

# **(In)consistency in European external energy governance in the EU's southern neighbourhood**

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## **The case of Morocco**

at the Institute for Political Science (Fachbereich II)  
of the Technical University of Darmstadt (TU Darmstadt)

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<sup>1</sup> [IID](#) (Accessed on 09 January 2020).

<sup>2</sup> [IPEMED](#) (Accessed on 09 January 2020).

<sup>3</sup> The summer school took place from 23 June to 3 July 2015 at the College of Europe, Natolin (Warsaw) campus, the Ben-Gurion University of the Negev (BGU), the Academic College Tel-Aviv Yaffo, the EU Representative Office for the West Bank and Gaza Strip in East Jerusalem, and the Konrad-Adenauer-Stiftung (East Jerusalem and Ramallah). [College of Europe](#) (Accessed on 09 January 2020).

intellectual challenges that come along the conduct of a doctoral thesis but also with the psychological issues and effects.

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## Abstract

Energy is a strategic product cutting across a variety of domains including (geo)politics and economics, as well as climate and the environment. The achievement of a secure, affordable and sustainable energy supply is at the heart of any economy. In this context, changes in global energy markets have a decisive impact on energy politics, calling for a coherent and consistent governance approach in order to remain competitive. Yet, as for the EU, the achievement of consistency is one of its greatest challenges, notably when it comes to external policies. This is also an issue with respect to energy. In fact, recent developments in the global energy landscape and international events such as climate change increasingly involve the Union in relations of interdependence with its neighbouring countries, including those located to its south. However, whilst energy has always been a key area of cooperation in EU-southern Mediterranean relations and although the Union has long recognised the region's potential in this regard, past efforts at building a fruitful energy relationship have been rather disappointing. This is problematic in so far as a shift in traditional energy policy cooperation in the region has been observed in recent years, mirroring deep geopolitical change. Adding to this, the perceptibility of EU energy policies in the region is overall low. Against this background, this dissertation examined policy (in)consistency in EU energy governance towards the southern Mediterranean, using Morocco as a case study. In fact, Morocco is not only the EU's most important partner country within the European Neighbourhood Policy (ENP) framework but is also of utmost importance for the EU's energy and climate interests, notably when it comes to a clean energy turnaround. Moreover, the country has long been neglected as a research subject in the literature and is therefore of academic interest.

The aim of this research was to explore whether and to what extent the EU is consistent in its energy governance approach towards Morocco and to determine the reasons for consistency or inconsistency, the context in which a total of three factors have been identified, namely competencies, interests and interdependencies. To assess consistency, this research used coordination as a proxy variable for consistency, whereby, inspired by the Les Metcalfe methodology, it attempted to investigate the coordination mechanisms of the different actors involved in EU energy governance towards Morocco, including the horizontal, vertical and diagonal dimensions as well as in the EU multilevel system and at the third-country level. As one outcome of this analysis, it has transpired that coordination (and thus consistency) takes place with regard to different aspects (strategic/political or functional, i.e. when it centres around financial or technical issues). Whilst strategic/political coordination takes place mainly in the EU multilevel system, functional coordination takes place in both the EU multilevel system and at the third-country level. Another outcome is that strategic/political coordination is overall more extensive in the horizontal and diagonal dimensions, but less extensive in the intergovernmental and vertical dimensions, whereas functional coordination seems to run smoothly in all dimensions. One reason for the extensive horizontal and diagonal coordination seem to be the clear delimitation of competencies. The extensive functional coordination in the intergovernmental and vertical dimensions is due to converging energy interests across the EU institutions and member states. By contrast, the less extensive strategic/political coordination in these two dimensions can be explained by diverging policy interests as regards EU energy governance towards Morocco and interdependencies between the member states and Morocco.

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## Acronyms

AA: Association Agreement

AA: Auswärtiges Amt (Federal Foreign Office)

ACD: Asia Cooperation Dialogue

ADEME: Agence de l'Environnement et de la Maîtrise de l'Energie (Environment & Energy Management Agency)

ADFD: Abu Dhabi Fund for Development

AECID: Agencia Española de Cooperación Internacional para el Desarrollo (Agency for International Development Cooperation)

AFD: Agence Française de Développement (French Development Agency)

AFDB: African Development Bank

AFESD: Arab Fund for Economic and Social Development

AFET: Committee on Foreign Affairs

AMCI: Agency for International Cooperation

AMDI: Investment Development Agency

AMED: Asia-Middle East Dialogue

AMEE: Agence Marocaine pour l'Efficacité Energétique (Moroccan Agency for Energy Efficiency)

AMU: Arab Maghreb Union

ANRE: Agence Nationale de Régulation du secteur de l'Electricité (National Authority for the Regulation of the Electricity Sector)

AAPs: Annual Action Programmes

AP: Action Plan

ASEAN: Association of Southeast Asian Nations

AU: African Union

BAFA: Bundesamt für Wirtschaft und Ausfuhrkontrolle (Federal Office for Economic Affairs and Export Control)

BMU: Bundesministerium für Umwelt, Naturschutz und Nukleare Sicherheit (Federal Ministry for the Environment, Nature Conservation and Nuclear Safety)

BMZ: Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (Federal Ministry for Economic Cooperation and Development)

BPRM: Bureau de Recherches et de Prospection Minières (Bureau of Mining Research and Exploration)

CAMENA: Climate Action in the Middle East and North Africa

CBC: Cross-Border Cooperation

CEA: Commissariat à l'Énergie Atomique et aux Énergies Alternatives (Alternative Energies and Atomic Energy Commission)

CEER: Cooperation of European Energy Regulators

CENM: Centre of Maamora

CEN-SAD: Community of Sahel-Saharan States

CFSP: Common Foreign and Security Policy

CGEM: Confédération Générale des Entreprises du Maroc (Confederation of Business Associations of Morocco)

CNEED: National Charter for the Environment and Sustainable Development

COREPER: Comité des Représentants Permanents (Permanent Representatives Committees)

CRE: Commission de régulation de l'énergie (Energy Regulatory Commission)

CRS: Congressional Research Service

CSDP: Common Security and Defense Policy

CSP: Concentrated Solar Power

CSP: Country Strategy Paper

CTF: Clean Technology Fund

DCFTA: Deep and Comprehensive Free Trade Area

DFI: Development Finance Institution

DG: Directorate General

DG CLIMATE: Directorate General Climate

DG DEVCO: Directorate General Development and Cooperation

DG ENER: Directorate General Energy

DG NEAR: Directorate General Neighbourhood and Enlargement Negotiations

DG RELEX: Directorate-General for the External Relations

DG TRADE: Directorate General Trade

DGST: Directorate of Surveillance of the National Territory

DII: Desertec Industrial Initiative

DSG: Deputy Secretary General

EAEC: European Atomic Energy Community (EURATOM)

EBRD: European Bank for Reconstruction and Development

EC: European Communities

EC: European Commission

ECJ: European Court of Justice

ECT: Energy Charter Treaty

ECSC: European Coal and Steel Community

EEAS: European External Action Service

EEC: European Economic Community

EEM: Energie Eolienne du Maroc (Wind Energy Morocco)

EFI: European Financing Institution

EIB: European Investment Bank

EIF: European Investment Fund

EMFTA: Euro-Mediterranean Free Trade Area

EMP: Euro-Mediterranean Partnership

ENP: European Neighbourhood Policy

ENPI: European Neighbourhood Instrument

ENTSO-E: European Network of Transmission System Operators for Electricity

ESDP: European Security and Defense Policy

EP: European Parliament

EPC: European Political Cooperation

EU: European Union

FAC: Foreign Affairs Council

FDE: Fonds de Développement Energétique (Energy Development Fund)

FDI: Foreign Direct Investment

FEMIP: Facility for Euro-Mediterranean Investment and Partnership

FENELEC: Fédération Nationale de l'Electricité, de l'Electronique et des Energies Renouvelables (National Federation of Electricity, Electronics and Renewable Energies)

FFT: FEMIP Trust Fund

FIMME: Fédération des Industries Métallurgiques, Mécaniques et Electromécaniques (Federation of Mechanical, Metallurgical and Electrical Industries)

FPA: Fisheries Partnership Agreement

GCC: Gulf Corporation Council

GDP: Gross Domestic Product

GEG: Global Energy Governance

GERES: Group for Environment, Renewable Energies and Solidarity

GFMD: Global Forum on Migration and Development

GGF: Green for Growth Fund

GHGs: Greenhouse Gas Emissions

GIZ: Gesellschaft für Internationale Zusammenarbeit (Society for International Cooperation)

GMP: Global Mediterranean Policy

GPP: Groupe Principal des Partenaires (Principal Partners Group)

HR: High Representative of the Union for Foreign Affairs and Security Policy

IAEA: International Atomic Energy Agency

IBRD: International Bank for Reconstruction and Development

ICAEN: Institut Català d'Energia (Energy Catalan Institute)

ICI: International Climate Initiative

ICJ: International Court of Justice

IDEA: Instituto para la Diversificación y Ahorro de la Energía (Institute for Diversification and Saving of Energy)

IEA: International Energy Agency

IEP: International Political Economy

IFMERE: Institut de Formation aux Métiers des Energies Renouvelables et de l'Efficacité Énergétique (Vocational Training Institute of Renewable Energy Sources and Energy Efficiency)

IMF: International Monetary Fund

INSA: Institut National des Sciences Appliquées (National Institute of Applied Sciences)

INS WG: Working Group on Institutional Issues

IOC: International Oil Companies

IPEMED: Institut de Prospective Economique du Monde Méditerranéen (Institute of Economic Prospective of the Mediterranean World)

IRESEN: Institut de Recherche en Energie Solaire et Energies Nouvelles (Research Agency on Solar Energy and Renewable Energies)

IR: International Relations

ISDB: Islamic Development Bank

IS: Islamic State

ITRE: Committee on Industry Research and Energy

JDI: Jacques Delors Institute

JHA: Justice and Home Affairs

JICA: Japan International Cooperation Agency

JV: Joint Venture

KFW: Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation)

LAS: League of Arab States

LI: Liberal Intergovernmentalism

LNG: Liquefied Natural Gas

LPG: Liquefied Petroleum Gas

MAEC: Ministerio de Asuntos Exteriores y de Cooperación (Ministry of Foreign Affairs and Cooperation)

MAMA: Maghreb and Mashreq

MASEN: Moroccan Agency for Sustainable Energy

MEAE: Ministère de l'Europe et des Affaires Étrangères (Ministry for Europe and Foreign Affairs)

MEDENER: Mediterranean Association of the National Agencies for Energy Conservation

MEDREG: Mediterranean Energy Regulators

MED-TSO: Mediterranean Transmission System Operators

MEG: Maghreb-Europe Gas Pipeline

MEM: Ministry of Energy, Mines and Sustainable Development

MENA: Middle East and North Africa

MEP: Members of the European Parliament

MINEFI: Ministère de l'Économie et des Finances (Ministry for the Economy and Finance)

MINURSO: Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental (United Nations Mission for the Referendum in Western Sahara)

MLG: Multi-level Governance

MORSEFF: Morocco Sustainable Energy Financing Facility

MOU: Memorandum of Understanding

MSP: Mediterranean Solar Plan

MTES: Ministère de la Transition Ecologique et Solidaire (Ministry of Ecological and Solidary Transition)

NAASP: New Asian–African Strategic Partnership

NATO: North Atlantic Treaty Organization

NDP: National Development Plans

NES: National Energy Strategy

NIF: Neighbourhood Investment Facility

NIP: Neighbourhood Investment Platform

OAU: Organisation of African Unity

OBOR: One Belt, One Road initiative

OCP: Office Chérifien des Phosphates (Cherifien Office of Phosphates)

OCRS: Organisation Commune des Régions Sahariennes (Common Organisation of the Saharan Regions)

ODA: Official Development Assistance

OECD: Organization for Economic Cooperation and Development

OFID: OPEC Fund for International Development

OME: Observatoire Méditerranéen Pour l’Energie (Mediterranean Energy Observatory)

ONAREP: Office National de Recherches et d’Exploitation Pétrolières (National Office of Oil Research and Exploitation)

ONEE: Office National de Electricité et de l’Eau Potable (National Office of Electricity and PoTable Water)

ONHYM: Office National des Hydrocarbures et des Mines (National Bureau for Hydrocarbons and Mines)

OMC: Open Method of Coordination

OPEC: Organisation of Petroleum Exporting Countries

PAM: Parliamentary Assembly of the Mediterranean

PCD: Policy Coherence for Development

PCI: Projects of Common Interest

PERG: Programme d’Electrification Rural Global (Rural Electrification Programme)

PSC: Political and Security Committee

PWMSP: Paving the Way for the Mediterranean Solar Plan

POLISARIO: Popular Front for the Liberation of the Saguia el-Hamra and Rio de Oro

PPA: Power Purchase Agreement

PV: Solar Photovoltaic

QDF: Qatar Development Fund

QMV: Qualified Majority Voting

RCREEE: Regional Center for Renewable Energy and Energy Efficiency

REEE: Renewable Energy and Energy Efficiency Platform

RED: Red Eléctrica Española

REMEP: Rome Euro-Mediterranean Energy Platform

REM: Regional Electricity Platform

RES: Renewable Energy Sources

RES4MED: Renewable Energy Solutions for the Mediterranean

RMP: Renovated Mediterranean Policy

SADR: Sahrawi Arab Democratic Republic

SCP: Société Chérifienne des Pétroles (Sharifian Office of Oil)

SEA: Single Energy Act

SEEF: Sustainable Energy Efficiency Facilities

SGAE: Secrétariat Général des Affaires Européennes (General Secretariat for European Affairs)

SGIEC: Strategic Group for International Energy Cooperation

SME: Small and Medium-sized Enterprise

SNA: Social Network Analysis

SNI: Société Nationale d'Investissement (Society for Energy Investment or SIE)

SNPP: Société Nationale des Produits Pétroliers (National Office of Oil Products)

SO: Senior Official

TA: Technical assistance

TAIEX: Twinning/Technical Assistance and Information Exchange instrument

TEU: Treaty of the European Union

TOE: Tons of Oil Equivalent

UAE: United Arab Emirates

UfM: Union for the Mediterranean

UK: United Kingdom

UN: United Nations

UNCTAD: United Nations Conference on Trade and Development

UNDP: United Nations Development Program

USAID: United States Agency for International Development

US: United States

VP: Vice President

WB: World Bank

WG: Working Group

WG ELE: Working Group Electricity

WG Gas: Working Group Gas

WG RES: Working Group Renewable Energy Sources and Energy Efficiency

WTO: World Trade Organization

## Part One – Introduction

This first Chapter of the dissertation serves as the foundation of the study. It seeks to provide some contextual background and introduces the research problem, relevance and questions. It then discusses the scope of the study and outlines the structure of the thesis.

### 1.1 Introduction

#### 1.1.1 Context

*‘Without heat, light and power you cannot build or run the factories and cities that provide goods, jobs and homes, nor enjoy the amenities that make life more comfortable and enjoyable’.*<sup>4</sup>

VOSER Peter, Energy Community Leader of the World Economic Forum

Energy is a strategic product cutting across a variety of domains such as (geo)politics and economics, as well as climate and the environment and the achievement of a secure, competitive and sustainable energy supply is at the heart of any economy – not only in the so-called developed or industrialised world, but also in developing and emerging countries. As the ‘oxygen’ or ‘lifeblood’ of the economy, energy contributes to economic growth (and thus social progress) in two ways; first, by creating economic value as an independent sector, namely through the production of energy goods and services and second, by serving as input to other sectors (industry, agriculture...)<sup>5</sup>

Ultimately though, the management of energy resources has been increasingly challenged by far-reaching developments taking place in the global energy landscape – having been in a process of continuous transition over the past couple of years, today, the global energy sector is, as highlighted by the International Energy Agency (IEA) (2010), ‘characterized by an unprecedented degree of uncertainty’, which, so Szulecki and Westphal (2014:1), is ‘linked to shifting patterns of energy supply and demand’. And indeed, with the 21<sup>st</sup> century, energy markets have entered a period of intense transformation in which world leaders find themselves compelled to react to radical changes occurring on both the supply and demand sides, changes that will at the same time create geopolitical challenges and opportunities be it for energy exporters or importers.

On the supply side, one major challenge is the volatility of crude oil prices coupled with instability in traditional oil and gas supply regions, above all the Middle East: in fact, oil being traded on a global market (primarily via sea routes), supply disruptions in one region (even though they may be artificial as in the case of Saudi Arabia in 2014) have a direct impact on the world market and have in this context certainly contributed to the emergence of new suppliers like the US, or the arrival of new technologies like fracking.<sup>6</sup> Along with climate change and the transition towards low-carbon energy systems as a response to it, energy is – with over 70% –

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<sup>4</sup> [World Economic Forum](#) (Accessed on 24 February 2018).

<sup>5</sup> [World Economic Forum](#) (Accessed on 24 February 2018).

<sup>6</sup> In fact, thanks to fracking or hydraulic fracturing, a methodology aimed at extracting so-called shale oil and gas by ‘injecting water, sand, and chemicals under high pressure into a bedrock formation via the well’ in order to ‘create new fractures in the rock’, the US which used to be a net importer of gas for a little more than 60 years, managed to become a net gas exporter in 2018. Shale oil and gas are considered unconventional sources of energy. ([USGS](#)) (Accessed on 17 July 2018); MALIK, Naureen S. (10 January 2018), U.S. Becomes a Net Gas Exporter for the First Time in 60 Years, [Bloomberg](#) (Accessed on 17 July 2018).

the single largest source of greenhouse gas emissions (GHGs).<sup>7</sup> These developments are forcing or will force countries and multinationals to increase investment in the development and exploitation of alternative and renewable energy sources (RES).<sup>8</sup>

On the demand side, the greatest challenge is the worldwide increase in energy consumption as an outcome of both demographic and economic developments, whereby consumption will notably be driven by non-member countries of the Organization for Economic Cooperation and Development (OECD), above all China and India. Finally, and as a result of this process of continuous transition, more and more countries will join the international energy markets,<sup>9</sup> exacerbating competition over scarce energy resources (MOMETE, 2015:468) and contributing to the aggravation of global warming and climate change, if these resources are not renewable. Voilà, a vicious cycle that, as further explained later, can only be broken by intelligent global energy governance, including enhanced cooperation between the different players involved in the global energy landscape.

In this context, energy is expected to come more and more into the focus of international relations and the EU as the world's biggest energy importer, notably of the fossil fuels, oil and gas – in fact, not disposing of any significant energy reserves, the Union's dependency on energy imports stood at 54% in 2016 –<sup>10</sup> will naturally be impacted by these developments. Most importantly, the EU is likely to be increasingly involved in relations of interdependence with non-EU member states and neighbouring countries to its east and south, a shift that will with no doubt challenge its governance capacities (as rising interdependencies create vulnerability), whereby each angle of its so-called energy policy triangle, comprising security, sustainability and competitiveness aspects, is thought to be affected (SZULECKI and WESTPHAL, 2014:39). Basically, it will have two options, namely a) to secure its energy supply by diversifying or deepening its energy relations with suppliers and/or b) to drastically reduce or change its energy consumption patterns (in total or at least of fossil fuels). Both options are mirrored in the *European Energy Security Strategy* of 2014 (COM/2014/0330 final), as well as in the *Communication for a European Energy Union* of 2015 (COM/2015/080 final) which, setting out a framework for a resilient Energy Union based on an integrated internal energy market,<sup>11</sup> has served as the starting point for this dissertation.

Both documents present the southern Mediterranean as a top priority for EU energy policies which is not surprising given that energy has always been a key issue in EU relations and prospects for a general revival of cooperation have, considering the ongoing wars in Libya and

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<sup>7</sup> [IEA](#) (Accessed on 24 February 2018).

<sup>8</sup> [EIA](#) (Accessed on 01 October 2014).

<sup>9</sup> For example, in recent years, a number of new gas fields have been found off the coasts of Egypt, Israel and Cyprus (Zohr, Leviathan and Tamar natural gas fields in 2015, 2010 and 2009, respectively), attracting International Oil companies (IOCs) such as Italian Eni or Russian Gazprom to build up new partnerships with these countries, whereby their interests naturally differ from one another. In fact, whilst with respect to importing natural gas or liquefied natural gas (LNG) from the region, Italy aims at increasing its own as well as European energy supply security, Russia seeks to uncover new revenue opportunities for state-owned Gazprom REED, Stanley (28 October 2015), A Gas Discovery in Egypt Threatens to Upend Mideast Energy Diplomacy, [New York Times](#) (Accessed on 17 July 2018); COHEN, Josh (23 February 2016), Why Russia may be a smart business partner for Israel, [Reuters](#) (Accessed on 17 July 2018).

<sup>10</sup> The dependency rate shows the extent to which an economy relies upon imports in order to meet its energy needs. [EC](#) (Accessed on 29 November 2018).

<sup>11</sup> and aiming at giving 'EU consumers – households and businesses – secure, sustainable, competitive and affordable energy' (COM/2015/080 final).

Syria and the associated migration crisis,<sup>12</sup> increasingly moved up the political agenda. As regards energy and climate change though, the region's importance lies above all in its role regarding energy supplies, both for fossil fuels and potentially for renewables (COM/2011/0539 final). Indeed, Morocco, Algeria, Tunisia, Libya and Egypt or the southern Mediterranean or North African region is a fundamental energy supplier that holds considerable amounts of the world's oil and natural gas reserves and has a vast renewable energy potential (SARTORI, 2014:1). Moreover, it is an important and strategic maritime transit passage for oil and gas supplies from the Middle East, Russia and the Caspian Sea to Europe and the US (Suez Canal, Tanger-Med...), as well as for intra-regional trade between North Africa and Europe (SARTORI, 2014:2). In line with this role in the global energy market, the region (above all, Algeria and Libya) provided around 9% of the EU's oil and 14% of its gas needs in 2017.<sup>13</sup>

However, although the EU has long recognised the region's outstanding energy potential,<sup>14</sup> past efforts at building a fruitful energy relationship have been rather disappointing and primarily centred around the gas sector (SARTORI, 2014:3). In fact, and as will be shown throughout this dissertation, relations mainly occur at the bilateral level, taking place between individual EU member states and North African countries and the few multilateral initiatives that have taken place, including the Desertec project and the Mediterranean Solar Plan (MSP), have only shown limited success so far. Against this background, and in view of the EU's increasingly instable energy supply situation on its eastern borders (TAGLIAPIETRA and ZACHMANN, 2016:2) in the context of the deterioration of diplomatic relations with Russia due to the wars in Ukraine and Syria,<sup>15</sup> numerous are those who assume that a closer energy cooperation with the southern Mediterranean will become indispensable for the promotion and securing of the EU's energy and climate interests.<sup>16</sup> At this point, it must be underlined that increased cooperation will not only be advantageous for Europe but also for the southern Mediterranean, as both regions face similar energy challenges such as decreasing energy production, high dependence on conventional energy sources, either for export or import,<sup>17</sup> as well as climate change.<sup>18</sup> Here, the

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<sup>12</sup> The term notably refers to or is associated with the year 2015, when a rising number of refugees, either in an attempt to escape war and conflict or to seek better economic perspectives, came to Europe (from across the Mediterranean or through southeastern Europe) seeking asylum. Although the crisis reached a peak in 2015, it is still ongoing today and with the member states being divided over the question of how to address this crisis ('east-west split'), it serves as a prime example of internal incoherence across the EU. [EC](#) (Accessed on 11 February 2019).

<sup>13</sup> [EC](#) (Accessed on 17 July 2018).

<sup>14</sup> For example, and as reflected in increased EU funding at that time, energy had already become an increasingly important aspect of EU-Mediterranean cooperation in the early 2000s (HERRANZ-SURRELLES, 2018:122).

<sup>15</sup> Russia is the EU's largest single supplier of energy and although the country also depends on the Union as an important energy export market (MOMETE, 2015:464), it however has clearly greater bargaining powers. Here, notably the EU's excessive natural gas dependence has proven to be problematic: for instance, in the 2000s, several disputes between Russian gas supplier Gazprom and the Ukrainian national oil and gas company Naftohaz Ukrayiny over gas supplies broke out, leading to the disruption of gas exports to the latter, as well as to several other European countries in 2006 and 2009. Consequently, first cracks in the EU-Russia energy partnership became apparent and Gazprom was not only perceived as an unreliable supplier to the countries concerned, but also as a threat to their energy security. Tensions continued to grow from 2010 onwards, creating '*a rift between the EU and what has traditionally been its most important energy supplier*', which in turn fueled EU-wide discussions of diversification in energy supplier countries and routes. Following Russia's *de facto* appropriation of Crimea in 2014, its ongoing shadow war in eastern Ukraine, and its military intervention in Syria, EU-Russian relations have reached their lowest point since the Cold War. Whilst the EU has responded in kind by setting up a series of crippling economic sanctions, the glaring weakness in this strategy however is the Union's considerable dependence on Russian gas imports, reducing its leverage *vis-à-vis* its eastern neighbour significantly. Looking to patch this chink in its armor and to find a more reliable, as well as sustainable and competitive, source of energy when the future of relations with Russia appears uncertain, the EU has been increasingly looking to the energy-rich south during the past couple of years. DAUM Britta, STRICKLAND Emmett (01 October 2016), Stability: a decisive factor for ensuring energy security in North Africa and the EU, [EuropeNext](#) (Accessed on 18 July 2018); RUBINO, OZTURK, LENZI and COSTA CAMPI (2015:384); [BBC](#) (Accessed on 28 January 2018); [EC, EC](#) (Accessed on 17 November 2018).

<sup>16</sup> Evidence for this assumption is also given by the fact that, in parallel or addition to trying to set up the Energy Union, the EU is revising its European Neighbourhood Policy (ENP). DAUM Britta, STRICKLAND Emmett (01 October 2016), Stability: a decisive factor for ensuring energy security in North Africa and the EU, [EuropeNext](#) (Accessed on 18 July 2018).

<sup>17</sup> which is particularly true for Morocco and Tunisia.

potential pillars for cooperation are proximity, interdependence and complementarities<sup>19</sup> between the southern and northern shores of the Mediterranean.

### 1.1.2 Problem

In the history course of European integration, the EU has had to deal with numerous reproaches, with one of the most recurrent ones having been a lack of coherence or even incoherence, which as numerous examples show, is not without reason. In the past, the EU's political landscape has often been divided by incoherencies which have spanned across all kinds of sectors, from foreign policy, to development policy, to agriculture and fisheries,<sup>20</sup> as well as most recently, to migration in the context of the refugee crisis of 2015. This would in itself not be tragic if these divisions did not have such far-reaching effects. In fact, they are generally linked to political failures and widely associated with political and economic leverage which are often held responsible for the EU's limited weight in international affairs<sup>21</sup> (GEBHARD, 2017:105).

There is consensus, not only in the literature, but also in policymaking that incoherence or inconsistency<sup>22</sup> is an inherent, inevitable part of any policy and that in democratic systems, complete consistency is '*neither feasible nor desirable*' (CARBONE, 2013:5; BODENHEIMER, GANDENBERGER and GRIESTOP, 2015:22; GEBHARD, 2017:139). At the same time, its occurrence in international relations is thought to be detrimental, as possibly undermining the achievement of common policy objectives, it may lead to weak policy performance<sup>23</sup> and consequently to a loss of credibility of governments (PORTELA, 2009:17).<sup>24</sup> Consistency in turn is positively correlated to efficiency & effectiveness (KOENIG, 2016:2), integrity (MISSIROLI, 2001:2) or legitimacy (MARANGONI, 2014:25) and the transformation of inconsistency into consistency thus considered a '*political*', and '*economic imperative*' (CARBONE, 2013:4-5). And although consistency may, as highlighted by Marangoni (2014:25), come at a price (entailing for example a slow-down of processes or curtailing the individual freedom of certain actors), according to Hoebink (2005:13) aspiring to it should be a '*general objective in all action taken by government*', including or especially in complex pluralist or multi-level governance organisations like the EU (KOULAIMAH-GABRIAL and OOMEN, 1997:2; PORTELA and RAUBE, 2009:5). Indeed, given that the EU in times of globalisation and interdependence is increasingly expected to behave like a unitary actor both domestically and internationally at partner country level, policymakers have regularly called for greater consistency within the Union, in the assumption that it serves as a condition for the enhancement of unity at all governance levels. In this context, the principle is overall firmly embedded in the European policy context and well embodied in EU strategies and documents, where the notion is often used synonymously with '*coherence*'.

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<sup>18</sup> Increasing energy consumption also used to be a common energy challenge. However, for the last couple of years, the EU's energy consumption has rather been on a downward trend, notably for energy efficiency reasons. [EC](#) (Accessed on 23 September 2017).

<sup>19</sup> [IPEMED](#) (Accessed on 17 July 2018).

<sup>20</sup> For example, on the one hand, the EU seeks to support economic development in developing countries, whilst on the other hand, it builds up barriers by giving preference to 'domestic' agricultural production (GATTI, 2016:9).

<sup>21</sup> The Council considers that reinforcing coherence of external action and realising its policy objectives are priorities if the Union is to pull its full weight in international affairs. [EC](#) (Accessed on 14 October 2017).

<sup>22</sup> Whilst coherence and consistency are often used synonymously, this dissertation will later attempt to provide a clear distinction between the two terms.

<sup>23</sup> In fact, with contradicting policies at risk 'to cannibalise one another', it may have a negative impact on the efficacy of policies.

<sup>24</sup> All the more, as it is one of the most often cited reasons for the EU's 'invisibility' at the international stage.

'continuity' and 'unity' or is reflected in expressions like 'acting as a whole' (GEBHARD, 2017:118) which can be notably found in the foreign policy context.<sup>25</sup>

Inconsistencies may range from the international to the national spheres (OECD, 2005:29). However, they are generally very much topic-dependent and the likelihood that they occur is inevitably higher for 'popular' topics, i.e. topics that many different stakeholders are interested in rather than those that incite less interest or that are by nature based on a broad consensus (such as human rights) (DUKE, 1999:13). Factors determining whether a topic is popular or not are for example geographical proximity and security or political and economic interests (DUKE, 1999:28). Here, strategic policy domains like the EU's Common Foreign and Security Policy (CFSP) are more susceptible to divergencies than less sensitive domains like for example the EU's Common Development Policy, which is indeed assumed to be relatively free of inconsistencies. One pertinent example with respect to the CFSP, other than its dealing with the Iraq War (2003),<sup>26</sup> is the EU's handling of the North Atlantic Treaty Organization's (NATO) military intervention in Libya. In fact, whilst the US-led intervention was carried out with the participation of the United Kingdom (UK) and France, Germany abstained from voting on resolution n° 1973<sup>27</sup> which formed the legal basis for military action, a move which, as noted by Stavridis (2014:1, 3), fueled heavy claims of disunity. Overall, it must be noted that discrepancies are thought to be more pronounced at the external policy level (DE JONG, 2013:7; DEN HERTOOG and STROSS, 2013:327) which clearly runs counter to the Union's self-set objective of acting in a coordinated manner internationally ('*Speaking with one Voice*'), a principle agreed on by the member states in 2006 (COM (2006) 105 final).

Following this line of thought and given that energy is a highly strategic policy domain of utmost political sensitivity and thus subject to influences from various interest groups,<sup>28</sup> one must assume that the EU's external energy policy is hardly consistent. And indeed, past events have exactly shown this which is why scholars and policymakers have regularly called for an increase in consistency in the EU's external energy relations, considering it as a precondition for the achievement of a secure, competitive and sustainable energy policy (JEGEN, 2014:8). According to them, the incapacity of the EU to achieve greater convergence in this regard is because its political energy landscape is riven by discord. Whilst one of the most prominent examples here is the EU's energy approach towards Russia, inconsistencies do however also exist with respect to southern neighbourhood. In fact, in recent years, the EU's energy policies towards the southern Mediterranean have increasingly been in the spotlight of criticism, with critics notably drawing on past regional energy-related experiences like the Mediterranean Solar Plan (MSP)

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<sup>25</sup> In fact, in view of the EU's role in this regard, the need for consistency is particularly uncontested in European foreign policies, including energy, with related concepts such as coordination having been promoted in EU treaties and documents since the 1970s. For example, the so-called Luxembourg report first introduced European Political Cooperation (EPC) or European foreign policy coordination in 1970, whereas a clear reference to consistency first appeared in the communication of the Paris summit of December 1974. Ever since the Paris summit, the principle has increasingly gained in importance – not only because the EU has grown internally, but also because it has multiplied its relations with foreign countries (DUKE, 1999:2). Driven by emerging challenges at the international level where the EU saw itself increasingly unable to cope with international crises such as the disintegration of the Soviet Union or the Gulf Wars, in 1992, policy consistency was introduced as a concept in European fundamental law in the framework of the Treaty on the European Union (TEU), incorporating the Treaty of Maastricht and establishing a single institutional framework, namely, the EU. With this, and notably Article 13 of the TEU, the concept became legally binding and was somewhat institutionalised. Later, the request for consistency was legally and institutionally anchored in EU primary law with the Treaty of Lisbon in 2007. [CVCE](#) (Accessed on 23 August 2019).

<sup>26</sup> The EU was riven by open discord over military action in Iraq, where notably Germany and France (which rejected any military intervention in Iraq) opposed the UK and Spain (LEWIS, 2008:5,9).

<sup>27</sup> Although not providing any military support, Germany did however support the objectives of the intervention. [Bundesregierung](#) (Accessed on 07 August 2018).

<sup>28</sup> that far exceed state agencies and attract a wide range of stakeholders, ranging from civil society to industry.

and Desertec projects as examples. A flagship project of the Union for the Mediterranean (UfM), the goal of the MSP, as well as of Desertec, a Germany-based non-profit organisation, was or is to support the development of renewable energy sources (RES) and energy efficiency in the southern Mediterranean, partly to satisfy this region's electricity supply needs, partly, to import some of this electricity and make it count towards the EU's renewables targets. Whilst initially, it was believed that these projects would be crowned by success,<sup>29</sup> since 2013, little news on the status of the MSP has been brought to the public. Likewise, the work of Medgrid, another industrial consortium, whose implementation strongly depended upon or was connected to the advancements of the plan (SARTORI, 2014:8), has been largely discontinued. Several problems also contributed to the discontinuation of Dii, a consortium made up of around 40 large multinational and international energy companies and with this to the provisional collapse of the Desertec project.<sup>30</sup> In fact, by 2014, almost all the initial industrial shareholders of Dii<sup>31</sup> had abandoned the initiative,<sup>32</sup> which today no longer exists in its initial form<sup>33</sup> but functions as a consultancy.<sup>34</sup> Many factors having played a role here,<sup>35</sup> the failure of these projects was in large parts because of disagreement amongst the different EU member states. In fact, struggling with its own electricity overcapacities at that time, in 2013, Spain vetoed a master plan for the implementation of the MSP (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:31), leading to its *de facto* dissolution.

Summing up, it must be noted that all these projects have indubitably illustrated difficulties of the EU to find consensus on a common energy approach towards the southern Mediterranean, raising doubt about the consistency of the EU's external energy relations (although caution is recommended against making any generalisations). Against this background, the literature warns that if the EU does not act with consistency, it might lose its leading role in its southern neighbourhood (SARTORI, 2014:9), a warning that is based on the assumption that consistency is a prerequisite for good governance.<sup>36</sup> Indeed, as has been indicated before, there is widespread opinion not only among academic scholars (LEHNE, 2014:3; SZULECKI and WESTPHAL, 2014:44), but also among EU stakeholders that inconsistencies will inevitably result in unfulfilled policy goals. Therefore, numerous are those calling for greater consistency in the EU's energy approach towards North Africa, a call that is even more important as one can observe that in recent years, the EU's ambition to play a role or to exercise influence in the region has become increasingly difficult to realise, mirroring deep geopolitical change.

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<sup>29</sup> notably because of the diversity of the stakeholders involved and because they were quite well received by the 'supplying' countries themselves.

<sup>30</sup> In fact, in 2013, the Desertec Foundation terminated its cooperation with Dii, following '*many irresolvable disputes between the two entities in the area of future strategies, obligations and their communication and, last but not least, the managerial style of Dii's top management.*' For the Desertec Foundation, the main reason for the split was a fear of being '*dragged into the maelstrom of negative publicity about the management crisis and disorientation of the industrial consortium.*' [CSP World](#) (Accessed on 17 January 2018).

<sup>31</sup> including ABB, Bosch, Deutsche Bank, Münchner Rück and Siemens. In 2012 and 2013, respectively, Siemens and Bosch left Dii following their respective exits from the solar power business. [EnergyMarketPrice](#), [PVTech](#) (Accessed on 13 January 2018).

<sup>32</sup> Some of them had already been replaced before by Saudi Arabian ACWA Power or Chinese State Grid (SGCC), triggering discussions among the remaining European shareholders.

<sup>33</sup> In some countries like in France where Desertec was created in 2013, the initiative is now known under the name Desertec Alliance.

<sup>34</sup> [Desertec](#) (Accessed on 20 January 2018).

<sup>35</sup> such as a decreasing energy consumption and a growing renewable energy industry within the EU, having made the import of renewable energy into the EU superfluous (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:31), as well as the Arab Spring (TAGLIAPIETRA and ZACHMANN, 2016:4).

<sup>36</sup> In fact, the 'struggle' for consistency can be identified as one of the main hurdles to good (external) energy governance. [E3G](#) (Accessed on 30 October 2017).

### 1.1.3 Relevance

As briefly indicated before, the launch of the European Energy Security Strategy in 2014, as well as the birth of the European Energy Union in 2015 have mirrored the increasing importance of energy in European (and international) politics and highlighted the renewed interest of both EU and national policymakers in the topic. This interest is obvious as more than half of all the energy the EU consumes, i.e. around 90% of its crude oil and 66% of its natural gas supplies,<sup>37</sup> is imported, whereby much of this energy comes from Russia which accounts for around 27% and 40% of the Union's petroleum oils and natural gas imports (the shares might be higher for individual member states).<sup>38</sup> Against this background, and in the previously mentioned context of worsening diplomatic relations with Russia following the wars in Ukraine and Syria, as well as in an attempt to increase security of supply, competitiveness and environmental protection (HERRANZ-SURRELLES, 2018:122), the EU has started sharpening its focus on the integration of the southern Mediterranean into its regulatory space (COM/2015/080 final), a region that, as has been shown before, accounts for a considerable portion of the EU's natural oil and gas needs.

In this context, Algeria in particular has been identified as an ideal alternative to Russian gas supplies, able to provide a reliable portion of European energy supply.<sup>39</sup> In 2018, the country exported the equivalent of 11.3% of the EU's total gas imports,<sup>40</sup> whereby overall, the southern EU countries make up for most of the Algerian gas exports, accounting for 28% (Italy), 22% (Spain) and 10% (France) respectively.<sup>41</sup> Libya, in turn, is an important supplier of oil, accounting for around 6% of the Union's total oil imports (supplying notably Italy, Germany and France).<sup>42</sup> Egypt equally supplies some oil and has been tied to the EU by a Strategic Energy Partnership since 2008.<sup>43</sup> By contrast, and not disposing of any relevant oil and gas resources of their own, Morocco and Tunisia do not play a role in the EU's energy supply which, however, does not mean that they are not interesting from an energy perspective. On the contrary, what has been observed in recent years is that they have increasingly come into the spotlight of attention as regards their roles in renewable energies. In fact, it is notably<sup>44</sup> in view of the threat of climate change that the EU has become increasingly aware of their vast and unused renewable energy potential, whereby the exploitation of these untapped resources is most advanced in Morocco which is the subject of this dissertation. Whilst the current situation and developments

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<sup>37</sup> [EC](#) (Accessed on 21 January 2018).

<sup>38</sup> [EC](#) (Accessed on 26 August 2019).

<sup>39</sup> Dating back to the 1970s – a first natural gas import agreement between Algeria's national oil and natural gas company Sonatrach and Italy's energy company ENI was signed in 1972 – EU-Algerian trade relations have been relatively stable over the years, with Algeria also having become an important supplier of liquefied natural gas (LNG), a composition of methane and a mixture of ethane used to convert natural gas to liquid form for ease and safety of storage transport. Indeed, despite some ups and downs between Algeria and some of its southern European clients, Algeria has never interrupted the supply of gas for any political, commercial or technical reasons, and not even in view of the potential threat of domestic terrorism. As stated by EU climate action and Energy Commissioner Miguel Arias Cañete during a visit to Algiers in May 2015, it is therefore of utmost importance for Algeria to remain a privileged partner of the EU. In this spirit, the EU and Algeria signed a Memorandum of Understanding (MoU) on the establishment of a Strategic Energy Partnership in 2013, including cooperation in conventional and renewable energies, while in 2015 during a High-level Energy Dialogue, both partners agreed to cooperate on gas, renewables, energy efficiency, energy market integration and energy infrastructure. [Hydrocarbons Technology](#) (Accessed on 28 January 2018); [EC](#) (Accessed on 27 January 2018); [EC](#), [EC](#), [EC](#) (Accessed on 17 November 2018);

<sup>40</sup> [EC](#) (Accessed on 26 August 2019).

<sup>41</sup> [OEC](#) (Accessed on 27 January 2018). Numbers as of 2017.

<sup>42</sup> [EC](#) (Accessed on 26 August 2019); [OEC](#) (Accessed on 27 January 2018).

<sup>43</sup> [EC](#) (Accessed on 27 January 2018).

<sup>44</sup> as well as in view of tightening global energy markets (rising energy demand...) and a context of rising oil prices.

along its southern flank are thus overall positive for the EU, there are still reasons to be concerned.

As already mentioned, it must be highlighted that in recent years, the southern Mediterranean has been confronted with major **geopolitical challenges**, above all the Arab Spring which, according to the literature, has introduced '*a series of dramatic political, socio-economic and security changes across the region*' (SARTORI, 2014:1) and has even revealed the boundaries of EU action as will be shown later.<sup>45</sup> As a result, and in order to adapt to the new circumstances, the EU has been forced to revise its European Neighbourhood Policy (ENP), with the provisions of this revision extending to the energy sector. For example, whilst at their very beginning, relations were primarily centred around conventional fossil fuels (i.e. oil and natural gas), this began to change in the 2000s with growing concerns over global warming and the arrival of new technologies, leading to a stronger focus on RES both within and outside the EU (ESCRIBANO, 2017:247-248). Nonetheless, and despite this new direction, the basis of relations remained the same, i.e. a supplier/buyer logic continued to prevail. A rethinking in this regard only took place in the 2010s after the failure of the MSP and Desertec, as well as in 2014 when the EU, in reaction to the Arab uprisings, started to show an increased interest in further developing its existing energy partnerships, as well as in creating new ones in the region.<sup>46</sup> The catchwords today are mutual interdependence and exchange.

The abovementioned geostrategic consequences of the Arab Spring have favoured '*the emergence of new international actors in the Mediterranean energy game*' (SARTORI, 2014:2) or a **new actor constellation**: firstly, because the Mediterranean's outstanding energy resources attract an ever-increasing number of countries seeking new energy partnerships and investment opportunities and secondly, because the region itself is seeking to increasingly diversify its energy portfolios and relations. In this context, there is, as described by Zoubir and White (2015:367), a '*rising dynamism of Gulf Arab state and non-state actors in the southern Mediterranean*', whilst '*Russia has also extended its cooperation with North African countries to the energy sector*.'<sup>47</sup> On the EU side, member states like Austria, the Czech Republic, Germany, the Netherlands, Sweden or Portugal – which have never had a historical interest in North Africa – have signaled a growing interest in the region. In other words, whilst the latter used to be an issue to the southern EU member states Spain, France and Italy, it is now of interest to the EU as a whole.<sup>48</sup> This recalibration of EU-North African energy relations is also the result of the ongoing migration crises linked to the civil wars in Libya and Syria (and the Arab uprisings in general). In fact, in view of rising awareness about the fact that war/migration and climate are inevitably connected, cooperation with the Northern African countries has increasingly moved up the political agenda within the EU.

Further, and as revealed in a recent study carried out by MEDRESET, a '*consortium of research and academic institutions focusing on different disciplines from the Mediterranean region to develop alternative visions for a new Mediterranean partnership and corresponding EU policies*',<sup>49</sup>

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<sup>45</sup> TAGLIAPIETRA and ZACHMANN (03 October 2016), Can North Africa's energy challenges become opportunities?, [Bruegel](#) (Accessed on 11 November 2017); [ECFR](#) (Accessed on 11 November 2017).

<sup>46</sup> [EEAS](#) (Accessed on 27 August 2019).

<sup>47</sup> GHANEM Dalia, KUZNETSOV Vasily (13 June 2018), Moscow's Maghreb Moment, [Carnegie Middle East Center](#) (Accessed on 28 August 2019).

<sup>48</sup> In fact, currently, the EU is no longer only challenged by divergent interests or parallel policies of the traditional member states active in the region but also by policies of new energy players.

<sup>49</sup> [MEDRESET](#) (Accessed on 27 August 2019).

the **perceptibility of EU policies** in the region is overall low, a verdict that includes the energy sector and was confirmed during early explorative interviews with key stakeholders in the region. Basically, *'in most cases local respondents were unable to name even one of the energy policies, platforms or initiatives that the EU has put in place in the region'* (CEBECL, 2019:7). Similarly, and as for Morocco, another MEDRESET study assesses that *'generally speaking, the impact of EU energy policies in Morocco is perceived as low or nonexistent'* (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:21). The reasons brought forward for the EU's *'limited involvement in the Moroccan energy sector'* being various (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:21), there is consensus that maintaining this status is not an option but, as pointed out by Cebeci (2019:8), a serious problem to the EU, *'especially in terms of actorness'*. In fact, the EU's lack of visibility may lead to a power vacuum that may be filled by other, external actors or in other words, *'the EU's actorness is limited in the region and susceptible to rivalry by other international actors that actually provide less than the EU but are more visible at the local level'* (2019:8). The risk of this happening is all the greater as the EU, in view of the abovementioned geopolitical developments in the southern Mediterranean, along with the far-reaching changes in energy interests and strategies of the southern countries themselves, sees itself forced to cope with a bigger and more diverse number of energy stakeholders. This, in turn, provides a potential breeding ground for divergencies and inevitably has an impact on the EU's ability to *'Speak with one Voice'* or to speak one message with multiple voices – an ability that is however decisive to political power and a necessity if the EU's visibility problem is to be tackled in a region of fast changes. In fact, only if the EU succeeds to act as a consistent entity capable of bringing together actors with different voices around one table, will it have an impact in the region and Morocco.

Studying policy consistency in EU external energy governance towards Morocco is thus essential against this background, even more so, as in the past, the EU has not always acted in line with the principle of consistency as the aforementioned MSP and Desertec projects suggest. Indeed, these have allegedly shown that national priorities are considered to be more important or superior to shared concerns and have overall disclosed the existence of various bottlenecks. However, no study has ever investigated policy (in)consistency in the EU's external energy approach towards this country, a gap that this dissertation seeks to fill.

#### **1.1.4 Research questions**

The purpose of this dissertation is to study EU energy governance towards Morocco, or policy (in)consistency in EU energy governance towards Morocco. With evidence given by both past and current policy developments, two main research questions arise:

- 1) **Is the EU consistent in its energy governance towards Morocco?**
- 2) **How can this (in)consistency be explained?**

The dependent variable, i.e. the outcome variable is thus policy (in)consistency, whereas the independent variables or explanatory variables are factors that the author thinks explain variation in the dependent variable. They will be introduced or elaborated on in Chapter 3.

In fact, in view of the issues raised in the previous Chapters, one would expect that EU energy policies towards the southern Mediterranean or Morocco indeed lack a common or consistent approach. However, and as indicated before, this assumption has never been examined in an academic context which is why the author of this dissertation decided to concentrate on the issue of (in)consistency in EU energy governance towards Morocco. Consequently, the author seeks to explore whether there truly is an absence of consistency in the EU's energy relations with Morocco and if yes, why.

The overall goal hereby is to produce a comprehensive analysis that will serve as the basis for a contribution to EU external energy policy formulation by giving a comprehensive account of EU energy governance towards Morocco, with a view to identifying eventual windows of opportunity for the EU to improve its energy relations. Indeed, investigating consistency will help to determine whether, with respect to energy, the EU is internally cohesive enough to effectively act externally in a region that is of such vital importance.

## 1.2 Scope

The empirical focus of this dissertation is on (in)consistency in EU energy governance towards Morocco and excludes other North African or Maghreb countries from the analysis, not because they are irrelevant but because focusing on one case study only will allow for a more in-depth analysis or understanding of the phenomenon. Further, and as has been revealed in the literature review, a large amount of EU external energy policy research has already covered energy security and supply countries. By contrast, in its role as a non-energy supplier to the EU, Morocco has, contrary to its neighbouring countries (Algeria, Tunisia,<sup>50</sup> Libya and Egypt), received less academic attention so far.<sup>51</sup> In fact, and as will become clear from the analysis of the literature, Morocco has only been dealt with academically in the context of multilateral cooperation.

