" informing the ENP (Roccu and Voltolini, 2017: 2), and its relevance has oriented and shaped much of the research interests and paths in terms of ENP effectiveness.

If Christopher Hill (1993) denounced the misfit between the EU's expectations and its actual capabilities in the international arena more than 30 years ago, the concept of a gap between the EU's rhetoric and its actual practice seems to become structurally embedded in the ENP analysis. Del Sarto and Tobias Schumacher (2011: 934) have argued there is "a dysfunctional relationship between the conceptual and structural underpinnings of the ENP … and the desired policy outcomes". Stefan Lehne (2014) has spoken of incoherent implementation by targeting policy objectives, policy designs and its structure not taking account of domestic players, while Nathalie Tocci (2014) has invited the EU to adopt a more realist and pragmatic approach to be guided by responsibility. If it is arguable that realism would represent a change of course in the EU's engagement with the region, authors have largely highlighted an existing and widening gap between what the EU promises and what actually transfers and implements (Bicchi, 2010a, 2014; Bosse, 2007; Lannon, 2015; Lounnas, 2022).

Most of this works adopted an inside-out perspective, providing EU-oriented analyses of the impacts, achievements and results of the ENP.

A vast flow of research focused on the ENP's lack of leverage and its modest incentives given costly conditionalities (Epstein and Sedelmeier, 2008; Schimmelfenning and Lavenex, 2011;

Schimmelfenning and Scholtz, 2008). Frank Schimmelfenning and Hanno Scholtz (2008) have quantitively proved that the missing of membership perspective widely influences the EU's leverage over political reform in third countries, while conditionalities and policy structure remain strong predictors for effectiveness and commitments (Schimmelfenning and Lavenex, 2011). Other works have pointed out the ENP's design weaknesses by targeting extremely vaguely summarised objectives and benefits (Smith, 2005; Sasse, 2008), while policy overloading and policy ambiguity have also been identified as critical to the ENP functioning (Balfour and Missiroli, 2007; Bicchi, 2009, 2010a, 2010b; Smith, 2005). In particular, Federica Bicchi (2010a), focusing on democracy promotion in the MENA, has stressed the impact of policy ambiguity and policy conflict, as well as institutional shortcomings. Framing the discussion in terms of EU values *versus* EU interests, scholars have largely adopted interest-driven analyses to explain the ENP's limited effectiveness and describing theEU as a realist actor in normative clothes (Cavatorta, et al., 2008; Hyde-Price, 2006; Seeberg, 2009). In support of these claims, the ENP scholarship has also stated that political reform and democratization was not a top priority for the EU (Hollis, 2012; Durac, 2017; Pace, 2009).

These works have all adopted an inside-out perspective by analysing the ENP in terms of policy structure, institutional architecture, as well as EU's interests and objectives. The most consistent results for the purpose of this dissertation were achieved in terms of policy design and the need to engage with clear, stable and non-conflictual interests. This notwithstanding, these perspectives treat the EU as the key and sole unit of analysis and leaves the Southern Neighbourhood deprived of analytical agency. Despite providing valuable insight into ENP performance, such an approach conceives the ENP as a one-way structure, without considering the interaction with the region. From the theoretical standpoint of the constructivist agent-structure problem in International Relations (Adler, 1997; Kratochwill and Ruggie, 1986; Wendt, 1987, 1995), these perspectives did treat the neighbours as primitive units (Wendt, 1987, 1995), as enclosed in pre-determined, fixed relations with the EU whose balance has been arbitrarily taken for granted in favour of the latter. Or, even worse, as naturally willing to converge with the EU's norms and values. This is also counterargued by Lavenex (2008) who has claimed that domestic structures acquire relevance as much as network governance (as in the case of the ENP as demonstrated by Lavenex) is applied in contrast to hierarchical governance (see also Lavenex and Schimmelfenning, 2011). From a conceptual and analytical point of view, a mere focus on the EU extremely simplifies the complex and multidimensional nature of policy implementation and reduces the gap between policyformulation and implementation that is even greater in the EU's external action (Bicchi, 2009, 2010a). Moreover, these works downplay the relevance of domestic variables in partner countries as policy predictors and do not grasp the multidirectional and non-linear nature of EU external policymaking (Fontana,

2019; Pace et al., 2009). Scholars have indeed largely neglected the end of the process by seeking to analyse policy input through policy outcomes (Darbouche, 2008), without accounting for the process of policy output.

If these lacks are to be traced back to academic Eurocentrism is beyond the scope of this dissertation, but the limitations that these perspectives encounter are evident, and decentring the ENP's analyses might provide wider understanding of its functioning and performance, as well as greater analytical depth and complexity. But while decentring implies renavigating the nexus between "empirical claims and normative assumptions" (Nicolaïdis and Fisher Onar, 2013: 287), it also involves a renewed engagement with "the Other" by unpacking and unfolding long neglected perspectives, interests and interlocutors that are not strictly Eurocentric (Bechev and Nicolaïdis, 2010; Keukeleire and Lecocq, 2018). Despite the centrality of the former in enhancing the ENP literature, attention is here paid to the latter's dimension, shedding light on outside-in perspectives to decentre the study of the ENP. In this sense, the practice of decentring implies a shift of focus from the EU to its partners and local factors and variables.

Along these lines, the outside-in literature has focused on the way in which and through which domestic structures and processes influence the EU's action in the neighbourhood. Here, local political elites and their interests took a central stance in the academic debate. Tom Casier (2011) has stressed the need to analyse the ENP rule transfer through a more decentralised approach that looks at domestic preferences and domestic actors. The uneven performance of the ENP calls for how domestic actors perceive the ENP provisions as coherent with the domestic agenda (*Ibid.*). Consistent evidence has been provided on the EU's little impact on institutional change (Maggi, 2016). Rather, domestic political elites and their interests appeared to set the pace, the scope and the direction of cooperation with the EU (*Ibid.*). Outside-in literature has argued indeed that domestic variables are the most potent predictors to understand the ENP performance (Youngs, 2009). Partner countries are therefore likely to commit to deep reform only where favourable domestic conditions exist. If the EU's influential role in Ukraine under the European Neighbourhood and Partnership Instrument (ENPI) programme responds to domestic actors' interest in bolstering own domestic positions (*Ibid.*: 905), Morocco's performance before and after the Arab Spring in the light of the political course's change would seem to further confirm such a claim (Fontana, 2019). Scholars have indeed maintained that the EU's engagement with its neighbours must be weighted in terms of how it resonates with domestic conditions and environment (Seeberg, 2009). In this regard, Elena Gnedina and Nico Popescu (2012) have highlighted the EU's difficulties in dealing with authoritarian consolidation in partner countries. Focusing on the Eastern Neighbourhood, they have stressed the EU's inability to promote change andtransition, playing only a limited role in less controversial issues and subject to

domestic veto-players.However, they have also claimed the existence of more important objectives for the EU. This appears to make neighbours less permeable than enlargement or other partner countries. If this confirms the centrality of domestic political actors and the EU's need to engage with amenable and willing players, Peter Seeberg (2009) has called for attention on domestic instability. Seeberg explained the EU's limited capabilities in Lebanon due to the unstable, challenging and confrontational environment. Despite being aware of its partner's commitments, the EU saw its ambitions watered down by political instability and the lack of clear, pre-determined and stable targets. This opens therefore a double way targeting both political elites' interests and their nature.

The ENP decentred scholarship has also pointed to further domestic elements, such as administrative structure and implementation capabilities. Here, the centrality of structures and processes of administration is directly derived on literature on Europeanisation (Börzel, 2011; Dimitrova, 2002; Schimmelfennig and Winzen 2014, 2020). Most works have shown that limited administrative capacities are likely to affect the domestic impact of engaging with the EU (Börzel, 2011; Schimmelfennig and Sedelmeier 2006; Schimmelfennig and Winzen 2014, 2020), while others have proved correlation between administrative performance and rule adoption in post-enlargement trajectories (Falcucci and Saviolo, forthcoming). Within the ENP framework, Kataryna Wolczuk (2009) has called for more attention to administrative performance and bureaucracy-politics coordination. Lack of coordination makes policy success exclusively rely on specific individualities and single, particularly excellent departments of the bureaucratic machine (*Ibid.*). Rather, thicker implementation would require a wide mobilisation of powerful domestic actors, both political and administrative (*Ibid.*; Mayhew et al. 2005). Indeed, the relevance of the former's interests on implementation seems to prevail over administrative capacities.