In addition to this, there are various empirical arguments that support the choice for Morocco which is indeed a unique case worthy of consideration:

- **Firstly**, there is the role of geographics – strategically located at the crossroads between Europe, Africa and the Middle East, Morocco enjoys political stability and is not only a well appreciated partner of the EU, but also of a number of other countries in the region with which it maintains long-standing relations. In fact, on a general level, Morocco is an important trade partner to the EU and its most important partner country within the European Neighbourhood Policy (ENP) framework.<sup>52</sup> Not acting consistently in this respect would (which is already the case as will be shown later) not only have dire consequences for the EU-Morocco relationship as such but also send negative signals to other potential partners in the region and ultimately have a negative impact on its stability.

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<sup>50</sup> Although Tunisia has similar characteristics as Morocco, given this dissertation's limited possibilities of research, it will not serve as a case study.

<sup>51</sup> Morocco is a country in the EU's southern neighbourhood that is not directly relevant to the Union's energy supply security. In fact, it is only indirectly relevant as a reduction of its regional energy imports would somehow increase the EU's energy supply security by freeing up regional resources.

<sup>52</sup> In fact, as will be shown later, it is the only country covered by the ENP that has been granted an advanced status. The issues of cooperation are security, terrorism, migration and climate change.

EP (Accessed on 23 August 2019).

- **Secondly**, at the energy level, Morocco is, unlike the other countries in the region not an energy supplier and thus struggles with similar energy challenges as the EU, such as, for example, high fossil fuel dependency and energy security concerns. At the same time, it is one of the largest energy markets in Africa and disposes of vast and under-exploited renewable energy potential, especially for solar and wind energy, as well as significant supposed oil and gas reserves (shale). Acting consistently in this view would not only allow to synergies to be used but also unlock market potential and opportunities.
- **Thirdly**, equally at the energy level, Morocco is an active international energy partner that maintains a broad range of partnerships, whereby it strongly focuses on regional trade and shares the EU's commitment to the fight against climate change and to the energy transition and continues to step up its role in international action on climate change.<sup>53</sup> A self-proclaimed world leader in green energies, this is of great importance to the EU and its climate objectives and one reason why it should act in line with the principle of consistency.
- **Finally**, the choice for Morocco is pragmatic and, in part, admittedly due to the limited possibilities for research in the other North African countries.

As already indicated, the analysis examines the EU external energy policies and governance approaches towards Morocco of both the EU institutions and the EU member states. Whilst on the horizontal level, almost all actors involved in EU energy policymaking will be taken into consideration (corresponding actors will be identified over the course of this dissertation), the vertical focus will be on a selection of relevant EU member states. These are France, Spain and Germany which have all been identified as key players in the Moroccan energy landscape.

### 1.3 Structure

Aiming at responding to this PhD's research questions, the dissertation comprises eight main parts which can be divided into four more theoretical and four empirical Chapters and the conclusion. They will be structured as followed:

Chapter 1 serves as an introduction to this dissertation and explores the research context, research problem, research relevance and the research questions, as well as the scope and the structure.

Chapter 2 presents the state-of-the-art, well knowing that a comprehensive review of the available theoretical and empirical literature will actually help to build the theoretical framework of this thesis and to narrow down the research topic. The focus of the literature review is on two major streams, namely EU energy governance and policy consistency.

Chapter 3 outlines the analytical framework of this dissertation. With the aim of providing appropriate clarification of the concept, it begins with the conceptual groundwork of policy consistency. Next, it tempts to operationalize the dependent variable policy consistency, whereby it introduces policy coordination as a proxy variable and identifies suitable methods of measurement. Then, and building on this, it looks into the independent variables or causes of

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<sup>53</sup> In fact, as will be shown throughout this dissertation, Morocco has the potential to become a major player in the field of renewable energies and has already made a lot of progress towards the necessary energy transition of the southern Mediterranean.

policy consistency and also elaborates on the hypothesis. Finally, the fourth part describes the methodology used to empirically analyze (in)consistency in EU external energy governance.

Chapter 4 marks the beginning of the empirical research. Before tackling the actual topic and in order to embed EU energy governance towards Morocco in a wider context, it makes use of an introductory section aimed at providing some contextual information on Morocco's energy policy context. In fact, some background knowledge is given as regards Morocco's current energy situation, including information and analysis of its energy profile, agenda, relations and stakeholders. The main focus is hereby on Morocco's energy relations with third parties, i.e. with non-EU actors.

Chapter 5 deals with the exploration of EU energy governance towards Morocco and aims at providing an illustration of the EU's energy approach towards the Maghreb country. For this purpose, it begins with a background section aimed at sharing some contextual information on Morocco's foreign policy context and its diplomatic relations with the EU. Next, it undertakes an examination of the *status-quo* of EU-Moroccan energy relations and their historical milestones, focusing on both multilateral and bilateral aspects. Finally, the third part is dedicated to the analysis of the institutional configurations and the in-depth investigation of the main European stakeholders present in the Moroccan energy landscape, including of their objectives and activities.

Chapter 6 is dedicated to the assessment of consistency in the EU's energy relations with Morocco and deals with the question whether the EU's energy governance approach towards Morocco is consistent or not. In fact, the Chapter shows how consistency is implemented in different dimensions and at various levels and seeks to detect the coordination patterns and processes of the main actors involved.

Chapter 7 is based on the results of Chapter 6 and, dedicated to the variation in (in)consistency in the EU's energy relations with Morocco, deals with the question how (in)consistency in the EU's energy governance approach towards Morocco can be explained. Here and in an attempt to address the whys and wherefores of (in)consistency and to investigate the causes of (in)consistency or its underlying factors, it seeks to explore empirically-based justifications.

Chapter 8 concludes this dissertation with a summary and synthesis of the key findings, as well as with a discussion on the strengths and limitations of this study. It finishes by pointing out potential directions for further research.

## Part Two – State-of-the-art

In what follows, this dissertation seeks to provide an overview of the state-of-the-art of previous and current literature, whereby, based on a review of earlier research, it aims to examine how the issue of policy (in)consistency in EU external energy governance has been addressed by a wide range of scholars so far. Given that up to the present, the problem has been primarily treated separately in the literature, the succeeding review will be divided into two sub-sections, one on EU external energy governance and one on policy consistency, whereby the focus will be both on theoretical and empirical literature.

### 2.1 Literature related to energy governance

#### 2.1.1 Global energy governance

Energy is a major, if not the most important global policy issue of the 21<sup>st</sup> century and a rather developed policy field, however, a review of the literature shows that it took some time for global energy governance (GEG)<sup>54</sup> to emerge as an independent domain of political science.

In fact, it was only in the context of concerns over energy supply security and climate change that research in GEG has grown over the the last few years, putting an end to three decades of *'relative neglect'*. Indeed, following a peak in the 1970s in the context of the 1973 oil crisis, international political economy (IPE) research related to energy was, contrary to environment-related research, rather limited in the 1980s and 1990s (KUZEMKO, BELYI, GOLDTHAU and KEATING, 2012:1; VAN DE GRAAF and COLGAN, 2015:2). This situation persisted until the 2000s when international energy was, if at all, primarily studied from a realist or geopolitical or a liberal (market) perspective, rather than from a constructivist or GEG perspective (KUZEMKO, BELYI, GOLDTHAU and KEATING, 2012:2; PRONTERA, 2017:16). This lack of theoretical explanations for international energy relations was only eliminated in recent years (2010s), notably thanks to the emergence of authors like Florini and Sovacool (2009), Goldthau (2010), Lesage (2010), Leal-Arcas (2014, 2017), Colgan (2012, 2015) and Van de Graaf (2011, 2013, 2015, 2016).

Defined as the *'international collective efforts undertaken to manage and distribute energy resources and provide energy services'* (FLORINI and SOVACOOOL, 2009:Abstract), scholars engaged in the field of GEG deal with the question of how the global energy sector is governed.<sup>55</sup> The term GEG itself emerged in the mid-2000s within the group of the G8 nations and as a consequence of growing concerns over energy security in Europe and climate change (VAN DE GRAAF and COLGAN, 2015:1). It was based on a broad consensus that international energy cooperation is weak, a view shared in the literature according to which governance is mostly *'limited to the extraction, production and trade of fossil fuels'* (LESAGE and VAN DE GRAAF, 2016:1), with the result being insufficient security of energy supply at the global level (LEAL-ARCAS, FILIS and ABU GOSH, 2014:19). In this context, energy security or security of energy

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<sup>54</sup> Characterised by a sustained level of interdependence between a multitude of actors, organisations and policies, this system is spurred by several trends such as globalisation and regionalisation. [WB](#) (Accessed on 05 January 2019).

<sup>55</sup> Overall, governance is *'concerned with systems and processes through which multiple, inter-related policy areas are addressed'* (GREENWOOD, 2016:5).

supply and demand is indeed one of the five major objectives of the concept, whilst others are economic development, international security, environmental stability and domestic good governance (VAN DE GRAAF and COLGAN, 2015:3-4).

There is a great degree of non-uniformity in the literature as to who governs the GEG system (KNODT, PIEFER and MÜLLER, 2015:25) and answering this question depends very much on the theoretical pathway chosen. In fact, depending on whether one follows a realist/geopolitical or liberal approach, the global energy sector is governed either by national states or international organisations. In the first case, scholars identify a long-standing hegemony of the US, whereby recent years have seen a clear shift towards more multipolarism (see for example the emergence of China as a net energy importer). In the second case, both the IEA and the Organization of Petroleum Exporting Countries (OPEC) are often identified as key organisations (VAN DE GRAAF and COLGAN, 2015:4), although not unanimously. In any case, no matter which organization is considered the most important, there is consensus in the literature that there is not such a thing as a global energy body. On the contrary, each energy organisation pursues a different purpose. For example, whilst the IEA and the OPEC respectively have the objective to defend consumer and producer interests, the Energy Charter Treaty (ECT) aims to set regulation while the International Energy Forum seeks to reduce transaction costs. Overall though, it must be said that recent years have seen a move away from the realist/geopolitical or liberal towards a more comprehensive approach, with most academics agreeing that '*GEG is formed by an interaction between international, national and subnational actors*', and that these '*interactions are complex and characterized by multiple points of contact*' (VAN DE GRAAF and COLGAN, 2015:4-6).

### 2.1.2 EU energy governance

Energy has been a driver of the European idea (MOMETE, 2015:463) and the literature recognises the vital role energy has played in the emergence of the European Union which arose from an energy issue as demonstrated by the European Coal and Steel Community (ECSC) of 1952 and the European Atomic Energy Community (EAEC) or EURATOM of 1957.<sup>56</sup> At the same time, energy has often been a source of division and the literature acknowledges that European energy policy is far from being complete, a contradiction that is described by Morata and Solorio Sandoval (2012:1), who say that '*it is fairly paradoxical that the integration process has never developed so far as to lay the foundations for a fully-fledged and coherent common energy policy, which has instead become one of the weakest policy areas*' to date. According to widespread opinion in the literature, but also amongst policymakers, this is particularly true for external energy policy and issues such as security of supply where '*[...] cooperation of EU institutions and member states has proven to be weak [...]*' (LEAL-ARCAS and WOUTERS, 2017:37, 46). Indeed, the EU has not been yet able to develop a common energy policy that is comprehensive enough to cover the external dimension and as a result, does not '*speak with one voice*' on international energy issues, a shortcoming which, in turn, hampers it from achieving common external energy objectives (SCHUBERT, POLLAK and KREUTLER, 2016:202). As a result, integration has primarily taken place in relation to the internal energy market so far (JORGENSEN, AARSTAD, DRIESKENS, LAATIKAINEN and TONRA, 2015:914), whereas it remains modest as regards external energy policies, an area that, as of today, is largely considered one of conflict. This is justified in the literature mainly by the fact that EU external energy policymaking is a

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<sup>56</sup> In fact, the ECSC and the EAEC having built the basis of the Treaty of Rome of 1957 and the European Economic Community (EEC).

particularly complex issue, involving a wide range of different actors from both the public and private sectors, which makes it difficult to achieve any harmony.

Indeed, there is a considerable amount of literature on EU energy policy that focuses on the internal dimension of this policy, whereas studies have hardly focused on its external dimension. This '*has remained virtually absent from studies on EU foreign policy*' (YOUNGS, 2009:5), a shortcoming that has only begun to be addressed in the context of recurrent concerns over the EU's energy supply security situation on its eastern borders. And, indeed, recent years have seen the emergence of a whole body of works on the issue of energy supply security (HAGHIGHI, 2007; YOUNGS, 2009). Despite this focus of the literature on energy security, energy sustainability-related aspects have also started to move up the academic agenda, notably in view of the threat of climate change. Given that each of these aspects (energy supply security, sustainability & environment) entails in itself a broad range of analysis and in view of this dissertation's research topic, the following review will only examine recent international relations and political science literature on EU external energy policy towards Morocco. In this context, in order to better grasp the idea of policy consistency in EU energy governance towards Morocco, and before delving into the relevant literature, it is however first of all necessary to build up a basic understanding of the notion of EU external governance in general.

### **The external dimension**

In order to achieve its internal objectives, no matter in which domain, the EU needs to promote its interests abroad, i.e. in its relations with third countries. To do so, it seeks to develop regulatory convergence between itself and third countries through what is called '*external governance*', describing the expansion of its rules and norms beyond its formal borders through an institutionalised form of coordinated action (LAVENEX and SCHIMMELFENNIG, 2009:795). Lavenex (2004:682-683), one of the leading authors in the field of external governance and its conceptualisation, hereby distinguishes between external governance and cooperation, arguing that the former goes beyond the latter as it seeks to expand the EU's so-called '*acquis communautaire*', i.e. its legal framework or internal rules abroad by offering a predefined set of incentives. According to this very basic definition, governance can be classified as a more intense form of cooperation and, based on the idea of '*voluntarism*',<sup>57</sup> is compared to cooperation, rather destined to a limited number of countries.

According to Lavenex and Schimmelfennig (2009:796), expansion of the *acquis* can take place in three different modes, namely hierarchy, networks and markets and can be of different nature, legal, institutional, cultural etc. Moreover, it can (but not must), lead to the entry of the target countries into the internal institutional circle of the EU, i.e. to full integration into the EU or to EU membership. Whilst hierarchy implies a relationship of '*domination and subordination*' and notably refers to legislation, networks and markets imply a relationship in '*which the actors are formally equal*',<sup>58</sup> referring in the case of networks, for example to negotiations and in the case of markets to mutual recognition (LAVENEX and SCHIMMELFENNIG, 2009:797-799). Network governance, as opposed to hierarchy governance, does not take place top-down, but is '*only*

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<sup>57</sup> For example, third countries may accept EU rules as '*the normative reference point of their negotiations with the EU, or develop joint rules*', however, the possibility exists that in the end, they may not adopt or apply these rules (LAVENEX and SCHIMMELFENNIG, 2009:801).

<sup>58</sup> implying a less top-down and more participatory expansion or transfer of the *acquis* (LAVENEX and SCHIMMELFENNIG, 2009:796).

*loosely coupled to the formal legislative organs of the Union', and 'takes place in decentralized, sectorally specialized governance institutions such as agencies, committees or policy networks'. Finally, market governance occurs as a 'result of competition between formally autonomous actors' (LAVENEX and SCHIMMELFENNIG, 2009:797-799).*

EU external governance extends over different geographical zones and thematic areas of influence, with energy being only one part of it. Indeed, in view of the increasing global energy challenges ahead and the magnitude of its internal energy problems, over the past couple of years, the EU has increasingly sought to integrate energy into its foreign policy relations with third countries (YOUNGS, 2007:1), a move that has also been strongly motivated by the wish to exercise a certain influence internationally (NEFRAMI, 2012:157).<sup>59</sup> Its ultimate aim hereby is the integration of third countries in its internal energy market through energy sector reforms in the partner countries, whereby it has identified its eastern and southern neighbourhoods as being equally important, seeking for both regions to become *'full, important and equal players'* in its *'internal gas and electricity markets'* (COM (2003) 262 final). To achieve this, it relies on external energy governance, an approach that is closely linked to its three main internal energy policy objectives, namely energy security, competitiveness and sustainability,<sup>60</sup> as well as to its external policy interests (NEFRAMI, 2012:16) and puts strong emphasis on market access and foreign direct investment (FDI) considerations. The legal basis for this approach is the Energy Charter Treaty (ECT) of 1998 (NEFRAMI, 2012:162) which developed in a context of insecurity over Russian gas supplies and used to be a nonbinding treaty bringing together around 52 states<sup>61</sup> with the aim of promoting international (or European) norms (for example, with respect to dispute settlement) in the energy sector.<sup>62</sup> And whilst the southern Mediterranean countries are not members or only observers of the Energy Charter Conference,<sup>63</sup> the EU's energy policies towards this region are nonetheless embedded in an external energy governance framework with, as mentioned before, the purpose of extending the EU's internal energy market in order to create a common regulatory area. In fact, through the transfer of the principles of its energy market, the EU seeks to convince its southern neighbours of the advantages of regional energy cooperation,<sup>64</sup> whereby it is essential to avoid situations in which the member states do not *'speak with one voice'* on corresponding energy issues. The prerequisite for this is a coordinated approach at the EU level that translates into consistent communication outside of the EU which, as underlined by Alar Olljum, adviser at the European External Action Service (EEAS), is *'about having one message and many voices, and sharing common narratives on key foreign policy issues in the geopolitics of energy'*.<sup>65</sup>

In terms of literature coverage, the picture as regards EU external energy governance is similar to that of GEG: academic output has only increased in recent years and is, as a rule, either generic, i.e. focusing, for example, on the challenges and limitations of this governance, or centred around the issue of energy supply security. Indeed, so far, research has been driven by a) global energy-related geopolitical changes and b) repeating energy supply security threats

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<sup>59</sup> In this respect, the EU is a member of international energy organisations like the International Energy Agency (IEA).

<sup>60</sup> EC (Accessed on 02 April 2017).

<sup>61</sup> The founding members were, apart from the EU and its member states, nine eastern European countries (today, it has 11 members).

<sup>62</sup> In 2004, the Energy Charter Treaty (ECT) was transformed into a binding multilateral agreement under the Energy Charter Secretariat.

<sup>63</sup> Energy Charter (Accessed on 02 January 2019).

<sup>64</sup> EC (Accessed on 03 September 2017).

<sup>65</sup> Parlementaire Monitor (Accessed on 02 December 2019).

occurring notably in the EU's eastern neighbourhood, with prominent experts in this regard being, for example, Kuzemko, Belyi, Goldthau and Keating (2012). The focus has hereby principally been on natural gas, notably with respect to the eastern neighbourhood (ABBASOV, 2014), except for Weber (2016) who, in his research on EU natural gas governance, included both the eastern (Azerbaijan) and southern (Algeria) neighbourhoods. At this point, it must be noted that researchers have generally rather focused on the EU's energy relations with supplier countries, whereas the relations with transit countries have received less attention so far. This is surprising given the important role these countries play in ensuring the security of the EU's energy supply and the fact that they share similar energy challenges as the EU. Further, research has clearly prioritised the eastern over the southern neighbourhood and to the author's best knowledge, little research has been done so far as regards this region. Indeed, relations with Russia or Azerbaijan (neighbours of the neighbours) have been widely researched, particularly in the context of the Southern Gas Corridor. Another popular topic has been the Energy Community. Whilst this seems to be logical given the sheer importance the eastern neighbourhood plays in the EU's energy supply, it by no means reflects current energy geopolitical developments. On the contrary, Algeria and Libya (as well as to a lesser extent Egypt) are also important energy suppliers to the EU. However, the bibliography on relations with these countries is limited. Moreover, the sparse existing literature on the EU's southern neighbourhood has above all examined Euro-Mediterranean energy cooperation from a regional point of view (i.e. from the perspective of the Union for the Mediterranean (UfM), for example) (CAMBINI, 2014; TAGLIAPIETRA, 2016) with a focus on technical aspects (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015). By contrast, bilateral energy relations have hardly been investigated which is astonishing given that the privileged focus on bilateral cooperation in EU-Mediterranean relations has clearly been outlined in the literature. While gas supplier Algeria has received quite considerable attention, other fossil fuel suppliers like Libya or Egypt have only been covered very superficially<sup>66</sup> and transit countries like Tunisia or Morocco have almost not been dealt with at all to the author's best knowledge.

Overall, the literature displays an EU-centric bias here as it primarily investigates EU external energy governance from a single-level point of view, focusing on the EU *sui generis*.<sup>67</sup> In fact, whilst the focus is on the supranational level, the national level is hardly considered. Indeed, outside the multi-level governance framework, bilateral relations involving the EU member states are barely taken into account. An exception here are the so-called BRICS countries (Brazil, Russia, India, South Africa). For example, in their work on the challenges of EU external energy governance towards these countries, Knodt, Piefer and Müller (2015) also focus on their relations with Denmark, Germany, Spain and the UK. By contrast, and as regards the southern Mediterranean, bilateral energy relations between the countries of this region and the EU member states, especially the northern ones, have been covered insufficiently so far ('north-south split').<sup>68</sup> In fact, there are barely any authors that discuss or touch upon French-Moroccan and German-Moroccan energy relations and the joint energy policies of Germany and France towards Morocco have not yet been empirically analysed or compared to one another. In this

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<sup>66</sup> It can be only speculated that this is because of current instability in this region, although this would be all the more reason to conduct corresponding research as the overall economic and political situation of North Africa might have a strong impact on energy cooperation with the EU. In fact, with each change in leadership, there is a risk that the new leading power might be tempted to explore other forms of energy cooperation.

<sup>67</sup> Latin, 'of its own kind'.

<sup>68</sup> The 'north-south split' describes the phenomenon that EU-Mediterranean policies have been largely driven by the Mediterranean member states, as the Northern member states have shown less interest in this region (BEHR and TIILIKAINEN, 2016:25).

context, there is also a lack of a North African perspective i.e. the existing literature does not sufficiently investigate these countries' perceptions of European energy policies towards them. Again, an exception here is the work of Rubino, Ozturk, Lenzi and Costa Campi (2015), who analyse how energy experts and regulators perceive the role of the EU and regulatory/technical networks like MedReg in energy rule adoption in the region. Another exception are the aforementioned MEDRESET work packages which sought to assess the effectiveness and potential of EU energy policies in Morocco (and the southern Mediterranean in general).<sup>69</sup>

## 2.2 Literature related to policy consistency

### 2.2.1 Policy coherence, consistency & coordination

Research on policy coherence, consistency and coordination has been blossoming in recent years and although a scanning of the literature reveals that the main analytical focus has been on coherence so far, it is in fact difficult to actually grasp the amount of research done on each of the concepts as they are all closely related, with their terms, in view of a lack of conceptual clarity, being regularly used interchangeably. However, as a rule, there is a tendency to define coherence as a superordinate concept, whilst consistency and coordination are generally rather considered to be sub-concepts. Therefore, this review will not only focus on the literature on consistency but also include the concepts of coherence and coordination, as well as other related notions such as integration.

The concept of **policy coherence/consistency** emerged in the 1990s and is thus a rather new approach, both in politics where it has become a pressing issue in view of globalisation and growing interdependencies in international relations, and in political science. However, and presenting an overall challenge in public administrations (MARANGONI, 2014:19), it has rapidly gained in prominence, especially from the late 1990s/ early 2000s onwards, notably through the publications of the OECD and the European Commission on Policy Coherence for Development (PCD). It is now widespread in governance (LEVI-FAUR, 2012), where it is associated with good governance, but can also be found in the literature on policy analysis and institutional analysis (MORGAN, CAMPBELL, CROUCH, PEDERSEN and WHITLEY, 2010), as well as in organisational literature such as intergovernmental management (AGRANOFF, 1986; 1996) and policy networks (KICKERT, 1997).

The concept of policy coherence/consistency has been investigated extensively from a theoretical point of view (CHRISTIANSEN, 2001; MISSIROLI, 2001; ASHOFF, 2005; NUTTALL, 2005; PORTELA and RAUBE, 2008; CARBONE, 2009 etc.), with Nuttall (2005) notably providing for a well-regarded historical and terminological introduction to the concept. By contrast, scholars such as Gauttier (2004) and Berteau (2005) offer some legal analysis, whereas others like Smith (2001) look into the institutional aspects. Overall, a large amount of research has traditionally been done in PCD (OECD, 2001-2015; HOEBINK, 1999; CARBONE, 2008) which, together with policy coherence in sustainable development, development cooperation, aid policies and poverty reduction, are by far the most researched fields of studies. As regards the EU, some more specific research has been done in trade (MORISSEY, 1999 or BRETHERTON and VOGLER in 2008 on external fisheries policies), security (PICCIOTTO, 2004) and migration

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<sup>69</sup> [MEDRESET](#), [MEDRESET](#) (Accessed on 02 December 2019).

(LAVENEX and KUNZ, 2009), with the issue of policy coherence having become a topic of recurrent interest in the study of EU policy-making and governance.

In fact, there is a rapidly growing body of literature on the different types of coherence/consistency, with numerous scholars focusing on horizontal coherence, i.e. on coherence between the EU institutions (GEBHARD, 2011) and on the question of how the Treaty of Lisbon has brought about institutional changes to improve coherence at this level (GASPERS, 2008; MARANGONI, 2012). Mainly adopting an institutionalist perspective, they concentrate on a departure from the pillar structure and the creation of the post of the High Representative of the Union for Foreign Affairs and Security Policy (HR). Nonetheless, vertical coherence, i.e. coherence between the EU institutions and the member states has also been a topic of recurrent interest, and so has been external coherence. Indeed, given its centrality to the study of the EU's external relations and actions, policy coherence is a popular topic in the literature on EU foreign policies (PORTELA and RAUBE, 2009; DEN HERTOOG and STROSS, 2013; GEBHARD, 2017), where a number of papers have concentrated on legal analysis (CREMONA, 2008; DEN HERTOOG and STROSS, 2013). For example, as far as external horizontal coherence is concerned, to be mentioned is the work of Dahlquist and Isendahl (2008), who investigated the reasons for horizontal coherence in the EU's external activities, concluding that they lie within the pillar structure introduced by the Treaty of the European Union (TEU). Tulmet (2008) and Thaler (2015) by contrast deal with external coherence in the ENP and whilst Tulmet analyses the issue from a general perspective, Thaler specifically focuses on Russia. As for the southern neighbourhood or Morocco, one must highlight the work of Hoebink (2005) who demonstrated the existence of several inconsistencies in the EU-Moroccan relationship, notably as regards migration, agriculture and fishery. However, other policy areas have remained unexplored and, all in all, so Blockmans, Kostanyan, Remizov, Slapakova and Van der Loo (2017:132), '*the amount of literature that explicitly analyses coherence in the ENP is rather limited.*'

A rather new approach in politics, the concept of **policy coordination** has (just like policy coherence) only started to be extensively researched as of the 1980s when it slowly but surely began to grow into a real concern to governments. On the one hand, in the context of the emergence of new management models like New Public Management and, on the other hand, because of the recognition of problems like climate change that can not be resolved by individual governments but only jointly on a global scale (PETERS, 2018:2). As a result, nowadays, coordination covers a wide range of sectors and research can be found in various kinds of literature including that related to organisation studies (MINTZBERG, 1979; ALEXANDER, 1995) or that on political science and public administration (DIMITRAKOPOULOS and PASSAS, 2003) of which the study on coordination in the EU is but one strand. Several authors deserve to be mentioned here, above all Jordan and Schout (2008) whose work focuses on network governance mechanisms across the EU or Kassim, Wright and Peters (2001) who more specifically deal with the coordination of EU policies in the member states.

Nonetheless, it should be noted that the previous literature suffers from certain shortcomings with one weakness being the fact that coordination has been generally primarily dealt with as an independent variable, whilst coordination as a dependent variable remains '*largely under-explored*' (DEBAERE, 2013:9). One exception here is Debaere (2013), who studied internal EU coordination for the G7, G8 and G20 as a dependent variable. Another weakness is the fact that although the body of literature is growing, research on coordination in the EU is rather general

or limited to the analysis of general coordination mechanisms or of coordination in certain areas such as external policies, whereby the focus is generally on the EU institutions (MARANGONI, 2014). By contrast, the literature does not specifically assess coordination of external policies towards different geographical or policy areas (for instance, energy).

### 2.2.2 Policy consistency in EU energy governance

Whilst research on policy coherence/consistency in the EU covers almost all policy fields, the areas environment and energy have gained less attention so far and although there are some researchers focusing on the environment (PERSSON, 2002), this is less evident for energy, let alone external energy. In fact, overall, the literature has primarily focused on the internal dimension of EU energy policymaking i.e. on coherence or consistency within a policy (internal), within one institution between different policy areas (intra-institutional) or within a policy, but between different institutions (inter-institutional). For example, as regards inter-institutional coherence, worth mentioning is the study of De Jong and Schunz (2012) in which they assess coherence in energy security and climate change policies before and after the Lisbon Treaty. Similarly, Nilsson, Strambo and Mansson (2014) take a qualitative look at the coherence between EU energy security and climate change policies. Another important study was carried out by Iulii and Lenschow (2015) who focus on energy policy coherence and more precisely on energy security and environmental policy coordination within the European Commission. By contrast, to the author's best knowledge, so far, research on coherence/consistency on the external dimension of EU energy policymaking, notably the EU's external energy governance, is limited. An exception here is De Jong (2013) who addresses the issue of coherence in EU energy security governance, laying a focus on natural gas. This is the current situation although the EU external energy policy literature seems indicate an awareness of the issue of coherence, having notably identified the vertical dimension, i.e. the relation between the supranational and intergovernmental levels, as a major source for incoherence. However, one key limitation here is the fact that the issue has been principally tackled by looking at it as an independent variable.

In fact, the lack of coherence/consistency has regularly been used as an explanation for ineffective energy policies, with scholars stating that it is internal problems that hamper the development and conduct of any efficient external energy policy (SZULECKI and WESTPHAL, 2014:38). By contrast, scholars have not really or only to a limited extent, looked at the issue as a dependent variable, meaning they have not yet identified the causes for incoherence/inconsistency. Or to put it differently, whilst they have identified a lack of coherence as the main cause for the EU's absence in the international energy landscape, they have never really investigated the reasons for this lack (coherence as a dependent variable).

## 2.3 Limitations of previous research and novelty of the study

Research on EU energy governance and policy consistency in EU energy governance is limited. A closer look into the literature has revealed a number of gaps and shortcomings with respect to the research topic.

The **first gap** concerns the literature on EU energy governance, with the external dimension of this approach having been largely underexposed, notably when compared with the internal dimension. This is particularly apparent as regards the EU's southern neighbourhood, a region

that has been considerably neglected in academic papers so far, whereby notably Morocco has received a particularly low level of attention (above all when compared with Algeria). Whilst the reasons for this failure are largely unknown, one may assume that it is because Morocco's role as an energy supplier to the EU is limited. The **second gap** can be found in the literature on policy coherence/consistency. In fact, although research has illuminated policy coherence/consistency in EU policy-making, including internal and external energy policies, no study to date has examined the issue with regard to energy policies towards Morocco. Moreover, the review of the literature has shown that, to date, the issue of coherence/consistency in EU external energy policy has been principally looked at as an independent and not a dependent variable. The **third gap** concerns the literature on policy coordination. In fact, whilst research on EU coordination, including international organisations exists – noteworthy here is the dissertation of Debaere (2013) – it is, however, not comprehensive. In fact, so far, coordination has been primarily conceptualised as an independent variable and, as pointed out by Debaere (2013:47), '*any systematic research of when and why EU member states coordinate is lacking*'. Moreover, to the author's best knowledge, no previous studies have so far investigated the role of coordination in the EU's external energy approach. Overall, it can be concluded that no research has been conducted so far on EU energy governance towards Morocco, let alone on policy consistency in EU energy governance towards Morocco, a shortcoming that this dissertation seeks to address. Against this background, this dissertation seeks to provide added value to the academic literature in several ways:

- First, by focusing on Morocco as a target country, this dissertation also takes into consideration more general governance mechanisms towards the southern Mediterranean.
- Second, whilst this thesis' primary research interest is to investigate policy consistency in EU energy governance towards Morocco based on the testimony of EU stakeholders or actors, its secondary research interest is to shed some light on how EU external energy governance is perceived by the target country, i.e. by Morocco itself. How does Morocco see or evaluate EU external energy governance, including that of the EU institutions and the member states, compared with the external energy governance approaches of the other actors active in the region? In other words, how does it evaluate EU policies in the wider geopolitical context of the region? This is important as the way this issue has been looked at in the literature so far has been very Euro-centric.
- Third, this thesis conceptualises policy consistency as a dependent variable, seeking to analyse the causes of consistency, whereby it will take into consideration both internal and external factors that can be found at the EU, national and target country levels. In this context, it will seek to shed light on several aspects that have remained underestimated so far, notably the role of external factors such as the increasing involvement of international and regional actors like the US, China or the Gulf countries in the southern Mediterranean/Morocco. Likewise, the impact of these actors has equally remained under-researched (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:117).

On the whole, and by seeking to fill the abovementioned gaps, the aim of this dissertation is to enrich the existing literature on policy consistency and EU external energy governance.

## **Part Three – Analytical framework**

The following Chapter lays down the analytical framework of this dissertation and elaborates on both its dependent and the independent variables, i.e. on policy consistency and its causes. It is divided into four sections.

The first part of the Chapter is dedicated to the conceptualisation of policy consistency as the dependent variable, whereby it provides some conceptual background of the term and elaborates on its nature with the aim of agreeing on a working definition. Building on this, the second part discusses operationalisation or how to operationalise consistency, i.e. how to develop a research procedure that allows for empirical measurement of the concept or that results in empirical observations representing the concept (TOSHKOV, 2016:83). In this context, it introduces policy coordination as a proxy variable for consistency, as well as the variable's different conceptual dimensions and a scale that typifies different levels of coordination in order to measure coordination. The third part is devoted to the development of an explanatory framework for policy consistency and introduces variables potentially able to explain consistency in EU energy governance towards Morocco. Concretely, the author looks into four main factors capable of explaining internal EU consistency, namely: competencies, interests and interdependencies. For each variable, the author will – as a result of the review of the literature and grounded in theoretical constructs – formulate a hypothesis which is to be tested in Chapter 7. Finally, the fourth and last part presents the methodology adopted by this research in order to answer the research questions.

### **3.1 Conceptualisation: determining the dependent variable**

The concept of policy coherence is highly complex and one reason why the author will refrain from looking at policy (in)coherence as the dependent variable but will rather look at policy (in)consistency instead. There are several reasons for this decision or choice, above all the fact that the question of complexity remains a serious challenge in the literature (THOMAS, 2012:460). One major problem here is the fact that policy (in)coherence is cross-sectoral, i.e. for it to be measured, one would need to look at several policies or sectors at the same time. Another problem, so Ashoff (2005:40), lies in the '*socio-economic and political development*' which implies that neither coherence nor incoherence are static; quite the contrary, what may seem to be coherent today, may turn out to be incoherent tomorrow (GATTI, 2016:36). Against this background and also because the EU itself largely refers to consistency rather than to coherence in official EU documents, the dependent variable the author of this dissertation seeks to investigate is consistency, or, to be more precise, consistency in EU energy governance towards Morocco. To measure consistency which, as will be shown later, is equally difficult to quantify, the author will hereby make use of a proxy variable, namely coordination.

#### **3.1.1 Consistency as dependent variable**

As just indicated, the overall purpose of this dissertation is to determine whether and to which extent EU energy governance towards Morocco is consistent or not, i.e. the dependent variable is policy consistency. However, policy consistency is, as shown before, closely related or linked to other concepts just as policy coherence which often contributes to conceptual

confusion and may also be an issue as regards the conduct of interviews (LAAKSO, KIVIMÄKI and SEPPÄNEN, 2007:43). Therefore, it is in the following necessary to provide a certain level of knowledge about the different terms which is why this Chapter, in an attempt to bring clarity to them, will provide a descriptive and critical overview of the terminological landscape.

*'Despite its over-use in the literature and in political debate, the notion of coherence is among the most frequently misinterpreted and misused concepts in EU foreign policy'* (GEBHARD, 2011:123) and thus requires some terminological clarity. In fact, *'coherence'* is *'both a practical and intellectual concern'* (HYDEN, 2013:58) and coming from the Latin word *'cō-haerēo'* which means *'to be united'*, is not about eradicating or removing differences (CREMONA, 2008:32), but rather about avoiding negative spillovers and consequences while exploiting positive ones in order to achieve defined objectives. It is a relatively broad concept that, despite having been under continuous development, is characterised by literary ambiguity: one reason for this terminological confusion might lie in the literature where the terms *'coherence'* and *'consistency'* are considered to be either identical or different (ROGGE and REICHARDT, 2015:5-7), another might have been the translation of the word coherence into various other languages of the Community (GEBHARD, 2017:108).<sup>70</sup> And although in this context some scholars are still divided as to whether any conceptual differentiation between the two terms is an analytical necessity at all (NUTTALL, 2005:93), most of them (especially legal scholars) however do distinguish between the two concepts (DEN HERTOOG and STROSS, 2013:375), generally referring to coherence as the achievement of synergies, whereas they consider consistency to be the absence of contradictions (or adverse effects) (MISSIROLI, 2001:182; GAUTTIER, 2004:23; HOFFMEISTER, 2008:161; BLOCKMANS and LAATSIT, 2012:138). This was not always the case though and initially, scholars largely attributed coherence to *'the absence of, or a reduction in contradictions between various aspects of public policy'* (KOULAIMAH-GABRIAL and OOMEN, 1997:2). Only later did this become a minimum requirement and the concept was extended to the idea of creating a sort of added value (MISSIROLI, 2001:182) or complementarity (WESTON and PIERRE-ANTON, 2003:13) and can now be considered as *'a policy whose objectives, strategies and mechanisms are attuned; these objectives should reinforce each other, or as a minimum not conflict with them'* (AGUIAR MOLINA, 2003:2044). Contrary to this, consistency has rather negative connotations and can be understood as a minimum condition for coherence or being subordinate to coherence (MISSIROLI, 2001:182; GAUTTIER, 2004:25; HILLION, 2008:12), focusing according to Gebhard (2011:106), very much on the outcome of policy processes ('goal-orientation') and not as coherence on the quality of such processes. It can be best defined as *'coordinated [...] behaviour [...] where comparable and compatible methods are used in pursuit of a single objective and result in an uncontradictory (foreign) policy'* (KRENZLER and SCHNEIDER, 1997:134). Consistency is, unlike coherence, more static, i.e. it involves less interaction between actors and policies (GAUTTIER, 2004:26) and is therefore much easier to measure (MISSIROLI, 2001:4). Indeed, whether a policy is considered coherent or not largely depends on the perception of the 'receiving end' of a policy (KOULAIMAH-GABRIAL and OOMEN, 1997:6), whereas a policy is, as put by Missirolì (2004:1), either consistent or not.

As this suggests, coherence is about harmonisation and positively related to effectiveness, with Aggestam, Anesi, Edwards and Hill (2008:12) defining it as *'the ability to pull together diverse*

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<sup>70</sup> For example, whilst the German, French and Spanish respectively refer to coherence as *'Kohärenz'*, *'cohérence'* or *'coherencia'*, the Dutch, Swedish and Danish consider coherence to be some sort of 'connection' (DEN HERTOOG and STROSS, 2013:375).

*strands of policy, and those responsible for managing them, into a single efficient whole, capable of action, and resistant to third parties' attempts to exploit internal division'. And whilst Missiroli (2001:4) explains that 'by acting unitarily and with a common purpose, the EU becomes more efficient and effective', with respect to the EU's external actions, so Gebhard (2017:103), coherence can be understood as 'the ambition and necessity to bring the various parts of the EU's external relations together to increase strategic convergence and ensure procedural efficiency' (GEBHARD, 2017:103). This coherence-effectiveness argument was examined more empirically by Thomas (2012:25) and Van Vooren (2012:287) who conclude that coherence does not automatically entail efficiency. On the contrary, as stated by Missiroli (2001:4), in the past, the EU was able to achieve unanimity at the expense of effectiveness and with respect to the widespread assumption that more coherence would enable the EU to better 'pull its weight internationally', Thomas claims that coherence is no guarantee for this. In other words, coherence and effectiveness may be positively correlated, but the occurrence of coherence is not sufficient *per se* for the EU to act effectively in international affairs. Other scholars like Natorski (2016:663) go even further, claiming that the requirement for effectiveness may even hamper policy innovation, something that according to him could have been observed in the case of the 2011 Revision of the ENP. In fact, so Natorski, the review did not fundamentally change the objectives of the ENP because its authors thought too much in terms of coherence. Indeed, regarding the EU's translation of the policy coherence objective into concrete legal obligations, Den Hertog and Stross (2013:378) point out that it '*is not straightforward*' and in the case of conflict often '*legally framed in the context of other principles.*' At this point, based on Nuttall's idea of three-level conceptualisation with the banal understanding of coherence referring to the absence of contradictions (and so to consistency), the malign understanding to the function of internal power struggles and the benign understanding to the desirable way of interacting (GEBHARD, 2011:111), Cremona (2008:14-16) identifies three groups of legal principles, namely rules of hierarchy, rules of delimitation and rules of cooperation and complementarity. The rules of hierarchy are particularly important for the establishment of vertical coherence (DEN HERTOOG and STROSS, 2013:383) and refer to the banal understanding of coherence. The rules of delimitation are particularly important to horizontal coherence but are also applicable to vertical coherence and concern the malign definition of coherence, referring to the principles of conferral and subsidiarity. Finally, the rules of cooperation and complementarity correspond most closely to the benign interpretation of coherence, i.e. to the creation of synergies, although as highlighted by Cremona (2008:16), real efforts towards synergy are rather promoted by the idea of complementarity than by the idea of cooperation. The rules of cooperation and complementarity are important for both horizontal and vertical coherence (DEN HERTOOG and STROSS, 2013:382). Whilst the malign facet has a negative connotation and comprehends coherence as '*a function of internal power struggles*', i.e. relates to turf battles between competing institutions, the benign facet has a positive connotation, reflecting '*an effective and desirable way of interacting*'. According to Den Hertog and Stross (2013:376), coherence in this sense requires '*the active promotion of mutually reinforcing government actions on the basis of agreed overarching policy goals*'. Conversely, and in the absence of any definition of '*incoherence*', it can be concluded that an '*incoherent*' policy is characterised by at least one of these faces, i.e. is either contradictory, suffers from internal power struggles or has an ineffective and undesirable way of interaction. Despite the terminological distinctions between coherence and consistency, there is still ambiguity in the use of the two concepts, be it within the academic or professional literature and this although as pointed out by Duke (1999:3), from a political perspective, they*

both *'point in the direction of coordinated activities'*. One reason for this is that they link to a variety of other concepts such as policy integration which in turn is synonymous with holistic government or joined-up government (ROGGE and REICHARDT, 2015:6-7). Here, it must be admitted that there is no real clear-cut dichotomy between them and integration in the literature, however, what can be kept in mind is that coherence and consistency do not lead *per se* to integration. As this suggest, amongst all these concepts, integration is by far the most holistic (ROGGE and REICHARDT, 2015:17) and demanding one – indeed, whilst coherence and consistency can be both cross- and uni-sectoral, integration exclusively concerns the management of cross-cutting policies (MEIJERS and STEAD, 2004:2), covering both decision-making and governance processes. As stated by Tosun and Lang (2013:8), it is *'about policy making in certain policy domains that take policy goals of other – arguably adjacent – policy domains into account.'* It is thus a rather sophisticated concept and can be defined as a *'process either of coordinating and blending policies into a unified whole...or of incorporating concerns of one policy into another'* (BRIASSOULIS, 2005:82) with the aim of harmonising the different objectives of these policies<sup>71</sup> (its focus is thus rather on policy outcomes than on policy processes). According to Underdal (1980:10-12), one of the pioneers in this domain, a policy is integrated when *'all significant consequences of policy decisions are recognized as decision premises, where policy options are evaluated on the basis of their effects on some aggregate measure of utility, and where the different policy elements are in accord with each other.'* For Underdal, in order to achieve policy integration, three conditions must be met: comprehensiveness (the recognition of a broader scope of policy consequences), aggregation (the evaluation of policy alternatives from all perspectives) and consistency (the penetration of the policy in all policy levels and agencies) (UNDERDAL, 1980:162). According to this definition, policy integration is achieved when the objectives, goals, actors, procedures and instruments of policy A are in accordance with those of policy B.

### 3.1.2 Coordination as proxy variable

As indicated before, as for policy coherence, the assessment and evaluation of policy consistency in EU external energy governance presents major methodological challenges, with the biggest problem by far being the fact that consistency is largely conceptualised as an outcome, i.e. as reflecting the overall result of a policy in the literature (TULMETS, 2008:111). In fact, a policy can in theory be measured as an outcome (CARBONE, 2008:326), however, this is not a suitable methodology for the purpose of this research with one major issue here being a clear lack of quantitative and qualitative benchmarks against which policies could be measured in order to determine whether they are consistent or not (THALER, 2015:36).<sup>72</sup> And whilst one way of bypassing this issue is, or would be, the measurement of perceptions (a particularly popular methodology with regard to measuring external consistency) (MARANGONI, 2014:59), this solution is not free from problems either, notably because of terminological obscurity which is why authors like Thaler (2015:37) propose looking at the process instead of the content or focusing on mechanisms rather than achievements (CARBONE, 2008:326).<sup>73</sup> Applied to this

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<sup>71</sup> Here, the literature distinguishes between positive and negative integration. Negative integration occurs when removing barriers whilst positive integration includes setting-up common rules (DE JONG, 2013:11).

<sup>72</sup> Indeed, as stated by Alexander (1995:83), the evaluation of effectiveness, of which consistency is a form, *'is always a challenge, given the absence of any universal criteria of success'*.

<sup>73</sup> given that coordination can be achieved through a number of *'structural and procedural mechanisms'* (ROGGE and REICHARDT, 2015:5-7).

dissertation's research question this means that a clear answer to the question of whether the EU is entirely consistent in its energy governance approach towards Morocco will not be possible. By contrast, what will be possible is to determine whether the existing governance mechanisms in place contribute to consistency or not. Here, and with MLG creating *'high demands of cooperation and coordination'* (KNODT, PIEFER and MÜLLER, 2015:20), this dissertation will look at policy coordination. In other words, coordination will serve as a proxy variable to measure consistency here with the rationale behind this being that the advent of coordination will, in fact, allow conclusions to be drawn as to the existence of consistency, true to the motto: the greater the coordination, the higher the likelihood of consistency.

*'Coordination is one of the golden words of our time. Offhand, I can think of no way in which the word is used that implies disapproval. Policies should be coordinated; they should not run every which way. No one wants his child described as uncoordinated. Many of the world's ills are attributed to a lack of coordination in government. But what does it mean?'* (WILDAVSKY, 2017:130-131). As this citation suggests, coordination is a relatively broad concept and the literature does not provide any unified definition for the term and this although its basic meaning seems easy to grasp. In fact, like consistency, it is largely associated with effectiveness and efficiency, as well as with *'reliability, consent and coercion'* (WILDAVSKY, 2017:132). In this context, it is about *'avoiding bad things'* such as *'duplication, overlapping, and redundancy'* (WILDAVSKY, 2017:131), whereby, goal-oriented, it seeks to make *'an indispensable contribution to collaborative advantage'* (METCALFE, 1996). Coordination may mean different things in different disciplines or areas. For example, whilst strategic coordination refers to *'the coordination of programs around broad strategic goals of government'* (PETERS, 2018:3), coordination can be understood, from a more organisational perspective, as *'the process whereby two or more organizations create and/or use existing decision rules that have been established to deal collectively with their shared task environment'* (MULFORD and ROGERS, 1982:12). Furthermore, it may either have a positive or a negative connotation, whereby positive coordination is not only about avoiding conflict, but also about seeking ways of creating output that can benefit all the actors involved (BOUCKAERT, PETERS and VERHOEST, 2010:20; PETERS, 2018:2). This does, as pointed out Debaere (2015:22), and contrary to what is often largely assumed, *'not necessarily imply common EU action or a common EU position'*. By contrast, negative coordination simply seeks to avoid conflict such as redundancy or lacunae for instance (BOUCKAERT, PETERS and VERHOEST, 2010:20; GREENWOOD, 2016:20). Requiring the different actors to compromise and give up some of their individual policy goals for the sake of the achievement of greater, common policy goals, there is agreement in the literature, that positive coordination is far more difficult to reach than negative coordination (BOUCKAERT, PETERS and VERHOEST, 2010:20). Next, coordination can be understood as either a policy goal or as a policy-making process, meaning that it can be either defined as an outcome, i.e. *'the degree to which coordination is achieved'* or as a process, i.e. *'the process of achieving this end result'* (DEBAERE, 2015:27). As regards the former definition, an outcome can be qualified as elaborate/less elaborate, binding/non-binding or successful/unsuccessful, whereby each qualification may mean different things to different people. For example, unsuccessful may at the same time refer to the achievement of no common position, as well as to the achievement of a very general position. As regards the second definition, it can be distinguished between interactive (coordination by programming) and noninteractive (coordination by feedback) processes. Interactive processes involve interaction between the different actors involved in the

coordination process, with Debaere differentiating between different degrees of interaction, including for example mere communication without any decision-making, as well as communication leading to decision-making. By contrast, noninteractive processes do, as explained by Debaere, primarily refer to formalised rules, policies and procedures, as well as to unilateral adjustment.<sup>74</sup> Based on what has just been brought forward, this dissertation will focus on coordination as a process, but also take into consideration eventual outcomes. To this end, it will operate the following definition for the term: '*...is the extent to which organizations attempt to ensure that their activities take into account those of other organization*' (HALL, 1976:459), with, adding a positive connotation here, the aim of reaching '*harmonious compatible outcomes*' (CHALLIS, 1988:25).