Finally, scholars have gradually become more and more aware of the role that CSOs play in partner countries. While the ENP has shifted from a state-centred to a more decentralised and inclusive approach (Börzel and Lebanidze, 2015), the widening of tasks and functions performed by non-state actors pushed authors to describe them as agents of change (Giuashvili, 2022; Hale and Held, 2011). As local actors emerge as key policy stakeholders, higher policy access of local actors has been assessed as necessary to provide thicker policy implementation (Dandashly and Kourtelis, 2020). Despite growing attention to CSOs, authors have recognised that the lack of freedom or independence may deeply hinder civil society's effectiveness (Lavenex, 2008), while the EU's CSOs-inclusive turn appears to be mostly rhetoric and CSOs are at best complementary to the ENP intergovernmental nature (Börzel and Lebanidze, 2015; Bousac et al., 2012). This seems to suggest that the effects of civil society are subject to the domestic environment and political interests too.

These works have mostly tackled domestic variables in an individual manner, but holistic attempts have also been produced. The latter have engaged in more comprehensive analyses seeking to merge independent variables to evaluate ENP performance and effectiveness. Esther Barbé *et al.* (2009) combined institutionalist perspectives with power-based explanations to investigate rule adoption in third countries. Their findings provided mixed results but confirmed the greater relevance of domestic veto-players and administrative capacities in understanding policy implementation. Iole Fontana (2019) has elaborated further by introducing a three-level analysis pointing to political elites, administrative capacity and civil society-state relations. Her work has shed light on the effects of local factors in Tunisia and Morocco before and after the Arab Spring, demonstrating that the domestic agenda, state capacities and CSOs have a say and directly affects the ENP implementation. However, a few questions remained unanswered. What is the actual weight of these predictors? How do they relate each other? Is there any interaction between them? Would it be confirmed if applied to other case-studies?

These works represent the starting point of the theoretical framework of this dissertation. In acknowledging their progress and contributions, more efforts are needed in terms of both methodology and analysis. Understanding the actual weight of predictors, their relationships and interactions, if any, and how these resonate with policy characteristics would be a crucial step forward for future research pathways. In so doing, the next sub-section defines the research framework of this work that points to include a rank among variables, as well as allow for dialogical interactions. While this would represent an extremely valuable analytical contribution to the literature, a methodological innovation is also introduced to link commitments and payments to increase consistency and reliability of performance measurements as also explained in a more detailed way in the methodology section.

2.2 Research Framework

Following the above discussion, the theoretical framework of this dissertation fits in continuity with the outside-in literature to investigate the ENP implementation in Tunisia and Egypt.

If scholars have paid much attention to political elites and their agendas, administrative capacities and CSOs have been conceived as complementary to political actors and decision-makers (see Börzel and Lebanidze, 2015; Bousac et al., 2012, Wolczuck, 2009). This was also confirmed from an interview with an European Commission Official: “political elites and their interests are the most potent variable influencing the ENP formulation and implementation. Once there is a convergence of

interests and ambitions, administrative capacities and civil society's role can play a role but limited" (emphasis added). This notwithstanding, their actual weight and interaction have not been properly investigated yet. While this may suggest that no interaction occurs and that their weight is not significant to the understanding of the ENP performance, official data retrieved from the European Commission shows a different picture (see *Figure 1*). Note this figure links EU commitments with specific EU disbursements (see section 3 for explanation on the methodology).

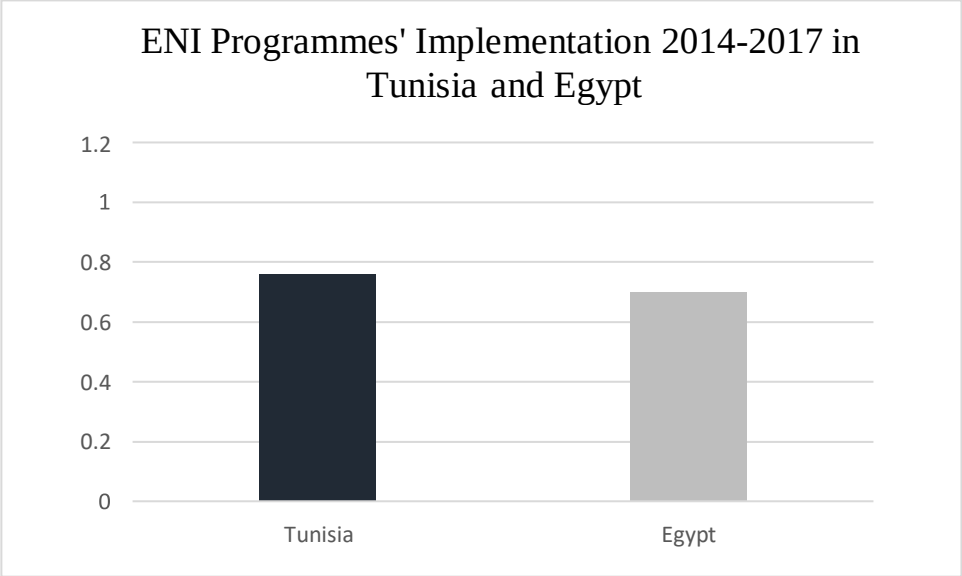

Figure 1 – Implementation ratios of Tunisia and Egypt from 2014 to 2017 under the ENI – Source: European Commission, 2023a, 2023b

In 2014, Tunisia was considered the best performing and promising country together with Morocco in terms of economic and political convergence. Good administrative capacities and an independent and strong civil society would have suggested higher implementation. In contrast, Egypt was on the eve of the al-Sisi's military dictatorship with low administrative performance and a highly restrained civil society. An almost negligible difference of 0.06% in favour of Tunisia requires further investigation on the variables highlighted on which large agreement is shared by the outside-in literature. Such a degree of consistency should not prevent from drawing on inside-out contributions too. Stability and policy conflict are indeed elements shared and underlined also by the outside-in literature as shown above (above all Gnedina and Popescu, 2012; Seeberg, 2009). Here, criticisms may be raised over an allegedly missed decentred approach. But at a closer glance, these elements are relational at best. Dialogical engagement is required for policy conflict. If not entirely locally oriented as in the case of stability. The theoretical framework of this dissertation therefore draws on the ENP

outside-in literature by merging contributions from the inside-out perspective in a decentred manner.

Accordingly, the research question of this work is formulated as follows:

RQ: What domestic factors and to what extent do they account for Tunisia and Egypt's similar ENP implementation performance, given their distinct political, administrative, and civil society-state trajectories?

In tackling the question, this dissertation argues that the degree of (mis)match between the objectives of the EU and domestic political actors and the nature of the interests in terms of policy stability and policy conflict play a primary role in shaping own country's performance trajectory, while administrative capacities and civil society's role are placed at a subordinated level.

3 Methodology

While the previous steps were meant to discuss the existing ENP literature, formulate the research question and explain the overall argument of this dissertation, this section is aimed at presenting the methodology whereby the research work is carried out and how its variables have been operationalised.

This dissertation adopts a qualitative approach by comparing the case-studies of Egypt and Tunisia. On the one hand, the comparative methodology applies the method of agreement (Ryan, 2017). The latter consists of a comparison between case-studies where similar outcomes are observed. Here, Egypt and Tunisia are observed to perform almost equal implementation ratios (see *Figure 1*). The rationale is to understand what variables and to what extent they influence the outcomes considered by observing variance or discrepancy among them. Although limitations for generalisation, such an approach aims to grasp the complexity of relational and dialogical processes of policy implementation and responds to the need to provide localized analyses (Cerna, 2013; Payne, 2008). On the other hand, the case selection represents an information-oriented sampling that follows the Most Different Systems Design strategy to provide particular strength the research claims (George and Bennett, 2005; Ryan, 2017). Here, the rationale is to compare two countries with similar implementation performance, but opposite trajectories in terms of political actors, administrative structures and civil society.

The dependent variable of this work is the country's implementation performance. Implementation performance is measured as the ratio between the EU's commitments and the EU's disbursements for ENP's specific programmes. In this sense, implementation is here defined as a political process (Barrett, 2004), where emphasis is placed on policy output rather than on its outcome. In particular, implementation ratios refer to the ENP programmes from 2014 to 2017 as included in the Annual Action Plans (AAPs) under the ENI (see *Annex*). As far as data collection is concerned, an analysis of primary sources, including AAPs, programmatic policy documents and evaluation reports, is carried out to collect data on EU commitments per individual programme. Data on payments are collected through the EU Financial Transparency System and the EU Aid Explorer to disentangle single disbursements per specific programme. This enables to provide a more nuanced comprehension of the EU's approach to the region by disaggregating data and examining the amount of funds committed and actually contracted for individual programme. Implementation ratios are therefore calculated by using disaggregated figures to link commitments with disbursements. This choice diverges from past research work that have mostly relied on annual reports from the European Commission providing the amount of money budgeted and actually disbursed by country on a yearly

basis. It is worth noting that there is no guarantee that aggregated figures are connected. In the ENP framework, payments are indeed mainly performed *ex post* or after meeting specific deadlines (Fontana, 2019). Aggregated data may therefore include late and older payments or rapid response measures that are not attached to commitments. Disaggregating disbursements' figures is therefore a major advance in the ENP's analysis to better assess implementation capacity and link performances with objectives. Finally, the limited three-years period is justified in light of two principal reasons. Firstly, implementation is a multi-year process and even longer in the EU's external policymaking. From the moment in which money is budgeted to when it is actually disbursed, it takes on average 3-4 years (Bicchi, 2010a). Secondly, the multiannual financial framework for EU external funding was divided into Multiannual Indicative Programmes (MIPs) between 2014-2017 and 2018-2021. Covid-19 and the War in Ukraine may have then furtherly delayed the process.

In accordance with the above discussion, this work identifies three independent variables: political actors, administrative capacities and civil society.

"Political actors" are here defined as the domestic institutional (either individual or collective) and partisan veto-players of a partner country (Tsebelis, 1995, 2002). Note that a sharp distinction between institutional and partisan veto-players is not much relevant to the purpose of this work. Rather, veto-players are here generally understood as those actors whose support or agreement is needed to provide a change of the *status quo* (Tsebelis, 1995, 2002). They are considered in terms of interests and assessed in terms of the degree of mismatch between veto-players' agenda and the ENP policies. The nature of their objectives is also taken into account through their stability/instability and confrontational/non-confrontational nature (Barrett, 2004; Cerna, 2013; Matland, 1995; Payne, 2008). The former is understood in terms of the stability of veto-players, and thus measured in terms of veto-players change. The latter is instead considered in terms of the degree of policy conflict, namely of policy contestation over a specific measure of domestic veto-players (Matland, 1995). The rationale is to provide deeper analytical complexity following implementation literature's findings, and merge actors-based explanations with policy-oriented ones while adopting a decentred approach. In terms of data collection, a combination of primary and secondary sources is applied. On the one hand, veto-players are identified through an analysis of the constitutional texts and academic contributions. On the other hand, academic articles, programmatic documents and evaluation reports allow to determine political actors' agenda and the nature of their interests.

Administrative capacities are here defined as respect with the country's absorbing capacity. An extended notion of administration is applied to include both administrative structures and processes (El-Taliawi and Van Der Wal, 2019). The former is understood in terms of how administration is

organised and is analysed through the constitutional text and the domestic legislation of the partner country, combined with academic secondary sources. The latter is conceived as the way in which it operates in terms of performance and open government and is evaluated through both qualitative and quantitative sources. In particular, evaluation reports from international organisations are combined with internationally recognised evaluation standards and indexes.

Civil society is defined in both quantitative and qualitative terms and is considered in terms of civil society-state relations. On the one hand, CSOs are conceived as the degree of "civil society's autonomy" measured in terms of "the number of voluntary organizations" (Delcour and Duhot, 2011; Fontana, 2019; Riley and Fernandez, 2015: 440). On the other hand, domestic CSOs legislation is also qualitatively analysed to provide a more thorough understanding of the room for manoeuvre that CSOs enjoy in the policymaking process. Once again, a combination of primary and secondary sources is applied, including constitutional texts, domestic legislations, academic contributions, as well as reports from international organisations and internationally recognised non-governmental organisations (NGOs).

Finally, semi-structured interviews with EU officials from the European Commission have also been included to provide a deeper and more comprehensive understanding of the EU approach and its interaction with its neighbours.

4 Tunisia and Egypt: Different Narratives, Similar Stories

After the Tunisian merchant Mohamed Bouaziz burned himself in the small town of Sidi Bouzid in December 2010 starting a wave of popular protests widely known as Arab Springs, Tunisia and Egypt have been rarely compared. Since then, their political trajectories have long been seen as fundamentally diverging with the former undertaking a process of democratic transition, while the latter embracing a dangerous authoritarian path after a failed attempt of political liberalisation.

4.1 Tunisia: a Quasi-Good Partner

The Arab uprisings marked a turning point in the history of Tunisia. The country, which had long been under the autocratic and patrimonial regimes of Habib Bourguiba and Zine el-Abidine Ben Ali for more than 50 years, underwent a radical process of constitutional transformation, turning into a consensual democracy (Cavatorta and Haugbølle, 2012). The draft of a new Constitution topped the agenda of Tunisian policymakers in the aftermath of the Jasmine revolution (Cavatorta and Dalmasso, 2013). Despite high levels of polarisation, the constitutional debate successfully involved an impressively wide range of political actors from secularist to Islamist forces. The outcome was indeed perceived as the result of a "secularist-Islamist rapprochement" aimed at ensuring stability and avoiding chaos (Penner Angrist, 2013; Yerkes and Ben Yahmed, 2019). For the purpose of this work, an in-depth analysis of the constitutional debate and its actors is not necessary, but it is worth considering the nature of the compromise of this phase leading to the Constitution approved in 2014. This is at the basis of Tunisia's institutional structure, and therefore of its actors and their leverage in policymaking.

The aim of strengthening accountability over governability and avoiding autocratic and personalistic shifts from Tunisian authorities was a clear feature of the new Constitution. Representing a change of course in Tunisia's history, it identifies a complex system of checks and balances characterised by "limited executive powers, parliamentary oversight, [and] public accountability" (Pickard, 2014: 261). The *Constitution de la République Tunisienne* (2014) provides the House of Representatives, namely the Assembly, with legislative authority over both "ordinary" and "organic" laws (art. 50, 65). The former requires a majority of the Members of Parliament (MPs) present at the session to be passed. The latter, which mainly involves highly sensitive policy areas such as justice and security, requires an absolute majority of the MPs. In addition to its legislative responsibility, the Assembly has also the task to monitor and make a dual executive branch accountable. On the one hand, the President of the Republic represents the state and manage "the

general state orientations in the domains of defence, foreign relations and national security" (art. 77). Among their powers, the President signs bills approved by the Assembly and has the power to dissolve it (art. 77, 78). However, it must be borne in mind that, at least in theory, the President shall maintain a non-partisan position (art.76). Rather than a limitation, this turns them into a central player,capable of playing an active, gate-keeping role in the country's political arena. In this regard, Caïd Essebsi's presidency from 2015 to 2019 and his role in shaping relations between Tunisian political forces are explanatory of the President's involvement in the country's political arena (Yerkes and Ben Yahmed, 2019). Essebsi was indeed one of the principal promoters, together with Rached Ghannouchi – former speaker of the Parliament and leader of the Islamist party Ennahda - of the National Unity Government (NUG) (Grewal, 2021; Ottaway, 2021). On the other hand, the government is "composed of a Head of Government, Ministers, and secretaries of state" (art.89). The Head of the Government, or Prime Minister, determines "the state's general policy… and shall ensure its execution" (art. 91) and is provided with legislative powers through executive decree-laws upon approval of the Assembly (art.70). Hence, Tunisia's 2014 Constitution identifies three main institutional veto-players: the President, the Assembly and the Prime Minister.