Coordination can encompass various policymaking stages (policy design, policy implementation or policy management), whereby it can take place from the top-down or the bottom-up (LAAKSO, KIVIMÄKI and SEPPÄNEN, 2007:32; BOUCKAERT, PETERS and VERHOEST, 2010:21-22). It may be ex-ante or ex-post (CAYLA, 2006:7) and can occur at two levels (GEBHARD, 2011: 107-108), the strategic/policy-related and the functional levels. Finally, it may be of formal or informal nature (CHRISTIANSEN and NEUHOLD, 2012:502; KNODT, PIEFER and MÜLLER, 2015:20).

Policymaking stages: Coordination can take place at different levels of the policymaking process – at the planning, the decision-making and the implementation or action levels (LAAKSO, KIVIMÄKI and SEPPÄNEN, 2007:32; BOUCKAERT, PETERS and VERHOEST, 2010:22): 1) coordination of planning refers to the identification and analysis of preferences and objectives, 2) coordination of decision-making refers to the definition of action, based on previously identified preferences and objectives and requires a lot of openness from all actors involved and 3) although overall coordinated action of the policymaking process can often be achieved through coordination at the planning and decision-making levels, this is not a rule and hurdles can appear at both the implementation or action levels.

Top-down/bottom-up: As pointed out by Bouckaert, Peters and Verhoest (2010:21), the choice between top-down or bottom-up largely is a '*political one*' and there is consensus in the literature that top-down coordination is generally more difficult to achieve. However, although it may not take into consideration all policy aspects, notably those '*between the centre and the field*', it is as pointed out by Bouckaert, Peters and Verhoest (2010:21), '*likely to be more efficient than one that depends upon local bargaining*'.

Ex-ante/ex-post: Ex-ante coordination refers to a '*rule system*', including formal agreements like pacts, treaties or regulations etc., that '*has been determined upstream in order to fulfill an objective given by a superior principle*' (CAYLA, 2006:7). By contrast, ex-post coordination refers to coordination that happens downstream '*as the consequence of interindividual coordinating processes*' (CAYLA, 2006:7).

Strategic/selective or functional: Referring to policy objectives and agendas, strategic coordination concerns the pursuit of an overarching objective or common priorities, whereas selective coordination is '*issue-oriented*' and '*concerned only with certain stages of the policy*

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<sup>74</sup> Formalised rules, policies and procedures imply that an organisation may bring forward a common position based on the existing legislation (DEBAERE, 2015:26-27).

cycle' (POST, 2014:114-115). Functional coordination in turn invokes administrative processes and largely serves as a precondition for strategic coordination.

Formal/informal: Formal coordination refers to hierarchical command and control (ALEXANDER, 1995:84) and is linked to mechanisms such as departmentalisation & grouping, centralisation/decentralisation, formalisation & standardisation and planning (CHRISTIANSEN and NEUHOLD, 2012:502). Informal coordination by contrast usually describes coordination that is not bound by any hierarchical command or control and that may take place both '*within*' (MARANGONI, 2014:55) or '*outside a formal decision-making framework*' (CHRISTIANSEN and NEUHOLD, 2012:502). It can happen on an *ad-hoc* basis, i.e. when a specific issue arises or on an exchange basis (POST, 2014:116), which allows for great flexibility and '*eases the negotiations and reduces the transaction costs*' (MARANGONI, 2014:55). Most often, informal coordination refers to lateral or cross-departmental relations as well as to informal communication which, including personal contacts, depends in turn very much on the willingness of some individual actors (MORSCHETT, SCHRAMM-KLEIN and ZENTES, 2010:158; CHRISTIANSEN and NEUHOLD, 2012:502; POST, 2014:116). It may also happen through normative integration, i.e. through the '*building of an organisational culture of known and shared strategic objectives and values*' (MORSCHETT, SCHRAMM-KLEIN and ZENTES, 2010:158; POST, 2014:116). Overall, the literature does not have any preferences as to whether formal or informal coordination is better but considers both types to be equal parts of the decision-making process (MARANGONI, 2014:56) which are thought to reinforce or complete one another. Here, Reh, Heritier, Bressanelli and Koop (2011:1115-1117) identify four areas in which formal and informal coordination differ from one another, namely nature and status of rules, boundaries of participation, scope of action and public access. In fact, one main difference between formal and informal rules is that formal decisions are, as opposed to informal ones, '*structured by a configuration of codified rules*' and '*can be enforced by a third party*' (REH, HERITIER, BRESSANELLI and KOOP, 2011:1115-1116). Another difference is that boundaries of participation are much wider in formal coordination mechanisms, for example, whilst membership in formal structures is '*either inclusive or formally restricted*', it is '*both restricted and noncodified*' in informal structures. Moreover, boundaries of membership are '*neither formally drawn nor publicly known*' (REH, HERITIER, BRESSANELLI and KOOP, 2011:1116). Next, formal decisions target or lead to final outcomes, whereas informal decisions rather lead to '*intermediate outcomes*' (REH, HERITIER, BRESSANELLI and KOOP, 2011:1117). Finally, formal decisions are made available to the public, by contrast, informal decision '*can be systematically secluded, and access can be denied without public justification*' (REH, HERITIER, BRESSANELLI and KOOP, 2011:1117) which is why scholars like Christiansen and Neuhold (2012:502) argue that informal coordination bears the risk of collusion<sup>75</sup> as it is less transparent.<sup>76</sup>

### 3.2 Operationalisation

Policy consistency/coordination can come in many different forms and shapes and may for example concern the internal or external dimensions of a policy, with the establishment of the latter depending considerably on the achievement of the former. In this sense, and given its

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<sup>75</sup> SGI (Accessed on 05 November 2018).

<sup>76</sup> a claim that is contested by some authors such as Marangoni (2014:56) who argue that formal coordination is not equal to transparency.

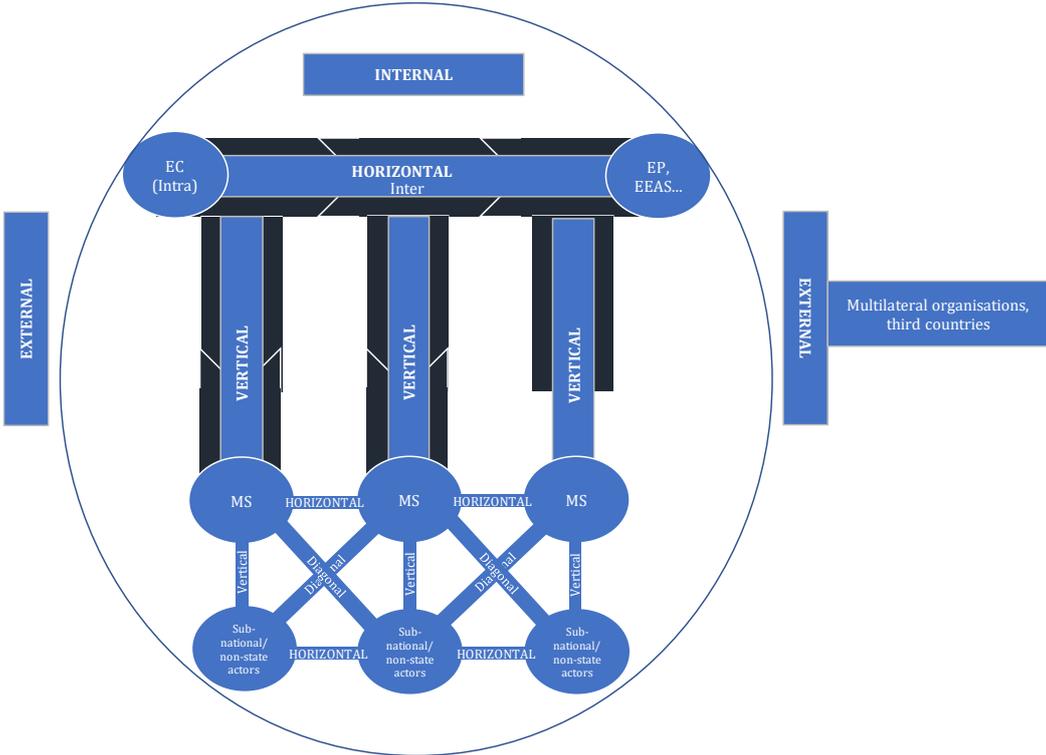
indivisibility from external consistency, internal consistency generally serves as precursor for external success (NEFRAMI, 2012:155, 172, 177). Indeed, concerned with the EU's external representation and performance towards third parties or within a multilateral system (like the UN, NATO etc.), and closely linked to the idea of '*Speaking with one Voice*', external consistency is, as already mentioned before, a direct indicator for international credibility and reliability. Policy consistency/coordination may also be of political, economic, institutional, administrative or even cognitive nature (HOEBINKK, 2015:19) and be concerned with strategic or procedural concertation. Further, it may be intended or unintended (KOULAIMAH-GABRIAL and OOMEN, 1997:5), with intended inconsistencies for example arising when policy makers are aware that the objectives of a given policy A cannot be achieved due to the conflicting objectives of a policy B. Conversely, unintended inconsistencies occur when the policy makers in question are not aware of the fact that policies A and B pursue conflicting objectives (OECD, 2005:29) which implies that they can generally '*easily be corrected*' (KOULAIMAH-GABRIAL and OOMEN, 1997:5). Finally, consistency/coordination may also be structural or dynamic, with the former persisting over time, often affecting an entire policy or other policies (KOULAIMAH-GABRIAL and OOMEN, 1997:5). By contrast, dynamic inconsistency is limited over time and can be described as an '*attempt to balance between what is good at a given moment and what is good in the longer term*' (LAAKSO, KIVIMÄKI and SEPPÄNEN, 2007:36). Contrary to unintended inconsistency, it is monitored.

As this suggests, policy consistency/coordination is a broad concept and the reason why, in order to operationalise consistency, the empirical emphasis of this dissertation will be multi-dimensional and concentrate on four inter-related governance levels or patterns (GEBHARD, 2011:113; GEBHARD, 2017:112), namely the horizontal, vertical, diagonal and, of course, external dimensions.

### **3.2.1 Dimensions**

As just indicated, to operationalise the dependent variable, this dissertation will look at the horizontal, vertical, diagonal and external policy dimensions (see Figure 1).

Figure 1: Dimensions of policy consistency



Source: Own elaboration based on the reviewed literature.

**Horizontal consistency/coordination** is often described as ‘cross-or inter-pillar’ consistency, i.e. as consistency between different pillars (PORTELA and RAUBE, 2012:5) within one entity or governance level. In this sense, it may refer to consistency between different geographical or sectoral divisions of a political authority (GREENWOOD, 2016:19-20), for example, between departments or agencies (BOUCKAERT, PETERS and VERHOEST, 2010:24). Here, bottlenecks may be driven by factors such as specialisation and individual target setting (MEIJERS and STEAD, 2004:7; BOUCKAERT, PETERS and VERHOEST, 2010:27; PETERS, 2018:4-5). However, horizontal consistency may also refer to consistency between different policy areas (MARANGONI, 2014:49), with one popular topic with regard to the EU being consistency between the CFSP and other external policy areas (DEN HERTOOG and STROSS, 2013:381). Moreover, it also serves as a superset of both intra-institutional and inter-institutional consistency (GATTI, 2016:35), a circumstance that often creates conceptual confusion, requiring a clarification of the terms. In fact, although closely related to internal consistency, *intra-institutional* consistency/coordination goes beyond the latter as it is not only concerned with consistency within one policy area,<sup>77</sup> but with consistency between various policy areas within a political level or institution (PORTELA and RAUBE, 2012:5). When it comes to the EU, an example for intra-institutional consistency would be consistency between the EU’s development and agricultural or fisheries policies within the European Commission (SELIANKO and LENSCHOW, 2015:4). Intra-institutional cooperation takes place above all at the technical, rather than at the political level (GEBHARD, 2017:111). This stems from the idea that even if

<sup>77</sup> In fact, internal consistency is concerned with consistency within a policy and is generally relatively easy to achieve (unlike intra-institutional consistency), as it does not deal with conflicting policy objectives. In this respect, it is more about technical, administrative and procedural development (GEBHARD, 2017:110).

policy objectives are decided unanimously, their implementation is not always automatically perfectly consistent (TULMETS, 2008:133). In other words, it is primarily an administrative or procedural issue (policy decision-making and implementation) (GEBHARD, 2017:111). By contrast, **inter-institutional** consistency/coordination is concerned with consistency between different political entities. An example would be consistency between the Commission and the Parliament regarding development policies. With respect to EU foreign policies, concerns over inter-institutional consistency notably refer to *'the supranational and intergovernmental spheres at Union level'* and thus mainly exist between the Commission and the Council (GEBHARD, 2017:109-110) since both of these institutions are in charge of the EU's external relations (NUTTALL, 2005:92). However, this form of cooperation is also often referred to as belonging to the vertical dimension,<sup>78</sup> whereas cooperation amongst the EU member states equally is an example for inter-institutional (or to be more accurate, of intergovernmental) coordination. Overall, and despite being primarily voluntary, i.e. it cannot be achieved through *'recourse to hierarchical authority'* as shown before,<sup>79</sup> horizontal consistency within the EU is, as pointed out by Bouckaert, Peters and Verhoest (2010:24), generally easier to achieve than vertical consistency. Yet, it remains an issue which is critical, notably with regard to the EU's external action with which it *'appears to be consubstantial'* (GAUTTIER, 2004:Abstract).

Contrary to horizontal consistency, **vertical consistency/coordination** refers to consistency between different institutions across different entity or governance levels (DEN HERTOOG and STROSS, 2013:377), e.g. between higher and lower levels of government (BOUCKAERT, PETERS and VERHOEST, 2010:24). In the case of the EU, vertical consistency refers to consistency between the EU institutions and the EU member states (CARBONE, 2008:326; 2013:4), for example regarding their respective development policies. As stated by Nuttall (2005:98), it *'comes into play when one or more member states pursue national policies which are out of kilter with policies agreed in the EU'*. The probability for this to happen is relatively high as decisions taken in isolation at the national level often turn out to be inconsistent once looked at on an aggregated level. Contrary to horizontal consistency, vertical consistency can be achieved through the *'recourse to hierarchical authority'*, suggesting that it is a matter of competencies (DEN HERTOOG and STRAUSS, 2013:383). However, and although vertical consistency includes both the member states' political compliance and technical compatibility with the EU treaties, it is more about strategic or political (shared objectives, compliance with EU norms, commitment to integration and solidarity etc.), rather than technical convergence (GEBHARD, 2017:113), which makes its achievement so difficult, notably as far as EU external policies are concerned. The reason for this is that the EU's ability to *'Speak with one Voice'* depends very much on the *'concertation of Member States positions and policies with and in respect of the overall consensus or common position at the Community or Union level'* (PORTELA, 2009:16; GEBHARD, 2011:123). Vertical consistency is thus closely linked to external consistency (GEBHARD, 2017:113), which is why it is considered to be one of the EU's *'greatest weaknesses'* by some scholars (GEBHARD, 2017:113). Indeed, as observed by Blockmans, Kostanyan, Remizov, Slapakova and Van der Loo (2017:127), opinion in the literature is overall quite critical about vertical consistency in the ENP. One example often cited here is the EU member states' behaviour in the context of the Arab Spring during which discrepancies amongst the member states notably existed as regards to

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<sup>78</sup> For example, according to some scholars like Gatti (2016:36), vertical consistency is more about *'ensuring synergy between the actions'* of the member states, rather than between an EU policy and national actions.

<sup>79</sup> reason for which it is often referred to as an indicator of democratic legitimacy.

whether to rather focus on short-term stability or on long-term reforms (BREMBERG, 2016:424; BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:4-5). In this light, vertical consistency is even more difficult to achieve in areas where the member states do retain a lot of sovereignty (GEBHARD, 2017:113) which, as will be shown later, is for example the case as regards energy. Indeed, whilst the EU and the EU member states generally agree on the main objectives and principles of EU energy legislation and policies, there is strong consensus in the literature that inconsistencies with respect to EU energy policies primarily occurs vertically (DE JONG, 2013:7).

**Diagonal** or lateral **consistency/coordination** describes cooperation between the institutions at other governance levels and hierarchies or simply between *'entities at different levels'* (DITTMER and MCCONNELL, 2015:139). With regard to the EU, it refers to the relationship of the EU institutions with sub-national actors or to the relations between the member states and sub-national actors (of other member states).

Finally, and as already shown, **external consistency/coordination** refers to *'an actor's capacity to present itself as acting consistently and to the way the partners of this actor perceive its action'* (MARANGONI, 2014:50). In this light, it is strongly determined by internal consistency at the horizontal, vertical and diagonal levels.

### 3.2.2 Measurement

To investigate consistency, this dissertation seeks to find out if, how and with which results the EU and the member states coordinate their energy policies towards Morocco both internally and externally. To assess coordination, it is first of all necessary to identify a means for the measurement of coordination which is not an easy task as *'for many decades, the measurement of coordination has been relatively weak'* (BIANCHI and PETERS, 2016:2). Indeed, as regards the measurement of coordination in governance, the focus has long been on the conceptualisation of governance, *'rather than evaluating governance through consideration of outcomes'* (GREENWOOD, 2016:3). Nonetheless, several attempts have been made in the literature to measure coordination. Overall, two ways of measuring coordination qualitatively are proposed in the literature.

One way of measuring coordination is through the examination of mechanisms that are *'dedicated to producing more coordination and integration'* (BIANCHI and PETERS, 2016:2) such as networks, collaboration and hierarchy (GREENWOOD, 2016:9; PETERS, 2018:5). Whilst networks generally refer to coordination from the bottom-up, collaboration refers to the process of creating a common framework or understanding of the coordination problem, which will then help the different actors to solve the issue. Contrary to networks, it is thought to be more difficult to achieve as it concerns ideas. However, if successful, it is considered a more effective means for coordination than networks. Hierarchy in turn refers to centralised priority setting, either through central organisations, i.e. supervising organisations or through cabinet committees or ministries that bring together a number of other ministries or related organisations (PETERS, 2018:5-8).

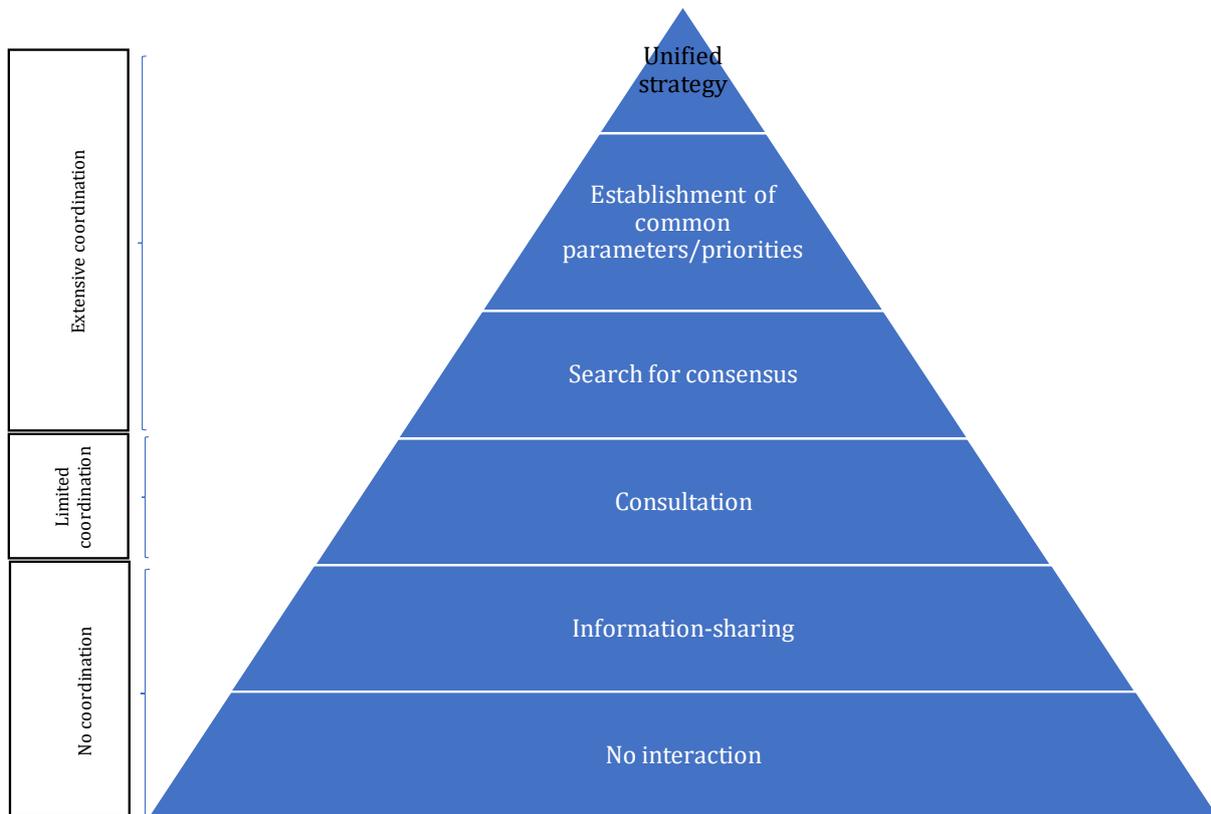
Another way of measuring coordination is through the examination of the different levels of coordination that may be achieved, with one important contribution in this regard coming from

Les Metcalfe, who in 1994, and in order to understand coordination with the EU, developed a nine-point scale of coordination ranging from 'negative' to 'positive' coordination. Based on the assumption that *'individual organizations act independently and evolve means of managing coordination in response to increasing interdependence'* (METCALFE, 1996), this scale varies from independent decision-making by ministers to a unified strategy. And whilst it is a good starting point for the examination of coordination, it does, however, present several shortcomings. For example, whilst in theory, achievement of the highest levels of the scale depends on the effectiveness of its lower levels (METCALFE, 1996), in practice, this is not necessarily true as achievement of the lower levels does not automatically mean an overall successful outcome. On the contrary, not every coordination process results in a coordinated outcome (DEBAERE, 2015:27), which may indeed also be a by-product of consultation, for example, rather than the result of any intentional actions (DEBAERE, 2015:23). Further, Bianchi and Peters (2016:2) note that the *'classification'* of particular situations remains unresolved and application of the scale to real cases largely depends on the individual judgement of the researcher. Finally, as pointed by Debaere (2013:44), the scale mixes up coordination outcomes (in fact, Levels 1, 4 and 6-8 are outcomes) and processes.

Yet, the Les Metcalfe scale is still useful to this research as it clearly illustrates the different processes, highlighting notably the 'exchange of information' and 'consultation' mechanisms (GEBHARD, 2017:110). Indeed, coordination generally starts with the sharing of information and data and then increasingly moves towards *'identifying issues of common interest, setting a joint agenda, the exchange of good practices and joint decision-making'* (EUHES, 2007:24). Here, and inspired by Metcalfe's process categorisation and based on the empirical research, this thesis will construct a six-point scale of possible processes: 1) no interaction, 2) information sharing, 3) consultation, 4) search for consensus, 5) establishment of common parameters/priorities and 6) unified strategy. Given that every process has a certain outcome (DEBAERE, 2013:45), these results will be applied against three different outcome categories (see Figure 2):

1. **No coordination:** no coordination is as has been shown before, a possible outcome that can occur when coordination processes fail, or when the actors involved in these processes are not interested in achieving a coordinated outcome (DEBAERE, 2013:43). It may be linked to no interaction, as well as to information sharing, as it *'does not aim to end in a common EU position'* (DEBAERE, 2013:45).
2. **Limited coordination:** limited coordination may be linked to consultation, as it aims to end in a general EU position.
3. **Extensive coordination:** extensive coordination is linked to the search for agreement and consensus. Its aim is to reach a specific or detailed EU position.

**Figure 2: Six-point scale for the measurement of coordination**



Source: Own elaboration based on METCALFE (1996).

Although coordination does not equal consistency (given that the latter depends on a variety of factors), assigning the process results to the above categories is a primordial step as it will allow for indications as regards the existence of consistency to be identified, whereby it will be based on Marangoni (2014:57-58), and distinguish between three levels.

1. **Low consistency (inconsistency)/coordination:** Low consistency describes situations in which some or all of the provisions of a policy/approach '*contradict the primary objective(s)*'. An indication of the existence of low consistency or inconsistency as regards coordination is the absence of any coordination mechanisms.
2. **Medium consistency/coordination:** Medium consistency refers to situations in which the provisions of a policy/approach '*do neither contradict the primary objective(s) nor significantly add to its (their) achievement*' (MARANGONI, 2014:58). An indication of the existence of medium consistency as regards coordination is limited coordination.
3. **High consistency/coordination:** High consistency qualifies situations in which all the provisions of a policy/approach '*fully support and further strengthen*' this policy's '*primary objective(s)*' (MARANGONI, 2014:57). In this light, it is associated with extensive coordination, as the latter presumes that all levels of the coordination process have been achieved, all accomplishments that, in turn, reduce the likelihood

of coordination failures. To be more precise, the achievement of the highest levels of coordination reduces the likelihood of coordination failures such as redundancy or gaps, failures that may otherwise lead to inconsistencies.

Against this background, this dissertation will measure coordination on the basis of existing coordination instruments, combining the two abovementioned approaches, and a) identify and examine the underlying formal and informal mechanisms in place that contribute or may contribute to coordination and b) and based on the author's definition of coordination as a process, examine the different levels of coordination that may be achieved. To do so, it will make use of a social (or organisational) network analysis (SNA)<sup>80</sup> which will help to detect relationship structures and interactions between the actors involved in EU energy governance towards Morocco (STEKETEE, MIYAOKA and SPIEGELMAN, 2015:461). The tool used hereby is net-mapping, which, based on participatory interviews with core stakeholders of the related field, contributes to a better understanding of a situation in which many different actors influence outcomes (SCHIFFER and WAALE, 2008) and focus is on the supranational, intergovernmental, national and sub-national levels.

**Actors of coordination:** Building on the results of empirical research, this analysis will, as regards the horizontal dimension, focus on the most relevant EU institutions and investigate how they interact bilaterally and multilaterally with each other. As for the vertical dimension, the analysis will examine interaction between the EU institutions and the member states. Finally, as for the diagonal dimension, it will focus on interaction between the above-mentioned actors and sub-national or non-state actors.

**Levels of coordination:** Consistency is sought at different layers of governance and to find out which coordination processes actually take place and where they occur, this dissertation will map coordination of EU energy policies towards Morocco across two levels: the regional or EU multilevel system and the local or third-country level, whereby focus will be both on strategic/policy and functional coordination aspects.

To find out whether and to which extent the different stakeholders involved in EU energy governance towards Morocco cooperate with each other in a coordinated way, the research focus will be two-dimensional, i.e. it will take into account both hard and soft facts. In fact, whilst hard facts deal with real existing coordination measures, soft facts actually seek to shed light upon the perceptions of the actors presented above on the current state of policy coordination. Analysing coordination from the third-country perspective is of utmost importance here, as local views can reveal important aspects that are not necessarily observable in Brussels or are not meant to be seen there.

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<sup>80</sup> 'Social network analysis (SNA) is used for measuring and analyzing the structural properties of networks of interdependent dyadic relationships. Such relationships can be interpersonal relationships like advice seeking, friendship, or trust that characterizes interactions between individuals; or interorganizational networks that characterize the relationships between organizations as a whole – including relationships, such as joint collaborations, resource exchange, information exchange, or even membership in common organizations (e.g., trade associations)' (STEKETEE, MIYAOKA and SPIEGELMAN, 2015:461).

### 3.3 Explanatory framework: main factors for explaining policy consistency in EU external energy governance

In order to explain consistency, the following Chapter shall identify the explanatory variables for consistency in EU external energy governance. In fact, based on an in-depth review of the literature and the empirical research,<sup>81</sup> the author will introduce a number of most relevant causal determinants. Overall, and derived from the theories shown in Table 1, a total of three explanations have been identified:

- 1) Competencies
- 2) Interests
- 3) Interdependencies

Table 1: Overview hypotheses

Explanatory variables	Theoretical framework
Assignment of competencies	MLG, Intergovernmentalism
Diversity of interests	MLG, Intergovernmentalism
Existence of interdependencies	Liberal Intergovernmentalism

Source: Own elaboration based on Koenig (2014:66).

On the basis of these variables, the author will then formulate emanating hypotheses that will serve to test their relevance.

#### 3.3.1 Competencies

Large parts of the literature perceive competencies – understood as legislative authority –<sup>82</sup> as being closely linked to coordination (and thus consistency) (JOHNSON, 2005:144; DEBAERE, 2013:49) and as having ‘a decisive aspect determining the character of the emerging European polity’ (BENZ and ZIMMER, 2010:6), whereby scholars note that ‘in arenas where the European Union, because of historically determined structural features linked to the competition between intergovernmentalism and supranationality, demonstrates a diffuse division of labour, unclear competencies and a lack of distinct and homogeneous objectives, the European Union is claimed to be less influential than in arenas where it exhibits clear goals, concerted ambitions and distinct role assignments’ (ELGSTRÖM and JÖNSSON, 2004:219). In other words, the allocation of competencies plays a vital role in the achievement of coordination (and thus consistency), with unclarity and overlaps inevitably increasing the risk of coordination failures, a risk that is most elevated in highly complex multi-level governance systems (MLG) such as the EU which, embedded in a non-hierarchical, interconnected and overlapping framework of interdependence, ‘comprises a number of actors with diverging competences, agendas and interests, different also in their organisational set-up and modus operandi’ (ALBINYANA, 2016:1). This, so scholars, is an issue as there is ‘no clear-cut hierarchy’ (PORTELA, 2009:17), a lack that may lead to ‘gaps because no-one accepts responsibility’ (METCALFE, 1996).

<sup>81</sup> In fact, the expert interviews carried out at the beginning of this research project helped to identify potential causal factors.

<sup>82</sup> In the legal sense, competencies are understood as ‘the power of a person, business, court, or government to deal with something or take legal decisions’. [Cambridge Dictionary](#) (Accessed on 18 July 2019).

In fact, according to the literature, EU governance is framed by a MLG system (LEAL-ARCAS, FILIS and ABU GOSH, 2014:19), characterised by a diffusion of authority across multiple levels of governance and involving for example as regards energy, *'the national, supranational and international levels as well as transnational energy relations'* (KNODT and PIEFER, 2016:75). First developed in 1993 by Liesbet Hooghe and Gary Marks, MLG is the by far youngest theory among all the European integration theories and although directly related to the European integration processes of the 1990s (Single Energy Act (SEA), Treaty of Maastricht), as of today, it is applied to the EU decision-making process as a whole (including policy formulation & implementation). Rooted in federalism, MLG, theoretical basis of which is still evolving (MAY ET. AL, 2006; NILSSON ET. AL, 2012:396), draws on various theoretical approaches, including the institutionalist, neo-functional and intergovernmentalist approaches,<sup>83</sup> whereby it attaches great value to the role of both supranational and national actors.<sup>84</sup> In this regard, it is defined by Schmitter (2004:49) as *'an arrangement for making binding decisions that engages a multiplicity of politically independent but otherwise interdependent actors – private and public – at different levels of territorial aggregation in more-or-less continuous negotiation/deliberation/implementation, and that does not assign exclusive policy compétence or assert a stable hierarchy of political authority to any of these levels'*. According to Marks (1993:401-402), this arrangement is the result of a *'centrifugal process in which decision-making is spun away from member states in two directions'*, namely up to the European, and down to the subnational and transnational levels. Likewise, decision-making has also moved sideways, i.e. to non-state actors like industry groups or civil society<sup>85</sup> which have developed direct vertical links with the EU institutions over time, not relying on the EU member states as gatekeepers anymore (as postulated in intergovernmentalism) (MARKS, 1993:402; HOOGHE, MARKS and WOLFE MARKS, 2001:4). This, however, does not mean that the EU institutions or the member states do not continue to play an important role (HOOGHE, MARKS and WOLFE MARKS, 2001:3). On the contrary, each territorial level is considered equally important as it holds important resources, such as information, for example. However, they no longer have a monopoly on decision-making powers, but are subject to collective decision making (MARKS and HOOGHE, 2001:2), a circumstance that naturally involves a certain loss of control, as reflected in the decision rule of qualified majority voting in the Council<sup>86</sup> (HOOGHE, MARKS and WOLFE MARKS, 2001:4). In fact, in the view of MLG, all actors are closely entwined with one another, which, however, does not mean that they are not allowed to keep their independence and autonomy (STEPHENSON, 2013:817).

As this suggests, the delimitation of competencies within the EU is an extremely complex process as competencies do not exclusively lie with one actor but are shared by various actors at different levels, reflecting the EU's multitude of institutions (PORTELA and RAUBE, 2009:10). In this line, the division of competencies has been *'one of the most important issues in the discussion on the institutional reform and in the processes of Treaty amendment'* (BENZ and ZIMMER,

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<sup>83</sup> In fact, conceptually positioned between neo-functionalism and intergovernmentalism, MLG allows for a flexible understanding of European integration and fosters the inclusion of a wide range of different actors.

<sup>84</sup> MLG is three-dimensional, referring to both the horizontal and vertical, as well as the diagonal dimension and is, compared with neo-functionalism and intergovernmentalism, rather actor-centred (STEPHENSON, 2013:820).

<sup>85</sup> In this view, *'multilevel governance emerges when experts from several tiers of government share the task of making regulations and forming policy, usually in conjunction with relevant interest groups'* (HAGUE and HARROP, 2007:282). The most obvious way for these groups to participate in EU policymaking is via the opening of lobbying offices in Brussels. Another means is the use of domestic channels.

<sup>86</sup> which is contested by intergovernmentalists who argue that the policy initiatives and treaty revisions are still subject to unanimity (HOOGHE, MARKS and WOLFE MARKS, 2001:5).

2010:5). Here, notably the Treaty of Lisbon has played a key role but whilst it was supposed to provide important support in this area, it was not able to address or eradicate the issue, and eventually even contributed to the problem (BRAUN, 2011:8). Thus, the risk of overlapping continues to persist on both the horizontal and vertical levels providing, in turn, for a fertile soil for turf wars on competence delimitation (BRAUN, 2011:8; DEBAERE, 2013:49).

### **Horizontal level**

One risk of horizontal overlappings arises from the fact that the Lisbon Treaty has failed to clearly define or separate the EU's external powers from one another, an issue that notably concerns the roles of the European Council, the Commission, the Council and the High Representative and/or the External Action Service (BRAUN, 2011:8). A second risk arises from the Lisbon Treaty entrusting various EU institutions, notably the Commission and the Council, with ensuring consistency. Here Portela and Raube (2009:8) note that *'the combination of entrusting both Council and Commission with the task of ensuring coherence and the lack of ECJ jurisdiction was unable to eliminate the "grey areas" where the competences of Council and Commission overlapped*. However, they go on, saying that despite overlapping competencies in the area of consistency, the Council is the sole organisation responsible for the Common Foreign and Security Policy (CFSP), with the Commission having accepted the *'loss of a certain portion of autonomy in matters where the Community and CSP competences overlapped'* (PORTELA and RAUBE, 2009:10).

### **Vertical level**

Other than not having been able to properly address the issue of overlapping on the horizontal level, the Treaty of Lisbon also created a source of conflict with regard to the vertical level by setting-up a wide catalogue of different categories of competencies, ranging from exclusive to shared and *sui generis*<sup>87</sup> (DEN HERTOOG and STROSS, 2013:383-384), whereby relevant for this dissertation are however only the first two types.

**Exclusive:** Exclusive competencies imply that *'only the Union may legislate and adopt legally binding acts'* (Art. 2 TFEU).<sup>88</sup> Important domains in which the EU holds exclusive competence are the Customs Union or the Monetary Policy and Common Commercial Policy (Art. 3 TFEU).<sup>89</sup> Other than that, the EU shall also have exclusive competence *'for the conclusion of an international agreement when its conclusion is provided for in a legislative act of the Union or is necessary to enable the Union to exercise its internal competence'* (Art. 3 TFEU).

**Shared:** Shared competencies<sup>90</sup> imply that the EU *'has competence to legislate and adopt legally binding acts in specific areas, while each Member State remains competent to act as long as the EU has not exercised its competence'* (Art. 2 TFEU)<sup>91</sup> or as long as *'the EU has chosen not to.'*<sup>92</sup> This,

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<sup>87</sup> *Sui generis* (latin, 'of its own kind') competencies describe unique or special competencies whose *'legal and institutional characteristics are intrinsic to this policy field'* (VAN VOOREN and WESSEL, 2014:94). One policy area that falls under this category is the CFSP (VAN VOOREN and WESSEL, 2014:95), which in Article 2 of the TFEU is explicitly separated from the other categories of competence (SCHÜTZE, 2015:276). [Merriam Webster](#) (Accessed on 20 July 2019).

<sup>88</sup> [EC](#) (Accessed on 10 December 2018).

<sup>89</sup> [EC](#) (Accessed on 10 December 2018).

<sup>90</sup> One sub-category of shared competencies is parallel competencies which not being explicitly mentioned in the treaties, refer to situations *'where the exercise by the EU of its competence does not result in Member States being prevented from exercising theirs.'* They are related to areas like research & technological development or development cooperation and humanitarian aid. [EC](#) (Accessed on 10 December 2018).

<sup>91</sup> [EC](#) (Accessed on 10 December 2018).

however, does not mean that the member states must act independently from the EU. On the contrary, they are always under an obligation to inform and consult the EU institutions ‘*so that a common strategy could be considered*’ (HERTOG and STROSS, 2013:386). Moreover, for the case that their actions have a negative impact on Union action, they are in theory not allowed to act independently (HERTOG and STROSS, 2013:386). Shared competencies concern for example, not only the areas of freedom, security and justice but also energy (DEN HERTOG and STROSS, 2013:384; Art. 4 TFEU).

In line with what has just been brought forward, it is often assumed in the literature that coordination (and thus consistency) is more extensive in areas in which the EU disposes of exclusive competencies (as this would allow for a hierarchical mode of governance) (JORGENSEN and LAATIKAINEN, 2013:225), with its antithesis being that coordination is limited in areas in which the member states possess a lot of competencies.<sup>93</sup> However, other scholars have concluded that the more competencies the EU disposes of, the more the member states dispose of corresponding control mechanisms (DEBAERE, 2013:49-50). Given this literary confusion, this dissertation will look at the variable ‘competencies’ from a different angle, arguing that coordination (and thus consistency) in a multi-level governance environment does not depend on whether the EU disposes of exclusive competencies or not, but rather on the exercise of competencies and the way these competencies are assigned. To put it simply, one must assume that coordination failures notably result from a lack of clear assignment or ‘*the inadequate respect of the principles of subsidiarity and proportionality*’,<sup>94</sup> true to the motto: the unclearer the allocation of competencies, the higher the risk of disagreement and the more difficult it is to coordinate and to establish consistency (LEAL-ARCAS and WOUTERS, 2017:46). This leads to the following hypothesis:

**(H1):** *The clearer the allocation of competencies between the different stakeholders involved in EU external energy governance, the more extensive the coordination (and thus the higher the consistency) of their energy policies.*

The operationalisation of the variable ‘competencies’ will be based on the European treaties, whereby focus will be on the assignment of competencies within the policymaking process, i.e. along the policymaking stages ‘agenda-setting’, ‘decision-making’, ‘implementation’ and ‘financing & support’. The aim hereby is to examine whether there are any overlapping competence areas that may lead to frictions or whether competencies are clearly distinct from one another.

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<sup>92</sup> EC (Accessed on 22 August 2018).

<sup>93</sup> According to the institutionalist theory, EU external governance is dominated by the EU institutions (which provide ‘*the template for the externalization of EU policies*’), with the general hypothesis reading that ‘*the more precise, binding, and enforceable EU rules are, the more likely they will be selected, adopted, and implemented beyond EU borders*’ (LAVENEX and SCHIMMELFENNIG, 2009:802, 804). In other words: the ‘*effectiveness increases with legalization and/or legitimacy*’, with the ‘*hierarchical mode of governance being most likely to lead to the effective transfer of EU rules*’ (LAVENEX and SCHIMMELFENNIG, 2009:802, 804). Coordination is largely associated with hierarchy and central control here (METCALFE, 1996), a connotation that, in turn, is linked to the idea of competencies being equated with power (including bargaining powers). Similarly, from a neo-functional perspective, integration is achieved in a process in which ‘*political actors in several distinct national settings are persuaded to shift their national loyalties, expectation and political activities to a new and larger center*’ (HAAS, 1961:367), and thus depends on ‘*the degree to which competencies have been transferred to the supranational level*’ (THALER, 2015:144).

<sup>94</sup> Friedrich-Ebert-Stiftung (Accessed on 16 January 2019).

### 3.3.2 Interests

Throughout the literature, interests, defined as ‘*something that brings advantages to or affects someone or something*’,<sup>95</sup> are considered as being one of the most obvious factors for coordination (and thus consistency) (MEIJERS and STEAD, 2004:7; JOHNSON, 2005:144; SMITH and VANHOONACKER, 2017:140; PETERS, 2018:5).

As for an MLG system as the EU, there is a vast multitude of interests of various levels of actors and institutions and whilst this diversity of interests of the different stakeholders involved in a policy process has been largely deemed to be a ‘*problematic yet well-accepted characteristic of EU foreign policy-making*’ within the literature (THALER, 2015:149), interests are not perceived by all scholars as a threat to coordination *per se*. On the contrary, interests can be both converging or diverging and it is largely assumed that interests that are similar to each other support one another and that higher levels of coordination can be reached amongst like-minded groups (THALER, 2015:135). The basis for this assumption is the fact that so far, high levels of integration have notably been reached in areas of converging interests with intergovernmentalism – a theory developed in the 1960s by Stanley Hoffman as a counter-argument to supranationalistic theories like neo-functionalism<sup>96</sup> that brings the nation states back to the centre of analysis –<sup>97</sup> defining integration as ‘*...arrangements whereby nation states, in situations and conditions they can control, cooperate with one another on matters of common interest*’ (NUGENT, 2006:558).<sup>98</sup> Applied to this study, this means that the member states are not opposed to the idea of coordination in principle, but generally open towards it, at least as long as they are, as just stated, in control of the circumstances.

By contrast, the problem is opposing interests, with Forster and Stokke (2013:24) stating: ‘*conflicting interests and values are the main cause of incoherence within most systems and at most levels*’. Similarly, the OECD (2003) notes that coherence ‘*has always been and will continue to be a function of competing and conflicting interests and values*’.<sup>99</sup> As for the EU, this assumption is not inappropriate given the wide heterogeneity of interests, whereby past inconsistencies have, as shown before, often resulted from divergencies in the vertical dimension (MEIJERS and STEAD, 2004:8).<sup>100</sup> According to intergovernmentalism, this is because the nation or member states are the main actors within the EU and the main motivator for integration, so liberal intergovernmentalism (LI), a branch of intergovernmentalism which was first established in 1998 by Andrew Moravcsik and combines liberal, intergovernmentalist and functional elements, is the protection of their national interest, defined as being driven by general geopolitical ideas and policy specific interests (MORAVCSIK and SCHIMMELFENNIG, 2009:69). In other words,

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<sup>95</sup> [Cambridge Dictionary](#) (18 July 2019).

<sup>96</sup> Compared to neo-functionalism, intergovernmentalism considers international politics to be more important than regional politics and regional subsystems to have only ‘*a reduced autonomy*’ (HOFFMAN, 1966:865).

<sup>97</sup> Contrary to neo-functionalism, the theory considers integration to be the result of the nation state’s own national interest(s), and not of spillovers (DIEZ, BODE and FERNANDES DA COSTA, 2015:19). Strongly building on the premises of realism in this regard, it is often proclaimed to be the equivalent of realism in the European integration debate. Like realism, intergovernmentalism is a state-centric theory, considering the nation states to be the main actors in international relations and putting strong emphasis on the notion of national interest (LELIEVELDT and PRINCEN, 2015:32). However, despite these similarities, both theories need to be strictly distinguished from one another, notably because they fundamentally differ from each other with respect to their perception of the international relations system.

<sup>98</sup> Although this definition refers to the nation states it can be applied to any actor.

<sup>99</sup> [OECD](#) (Accessed on 07 January 2019).

<sup>100</sup> However, it must be stated here that the degree of heterogeneity differs greatly across policies: whereas EU climate change (at least regarding some sectors) and market policies are partly centralised and homogeneous, supply security policies are mostly centralised and homogeneous and energy efficiency policies are decentralised and heterogeneous.

integration is understood as the lowest common denominator of the national interests and the outcome of intergovernmental negotiations between the nation states (DIEZ, BODE and FERNANDES DA COSTA, 2015:190).<sup>101</sup> In this context, the theory distinguishes between areas of so-called 'low' politics, i.e. areas considered compatible with the nation states' national identity or interests (like economics and welfare) (ROSAMOND, 2000:77)<sup>102</sup> and areas of so-called 'high' politics, i.e. areas considered to be incompatible with the member states' national interest such external affairs and energy which is a highly sensitive domain (NEFRAMI, 2012:157).

Indeed, as has been shown, energy is a strategic product vital to all sectors of the economy including international energy, climate/environment, trade, security and development<sup>103</sup> and whose 'omnipresence within the human life' involves 'multiple players with divergent interests' (MOMETE, 2015:464). This is notably true for the EU where interests are driven by 28 heterogeneous energy systems with different requirements. As a result, the picture of energy policies is diverse, with divergencies generally becoming most apparent at the external and vertical policy levels (DE JONG, 2013:7) (which does however not mean that there are no discrepancies at the horizontal level). Indeed, remaining a policy field highly sensitive to national considerations, the member states rather tend to think of it as a domestic policy domain. Here, one may assume that the likelihood of coordination (and thus consistency) is lower when the stakes are higher. For example, with Russia in its role as the EU's most important energy supplier being a prime example of a highly politicized context, it stands to reason that convergence is difficult to achieve. Following this line of thought, it is plausible that coordination (and thus consistency) is more likely to occur when it comes to a non-energy producing transit country like for example Morocco where the stakes are lower. Yet, academic and empirical evidence has proved this to be wrong so far (notably as far as large-scale initiatives like Desertec and the MSP are concerned) and this is also the opposite of what is assumed in some of the academic papers which postulate that there is more coordination when vital interests are at stake (DEBAERE, 2013). Likewise, the intergovernmentalist theories assume that the more the member states have to lose, the more likely they are willing to make compromises. Given this unclarity in the literature, it can be noted against this background that whether coordination is extensive or not depends on whether interests are convergent or divergent (KOULAIMAH-GABRIAL and OOMEN, 1997:3; CARBONE, 2013:4-5). This leads to the following hypothesis:

**(H2):** *The less diverse the interests of the different stakeholders involved in EU external energy governance, the more extensive the coordination (and thus the higher the consistency) of their energy policies.*

The operationalisation of the variable 'interests' will be based on an assessment of the energy interests of the different actors involved in EU energy governance towards Morocco, whereby the focus will be on both converging and diverging interests as well as on the European and third country perspectives. This is important given that whether coordination takes place or not

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<sup>101</sup> and not of supranational actions as proclaimed in the theory of neo-functionalism.