Moving to Tunisia's performance within the ENP, it is worth noting that it has been highly uneven and subject to discontinuity since its launch in 2004. Depicted as the bad student, the partnership with the EU has been rosy, but limited to the economic side under the Ben Ali's regime (Bicchi, 2010b). Despite lowering its implementation ratio, Tunisia's change of course before and after the Arab Spring is evident in the broadening of the scope and ambitions of EU programmes (Fontana, 2019). As shown by Fontana (2019), Tunisia was indeed performing fairly well in the aftermath of the Jasmine Revolution recording an implementation ratio of 100% for the *Programme d'Appui à la Relance* (PAR) (I, II, III). Good performance was also recorded for the *Programme d'Appui à la Reforme de la Justice* (PARJ) in the transition period from 2011 to 2013 (Fontana, 2019), but a closer and prolonged look at Tunisia's experience reveals a quite less optimistic picture.

The political transition in Tunisia has been widely recognised as the result of the successful compromise between different political forces, in particular between the Islamist Ennahda party and the secular Nida Tounes (Laurence, 2015). Ennahda and Nida Tounes emerged as the two main winners of the 2014 elections, extending their powers throughout all the key institutions and becoming what could be labelled as partisan veto-players. Despite different positions, they decided to share the power and to give birth to the NUG under the guide of Habib Essid. This politics of consensus evolved through the Carthage Agreement in July 2016 where the NUG, already consisting of four parties (Ennahda, Nidaa Tounes, Afek Tounes, and the FreePatriotic Union), embraced in five more opposition parties (Machrou Tounes, al-Moubadara, al-Joumhouri, al-Massar, and Harakat el-

Chaab) (Yerkes and Ben Yahmed, 2019). The move was aimed at ensuring stability and reducing political polarisation with the purpose of not affecting the country'spolitical transition and reforms' progress. But different interests and stances "[have] not resulted in unity and policy coherence, rather stagnation on most key policy matters" (*Ibid.*). Consensus politics has rather blocked the implementation of concrete reforms, and specific policies became "a prime target for political horse-trading, polarisation and outright sabotage" (Ezzamouri, 2022). The main political forces have tried to preserve their own stance in the domestic political arena through "powersharing agreements" (Boubekeur, 2016: 108). While the impact has been limited on low conflict issues, such as human rights or political liberalisation. Effects on Tunisia's agenda and legislative activity heavily affected highly confrontational policies, such as structural economic reforms and transitional justice. This is particularly evident in the case of the latter. Despite being at the core of Tunisia's transition in the 2011-2013 period, the Essebsi's presidency pushed for forgoing its adoption in the name of power sharing logics (*Ibid.*), and this is confirmed by looking at the figures on the EU's payments and commitments.

The justice reform or transitional justice was supported by the EU under the PARJ programme which was divided in: PARJ (I) (2012), PARJ II (2014), PARJ III (2017). The PARJ aimed to strengthen the rule of law and the reform of the judicial system with the adoption of constitutional guarantees and international standards, transitional justice and judicial infrastructure (European Commission, 2012, 2014a, 2017a). Despite great ambitions, the implementation of PARJ was quite successful during the first phases (PARJ I), as shown by Fontana (2019). However, Tunisia's consensus politics and its consequences deeply affected the justice reform and therefore its implementation under the ENI. If the PARJ II programme was still performing well with an implementation ratio of 93%, the PARJ III's commitments-to-disbursements ratio dropped to almost 70% with only 43 million euro disbursed out of 60 million euro committed. It is worth noting a decline of 23 percentage points from 2014 to 2017, namely two years after the NUG was formed. This mainly reflects domestic dynamics where veto-players did prioritise power sharing agreements and consensus over the justice reform, watering down the transitional justice reform (Boubekeur, 2016). Premises were not good even on the EU side. In fact, the 2017 AAP had already raised a few concerns over Tunisia's judicial system and its performance, ranking the political risk over the domestic political stagnation as "high" (European Commission, 2017a). High levels of polarization that have furtherly exacerbated political instability and therefore stability of interests. Indeed, Tunisia experienced four prime minister changes and three major cabinet reshuffles from 2013 – the end of the transition – to 2019, pushing domestic actors to slow down on highly confrontational measures. As confirmed from an interview with an European Commission Official: "Unstable domestic outlook makes

cooperation with the EU unpredictable, and it is detrimental to policy implementation" (emphasis added).

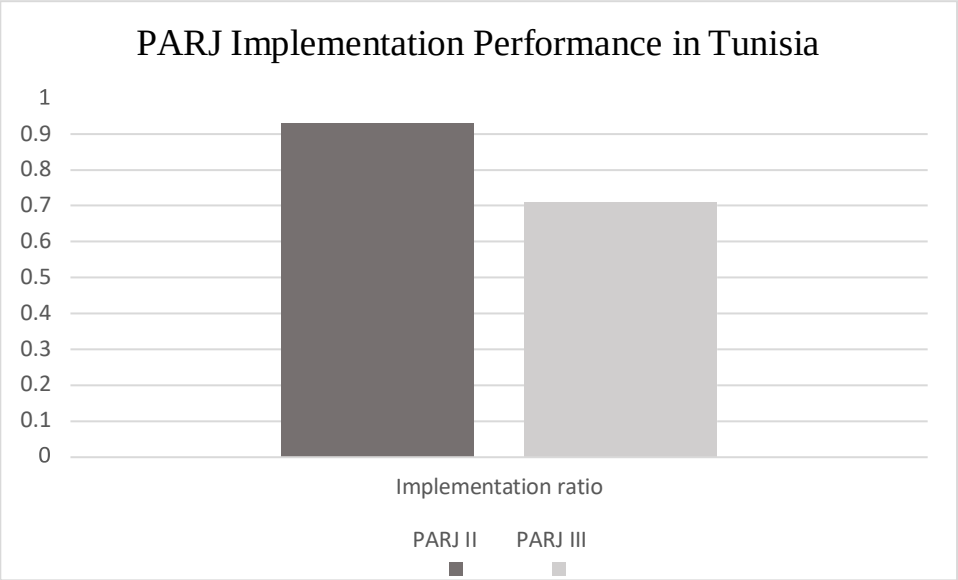

Figure 2 - Implementation ratios of the PARJ II, PARJ II in Tunisia – Source: European Commission, 2023a, 2023b

The support to economic reforms followed a similar path. Supported by the EU under the PAR programme (PAR, PAR II, PAR III, PAR IV and PAR V), it identified three main targets: economic growth and employment; regional and social development; strengthening economic governance. Tracing its roots from the Essebsi's interim government (Fontana, 2019), the first three programmes (I, II, III) recorded perfect implementation with a commitments-to-disbursements ratio of 100%. Here, Tunisia's change of course in terms of cooperation with the EU is even more evident. The lack of a political agenda and watered-down measures were directly the result of Tunisia's consensus politics. This has deeply affected the economic structural reforms and the EU's support programmes. If the PAR IV still recorded an implementation ratio of almost 90%, the PAR V's ratio dropped to 64%. The politics of dialogue has indeed slowed down the domestic political process with heavy consequences for the country's economy (Yerkes and Ben Yahmed, 2019). Here, the confrontational nature of the policy and increasing instability have furtherly misaligned the ENP programmes with the interests of Tunisia's veto-players, directly impacting the implementation of specific reforms.