<sup>102</sup> Overall, LI is based on the idea of syncretism, i.e. on the idea that supranational institutions are necessary in order to provide durable cooperation: not only because they serve as a coordination platform but also as a protector against other and/or a guarantor of national preferences (as they provide states with information), and this particularly in times of insecurity (MORAVCSIK and SCHIMMELFENNIG, 2009:69). 'Passive, transaction-cost reducing sets of rules', they 'contribute to minimise uncertainty by eliminating the risk of undesired outcomes' (MORAVCSIK and SCHIMMELFENNIG, 2009:72).

<sup>103</sup> with the political and economic survival of a state clearly depending on its access to it (TOSUN, BIESENBENDER and SCHULZE, 2015:5).

in a multi-level environment, not only depends on the interests of the EU institutions and the member states but also on those of Morocco.

### 3.3.3 Interdependencies

As just elaborated, disagreement over policies can reflect *'genuine differences in interests'* that, as pointed out by Collignon (2001:27), need to be sold *'by negotiation and compromise'*, whereby it must be highlighted that the member states do not simply follow their own individual policy interests (STRUNZ, GAWEL and LEHMANN, 2014:15). By contrast, guided by the principle of rationality, they prioritise their maximisation and/or optimisation and try to upload them to the higher (EU) level.<sup>104</sup> This is done through intergovernmental bargaining which is when they may enter in competition with one another or with others, a circumstance that refers to the malign understanding of consistency, i.e. to internal power struggles or turf battles (THALER, 2015:151). And whilst such battles are usually hardly associated with the vertical governance level where *'the distribution of power and hierarchy seems to be more or less clear'* (GEBHARD, 2011:112), caution is needed as regards energy given that it is, as shown before, a special case to look at.

Although the above implies that any collective outcome is not more than *'the result of aggregated individual actions based on efficient pursuit of these preference'* (MORAVCSIK and SCHIMMELFENNIG, 2009:68), such a result bears the risk of suboptimality which is why states sometimes seek to coordinate their preferences to achieve mutual benefits. The degree to which an actor favours grouping hereby largely depends on the potential gains it may expect from this and for coordination (and thus consistency) to happen in an area,<sup>105</sup> benefits must outweigh the cost of losing political control. As regards the EU, this is notably the case in areas such as economic growth or environmental protection where it is in the member states' interest to pool sovereignty (HOOGHE, MARKS and WOLFE MARKS, 2001:5). Yet, the likelihood for them to give up sovereignty is generally low in the energy area<sup>106</sup> which, as shown before, is an area of 'high' politics and of particular sensitivity. Here, they are generally not willing to be compensated for their losses by benefits in other areas (HOFFMANN, 1966:882) for one simple reason: fearing eventual losses of resources, superiority, autonomy or stability, they are not willing to be replaced by the EU. By contrast, they rather pursue their own individual energy agendas, if necessary, over common interest or at the expense of 'optimal' collective results (CREMONA, 2008:34). In other words, they seek to pursue their interests not through greater cooperation but through protectionist measures, a context in which, with regards to the external dimension, they usually maintain strong and highly interdependent bilateral relations with third countries (which, in turn, undeniably reinforces competitive thinking).

In fact, often having, as indicated before, a clear advantage over the EU in terms of bilateral relationships, it may simply not be beneficial for a country to 'sacrifice' its relations with a third country (and vice versa) in the name of more coordination with EU policies, an attitude that is

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<sup>104</sup> According to the neo-functional theory, the member states perceive supranational organisations as platforms that bundle and potentially multiply their national interests (BÖRZEL, 2013:28).

<sup>105</sup> Applied to the EU, this means that the member states are not opposed to the idea of coordination *per se*, but generally open towards it, notably in areas such as economic growth or environmental protection where, for cost-benefit reasons, it is in their interest to pool sovereignty (HOOGHE, MARKS and WOLFE MARKS, 2001:5).

<sup>106</sup> Or put differently, energy policy making largely depending on the political will of the member states (CARBONE, 2013:6), external energy policies and relations continue to be dominated by intergovernmental cooperation (YOUNGS, 2011:59-61).

very much based on a realist notion of power. Indeed, for coordination to be achieved, an exchange of information is required, however, in a system characterised by a high level of competition and therefore of mistrust and conflict (as postulated by intergovernmentalism), *'information is power so there is insufficient sharing of information'* (PETERS, 2018:5), even though this would facilitate the achievement of common objectives. This behaviour can be best explained with liberal intergovernmentalism which uses three concepts to explain European integration, namely, supranational institutionalism, intergovernmental integration institutionalism and national sovereignty, whereby of use for the purpose of this dissertation are above all the last two aspects. Intergovernmental integration institutionalism refers to the bargaining powers of the nation states, with Moravcsik arguing that these powers heavily depend on asymmetrical interdependence, i.e. on a) the availability of information about preferences which in turn depends on the relative power of the states involved and b) on the degree of dependence on the outcome of these negotiations (MORAVCSIK and SCHIMMELFENNIG, 2009:71). By contrast, national sovereignty describes the phenomenon that integration only occurs in areas where the nation states are willing to forfeit some of their sovereignty.

At this point, it is to note that the member states' relations with third countries strongly depend on these countries' relations with the EU or impact those, whereby the respective level of interdependence between the EU and the third country is determined by several factors. Indeed, according to the power-based explanation of institutionalism, *'external governance is determined by the EU's power and its interdependence with regard to third countries as well as competing 'governance providers' in its neighbourhood and at the global level'* (LAVENEX and SCHIMMELFENNIG, 2009:803). As this suggests, there are at least three external factors determining consistency in EU governance towards third countries, namely the interdependence between the EU and the third country, the presence of competing rival governance actors and regional dynamics. On this basis, the author of this dissertation assumes that the level of competition and thus the member states' willingness to coordinate their energy activities depends on the bilateral relations they maintain or the nature of bilateral relationship or level of interdependence they have with the third country, whereby geographical, historical, cultural and foreign or diplomatic policy links based on *'national specificities'* (SARTORI, 2014:5) are expected to play an important role. In fact, in the author's opinion, the costs of losing political control are inevitably higher in cases in which the member states dispose of a close relationship or mutually interdependent relations with the third country (in this case, Morocco) as this implies that vital interests are at stake. Against this background, this study postulates:

**(H3):** *The less interdependent the intergovernmental relations between the member states and the third country, the more extensive the coordination (and thus the higher consistency) of their energy policies.*

To operationalise the variable 'interdependencies', this work will hereby look into the energy governance approaches of selected member states and examine how they interact with one another. Comparing these approaches will allow to determine whether they are aligned or not, whereby as the point of departure, policy objectives, initiatives and projects of the actors will be reviewed. Here, and to identify eventual bottlenecks, it is not only essential to understand the links between the member states themselves, but also the links between them and the target country. At this point, it needs to be highlighted that of course, the factors 'interdependencies'

and 'interests' are closely interlinked in some respect, however, for analytical reasons, they must be studied separately.

### 3.4 Methodology

The purpose of the following Chapter is to explain the methods used for this PhD research and to provide an overview of the approach used to respond to this dissertation's research questions, including the instruments used for data collection. Overall, two approaches have been combined to respond to the research questions: desktop and empirical study.

#### **Desktop study**

For the analytical and theoretical part of this dissertation, the work was principally based on text analysis, whereby it was drawn on insights from both academic and grey literature, including official EU or state documents, covering legal and political high-level documents such as treaties, declarations and speeches. Notably EU pronouncements and records like European Council conclusions and Commission communications were assigned a high significance in this context, whilst additional information was collected from think tank and media coverage. The sources were official websites of the EU, the member states and Morocco, Google Books/Scholar, Academia and Researchgate.

#### **Empirical study**

Empirical evidence was gathered through the use of qualitative methods, i.e. through the consultation of key actors involved in EU energy governance towards Morocco. In order to identify the relevant stakeholders, the author relied on a stakeholder analysis, which, inspired by the principles of net mapping, helped to examine the networks of stakeholders operating in Morocco. In fact, by providing information about its key actors, this method helped to comprehend the energy network environment of Morocco – including influential actors, as well as their goals, linkages and influence upon the development of the Maghreb country's energy policies (relations). Based on the outcome of this analysis, the author then conducted over 30 interviews with both European and Moroccan actors either in person in Brussels and Morocco (Rabat) or by phone/email over the period 2015 to 2018, whereby a bottom-up approach in the sense of starting off with the local level (Morocco), was used.<sup>107</sup> In this context, two field missions to Morocco (Rabat) have been carried out.

The interviewees included representatives from the regional, national and local levels and involved both the public and private sectors, covering elites from the EU (EC and EEAS officials) and the member states' governments (government or Parliament officials), as well as from the business (companies, Chamber of Commerce) and civil society (non-governmental and academic institutions) levels (see Table 2). Indeed, *'administering a common EU approach is not only a matter of coordination between European actors and policy instruments, but also concerns diverse contacts ranging from multilateral ones to those between private actors and non-governmental organisations'* (LAAKSO, KIVIMÄKI and SEPPÄNEN, 2007:34). The underlying aim of the interviews was to examine how the various stakeholders cooperate with each other and

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<sup>107</sup> This is even more important since, as will be shown later, there is a lack in the academic literature in this regard, and also in order to avoid Eurocentrism.

coordinate themselves at both the EU, national and local levels. Interviews were carried out in a semi-structured way based on a loose survey template or draft, given that qualitative interviews generally allow to see a topic *'from the perspective of the interviewee'* (KING, 2004:11), an advantage that was of particular importance in the case of this dissertation, as the latter is focused on opinions and motivations (moreover, the semi-structured approach allows for greater flexibility). Here it is worth mentioning that interviews are not free from problems, on the contrary, interviewees may forget to mention information/details or consider them not important; moreover and, with regard to some questions, they may also be biased (MARANGONI, 2014:68). However, they are still a valuable source of information, notably in view of the sensitive character and complexity of the research topic. Given this sensitivity of the subject area, all interviewees were guaranteed anonymity and were not tape-recorded. The research results gained through these interviews will be reported and interpreted in detail in the following Chapters, whereas the recurrent interview questions can be found in the appendix.

**Table 2: Interview partners**

<b>Interview partner</b>	<b>Date</b>	<b>Place</b>	<b>Means</b>
European External Action Service (EEAS)	2015	Brussels	Phone
Federal Foreign Office (AA)	2015	Berlin	Phone
Kreditanstalt für Wiederaufbau (KfW)	2015	/	Phone
European Commission (EC)	12/11/2015	Brussels	In person
Federal Ministry for Economic Affairs and Energy (BMWi)	18/09/2016		Phone
Gesellschaft für Internationale Zusammenarbeit (GIZ)	28/09/2016	/	Phone
Kreditanstalt für Wiederaufbau (KfW)	19/12/2016	/	Phone
Gesellschaft für Internationale Zusammenarbeit (GIZ)	22/12/2016	Rabat	In person
German Embassy to Morocco	23/12/2016	Rabat	In person
French Embassy to Morocco	23/12/2016	Rabat	In person
Moroccan Agency for Sustainable Energy (MASEN)	26/12/2016	Rabat	In person
Agence Française de Développement (Afd)	27/12/2016	Rabat	In person
Spanish Embassy to Morocco	13/01/2017	/	Mail
German Embassy to Morocco	14/03/2017	/	Mail
Federal Foreign Office (AA)	15/03/2017	/	Mail
Federal Foreign Office (AA)	19/05/2017	/	Phone
Agencia Española de Cooperación Internacional para el Desarrollo (AECID)	21/06/2017	/	Phone
European External Action Service (EEAS)	29/06/2017	/	Phone
German Embassy to Morocco	20/07/2017	/	Phone
German Embassy to Morocco	31/07/2017	Rabat	In person
Desertec	01/08/2017	/	Phone
European External Action Service (EEAS)	02/08/2017	Rabat	In person
European External Action Service (EEAS)	02/08/2017	Rabat	In person
Gesellschaft für Internationale Zusammenarbeit (GIZ)	02/08/2017	Rabat	In person
European Investment Bank (EIB)	03/08/2017	Rabat	In person
European External Action Service (EEAS)	29/08/2017	/	Phone
Union for the Mediterranean (UfM)	01/09/2017	Barcelona	Phone
Mediterranean Association of the National Agencies for Energy Conservation (MEDENER)	13/09/2017	/	Phone
Mediterranean Energy Regulators (MedReg)	23/10/2017	/	Phone
Mediterranean Transmission System Operators (Med-TSO)	31/01/2018	/	Phone

Source: Own elaboration.

## Part Four – The Moroccan energy policy situation

Before proceeding to this dissertation's research topic and addressing the research question, i.e. consistency in EU energy governance towards Morocco and to fully understand the complexity of this governance, it is necessary to provide some general knowledge of the case. Thus, and to entirely comprehend the EU-Moroccan energy relations and challenges of the relationship, the following Chapter serves to contextualise the research question and to provide some background information on Morocco's energy policy situation. The objective is hereby to gain some solid knowledge about the Maghreb country's energy policies, stakeholders and relations with third parties. Indeed, as indicated before, the achievement of consistency in a multi-stakeholder environment not only depends on internal but also on external factors or the behaviour of the target country. In order to understand to what extent Morocco as the target country of EU external energy governance may contribute to inconsistency of the latter, it is absolutely imperative to explore the country's wider energy context. The following Chapter will therefore examine the specific energy profile of Morocco, including an assessment of its energy challenges and ambitions, as well as a panorama of its energy relations and a mapping of its main energy institutions.

### 4.1 Energy profile

Although the Mediterranean can in itself hardly be considered homogeneous, its energy dynamics are similar, with notably the Northern African countries struggling with the same challenges. By far the most important challenge are rising energy and electricity demand needs, spurred, amongst other things, by GDP and population growth (see Figures 3 & 4).<sup>108</sup> In Morocco, primary energy demand has been increasing rapidly since the early 2000s, by around 3.8% y-o-y on average, a trajectory that is expected to continue in the short- and mid-term, also because the economy is rather energy-intensive, i.e. its use of energy is not very efficient (MORATA and SANDOVAL, 2012:195).<sup>109</sup> The same applies to electricity demand which has been increasing by around 6% y-o-y on average, driven, apart from economic and demographic parameters, by domestic policy initiatives aimed at increasing access to electricity, notably of the rural populations. For example, the Rural Electrification Programme (PERG), brought up the rate of electrification from 18% in 1995 to almost 99% in 2012.<sup>110</sup>

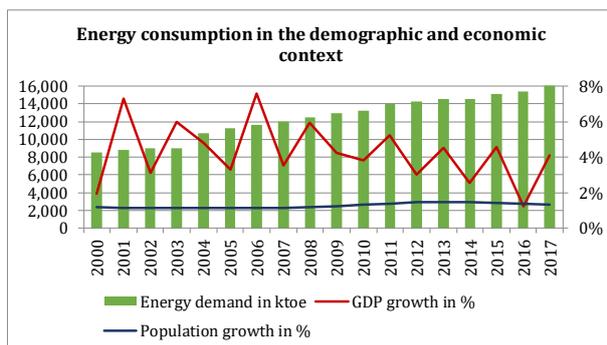
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<sup>108</sup> going along amongst other things, with a higher demand in the transportation sector which acts as the main driver here.

<sup>109</sup> Concretely, energy demand is forecast to double by 2030, and to quadruple by 2040. [AHK Morocco](#) (Accessed on 06 June 2017).

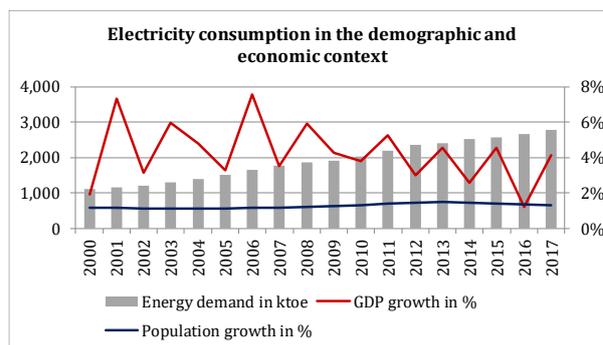
<sup>110</sup> [AHK Morocco](#) (Accessed on 20 May 2017); [ONE](#) (Accessed on 05 June 2017).

**Figure 3: Energy consumption and economic growth in Morocco from 2000 to 2017**



Source: Own elaboration based on data from [IEA](#) and [WB](#) (Accessed on 09 January 2020).

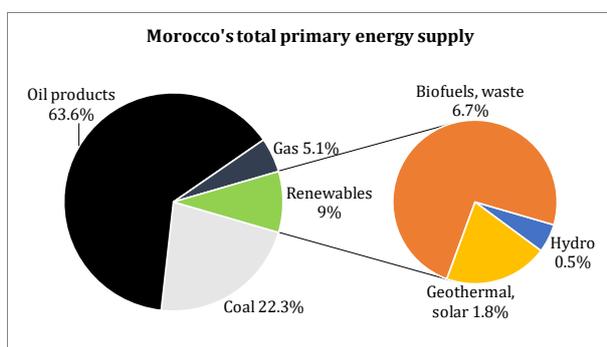
**Figure 4: Electricity consumption and economic growth in Morocco from 2000 to 2017**



Source: Own elaboration based on data from [IEA](#) and [WB](#) (Accessed on 09 January 2020).

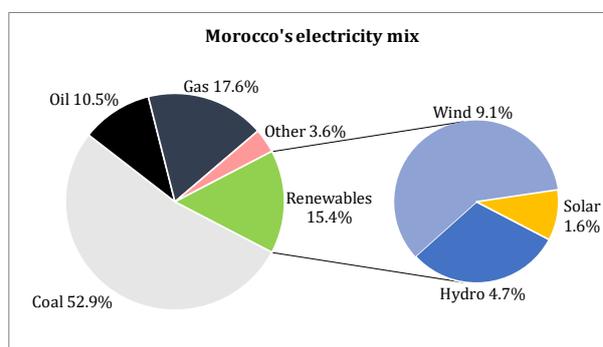
Morocco's primary energy supply is the most diversified in North Africa. Next to oil accounting for around 64% of the total supply, coal, renewables and natural gas contribute to the national basket with around 22%, 9% and 5%, respectively (see Figure 5). Similarly, the country's electricity mix is rather diversified, with around 53% of the electricity being generated from coal, whereas gas and oil each account for around 18% and 11% respectively, followed by renewables with around 15% (see Figure 6).

**Figure 5: Morocco's total primary energy supply, 2017**



Source: Own elaboration based on data from [IEA](#) (Accessed on 09 January 2020).

**Figure 6: Morocco's total electricity generation mix, 2017**



Source: Own elaboration based on data from [IEA](#) (Accessed on 09 January 2020).

Given that Morocco is a non-energy producer and does not dispose of any significant proven<sup>111</sup> energy reserves,<sup>112</sup> it is forced to import almost 96% of its primary energy needs,<sup>113</sup> with supplies being geared towards few suppliers. The majority of oil comes from the Middle East, a region that is regularly subject to insecurities on the international oil markets and subsequently oil price volatility, whereas gas primarily comes from Algeria and coal from Russia (see Figures

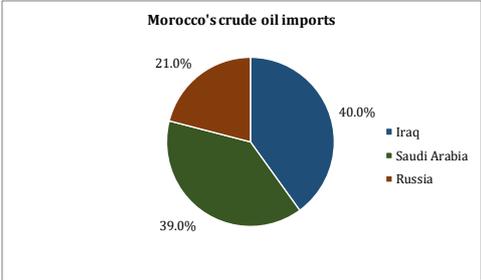
<sup>111</sup> by contrast, as will be detailed later, the Sahara is thought to dispose of vast oil reserves.

<sup>112</sup> with the exception of some shale gas and coal deposits. IRAQI Fahd (08 August 2016), *Importante découverte de gaz à l'est du Maroc*, [Jeune Afrique](#) (Accessed on 20 May 2017); [BP](#) (Accessed on 20 May 2017).

<sup>113</sup> In this context, rising energy and electricity needs are not only expected to increasingly threaten the country's supply security, but also to put further pressure on its already strained national budget. For example, in 2016, the Kingdom's energy trade deficit stood at around US\$ 3.9 billion. [IEA](#) (Accessed on 20 May 2017); [OEC](#) (Accessed on 20 May 2017).

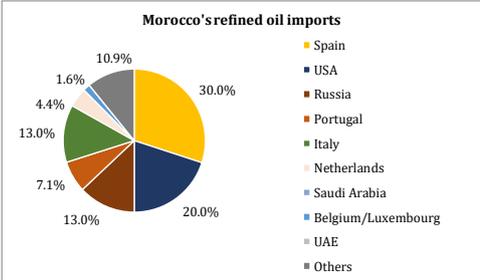
7 & 9).<sup>114</sup> Morocco is also forced to import around 17% of its electricity needs,<sup>115</sup> most of which comes from Spain (see Figure 11) to which Morocco is linked via a 1.4 MW supply line (see Figure 12) and which is also an important supplier of oil products (see Figure 8).

**Figure 7: Morocco's crude oil imports by origin, 2015**



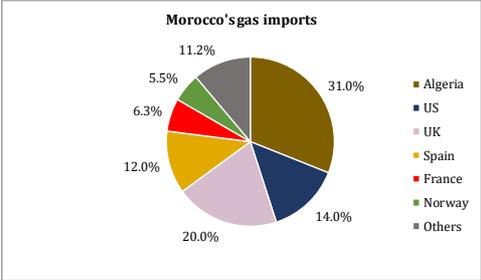
Source: Own elaboration based on data from [OEC](#) (Accessed on 17 October 2019).

**Figure 8: Morocco's refined oil product imports by origin, 2017**



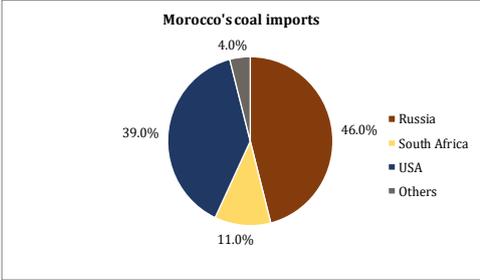
Source: Own elaboration based on data from [OEC](#) (Accessed on 17 October 2019).

**Figure 9: Morocco's gas imports by origin, 2017**



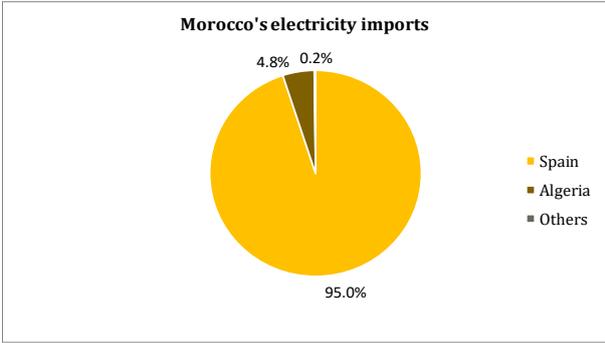
Source: Own elaboration based on data from [OEC](#) (Accessed on 17 October 2019).

**Figure 10: Morocco's coal imports by origin, 2017**



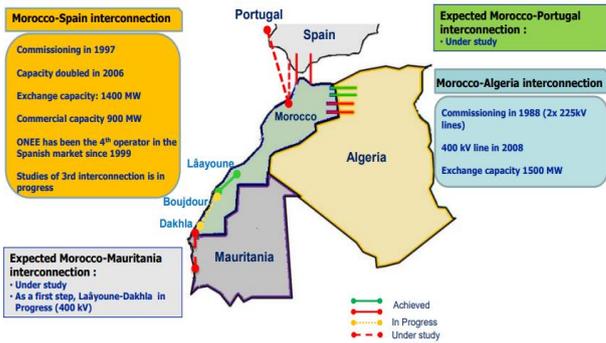
Source: Own elaboration based on data from [OEC](#) (Accessed on 17 October 2019).

**Figure 11: Morocco's electricity imports by origin, 2017**



Source: Own elaboration based on data from [OEC](#) (Accessed on 17 October 2019).

**Figure 12: Morocco's electricity connection network, 2016**



Source: [ONEE](#) (Accessed on 21 October 2018).

<sup>114</sup> For example, Algeria supplies Europe, notably Spain and Portugal, via the Maghreb-Europe Gas (MEG) Pipeline, which stretches across Morocco. Serving thus as a transit country, instead of being paid a transit fee, Morocco, receives gas from Algeria. However, in recent years, Algeria has been struggling with diminishing energy production.

<sup>115</sup> [IEA](#) (Accessed on 20 May 2017).

## 4.2 Energy agenda

In view of the above, Morocco's main energy challenges can be briefly described as a growing energy appetite and a high energy import dependence, notably regarding fossil fuels. Whereby apart from threatening the country's security of supply, these parameters also negatively affect the national budget, as well as the CO<sub>2</sub> balance which, as a matter of fact, is not in line with current ambitions to push forward the energy transition.<sup>116</sup> At this point, it must be mentioned that Morocco is one of the countries in the world to be most heavily affected by global warming<sup>117</sup> which is why the country has placed climate change and RES<sup>118</sup> at the heart of its energy strategy. This is amongst other things demonstrated by the fact that it ratified the UN Framework Convention on Climate Change (1995), the Kyoto Protocol (2002) and the Paris Agreement (2016).<sup>119</sup> Moreover, it was the first African UN member state to host the UN climate negotiations twice, once in 2001 (COP7) and the second time in November 2016 under the COP22 in Marrakech (one aim here was to consolidate regional leadership in this area). Moreover, under King Mohammed VI, Morocco has firmly anchored the right to sustainable development in its Constitution (Constitution, 2011:§31, 71, 152) and developed a National Charter for the Environment and Sustainable Development (CNEED) (Law n° 99-12).<sup>120</sup>

In this light, the key elements of the national energy strategy (NES) presented by Mohammed VI himself in 2009, are: security of supply, accessibility of energy and environmental preservation (like the EU's own energy objectives), as well as regional integration. Necessitating investments in additional transmission, distribution and storage infrastructure both at the national and the regional levels though (including, for example, a reinforcement of the electricity grid or the extension of existing import infrastructure for oil products (MORATA and SANDOVAL, 2012:197), for all of these objectives to be realised, Morocco's energy strategy requires above all an attractive legal and institutional framework,<sup>121</sup> with key words here being market liberalisation/modernisation and diversification of the energy mix.

The **liberalisation/modernisation** of Morocco's energy sector (which is supported by the EU) was first initiated in the 1990s with the oil product market or the privatization of the oil refining & distribution sectors to be more precise.<sup>122</sup> For example, in 1997, Morocco's two domestic refineries, the Sidi Kacem and Mohammedia plants, were privatised<sup>123</sup> and in 2002, product imports were liberalised. The latest step was the gradual phase-out of product subsidies<sup>124</sup> in

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<sup>116</sup> In fact, CO<sub>2</sub> emissions, notably from the oil and the power generation and transport sectors have constantly increased since 2000. [IEA](#) (Accessed on 21 October 2018); [IEA](#) (Accessed on 20 May 2017).

<sup>117</sup> The Mediterranean as a whole is one of the most vulnerable regions when it comes to climate change, with specific effects of global warming on Morocco being an increase in temperatures, along with reduced precipitation and extreme weather events. [OECD](#) (Accessed on 08 June 2017).

<sup>118</sup> i.e., solar, wind, hydro and biomass.

<sup>119</sup> [OECD](#) (Accessed on 08 June 2017).

<sup>120</sup> The CNEED, amongst other things, fixes the legal framework for foreign investments into Morocco [CNEED](#) (Accessed on 21 June 2017), [MEM](#) (Accessed on 21 June 2017).

<sup>121</sup> [AHK Morocco](#) (Accessed on 17 October 2018).

<sup>122</sup> Morocco used to have its own refinery, the SAMIR, which, located in the city of Mohammedia, was created in 1959 by the Moroccan state and the Italian energy company Eni, however, the refinery shut down in August 2015 due to financial problems. However, and as will be shown in the next sections, Morocco and Russia recently (in October 2019) signed an agreement for the construction of a refinery. [SAMIR](#) (Accessed on 20 May 2017).

<sup>123</sup> The refinery was completely nationalised in 1973, but partly privatised again in 1997. (07 May 1997), *Le Maroc vend ses raffineries à un homme d'affaires saoudien*, [Les Echos](#) (Accessed on 19 October 2018).

<sup>124</sup> Subsidies on oil products used to be popular a policy measure in Morocco to reduce poverty, however, over the years, they have increasingly become unsustainable. The phase-out of 2014/2015 concerned gasoline, diesel and kerosene (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:10).

2014 and 2015, as well as the full liberalisation of product prices in 2015, with the exception of liquefied petroleum gas (LPG).<sup>125</sup> In parallel to the downstream sector, the Moroccan government equally began to review the terms for crude oil and gas exploration, resulting in the introduction of a new hydrocarbons code in 2000.<sup>126</sup> As for the electricity sector, reforms equally started in 1994 with decree n°2-94-503<sup>127</sup> and whilst electricity continues to be highly subsidised,<sup>128</sup> like for the oil product market, attempts to bring prices closer to the cost of power production continue.<sup>129</sup> However, despite these attempts to liberalise and modernise its energy sector, Morocco's current energy situation, as well as its energy strategy requires an overhaul of the entire energy sector, including the power sectors. Therefore, in an attempt to reform the latter, in 2009, the Kingdom launched a process to reform the RES segment, with Law n°13-09 as the legislative basis.<sup>130</sup> This law is the first of its kind to allow any natural or legal person to produce electricity out of RES, be it for their own use or to sell and even export it to a consumer of his/her choice (thus opening up to competition).<sup>131</sup> In comparison, self-producers were previously required to feed their surplus into the national grid (Amendment Law n°58-15 to Law n°13-09) and export was only allowed in cases where the capacities of the national grid were insufficient.<sup>132</sup> In extension of this law, in May 2016, the House of Counsellors adopted Law n°48-15, foreseeing the establishment of a National Authority for the Regulation of the Electricity Sector (ANRE) to monitor the liberalisation process and to ensure transparency and competitiveness of the sector.<sup>133</sup>

Other than liberalisation/modernisation, the national energy strategy requires for the **diversification** of fuel types, with the general aim of diversifying both energy and electricity mixes by developing all types of energy sources including conventional, unconventional and alternative energy sources, whereby a clear focus is on RES and energy efficiency (for both economic and environmental reasons). This decision to make global warming and RES a top priority in the national energy agenda, has allowed Morocco to become the biggest producer of renewables in the Maghreb and a pioneer of the energy transition over the years. Hereby, it can rely on particularly favourable conditions for solar and wind energy, as well as for biomass (thanks to its huge agricultural waste). Whilst solar potential (3000 sunshine hours per year or 20 GW)<sup>134</sup> comes above all from the Sahara Desert, wind potential comes from the Moroccan coastline, notably Essaouira, Tangier and Tetouan (North) as well as Tarfaya, Taza and Dakhla (South) (7-11 m/s windspeed or 25 GW).<sup>135</sup> Mainly thanks to the Atlas Mountains, Morocco also has a huge hydropower potential which has, however, already been largely exploited.<sup>136</sup> Overall though, Morocco's solar and wind energy potentials remain largely unexploited to date, due

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<sup>125</sup> This was for social reasons as LPG is considered a sensitive product as it is mainly used by poor or remote households for domestic heating, cooking and lighting (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:10); [IEA](#) (Accessed on 19 October 2018).

<sup>126</sup> [ONHYM](#) (Accessed on 19 October 2018).

<sup>127</sup> [IEA](#) (Accessed on 31 May 2017).

<sup>128</sup> [Planete Energies](#) (Accessed on 20 May 2017).

<sup>129</sup> [IEA](#) (Accessed on 19 October 2018).

<sup>130</sup> which came into effect in 2010.

<sup>131</sup> [MEM](#) (Accessed on 04 June 2017).

<sup>132</sup> Overall, Law n°13-09 allows self-producers to produce green electricity, to have access to the national grid or to direct transmission lines, as well as to export green electricity. [AHK Morocco](#) (Accessed on 19 October 2018).

<sup>133</sup> This new independent agency will be mainly responsible for the regulation of the access of self-producers to the national grid [MEM](#) (Accessed on 04 June 2017).

<sup>134</sup> [French Development Agency](#) (Accessed on 21 June 2017).

<sup>135</sup> [MEM](#) (Accessed on 20 May 2017); [SIE](#) (Accessed on 21 June 2017).

<sup>136</sup> Morocco's hydroelectric potential was already discovered in the early 1920s, as, due to a lack of coal, the government had decided to develop electric trains. The first hydropower plant came online in 1929. [Planete Energies](#) (Accessed on 20 May 2017).

notably to a lack of capacity to store and integrate electricity generated out of these sources into the national power grid. Therefore, Morocco targets to install 42% of renewable energy capacity (compared to 34% in 2015) by 2020, a goal that includes the development of solar, wind and hydro capacity of 2 GW each (6 GW in total) (see Figure 13). In the context of the COP21 in Paris and as the 2020 targets are expected to be achieved (Interview, MASEN, 2016; Interview AFD, 2016), the country has extended these, targeting an installed power capacity of 52% by 2030. In this way, Morocco hopes to reduce its energy dependence to less than 82% and its GHG emissions by 32% between 2016 and 2030.<sup>137</sup>

**Figure 13: Morocco’s renewable energy goals by 2020 and 2030**



Source: Own elaboration based on information from MEM (Accessed on 21 June 2017).

In this context, in 2009, the Moroccan government, strongly supported by King Mohammed VI, launched the **Moroccan Solar Plan called NOOR**, aiming at developing 2 GW of solar energy capacity by 2020, and 4.8 GW by 2030. Via MASEN, the national sustainable energy agency, 5 sites for the location of solar power plants have been identified: Ouarzazate, Foug El Oued, Boujdour, Midelt and Tata (see Figure 14). With the solar power plants to be built on these sites, emissions are to be reduced by 3.7 million metric tons of CO<sub>2</sub> oil equivalent.<sup>138</sup> Apart from MASEN, national grid owner ONEE is also actively involved in achieving the Moroccan Solar Plan, having identified 3 sites for the location of solar power plants: Tafilet, Atlas and Argana. Whilst Atlas comprises 8 plants – three in the south (Tata, Tahla and Tan Tan) and 5 in the east (Outat El Haj, Ain Beni Mathar, Boudnib, Bouanane and Boulmane) – Argana is composed of 3 or 4 plants in the regions of Errhamna, Tensift and Boumalen.<sup>139</sup> Situated close to the Southern city Ouarzazate (located in the southeast of Marrakech), the Ouarzazate project is the biggest planned solar project in Morocco, with the world’s largest concentrated solar power (CSP)<sup>140</sup> complex being built there. The project comprises three phases: NOOR I and NOOR II & III, as well as NOOR IV & V. Once finalised, Ouarzazate will have a capacity of 580 MW, enough to provide electricity for around 1 million households. In addition to NOOR Ouarzazate, the Moroccan government is planning the launch of NOOR Midelt<sup>141</sup> and Tata,<sup>142</sup> as well as of NOOR Boujdour

<sup>137</sup> MEM (Accessed on 21 June 2017).

<sup>138</sup> NOOR Ouarzazate (Accessed on 25 June 2017).

<sup>139</sup> Spanish Embassy to Morocco.

<sup>140</sup> Concentrating solar power (CSP) techniques ‘concentrate energy from the sun’s rays to heat a receiver to high temperatures’ which is then transformed into electricity. Contrary to this, solar photovoltaic (PV) systems ‘directly convert solar energy into electricity’. IEA (Accessed on 12 August 2019).

<sup>141</sup> Midelt was added to MASEN’s solar project list in 2014, replacing Ain Beni Mathar which is situated south of Oujda and already disposes of parabolic mirrors with a capacity of 20 MW feeding into a combined cycle power plant. Located in the south of Fès, the site uses both photovoltaic (15-20%) and CSP (80-85%) technology and has a capacity of 600 MW.

and Laayoune.<sup>143</sup> Construction of 160 MW NOOR I – a parabolic trough (using parabolic mirrors) power plant using CSP technology –<sup>144</sup> started in 2013 and completed in 2016 when the complex was inaugurated in February 2016 by King Mohammed VI.<sup>145</sup> The tender for this project (development) was won by a consortium made up of Saudi Arabian ACWA (95% participation interest) and Spanish Aries and TSK (5% participation interest each). Together with Moroccan MASEN, they formed a public-private energy partnership (PPP) under a Moroccan company set up for this purpose.<sup>146</sup> Construction was carried out by Spanish Acciona, TSK and Sener. During the commissioning of NOOR I, in February 2016, phase two (NOOR II & III) of the Ouarzazate project was launched.<sup>147</sup> Together, NOOR II & III will have a capacity of 350 MW (200 MW and 100 MW). Just as for NOOR I, the project was secured by an ACWA-led consortium, with construction being carried out by Sener. NOOR II & III use the same CSP technology as NOOR I.<sup>148</sup> By contrast, both plants have a bigger storage capacity than NOOR I; 7.2 and 8 hours respectively. Finally, in November 2016, the ACWA-led consortium equally won the tender for NOOR IV, and the project was launched in April 2017. Unlike the first three complexes, NOOR IV uses photovoltaic technology and has a capacity of ‘only’ 70 MW. Contrary to NOOR I to III, NOOR IV it is based on an independent power producer model (IPP), i.e. ACWA is responsible for the conceptualisation, financing, construction, exploitation and maintenance of the project.<sup>149</sup>

In parallel, the Moroccan government also launched the Moroccan **Integrated Wind Programme** in 2010, aiming at developing 2 GW of wind energy capacity by 2020,<sup>150</sup> and 5 GW by 2030 (+ 4.2 GW between 2016 and 2030).<sup>151</sup> Current (2016) installed wind capacity stands at 0.8 GW.<sup>152</sup> To achieve these objectives, the programme which is managed by ONEE, is composed of two parts: the Taza wind farm (150 MW) and the 850 MW wind project, comprising 5 sites (Tanger II 100 MW, Midelt 150 MW, Jbel Lahdid 200 MW, Tiskrad 300 MW and Boujdour 100 MW) (see Figure 14). Unlike the solar projects, a lot of these wind projects are being or will be realised by the private sector. Indeed, ONEE, together with the Hassan II Fund and the Morocco investment company SIE, closely partners with industry. Operational since 2014, one particularly ambitious wind project in this context has been, for example, the 301 MW Tarfaya wind farm which was set up in a JV between a Moroccan energy company and the French energy company Engie and provides electricity for around 1.5 million homes.<sup>153</sup>

In contrast to solar and wind, **hydro** has been used as a source of power since the 1960s and current installed capacity stands at around 1.3 GW.<sup>154</sup> Just as for solar and wind, the Moroccan government aims at developing 2 GW of wind energy capacity by 2020 and 1.33 GW of capacity between 2016 and 2030. One major project planned in this context is the construction of a new

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<sup>142</sup> Like Midelt, Tata, which is situated in the southeast of Agadir, was only recently conceptualised and replaces Sebkhat Tah, a combined cycle power plant situated in the south of Tarfaya. It also uses both technologies and has a capacity of 600 MW.

<sup>143</sup> Boujdour is situated around 200 km south of Laayoune and both sites have a combined capacity of 100 MW. [NOOR Ouarzazate; AHK Morocco](#) (Accessed on 21 June 2017).

<sup>144</sup> NOOR I is based on a technology with molten salt, allowing for a storage capacity of three hours. The gained heat is carried by a heat transfer solution (HTF) to a heat tank containing molten salts.

<sup>145</sup> [AHK Morocco](#) (Accessed on 21 June 2017).

<sup>146</sup> In this company, ACWA held a 71.25% participation interest, MASEN 25% and Aries/TSK 3.75%.

<sup>147</sup> [AHK Morocco](#) (Accessed on 21 June 2017).

<sup>148</sup> [NOOR Ouarzazate](#) (Accessed on 25 June 2017).

<sup>149</sup> [ACWA Power](#) (Accessed on 25 June 2017).

<sup>150</sup> [AHK Morocco](#) (Accessed on 05 June 2017).

<sup>151</sup> [AHK Morocco](#) (Accessed on 21 June 2017).

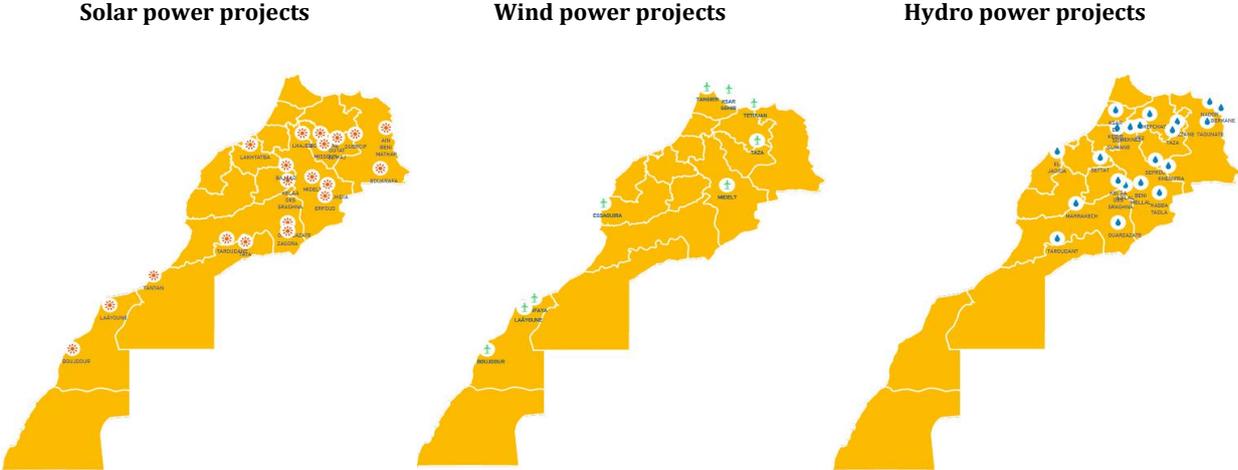
<sup>152</sup> [AHK Morocco](#) (Accessed on 21 June 2017).

<sup>153</sup> [Engie](#) (Accessed on 04 June 2017).

<sup>154</sup> [AHK Morocco](#) (Accessed on 05 June 2017).

350 MW pumped storage power station in Abdelmoumen.<sup>155</sup> In addition, several smaller hydro plants (100 MW) are planned (see Figure 14).<sup>156</sup>

**Figure 14: Morocco’s planned renewable energy (solar, wind, hydro power) projects**



Source: [MASEN](#) (Accessed on 15 October 2019).

Other than RES, and in an attempt to control energy demand, Morocco also accords high priority to the improvement of energy efficiency,<sup>157</sup> as highlighted in the national Energy Efficiency Action Plan which foresees the reduction of energy consumption by 12% before 2020 and by 20% by 2030, with notably the transport, industry and the construction<sup>158</sup> sectors affording great potential here.<sup>159</sup> In parallel to mobilising RES and energy efficiency, Morocco is turning its attention to conventional and unconventional fossil fuels, notably gas and coal, as well as to nuclear energy, aiming at diversifying both energy sources and suppliers and reducing its high dependence on gas imports from Algeria (MORATA and SANDOVAL, 2012:196).

**Oil:** whilst in the long-term, the share of oil in the country’s energy and electricity mixes is planned to be reduced,<sup>160</sup> for the moment, the Moroccan government continues exploiting its domestic oil reserves and as of December 2018, there were 12 energy companies active in Morocco’s conventional hydrocarbon sector,<sup>161</sup> with the majority of them being British. Of particular interest here are Morocco’s offshore basins which according to the Moroccan hydrocarbon entity ONHYM ‘remain one of the least explored’,<sup>162</sup> however, Morocco’s east is equally object to exploration activities. For example, in July 2018, British Sound Energy announced the discovery of important oil and gas deposits in the region of Tendrara close to the Algerian border.<sup>163</sup> Furthermore, the Moroccan government is interested in recovering unconventional resources such as oil shale, with the exploration of this type of energy having already been started in Tanger in 1939 when the Société des Schistes Bitumineux de Tanger was created. Following the discovery of the Timahdit and Tarfaya deposits (in addition to the Tanger

<sup>155</sup> [ONE](#) (Accessed on 25 June 2017).  
<sup>156</sup> [AHK Morocco](#) (Accessed on 22 June 2017).  
<sup>157</sup> [AHK Morocco](#) (Accessed on 21 June 2017).  
<sup>158</sup> See also Law n° 47-09. [AHK Morocco](#) (Accessed on 21 June 2017).  
<sup>159</sup> [AHK Morocco](#) (Accessed on 21 June 2017).  
<sup>160</sup> [AHK Morocco](#) (Accessed on 18 October 2018).  
<sup>161</sup> [ONHYM](#) (Accessed on 08 October 2018).  
<sup>162</sup> [ONHYM](#) (Accessed on 19 October 2018).  
<sup>163</sup> [H24](#) (Accessed on 21 October 2018).

deposit) in the late 1960s, exploration activities further intensified in the 1970s in the context of the global oil crisis.<sup>164</sup> Currently, there are 3 companies involved in oil shale exploration activities; one Moroccan (ZONATEC), one Irish (San Leon Energy) and one Emirati (TAQA) company.<sup>165</sup> Finally, the Moroccan government is equally active with regards to its oil downstream sector, aiming at elaborating a vision or a strategic plan for its modernisation. In this context, it is trying to optimise the distribution of its strategic oil stocks on a regional level by developing additional oil product storage possibilities.<sup>166</sup>

**Gas:** the share of gas in the country's electricity mix is planned to reach 31% (from currently 18%) under the roadmap for the implementation of the LNG Development Plan.<sup>167</sup> Moreover, and being considered a clean energy source, gas is planned to represent around 11% of the installed electricity capacity by 2020.<sup>168</sup> In this line, the 2025 gas strategy which was adopted in December 2014, requires for the installation of an additional 3 GW of combined-cycle capacity between 2021 and 2025,<sup>169</sup> representing an investment of around US\$ 4.6 billion.<sup>170</sup> Overall, the Moroccan gas strategy targets both conventional and unconventional gas, with the latter sought to be used in electricity generation (~70%) as well as for industry uses and it also seeks to develop the existing gas infrastructure. In this context, setting up an LNG terminal is planned at Jorf Lasfar by 2020, which is supposed to be connected by a pipeline passing by Mohammedia, Kénitra and Dhar Doum.<sup>171</sup> Government plans foresee the import of around 70-80% under long-term contracts (the rest will come from the spot market).<sup>172</sup> Apart from developing the existing gas infrastructure, the government also plans to develop the existing electricity infrastructure as will be shown throughout this dissertation.

**Coal:** its share in the electricity mix is planned to be gradually reduced down to 44% by 2025,<sup>173</sup> it is still thought to make up for around 26% of the country's installed electricity capacity in 2020.<sup>174</sup> As this suggests, the government foresees a role for coal in the future and there are currently more than 200 mine sites active in the country (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:11). Jorf Lasfar (700 MW) and Mohammedia, two of the country's largest power plants, are coal-fired and the Moroccan electricity provider ONEE is currently involved in the construction of four other important coal-powered plants: Safi coal power plant (1386 MW), extension of the Jerada thermal power plant (318 MW), extension of the Dakhla diesel power plant (16.5 MW) and extension of the Laayoune diesel power plant (72 MW).<sup>175</sup> By far the biggest project is the Safi coal power plant which will be composed of two units of 693 MW each. Safi is being realised in cooperation with the private sector (Engie and Mitsui) and came online at the end of 2018.

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<sup>164</sup> [ONHYM](#) (Accessed on 27 October 2018).

<sup>165</sup> [ONHYM](#) (Accessed on 08 October 2018).

<sup>166</sup> [MEM](#) (Accessed on 22 June 2017).

<sup>167</sup> [MEM](#) (Accessed on 18 October 2018).

<sup>168</sup> [AHK Morocco](#) (Accessed on 17 October 2018).

<sup>169</sup> And around 4.8 GW between 2016 and 2030. [MEM](#) (Accessed on 22 June 2017).

<sup>170</sup> [AHK Morocco](#) (Accessed on 22 June 2017).

<sup>171</sup> [MEM](#) (Accessed on 20 May 2017).

<sup>172</sup> SAADI Dania (06 October 2015), Morocco to choose LNG providers amid energy diversification, [The National](#) (Accessed on 21 October 2018).

<sup>173</sup> [MEM](#) (Accessed on 18 October 2018).

<sup>174</sup> [AHK Morocco](#) (Accessed on 17 October 2018).

<sup>175</sup> Spanish Embassy to Morocco.