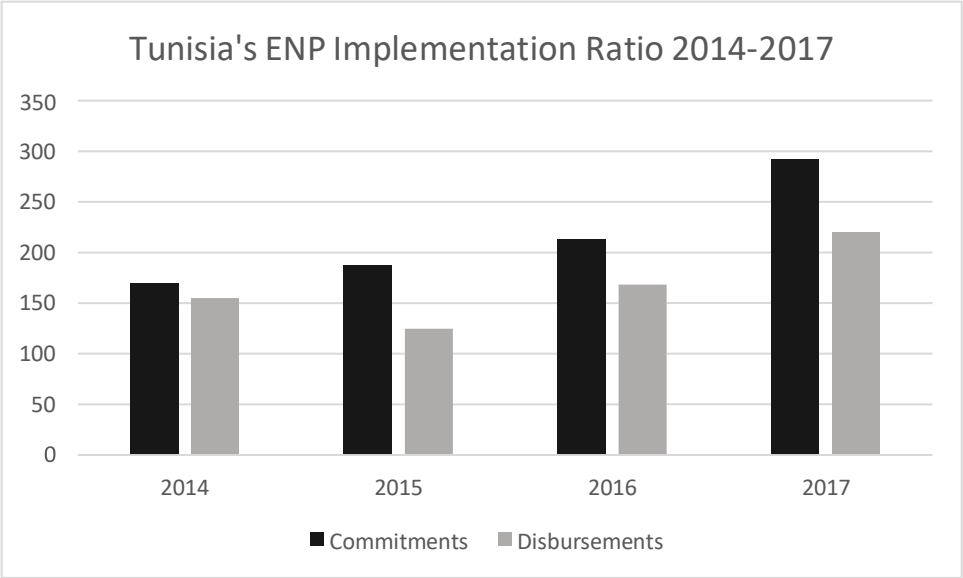

Figure 3 - Tunisia's Implementation Ratio from 2014 to 2017 under the ENI by year – Source: European Commission, 2023a, 2023b

4.2 Egypt: a Fragmented Picture

Moving eastward, the wave of protests marked a turning point in Egypt's history too. Leadingto the end of the 30-year presidency of Hosni Mubarak, the regime change paved the way for political transition, bringing renewed hopes for democratisation to Egypt. But political tensions and a dire economic situation undermined the Egyptian political trajectory (Oztig, 2023), eventually consigning the country in the hands of General Abdel Fattah al-Sisi after a long and troubled transition.

After a three-years constitutional process and a first constitution adopted in 2012, the *Constitution de la République Arabe d'Egypte* (2014) defines Egypt as a semi-presidential system. The legislative power lies in the hands of the House of Representatives that "is entrusted with legislative authority, and with approving the general policy of the state, the general plan of economic and social development and the state budget" (art. 101). Also entrusted with oversight duties over a dual executive authority, the Assembly votes by absolute majority of the MPs present for ordinary session (art. 121), while a two-thirds majority is required for constitutional issues. It is worth considering that "in case of a tie of vote, the matter in deliberation is considered rejected" (*Ibid.*). It must be eventually noted that the President has "the right to issue or object to laws" (art. 123). The veto can only be overridden by a two-thirds majority of MPs. The President is the head of the state and is also the head of the executive branch of the government (art. 139). Although they should maintain a non-partisan position (art. 140), the President is entrusted with the appointment of the

Prime Minister (art. 146) and has the power to propose bills (art. 122), to issue decrees that have the force of law (art. 156) and to dissolve the Assembly (art. 137). In addition, the President "sets the general policy of the state and oversees its implementation; represents the state in foreign relations and concludes treaties and ratifies them; [and] is the Supreme Commander of the Armed Forces" (art. 150-152) and has the power to declare the state of emergency upon parliamentary approval. The President shares the executive power with the Prime Minister who is the head of the government and collaborates with the President to define public policy and supervise its implementation (art. 167) and has the right to propose bills (art. 123). However, the Prime Minister enjoys rather limited powers. Some Egyptian analysts have in fact described them as "the secretary of the President" (al-Sayyid, 2017: 70). In this sense, the Prime Minister is rather an executor than an actual decision-maker. This intra-executive relationship is however quite consistent with Egypt's Constitution that appears to be highly centralised around the presidential figure. This is further exacerbated by the practice. If the Prime Minister's room for manoeuvre is fairly limited, the Assembly would formally have quite a strong say in legislation, but reality seems to differ. The 2015 parliamentary elections resulted in a regime-dominated assembly, with the main parties supporting al-Sisi (Free Egyptian Party, Future of the Nation, and WafdParty) obtaining more than 70% of the seats reserved for political parties (IPU, 2023). Furthermore, party politics and the Assembly do not provide any space for discussion, dialogue or opposition, turning it into a notary institution and reducing the scope of partisan veto-players (Cox, 2017). As a result, the President appears as the sole institutional veto player in Egypt, with a decision-making process highly centralised and personalised (Rabou, 2015), and completely emptied of the policymaking debate. Finally, it is worth considering that the military and the police enjoy a great and influential role from the 2014 Constitution. But at a more careful look, they cannot be consideredas full political and institutional actors (Sayigh, 2019).

The 2014 presidential election formalised an already established political path. The new leadof al-Sisi and its regime has given much attention to the economy. In the first year of his presidency,al-Sisi introduced some economic measures to tackle heavy state subsidies, new adjustments to taxesand started his fight against unemployment (Williamson, 2014). The centrality of austere economic reforms in al-Sisi's agenda was such that the President himself pushed for a more tightened budget of 2 percentage points to GDP in the 2014/2015 fiscal year (Gad, 2014). Further priorities concerned regional development, infrastructures and security (Williamson, 2014), while little attention has been paid to other structural issues, such as climate change, energy and water in the first years of al-Sisi's presidency (Dunne, 2014).

Looking at the EU's cooperation with Egypt, an analysis of implementation ratios provides a quite fragmented picture, with highly uneven values from year to year, as *Figure 4* shows. This

scenario is due to the presence of both measures that were and were not on the al-Sisi's agenda. On the one hand, it is not surprising that the EU's measures to support water waste or other climate-related issues, such as waste management, received only a partial amount of the committed funds. In details, the EU had two main climate-related ENP programmes under the ENI from 2014 to 2017: the Egyptian National Solid Waste Management Programme (NSWMP) and the National Drainage Programme III (NDP III). Launched in 2013, and amended in 2014, the NSWMP was supposed to receive up to 20 million euro from the EU to "support the establishment and implementation of effective policy, legislation and institutional arrangements for waste management" (European Commission, 2014: 5). However, waste management was not really on top of the al-Sisi's agenda that reframed it as a means rather than an end (Arefin, 2019). Only more recently al-Sisi started to tackle waste management seriously, and it is indeed not surprising that Egypt received only 12 million euro out of the 30 million euro allocated under the ENI. Similarly, the NDP III was adopted by the EU in 2016 to boost drainage infrastructure and reduce water waste. Despite being crucial for Egypt, water drainage and irrigation infrastructures were not really developed, and the Ministry of Water Resources and Irrigation (MWRI) suffered from resource shortcomings and lack of funds from the government (European Commission, 2016c). Water management did receive limited attention from al-Sisi, as well as other long-term investments such as climate change or energy. In 2016, Egypt's budget allocated less than 15 % of total expenditure to investments, while only 772 million Egyptian pounds were committed to water policy out of 974 billion Egyptian pounds (Ministry of Finance of Egypt, 2016). Less than 0.1% of the total budget. It is indeed not surprising that the measure received less than 30% of the committed money.

Measure	**Commitments (in million euro)**	**Payments (in million euro)**
NSWMP	20	12
NDP III	40	10.8

Table 1 – ENP Programmes Commitments and Disbursements – Source: European Commission, 2023a, 2023b

However, Egypt's cooperation with the EU records thicker implementation in specific sectors in line with the al-Sisi's agenda. If the promotion of economic growth and tackling unemployment performed fairly well through the ENP programme "Promoting Inclusive Economic Growth in Egypt" (PIEG), the "EU Support to Egypt's National Population Strategy" (EU NPS) appears to benefit from its consistency with al-Sisi's domestic plans. The former was adopted in 2015 to

improve business environment, promote economic development and tackle unemployment with the EU's commitments that amounted to 15 million euro. If boosting economic growth and tackling unemployment were the main pillars of al-Sisi's economic policy since the very beginning, its priority on al-Sisi's agenda remained high and stable over the following years (Ministry of Finance of Egypt, 2016), and the PIEG programme absorbed almost 90% of the total commitments. Launched in 2017, the latter aimed at supporting Egypt to manage population growth rates. The Annex II of the Egypt's 2017 AAPs maintains that "Government of Egypt sees uncontrolled demographic growth asa threat to national security". Despite being largely ignored by al-Sisi during the first years (Dunne, 2014), dire economic conditions and slow economic growth pushed the President to prioritise it as a threat to development and stability. Indeed, al-Sisi adopted Egypt's National Population and Development Strategy in 2015 with the aim of pushing down fertility and birth rates (UNFPA, 2019). Benefiting from that, the EU NPS recorded perfect implementation absorbing 30 million euro out of the 27 million euro committed. It must be noted that payments can exceed commitments since budgeted money are subject to a range of +/- 20%.