**Nuclear:** finally, in addition to renewables and fossil fuels, Morocco is also seeking to develop nuclear energy with the aim of constructing a first nuclear centre by 2030.<sup>176</sup> Morocco's nuclear ambitions date back to the early 1980s, when French and Russian geologists first carried out nuclear studies in the country. According to these studies, Morocco disposes of vast resources of uranium, notably unconventional uranium, i.e. uranium to be recovered from phosphoric acid.<sup>177</sup> Hence, since 2000, Morocco disposes of a Nuclear Research Centre, the Centre of Maamora (CENM), located 22 km to the northeast of Rabat where in 2005 the country's first research reactor (2 MW) was built in cooperation with the US and France. The reactor was built by US General Atomics which also accounted for around a third of its financing. By contrast, parts of the CENM's infrastructure were built by French Technicatome and SPIE Batignolles.<sup>178</sup>

### 4.3 Energy relations

As stated in the initial problem of this dissertation, a shift in traditional policy cooperation patterns has been observed in the southern Mediterranean in recent years, mirroring deep geopolitical change in the region. This shift is not driven by one source alone but by various actors. On the EU-side, apart from the traditionally active southern EU member states France, Italy and Spain, some of the northern member states are equally showing growing interest. Whereas on the non-EU side, actors like the US, Russia, China or the Gulf states seem to be increasingly present as well, considering the region amongst other things as a stepping stone to engage in other parts of Africa. For example, even though the largest share of Foreign Direct Investment (FDI) into North Africa's energy sectors is still being made by multinational enterprises from European countries such as France, a lot of formerly active European investors have been divesting from the region (see Total in Algeria)<sup>179</sup> while FDI from Asia (Japan) and the Middle East (UAE) is increasing. Finally, the region itself is changing with its countries having begun to demonstrate a strong appetite for developing their own networks of international relations and partners. Or as Balfour (2012:8) observes, *'the EU and the US are no longer the privileged interlocutors of the southern Mediterranean countries'*. According to Fernandez-Molina (2014:3), this can only be partly attributed to the Arab Spring as in her opinion, the *'external behavior'* of the Arab states remains largely *'unchanged'*. However, and as will become clear in the following, it cannot be denied that the Arab uprising had a certain impact on the foreign policy decisions of the Arab leaders.

In any case, the Maghreb countries' opening-up towards new partners is a process that not only encompasses foreign affairs but also energy policies. Indeed, in a context of both growing energy and electricity demand, diversification of suppliers and routes constitutes an important aspect in these countries' policies. This can best be seen in the example of Algeria which, in order to adapt to its current energy supply situation<sup>180</sup> and to reduce its high dependence on the European market, is actively seeking to diversify its export options, for example, through expanding its LNG sales towards Asia (SARTORI, 2014:9-10).<sup>181</sup> Morocco is no exception to this opening-up. On

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<sup>176</sup> (01 March 2016), Morocco Seeks to Have Nuclear Power Capacity by 2030, [Morocco World News](#) (Accessed on 21 October 2018).

<sup>177</sup> [World Nuclear Association, IAEA](#) (Accessed on 25 June 2017).

<sup>178</sup> [L'économiste](#) (Accessed on 25 June 2017).

<sup>179</sup> [Santander Algeria](#) (Accessed on 21 October 2018); [Santander Egypt](#) (Accessed on 21 October 2018); [Santander Morocco](#) (Accessed on 21 October 2018); [Unctad World Investment Report 2018](#) (Accessed on 21 October 2018).

<sup>180</sup> Algeria was heavily impacted by the fall of the oil price, forcing the country to rethink its national energy strategy.

<sup>181</sup> In this context, the focus has notably been on China which, in view of its own growing population, has been reaching out towards Algeria as a future hydrocarbon supplier.

the contrary, it has been shown that the country's national energy strategy clearly foresees the diversification of fuel origins. In this context, and to diversify its energy relations, Morocco has several instruments at its disposal, ranging from agreements and conventions to partnerships covering public-public, public-private and private-private cooperation dimensions. As this will without doubt have an impact on its energy partnership with the EU, an overview or panorama of Morocco's most relevant (due to the limited scope) energy relations with third states will be presented in the following, whereby the author will not only focus on government policies, but also shed light on the interests and activities of non-state actors, i.e. of the private sector. Hereby, and given that foreign and energy policies are closely intertwined, particular consideration will be given to the conflict in the Sahara, a sparsely-populated desert region and disputed territory situated in Morocco's south. Indeed, and as will be elaborated more in detail later, the Sahara issue – and ongoing conflict opposing Morocco to the so-called Polisario Front, an Algerian backed independence movement laying claims to the Sahara<sup>182</sup> – is not only strongly linked to Morocco's foreign affairs but also an important factor in the country's external energy relations.

### United States

Whilst North Africa is a strategic crossroads between Europe, Africa and the Middle East, this location has, as stated by Hemmer (2007), '*proven to be a double-edged sword with regard to American foreign policy*' in the past as this has also meant that the region has often been of only secondary interest to the US and it is in this context that one can explain the US's absence in or further withdrawal from the region following the outbreak of the Arab Spring.<sup>183</sup> However, and contrary to what this may suggest, the US's withdrawal does not mean that America does not continue to have significant influence and leverage in the region (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:100), a context in which Morocco is considered to be the '*closest ally*' (HEMMER, 2007). In fact, having been the first country to recognise the US's independence from Great Britain in 1786 (Treaty of Friendship)<sup>184</sup>, Morocco was naturally also one of the first countries to establish diplomatic relations with the newly-born country and political and economic ties have been strong ever since. Nowadays, both states see each other as friends and allies and whilst the alliance with the US is a key priority area of Morocco's foreign policy (FERNANDEZ-MOLINA, 2014:4-5), the US's Congressional Research Service (CRS) notes: '*U.S. officials view Morocco as a moderate Arab ally, welcome supporter of the global war against terrorism, constructive player in the Israeli Palestinian peace process, and leader in Arab efforts to reform and democratize*'.<sup>185</sup> Against this background, the US have been a valuable provider of both military and economic development assistance and Morocco is part of the '*War on Terror*'<sup>186</sup> (HEMMER, 2007) and also became a NATO non-member ally (ZOUBIR, 2014:241, 245). Although in this context, the US have certainly contributed to Morocco preserving its

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<sup>182</sup> Whilst the Sahara is largely referred to as either Moroccan (by the Moroccan government) or Western (by the UN) Sahara, for neutrality reasons, the author of this dissertation will hereinafter refer to the territory as Moroccan/Western Sahara or simply Sahara.

<sup>183</sup> Other reasons like a Middle East '*fatigue*' of course also played a role (COLOMBO, COATES-ULRICHSEN, GHABRA, HAMID and RAGAB, 2012:34).

<sup>184</sup> The 1786 Treaty of Friendship between the two countries has been in effect without interruption (it was renegotiated in 1836).

<sup>185</sup> CRS (Accessed on 23 May 2017).

<sup>186</sup> Simplified, the '*War on Terror*' or '*War on Terrorism*' describes '*the American-led global counterterrorism campaign launched in response to the terrorist attacks of September 11, 2001*'. It was a '*multidimensional campaign*', entailing amongst other things the wars in Afghanistan and Iraq, as well as comprehensive military-assistance programmes. [Britannica](#) (Accessed on 13 August 2019).

military dominance over the Sahara, the country's real role or position regarding the issue is however ambiguous and subject to controversy (KEENAN, 2013:300).

On the one hand, having feared any influence of the Soviet Union in the region during the Cold War (AL-MANAR SLIMI, 2009; ZOUBIR, 2014:239),<sup>187</sup> the US have traditionally sided with Morocco and not the Polisario and have for example played a vital role in the negotiations leading to the signature of the Madrid Accords leading to Spain's withdrawal from the Sahara (AL-MANAR SLIMI, 2009). This was more than a barter deal, as the US were also convinced that a united Morocco would promote greater regional integration (HEMMER, 2007).<sup>188</sup> On the other hand, over the years, the US have taken a more neutral stance in the conflict and from 1977 onwards, have refrained from giving any political support (AL-MANAR SLIMI, 2009) and this even when, as noted by Hemmer (2007), former Secretary of State James Baker was the official UN envoy on the issue in the early 2000s. The rationale behind this is to '*keep Morocco as a geostrategic ally without harming its economic interests in Algeria*' (AL-MANAR SLIMI, 2009).<sup>189</sup> In this line, the US refuse to explicitly recognise Morocco's sovereignty over the Sahara and keep insisting on the idea of holding a referendum in the region (RUBIN, 2015).<sup>190</sup> Whilst this suggests that the US's support is not necessarily unconditional, they do support Morocco's autonomy plan though, considering it '*serious, realistic, credible*'<sup>191</sup> and are overall one of Morocco's most important partners or allies in the Sahara conflict (AL-MANAR SLIMI, 2009), but also in general. For example, in 2004, both countries signed a Free Trade Agreement that entered into force in 2006 and was complemented in 2012 with the launch of a Strategic Dialogue on political, economic, security, and educational and cultural affairs.<sup>192</sup> However, whilst the US undeniably continue to be an important import partner to Morocco accounting for around 5.1% of its total imports in 2017,<sup>193</sup> they were surpassed by China in 2014 and also largely lag behind Europe, notably Spain and France. Similarly, with regards to energy, it must be noted though that relations are, compared with the US's links with Libya and Algeria,<sup>194</sup> much less pronounced.

Indeed, so far, energy has only played a tangential role in the US's investments into Morocco.<sup>195</sup> Nonetheless, Morocco imports refined petroleum, petroleum gas, petroleum coke, sulphur and coal briquettes from the US and in 2017, the US had a share of 20% in Morocco's total refined petroleum imports, making it the second most important import origin of these products after Spain. Political energy cooperation was initially very much concentrated on clean energies

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<sup>187</sup> Subsequently, Morocco became an integral part of Western alliances as of the 1950s and started to play an important proxy role in their fight against communism. In this line, it started defending US interests on many fronts, starting with the Gulf War in 1991, and the Bosnia War in 1992. In exchange, it was granted US support in the Sahara cause and the US, together with France helped for example funding the Sahara Wall (ZOUBIR, 2007:158; KEENAN, 2013:287; ABOURABI, 2015:589).

<sup>188</sup> [CRS](#) (Accessed on 23 May 2017).

<sup>189</sup> Algeria has been an important investment market for the US for a long time and in the early 2000s, both countries intensified their cooperation, notably on the War on Terror, as well as on energy (AL-MANAR SLIMI, 2009; FERNANDEZ-MOLINA, 2015:84).

<sup>190</sup> Considering the Sahara issue a '*matter for the United Nations to address*' (AL-MANAR SLIMI, 2009), in 2013, the Obama government made the proposal to expand UN monitoring of human rights in the Sahara and in April 2016, it was at the head of resolution n° 2285 to renew the mandate of the UN peace mission MINURSO. BENNIS Samir (12 May 2016), Why Morocco is Disappointed With the US Position on Western Sahara, [Morocco World News](#) (Accessed on 21 October 2018).

<sup>191</sup> [Autonomy Plan](#) (Accessed on 21 October 2018); (19 March 2016), U.S. supports Moroccan autonomy plan for Western Sahara, [Reuters](#) (Accessed on 01 August 2018).

<sup>192</sup> Shared interests are for example: security & the fight against terrorism, free trade, Arab-Israeli peace, religious freedom etc. [Moroccan American Center for Policy](#) (Accessed on 25 May 2017).

<sup>193</sup> [OEC](#) (Accessed on 23 May 2017).

<sup>194</sup> The US, via the private sector, is strongly involved in both the Libyan and Algerian energy markets and its main investment area in Algeria is in energy. For example, American energy company Anadarko is the largest foreign oil producer in Algeria, having discovered numerous hydrocarbon fields between 1990 and 1994, including for example the Hassi-Berkine or Ourhoud (HEMMER, 2007); [Anadarko](#) (Accessed on 01 August 2018).

<sup>195</sup> [MCINET](#) (Accessed on 30 July 2018).

though, with both countries having signed an agreement on training, investment and technical cooperation in the fields of renewables in 2002,<sup>196</sup> followed in 2004 by the signature of a joint statement on environmental cooperation.<sup>197</sup> In the same spirit, the US supported the construction of the nuclear research reactor at the Maamora centre in 2005.<sup>198</sup> However, with the US' discoveries of shale gas in the mid-2000's, this focused has shifted and since 2014, both countries have been seeking to explore ways to strengthen cooperation in shale gas,<sup>199</sup> a context in which LNG has also increasingly gained in importance,<sup>200</sup> with Morocco showing interest in importing this form of natural gas from the US. For example, in October 2015, a Memorandum of Understanding (MoU) with Cheniere Energy, a US energy company primarily engaged in LNG, was signed. Overall, at the industry level, US companies have primarily focused on fossil fuels, disregarding the political situation in the Sahara. For example, in 2001, US oil major Kerr McGee signed an offshore oil reconnaissance contract with Morocco (KEENAN, 2013:291),<sup>201</sup> and primarily active in Morocco's offshore oil and gas sector, energy player Kosmos Energy used to hold two licenses each in the Essaouira (75% interest) and the Boujdour blocks (55% interest), with the latter being located in the Sahara.<sup>202</sup> By contrast, the only major US company active in the renewables sector is General Electric (GE) which has been present in Morocco for around 25 years, supplying for example wind turbines to Morocco's Energie Eolienne du Maroc (EEM).<sup>203</sup> Apart from GE, in 2000, Enercop installed a solar panel facility in the region of Casablanca.<sup>204</sup>

## Russia

Whilst diplomatic relations between Morocco and Russia were already established back in 1958,<sup>205</sup> it was only in 2002 and with the signature of a declaration on a strategic partnership that the countries' political and economic rapprochement began to intensify. For example, after Russian president Vladimir Putin visited Morocco in 2006, several agreements were signed and a Russian-Moroccan Business Council was created.<sup>206</sup> One reason for this rather late re-warming of relations is the fact that originally, Algeria used to be Russia's traditional partner in the Mediterranean region.<sup>207</sup> However, following several points of disagreement, and taking into account current geopolitical developments, Russia has increasingly turned its geostrategic focus towards Morocco. Its primary interest here lies in the country's access to the Atlantic, as well as

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<sup>196</sup> [Moroccan Ministry of Foreign Affairs and Cooperation](#) (Accessed on 25 June 2017).

<sup>197</sup> [US Department of State](#) (Accessed on 26 May 2017).

<sup>198</sup> [Nuclear Engineering](#) (Accessed on 17 October 2019).

<sup>199</sup> [MEM](#) (Accessed on 26 May 2017).

<sup>200</sup> [MEM](#) (Accessed on 08 July 2017); [Moroccan Ministry of Foreign Affairs and Cooperation](#) (Accessed on 25 June 2017); [Moroccan Energy Federation](#) (Accessed on 26 May 2017).

<sup>201</sup> WATKINS Eric (25 October 2018), Kerr-McGee to continue work off Morocco, [QGI](#) (Accessed on 06 October 2018).

<sup>202</sup> Kosmos Energy withdrew from Cap Boujdour in February 2018, stating that it would concentrate on new activities in West Africa. Apart from Kosmos Energy, American companies having been active in Morocco's conventional energy sector were or have been: Heyco, Enercorp and Lone Star Energy. [Kosmos Energy](#) (Accessed on 25 May 2017); KASRAOUI Safaa (08 February 2018), Kosmos and Capricorn to withdraw from southern Morocco, [Morocoworldnews](#) (Accessed on 13 August 2019); [Moroccan Ministry of Foreign Affairs and Cooperation](#) (Accessed on 25 June 2017).

<sup>203</sup> Other US players active in Morocco's power sectors are for example Eaton. [GE](#) (Accessed on 25 May 2017); [Eaton](#) (Accessed on 25 May 2017).

<sup>204</sup> [Moroccan Ministry of Foreign Affairs and Cooperation](#) (Accessed on 25 June 2017)

<sup>205</sup> Trade relations were first established in the 18th century and the first General Consulate of the Russian Empire was established in Tangier in 1897. Russia's interest in Morocco was primarily based on the desire to exercise some influence in the Arab world taking into account the European alliances and deals at that time. Whilst relations were interrupted following WWI and its aftermaths, in 1956, the USSR was the first country to recognise the Maghreb country's independence. [Moroccan Embassy to Russia](#) (Accessed on 21 May 2017).

<sup>206</sup> Also, Mohammed VI visited Russia in March 2016. Moroccan Government.

<sup>207</sup> Algeria and Russia share the same socialist past, while in Morocco the Communist party was forbidden in 1961 (it only reemerged as the Party of Progress and Socialism (PPS) in 1974) and the country was aligned with the US during the Cold War. [Moroccan Embassy to Russia](#) (Accessed on 21 May 2017).

its connections with Sub-Saharan Africa (STRUYE DE SWIELANDE, 2013:152). In this context, although advocating a political solution negotiated within the UN framework (SEDDIKI, AZIRAR, ELHOUDAIGUI, TAOUIL and HANCHANE, 2012:64), it has also increased its support with respect to the Sahara question.<sup>208</sup> On the economic front, Morocco is Russia's second most important commercial partner in Africa and the Arab world after Egypt, but trade exchanges are weak and hardly diversified,<sup>209</sup> which is reflected in Russian FDI into Morocco (SEDDIKI, AZIRAR, ELHOUDAIGUI, TAOUIL and HANCHANE, 2012:67). However, cooperation is at a turning point and whilst in the past, cooperation agreements had mainly concentrated on trade in general, in recent years, both countries decided to make agriculture, tourism and energy the strategic main focus of their bilateral relations (phosphate may be another) (SEDDIKI, AZIRAR, ELHOUDAIGUI, TAOUIL and HANCHANE, 2012:68). As regards energy, this seems logical as in the past, Russia has already been an important supplier of oil and coal to Morocco, a context in which, in October 2017, both countries signed an MoU on energy cooperation.<sup>210</sup> The prime aspects here are fossil fuels, allowing Morocco to import natural gas in the form of LNG from Russia. In fact, Morocco is not only highly interested in a transfer of know-how in the fields of LNG but also of shale oil and gas, oil prospection etc. Also, in October 2019, Moroccan company Mya Energy signed an agreement with Russian VEB bank for the financing and construction of a new 200,000 b/d refinery.<sup>211</sup> Another opportunity for cooperation apart from fossil fuels is nuclear power. Whilst no definite plans been made, both countries have however demonstrated their interest in such collaboration<sup>212</sup> and Russian Rosatom has been actively pursuing deals with Morocco.<sup>213</sup> In this line, the Russian nuclear agency took part in the COP22, for example.<sup>214</sup> Finally, renewable energy may also be a point of common interest and in the past, the Soviet Union/Russia, were involved in several renewable energy-related projects in Morocco, such as the hydroelectric power plants Jerada (1971), Al Mansour Dhabhi (1972) or Moulay Youssef (1974).<sup>215</sup>

## Asia

Apart from the US and Russia, Asia plays an important role in Morocco's foreign policy approach and strengthening ties with both big (China, Japan, India and South Korea) and small (Malaysia, Brunei etc...) countries matters equally. Important platforms in this context are for example the Asia Cooperation Dialogue (ACD),<sup>216</sup> the New Asian-African Strategic Partnership (NAASP) and the Association of Southeast Asian Nations (ASEAN)<sup>217</sup> to which Morocco submitted its candidacy to become a sectoral dialogue partner in 2018,<sup>218</sup> or the Asia-Middle East Dialogue (AMED). As far as the economic level is concerned, trade relations are excellent, with the Asian

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<sup>208</sup> For example, during King Mohammed V's visit to Moscow in March 2016, both countries declared officially that they would not 'support any temptation to accelerate or haste the political process, nor any violation of the parameters defined in the Security Council resolutions.' However, at the same time, Russia supports the right of self-determination. (15 March 2016), Russia supports Morocco's position on the Western Sahara, [Morocco World News](#) (Accessed on 07 April 2019); LUGAN, Bernard (2017), [Liberté Politique](#) (Accessed on 21 May 2017).

<sup>209</sup> [Moroccan Embassy to Russia](#) (Accessed on 21 May 2017).

<sup>210</sup> [MEM](#) (Accessed on 21 October 2018).

<sup>211</sup> (24 October 2019), Maroc-Russie: Accord pour la construction d'un complexe pétrochimique au nord du Maroc, [LesEco](#) (Accessed on 29 October 2019).

<sup>212</sup> [World Nuclear Association](#) (Accessed on 21 May 2017).

<sup>213</sup> [World Nuclear Association](#) (Accessed on 21 May 2017).

<sup>214</sup> [Rosatom](#) (Accessed on 21 May 2017).

<sup>215</sup> Moroccan Government.

<sup>216</sup> [ACD](#) (Accessed on 04 October 2018).

<sup>217</sup> [ASEAN](#) (Accessed on 04 October 2018).

<sup>218</sup> (14 February 2018), Morocco Wants to Become ASEAN Sectoral Dialogue Partner, [The North Africa Post](#) (Accessed on 04 October 2018).

continent accounting for around 14% of Morocco's exports, and around 16% of its imports.<sup>219</sup> Most important countries in this context are China and Japan.

Whilst early contacts with **China** were already established in the 15<sup>th</sup> century – the great Moroccan traveller Ibn Battuta first arrived in China in 1446 – diplomatic relations between Morocco and China have existed since 1958 when Morocco was the second African country to recognise China's independence.<sup>220</sup> Ever since, and based on the principle of South-South cooperation,<sup>221</sup> Sino-Moroccan relations have remained untroubled,<sup>222</sup> a stability that can be best explained by the fact that both countries are politically aligned, with one important aspect here being their common understanding of the notions of sovereignty, territorial integrity and non-interventionism. In fact, until today and despite its close ties with Algeria, China by not recognising the SADR, has adopted a rather neutral stance on the Sahara question, making the Asian country therefore an important ally in the UN Security Council.<sup>223</sup> In return, Morocco has stuck to the 'One-China Policy', i.e. has remained neutral regarding the Taiwan, Tibet or Xinjiang issues (SHINN and EISENMAN, 2012:236; ABOURABI, 2015:598).<sup>224</sup> In this context, the respective visits of King Mohammed VI and President Hu Jintao in Beijing and Rabat in 2005 and 2006<sup>225</sup> marked the beginning of a process of a diplomatic rapprochement between Morocco and China (SHINN and EISENMAN, 2012:236) and ties further intensified following a high-level visit of King Mohammed VI to President Xi Jinping in Beijing in May 2016, leading to the establishment of a Strategic Partnership and the signature of several agreements.<sup>226</sup> Driven both by economic<sup>227</sup> and geopolitical interests, China, through its '*One Belt, One Road*' initiative (OBOR),<sup>228</sup> aims to establish a trade route connecting it with Europe and Africa, a context in which Morocco has been seeking to place itself as a (Western) anchor point. And indeed, from a geostrategic perspective, the Maghreb country is of interest to China because of its harbour Tanger Med and because it may serve as an entrance point to the French-speaking parts of the continent,<sup>229</sup> as well as to the Middle East.<sup>230</sup> In line with this, trade has steadily increased in recent years and in 2017, China was Morocco's third biggest import partner after Spain and France, accounting for 8.4% of Morocco's total imports.<sup>231</sup> By contrast, exports to China only

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<sup>219</sup> OEC (Accessed on 18 October 2019).

<sup>220</sup> Chinese ambassador to Morocco.

<sup>221</sup> Both Morocco and China had experienced colonialism in their past and were classified as developing countries. Further, it was for example through Morocco that China supported Algeria's war of independence. Chinese ambassador to Morocco.

<sup>222</sup> and this despite Morocco's already mentioned anti-communist political direction during the Cold War.

<sup>223</sup> For example, on April 29, 2016, China abstained from any vote on UN resolution 2285 renewing the UN MINURSO mandate. (15 March 2016), Russia supports Morocco's position on the Western Sahara, [Morocco World News](#) (Accessed on 07 April 2019).

<sup>224</sup> However, given its close ties with Algeria, as well as with countries that support Algeria in the Sahara question (such as Angola, Nigeria and South Africa), China's future treatment with the Sahara question remains open. BENNIS Samir (19 May 2016), The Morocco-China partnership and its impact on Western Sahara, [Al Araby](#) (Accessed on 23 October 2018).

<sup>225</sup> Moroccan Government.

<sup>226</sup> [All Africa](#) (Accessed on 30 April 2017).

<sup>227</sup> With its GDP growth having slowed down in recent years, China has started to increasingly search for investment opportunities abroad (JOHNSTON, 2016).

<sup>228</sup> The '*One Belt, One Road*' (OBOR) initiative, which was first developed in 2013, refers to the idea of reestablishing China's ancient Silk Road by adapting it to the economic conditions of the 21<sup>st</sup> century, thus combining the establishment of a land route with the establishment of a maritime route. In this spirit, apart from trade and commerce, plans include infrastructure, development and financing policies (JOHNSTON, 2016).

<sup>229</sup> Traditionally, Algeria used to play this role, however, in recent years, China has started to extend its policy of economic opening-up towards other Maghreb countries. In fact, since both countries have experienced socialism, they share sort of the same past and have been bound to each other by strong military ties – indeed, China, together with Russia, is Algeria's most important arms supplier. Furthermore, both countries cooperate in the areas security (terrorism), economy (industry, tourism) and trade and the 2000s have equally seen a rapprochement concerning energy issues, with energy relations having grown slowly, but surely.

<sup>230</sup> See Morocco's close ties with the Gulf Cooperation Council (GCC), with their members being important energy suppliers to China. BENNIS Samir (19 May 2016), The Morocco-China partnership and its impact on Western Sahara, [Al Araby](#) (Accessed on 23 October 2018).

<sup>231</sup> OEC (Accessed on 29 April 2017).

accounted for 2.5% of Morocco's overall exports.<sup>232</sup> However, whilst China's role as an investor in Morocco remains modest and in 2018, the country only ranked 26<sup>th</sup> in terms of FDI,<sup>233</sup> the Moroccan market has become increasingly attractive to Small and Medium-sized Enterprises (SMEs), of which there are currently around 30 present in the infrastructure, industrial, plastics, fishing or automotive sectors.<sup>234</sup> With respect to energy, the two countries share similar issues; above all their high dependence on imports. In November 2014, they signed an MoU on energy<sup>235</sup> which was complemented in May 2016 with the signature of a cooperation agreement, under which China primarily intends to invest in solar energy. Agreements include, for example, the construction of a production unit for photovoltaic cells,<sup>236</sup> as well as for solar water-heaters.<sup>237</sup> In this line, in November 2016, MASEN chose China's Chint Group Corp Ltd. (next to Saudi Arabia's Acwa Power International) to design, construct and operate NOOR IV, NOOR Laayoune and NOOR Boujdour.<sup>238</sup> In addition to renewables, China is also interested in fossil fuels with for example ONEE having received a loan of around US\$ 300 million from China's Exim Bank to finance a coal-fired power plant in Jerada (318 MW) in 2014. Construction of the plant was carried out by China's Sepco and in May 2016, both ONEE and Sepco signed an agreement to study the possibility of extending Jerada.<sup>239</sup> Finally, China's plans to export nuclear energy in the context of the OBOR initiative might also play a role in Morocco approaching the Asian country which is able to provide both financial and technological support in this regard. And indeed, both countries have already carried out a pre-project study for the construction of a 10 MW reactor at Tan-Tan, which is supposed to provide power for a desalination plant.<sup>240</sup>

Bilateral relations between Morocco and **Japan** are overall good and the Asian country is an important partner with regard to the Sahara issue and does not recognise the SADR.<sup>241</sup> Relations were first established in 1956, and from then on, Japan has played an important role with respect to development aid and was the 8<sup>th</sup> biggest donor of Official Development Assistance (ODA), before the US and Spain in 2015.<sup>242</sup> In this line, it has been notably present in Morocco via its development agency, the Japan International Cooperation Agency (JICA) with which Moroccan Agency for International Cooperation (AMCI) had signed an MoU in 2013. The purpose of JICA is not only to transfer ODA, but also to identify business opportunities for Japanese investors and reinforce economic bilateral ties. In 2015, Morocco accounted for 18.4% of JICA's programmes in the Middle East, being the most important North African country in this regard.<sup>243</sup> Whilst the commercial exchange between these two countries is relatively weak compared to others – in 2017, Japan accounted for only 1.2% of Morocco's exports and for 3.8% of its imports –<sup>244</sup> and barely diversified,<sup>245</sup> Japanese FDI into Morocco has been steadily

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<sup>232</sup> [OEC](#) (Accessed on 29 April 2017).

<sup>233</sup> Preliminary data. [Moroccan Exchange Office](#) (Accessed on 12 April 2019).

<sup>234</sup> YACOUBA BARMA (23 March 2017), Chine-Afrique: le Maroc désormais au cœur de la «route de la soie», [La Tribune](#) (Accessed on 27 April 2017); (31 March 2018), Jing Ning: Le Maroc a un marché haut de gamme qui peut accueillir les industries chinoises, [Le1](#) (Accessed on 13 April 2019); FAIVRE Agnès (27 March 2018), Thierry Pairault: 'La présence des Chinois en Afrique n'est pas une présence d'investissement', [Le Point](#) (Accessed on 13 April 2019).

<sup>235</sup> Moroccan Government.

<sup>236</sup> Signatory parties: SIE, Jet Contractor and Attijariwafa Bank (Morocco) and Hareon Solar (China). [The Moroccan Times](#) (Accessed on 29 April 2017).

<sup>237</sup> Signatory parties: SIE, Cap Holding and Attijariwafa Bank (Morocco) and Linuo Ritter (China). Linuo Ritter is an international subsidiary of Linuo Paradigma, a Sino-German joint venture. [The Moroccan Times](#) (Accessed on 29 April 2017).

<sup>238</sup> [Bloomberg](#) (Accessed on 29 April 2017).

<sup>239</sup> [The Moroccan Times](#) (Accessed on 29 April 2017).

<sup>240</sup> [World Nuclear Power](#) (Accessed on 30 April 2017).

<sup>241</sup> [Moroccan Ministry of Culture and Communication](#) (Accessed on 04 October 2018).

<sup>242</sup> [OECD](#) (Accessed on 02 May 2017).

<sup>243</sup> [JICA](#) (Accessed on 02 May 2017).

<sup>244</sup> [OEC](#) (Accessed on 29 April 2017).

increasing in recent years.<sup>246</sup> As both countries seek to reinforce their economic relations, with Japanese investors being primarily attracted by Morocco's automotive and energy sectors. For example, Japanese company Sumitomo announced plans to set up a pilot project on the construction of a CSP solar plant of 1 MW to be installed in Ouarzazate as part of the solar plant's R&D platform. The project, which will be carried out in cooperation with MASEN was launched in 2016 and Sumitomo plans to install another plant of 20 MW.<sup>247</sup> Apart from Sumitomo, Mitsui, one of the world biggest energy companies in the world, has been present in Morocco since 1961. In 2014, Mitsui completed the construction of the Jorf Lasfar power plant (700 MW, together with South Korean construction company Daewoo)<sup>248</sup> and, together with French Engie, is involved in the construction of the Safi coal-fired power plant (1386 MW)<sup>249</sup> and the Taza wind farm (150 MW). Mitsui is also interested in exploring possibilities of investments regarding LNG (and is highly encouraged by Morocco in this regard).<sup>250</sup> By contrast, intergovernmental energy cooperation has mainly focused on electricity, especially 'green' power. For example, the Japanese government made a donation of US\$ 7.4 million for the installation of the Assa-Zag photovoltaic power plant (800 Kw) in 2010.<sup>251</sup> This was followed by a donation for 170 electric cars in 2013 which was extended by another 60 to 70 cars in 2017.<sup>252</sup> While JICA has not yet been active specifically in the energy sector, it has supported several projects in the environment and water sectors.<sup>253</sup> Moreover, the Japan Bank for International Cooperation acted as lender for the Safi project.<sup>254</sup>

## Middle East

*'Facilitated by religious, cultural, and linguistic links'* (COLOMBO, COATES-ULRICHSEN, GHABRA, HAMID and RAGAB, 2012:III), relations between Morocco and the countries of the Middle East have traditionally been strong. Morocco has regularly called for a strengthening of joint Arab economic action<sup>255</sup> and joint Arab development initiatives in Africa<sup>256</sup> and its diplomacy is aligned with that of the League of Arab States (LAS), although slightly nuanced by a more pragmatic policy regarding Israel, the US and Europe (ABOURABI, 2015:286). Primarily based on personal ties (EL-KATIRI, 2016:187),<sup>257</sup> relations have been particularly strong with the Persian Gulf States, and Morocco has been one of the biggest profiteers of financial aid provided by the Gulf Corporation Council (GCC), an intergovernmental organisation composed of Bahrain, Kuwait, Qatar, Oman, Saudi Arabia and the United Arab Emirates (UAE). Its overarching aim being the maintenance of stability in the Arab world, following the outbreak of political unrest in the North African region in the context of the Arab Spring, the GCC has signalled its intention to leverage a broad financial basis to address or fight the causes of the uprisings (COLOMBO,

<sup>245</sup> at least as far Moroccan exports towards Japan are concerned; animal products account for almost 60%. [OEC](#) (Accessed on 29 April 2017).

<sup>246</sup> [Moroccan Exchange Office](#) (Accessed on 12 April 2019).

<sup>247</sup> [Sumitomo](#) (Accessed on 03 May 2017).

<sup>248</sup> Notably interested in the LNG, electricity and renewable sectors, Daewo itself has been considering the possibility of setting up a local representation in Morocco which would highly welcome such plans. [Mitsui](#) (Accessed on 02 May 2017); [MEM](#) (Accessed on 08 July 2017).

<sup>249</sup> [Mitsui](#) (Accessed on 02 May 2017).

<sup>250</sup> [MEM](#) (Accessed on 08 July 2017).

<sup>251</sup> Spanish Embassy to Morocco.

<sup>252</sup> (17 February 2017), Second don japonais de voitures à énergies propres au profit du Maroc, [H24](#) (Accessed on 24 October 2018).

<sup>253</sup> [JICA](#) (Accessed on 02 May 2017).

<sup>254</sup> [Mitsui](#) (Accessed on 02 May 2017).

<sup>255</sup> [Moroccan Ministry of Culture and Communication](#) (Accessed on 26 July 2018).

<sup>256</sup> [Morocco World News of 18 April 2017](#) (Accessed on 26 July 2018).

<sup>257</sup> Personal ties have particularly been strong between former Moroccan King Hassan II and the Gulf leaders. FERANDEZ-MOLINA (2014:5); BOUKHARS Anour (25 May 2011), Does Morocco Have a Place in the GCC?, [Carnegie](#) (Accessed on 24 October 2018).

COATES-ULRICHSEN, GHABRA, HAMID and RAGAB, 2012:IV) and to become increasingly involved in political affairs (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:102). In this context, the GCC invited Morocco and Jordan to apply for membership in 2011 and although Morocco rejected the offer,<sup>258</sup> it however included a deepening of Islamic or Arab cooperation as one of the main strategic directions in its new constitution of 2011 (Constitution 2011:Preamble).<sup>259</sup> Finally, in 2012, it accepted strategic alignment with the GCC (SROUR-GANDON, 2014:6).<sup>260</sup>

Coping with similar socio-economic challenges as the old monarchic regime in Morocco, notably the GCC member countries Qatar and Saudi Arabia have actively endeavoured to preserve the only Sunnite monarchy in the Maghreb region.<sup>261</sup> Important financial contributors in this context, not necessarily in direct aid terms, but as regards to loans, have been the Saudi Arabia-based Islamic Development Bank (ISDB),<sup>262</sup> the OPEC Fund for International Development (OFID),<sup>263</sup> as well as the Kuwait-based Arab Fund for Economic and Social Development (AFESD), although to a lesser extent.<sup>264</sup> Given these developments, Colombo, Coates-Ulrichsen, Ghabra, Hamid and Ragab (2012:34) note: *'Saudi Arabia is stepping well beyond its traditional sphere of influence and encroaching on what has traditionally been US (and European) territory'*. Paradoxically though, and despite this *'rediscovery'* of North Africa and the *'redirecting of investments'* to Morocco in the context of the Arab Spring (COLOMBO, COATES-ULRICHSEN, GHABRA, HAMID and RAGAB, 2012:IV, 10), the Gulf countries continue to occupy a low middle ranking as regards to trade with Morocco, reflecting the (still) low level of economic integration which certainly was one of the reasons for Morocco's decision to become strategically aligned to the GCC (SROUR-GANDON, 2014:6). Common areas of interest concern for example market integration and infrastructure development.<sup>265</sup> In this context, investment continues to be a key pillar of cooperation.<sup>266</sup> As far as energy is concerned, the Arab countries (which are among the worlds' most dominant actors in the oil and gas industry) have contributed to the development of the Moroccan energy sector with more than US\$ 3 billion under the ISDB. In fact, loans for the PERG programme have already amounted to US\$ 150 million, making up 15% of the

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<sup>258</sup> The reasons for Morocco deciding not to join the Gulf Corporation Council (GCC) were multiple, amongst which, for example, physical distance and cultural differences, as well as divergences in terms of economic profile. Another reason is political opposition, especially in view of the fact that the Gulf countries were *'politically at odds with the 'democratizing' image it [Morocco] intended to project to the international community'* (FERANDEZ-MOLINA, 2014:4). HAMDAN Sara (25 May 2011), Gulf Council Reaches Out to Morocco and Jordan, *The New York Times* (Accessed on 24 October 2018); BOUKHARS Anour (25 May 2011), Does Morocco Have a Place in the GCC?, *Carnegie* (Accessed on 24 October 2018).

<sup>259</sup> Indeed, whilst in the past, financial support has been primarily destined to Morocco's agricultural, economic and social sectors, its development, educational and cultural sectors have been increasingly targeted since 2011 (SROUR-GANDON, 2014:4; DUPRET, 2016:423; EL-KATIRI, 2016:195).

<sup>260</sup> The Gulf States had already invited Morocco and Jordan to join the Gulf Corporation Council (GCC) in 2011, however, Morocco refused to become a full member. Nevertheless, relations between both sides have grown stronger ever since, resulting in Morocco becoming a strategic partner in 2012 (DUPRET, 2016:423, EL-KATIRI, 2016:195); *Moroccan Ministry of Economy and Finance* (Accessed on 03 May 2017).

<sup>261</sup> Whilst in this context, they (notably Saudi Arabia) have gained a *'status of counter-revolutionary actor'*, in parallel, they have also shown great interest in pursuing or establishing political and economic cooperation with the new regimes put in place (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:102; COLOMBO, COATES-ULRICHSEN, GHABRA, HAMID and RAGAB, 2012:III).

<sup>262</sup> Since 1974, the Islamic Development Bank (ISDB) has provided Morocco with loans and other forms of financial support (such as trade financing or technical assistance) of around US\$ 6.6 billion (as of end 2016). *ISDB* (Accessed on 17 May 2017).

<sup>263</sup> Since 1977, the OPEC Fund for International Development (OFID) provided Morocco with loans of around US\$ 396 million (as of 28 May 2017). *OFID* (Accessed on 28 May 2017).

<sup>264</sup> Since 1974, the Arab Fund for Economic and Social Development (AFESD) has provided Morocco with loans and grants of more than US\$ 4.2 million. *AFESD* (Accessed on 17 May 2017) Further, in 2015, it was the fourth biggest donor of ODA, with US\$ 164 million. *OECD* (Accessed on 17 May 2017).

<sup>265</sup> *GCC* (Accessed on 09 May 2017).

<sup>266</sup> In fact, relations today are still primarily based on the idea of the Gulf Corporation Council (GCC) providing financial support in exchange of security assistance (EL-KATIRI, 2016:193-195).

programme's total costs.<sup>267</sup> Similarly, the AFESD and the OFID have provided loans totalling US\$ 227 and US\$ 172 million, respectively.<sup>268</sup> Their focus is hereby clearly on electricity-related projects.

**Saudi Arabia** has been one of Morocco's oldest friends and closest allies (not only in the Middle East, but also in general) and whilst relations were officially first established in 1957, in reality, they go far back into the 18<sup>th</sup> century<sup>269</sup> and ties are primarily based on the relationships between the political elites. Since the start of relations, one major focus has been on military and security cooperation and Morocco has regularly supported Saudi Arabia in related matters (EL-KATIRI, 2016:193-194), amongst other things, in exchange for Saudi support in the Sahara question (FERNANDEZ-MOLINA, 2014:8) – Saudi Arabia has been supporting Morocco in the Sahara question since the 1970s and does not recognise the SADR.<sup>270</sup> In this light, and although relations have recently become strained,<sup>271</sup> FDI from Saudi Arabia accounted for 2.5% in 2018,<sup>272</sup> and the country is one of Morocco's most important crude oil suppliers, having accounted in average for almost 50% of the country's total imports over the last 15 years. Apart from that, energy ties are overall close and the Gulf Kingdom has, just as the UEA, been an important supporter of Morocco's attempts to become more energy-independent by financially supporting the creation of the SIE. In this light, both partners have been seeking to explore ways of strengthening cooperation in the power and water sector (or the environment in general) for several years.<sup>273</sup> By far the most productive outcome of this cooperation has been the cooperation between MASEN and Saudi water and power company Acwa Power on Ouarzazate. Whilst the Acwa Power International consortium was already responsible for the construction of the first phase of Morocco's solar power plant (i.e. NOOR I),<sup>274</sup> it will also develop and operate NOOR IV together with the Chint Group. The project was signed in November 2016 at the COP22 in Marrakech and launched in April 2017.<sup>275</sup> Acwa Power, via its subsidiary UPC Renewables, also holds a stake in the 120 MW Khalladi Wind Farm.<sup>276</sup>

Just as Saudi Arabia, the **UAE** is an old friend and an important diplomatic ally to Morocco and a firm supporter in the Sahara question, advocating a UN-framed solution and supporting the Moroccan Autonomy Plan.<sup>277</sup> It is also an important economic partner, accounting for around 1.6% of the latter's total imports and for 0.6% of its total exports.<sup>278</sup> Although this appears to be little at first sight, notably in the global context, it must be noted that the UAE is Morocco's second most important Middle Eastern commercial partner (after Saudi Arabia), and the two countries' trade exchange is on an upward trend. Moreover, with 13.8% in 2018, FDI from the

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<sup>267</sup> Other projects included, for example, crude and product trade financing, also for the SAMIR refinery. [ISDB](#) (Accessed on 17 May 2017).

<sup>268</sup> [ISDB](#), [AFESD](#) and [OFID](#) (Accessed on 28 May 2017).

<sup>269</sup> ZAIREG Reda (21 March 2018), Le prince héritier d'Arabie saoudite, l'ami (très) susceptible du Maroc, [Middle East Eye](#) (Accessed on 26 October 2018).

<sup>270</sup> For example, it has been part of Saudi Arabia's coalition to fight the Islamic State (IS) and has supported the Gulf Kingdom in its military actions in Yemen (EL-KATIRI, 2016:193-195); ARBAOUI Larbi (09 March 2016), Saudi-Arabia to invest in Western Sahara, supports Morocco's sovereignty, [Morocco World News](#) (Accessed on 07 April 2019).

<sup>271</sup> over the so-called Gulf crisis – describing the event of 12 Arab or Muslim states, including Saudi Arabia and the UAE severing diplomatic relations with Qatar in June 2017, accusing the Emirate of state-sponsoring terrorism – in which Morocco decided to take a rather neutral stance and to serve as mediator. ENNASRI Nabil (26 June 2018), Mondial 2026: le Maroc à l'épreuve de la crise du Golfe, [Middle East Eye](#) (Accessed on 25 October 2018).

<sup>272</sup> Preliminary data. [Moroccan Exchange Office](#) (Accessed on 12 April 2019).

<sup>273</sup> [MEM](#) (Accessed on 09 May 2017).

<sup>274</sup> [Acwa Power](#) (Accessed on 16 May 2017).

<sup>275</sup> [Acwa Power](#) (Accessed on 16 May 2017).

<sup>276</sup> [Acwa Power](#) (Accessed on 16 May 2017).

<sup>277</sup> [Morocco](#) (Accessed on 06 December 2019).

<sup>278</sup> [OEC](#) (Accessed on 18 October 2019).

UAE into Morocco is extremely high,<sup>279</sup> with a lot of these investments being carried out via the Emirati Abu Dhabi Fund for Development (ADFD). Overall, since 1976, the ADFD has financed more than 80 projects worth AED 9 billion, with electricity and water accounting for 9.6% of the project portfolio. Projects concern for example rural electrification or the development of power plants<sup>280</sup> and overall, energy cooperation with the UAE which like Morocco is considered to be a clean energy pioneer, focuses almost exclusively on renewables. In this respect, the UAE basically operates through Masdar, a renewables-focused subsidiary of the state-owned Mubadala Company which has been bound to the Moroccan Ministry of Energy, Mines and Sustainable Development (MEM) by an MoU since 2013.<sup>281</sup> However, more recently, in 2014 and 2015, an expansion of the UAE's energy activities in the form of agreements between ONEE and MASDAR and between ONHYM and Mubadala Company regarding Morocco's hydrocarbon,<sup>282</sup> and electricity sectors have been observed. To be mentioned here, for example, is the Morocco Solar Home Systems (SHS) project, an initiative between ONEE and Masdar to provide 19,438 solar home systems in more than 1000 rural villages.<sup>283</sup> In 2015, the governments of both Morocco and the UAE, as well as ONEE and Masdar confirmed their wish to closely cooperate on renewables, whilst MASEN and Masdar agreed on an MoU in the fields of solar energy.<sup>284</sup>

Morocco and **Qatar** first established diplomatic relations in 1972 and whilst Emir Hamad bin Kahlifa al-Thani's seizure of power in 1995 was not met with enthusiasm by Hassan II (BOUM and PARK, 2016:214),<sup>285</sup> the relationship soon stabilised and has, with some exceptions,<sup>286</sup> largely remained untroubled ever since. With respect to the Sahara question, Qatar equally supports the Moroccan Autonomy Plan although it maintains close ties with Algeria. On the economic side, trade volumes are small. However, the two countries are constantly making efforts to increase their bilateral exchange through new forms of cooperation, for example, with regard to maritime transport and via the establishment of a shipping line between their respective ports.<sup>287</sup> In this context, over the years, Qatar has become one of Morocco's most important sources of FDI. In 2018, Qatari FDI into Morocco accounted for 6.3%, making this Gulf country the seventh biggest investor and the second biggest Arab investor after the UAE.<sup>288</sup> Also, and in order to fund infrastructure projects, the Qatari sovereign wealth fund and Morocco entered into a JV in 2011.<sup>289</sup> On the topic of energy, cooperation is, notably when compared to the UAE, less specific, with Qatar seeking to explore ways of strengthening cooperation in fossil fuels, renewables and water. In April 2016, the governments of both Morocco and Qatar signed an MoU on cooperation in oil, gas, renewables, electricity and energy efficiency.<sup>290</sup> Here, offshore exploration of hydrocarbons in particular is an area of interest to Qatar's national oil company Qatar Petroleum<sup>291</sup> and both countries have been exploring the possibilities of LNG exports

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<sup>279</sup> Preliminary data. [Moroccan Exchange Office](#) (Accessed on 12 April 2019).

<sup>280</sup> [ADFD](#) (Accessed on 25 October 2018).

<sup>281</sup> Moroccan Government.

<sup>282</sup> Mubdala (Accessed on 17 May 2017).

<sup>283</sup> [Masdar](#) (Accessed on 17 May 2017).

<sup>284</sup> Moroccan Government.

<sup>285</sup> mainly, because the seizure of power happened in in a coup against his own father.

<sup>286</sup> For example, in 2000, and in reaction to Qatar's vote for Germany to host the 2006 FIFA World Cup, Morocco recalled its ambassador to Doha.

<sup>287</sup> (13 March 2018), Qatar, Morocco to forge strategic partnership, [Gulf Times](#) (Accessed on 26 October 2018).

<sup>288</sup> Preliminary data. [Moroccan Exchange Office](#) (Accessed on 12 April 2019).

<sup>289</sup> [The Infrastructure Consortium for Africa](#) (Accessed on 26 October 2018).

<sup>290</sup> Moroccan Government.

<sup>291</sup> [ONHYM](#) (Accessed on 17 May 2017).

towards Morocco.<sup>292</sup> Finally, in 2015, Morocco also signed a Framework Cooperation Agreement on Renewables and Energy efficiency with **Kuwait**.<sup>293</sup>

## Africa

Based on shared geographical, historical (i.e. experience of colonisation), cultural (language) and religious (Islam) ties, Morocco's relationship with Africa or African countries has traditionally been strong and the promotion of African unity is deeply anchored in the Moroccan constitution.<sup>294</sup> In this light, Morocco was a founder of the African Unit (AU, formerly Organization of African Unity) back in 1963, however, withdrew in 1984 in response to the organisation's recognition of the Sahrawi Arab Democratic Republic (SADR) and the Sahara as an individual member state.<sup>295</sup> Nonetheless, and in the spirit of South-South cooperation, Morocco has remained strongly involved in African diplomacy, with its Africa policy having started to take a new direction with the enthronement of Mohammed VI (ABOURABI, 2015:595).<sup>296</sup> In this light, since 2013, Morocco has been exercising a policy of widening political influence, with Moroccan diplomats having geographically been particularly active in Western Sub-Saharan Africa (EL-KATIRI, 2015:1).<sup>297</sup> In January 2017, this new strategy cumulated in the Kingdom's request to rejoin the AU.<sup>298</sup> A condition for this is the organisation's revision of its position on the status of the Sahara.<sup>299</sup>

Whilst on a political level, Morocco has a diplomatic presence in 27 African countries,<sup>300</sup> on an economic level, the Kingdom has more than 500 bilateral economic agreements with over 40 countries,<sup>301</sup> a context in which private cooperation has, as mirrored in Moroccan FDI towards Sub-Saharan Africa, increasingly become relevant. After South Africa, Morocco is the second largest investor in Sub-Saharan Africa, with its FDI towards the region having accounted for around 28% of the Kingdom's total FDI in 2018.<sup>302</sup> A large part of this FDI went to Western Sub-Saharan Africa (Mali, Ivory Coast, Burkina Faso etc), making Morocco the first investor in this region,<sup>303</sup> whereby the energy sector is of increasing interest. Overall, or against this background, Morocco positions itself as a gateway to Africa, capitalising on the abovementioned connections and letting economic numbers speak for themselves. In 2017, Morocco's trade with the continent represented around 3% of its total import value and around 5% of its total export value<sup>304</sup> and whilst the Moroccan-African trade potential is far from being fully realised, its

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<sup>292</sup> [Bloomberg](#) (Accessed on 17 May 2017).

<sup>293</sup> EL MAJHAD Sara (05 February 2015), Maroc-Koweit: Nouvelle dynamique de coopération, [Le Maroc Aujourd'hui](#) (Accessed on 21 October 2018).

<sup>294</sup> Moroccan constitution 1996, Preamble; Moroccan constitution 2011, Preamble.

<sup>295</sup> [UN](#) (Accessed on 26 May 2017). The AU fully supports the Sahrawis right to self-determination.

<sup>296</sup> Under Mohammed VI's reign, Morocco joined the Community of Sahel-Saharan States (COMESA) in 2001 and has become a member of the Community of Sahel-Saharan States (CEN-SAD). [Moroccan Ministry of Economy and Finance](#) (Accessed on 26 May 2017).

<sup>297</sup> Policy themes of common interest are above all security – in fact, a lot of these countries are, like Morocco, transit countries for drugs and migrants – and religion. Credibility for this comes from King Mohammed VI himself who derives his legitimacy as the '*commander of the faithful*' from his family's direct lineage to the Prophet Muhammad (ABOURABI, 2015:596).

<sup>298</sup> 39 out of 54 countries voted for Morocco's readmission. KUWONU, Franck (December 2016-March 2017), Morocco flexed economic muscles and returned to the AU, [Africa Renewal](#) (Accessed on 26 May 2017).

<sup>299</sup> In fact, by re-entering the circle of African states, Morocco hopes, among other things, to build political support for its domestic causes, above all the Sahara question. However, the largest African economies, i.e. Nigeria and South Africa, both support Polisario. KUWONU, Franck (December 2016-March 2017), Morocco flexed economic muscles and returned to the AU, [Africa Renewal](#) (Accessed on 26 May 2017).

<sup>300</sup> [Moroccan Ministry of Foreign Affairs and International Cooperation](#) (Accessed on 02 October 2018).

<sup>301</sup> [AFDE](#) (Accessed on 03 October 2018).

<sup>302</sup> Moroccan Exchange Office.

<sup>303</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 26 May 2017).

<sup>304</sup> [OEC](#) (Accessed on 18 February 2019).

exploitation is a key priority of both Morocco and the African Development Bank (AFDB) of which Morocco is a member, and with a portfolio worth US\$ 2.5 billion as of 2016, it is one of their biggest 'clients'.<sup>305</sup> In this context, and having accounted for 38.7% of the portfolio in 2016, the energy sector clearly constitutes an area of priority and as laid down in the AFDB's Morocco Country Strategy, one of the pillars of intervention for the 2017-2021 period is the support of Morocco's green industrialisation,<sup>306</sup> notably through the development of renewables. Whilst in order to move forward its renewables agenda, Morocco regularly receives high-level loans, including for NOOR and various wind projects,<sup>307</sup> this assistance is not one-sided as Morocco also regularly provides development aid to other African countries.<sup>308</sup> Indeed, the Maghreb Kingdom notably supports its neighbours in their development efforts with respect to renewables, whereby aiming at exporting its energy model in order to prevent other African nations from energy and electricity supply cuts, it signed MoUs and cooperation agreements with Gabon (1999, 2010), Guinea-Bissau (2015), the Ivory Coast (1999), Mali (2014), Mauritania (2013) (with which a feasibility study for an electricity connection project is currently being carried out), Nigeria (2014), Tunisia (2009, 2012) and Senegal (2013, 2015).

Compared to its links with Sub-Saharan Africa, Morocco's links with the Maghreb countries are – despite strong historical, cultural, religious and linguistic ties – not very well-developed and the region is one of the least integrated regions in the world (BEHR, 2010:2). Leaving it unprepared for confronting the manifold and complex challenges of the 21<sup>st</sup> century such as climate change, it is partly against this lack that one can explain the political opening-up and the economic diversification of the region (ABOURABI, 2015:582). Indeed, although sharing some important economic complementarities, cross-border commerce or trade is rather limited<sup>309</sup> and overall, relations have, due to both structural and political factors (BEHR, 2010:2), '*swung between conflict and cooperation*' (WILLIS, 2014:265). In fact, dominated by the Moroccan-Algerian partnership, they have been negatively affected by lasting tensions over the Sahara conflict, with Brookings writing on this subject: '*the hostility and distrust between these two power houses, which together account for over two-thirds of the region's GDP and three-quarters of its population, has been so destructive that it has dragged the whole region into a vicious circle of collective suspicion, counterproductive rivalries, and self-defeating policies*'.<sup>310</sup> The consequences are disastrous, including apart from a vicious arms race,<sup>311</sup> a lack of political and economic integration (ZOUBIR, 2007:159; ABOURABI, 2015:576-577). Here, the best example by far is the Arab Maghreb Union (AMU), an intergovernmental organisation created by Morocco, Algeria, Tunisia, Libya and Mauritania in 1989 (WORRALL, 2017:145) with the aim of formulating a common approach in diverse policy areas,<sup>312</sup> including energy (WORRALL, 2017:148). Yet,

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<sup>305</sup> [AFDB](#) (Accessed on 02 October 2018).

<sup>306</sup> The other pillar is the improvement of living conditions. [AFDB](#) (Accessed on 03 October 2018).

<sup>307</sup> [ADB](#) (Accessed on 26 May 2017).

<sup>308</sup> TSUKERMAN Irina (26 January 2018), Morocco's Integration into Africa: Implications for the United States, [Morocco World News](#) (Accessed on 03 October 2018).

<sup>309</sup> [OEC](#) (Accessed on 17 October 2019).

<sup>310</sup> BOUKHARS (18 December 2009), Fighting the Growth of Terrorist Networks in the Maghreb: Turning Threats into Opportunities, [Brookings](#) (Accessed on 27 September 2018).

<sup>311</sup> [GRIP](#) (Accessed on 27 September 2018). As for Algeria, arms purchases accounted for 5.7% of its GDP in 2017, making Algeria the largest African arms importer. Having purchased the equivalent of 3.2% and 2.1% of their GDP, Morocco and Tunisia respectively rank second and third.

<sup>312</sup> The establishment of a customs union was equally foreseen for 1995, as well as the creation of a common market in 2000 (BEHR, 2012:12).

negotiations have regularly failed,<sup>313</sup> with the last Presidential Council (the executive body)<sup>314</sup> meeting having taken place in 1994 (WORRALL, 2017:150). As a result, as of today, intra-regional energy cooperation is restrained (Interview, EC, 2015), and this despite the region's vast energy resources and their huge economic potential. As stated by Sez nec (2016:Summary), *'instead of cooperating to enhance the economic and industrial prowess of the region, the majority of energy-rich states have pursued a go-it-alone approach in developing their energy-export capabilities, and have mostly targeted markets outside the region.'* By contrast, technical cooperation seems to work well, demonstrated, for example, by the fact that a specialist energy committee on electricity and renewables exists, the Comité Maghrébin de l'Electricité (COMELEC) (WORRALL, 2017:149).

For example, as regards **Moroccan-Algerian** energy relations, they are *'derailed by geopolitical rivalries'* (SEZNEC, 2016:Key Findings) and negatively affected by the Sahara conflict and this although in terms of energy supplies, the two countries mutually depend on each other– as shown before, Algeria is Morocco's most important supplier of gas and, to some extent, was also a considerable supplier of refined products in the past.<sup>315</sup> For example, in 2011, ONEE and Algerian energy major Sonatrach signed a 10-year agreement for the sale of 640 million cubic meters of gas to be supplied via the Maghreb-Europe pipeline<sup>316</sup> (the construction of which had been frequently prevented by the Sahara conflict (SEZNEC, 2016:5)).<sup>317</sup> Apart from these gas supply contracts though, cooperation is however poor, especially as regards the political dimension and coordination almost exclusively takes place at the technical level (Interview, EC, 2016; FERNANDEZ-MOLINA, 2015:76), resulting for example in low utilisation rates of the 1.5 GW Moroccan-Algerian electricity connection.<sup>318</sup> However, in March 2017, Morocco and Algeria have communicated their interest in reinforcing bilateral energy cooperation, notably on RES and electricity. In this context, there are many that see such cooperation (ABOURABI, 2015:581) as a potential bridge towards a further rapprochement (Interview, EEAS, 2015). As for **Moroccan-Mauritanian** energy relations, Rabat and Nouakchott pursue ambitious plans, aiming at linking their respective countries to each other via an electricity connection line. Still under study, the objective of such a line is twofold, namely to enhance the development of renewables in the region and to enhance the flexibility of the Moroccan and Mauritanian power systems by linking the European (via the Morocco-Spain line) and West African electricity networks.<sup>319</sup> **Moroccan-Libyan** energy relations have been primarily restricted to the import of oil products and electricity in the past, however, in the mid-2000s, the two countries showed interest in cooperating together in the fields of phosphates<sup>320</sup> and oil. For example, in 2007, Tamoil Sakia, a Moroccan-Libyan oil company headquartered in Laayoune Morocco, announced

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<sup>313</sup> In fact, as will be shown in the following sections, the creation of the AMU was only possible because of the reconciliation between Tunisia and Libya in 1987 and the stabilisation of relations between Morocco and Algeria in 1988 (BEHR, 2010:26). As of today, the overall bottleneck according to Behr (2012:17), is a lack of a *'unifying political vision and the large economic and political differences between different parts of the region.'*

<sup>314</sup> In fact, the Presidential Council is the only body disposing of any decision-making powers. As its decisions require unanimity though, negotiations have regularly failed (WORRALL, 2017:149).

<sup>315</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 26 May 2017).

<sup>316</sup> (02 August 2011), Sonatrach livrera au Maroc 6,4 milliards de m<sup>3</sup>/an de gaz sur 10 ans, [Agenceecofin](#) (Accessed on 28 September 2018).

<sup>317</sup> Whilst plans for the Maghreb-Europe pipeline were first put on the table in 1963, due to the political tensions between Morocco and Algeria, it was not until 1988 that the pipeline came online (SEZNEC, 2016:5).

<sup>318</sup> The first electricity connection between Morocco and Algeria was established in 1988 (225 kV) and reinforced in 2008. [MEM](#) (Accessed on 04 June 2017).

<sup>319</sup> [AHK Morocco](#) (Accessed on 19 September 2018)

<sup>320</sup> In May 2008, the Cherifien Phosphates Office (OCP) and Libya Africa Investment Portfolio signed an MoU (20 May 2008), Phosphates: Le detail du grand projet maroco-libyen, [L'économiste](#) (Accessed on 23 October 2018).

that it would invest around US\$ 150 million in oil exploration and distribution activities in the south of Morocco.<sup>321</sup> At the same time, oil major OiLibya entered the Moroccan downstream market by acquiring retail sites from Exxon Mobil and is now active in the sale of retail fuels and lubricants.<sup>322</sup> **Moroccan-Egyptian** energy relations aim at developing a stable economic partnership covering several domains including energy<sup>323</sup> and the environment.<sup>324</sup> In this context, and although Morocco has imported some marginal amounts of oil from Egypt in the past, future energy cooperation will rather focus on renewable energies.<sup>325</sup> With **Tunisia**, which is an old friend and ally, Morocco has signed more than 5 energy agreements, focusing notably on renewables, above all solar, energy efficiency and environmental issues.<sup>326</sup> Moreover, Morocco reportedly plans to export electricity to Tunisia, together with Algeria.<sup>327</sup>

#### 4.4 Energy stakeholders

The development and implementation or conduct of any energy policy involves a variety of actors, ranging from governmental bodies and legislators to special agencies and interest groups. This also applies to Morocco which, in order to face its energy challenges and to realise its energy agenda, relies on a wide network of different kinds of actors, all of which are required to closely collaborate with one another. To shed light on these networks, the roles, influence and participation of the different stakeholders implicated in Moroccan energy policymaking will be presented in what follows, before taking a closer look at their cooperation or relationship patterns with third actors in Chapters 5 and 6. The most important energy actors in Morocco by far are the Royal palace, the MEM, ONHYM, ONEE and MASEN (see Figure 15) but to realise its energy strategy, Morocco also relies on several other institutions and niche bodies, some of which have been especially created for this purpose. In fact, as underlined by Vidican (2015:229-230), the **Royal palace**, i.e. the royal family and its advisors, exercise the biggest influence on the energy sector, with the King being the ultimate agenda-setter and '*the supreme institutional power*' (DAADAoui, 2011:62). In this light, he nominates the General Directors of ONHYM/ONEE and MASEN which are all under direct supervision of the Royal Palace. It is therefore not surprising that it was Mohammed VI himself who at the end of 2015,<sup>328</sup> decided to modernise Morocco's national legal energy framework, leading to the government adopting several legislative revisions on the institutional reorganisation of the country's renewable energy sector.

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<sup>321</sup> HAIMOUD Atika (17 December 2007), Pétrole: Les Libyens investissent 150 millions de dollars dans les provinces du Sud, Maroc Aujourd'hui (Accessed on 23 October 2018).

<sup>322</sup> OiLibya (Accessed on 23 October 2018).

<sup>323</sup> (10 October 2017), Elalamy: Maroc-Egypte, un partenariat économique toujours solide, La Nouvelle Tribune (Accessed on 23 October 2018).

<sup>324</sup> MEM (Accessed on 23 October 2018).

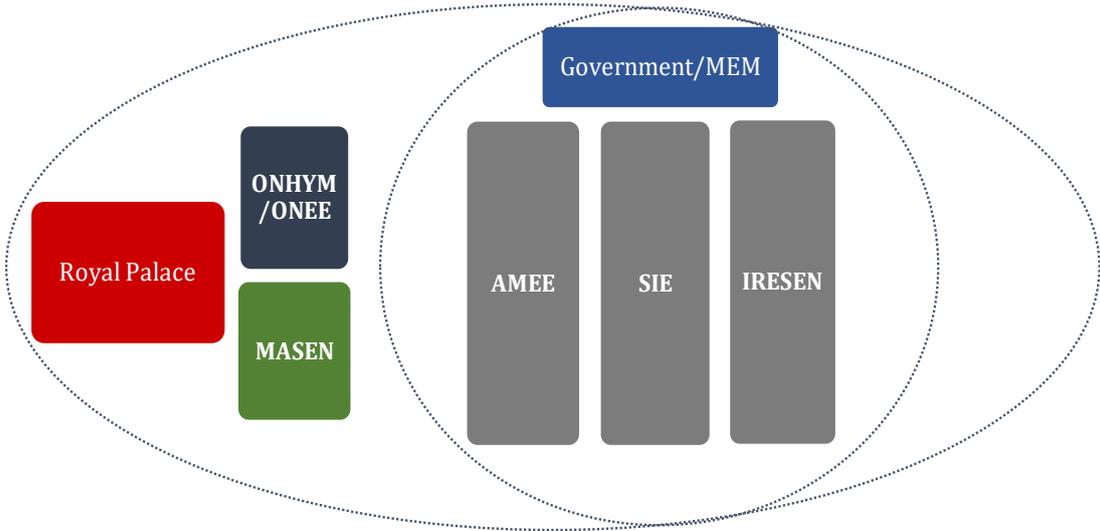
<sup>325</sup> Moroccan Ministry of Culture and Communication (Accessed on 23 October 2018).

<sup>326</sup> Moroccan Government (Accessed on 26 May 2017).

<sup>327</sup> In the past, Tunisia has already imported electricity from Algeria and Libya. (15 July 2018), Electricité: l'Algérie et le Maroc approvisionneront la Tunisie, Algérie Presse Service (Accessed on 23 October 2018).

<sup>328</sup> Extraordinary General Meeting of 28 November 2015.

Figure 15: Morocco's institutional energy framework



Source: Own elaboration based on the reviewed literature and empirical research.

The primary responsibility for the development and implementation of Morocco’s national energy strategy lies within the **‘Ministère de l’Energie, des Mines, de l’Eau & de l’Environnement’ (MEM)** (Ministry of Energy, Mines and Sustainable Development) although compared to other energy actors, it plays a less strategic and a more administrative role. Whilst by this token, it is not under direct supervision of the Royal Palace, but of the head of the government, together with the King, it however officially represents Morocco on the international level (and is thus responsible for negotiating energy contracts with foreign countries). Further, it has under its supervision AMEE, SIE and IRESEN<sup>329</sup> and closely cooperates with MASEN (from which it is independent), whereby it however *‘merely provides technical input and executes higher-up decisions’* (VIDICAN, 2015:229). The MEM is also in charge of the national energy efficiency policy, sharing responsibilities with the Ministry of Economics and Finance, the Ministry of General Affairs and Governance and the Ministry of the Interior.<sup>330</sup>

The **‘Office National des Hydrocarbures et des Mines’ (ONHYM)** (National Bureau for Hydrocarbons and Mines) is a public entity that arose from the merger of the ‘Office National de Recherches et d’Exploitation Pétrolières’ (ONAREP) with the ‘Bureau de Recherches et de Prospection Minières’ (BPRM) in 2005. A key player in the hydrocarbons upstream sector, its mission is to promote the development of the exploration and exploitation of oil and gas in cooperation with the private sector,<sup>331</sup> with its activities being framed by the Mining Code (1954, 2015), the Hydrocarbons Code (1958, 1992, 2000) and the Minor Status (1960).<sup>332</sup> ONHYM acts on behalf of the government and its activities are primarily carried out via so-called reconnaissance or petroleum agreements (OXFORD BUSINESS GROUP, 2012:239), allowing it to maintain a 25% interest share.<sup>333</sup> The **‘Office National de Electricité et de l’Eau Potable’ (ONEE)** (National Office of Electricity and Potable Water) is Morocco’s national electricity and water provider whose mission is the generation or production, transmission and distribution of

<sup>329</sup> Chraïbi Karim, *Massolia* (Accessed on 04 June 2017).

<sup>330</sup> *IEA* (Accessed on 21 October 2018).

<sup>331</sup> *ONHYM* (Accessed on 07 October 2018).

<sup>332</sup> *ONHYM* (Accessed on 27 October 2018).

<sup>333</sup> *ONHYM* (Accessed on 27 October 2018).

water and electricity.<sup>334</sup> Like the ONHYM, it is a public entity that can be divided into two branches, one for electricity and one for potable water. Whilst the electricity branch was already set up in 1963 under the National Office of Electricity (ONE),<sup>335</sup> the water branch under the National Office of Water (ONEP) only saw its birth around 10 years later in 1972. In 2012, ONE and ONEP were consolidated (Law n°40-09), to form ONEE.<sup>336</sup> Today, ONEE dominates the electricity market with a share of 55%<sup>337</sup> and between 2017 and 2018, its electricity production capacities increased by +24% y-o-y, resulting in a total installed electricity capacity of almost 10.9 GW with the majority (~66%) having come from thermal energies, followed by wind (~11%), hydropower (~11%)<sup>338</sup> and solar power (~6%).<sup>339</sup> And whilst in May 2016, the King, under Law 48-15, set up the Moroccan National Authority for the Regulation of Electricity (ANRE) to '*ensure the well-functioning of the free market for electricity generated from renewable sources*',<sup>340</sup> for the moment, ONEE remains the regulator of both the electricity and gas markets (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:9).

Together with ONHYM and ONEE, the **Moroccan Agency for Sustainable Energy (MASEN)** is one of *the* dominating actors in Morocco's energy sector. Set up in a context of a global review of Morocco's energy policy and sector under Law 57-09 in 2009 (Interview MASEN, 2016),<sup>341</sup> MASEN is a private company, but with public capital<sup>342</sup> held by the state, the Hassan II Fund for Economic and Social Development and the SIE. Apart from that, financing is channelled through climate finance,<sup>343</sup> as well as through grants and loans from international financial institutions. The most important donors are currently (not in this order): the WB (World Bank), the EIB (Energy Investment Bank), the AfDB (African Development Bank), the German Reconstruction Loan Corporation (KfW), the French Development Agency (AFD), the European Neighbourhood Investment Platform (NIP) and the Clean Technology Fund (CTF).<sup>344</sup> In this context, the EIB or the KfW are most often the project leaders ('chef de file') (Interview MASEN, 2016). MASEN not only acts as a lender but also as a borrower (and shareholder). In fact, as a public-private company, it has easier access to international financing, a circumstance that it takes advantage of in order to redistribute its received financial means to a project company on preferential terms. In this context, it usually holds a 25% share in the project company, alongside other investors (Interview MASEN, 2016)<sup>345</sup> Overall, if a foreign company wants to install itself in Morocco, it can only do so through MASEN. Whilst MASEN's initial focus was on solar energy only – as reflected in its name at that time: the Moroccan Agency for *Solar* Energy – its competencies were expanded in the context of the modernisation of Morocco's national legal framework in summer 2016,<sup>346</sup> namely from solar to sustainable energy and the agency is now responsible for

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<sup>334</sup> [Official Bulletin](#) (Accessed on 01 June 2017).

<sup>335</sup> [Official Bulletin](#) (Accessed on 01 June 2017). In the 1990s, ONE took the lead in the Rural Electrification Programme (PERG), which as shown before, was a great success. [ONE](#) (Accessed on 05 June 2017).

<sup>336</sup> [Official Bulletin](#) (Accessed on 01 June 2017).

<sup>337</sup> [ONE](#) (Accessed on 05 June 2017).

<sup>338</sup> The National Office of Electricity and Potable Water (ONEE) is also responsible for managing the Integrated Wind Programme.

<sup>339</sup> [ONE](#) (Accessed on 05 June 2017).

<sup>340</sup> [MEM](#) (Accessed on 25 August 2019).

<sup>341</sup> [Official Bulletin](#) (Accessed on 01 June 2017).

<sup>342</sup> The National Office of Electricity and Potable Water (ONEE) does not act as a shareholder.

<sup>343</sup> In November 2016, MASEN issued its first green bond, destined for the construction and operation of NOOR IV, NOOR Laayoune and NOOR Boujdour. [MASEN](#) (Accessed on 03 June 2017).

<sup>344</sup> Here it must be stated that in the past, the number of donors was much higher. However, as their backgrounds and consequently their requirements were extremely heterogeneous, they were harmonized in a process of management facilitation. In this context, the interests of the most important donors like the EU, for example, were taken into account (Interview MASEN, 2016).

<sup>345</sup> Under a power purchase agreement, the project company is guaranteed the purchase of power for 25 years based on a fixed tariff rate. [Noorouarzazate](#) (Accessed on 03 June 2017).

<sup>346</sup> Extraordinary General Meeting of 28 November 2015; [Government Council of 24 June 2016](#) (Accessed on 24 June 2017).

promoting all kinds of renewable energy sources, including solar, wind and hydro power<sup>347</sup> (Law 37-16).<sup>348</sup> As stated by the agency itself, these readjustments were necessary and done in order to better reflect today's institutional, economic, technological and managerial parameters.<sup>349</sup> In this context, MASEN has also become a limited company with a Board of Directors, as well as a Supervisory Board whose chairman is the director general of ONEE. In fact, with ONEE acting as MASEN's end customer,<sup>350</sup> the agency is responsible for identifying and developing new or potential renewable energy production capacities in the framework of the national grid owner's, i.e. ONEE's power plan.<sup>351</sup> MASEN has several subsidiaries, one of which is MASEN CAPITAL which offers construction services for solar power plants<sup>352</sup> and which since 2017, and as stipulated by Decree n°2-17-220, is authorised to become a shareholder in companies created in the context of the NOOR programme,<sup>353</sup> whereby its share cannot exceed 25%.<sup>354</sup>

Based on Law n°16-09, the Agency for the Development of Renewable Energy and Energy Efficiency (ADEREE) was established in 2010, replacing the Renewable Energy Development Centre (CEDR).<sup>355</sup> However, in the context of the legislative revisions of summer 2016 and under Law n°39-16, all of ADEREE's renewable energy competencies were transferred to MASEN and the agency was transformed into the Agence Marocaine pour l'Efficacité Energétique (**AMEE**) (**Moroccan Agency for Energy Efficiency**) which other than its predecessor and as its name suggests, focuses exclusively on energy efficiency, instead of both energy efficiency *and* renewables.<sup>356</sup> Responsible for implementing Morocco's energy strategy regarding energy efficiency and building up a national expertise in this field, AMEE is in charge of the promotion of energy efficiency, for example by creating widespread public awareness, both among public and private, as well as national and international stakeholders. But the design and steering of structural programmes is also under the agency's responsibility, including, for example, the development of national and regional plans for energy efficiency, ranging from the development of standards to the support of R&D and training.<sup>357</sup>

Founded in 2011, the '**Société National d'Investissement**' (**SNI**) or the Society for Energy Investment (SIE) is a limited company and the government's financial arm (which is currently being restructured).<sup>358</sup> Its Board of Directors is presided over by the Minister of Energy, whereas other board members are the Minister of the Economy and Finance, the Chairman of ONEE and the President of the Hassan II Fund.<sup>359</sup> Overall, the state holds 71% of the shares and the Hassan II Fund 29%.<sup>360</sup> SIE had a start capital of US\$ 1 billion from the Energy Development Fund (FDE). Here it is to be noted that whilst US\$ 200 million out of this sum came from the Hassan II Fund,

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<sup>347</sup> By contrast, the development of pumped storage power station will remain under the responsibility of ONEE. [MEM](#) (Accessed on 22 June 2017).

<sup>348</sup> [Official Bulletin](#) (Accessed on 01 June 2017).

<sup>349</sup> [MASEN](#) (Accessed on 01 June 2017).

<sup>350</sup> To simplify, the Moroccan Agency for Sustainable Energy (MASEN) is supposed to supply the National Office of Electricity and Potable Water (ONEE) with green power at a competitive price, with ONEE then selling this power through its grid.

<sup>351</sup> Its mission hereby is to contribute to the development of green electricity and of a national expertise and its competencies are extensive, englobing the entire project cycle, from identification and formulation to implementation and evaluation. Further, they also include financing and maintenance. [Noorouarzazate](#) (Accessed on 03 June 2017); [MEM](#) (Accessed on 22 June 2017).

<sup>352</sup> [MASEN](#) (Accessed on 27 October 2018).

<sup>353</sup> i.e. in ACWA Power Ouarzazate IV, ACWA Power Laayoune, ACWA Power Boujdour, NOMAC Ouarzazate IV, NOMAC Laayoune and NOMAC Boujdour. [Official Bulletin](#) (Accessed on 27 October 2018).

<sup>354</sup> [Official Bulletin](#) (Accessed on 27 October 2018).

<sup>355</sup> [Official Bulletin](#) (Accessed on 01 June 2017).

<sup>356</sup> [Government Council of 24 June 2016](#) (Accessed on 24 June 2017).

<sup>357</sup> [AMEE](#) (Accessed on 01 June 2017).

<sup>358</sup> [SIE](#) (Accessed on 06 December 2019).

<sup>359</sup> [SIE](#) (Accessed on 04 June 2017).

<sup>360</sup> [AHK Morocco](#) (Accessed on 04 June 2017).

US\$ 500 million were provided by Saudi Arabia and US\$ 300 million by the UAE.<sup>361</sup> SIE's objective is to acquire shares in energy producing entities for the purpose of promoting and developing renewable energy and energy efficiency projects.<sup>362</sup> In this line, it is supposed to support both ONEE's Integrated Wind Programme, as well as MASEN's Solar Programme.<sup>363</sup> Apart from wind and solar energy, SIE seeks to invest in biogas and energy efficiency.<sup>364</sup>

Created around 10 years ago, **NAREVA** is a private entity and part of SIE<sup>365</sup> and controlling around 2.5 MW of production capacity, active in both the renewable energy and conventional energy sectors. For example, in a JV with Engie, it set up the 301 MW Tarfaya wind farm<sup>366</sup> and has units in Akhenfir (100 MW), Haouma (50 MW) and Foug El Oued (70 MW).<sup>367</sup> Together with Enel and Siemens, it (acting as consortium leader) has also won a tender to build 5 wind farms (850 MW) in Tarfaya (300 MW), Essaouira (200 MW), Midelt (150 MW), Tangiers (100 MW), and Boujdour (100 MW, located in the Sahara).<sup>368</sup> Finally, via its subsidiary Safi Energy Company (35%), it is constructing the 2x693 MW coal-powered SAFI power plant in cooperation with Engie and Mitsui.<sup>369</sup>

Set up in 2011 by MEM, the **Institut de Recherche en Energie Solaire et Energies Nouvelles (IRESEN)** or Research Agency on Solar Energy and Renewable Energies is a research institute which serves to support the national energy strategy by funding R&D projects in the fields of solar and renewable energy sources, whereby focus has so far been on photovoltaic energy. In order to create synergies, the institute works closely with all actors in the Moroccan energy sector, a fact that is reflected in the composition of its Board of Directors. It also cooperates with various international partners such as the Gesellschaft für Internationale Zusammenarbeit (GIZ), the Fraunhofer Institute, Mines Paris Tech or Ciemat.<sup>370</sup>

Created in 2015, the **Vocational Training Institute of RE and EE (IFMEREE)** is a training institute focused on offering training in the fields of renewable energy sources and energy efficiency and a joint project of the Moroccan energy industry and the European, German and French development cooperation.<sup>371</sup> IFMEREE is 20% owned by MASEN, ONE and AMEE, who hold 20% each, as well as by the Federation of Electricity, Electronics and Renewable Energies (FENELEC) and the Federation of Mechanical, Metallurgical and Electrical Industries (FIMME).<sup>372</sup>

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<sup>361</sup> [Invest in Morocco](#) (Accessed on 04 June 2017).

<sup>362</sup> [SIE](#) (Accessed on 31 May 2017).

<sup>363</sup> With a share of 25%, the Society for Energy Investment (SIE) has been a principal investor in the Moroccan Agency for Sustainable Energy (MASEN) until summer 2016 when the society's Board of Directors decided to withdraw from the sustainable energy agency's capital. [Energies renouvelables Afrique](#) (Accessed on 03 June 2017).

<sup>364</sup> [SIE](#) (Accessed on 31 May 2017).

<sup>365</sup> The SNI is a holding company founded in 1966 and headquartered in Casablanca which is principally owned by SIGER, a holding of the royal family. IRAQI Fahd (20 January 2016), Maroc: les 7 chantiers capitaux de Hassan Ouriagli, [Jeune Afrique](#) (Accessed on 04 June 2017).

<sup>366</sup> [Engie](#) (Accessed on 04 June 2017).

<sup>367</sup> MICHBAL Medhi (31 May 2015), Reportage: le parc éolien de Tarfaya apporte un nouveau souffle au Maroc, [Jeune Afrique](#) (Accessed on 04 June 2017).

<sup>368</sup> (10 March 2016), UPDATE 1-Nareva-led group wins US\$ 1.2 bln wind power deal in Morocco, [Reuters](#) (Accessed on 04 June 2017).

<sup>369</sup> [Engie](#) (Accessed on 04 June 2017).

<sup>370</sup> [IRESEN](#) (Accessed on 04 June 2017). Other partners are for example KIC InnoEnergy or KOICA.

<sup>371</sup> [Energymed](#) (Accessed on 04 June 2017).

<sup>372</sup> [IFMEREE](#) (Accessed on 04 June 2017).

## Part Five – Legacy of EU energy governance towards Morocco

Having explored Morocco's current energy policy situation, a more in-depth examination of the country's (foreign) political environment and its relations with the EU as well as of the latter's energy governance approach towards the Maghreb country will be presented in the following. To this end, this Chapter will begin with a contextualisation of EU energy governance towards Morocco and provide some background information on Morocco's foreign policy context and its foreign relations with the EU. Next, it will elaborate on their energy relations, including a construction of the historical milestones and an overview of the current status quo, whereby the focus will be on both multilateral and bilateral aspects. Finally, it will look into the configuration of actors involved in EU energy governance towards Morocco, before moving on to a more detailed interaction analysis of these actors in Part 6.

### 5.1 The Moroccan foreign policy context

Surrounded by the Mediterranean Sea and Atlantic Ocean to the north and west and bordered by Spain,<sup>373</sup> Algeria and Mauritania to the north, east and south, Morocco is Africa's most northwesterly country and an Arab Muslim country with a rich history, sharing a strong historical and cultural inheritance with Europe, the Middle East and Africa. Part of the Maghreb, Morocco is the only monarchy in the region and this monarchy is one of the most ancient in the world with dynasties dating back to the 8<sup>th</sup> century.<sup>374</sup> Since 1962, the Moroccan monarchy has been a constitutional monarchy (BOUDAHRAIN, 1994:11) and although it has a Prime Minister and a multi-party system,<sup>375</sup> the Chief of State, however, is King Mohammed VI who, succeeding his father Hassan II, came to the throne in 1999 and remains the dominant religious (Constitution 2011:§41) and political authority (Constitution, 2011:§46).

Morocco is not only an integral part of the Arab, European and African world but also one of the countries with the most diverse foreign relations in the region that benefits from a strong presence in various international organisations. Member of the United Nations (UN) since 1956, Morocco joined the League of Arab States (LAS), the World Bank (WB) and the International Monetary Fund (IMF) in 1958, as well as the World Trade Organization (WTO) in 1995<sup>376</sup> and has diplomatic representations in 27 African, 23 European (including Russia, Ukraine and Turkey), 14 Asian, 11 American and 12 Middle Eastern countries.<sup>377</sup> Overall, it has signed 56 free trade agreements with various countries, including with the EU and the European Free Trade Association (EFTA) countries, the US, Turkey and all the Arab countries.<sup>378</sup> And whilst notably its association with the EU, as well as its alliance with the US are key priority areas of Morocco's foreign policy (FERNANDEZ-MOLINA, 2014:4-5), at his inaugural speech in 1999, King

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<sup>373</sup> At the narrowest point, the country is only separated from Spain via the 14 km wide Strait of Gibraltar.

<sup>374</sup> Since the 8<sup>th</sup> century, Morocco has been ruled by seven dynasties, the Idrissids (789-974), the Amravids (1060-1147), the Almohads (1145-1266), the Marinids (1244-1465), the Wattasids (1472-1554), the Saadians (1549-1659) and the Alaouites (1666-today). [Herodote](#) (Accessed on 10 October 2018).

<sup>375</sup> A constitutional monarchy, the constitution naturally builds the basis of power, establishing the executive, legislative and judicial: the executive is led by the Monarch, the Prime Minister and the Cabinet of Ministers; the legislature is made up of the Parliament, which consists of two chambers, the House of Representatives and the House of Councillors and the judicial consists of several of courts. Moroccan [Ministry of Culture and Communication](#) (Accessed on 11 October 2018).

<sup>376</sup> Further, Morocco was a founding member of the African Union (AU) in 1963 and is a member of the African Development Bank (AFDB). In 2016, it also became an associated country to the International Energy Agency (IEA). [IEA](#) (Accessed on 25 August 2019).

<sup>377</sup> [Moroccan Diplomacy](#) (Accessed on 16 June 2017).

<sup>378</sup> [AMDJ](#) (Accessed on 20 May 2017).

Mohammed VI made the further diversification of external relations a top priority (FERNANDEZ-MOLINA, 2015:20).<sup>379</sup> And indeed, under his reign, Morocco was to enter a new era of multilateralism<sup>380</sup> translating into an expansion of its bilateral relations at the political and more notably, economic levels.<sup>381</sup> Overall, it must be assumed that Morocco's decision to engage in a new era of multilateralism naturally has or will have an impact on the country's foreign relations, including with long-standing partners such as the EU which is why the following sections attempt to look into the current state of Morocco-EU foreign policy relations.

At the political level, the diversification of external relations started with King Mohammed VI's accession to the throne. It included a rapprochement with the EU and Sub-Saharan Africa as well as Latin America (ABOURABI, 2015:569) and was, as observed by Abourabi (2015:281), boosted, amongst other things, by the Arab Spring which had led to the adoption of a new constitution in 2011.<sup>382</sup> At the economic level ('Economic diplomacy'), the foundation for this new policy of openness was already laid with a liberalisation programme launched in 1993 under Hassan II which aimed at addressing the country's economic and social development needs and adapting to globalisation (SEDDIKI, AZIRAR, ELHOUDAIGUI, TAOUIL and HANCHANE, 2012:8). As a result of this programme, under Mohammed VI, Morocco has experienced a period of high macroeconomic stability, with GDP growth having stood at around +4% between 2000 and 2018.<sup>383</sup> Apart from GDP growth, positive effects have also been reflected in FDI and ODA flows, particularly into the industry, finance,<sup>384</sup> tourism, energy and telecommunication sectors.<sup>385</sup> In fact, whilst FDI inflow into North Africa has been rather stagnant in recent years, (following political instabilities linked to the Arab Spring), FDI inflow into Morocco has been growing more steeply<sup>386</sup> and overall, and as investigated by the UN, in 2018, Morocco figured amongst the top 5 hosting economies for FDI in Africa,<sup>387</sup> with energy and mining being one of the main invested sectors, accounting for around 7% of total FDI into Morocco in 2017.<sup>388</sup> At this point, it can be highlighted that the Maghreb Kingdom notably seeks to attract FDI by playing its competitive advantage of being, economically speaking, one of the most promising countries of North Africa to invest into. This is notably thanks to its geostrategic location between Europe and Africa and its access to the Atlantic Ocean, allowing the Kingdom to position itself as a regional economic and trade hub,<sup>389</sup> as well as a gateway to Africa, for example, via its port Tanger Med.<sup>390</sup> Apart from its geographical position, Morocco affords both political and economic as well as financial<sup>391</sup> stability and security, a context in which it is generally considered as business-friendly<sup>392</sup> and since 2009, the country disposes of an Investment

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<sup>379</sup> The objectives in this context were the promotion of economic development (along with the integration of the national economy in the global economy) or the promotion of the country's image (of a democratic and modern nation and model of stability in the region) etc. (FERNANDEZ-MOLINA, 2015:20).

<sup>380</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 27 May 2017).

<sup>381</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 27 May 2017).

<sup>382</sup> In fact, having endangered domestic stability, the adoption of the new constitution has certainly been motivated by considerations of power preservation.

<sup>383</sup> [WB](#) (Accessed on 11 October 2018).

<sup>384</sup> Notably thanks to Casablanca's 'Finance City' (CFC), a project launched in 2010 with the aim of transforming Morocco into a financial hub for Africa. [Casablanca Finance City](#) (Accessed on 20 May 2017).

<sup>385</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 30 April 2017).

<sup>386</sup> with the exception of 2016 which according to the Moroccan government saw an increase of loan repayments and of mergers operations. [UNCTAD](#) (Accessed on 09 August 2019); [Moroccan Ministry of Economy and Finance](#) (Accessed on 20 May 2017).

<sup>387</sup> [UNCTAD](#) (Accessed on 09 August 2019).

<sup>388</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 20 May 2017).

<sup>389</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 30 April 2017).

<sup>390</sup> Located at the crossroads between Europe and Africa, Morocco is linked to 160 ports worldwide.

<sup>391</sup> See Casablanca Finance City.

<sup>392</sup> Morocco ranked 68 (out of 190 countries) in the 2017 World Bank's (WB) ranking. [WB](#) (Accessed on 30 April 2017).

Development Agency (AMDI) dedicated to promoting and developing investment.<sup>393</sup> However, and despite these overall positive developments, the Moroccan economy faces numerous challenges, amongst which high public spending leading to a significant budget deficit, as well as unemployment rates, currently standing at 9% in 2018,<sup>394</sup> along with poverty. Further, the economy is hardly diversified and highly dependent on the agricultural sector.<sup>395</sup>

### 5.1.1 Shifting alliances: from EU focus...

Although often associated with colonisation, relations between Morocco and Europe go far beyond the 19<sup>th</sup> century, stretching back to the pre-medieval period (WILLIS and MESSARI, 2007:1). Following its independence from France in 1956, relations have been overall good and as indicated before, Morocco's association to the EU is a key priority area for the country's foreign policy. Little known to the public, Morocco even tried to join the predecessor of the EU, the European Economic Community (EEC), in 1987<sup>396</sup> and although not being considered 'a *European state*',<sup>397</sup> it saw its request rejected,<sup>398</sup> this episode, however, did not put any serious damage to the EU-Moroccan relationship which can nowadays be best described as strategic and mutually interdependent. In fact, whilst Morocco depends on the EU economically and as a development partner, the EU relies on Morocco which is considered a reliable partner and a stabilising anchor in a region marked by conflict and instability (KAUSCH, 2009:166). In this context, in recent years, notably cooperation in the fields of security, terrorism and migration have been in the foreground of the partnership, with Morocco as a transit country for drugs and migrants/refugee flows from Sub-Saharan Africa to Europe having become a partner of utmost importance in the fight against illegal immigration (FERNANDEZ-MOLINA, 2016:120). At the economic level, Morocco was the EU's 22<sup>nd</sup> most important trade partner in 2017, whereas the EU was Morocco's most important partner, having accounted for 64.6% of its exports and for 56.5% of its imports.<sup>399</sup> Further, in 2016, the EU accounted for 51% of Morocco's FDI<sup>400</sup> and is Morocco's most important tourist market.<sup>401</sup>

As far as the **multilateral dimension**<sup>402</sup> of the EU-Moroccan relationship is concerned, early attempts to establish relations within a regional framework date back to the 1970s when the European Economic Community (EEC) started addressing development concerns with some of the Mediterranean countries (MAHNCKE, AMBOS and REYNOLDS, 2004:279; SARTORI, 2014:5). Relations were strengthened in 1976, with France notably having pushed for the launch of the Global Mediterranean Policy (GMP) on commerce and the economy (MAHNCKE, AMBOS and REYNOLDS, 2004:279; SARTORI, 2014:5). Although it appeared to be promising (also because economic cooperation was seen as a precursor to political reform),<sup>403</sup> this policy format had little success globally (SARTORI, 2014:5), primarily because priority was given to internal

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<sup>393</sup> [AMDI](#) (Accessed on 20 May 2017).

<sup>394</sup> [WB](#) (Accessed on 09 August 2019).

<sup>395</sup> [WB](#) (Accessed on 11 October 2018)

<sup>396</sup> The 1987 application had been preceded by an informal application in 1984 (HOEBINK, 2005:42).

<sup>397</sup> [EP](#) (Accessed on 11 October 2017).

<sup>398</sup> [EC](#) (Accessed on 18 November 2017).

<sup>399</sup> Imports are dominated by machinery and transport equipment (40.4%), agricultural products (23.0%) and textiles and clothing (19.3%). Similarly, the EU primarily exports machinery and transport equipment to Morocco (37.7%), followed by fuels, metals and minerals (23.4%), agricultural products (7.3%) and textiles and clothing (8.1%). [EC](#) (Accessed on 09 August 2019).

<sup>400</sup> [Moroccan Ministry of Economy and Finance](#) (Accessed on 20 May 2017).

<sup>401</sup> [EC](#) (Accessed on 29 October 2018).

<sup>402</sup> Multilateral cooperation is defined here as 'three or more actors engaging in voluntary and institutionalized international cooperation governed by norms and principles, with rules that apply equally to all states' (BOUCHARD and PETERSON, 2010:10).

<sup>403</sup> [EP](#) (Accessed on 29 October 2018).

European integration (COLOMBO and NUR ABDELKHALIQ, 2012:7).<sup>404</sup> However, in 1990, and driven by the 1986 enlargement of the European Communities by Spain and Portugal (HOEBINK, 2005:26), it was followed by the Renovated Mediterranean Policy (RMP), which sought to provide ‘*additional financial support to regional cooperation programs and environmental protection*’ (MAHNCKE, AMBOS and REYNOLDS, 2004:279).<sup>405</sup> Whilst the RMP introduced some new ideas, it was however equally of ‘*limited impact*’, in part due to the fact that the EU was increasingly distracted with problems at its eastern borders (Yugoslav wars etc...) (which by the way incited southern EU member states such as Spain to carry out ‘*more serious efforts*’ to ‘*put the relationship on more solid ground*’ (BEHR, 2010:36)). Finally, and in parts as an answer to increasing security threats in the Mediterranean (see Algeria) (HOEBINK, 2005:26), in 1995, the Euro-Mediterranean Partnership (EMP) was launched (under the so-called Barcelona Process), a general foreign policy framework that includes a political & security, economic & financial and socio-cultural Chapter (see Table 3).<sup>406</sup>

Aspiring to political and economic reform in the Mediterranean by providing an institutionalised framework,<sup>407</sup> the EMP called upon its partner countries to pursue both horizontal and vertical integration (FERNANDEZ-MOLINA, 2016:105-106), with one sub-aim here having been the establishment of the Euro-Mediterranean Free Trade Area (EMFTA) by 2010 (BEHR, 2010:12). However, practically none of its ambitions have been fulfilled,<sup>408</sup> with several structural and political factors having limited its (and the EMFTA’s)<sup>409</sup> efficacy,<sup>410</sup> and most importantly the fact that it tried to bring countries under one umbrella without considering their bilateral relationships (FERNANDEZ-MOLINA, 2016:108). A classic example here are Israel’s strained (political) relations with most of the countries of the Arab world.<sup>411</sup> For this reason, and to replace the EMP, the Union for the Mediterranean (UfM), an intergovernmental organisation headquartered in Barcelona was launched in 2008. In fact, by including more co-ownership<sup>412</sup> and excluding political conditionality<sup>413</sup> (YOUNGS, 2009:61), the aim of this Pan-Mediterranean policy initiative, which like the GMP was strongly pushed by French diplomacy, was to enhance cooperation between the member countries by better taking into account their individual policy interests (DIEZ and TOCCI, 2017:90). However, as with the EMP and although meant to be a bottom-up organisation (HERRANZ-SURRALLE, 2018:131), the UfM brings together countries that are hostile to or in conflict with each other (see Israel/Palestine or Greece/Cyprus), a

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<sup>404</sup> Other than that, regional cooperation also suffered severe setbacks in the aftermath of the oil shocks in 1973 and 1979, as well as during the debt crisis of the 1980s (BEHR, 2010:36).

<sup>405</sup> In the same year, the so-called 5+5 Dialogue was set up, an informal forum comprised of Algeria, France, Italy, Libya, Malta, Mauritania, Morocco, Portugal, Spain and Tunisia whose aim was the enhancement of relations between these countries. The focus was primarily on security and migration. [West Mediterranean Forum](#) (Accessed on 23 November 2017); FERNANDEZ-MOLINA (2016:109).

<sup>406</sup> [EC](#) (Accessed on 26 October 2019).

<sup>407</sup> For example, at the initiative of France and Egypt, in 1994, in the margin of the Barcelona process, the Mediterranean Forum was created, a regional institution aiming to facilitate intergovernmental dialogue and exchange at ministerial level. It today regroups 11 Mediterranean countries (FERNANDEZ-MOLINA, 2016:106); [MEDEA](#) (Accessed on 23 November 2017).

<sup>408</sup> YOUNGS Richard (18 May 2015), 20 Years of the Euro-Mediterranean Partnership, [Carnegie Europe](#) (Accessed on 13 October 2018)

<sup>409</sup> Progress of the Euro-Mediterranean Free Trade Area (EMFTA) has been slow so far and primarily limited to agricultural products (BEHR, 2010:12).

<sup>410</sup> Reflected, as pointed out by Behr (2010:40), on the political (lack of political reforms...), economic (lack of economic improvement...) and social levels (tensions in the context of 9/11, social inequality...).