Measure	Commitments (in million euro)	Payments (in million euro)
PIEG	15	13
EU NPS	27	30

Table 2 – ENP Programmes Commitments and Disbursements – Source: European Commission, 2023a, 2023b

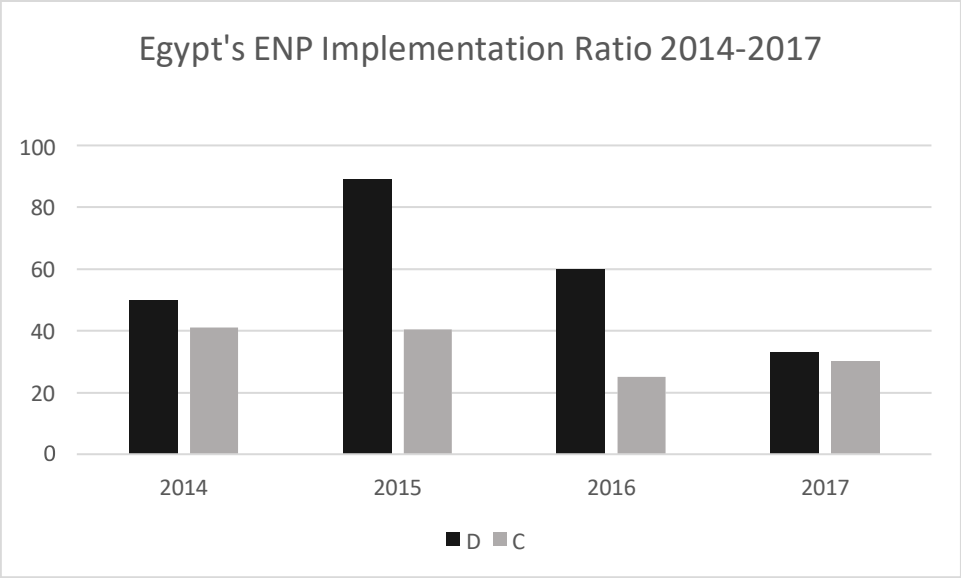

Figure 4 - Egypt's Implementation Ratio from 2014 to 2017 under the ENI by year – Source: European Commission, 2023a, 2023b

At this point, the analysis has shown that the fit of the domestic agenda with the ENP programmes appears to be a strong predictor for implementation performance in both the case of Tunisia and Egypt. The stability and the confrontational/non-confrontational nature of those interests also seemed to have played a role in steering Tunisia's implementation ratio as shown in the case of the PAR and PARJ programmes. Egypt has surely benefited from policy stability, but the lack of political debate has made it difficult to find any effect of policy conflict at this stage, and more steps are needed to investigate it further, as well as the role of the other domestic variables.

5 Public Administration in Tunisia and Egypt

If political actors have the power to take and push for a political decision, public administration (PA) directly handles the process of policy implementation. The latter and the way in which it is organised and how it operates cross-cuttingly affect the whole process across all policy sectors (Hall, 2008), but to what extent have countries' absorbing capacities affected the EU's cooperation with Tunisia and Egypt?

5.1 Tunisia: an Unitary, Decentralised State

The development and formation of PA in Tunisia are rooted in the country's colonial experience under the French rule. Despite formally decentralised according to the 1959 Constitution, Tunisia recorded good administrative performance within a *de facto* centralised structure under the legacy of Bourguiba (Baccouche, 2016). While Bourguiba lied the foundations of the country's bureaucracy, Ben Ali put it at the core of his modernisation plans through the *Plan de Mise a Niveau de l'Administration* (Khiari, 2003), steering Tunisia to a centralised, efficient system of administration.

The Arab Spring marked a change of course for Tunisia's administrative structure and development. On top of the Ennahda's political agenda, the 2014 Constitution provides for a unitary, decentralised Republic (art. 14) and dedicates to power decentralisation an entire chapter (see Title VII). Embedded into a process of power devolution from the centre to the periphery, Tunisia's administrative structure consists of both central government's entities and local authorities (Yerkes and Muasher, 2018). If the central government is still the most powerful actor (*Ibid.*), the 2014 Constitution provided for the latter the principles of free administration (art. 132), financial (art. 132) and resource independence (art. 135). If it is generally thought that decentralisation is likely to improve efficiency and reduce corruption, Tunisian politics has pushed for open government reforms to increase transparency, accountability and therefore overall governance (OECD, 2016). The European Commission (2015b:3) has recognised the country's "considerable enhancements", while the OECD (2016:22) has underlined that "Tunisia has made truly impressive strides" although challenges were not absent. International standards on the quality of government have registered Tunisia's good performance. The Indicator of Quality of Government (ICRG) of the QoG Institute (University of Gothenburg), that covers corruption, law and order and bureaucracy quality with values that go from 0 (worst governance) to 1 (best governance), reports an improvement of 0.10 points from 2011 (0.56) to 2020 (0.65). State fragility has also decreased reaching the second lowest level in the

MENA region according to the QoG, while the Corruption Perceptions Indexes (CPIs) of Transparency International showed that Tunisia has fluctuated, but on a positive trajectory until 2021.

These figures reflect Tunisia's good administrative performance that has resulted in thicker implementation of EU programmes when political support was present. The most straightforward example is provided by the *Programme de soutien à la mise en œuvre du plan quinquennal, modernisation de l'administration et des entreprises publiques* (MAPU). Launched in 2016, the MAPU aimed at supporting Tunisia public administration to improve effectiveness, efficiency, quality and transparency of public services (European Commission, 2016a). In line with veto-players' agendas as witnessed by the centrality enjoyed in the post-transition phase (an entire chapter of the 2014 Constitution was dedicated to decentralization) and provided with low policy conflict at the time of the adoption of the ENP programme (OECD, 2015), the good performance of public administration and the consequent meeting of EU standards allowed for an implementation ratio of 100% with the EU that disbursed 73.5 million euro out of the 73.5 million euro committed in line with a modern and transparent PA development (European Commission, 2019). The comparison with the PAR and the PAR J explains fairly well the extent to which political actors' interests and their nature matter compared to administrative capacities. It is indeed not surprising that where domestic political support was present, implementation recorded ratios close to 100%. However, it is also important to note that both the PAR and the PAR J ratios did not drop below 60%, suggesting, at this point, that PA's effects can neither be neglected nor underestimated.

Measure	**Commitments (in million euro)**	**Payments (in million euro)**
MAPU	73.5	73.5

Table 3 – ENP Programmes Commitments and Disbursements – Source: European Commission, 2023a, 2023b

5.2 Egypt: High Centralisation, Low Performance

The Egyptian government and administration have long been embedded into a highly centralised structure. While this organisation traces its roots in the peculiar distribution of opportunities and resources in a relative narrow portion of the whole Egyptian territory along the Nile, the Egyptian administration system has been generally known for its "exceptionally low" efficiency and laziness"

(Palmer et al., 1985; Palmer et al., 1988: 149).

The Arab Spring and the fall of the Mubarak regime did not change the course of Egypt's administration. Egypt is generally identified as a centralised country subdivided in local administrative units (governorates, cities and villages) under the 2014 Constitution (art. 175). If the state "ensures support for administrative, financial, and economic decentralization" (art. 176) and recognises their financial independence (art. 178), local governors are appointed by the President (art.179) while local councils' acts do not have force of law and decisions may be subject to the executive review (art. 180). The Constitution outlines a highly centralised PA that reality recognises as overstaffed with parallel structures (El Baradei, 2021). If the public sector was described as the employer of choice for the good conditions offered (Barsoum, 2016), 26% of those employed in Egypt were in the public sector right before the Pandemic (Barsoum and Abdalla, 2020). The emergence of parallel structures is instead the result of an attempt of "overcoming the problems of routine and red tape in the traditional bureaucracy" (El Baradei, 2011: 1360). It is not difficult to understand how these have negatively affected administration coordination, resources, transparency and accountability, therefore impacting on the overall performance. Despite minor enhancements such as the adoption of the new Civil Service Law in 2016 that introduced new requirements and rules for recruitment (see ILO, 2016), Egypt's administration still appears highly problematic. This is also confirmed by international standards on the quality of government. The ICRG of the QoG Institute has oscillated between 0.44 and 0.48 from 2013 to 2022, while state fragility was slightly below the regional average. CPIs figures from Transparency International are even more worrying, with Egypt following a downward trajectory that steered the country to rank 130th out of 180 countries in 2022. Added to this is the lack of transparency and accountability due to the weakness of the media, political parties and CSOs (El Baradei, 2021).