<sup>411</sup> For example, over the past decades, Israel and Lebanon have been regularly involved in wars against each other (see, for example, the Seven-Day War of 1993 or the April War of 1996) and since its founding in 1948, Israel has been subject to an official boycott by the Arab League.

<sup>412</sup> [UfM](#) (Accessed on 25 July 2018).

<sup>413</sup> such as any references to democracy and human rights.

circumstance that according to the literature deprives it from achieving far-reaching political breakthroughs.<sup>414</sup>

**Table 3: Euro-southern Mediterranean cooperation framework**

	Morocco	Algeria	Tunisia	Libya	Egypt
<b>Multilateral level</b>					
UfM	2008	2008	2008	/	2008
EMP	1995	1995	1995	/	1995
<b>Bilateral level</b>					
Revision of the ENP	2015	2015	2015	2015	2015
Strategic Energy Partnership (signed; entered into force)	/	2013; 2015	/	/	2008
Action Plans	2005; 2013	/*	2005	/	2007
ENP	2004	2004	2004	/	2004
AA (signed; entered into force)	1996; 2000	2002; 2005	1995; 1998	/	2001; 2004

Source: Own elaboration based on data from different sources, amongst others [EC](#) (Accessed on 12 October 2018). \*The EU has not agreed on an Action Plan with Algeria<sup>415</sup> and Libya yet, with both countries thus remaining outside the ENP framework.

**Bilateral relations** between the EU and Morocco started in 1969 with the signature of a commercial agreement linking Morocco to what was then the EEC. Another agreement, which was signed in 1978 and entered into force in the same year, added economic and financial aid aspects. Around thirty years later, in 1996,<sup>416</sup> the EU and Morocco signed a so-called Association Agreement (AA),<sup>417</sup> replacing the previous cooperation agreements of the 1970s (see Table 3).<sup>418</sup> Aiming at providing a suitable framework for political dialogue and seeking to promote regular exchange on political and security matters, economic, trade and financial cooperation, as well as social and cultural cooperation and on educational matters,<sup>419</sup> the AA added political, security and cultural aspects to the bilateral relations for the first time.<sup>420</sup> Having entered into force in 2000, it also formed the basis for the launch of the Deep and Comprehensive Free Trade Area (DCFTA),<sup>421</sup> and until today represents the legal basis of the Euro-Moroccan partnership<sup>422</sup> which has subsequently been further strengthened by the European Neighbourhood Policy (ENP). In fact, initially launched in 2003 in the context of the upcoming wave of enlargement of

<sup>414</sup> For example, at its beginnings, Algeria was not at all interested in participating in the Union for the Mediterranean (UfM), neither through policymaking nor funding. This was, amongst other things, due to the fact that the UfM was born on the initiative of France with whom relations have been low since 2005 as well as because Israel is a member state in the UfM. However, in recent years, Algeria seems to have reconciled a little bit with the UfM, confirming more and more its commitment for its activities (DARBOUCHE, 2010:5-6); [UfM](#) (Accessed on 22 April 2017).

<sup>415</sup> Despite having signed an AA with the EU in 2002, Algeria has not signed any Action Plan (AP) until today which is however necessary for the AA to be fully implemented as it sets out commitments for both parties. In fact, it took 3 years and a renewed ENP policy to convince Algeria to agree on elaborating an AP in 2011. Negotiations took place in 2012 (first round) and 2013 (second round), with progress having particularly been made in trade (Agreement on Revising the schedule of tariff dismantling on agricultural and industrial products) and science (Agreement on Scientific and Technological Cooperation). However, until today, the plan has not been signed and in recent years, Algeria has increasingly showed its dissatisfaction with certain EU-backed actions just as the NATO intervention in Libya. Overall, and against this background, Algeria is considered the EU's most 'awkward' partner in North Africa (DARBOUCHE, 2010:71); Boston University School of Law (Accessed on 22 April 2017).

<sup>416</sup> in the context of the Euro-Mediterranean Partnership (EMP) or Barcelona Process.

<sup>417</sup> 'An association agreement is a bilateral agreement between the EU and a third country. In the context of accession to the EU, it serves as the basis for implementation of the accession process.' [EC](#) (Accessed on 16 October 2019); [EC](#) (Accessed on 23 November 2017).

<sup>418</sup> [EEAS](#) (Accessed on 12 November 2017).

<sup>419</sup> [EURLEX](#) (Accessed on 12 November 2017).

<sup>420</sup> [EEAS](#) (Accessed on 12 November 2017).

<sup>421</sup> Whilst negotiations over the DCFTA had been frozen since 2014, plans are now on the table to relaunch them. [European Council](#) (Accessed on 16 November 2019); [EC](#) (Accessed on 12 November 2017).

<sup>422</sup> [EEAS](#) (Accessed on 12 November 2017).

2004 to support the EU's eastern neighbours in their political and economic transitions, the ENP finally and notably under pressure from France, also included the EU's southern neighbours (COLOMBO and NUR ABDELKHALIQ, 2012:8).<sup>423</sup> Whilst the ENP does not give any prospect to membership (COLOMBO and NUR ABDELKHALIQ, 2012:8), it does, however, pursue a principle of 'more for more', built on the values of democracy, the rule of law, human rights, and social cohesion, whereby progress primarily depends on the target countries' own efforts. In other words, the more the target countries implement market reforms, the more the EU will grant financial support, as well as other concessions such as access to its internal market or visa facilitation.

Based on the AAs, the ENP seeks to strengthen the EU's bilateral relations with its neighbours through more tailor-made non-binding Action Plans (APs) which cover all areas of cooperation<sup>424</sup> and which are financed by the European Neighbourhood Instrument (ENI). Without the APs, which cover a timeframe of 3 to 5 years and define '*a series of social, economic and political reforms with short- and medium-term priorities*', the AAs cannot be fully implemented. EU assistance takes place within Annual Action Programmes (AAPs), which are funded by the ENI, or within regional cooperation programmes.<sup>425</sup> Morocco is the largest recipient of ENI funding which amounted to € 189.9 million in 2017<sup>426</sup> and enjoys the most privileged position within the ENP overall. This position is above all reflected in the fact that it is the first country granted a so-called advanced status in 2008, implying an opening-up to high levels of cooperation, including notably the strengthening of dialogue in the areas of politics and security, as well as the progressive integration of Morocco into the EU internal market through legislative and regulatory convergence.<sup>427</sup> However, this does not mean that its relationship with the EU is free from differences of opinion. On the contrary, serious points of divergence certainly exist with respect to political reforms (KAUSCH, 2009:173), above all in the fields of democracy and human rights. Further, this designation not only mirrors the EU's unilateral efforts made towards stronger cooperation (in which the 'old' colonial powers France and Spain certainly do play a role) with the Maghreb Kingdom but also the latter's own commitment to the EU-Moroccan partnership (FERNANDEZ-MOLINZ, 2016:100-101). As stated by Fernandez-Molina (2016:96), the '*exclusive nature of the political, economic, social and cultural ties inherited from colonial times has been an unwavering desire of independent Morocco [...] and the 'will to have privileged relations with Europe'* has been regularly expressed at the highest level, i.e. by the monarchs themselves.<sup>428</sup>

### 5.1.2 ...towards emancipation from Europe

Whilst the EU continues to be a main actor in the southern neighbourhood, be it with regard to security, political, economic or trade aspects (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:100), it must be acknowledged that in the past, Euro-Mediterranean cooperation has not always been successful<sup>429</sup> and that it lacks substantial impact

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<sup>423</sup> Other partner countries to the south are: Israel, Jordan, Lebanon, Palestine and Syria. Partner countries to the east are: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. [ENPI](#) (Accessed on 15 November 2017).

<sup>424</sup> [EEAS](#) (Accessed on 12 November 2017).

<sup>425</sup> [EC](#) (Accessed on 21 November 2017).

<sup>426</sup> [EC](#) (Accessed on 09 Augusts 2019).

<sup>427</sup> In 2013, Morocco was also the first country with whom the EU signed a Mobility Partnership. [EEAS](#) (Accessed on 12 November 2017); [EC](#) (Accessed on 29 October 2018).

<sup>428</sup> See for example speech by Mohammed VI on 20 March 2000 in Paris.

<sup>429</sup> Especially when compared to the EU's eastern neighbourhood.

or as formulated by some, ambition.<sup>430</sup> Added to this, scholars like Escribano (2017:7) have observed a '*growing sense of Euro-Mediterranean fatigue*' on both sides of the Mediterranean in recent years, whereby notably the Arab Spring and the European financial crisis have revealed a '*lack of EU strategic vision for the Mediterranean.*' In fact, as outlined in a Parliament report, both the '*Arab revolutions and the European crisis have changed the situation and the keys to regional integration*', highlighting amongst other things the necessity of south-south integration (aiming at finding new investors, also to make up for the '*European slowdown*') and foreign aid.<sup>431</sup> In this context, or in parallel, relations have started to be challenged by macroeconomic and geopolitical developments. The reasons for this are twofold: internally, reduced investment activities in the context of the economic crisis have hampered the EU from investing abroad, whilst externally, the EU has seen itself a) obliged to cope with the *de facto* disengagement of the US from the region (COLOMBO, COATES-ULRICHSEN, GHABRA, HAMID and RAGAB, 2012:VI) and b) increasingly confronted with the emergence of new actors, such as the Gulf countries or China (SROUR-GANDON, 2014:4), some of which have also started to appear at the political level. In this line, and although the EU still accounts for much of the FDI into Morocco, its share has been decreasing in recent years, whereas the share of partners such as the UAE which occupied the first place in 2018, has, as shown before, been rising.<sup>432</sup> The same pattern can be seen in ODA, although less pronounced.

These transformations represent both a chance and a risk for the EU: a chance because they may provide a window of opportunity for the EU, allowing it to play a greater or more relevant role in North Africa and to boost multilateral cooperation based on the introduction of new '*north-south cooperation models*' (SARTORI, 2014:1). Indeed, the deepening of regional market integration is a top priority for the EU as it might help to achieve both broader top-down (climate change, trade, investment...) and bottom-up (food, employment, infrastructure...) goals (GODZIMIRSKI, 2016:32-33) in the region. And a risk because the EU as the ultimate regional player will be increasingly challenged by the emergence of new players in the region,<sup>433</sup> with the countries of the latter being eventually tempted to try out new forms of cooperation with new international partners. Whilst it seems appropriate to assume that these developments would have forced the EU to reconsider the way it looks at and cooperates with North Africa (BALFOUR, 2012:7), there is agreement in the literature that none of the launched policy initiatives have brought about any structural changes. Criticism is particularly pronounced with respect to the establishment of a regional framework, with Escribano (2017) claiming that the UfM has not really provided any '*added value*' and that none of its projects have succeeded in '*taking off*', an opinion that is shared by Aliboni (2012) who affirms that '*the UfM proved to be a non-starter before the Arab Spring and has since lost any residual credibility.*'<sup>434</sup> Similarly, the set-up of bilateral policies is equally heavily criticised and some scholars go as far as to claim that the Arab uprisings even reflected a failure of the ENP, notably with respect to democracy and human rights promotion. In this context, Escribano argues that the ENP had already been rendered '*obsolete years ago*', i.e. long before the Arab turmoils. In fact, although in response to the geopolitical changes of 2011 and

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<sup>430</sup> TEEVAN Chloe (30 June 2019), EU-Morocco: a win-win partnership?, [Moroccan Institute for Policy Analysis](#) (Accessed on 16 November 2019).

<sup>431</sup> EP (Accessed on 28 October 2018).

<sup>432</sup> [Santandertrade](#) (Accessed on 30 April 2017).

<sup>433</sup> Or as put by Youngs (2015), '*the growing influence of non-Western rising powers in the Middle East compounds competition for strategic alliances, geo-economic gain and access to energy supplies.*' YOUNGS Richard (18 May 2015), 20 Years of the Euro-Mediterranean Partnership, [Carnegie Europe](#) (Accessed on 13 October 2018).

<sup>434</sup> ALIBONI Roberto (2012), EU multilateral relations with southern partners: reflections on future prospects. [ISS](#) (Accessed on 14 September 2018).

with the aim of putting a greater focus on security, the economy and migration,<sup>435</sup> the ENP<sup>436</sup> was reviewed twice, in May 2011 (COM(2011) 303 final) and in November 2015 (JOIN (2015) 50 final), Escribano, as well as other scholars criticise that the revision has '*failed to extricate*' the EU from its '*identity crisis*'.<sup>437</sup>

Apart from lacking any impact or vision, the EU's foreign policy approach towards its southern neighbourhood is equally criticised for being inconsistent. For Bicchi (2003:13), this is above all reflected in the fact that the EU's political presence in the southern Mediterranean or North Africa has been characterised by either activity (e.g. 1970s, 1990s, 2000s) or inactivity (e.g. 1980s). Moreover, it is reflected in the general paradox that whilst the EU seeks to overcome barriers to convergence, it constantly creates new ones, which in the case of Morocco, and according to Hoebink (2005:41-61), are particularly visible in the fields of market access and migration. Market-related inconsistencies primarily refer to agriculture and fishery, because whilst on the one hand, the EU pursues the objective of integrating Morocco more strongly into European markets, on the other hand, and in view of Morocco's competitive advantage in these areas, it has regularly made it difficult to import certain products, notably agriculture and fishery products.<sup>438</sup> In this context, there have been regular discussions in the literature on inconsistencies between the EU's development policy, aiming at the reduction or eradication of poverty,<sup>439</sup> and its agricultural and fishery agreements policies, with some authors arguing that the latter counteract the objectives of the former. According to scholars, the EU's development objectives have been regularly counteracted by agricultural and fisheries-related measures, '*hamper[ing] the development of the agricultural sector in Morocco*' (HEBINCK, SLOOTWEG and SMITH, 2008:203), and thereby economic growth and employment. As for migration, the EU's approach towards Morocco has also been in contradiction to its development policies, for example, whilst under EU influence, Morocco has increasingly become the '*watch dog of Europe*',<sup>440</sup> policy has focused exclusively on security, without taking into account any development aspects-related policies (HOBINCK, SLOOTWEG and SMITH, 2008:203). However, by far the most inconsistent EU policy towards Morocco in the opinion of Moroccan policy makers is the EU's fishery policy, because it is, as the following sections will show, strongly related to the Moroccan/Sahara issue.

In this context, it must be noted that Morocco's diversification of foreign relations away from Europe may partly have been motivated by the insufficient Euro-Mediterranean integration – in fact, Morocco has for many years envisioned a closer relationship –<sup>441</sup> as well as by growing internal conflicts within the EU-Moroccan partnership. In fact, not only does the literature certify this partnership a general lack of consistency but, in recent years, this partnership has also started showing cracks, with fights over some trade agreements cumulating in the unilateral suspension of any contact with the EU by Morocco in February 2016. This decision was taken

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<sup>435</sup> [Euromedrights](#) (Accessed on 25 November 2017).

<sup>436</sup> by contrast, the UfM did not see any reform.

<sup>437</sup> In this context, scholars also criticise that following the Arab Spring, '*the EU has sent many rather mixed messages to various regimes, ranging from praise and support to outright condemnation of the different regimes*' responses to growing public demands for greater political, economic and social rights' (SCHUMACHER, 2013:117).

<sup>438</sup> For example, through the imposition of protectionist measures, giving preferential trade agreements to its member states rather than to Morocco and restricting access of Moroccan products to the EU market.

<sup>439</sup> [EC](#) (Accessed on 09 September 2017).

<sup>440</sup> receiving huge financial compensation in exchange for setting-up of measures that prevent migrants from entering the EU via Spain.

<sup>441</sup> In this regard, the limits of the existing relationship partly contributed to Morocco focusing on diversifying relations. TEEVAN Chloe (30 June 2019), EU-Morocco: a win-win partnership?, [Moroccan Institute for Policy Analysis](#) (Accessed on 16 November 2019).

shortly after the European Court of Justice (ECJ) had invalidated the association and liberalisation (which covers agricultural, agro-food and fisheries products) agreements of 2000 and 2012 in December 2015. According to the court's ruling, the two agreements were '*not applicable*' to the Moroccan/Western Sahara (as the treaties did not specifically refer to the region).<sup>442</sup> As Morocco's reaction suggests and as indicated before, this territory plays a highly important role in Moroccan politics and the assessment of the ECJ highlights how particularly heavy the issue weighs on the EU-Moroccan relationship, perfectly reflecting the old dilemma of tension between the geopolitical, nationalist and pro-European soul within Moroccan foreign policy (FERNANDEZ-MOLINA, 2016:97).<sup>443</sup> Against this background, and in view of the fact that Morocco is diversifying its energy relations as shown before, it is in the following necessary to examine if and how this impacts the EU-Moroccan energy relations.

## 5.2 Status quo of EU-Moroccan energy relations

In order to achieve its objectives with regard to third countries, the EU relies, as indicated before, on a multilateral market-governance approach, as opposed to a geopolitical approach like its member states (YOUNGS, 2009:174-175). The legal basis for this approach is the Energy Charter Treaty (ECT) (NEFRAMI, 2012:162) which was signed in 1994 and came into force in 1998.<sup>444</sup> Based on the principle of mutual interdependence, this treaty's main goal is the achievement of energy security through the convergence of markets based on the harmonisation of legislative frameworks, whereby, as explained by Escribano (2017:252), joining this treaty implies the '*adoption of the EU's energy acquis*'. On the basis of the ECT, a more specific foreign policy framework was set up in 2005: the Energy Community is an international organisation that aims at exporting the EU's *energy acquis* or its internal market to the south-eastern neighbourhood in order to provide a common regulatory framework, particularly in the fields of power networks. Over the years, the community has been given more and more competencies and they now also include aspects like security of supply and energy efficiency (SCHUBERT, POLLAK, KREUTLER, 2016:222). Indeed, in the context of global warming and climate change (see the Kyoto Protocol or the COP21), environmental aspects have become increasingly present in the Union's energy relations with foreign countries. Until today, the mandate of the community only covers the EU's eastern neighbourhood, however, its expansion to the south remains a priority:<sup>445</sup> *'The Southern Mediterranean is strategically important for the EU in terms of security of gas and oil supplies from some of the countries but also more broadly in terms of transit from the region and beyond. There is clear potential for building an EU-Mediterranean partnership in the production and management of renewables, in particular solar and wind energy, and in having a joined-up approach to ensuring energy security. Joint renewable energy investments in the Southern Mediterranean in line with the EU's 2050 decarbonisation scenario could offer EN 10 EN the possibility of a new partnership provided that the right market*

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<sup>442</sup> According to the ruling of the European Court of Justice (ECJ) of December 2016, the association (2000) and liberalisation (2012) agreements between the EU and Morocco were '*not applicable*' to the Moroccan/Western Sahara, as the treaties did not specifically refer to the region. Similarly, a ruling of 27 February 2018 confirmed that the EU's fisheries agreement with Morocco is only valid as long as it does not include the Moroccan/Western Sahara. [EP](#) (Accessed on 04 November 2017); FOX Benjamin (27 February 2018), Morocco fisheries pact must not include Western Sahara, EU court confirms, [Euractiv](#) (Accessed on 21 September 2018).

<sup>443</sup> Relations remained strained until 2019 when the European Parliament (EP) adopted an amendment to the liberalisation agreement in January and the European Council and Morocco agreed on renewing the EU-Moroccan relationship during the fourteenth association Council in June. TEEVAN Chloe (30 June 2019), EU-Morocco: a win-win partnership?, [Moroccan Institute for Policy Analysis](#) (Accessed on 16 November 2019).

<sup>444</sup> [Energy Charter](#) (Accessed on 28 January 2018).

<sup>445</sup> and this despite the fact that Russia is not a member. [EC](#) (Accessed on 29 October 2017).

*perspective is created for electricity imports'* (COM/2011/0200 final). As this reflects, the EU considers the southern Mediterranean as an indispensable strategic partner and consequently has a strong interest in maintaining and strengthening cooperation, with energy having been an important aspect (be it financial or technical) of development aid in the past (NEFRAMI, 2012:165). And indeed, from a development perspective, the energy sector – vector of social, political and economic development – is of utmost importance given its contribution to overall growth and to competitiveness of the North African economies. The EU's energy interest in the southern Mediterranean includes Morocco not only as a strategic partner in general but also as regards energy, and this from both a security of supply and a sustainability perspective. The country's important role in the EU's overall energy supply is acknowledged in the Commission's 2007-2013 country strategy paper (CSP), establishing a strategic aid and cooperation framework.<sup>446</sup> In fact, although not an energy supplier to the EU, at least not in the classical sense of the term like Algeria, for example, Morocco serves as a transit country for Algerian<sup>447</sup> and eventually Nigerian gas (Interview EEAS, 2017) though – a gas pipeline is currently being planned to run from Nigeria to Morocco.<sup>448</sup> Further, it also trades some electricity with Spain and in terms of sustainability, it is, as shown, a pioneer in the fight against climate change and the development of RES. Therefore, and in view of its electricity connection with the Iberian Peninsula, the EU has, as will be shown more in detail throughout this dissertation, regularly considered the possibility of importing renewable electricity from Morocco.

### 5.2.1 Multilateral relations

As has been shown, Euro-Mediterranean cooperation dates back to the 1970s, with energy having been a pivotal aspect of this cooperation right from the beginning. For example, a feasibility study for the construction of a gas pipeline connecting Algeria to Italy (via Tunisia), the Trans-Mediterranean Natural Gas Pipeline, was first conducted in 1969<sup>449</sup> and the first Euro-Arab Dialogue was launched in the context of the oil crisis in 1973. Further, due to the proximity to Portugal, Spain and Greece and interdependence to and with the southern shore of the Mediterranean, energy also became a key aspect of cooperation in the context of these countries' accession to the EEC (COLOMBO and NUR ABDELKHALIQ, 2012:7). Indeed, with energy, i.e. oil and gas, representing the bulk of trade within this region, the EU was already very keen to establish a common energy market from early on, notably through the harmonisation of policies and regulation. The key concepts here were and are market framework, liberalisation and regulation (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:25; HERRANZ-SURRALLES, 2018:127).

The general legal basis of EU multilateral external energy governance is the ECT, with its political foundation being the European Energy Charter which was signed in 1991 in The Hague and whose focus was on the EU's eastern neighbourhood, whereas North Africa as a region was not a contracting party.<sup>450</sup> Therefore, energy relations were, as of 1995, framed by the EMP whose aim was to ensure consistency and which was supposed to cover all energy sources, be it conventional or renewable (and electricity), and expand across the entire energy supply chain,

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<sup>446</sup> EC (Accessed on 29 October 2018).

<sup>447</sup> EEAS (Accessed on 19 November 2017).

<sup>448</sup> The planned pipeline is around 5,700 km long and to connect with around 12 African countries. It would be a continuation of the already existing West African Gas Pipeline (WAGP). [Hydrocarbons Technology](#) (Accessed on 28 February 2019).

<sup>449</sup> [Pipelines International](#) (Accessed on 13 October 2018).

<sup>450</sup> EC (Accessed on 29 October 2017).

i.e. from exploration and production, via transportation and refining, towards distribution and marketing, as well as trade. However, there is consensus that the EMP has shown overall limited success (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:27)<sup>451</sup> and, until 2008, was not followed by any significant or more specific energy policy initiative (COLOMBO and NUR ABDELKHALIQ, 2012:7). Attempts to extend the ECT to the southern neighbourhood were reiterated in the mid-2000s and, in reaction to the Arab Spring in 2011 (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:29), resulted in Morocco signing the European Energy Charter in 2012.<sup>452</sup> Having thus become a *de facto* observer to the Energy Charter Conference in February 2015, the Maghreb country also expressed its intention to entirely adhere to the charter,<sup>453</sup> being the EU's only southern neighbour to have done this so far. By contrast, Algeria (as well as Tunisia and Egypt) are only observers by invitation to the conference (since 2015).<sup>454</sup>

Against this background, and in the absence of any legal leverage, the EU has sought to achieve the extension of its *energy acquis* and the convergence of markets by other means, namely through outward Europeanisation (ESCRIBANO, 2017:249). In this context, since the 2000s, the integration of the Maghreb gas and electricity markets and their harmonisation with the EU internal market has been identified as a priority energy goal (see 2003 Euro-Mediterranean Energy Ministers Conference in Athens), resulting in 2004 in the launch of the Rome Euro-Mediterranean Energy Platform (REMEP), whose priority action plan spawned a relatively advanced set of common energy goals. Three years later, in 2007, the Euro-Mediterranean Energy Ministers Conference held in Limassol launched the Euro-Mediterranean Energy Cooperation, a priority action plan for Euro-Mediterranean energy cooperation.<sup>455</sup> However, as stated by Sartori (2014:5), the Limassol initiative was not very fruitful though and most of the proposals remained largely '*confined at the declaratory level*' and it was followed in 2008 by the UfM under which energy was defined as a key priority area. Focus was put on alternative energies<sup>456</sup> or the '*mass-scale production of renewable energy sources (RES) with view to creating a vast Euro-Mediterranean green energy market*' (HERRANZ-SURRALLES, 2018:122). In this context, the UfM has sought to reinforce cooperation in this matter through a number of policy initiatives, including the MSP<sup>457</sup> which, as mentioned before, was its flagship project and a common initiative of the Commission, the Investment Bank, the AFD and the KfW.<sup>458</sup> However, and as shown before, the MSP, as well as similar initiatives like Desertec and Medgrid have all shown only limited success so far, amongst other things because of disagreement between the EU member states (SARTORI, 2014:5).<sup>459</sup> As will be detailed later, in 2015, and partly in reaction to the Arab Spring (HERRANZ-SURRALLES, 2018:Abstract), the UfM therefore started a new

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<sup>451</sup> also because of irregular meetings (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:27).

<sup>452</sup> [ECT](#) (Accessed on 02/04/2017).

<sup>453</sup> In 2015, Morocco also hosted the II Rabat Energy Charter Forum. [Energy Charter](#) (Accessed on 25 July 2018).

<sup>454</sup> [Energy Charter](#) (Accessed on 25 July 2018).

<sup>455</sup> Key points were, apart from the harmonisation and integration of the markets and legislation, the promotion of sustainable development and the development of initiatives of common interest in areas like infrastructure, investment financing and research and development. [EC](#) (Accessed on 20 July 2018).

<sup>456</sup> As indicated before, in a context of strained relations with Russia, North Africa was initially primarily singled out as a potentially suitable replacement source for Russian gas supplies, but also increasingly gained in importance with respect to EU attempts to accelerate the global energy transition.

<sup>457</sup> European Council, Barcelona Process: Union for the Mediterranean ministerial conference, Final declaration, Marseille, 3-4 November 2008.

<sup>458</sup> It was financed by the so-called Neighbourhood Investment Facility (NIF) of the Commission and between 2010 and 2013, was complemented by the latter's technical assistance project 'Paving the Way for the Mediterranean Solar Plan' (PWMSPP). [EC](#) (Accessed on 20 January 2018).

<sup>459</sup> Apart from disagreement among the member states, Algeria was also rather reluctant to pursue the Mediterranean Solar Plan (MSP), fearing that it would make itself dependent on importing energy technologies (DARBOUCHE, 2010:5-6).

initiative – a high-level political dialogue on energy matters, setting up three energy platforms, with the overall goal of achieving electricity and gas supply security, as well as to enhance climate change mitigation and adaptation.

The goal of the MSP was or is to support the development of renewable energy sources (RES) and energy efficiency within the southern Mediterranean countries by developing 20 GW of renewables production capacities and achieving significant energy savings by 2020<sup>460</sup> and to strengthen regional electricity connections through the development of integrated regional markets. By contrast, created in 2009 and comprising a large network of politicians, economists and scientists in the Middle East and North Africa region (MENA), the Desertec Foundation is a non-profit organisation that is based in Hamburg, Germany. Having been initiated within the German Club of Rome, its aspiration is to develop RES, above all solar, in the world's desert regions – for local use, but also to export part of this green energy to Europe.<sup>461</sup> In this context, the Sahara was, given its size, as well as its geographical proximity to the European continent, identified as an ideal location. Subsequent to its creation, a group of industrialists picked up the vision of the Desertec Foundation and together formed the Desertec Industrial Initiative (Dii), a consortium made up of around 40 large multinational and international integrated energy groups.<sup>462</sup> The mission of this initiative was to develop solar and wind energy in North Africa in order to provide the EU with 15% green electricity by 2050, as well as to cover a substantial part of the North African green power demand.<sup>463</sup> To realise this aim, Dii entered into a partnership with the Desertec Foundation, earmarking a total budget of around € 400 billion.<sup>464</sup> Inspired by the Desertec vision, 2010 also saw the launch of Medgrid, another industrial consortium created under French initiative<sup>465</sup> and uniting 21 companies active in the production, transmission and distribution of electricity, infrastructure financing and climate change.<sup>466</sup> Medgrid's ultimate aim was to provide renewable electricity to the countries of both the northern and southern shores of the Mediterranean. More specifically, its mission was to design and promote a transmission network between Europe and North Africa that has a generation capacity of 20 GW and an export capacity of 5 GW in order to '*facilitate large-scale electricity trading between the north and south, in addition to inter-grid trading throughout the region*'.<sup>467</sup> Just as the MSP, Medgrid was also set up within the framework of the UfM, with which it signed an MoU in January 2012. In fact, by elaborating a master plan for the electrical trans-Mediterranean connections, Medgrid was originally conceived to complement the MSP, as well as the Desertec Foundation and Dii with which it signed an MoU on 24 November 2011 and in March 2012 respectively.<sup>468</sup>

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<sup>460</sup> [UfM; MSP](#) (Accessed on 31 October 2018).

<sup>461</sup> [Desertec Foundation](#) (Accessed on 27 January 2018).

<sup>462</sup> The majority of shareholders were German entities, including companies such as Siemens, E.ON, RWE, Deutsche Bank and Munich Re. Other European shareholders were ABB (Switzerland), Saint-Gobain Solar (France) and Abengoa Solar (Spain). [Dii](#) (Accessed on 20 January 2017).

<sup>463</sup> [Desertec](#) (Accessed on 30 September 2017).

<sup>464</sup> STONINGTON Joel (13 November 2012), Quagmire in the Sahara: Desertec's Promise of Solar Power for Europe Fades, [Spiegel](#) (Accessed on 13 January 2017).

<sup>465</sup> In fact, interested in high-voltage direct current transmissions across the Mediterranean, on 20 November 2009, the French government came up with an initiative to study the feasibility of such a project, in the context of which the Medgrid consortium was created one year later. [EC](#) (Accessed on 11 January 2018).

<sup>466</sup> Founding companies were: Abengoa, AFD, Alstom grid, Areva Renouvelables, Atos WorldGrid, CDC Infrastructure, EDF, Ineo, Nemo, Nexans, Nur Energie, ONE, Pan Med Trading and Investment, Prysmian, Red Eléctrica, RTE, Siemens, Soitec Concentrix Solar, Taqa Arabia, Terna and Walid Elias Establishment. [EC](#) (Accessed on 11 January 2018).

<sup>467</sup> [EC](#) (Accessed on 11 January 2020).

<sup>468</sup> [EC](#); [UfM](#); [IPFS](#) (Accessed on 11 January 2018).

Whilst, as shown before, the abovementioned projects were largely discontinued, it can be noted that the logic of the just mentioned projects has changed over the course of time, away from their initial purpose of *importing* green energy from North Africa into the EU. Indeed, by 2013,<sup>469</sup> they were rather motivated by the idea of *exchanging* solar and wind electricity through an integrated regional electricity grid.<sup>470</sup> Given recurrent setbacks in realising such plans on a large scale though, from 2013 onwards, they then focused on simply *supporting* RES and energy efficiency initiatives. However, there is currently a revival of interest in the initial essence of the MSP plan, suggesting that the Desertec idea continues to persist (Interview EC, 2015; Interview KfW, 2016), Interview Desertec, 2017). For example, in the context of the signature of the Paris Climate Agreement in November 2015, TuNur Limited, a British solar plant developer, announced plans to import 4.5 GW of solar power from Tunisia to the EU (via Italy and France).<sup>471</sup> Further, in the context of the COP22 in November 2016, a joint declaration to establish a roadmap for facilitating sustainable renewable electricity trade (Sustainable Electricity Trade, SET)<sup>472</sup> between the European internal energy market and northern Africa was signed under the EC's Climate Action and Energy initiative.<sup>473</sup> The signatory parties apart from Morocco were Germany, France, Spain and Portugal which, in December 2018, signed another joint declaration including more concrete plans to facilitate cross-border trade under power purchase agreements (PPA).<sup>474</sup> However, notwithstanding the beforementioned attempts to institutionalise Euro-Mediterranean energy cooperation through the ECT, for example, and the acceleration of corresponding initiatives such as the UfM platforms, the EU's multilateral energy policy towards the Mediterranean is, as shown before, regularly met with heavy criticism for its low perceptibility (CEBECEI, 2019:7) and for not having any concrete impact (TAGLIAPIETRA and ZACHMANN, 2016:1,2,3,5; DIEZ and TOCCI, 2017:90).<sup>475</sup> This reproach is based on the fact that plans to establish a common energy market which was thought '*to bring advantages both in terms of efficiency and in terms of economic growth, security, and political stability*' (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:24), have never materialised (HERRANZ-SURRALLE, 2018:127). Likewise, so the critics, the integration of the gas and electricity markets has '*remained a distant perspective*' (HERRANZ-SURRALLE, 2018:123), reflecting the EU's general '*limited capacity to engage*' the North African countries (SARTORI, 2014:3). And indeed, it has been noted before that although countries such as Morocco, and, to a certain extent Algeria, have undertaken courageous energy reforms, most of the North African energy sectors still struggle with substantial energy problems. According to the literature, the lack of integration is largely due to a lack of international legally-binding rules and effective institutionalisation, with both Algeria<sup>476</sup> and Libya having never formally committed to adopting the *energy acquis* (BOENING, KREMER and VAN LOON, 2013:104). Here, the EC's Review of the ENP, which equally deplores the slow progress regarding the building of an integrated energy market, clearly points out the need for better coordination of energy interests in the EU's neighbourhood, with evaluations

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<sup>469</sup> and in view of the EU's capacity to cover the majority of its internal renewable energy needs on its own.

<sup>470</sup> CALDERBANK Selwa (31 May 2013), Desertec abandons Sahara solar power export dream, [Euractiv](#) (Accessed on 14 January 2018).

<sup>471</sup> [Nur Energie](#) (Accessed on 14 December 2017); [Cleantecnica](#) (Accessed on 14 December 2017).

<sup>472</sup> [EC](#) (Accessed on 27 January 2018).

<sup>473</sup> [RenewableWatch](#) (Accessed on 25 November 2017).

<sup>474</sup> [CMI](#) (Accessed on 11 July 2019). Prior to February 2019, voices had become loud that relativised the political relevance of the November 2016 agreement, arguing that it was signed in a context of high international pressure and media coverage and was thus not backed by any 'real' interest (Interviews).

<sup>475</sup> In this context, Bicchi and Gillespie (2014:200) interpret for example the EU's Strategic Energy Partnership with Algeria as a recognition of the ENP's failure to make any significant contribution to EU-Algeria energy cooperation.

<sup>476</sup> This is interesting, given that, in the past, Algeria proved to be perfectly able to act in multilateral cooperation structures and often even initiated corresponding platforms (see African Energy Commission and APPA) (BICCHI and GILLESPIE, 2014:200).

suggesting, for example, that the coordination of political regional and bilateral programmes, as well as private sector investment facilities, is suboptimal (JOIN (2015) 50 final). Overall, failures on both sides of the Mediterranean can be denounced. For example, on the EU side, and as for the realisation of the integrated electricity market, the idea of importing green electricity from the energy-rich south has become less appealing owing to the long-lasting effects of the economic crisis and a projected decrease in energy demand. At the same time, the credibility of the EU in that regard has been damaged, as the Union itself does not serve as prime example of regional electricity integration (HERRANZ-SURRALLES, 2018:131-132). On the Mediterranean side, one often cited reason for why regional energy initiatives do not deliver is the low level of political & economic integration (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:29). In any case, and as a result, energy cooperation has, until today, above all been bilateral.

### 5.2.2 Bilateral relations

The basis for bilateral energy relations between the EU and Morocco is the Association Agreement (AA) of 1996, but cooperation objectives are also formulated in the Action Plans (APs) (see Figure 17). The focus is hereby very much on renewable energies, energy efficiency and electricity (see Figure 16) and certainly includes a development component.

**Figure 16: Energy cooperation under the EU-Morocco Association Agreement (AA)**

**Morocco:** Article 57: Energy

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*Energy Cooperation shall focus on:*

- (a) renewable energy;*
- (b) promoting the saving of energy;*
- (c) applied research relating to networks of databases linking the two Parties' economic and social operators;*
- (d) backing efforts to modernize and develop energy networks and the interconnection of such networks with Community networks.*

Source: Own elaboration based on [EU-Morocco Association Agreement](#) (Accessed on 21 October 2019).

Notwithstanding the early focus on energy in the EU-Morocco relationship, the literature emphasises that energy cooperation was very broad and ‘*very poor in this initial phase*’, with awarded funding having been detached from Morocco’s sectoral reform progress (BOENING, KREMER and VAN LOON, 2013:104).<sup>477</sup> According to Boening, Kremer and Van Loon (2013:104), this was notably due to a low institutional density, for example, meetings only took place at the highest political level and on an *ad hoc* basis. However, in the mid-2000s, and under the ENP, cooperation became more substantial and more functional and is, now centred mainly on technical and financial assistance (BOENING, KREMER and VAN LOON, 2013:105). Further, cooperation began to take different forms (MoU, contractual, *ad-hoc*) (HERRANZ-SURRALLES, 2018:122), for example, in 2003, both partners signed an MoU on the progressive integration of their respective electricity markets,<sup>478</sup> an objective that was also taken up in the AP of 2005-2010. Overall, cooperation was boosted through a joint declaration of the Commission and Morocco on energy priorities in 2007<sup>479</sup> and in 2008 when Morocco was granted an advanced

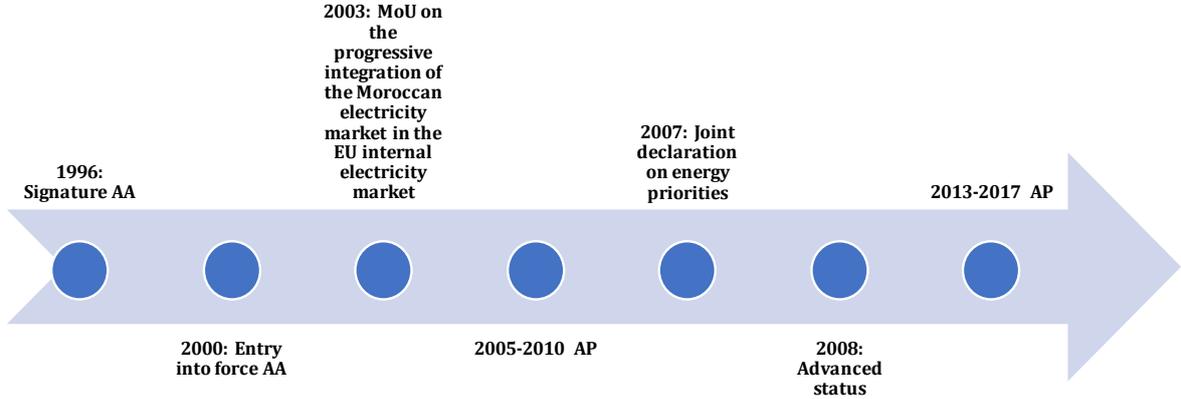
<sup>477</sup> At the beginning of the European Neighbourhood Policy (ENP), the Action Plans (APs) with the southern Mediterranean were rather general with respect to energy and did not reflect the existing real energy problems and issues within the region (for example, especially, the energy security aspects only moved up the EU’s political energy agenda with the gas crises of 2006 and 2009). Two counter this, in the mid-2000s, the EU started to develop several more tailored energy cooperation tools for its southern neighbours, offering for example both Algeria and Egypt so-called strategic energy partnerships (GODZIMIRSKI, 2016:38).

<sup>478</sup> [EU Monitor](#) (Accessed on 18 November 2017).

<sup>479</sup> at the EU-Morocco Association Council. [EC](#) (Accessed on 19 November 2017).

status. From that moment onwards, priorities were increasingly extended requiring Morocco to implement energy strategies compatible to those of the EU and aligned with the Union’s energy objectives, namely, energy security, competitiveness and sustainable development (AP of 2013-2017). In this context, and compared with the previous AP, objectives became far more ambitious, touching upon areas like renewable energies, energy efficiency and even oil shale and shale gas, as well as nuclear safety cooperation and regional energy cooperation (notably in the field of infrastructure). In fact, the AP reflected Morocco’s strong interest in the promotion of renewables, the development of energy infrastructures and the export of green electricity to the EU (BARBE and HERRANZ-SURRALLES, 2013:91). Its ultimate objective is the integration of the Moroccan energy market into the EU internal energy market, which forcibly entails a reform of the Moroccan energy sector, with the overall aim of deepening and accelerating the convergence of energy policies as well as legislative, institutional, organization and technical settings within the EU framework. However, so far, and as mentioned before, the impact of EU energy policies towards Morocco has been perceived as moderate (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:21).

**Figure 17: Timeline of bilateral EU-Morocco energy cooperation**



Source: Own elaboration based on the reviewed literature. Whilst the AP 2005-2010 expired in 2010, it was only replaced in 2013 by the 2013-2017 AP. For the interim period, both parties had agreed to continue to apply the AP 2005-2010. [French Senate](#) (Accessed on 31 October 2018).

### 5.3 Actors of EU energy governance towards Morocco

As demonstrated before, EU energy governance towards Morocco is framed by a multi-level governance system encompassing the supranational, national and subnational levels of policymaking. To shed light on these levels, the author seeks to map the EU’s energy architecture and the key players involved. Here, the following actors have been identified as relevant throughout this dissertation’s empirical research process: the European Council, the Council of the European Union (Council), the European Parliament (EP), the European Commission (EC), the European External Action Service (EEAS), the Union for the Mediterranean (UfM), as well as a number of financing and regional organisations, whereby it must be said that some of these actors play a more pronounced role than others or are more visible than others.

### 5.3.1 European Council, Council of the European Union, European Parliament, European Commission and European External Action Service

Created in 2009 and composed of the Heads of State of the EU's national governments, the President of the European Council and the President of the European Commission, the role of the **European Council** is to represent the interests of the member states and to provide political input by identifying the strategic objectives of the Union (Art. 15 § 1 TEU). Its president, which is elected for a once-renewable term of two and a half years, represents the EU externally,<sup>480</sup> a context in which the European Council plays a major role in EU external energy policymaking (BRAUN, 2011:4) although its priority is not on energy.<sup>481</sup> In fact, the body is generally only involved in highly political and strategic issues, with its ownership with regard to a technical topic like energy being limited. In this context, it was for example involved in the development of the 2030 energy and climate framework<sup>482</sup> and the Foreign Affairs Council (FAC) of the Council of the European Union, based on the conclusions of the European Council of 19/20 March 2015,<sup>483</sup> adopted conclusions on EU energy diplomacy.<sup>484</sup> Further, in March 2014, and as regards the EU's southern neighbourhood, its conclusions called on the Commission to '*conduct an in-depth study of EU energy security and to present by June a comprehensive plan for the reduction of EU energy dependence*'.<sup>485</sup> In response to this, the Commission published its European Energy Security Strategy (COM/2014/0330 final) in May 2014, which, as shown in the introduction to this dissertation, presents the southern Mediterranean as a top priority region (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:34). Here, the European Council does exercise some influence on the Commission's energy policy towards Morocco although the non-energy supplier does not really fall under its scope of interest (EGENHOFER and VAN SCHAİK, 2006:178).

Established in 1958, the **Council of the European Union** or Council is composed of the national states' government ministers and, like the European Council, its role is to represent the interests of the member states. The main mission of the Council is the coordination of the member states' policies as well as the development of the EU's foreign & security policy, a context in which it acts unanimously with the European Council and is entitled to conclude agreements between the EU and third countries.<sup>486</sup> In this context, and together with the Commission, the Council undoubtedly plays the most major role in EU external energy policymaking, notably when it comes to energy security policies. Meetings take place in different thematic Councils which are all chaired by the Presidency, with the exception of the FAC which is chaired by the HR, and are held around every two months, whereby decisions are taken by qualified-majority voting (except in foreign policies).<sup>487</sup> Apart from within the FAC which discusses external energy issues to some extent,<sup>488</sup> its work is carried out in different thematic Councils.<sup>489</sup> The main Council here

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<sup>480</sup> [EEAS](#) (Accessed on 14 July 2019).

<sup>481</sup> The main topics discussed are generally governance and macroeconomics, with the 2006 and 2014 European Councils having clearly been an exception. In 2011, the European Council equally initiated a thematic discussion on energy in 2011, a move that was well received by DG ENER. CHRYSOLEGOS Angelos (November 2016), The EU's Crisis of Governance and European Foreign Policy, Research Paper, Europe Programme, [Chatham House](#); [European Council](#) (Accessed on 22 December 2018); (BRAUN, 2011:4).

<sup>482</sup> [Council](#) (Accessed on 11 November 2017).

<sup>483</sup> in which the latter recognised the importance of the external dimension of the Energy Union and asked the Commission and the Council for a greater role of the EU in external energy activities, including for instance the establishment of strategic energy partnership with producing and transit countries. [European Council](#) (Accessed on 03 December 2017).

<sup>484</sup> [EEAS](#) (Accessed on 03 December 2017).

<sup>485</sup> [EC](#) (Accessed on 19 November 2018).

<sup>486</sup> [Europa](#) (Accessed on 08 November 2018).

<sup>487</sup> [EEAS](#) (Accessed on 14 July 2019).

<sup>488</sup> [Europa](#) (Accessed on 08 November 2018); [EEAS](#) (Accessed on 14 July 2019).

is the Transport, Telecommunications and Energy Council (TTE), which is composed of the member states' energy ministers. However, the TTE only meets around three or four times a year<sup>490</sup> and core energy issues<sup>491</sup> are rather discussed within the Council's so-called Working Party on Energy which unites experts from each member state and is chaired by the Delegate of the country that holds the Presidency of the Council.<sup>492</sup> In fact, covering both internal and external policy issues, as well as all sources of energy, this Party examines the legislative proposals by the Commission and then forwards them to the TTE. The topics of interest are security of energy supply and energy efficiency or the integration of the internal energy market, but the Party is also interested in negotiations with third countries and international organisations.<sup>493</sup> Participants come together about once a week for discussion (EGENHOFER and VAN SCHAİK, 2006:178).<sup>494</sup>

Founded in 1952 and made up of 751 members elected in the EU member states and a President, the **European Parliament (EP)** or Parliament represents the interests of the EU citizens<sup>495</sup> and is, together with the Council, part of the EU's bicameral legislature. With the Treaty of Lisbon, the EP, whose members are elected every five years in EU-wide general elections,<sup>496</sup> has seen a lot of its foreign policymaking powers extended and it also plays a role, albeit limited, in EU external energy policymaking and EU energy governance towards Morocco.<sup>497</sup> Indeed, whilst EU external (energy) policymaking remains a core competence of the Council and the Commission, the EP has regularly pushed for the creation of a common external energy policy (NATORSKI and HERRANZ SURRALLES, 2008:78; KUZEMKO, BELYI and GOLDTHAU, 2012:71), as well as for multilateral energy cooperation (DYER and TROMBETTA, 2013:291). Further, and equally a strong advocate of energy security policies, with the aim of reducing energy dependence and diversifying suppliers and routes, the EP has also shown recurrent interest in linking energy security to development policies (NATORSKI and HERRANZ SURRALLES, 2008:78). The most important unit in this regard has been ITRE, the Committee on Industry Research and Energy (EGENHOFER and VAN SCHAİK, 2006:181) which in the past has regularly expressed its interest in electricity generation from RES in the Mediterranean region or Morocco (an interest that does not include the Sahara, a question over which the EP is deeply divided).<sup>498</sup> For example, the Desertec idea or project first received support from some members of the Parliament after the Desertec Foundation presented its white book for energy, water and climate security at the Parliament in 2007.<sup>499</sup> Apart from ITRE, AFET, the Committee on Foreign Affairs has also started to serve increasingly as a forum for the exchange on external policies. AFET is the EP's largest

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<sup>489</sup> The agendas of the Councils are prepared by two sub-committees, the Permanent Representatives Committees COREPER I and COREPER II ('Comité des Représentants Permanents' in French). Both committees are composed of the Head or Deputy Head of mission from the member states in Brussels and whilst COREPER 1 largely deals with domestic issues, COREPER 2 primarily focuses on external affairs (DUKE, 2006:15).