Although the overall picture appears highly problematic, the effects over Egypt's implementation performance within the ENP framework seem to be limited, but tangible. Looking at the PIEG and the EU Facility for Inclusive Growth and Job Creation (EU FIGJ), both programmes, which are deeply intertwined with each other where the latter is the continuation of the former, record thick, but not perfect implementation despite being in line with the country's agenda. Despite no specific post-evaluation report being provided, the main challenges to implementation identified by the EU referred to weak coordination and lack of transparency (European Commission, 2016b). This would explain why the EU disbursed only 27.2 million euro out of the 35 million euro committed, with an overall implementation ratio slightly below 80%. Here, the effect is tangible, but the implementation ratio is still above the overall Egypt's average. Benefiting from being on the top of al-Sisi's agenda as shown in the previous section, the negative effect of poor administrative performance seems to have been

contained.

Measure	Commitments (in million euro)	Payments (in million euro)
EU FIGJ	20	14.2
EDPC	30	29

Table 4 – ENP Programmes Commitments and Disbursements – Source: European Commission, 2023a, 2023b

Even considering Tunisia, the analysis would suggest that administrative capacities matter, but their effects are limited compared to domestic interests and negatively interact with the degree of fit between the ENP programmes and domestic interests. In short, the higher the fit, the lower and the more contained the effects of PA capabilities. And vice-versa, the lower the fit, the higher and the less contained the effects. At this point, the above discussion seems thus to confirm the core argument of this dissertation, and an interaction between domestic interests and administrative capacities has been observed. However, a few more steps are needed, and it is now worth turning to the role of civil society.

6 Civil Society and the State in Tunisia and Egypt

If the previous sections have mostly focused on the government and its administrative branch, here the emphasis shifts to the concept of governance (Brinkerhoff, 1999). Including a wide range of diverse stakeholders, governance operationalisation requires a lens on linkages and relations rather than on actions or actors, shaping civil society as an arena, as a space where discussions, debates and proposals occur in relation with the state. It is, therefore, worth considering to what extent has civil society influenced Tunisia and Egypt's cooperation with the EU?

6.1 Tunisia: a Strong, Independent CSOs

Tunisian civil society has played very different roles and has not always been an independent pro-democracy force (Hudáková, 2019). Before the Arab Spring, most CSOs were complicit in the regime's resistance, while only a few organisations were truly independent and critical. However, this picture strongly contrasts with their weight and involvement in the country's political transition.

The regime change has seen CSOs not only steering the transition, but also strengthening the nascent democracy (*Ibid.*). Civil society has been at the forefront of the transition process, becoming the crux of "the wise engineering of the political transition" (Kefi, 2021: 239). This new phase led to a sharp increase in the number of NGOs, social movements and informal groups immediately after the fall of Ben Ali. The *Centre d'information, de formation, d'études et de documentation sur les associations* (IFEDA) has recorded that more than 6000 CSOs were created only from 2011 to 2013. In 2023, the IFEDA lists more than 24000 associations overall. This data must be interpreted with extreme caution due to the democratic backsliding that Tunisia is experiencing under the Presidency of Kaïs Saïed. The number of CSOs created in 2022 and 2023 has indeed dropped dramatically. However, this figure suggests that the post-revolutionary environment was extremely flourishing for Tunisian civil society. The first great mark was left through a decree (88/2011) dealing with CSOs. Replacing the existing legislation, the new act expanded protection and support for independent civil society, set public funding provisions and introduced limits for state intervention (Freedom House, 2023). National law is then complemented by the constitutional text that guarantees "the freedom to establish political parties, trade unions, and associations" (art. 35) and affirms that organisation and financing of associations must be governed by organic law (art. 65). Other more general provisions refer to the freedom of expression (art. 31) to which the formation of associations is tied. These provisions allowed for an expansion of civil society and its role in all fields with no discrimination,

even boosted through international programmes and initiatives (Mnasri and Ghali, 2016). Sharp increases in civil and political rights were in fact underlined by Freedom House (2015: 6-7) that labelled Tunisia as an "exceptional success story".

This positive outlook boosted cooperation with the EU, whose ambitiousness spread rapidly after the fall of Ben Ali. The EU has intensified its relations and exchanges with Tunisia, even due to a "dynamic and diversified" civil society (European Commission, 2017b: 4). This has allowed for highly differentiated ENP programmes to support Tunisia's democratic transition from the promotion of women rights to media development, as well as support to the civil society whose associations were active in more than 40 projects included in the ENP Programmes only in 2016 (*Ibid.*). If the involvement of CSOs benefited specific programmes related to civil rights or cultural matters (*Ibid.*), deeperand more structural reforms have not been thickly implemented despite an active community to support it. In fact, the presence of strong and well-organised CSOs appeared to have led, together with the EU and Tunisia, to perfect implementation of the *Programme d'Appui au Secteur de la Culture* (PAC) with a disbursement of 9.9 million euro out of the 6 million euro committed by the EU (*Ibid.*). However, it is worth considering that where lack of political support occurred the role of CSOs has been much less influential in promoting thick implementation. The case-study of the transitional justice (PAR J) is quite explanatory of the limited weight that CSOs have in terms of implementation records. Although Tunisian civil society was strongly involved in the transitional justice process (Ben Hamza et al., 2016), the confrontational nature, political instability and the lack of political support largely influenced its implementation ratio that, as shown in the previous section, dropped by 23 percentage points in less than three years. However, as also observed in the previous section, it is worth noting that the PAR J ratios did not drop below 70%, suggesting that CSOs' role, together with administrative capacities, cannot be neglected or omitted. But rather, their effects appear to have contained the lack of political support, high policy conflict and instability.

Measure	Commitments (in million euro)	Payments (in million euro)
PAC	6	9.9
PARJ III	60	43

Table 5 – ENP Programmes Commitments and Disbursements – Source: European Commission, 2023a, 2023b

6.2 Egypt: a Limited Civil Society

The Arab Spring appeared to have marked a breaking point in Egypt's political, authoritarian trajectory. The renewed democratic hopes after the fall of Mubarak's regime did also include national associations and organisations that had long been limited and repressed. The post- revolution gave those visibility and new room for manoeuvre, but the al-Sisi's coup dramatically braked the process.

The al-Sisi administration carried out an impressive wave of repression during the first years. The government repression did not only target human rights groups, but also "cultural initiatives, independent media outlets, feminist organizations…" (Holmes, 2017). If this reflects the al-Sisi's attempt to manage internal security and stability, the lack of constitutional guarantees and the adoption of draconian laws against CSOs have represented the legal means through which al-Sisi pursued his security strategy. On the one hand, the 2014 Constitution makes only general references to the freedom of association. More precisely, there is no mention of "freedom". Rather, the text sets the "right to establish associations" (art. 75) and "they shall be allowed to engage in activities freely". It is worth noting the very general nature of such a statement, while no reference is made to executive or other state powers interference. The text leaves most of the matter to be regulated through law. Although heavy repression was already applied to domestic not-affiliated CSOs (Gervasio and Teti, 2020), Egypt tightened the net further through the passing of Law 70/2017. Under this law, any association whose work "may cause harm to the national security, public order, public morals or public health" (art. 62) could have been persecuted. It is therefore easy to understand how such a general expression would provide extreme discretion to Egyptian authorities to decide what is forbidden by the law (El Assal, 2019). Despite strong international pressure obliging Egypt to reconsider it, Law 149/2019 did not remove severe restrictions and provided a wide range of vague powers to authorities. It is not surprising that only 35,653 have registered under the 2019 Law, while the previous figure amounted up to 52,000. These numbers are confirmed by Freedom House (2015) that has constantly rated Egypt as "not free" and subject to a backward trajectory. This has indeed deeply constrained independent CSOs that were obliged to re-adapt and change their strategies and their agendas, but still with very high costs that have largely affected and limited their activities and engagement (El Assal, 2019).

This dramatic situation and heavy repression against CSOs had an impact on Egypt cooperation with the EU whose scope remained limited to specific, less confrontational sectors and with a limited involvement of selected CSOs. As suggested from an interview with a European Commission

Official: “Partner countries are used to selecting their own civil society”. The 2016-2017 evaluation provided by the European Commission (2018) reports that only nine contracts were signed with CSOs under the Citizen Rights Project (CRP), while “substantial challenges” for civil society remain. Despite such a negative outlook, Egypt’s implementation performance has not been dramatically affected. Launched in 2015 to strengthen fundamental human rights and women condition in the country, the CRP performed fairly well receiving 8.4 million euro out of the 10 million euro committed by the EU. A good fit with the domestic agenda and addressing a low conflictual issue, the CRP has contained the negative effects of a not developed and restrained civil society. The comparison with the EU’s “Support to Accountability and Democratic Governance” (ADG) is quite straightforward. Not in line with the domestic agenda and addressing a highly confrontational matter, implementation was null with the EU that did not make any disbursement out of the 6 million euro budgeted. This furtherly shows that the role of civil society is limited and its relevance subject to the ENP’s fit with domestic interests. In the case of the ADG, the effects of a restrained civil society appear less contained.

Measure	Commitments (in million euro)	Payments (in million euro)
CRP	10	8.4
ADG	6	0

Table 6 – ENP Programmes Commitments and Disbursements – Source:European Commission, 2023a, 2023b

In a similar manner to what observed with administrative capacities, the effects of CSOs resulted limited compared to domestic actors’ interests and their nature, but they can neither be omitted nor underestimated. As shown by the case-studies of Tunisia and Egypt, the influence of civil society over the ENP implementation appeared to be subject to the fit of domestic interests with the ENP programmes in the following way: the lower the fit, the higher the effects of CSOs.

7 Conclusion

This dissertation has tackled the issue of country performance in the implementation of the ENP through a decentred approach. Focusing on the comparative case-study of Tunisia and Egypt, a comprehensive analytical framework to evaluate the ENP performance under decentred lenses has been provided. The rationale was to explain how countries with opposite political, administrative and civil society-state trajectories could record similar ENP implementation ratios.

Based on existing literature, this research work has argued that the degree of match or mismatch between the ENP programmes and the interests of domestic veto-players, as well as the conflictual/non-conflictual nature and the stability/instability of the interests play a primary role in determining the country's implementation performance, while administrative capacities and CSOs are placed at a subordinated level. The analysis of the Tunisia's PAR and PARJ programmes has shown the decrease of the implementation ratio with the misalignment of the EU's objectives with the interests of Tunisia's veto-players. Here, the effects of instability and policy conflict have also been visible and interacted with the interests of domestic veto-players, as shown in the cases of transitional justice and economic reform. In Egypt, the PIEG and the EU NPS programmes benefited from good alignment between the ENP policies and the domestic agenda. However, the relevance of administrative capacities and CSOs must not be underestimated. The analysis has shown their actual weight compared to domestic political actors is quite limited, but still have an effect over the country's implementation performance. Both Tunisia and Egypt appeared to record limited, but tangible effects from their relative administrative capacities. If the former's good capacities allowed to perfectly implement measures in line with the domestic agenda, such as the MAPU. The latter's poor performance was contained by a compatible domestic agenda. The cases of the PIEG and EU FIGJ programmes are quite explanatory of that. In considering the role of CSOs, a strong and independent civil society seems to fit with more ambitious EU programmes. However, its actual weight resulted limited and subject to domestic interests in terms of implementation.

If this confirms the overall argument of this dissertation, the analysis has also shed light on possible interactions of the variables with the domestic interests. The discussion found that the higher the fit of interests, the lower the effects of administrative capacities and CSOs. This was confirmed for both Egypt and Tunisia. While no interaction has been grasped between administrative capacities and CSOs. However, this finding must be considered with extreme caution. A comparative case-study does not allow for generalisations, and different observations could have provided different results, but further investigation is certainly deserved.

Hence, this dissertation has provided valuable contributions to the ENP study by investigating the implementation of EU programmes through a decentred approach that combined actors-based with policy-oriented explanations. On the one hand, this work has researched the actual weight of domestic factors influencing the ENP implementation and has traced possible interactions among them. A localised, comparative methodology makes the limitations for generalisation quite evident, but the choice of the case-studies provides particular strength to the research findings. On the other hand, this work has provided a methodological innovation in the calculation of a country's implementation ratio by disaggregating data on payments to link EU disbursements with specific commitments.

These represent fundamental steps forward for future research paths on the EU's action beyond its borders, and in particular in the Southern Neighbourhood. But further efforts are needed toinvestigate interactions more in-depth, variables' weight across different sectors, as well as how predictors interact with the EU and its means of engagement. These enhancements would allow to further advance decentring ENP studies, allowing to move from what the EU does to how the EU interacts with.

Annex – Implementation Ratios

ENP programmes from countries' Annual Action Plans from 2014 to 2017 with EU commitments and EU disbursements used to calculate implementation ratios for Tunisia and Egypt.

Source: European Commission, 2023a, 2023b

Tunisia:

Year	ENP Programme	Commitment (in million euro)	Disbursement (in million euro)
2014	Programme d'Appui à la Relance IV	100	89
2014	Programme d'Appui à la Réforme de la Justice 2	15	13.9
2014	Programme d'Appui aux Médias en Tunisie	10	9
2014	Programme de promotion de l'égalité homme-femme en Tunisie	7	6.7
2014	Programme d'Appui au Gouvernement Tunisien dans les domaines de la Gestion Intégrée des Frontières et de la Protection Internationale	3	2.8
2014	Programme de réhabilitation des quartiers populaires en Tunisie - phase d'extension. Réhabilitation Quartiers	28	27.9
2014	Programme d'Appui à l'accord d'Association et à la Transition – Phase 3	6	4.2
2015	Initiative régionale d'appui au développement économique durable	32	0
2015	Programme d'appui à la réforme et à la modernisation du secteur de la sécurité de la République tunisienne	23	17.8
2015	Programme d'appui au secteur de la culture en Tunisie	6	9.9
2015	Cap vers la décentralisation et le développement intégré des territoires	43	42.3
2015	Programme d'appui à l'accord d'association et à l'intégration	12	10
2015	Cinquième programme d'appui à la relance	70	44.8
2016	Programme de soutien à la mise en œuvre du plan quinquennal, modernisation de l'administration et des entreprises publiques	73.5	73.5

2016	Programme d'appui à l'éducation, la mobilité, la recherche et l'innovation	60	44.8
2016	Initiative pilote de développement local intégré	60	29.7
2016	Programme d'appui au secteur de la santé en Tunisie	20	20.6
2017	Programme d'appui à la réforme fiscale, l'inclusion financière et le développement de l'économie sociale et solidaire	70	68
2017	Objectif Transition Energétique	50	26
2017	Programme d'appui à la société civile et aux instances indépendantes	22	10.8
2017	Programme d'appui à la compétitivité et aux exportations	90	72
2017	Programme d'appui à la réforme de la Justice III	60	43

Egypt[1]:

Year	**ENP Programme**	**Commitment (in million euro)**	**Disbursement (in million euro)**
2014	Expanding Access to Education and Protection for at Risk Children in Egypt	30	29
2014	Egyptian National Solid Waste Management Programme	20	12
2015	Citizen Rights Project	10	8.4
2015	Promoting Inclusive Economic Growth in Egypt	15	13
2015	Upgrading Informal Areas Infrastructures	26	16.7
2016	Advancing Women's Rights in Egypt	20	14.2
2016	National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector	40	11
2016	EU Facility for Inclusive Growth and Job Creation	20	14.2

[1] It must be noted that the EU programme "Fostering Reforms in the Egyptian Renewable Energy and Water Sectors through Developing Capacity Building" has been omitted due to the presence of contrasting data.

2017	Support to Accountability and Democratic Governance	6	0
2017	EU Support to Egypt's National Population Strategy	27	30

Interviews

- Official from the European Commission, online recorded interview, 15 June 2023. *Note: data on the interviewee have not been published and will not be released in the future.*
- Official from the European Commission, online recorded interview, 3 August 2023. *Note: data on the interviewee have not been published and will not be released in the future.*

Note: These interviews have been conducted in accordance with the requirements of the University and the College Research Ethics Committee of King's College London. An ethical clearance has been provided for this project.

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