<sup>490</sup> [Council](#) (Accessed on 11 November 2017).

<sup>491</sup> Politically and strategically less relevant energy issues may also be discussed in other Working Parties like the one on agriculture or the environment (EGENHOFER and VAN SCHAİK, 2006:179).

<sup>492</sup> [EU Monitor](#) (Accessed on 05 November 2019).

<sup>493</sup> [Council](#) (Accessed on 15 November 2018).

<sup>494</sup> Working parties, also known as the Council preparatory bodies are specialised committees in charge of studying proposals, with the outcome of their work to be presented to Coreper. They can be permanent or temporary/*ad-hoc*. [Council](#) (Accessed on 15 November 2018).

<sup>495</sup> [Euromedrights](#) (Accessed on 25 November 2017).

<sup>496</sup> [EEAS](#) (Accessed on 14 July 2019).

<sup>497</sup> In fact, although the Parliament already used to have several control functions in this policy domain, some of which were only added by the TFEU.

<sup>498</sup> [EP](#) (Accessed on 17 August 2017).

<sup>499</sup> [The Greens EFA](#) (Accessed on 18 January 2018).

committee and responsible for controlling or monitoring the activities of the Council, the Commission, the EEAS and the HR/VP.<sup>500</sup>

Composed of a President and 28 commissioners<sup>501</sup> from each of the EU member states, the **European Commission (EC)** or Commission is the EU's executive and as such, is supposed to represent the interests of the EU as a whole and plays an important role in integrating national policies.<sup>502</sup> Together with the Council, it plays one of the greatest roles in EU energy governance towards Morocco, notably because its competencies apply to both the internal and external dimensions of EU policies, making it by far the most powerful actor with respect to European foreign policy making. In this context, it '*is at the heart of the EU's external action and the external dimension of the EU's internal policies and is involved in all stages of policy-making*' (KEUKELEIRE and DELREUX, 2014:75). In fact, the Commission represents the EU internationally (Art.17 § 1 TEU),<sup>503</sup> conducts negotiations with third states and international organisations (Art.218 TFEU) (if authorised to do so by the Council) and drafts and proposes the APs (FERNANDEZ-MOLINA, 2016:116). These foreign policymaking powers apply to all areas of EU external action, including energy, where with the entry into force of the Lisbon treaty, the institution has seen its competencies substantially extended, for example, as regards the EU's import dependency which is now dealt with at EU level (LEAL-ARCAS and WOUTERS, 2017:40). Here, and as part of its external energy policy responsibilities, the Commission is in charge of the enhancement of the EU's external energy relations and has played a major role in the EU's plan of 2015 to set up a comprehensive energy diplomacy, including the strengthening of '*common messages and energy diplomacy capacities*'.<sup>504</sup> Here, its competencies clearly outrank those of the EEAS. For example, projects of 'Common Interest' in the field of external energy – such as the Mediterranean Solar Plan (MSP) – fall under the mandate of the Commissioner for Energy and Climate Action and not of the HR (BRAUN, 2011:4-5).

In this light, it was Energy Commissioner Miguel Arias Cañete who in May 2015 travelled to Algeria and Morocco to deepen energy and climate ties and to present the EU-Mediterranean energy platforms and not the HR.<sup>505</sup> Overall, and as indicated before, the southern Mediterranean plays an important role with respect to the EU's security of energy supply<sup>506</sup> which as stated in the Commission's Green Paper '*Towards a European strategy for the security of energy supply*' of 2000, extends to both fossil fuels and RES.<sup>507</sup> One aim of the Commission's external energy strategy '*The EU Energy Policy: Engaging with Partners beyond Our Borders*' in this context has been the import of renewable electricity from the southern Mediterranean into the EU or the integration of the southern Mediterranean and European energy markets (notably gas and electricity).<sup>508</sup> In this context, it proposed the establishment of an EU-South Mediterranean Energy Community in order to enhance sectoral cooperation.<sup>509</sup> The EC's energy interest in the southern Mediterranean also includes Morocco with which bilateral cooperation

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<sup>500</sup> EP (Accessed on 14 August 2017).

<sup>501</sup> The Commissioners of the European Commission are appointed by the President of the European Commission who in turn is appointed by the European Council. Both the appointment of the Commissioners and the President must be approved by the European Parliament.

<sup>502</sup> [Euromedrights](#) (Accessed on 25 November 2017).

<sup>503</sup> with the exception of the Common Foreign and Security Policy (CFSP).

<sup>504</sup> [EEAS](#) (Accessed on 03 December 2017).

<sup>505</sup> [EC](#) (Accessed on 19 November 2017).

<sup>506</sup> a traditional focus of the EC (NATORSKI and HERRANZ SURRALLES, 2008:75)

<sup>507</sup> [Eurlex](#) (Accessed on 26 October 2019).

<sup>508</sup> [EC](#) (Accessed on 26 October 2019).

<sup>509</sup> [EC](#) (Accessed on 26 October 2019).

takes place within the framework of annual and multi-annual plans (Interview EC, 2017), with common propositions and objectives which have been translated into a wide range of policy measures.

**European Neighbourhood Instrument (ENI):** the European Neighbourhood Instrument (ENI) which strives to support the ENP, is the EC's most important European financial instrument to support cooperation with Morocco. It replaced the former European Neighbourhood and Partnership Instrument (ENPI) in 2014 and will run until 2020,<sup>510</sup> with one of its objectives being the achievement of progressive integration into the EU internal market. Aid under the ENI comprises both technical and policy support and mainly takes the form of bilateral assistance programmes, but the instrument may also cover or finance regional programmes.<sup>511</sup> Total assistance for the period 2014-2017 stood between € 728 million and € 890 million,<sup>512</sup> whereby final allocations generally depend on Morocco's progress in the implementation of common cooperation targets. One target for 2017 was the promotion of the development of sectors creating employment, with energy, above all RES, being considered as a particularly promising area in this regard. In 2014, the RES segment received aid through a € 10 million SME/employment programme.<sup>513</sup> Overall, support is given in the following ways:

- a) **Twinning/Technical Assistance and Information Exchange Instrument (TAIEX):** Twinning, an instrument for institutional cooperation, exists since 1997 and '*aims to provide support for the transposition, implementation and enforcement of the EU legislation*' by building up capacities in the target countries.<sup>514</sup> The basis in this context are the objectives defined in the APs and advice is provided by experts from the member states. The instrument was first used in Morocco in 2003 (TULMETS, 2008:128) and, in 2016, the country accounted for 4% of the EU's overall twinning projects.<sup>515</sup> Twinning projects are aimed at the long-term and the instrument is therefore complemented by TAIEX, which, initially introduced in 1995 in order to provide technical assistance to the Central and Eastern European candidate countries,<sup>516</sup> has included the southern neighbourhood since 2006 and is largely demand-driven. Compared to twinning, TAIEX is more short-term oriented and tailor-made. Assistance takes place within workshops, expert missions or study visits. Energy topics mainly cover market liberalisation (regarding oil, gas and electricity), as well as renewable energy sources and energy efficiency.<sup>517</sup>
- b) **Cross-Border Cooperation (CBC):** the CBC, which was first introduced in 2007 under the ENPI, primarily seeks to promote economic and social development and address common challenges in border areas in order to reduce disparities in living standards<sup>518</sup> and '*prevent new dividing lines*' along the EU's external borders (TULMETS, 2008:128). One objective in this context is to foster people-to-people cooperation, which aims at building

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<sup>510</sup> The European Neighbourhood and Partnership Instrument (ENPI) replaced MEDA which was the EU's principal financial instrument to implement the Euro-Mediterranean partnership between 1996 and 2007, in 2007. ENPI at that time combined both MEDA and TACIS (funding instrument for the East) and was supposed to be much more flexible. It ran until 2013. [EC](#) (Accessed on 25 November 2017).

<sup>511</sup> [EU](#) (Accessed on 26 November 2017).

<sup>512</sup> As a comparison, assistance stood at € 1.4 billion for the 2007-2013 period. [EC](#) (Accessed on 21 August 2017).

<sup>513</sup> [EEAS](#) (Accessed on 21 August 2017).

<sup>514</sup> [EC](#) (Accessed on 26 November 2017).

<sup>515</sup> [EC](#) (Accessed on 26 November 2017).

<sup>516</sup> [Eur-Lex](#) (Accessed on 26 November 2017).

<sup>517</sup> [EC](#) (Accessed on 26 November 2017).

<sup>518</sup> [EC](#) (Accessed on 26 November 2017).

sectoral networks and increase the participation of the EU's neighbouring countries in EU programmes. As regards Morocco, the Maghreb country took part in the Spain External Borders 2008-2013 Cross-Border Cooperation Programme, for example. One aim of this programme was the sustainable management and use of energy resources.<sup>519</sup> At the same time, Morocco, i.e. Oriental, Taza-Al Hoceima-Taounate, Tanger-Tetouan regions to be more precise, also took part in the ENI Mediterranean Sea Basin CBC Programme 2007-2013, which was extended to 2014-2020, with one priority being environmental protection, climate change adaptation and mitigation.<sup>520</sup>

**Neighbourhood Investment Facility (NIF):** one key instrument of the ENI is the Neighbourhood Investment Facility (NIF) which uses a) budget support and b) co-financing:

- **Budget support**, i.e. direct financial transfers, is part of the EU's development aid and seeks to support Morocco in pursuing development policies and reforms. Contrary to other development instruments (like co-financing), budget support is bound to political conditionality. For example, it is mandatory for a potential beneficiary to adhere to the EU's fundamental values of human rights, democracy and the rule of law. Further, potential beneficiaries must meet certain eligible criteria, like, for example a stable macroeconomic framework. Budget support is also performance-related, i.e. additional support is only provided if pre-defined targets are met. Budget support is granted through good governance & development contracts, sector reform contracts and state-building contracts<sup>521</sup> and is accompanied by policy dialogue on judicial, regulatory and organisational aspects.<sup>522</sup> Between 2005 and 2012, Morocco benefited from overall budget support amounting to € 3.58 billion, 3.3% of which went to the energy sector (which over the years has increasingly gained in significance).<sup>523</sup>
- **Co-financing** is carried out by the NIF, with the strategic objectives for the period 2014-2020 being the following: energy security, connectivity and market integration, the fight against climate change and environmental threats, as well as the promotion of sustainable and inclusive growth.<sup>524</sup> Launched in 2008, its purpose is to finance '*critical infrastructure, public services and private sector development*', the context in which the facility seeks to provide complementary funding, i.e. it tries to mobilise additional capital for projects '*funded by European financial institutions and other public and private partners, which would be unlikely to materialize without NIF support*'.<sup>525</sup> To this end, it puts together capital from the EU budget and the EU member states in order to use it to leverage grants from the EFIs (which

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<sup>519</sup> EC (Accessed on 26 November 2017).

<sup>520</sup> ENPI (Accessed on 24 August 2019).

<sup>521</sup> EC (Accessed on 11 November 2018).

<sup>522</sup> EC (Accessed on 11 November 2018).

<sup>523</sup> EC (Accessed on 11 November 2018).

<sup>524</sup> EC (Accessed on 24 August 2018).

<sup>525</sup> EC (Accessed on 24 August 2018).

can decide to finance the investments alone or in cooperation with other EFIs),<sup>526</sup> as well as from the partner country itself.<sup>527</sup>

The NIF is a so-called ‘blending’ instrument, which combines EU grants with loans from third public and private funders (which otherwise, i.e. without NIF, might not invest, as too risky), with a view to achieving the EU’s external policy objectives.<sup>528</sup> The rationale behind this is that, as an EU mechanism, the NIF has much easier access to loans from the EFIs, which it then redistributes to partner countries eligible for funding. Projects must be piloted by the EFIs.<sup>529</sup> Recognised EFIs and the main donors, in general are apart from the Investment Bank and the European Bank for Reconstruction and Development (EBRD), the AFD and the KfW. As this suggests, the projects to be financed under the NIF – which span across all kinds of sectors, including energy – are generally quite capital-intensive.<sup>530</sup> Here, it is worth pointing out that the NIF not only or exclusively funds projects via grants but also provides technical assistance (TA). Other possibilities include investment grant & interest rate subsidy, risk capital or guarantees.<sup>531</sup> Its own funding comes primarily from the EU budget, or, to be more precise, from the ENI, as well as from contributions from the EU member states (via the NIF Trust Fund) which are managed by the EIB. The biggest contributor in 2016 was Germany with € 34 million, followed by France with € 27 million.<sup>532</sup>

In fact, the NIF is supposed to support the partner countries’ national energy goals and to contribute to projects that enhance both these countries’ *and* the EU’s own energy security. To achieve the objectives of the Energy Community Treaty, it hereby seeks to contribute to Projects of Common Interest (PCI), whereby the focus is on RES, energy efficiency and energy savings.<sup>533</sup> With respect to Morocco, the NIF pursues the aim of achieving both the EU’s external energy policy objectives as well as the Maghreb country’s national energy policy goals themselves at the same time and this ideally in coherence with other aid. Between 2008 and 2016, Morocco benefited from NIF-backed energy funding worth € 145.7 million (with energy accounting for around 66% of this sum).<sup>534</sup> As shown in Table 4, with more than € 90 million, the lion’s share of funding went hereby to the Ouarzazate project for which the NIF stipulated the participation of the EIB, the AFD and the KfW. While these three actors account for around 60% of the overall cost of the solar project, the facility itself supports, for example, NOOR I with € 30 million (€ 106.5 million for the whole complex).<sup>535</sup> Further, the NIF has supported Morocco’s energy sector in the context of regional and multilateral initiatives or projects such as the UfM or the Southern Mediterranean Investment Coordination Initiative (AMICI), which is managed by the Directorate for Neighbourhood and Enlargement Negotiations (DG NEAR).<sup>536</sup> The aim of this initiative is to achieve better coordination of

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<sup>526</sup> [Bankwatch](#) (Accessed on 10 December 2017).

<sup>527</sup> [EC](#) (Accessed on 28 November 2017).

<sup>528</sup> The NIF mainly funds public projects, it may also fund the private sector. [EC](#) (Accessed on 28 November 2017).

<sup>529</sup> [Bankwatch](#) (Accessed on 10 December 2017).

<sup>530</sup> [EC](#) (Accessed on 19 November 2017).

<sup>531</sup> [EC](#) (Accessed on 19 November 2017).

<sup>532</sup> [EC](#) (Accessed on 24 August 2018).

<sup>533</sup> [EC](#) (Accessed on 11 November 2018).

<sup>534</sup> For comparison, Morocco’s regional neighbor, Tunisia, ‘only’ benefitted from € 16.3. Only Egypt received more – € 168.9. [EC](#) (Accessed on 19 November 2017).

<sup>535</sup> [EIB](#) (Accessed on 19 November 2017).

<sup>536</sup> [EC](#) (Accessed on 28 November 2017).

EU investment programmes, including those related to energy, in order to maximise their impact. At the EU level, corresponding initiatives are coordinated by both the ENI and the NIF, whilst at the regional level coordination involves, apart from the partner countries, the EC, the EEAS, the EFIs, the MS, the UfM, international finance institutions and other donors.<sup>537</sup> As this shows, the NIF is an important instrument of donor coordination which, in September 2017, was transformed into the Neighbourhood Investment Platform (NIP), becoming an integral part of the European Fund for Sustainable Development (EFSD).<sup>538</sup>

**Table 4: Investments and loans granted to Morocco by the NIF/NIP from 2011 until 2016**

Investments granted to Morocco by the NIF/NIP from 2011 until 2016				
Name	Status	Field	Date	Loan Amount (in €)
OUARZAZATE III (TOWER)	Signed	Renewables	2014	43.700.000
OUARZAZATE II (PARABOLIC)	Signed	Renewables	2014	40.800.000
INTEGRATED WIND PROGRAMME	Signed	Renewables	2013	15.300.000
ELECTRICITY TRANSMISSION SYSTEM (RESEAUX III)	Signed	Electricity	2012	15.300.000 (+TA)
OUARZAZATE	Signed	Renewables	2011	30.600.000
<b>Total</b>				

Source: Own elaboration based on [EC](#) (Accessed on 24 August 2018).

In terms of structure, the EC is organised ‘*by the specialization principle*’ (MARANGONI, 2014:42), with its operative work being carried out by different administrative departments, the so-called Directorate Generals (DGs) (33 in total) which are led by the commissioners. Whilst the DGs are primarily active at the technical level, they may also have a political say (Interview EEAS, 2017). The most important DGs as regards to EU external energy policy are the Directorate General Energy (DG ENER) and DG NEAR.

The **Directorate General Energy (DG ENER)** is the main DG for all energy questions and issues and is, as such, under the political authority of the Vice-President of the European Commission and in charge of the Energy Union and the Energy Commissioner.<sup>539</sup> It was set up with the Treaty of Lisbon as ‘*part of a re-compartmentalization scheme meant to address inconsistencies, overlap and gaps in the Commission’s governance of energy*’ (BRAUN, 2011:4) and is organised into five directorates. It is accountable for the development and implementation of both EU internal and external energy policies and its overall aim is a secure, sustainable and competitive (affordable) supply of energy, as well as the achievement of the 2020, 2030 and 2050 energy targets and the realisation of the Energy Union.<sup>540</sup> On the internal level, it seeks for example to endorse the integration of the internal energy market (including the set-up or reinforcement of the necessary infrastructure), to enable the markets to exploit their conventional and renewable energy sources in a safe and competitive manner, to provide for a legal framework for the use of nuclear energy, to promote the moderation of internal energy demand (including decarbonisation), and to encourage energy innovation and technology etc.<sup>541</sup> On the external level, it seeks to complete

<sup>537</sup> [EU Neighbours](#) (Accessed on 28 November 2017).

<sup>538</sup> [EC](#) (Accessed on 27 February 2019).

<sup>539</sup> [EC](#) (Accessed on 12 November 2019).

<sup>540</sup> [EC](#) (Accessed on 07 November 2018).

<sup>541</sup> [EC](#) (Accessed on 15 August 2017).

the integration of third countries in the internal energy market and to strengthen energy relations with third countries and international energy companies (KNODT, MÜLLER and PFIEFER 2015: 61). As regards the Energy Union, one key objective is the diversification of external suppliers and routes, as well as the enhancement of the '*conditions for secure energy supply in a spirit of solidarity between Member States*'.<sup>542</sup> The overall aim in this context is to improve coordination of the EU member states' national energy policies in order to enable the EU to '*Speak with one Voice*' on external energy issues.

The **Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR)** is under the political authority of European Commissioner for European Neighbourhood Policy and Enlargement Negotiations and headed by his Director General.<sup>543</sup> Officially in charge of the realisation of the ENP, the DG is responsible for the management of the relations between the EU and its neighbouring countries, whereby it is required to promote EU values, policies and interests and to support political and economic reforms. Further, and together with the EEAS, it represents the EU's interests externally, with corresponding tasks including the preparation of policy propositions and reports, the conduct of negotiations and the management of policy assistance etc.<sup>544</sup> Its working focus hereby covers all domains of external action, including energy, whereby it has a particularly strong interest in regional energy & climate cooperation and the promotion of a regional regulatory energy framework, notably with regard to natural gas, electricity from RES, and energy efficiency.

Created under the Treaty of Lisbon in 2009 and established in 2011, replacing the Directorate-General for the External Relations (DG RELEX) (VAN VOOREN and WESSEL, 2014:458), the **European External Action Service (EEAS)** is the EU's diplomatic service,<sup>545</sup> a role in which it is officially responsible for the conduct of the EU's foreign diplomacy and the management of its diplomatic relations & strategic partnerships with third countries.<sup>546</sup> An autonomous body separate from the Council Secretariat and the Commission, it reports to the High Representative of the Union for Foreign Affairs and Security Policy (HR) (Art. 27 TEU) who at the same time serves as Vice President (VP) of the Commission of which it is a member. The EEAS, despite itself lacking any energy-specific competencies (KNODT, MÜLLER and PFIEFER, 2015:63),<sup>547</sup> is one of the most important actors in the conduct of the EU's external energy policies and '*plays an important role in integrating energy considerations into EU foreign policy and coordinating with Member State's foreign affairs ministries*',<sup>548</sup> with its strategy being to '*streamline energy into external relations*' (KNODT, MÜLLER and PFIEFER, 2015:63). Its central administration is located in Brussels and is organised in directorates-general which comprise 5 geographic and

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<sup>542</sup> [EU Monitor](#) (Accessed on 07 November 2018).

<sup>543</sup> [EC](#) (Accessed on 08 December 2019).

<sup>544</sup> [DG NEAR](#) (Accessed on 15 August 2017).

<sup>545</sup> [Euromedrights](#) (Accessed on 25 November 2017).

<sup>546</sup> In fact, the EEAS and the HR, together with the diplomatic services of the member states, represents the EU in international fora and is responsible for the dialogue with third countries (Art. 27 TEU). This is done on the basis of a common position adopted by the member states (Art. 34 TEU). [EEAS](#) (Accessed on 26 October 2019).

<sup>547</sup> given that as shown before, the member states are generally not willing to transfer any or only little energy diplomacy-related competencies (KNODT, MÜLLER and PFIEFER, 2015:63; CARTA, 2016:204).

<sup>548</sup> [Eurlex](#) (Accessed on 26 October 2019).

several thematic desks<sup>549</sup> and are composed of officials and experts from the Council and the Commission, as well as of the national diplomatic services.<sup>550</sup>

On the external level, the EEAS is represented and supported by a worldwide network of EU embassies or **delegations**<sup>551</sup> which are the first responsible for the implementation of the EU's cooperation programme 'in the field' or in third countries, a context in which they are supposed to closely coordinate with the rotating presidencies.<sup>552</sup> Although some of the staff directly report to the Commission,<sup>553</sup> since the Treaty of Lisbon, the delegations formally report to the EEAS.<sup>554</sup> In this regard, they receive instructions from both '*the relevant Commission services as appropriate*' and the HR/EEAS,<sup>555</sup> a context in which, in case of contradictory instructions, the Head of Delegation, may, as stated by Gatti (2016:296), serve as an '*emergency break*'. The Head of Delegation is accountable to the HR and in charge of ensuring coordination of all actions of the Union.<sup>556</sup> Ever since the shift from Commission delegations to EU delegations under the Treaty of Lisbon, the latter have taken on a wide range of responsibilities, amongst which are coordination, representation and reporting.<sup>557</sup> The EU delegations are strongly involved in bilateral programming, participating for example in the drafting of ENP Partnership priorities, policy positions and agendas ahead of meetings such as the Association Council, the Association Committee and/or its sub-committees<sup>558</sup> and playing a key role with respect to political monitoring (BOENING, KRMER and VAN LOON, 2013:105). Further, EU delegations also play a financial role,<sup>559</sup> with their power of financial implementation deriving from the Commission (which maintains the right to withdraw it at any time). This means that, in terms of budget implementation, they must comply with Commission rules,<sup>560</sup> whereby financial responsibility lies with the Head of Delegation (GATTI, 2016:293). EU delegations are separated into a political and an operational section and whilst the former oversees the conduct of political dialogue, the latter is responsible for the management of cooperation programmes, including the management of financial and technical assistance (GATTI, 2016:286).<sup>561</sup> As for Morocco, the EU delegation in Rabat acts as the first local point of contact with the EU and, as such, is expected to be in permanent contact with local ministries, agencies, bodies and NGOs, to inform them about EU-activities and to provide input to the higher levels.

### 5.3.2 Union for the Mediterranean

As shown before, the **Union for the Mediterranean (UfM)** was set up in 2008 in Paris as an intergovernmental organisation comprising of the Commission and the member states, as well as 15 Mediterranean countries from both the northern and southern shores: Albania,

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<sup>549</sup> [EEAS](#) (Accessed on 16 August 2017).

<sup>550</sup> Given this proximity between the EEAS and the member states, the former's activities are closely monitored and controlled (for example, through the Foreign Affairs Council (FAC) or COREPER), which in turn limits the '*discretionary power of the EEAS*' (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:4-5, 127); [EEAS](#) (Accessed on 26 October 2019).

<sup>551</sup> EU delegations are functionally similar to diplomatic missions (GATTI, 2016:286); [Europa](#) (Accessed on 09 November 2018).

<sup>552</sup> [Euromedrights](#) (Accessed on 25 November 2017); [Council](#) (Accessed on 10 November 2018).

<sup>553</sup> In fact, most EU delegations also comprise Commission staff (HELWIG, IVAN and KOSTANYAN, 2013:67).

<sup>554</sup> [Euromedrights](#) (Accessed on 25 November 2017); [Council](#) (Accessed on 10 November 2018).

<sup>555</sup> Every time the Commission issues instructions to delegations, it must, in parallel inform the Head of Delegation and the EEAS Central Administration (2010/427/EU); [Euromedrights](#) (Accessed on 25 November 2017); [Council](#) (Accessed on 10 November 2018).

<sup>556</sup> [EEAS](#) (Accessed on 26 October 2019).

<sup>557</sup> [EP](#) (Accessed on 05 December 2018).

<sup>558</sup> [Euromedrights](#) (Accessed on 16 August 2017).

<sup>559</sup> In this regard, EU delegations are, for example, in charge of the management of EEAS funding at the local level.

<sup>560</sup> The EEAS budget is a separate part of the EU budget, with the Parliament having a right of scrutiny over it.

<sup>561</sup> [Euromedrights](#) (Accessed on 25 November 2017).

Bosnia and Herzegovina, Monaco, Montenegro, Turkey, Algeria, Egypt, Morocco, Tunisia, Israel, Jordan, Lebanon, Mauritania, Palestine and Syria. Whilst its presidency is held by the EEAS and one member country from the southern shore of the Mediterranean,<sup>562</sup> based in Barcelona, its Secretariat is managed by the Secretary General, as well as by six Deputy Secretary Generals (DSGs), which are each responsible for one sector.<sup>563</sup> It consists, amongst other things, of experts from its member states, as well as from the Commission, the Investment Bank and the French Caisse des Dépôts.<sup>564</sup> More than 50% of the budget is provided by the EU<sup>565</sup> and members meet on a regular basis at the level of Senior Officials (SOs).<sup>566</sup> The focus is on regional initiatives, i.e. initiatives that involve multiple partners, whereby it is worth pointing out that decisions and projects are non-binding, with their implementation entirely depending on the political will of its members (Interview UfM, 2017). This is, amongst other things, a reason for which the UfM has often been described as ‘*slow-moving*’ (BERGASSE, 2011:1) and ‘*irrelevant*’ in the literature (ESCRIBANO, 2017:4).

The aim of the UfM is to reinforce economic and social ties in the Mediterranean region, which is supposed to be achieved through policy guidance, policy dialogue and project cooperation on six priority areas, with energy and climate action being one of them. In this context, the UfM has been an active driver of the MSP whose success has, as shown, been limited though. Nonetheless, and despite this failure and widespread scepticism amongst scholars regarding the its ‘*ability to manage the Mediterranean’s climate, energy and environmental resilience*’ (ESCRIBANO, 2017:9), the organisation soon came up with a new energy initiative in line with the Energy Union strategy. In fact, with the latter increasingly shifting focus to the Mediterranean and its role in European energy security (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:34), in May 2015, the Council<sup>567</sup> and the Commission initiated three regional energy cooperation platforms: on gas (Gas),<sup>568</sup> electricity (REM) and renewable energy and energy efficiency (REEE).<sup>569</sup> All the platforms are fully under the auspices of the UfM<sup>570</sup> and financed through DG NEAR and DG ENER and investment support provided by the European Bank for Reconstruction and Development (EBRD) and other sponsors (Interview UfM, 2017). Whilst the first two platforms were already launched in June<sup>571</sup> and October 2015,<sup>572</sup> the third was not launched until November 2016 with one year of delay,<sup>573</sup> suggesting eventual planning or implementation problems. The specific aim of the platforms is to develop and integrate the Euro-Mediterranean

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<sup>562</sup> [EEAS](#) (Accessed on 07 January 2018).

<sup>563</sup> The sectors are: Business Development & Employment, Social & Civil Affairs, Higher Education & Research, Water & Environment, Transport & Urban Development and Energy & Climate Actions.

<sup>564</sup> [UfM](#) (Accessed on 01 January 2018).

<sup>565</sup> [UfM](#) (Accessed on 07 September 2017).

<sup>566</sup> The Senior Officials (SOs) are, amongst other things, in charge of approving the budget and work programme of the UfM Secretariat and of coordinating its work, as well as preparing the UfM Ministerial Meetings (the context in which decisions must be taken by consensus). [UfM](#) (Accessed on 01 January 2018).

<sup>567</sup> The idea of the platforms had its origins in the gas platform (HERRANZ-SURRALLE, 2018:133).

<sup>568</sup> Building on the European Council Conclusions of March 2014, the UfM platforms or the UfM gas platform to be more precise was first initiated in July 2014 on the occasion of a meeting of the Energy Ministers of the EU and the Mediterranean countries. It was confirmed in November 2014 in Rome, the context in which electricity and RES were equally put back on the agenda. All three platforms were agreed upon in March 2015 when steering committee meetings began (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:34), [QME](#) (Accessed on 04 January 2018).

<sup>569</sup> In fact, taking full advantage of differences in power generation, interconnected electricity markets contribute to a (more) optimal development of RES through higher flexibility.

<sup>570</sup> The renewable energy and energy efficiency (REEE) platform is co-chaired by the EU and Jordan. [MEDENER](#) (Accessed on 02 January 2017).

<sup>571</sup> The first meeting of the gas platform took place in March 2016. [EC](#) (Accessed on 19 March 2017); [QME](#) (Accessed on 06 January 2018).

<sup>572</sup> [EC](#) (Accessed on 19 March 2017).

<sup>573</sup> [EC](#) (Accessed on 19 March 2017).

electricity and gas markets, allowing for the exchange of electricity and the supply of gas, and to develop and deploy renewables and energy efficiency.<sup>574</sup> To this end, they target the harmonisation of legal frameworks, the promotion of investment frameworks, the identification of projects, as well as the support of RES and EE.

Apart from the energy platforms, the UfM has also been involved in negotiations on the SET agreement, as well as in December 2018, in the declaration on the progressive opening-up of the renewable electricity markets.<sup>575</sup> Although the agreement is in content very similar to the MSP and thus theoretically doomed to failure, several developments over the past 8 years suggest, however, that this might not be the case (Interview UfM, 2017). First, there is the degree of power interconnectivity between the EU member states, which initially rather low, is about to increase in coming years due to a variety of measures and projects and better technology.<sup>576</sup> And indeed, in its European Energy Security Strategy of 2014, the Commission foresees, for example, the extension of its 10% electricity interconnection target by 2020 to 15% by 2030 and has even set up a group on electricity interconnection to this end.<sup>577</sup> Also, in 2015, the Commission, France, Spain and Portugal signed an MoU setting up a so-called High Level Group for South-West Europe on interconnections, with the aim, amongst other things, of increasing the capacity of electricity exchanges between France and Spain to 8 GW by 2020.<sup>578</sup> Second, between 2013 and today, a shift in consciousness or a 'greening' of consciousness has taken place. Not only are policymakers more or better aware of the geopolitical risks that an overdependence on gas entails but also of the threat of climate change. This is true for both European and Mediterranean policymakers, with the countries of the latter being particularly hard hit by the impacts of climate change. Consequently, over the last 5 years, renewable energy sources and energy efficiency have increasingly moved up the policy agendas on both the northern and southern shores of the Mediterranean (with investments in the Southern Mediterranean being available despite instability) (Interview UfM, 2017).

### 5.3.3 EIB & EBRD

Apart from the institutions described in the previous Chapters, the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD) are equally decisive actors with respect to the EU's external action, with the EIB claiming to have a '*multiplier effect in direct support of the European external action and development effort.*'<sup>579</sup> This is also true for EU energy governance towards Morocco where both banks are the most important financial EU actors in Morocco (and among the most important in general). They finance projects in support of EU policies and are involved both in budget support and co-financing.

Founded in 1958 and headquartered in Luxembourg, the **European Investment Bank (EIB)**, which is jointly owned by all of the 28 EU member states, is the EU's most important financing institution whose mission is to '*fund viable projects that deliver the EU's policy objectives within*

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<sup>574</sup> UfM (Accessed on 25 February 2019).

<sup>575</sup> CMI (Accessed on 25 February 2019).

<sup>576</sup> MedReg (Accessed on 19 December 2017).

<sup>577</sup> EC (Accessed on 19 March 2017).

<sup>578</sup> EC; EC (Accessed on 17 December 2017).

<sup>579</sup> EIB (Accessed on 21 November 2018).

Member States' (Art. 309 TFEU).<sup>580</sup> Supposed to 'contribute [ ] to European integration, development and cohesion by financing projects in support of EU policies',<sup>581</sup> it borrows money on capital markets and lends it on favourable terms to eligible projects.<sup>582</sup> In order to receive funding, projects must meet 3 requirements: a) EU policy objectives, b) technical criteria and c) added value (Interview EIB, 2017), whereby consistency plays a major role. In fact, projects must be consistent with the EU's wider regional approach towards the corresponding region,<sup>583</sup> as well as with the target region's own strategy and technical operational guidelines.<sup>584</sup> Overall, the EIB is the world's largest multilateral borrower and lender and often one of the most important funders of projects, both within and outside of the EU, where it is supposed to contribute to the implementation of the European Neighbourhood Policy (ENP). It operates worldwide and has a presence in 150 countries, where it works with a wide range of actors such as national governments, public investors, private industries and civil society.<sup>585</sup> However, the bank's working focus clearly is on Europe – indeed, in 2016, 90% of the projects financed were located in Europe and only 10% outside of Europe, with infrastructure development constituting an extremely important pillar (Interview EIB, 2017).<sup>586</sup> In 2017, around 14.6% of the bank's lending capacity was devoted to the energy sector,<sup>587</sup> whereby the focus lay on energy efficiency, renewable energy, energy networks, research and innovation, as well as the transition to a low-carbon global economy.<sup>588</sup> The overall aim is the promotion of secure, competitive and sustainable energy, as well as the fight against climate change<sup>589</sup> which, in recent years, has become a key priority.<sup>590</sup>

The EIB's green working focus also applies to the Mediterranean<sup>591</sup> where the bank has been an early supporter of energy initiatives addressing regional environmental and climate issues.<sup>592</sup> Already in 2002, the EIB created the Facility for Euro-Mediterranean Investment and Partnership (FEMIP) which aiming at opening-up the Mediterranean economies, soon developed into the bank's financial arm in the Mediterranean countries and contributed for example significantly to the financing of the MSP.<sup>593</sup> Indeed, as noted by Tagliapietra (2016:181), '*FEMIP brings together the whole range of services provided by the EIB to assist the economic development and the integration of SEMCs, with the aim to accompany the region along a path of sustainable and socially-inclusive development.*' Here, the bank also manages the FEMIP Trust Fund (FFT),

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<sup>580</sup> [EIB](#) (Accessed on 11 February 2018).

<sup>581</sup> [EC](#) (Accessed on 26 August 2017).

<sup>582</sup> Lending accounts for about 90% of the bank's total financial commitment, whereas the remaining 10% are covered by other services such as technical assistance (advising) or a combination with other investments from public and private partners (blending).

<sup>583</sup> Therefore, Decision No 1080/2011/EU lays out several general objectives to be followed across all regions and countries (i.e. social and economic infrastructure, climate change mitigation and adaptation or local private sector development). Nevertheless, and despite these restrictions, the Investment Bank is rather independent in the choice of the projects it wants to support, at least what concerns financial and technical considerations. [EIB](#) (Accessed on 27 August 2017).

<sup>584</sup> Overall, the bank's external action is supported by Council decision 2006/1016/EC, granting it a Community guarantee against losses under loans and loan guarantees outside the Community. [Eurlex](#) (Accessed on 24 August 2019).

<sup>585</sup> [EC](#) (Accessed on 26 August 2017).

<sup>586</sup> [EU](#) (Accessed on 27 August 2017).

<sup>587</sup> [EIB](#) (Accessed on 21 November 2018).

<sup>588</sup> [EIB](#) (Accessed on 03 December 2017).

<sup>589</sup> [EIB](#) (Accessed on 26 August 2017).

<sup>590</sup> Indeed, in the context of the COP21, the bank increased the proportion of its climate-related lending in developing countries from 25% to 35%. [EIB](#) (Accessed on 27 August 2017).

<sup>591</sup> Overall, the EIB has intensified its activities in the southern Mediterranean in recent years, reflecting EU action in the context of the Arab Spring (UJVARI, 2017:10).

<sup>592</sup> [EIB](#) (Accessed on 03 December 2017).

<sup>593</sup> In fact, since 2008, EIB support has also been channeled through the Union for the Mediterranean (UfM), with which the bank signed an MoU in 2011. [EC](#) (Accessed on 22 November 2018).

which set up in 2004,<sup>594</sup> serves to carry out climate actions through Climate Action in the Middle East and North Africa (CAMENA).<sup>595</sup> However, the EIB has also financed energy projects related to fossil fuels in North Africa.<sup>596</sup> Indeed, from 1956 until 2017, 61% of its loans (in financial terms) into this region went to natural gas and LNG projects, and only 7% to renewable energy (including hydro) initiatives.<sup>597</sup> Under the EIB's new guidelines, this is however expected to change, with evidence for this assumption being given by the fact that at the COP22 in Marrakesh, the bank announced plans to strengthen its support for the Green for Growth Fund (GGF).<sup>598</sup> Initially initiated by the EIB and the KfW, the GGF seeks to promote renewable energy and energy efficiency initiatives, amongst other things, across North Africa, as well as Lebanon, Jordan and the Palestinian Territories.<sup>599</sup>

As regards Morocco, where the EIB first became active in 1979 and has had its own office since 2005,<sup>600</sup> projects worth € 400 million per year are financed with energy-related projects accounting for around 20% of this sum (Interview EIB, 2017), whereby the bank mainly operates through co-financing<sup>601</sup> and primarily supports projects in the fields of energy infrastructure, renewable energy sources and energy efficiency (see Table 5). Indeed, apart from the Maghreb-Europe pipeline, the EIB supports for example the Ouarzazate project and having contributed to its first phase, NOOR I – for which it was the lead financial institution – with a € 100 million loan, it is also committed to contribute to the second phase NOOR II (€ 100 million) & III (€ 82.1 million). In this context, and overall, the EIB is bound by EU policies, a provision that also includes the Union's position on the Sahara question and explains why the bank decided to take a rather neutral stance in the conflict and refrains from investing in projects located in this region.<sup>602</sup>

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<sup>594</sup> In 2015 and 2016, respectively 43% and 3% of the loans signed with the southern neighbourhood targeted the energy sector. [EIB](#) (Accessed on 03 December 2017); [EIB](#), [EIB](#) (Accessed on 05 December 2017).

<sup>595</sup> [EIB](#) (Accessed on 03 December 2017).

<sup>596</sup> comprising Morocco, Algeria, Tunisia and Egypt.

<sup>597</sup> [EIB](#) (Accessed on 27 August 2017).

<sup>598</sup> [EIB](#); [EIB](#) (Accessed on 27 August 2017).

<sup>599</sup> [GGF](#) (Accessed on 27 August 2017).

<sup>600</sup> [EIB](#) (Accessed on 26 August 2017).

<sup>601</sup> It generally accounts for one third or the costs of a project. [EC](#) (Accessed on 26 August 2017).

<sup>602</sup> (03 January 2014), Western Sahara dispute dims Morocco's solar hopes, [Euractiv](#) (Accessed on 03 December 2017).

**Table 5: Investments and loans granted to Morocco by the EIB from 1956 until 2018**

Investments and loans granted to Morocco by the EIB from 1956 until 2018				
Name	Status	Field	Date	Loan amount (in€)
Green for Growth Fund III	Signed	Renewables	18/07/2018	250.000
OUARZAZATE III (TOWER)	Signed	Renewables	16/11/2016	32.100.000
OUARZAZATE II (PARABOLIC)	Signed	Renewables	22/12/2014	100.000.000
OUARZAZATE III (TOWER)	Signed	Renewables	22/12/2014	50.000.000
ONEE - PROJET EOLIEN	Signed	Renewables	30/12/2013	200.000.000
ONEE - RESEAUX ELECTRIQUES III	Signed	Electricity	14/12/2012	180.000.000
CENTRALE SOLAIRE DE OUARZAZATE	Signed	Renewables	19/11/2012	100.000.000
ONE -RESEAUX ELECTRIQUES II	Signed	Electricity	12/05/2008	170.000.000
ONE PROJETS HYDROELECTRIQUES II	Signed	Hydro	27/12/2007	150.000.000
ONE ELECTRIFICATION RURALE II	Signed	Electricity	14/12/2006	170.000.000
ONE PARC EOLIEN DE TANGER	Signed	Renewables	11/04/2004	80.000.000
ONE DEPOLLUTION CENTRALE MOHAMMEDIA	Signed	Electricity	11/04/2004	40.000.000
ONE INTERCONNEXIONS II	Signed	Electricity	16/10/2002	120.000.000
ONE CENTRALE POMPAGE AFOURER	Signed	Energy	16/07/2001	90.000.000
PARC EOLIEN DE TETOUAN	Signed	Renewables	05/11/1998	20.000.000
ONE - TRANSPORT D'ELECTRICITE	Signed	Electricity	23/04/1998	75.000.000
MAGHREB-SPAIN GASLINE MOR. SECTION	Signed	Natural gas	22/12/1995	94.048.404
MAGHREB-SPAIN GASLINE MOR. SECTION	Signed	Natural gas	22/12/1995	95.565.314
MAGHREB-SPAIN GASLINE MOR. SECTION	Signed	Natural gas	10/05/1994	161.160.354
LIAISON ELECTRIQUE MAROC-ESPAGNE	Signed	Electricity	21/06/1994	80.000.000
ONE - RENFORCEMENT RESEAU ELECTRIQUE	Signed	Electricity	15/06/1993	60.000.000
ELECTRIFICATION RURALE	Signed	Electricity	22/06/1989	30.000.000
COMPL. HYDRO-ELECTRIQUE AIT CHOUARIT B	Signed	Hydro	18/07/1984	34.000.000
<b>Total</b>				<b>2.082.124.072</b>

Source: Own elaboration from [EIB](#) (Accessed on 21 November 2018).

The **European Bank for Reconstruction and Development** or EBRD in short is a multilateral development bank headquartered in London whose aim is to ‘[...] *develop open and sustainable market economies in countries committed to, and applying, democratic principles*’.<sup>603</sup> Despite being partly owned by the EU, the EU member states and the EIB which together account for a combined share of 62.8% in the bank’s total capital,<sup>604</sup> the EBRD is contrary to the EIB, not an EU institution, however, it has considerable impact on EU policies (MCCORMICK, 2015:229). Set up in the context of the political turmoil of 1991, its initial mission was to support the transition processes in Central and Eastern Europe,<sup>605</sup> by contrast, its geographical mandate was only extended to Southern Europe in 2011 in the aftermath of the Arab Spring.<sup>606</sup> Its main activity being financial investment, comprising loans, equity investment and guarantees,<sup>607</sup> the bank also offers advisory services such as capacity building and technical assistance and also engages in policy dialogue,<sup>608</sup> an area in which it strongly relies on the EU though.<sup>609</sup> Generally, it funds up to 35% of the total cost for a greenfield project,<sup>610</sup> which means that project investments are usually carried out in cooperation with commercial partners, a context in which it principally

<sup>603</sup> [EBRD](#) (Accessed on 13 February 2018).

<sup>604</sup> The EU and the EIB each hold a 3.05% share. Overall, 66 countries have a share in the EBRD. The biggest single shareholder is the US. [EC](#) (Accessed on 06 December 2017); [EBRD](#) (Accessed on 11 February 2018).

<sup>605</sup> where, as of today, it is the single largest investor [EBRD](#) (Accessed on 07 December 2017); (MCCORMICK, 2015:229).

<sup>606</sup> [EBRD](#) (Accessed on 06 December 2017).

<sup>607</sup> [EIB](#) (Accessed on 05 December 2017).

<sup>608</sup> [EBRD](#) (Accessed on 05 December 2017).

<sup>609</sup> [EBRD](#) (Accessed on 05 December 2017).

<sup>610</sup> [EIB](#) (Accessed on 05 December 2017).

serves as leverage for the mobilisation of foreign capital, with investments primarily going into the private sector (BRONSTONE, 1999:28; MCCORMICK, 2015:229).<sup>611</sup> Its working focus is multi-sectoral, with its project portfolio spanning a wide range of different topics, from agribusiness to transport,<sup>612</sup> whereby there is a strong focus<sup>613</sup> on the energy sector<sup>614</sup> which accounted for 23% of the bank's total financing in 2016.<sup>615</sup> Whilst the southern and eastern Mediterranean accounted for 13% of the sum,<sup>616</sup> Morocco made up for around 26% of this share.<sup>617</sup>

A country of operations since 2012, Morocco is a crucial partner to the EBRD in the Euro-Mediterranean basin<sup>618</sup> and home to three of the bank's permanent offices. Whilst the first office was opened in Casablanca in 2015, the second one was opened in September 2017 in Tangier<sup>619</sup> and the third one in December 2019 in Agadir,<sup>620</sup> reflecting the bank's attempts to increase its outreach in the country. All in all, the EBRD has invested in more than 44 projects in Morocco at a cost of more than € 1.6 billion since 2012,<sup>621</sup> whereby around 12% (or 148 million) of this sum went to Morocco's power and energy sectors, with a clear focus on sustainable energy<sup>622</sup> as Table 6 shows. In fact, one priority in Morocco is to support the country's efforts to reform its energy sector and its sustainable energy strategy, a context in which the bank notably seeks to contribute to the development of the regulatory and institutional frameworks of the Moroccan and energy and electricity markets and notably engages with ONE.<sup>623</sup> As regards funding of related projects, an important financing mechanism is the Morocco Sustainable Energy Financing Facility (MorSEFF) which, developed by the EBRD and co-financed by the EIB, the AFD and the KfW, is a credit line of € 110 million dedicated to Moroccan private companies active in the fields of energy efficiency and small-scale renewable energy investments. Funding is available in different forms, including grants and leasing, whereby the facility provides an investment subsidy of 10%, as well as technical assistance.<sup>624</sup> So far, MorSEFF has allowed for the financing of renewables projects worth around € 3 million.<sup>625</sup>

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<sup>611</sup> [EC](#) (Accessed on 06 December 2017).

<sup>612</sup> [EBRD](#) (Accessed on 13 February 2018).

<sup>613</sup> Further, the European Bank for Reconstruction and Development (EBRD) is currently in the process of developing a new energy sector strategy. See [Energy Strategy 2013](#) and [Sustainable Energy Initiative](#); [EBRD](#) (Accessed on 22 November 2018).

<sup>614</sup> In total, since its creation in the 1990s, the latter has financed 265 projects or the equivalent of around € 11 million related to energy. [EIB](#) (Accessed on 05 December 2017).

<sup>615</sup> [EC](#) (Accessed on 06 December 2017).

<sup>616</sup> [EBRD](#) (Accessed on 05 December 2017).

<sup>617</sup> as of 2015.

<sup>618</sup> Morocco was for example one of the few North African founding members (together with Egypt and Tunisia). [EBRD](#) (Accessed on 08 December 2019).

<sup>619</sup> given the promising economic potential of the the Tangier-Tétouan-Al Hoceima region (notably because of the port of Tangier). [EBRD](#) (Accessed on 17 February 2018).

<sup>620</sup> [EBRD](#) (Accessed on 08 December 2019).

<sup>621</sup> [EBRD](#) (Accessed on 17 February 2018).

<sup>622</sup> [EBRD](#) (Accessed on 15 February 2018).

<sup>623</sup> [EBRD](#) (Accessed on 08 December 2019).

<sup>624</sup> Moroccan partner banks are BMCE Bank and Banque Populaire. [MORSEFF](#) (Accessed on 17 December 2018).

<sup>625</sup> [MORSEFF](#) (Accessed on 17 February 2018).

**Table 6: Investments and loans granted to Morocco by the EBRD from 2012 until 2016**

Investments and loans granted to Morocco by the EBRD from 2012 until 2016				
Name	Status	Field	Date	Loan Amount (in €)
KHALLADI WIND FARM	Signed	Renewables	15/09/2015	52.557.671
ONEE Hydro Rehabilitation	Signed	Hydro	29/07/2015	35.000.000
ONE - RURAL ELECTRIFICATION AND SMART METERING	Signed	Electricity	05/09/2012	60.000.000
<b>Total</b>				<b>147 557 671</b>

Source: Own elaboration from [EBRD](#).

### 5.3.4 Regional regulators and associations: MedReg, Med-TSO, OME, MEDENER & RES4MED

Regional energy cooperation is, on the regulatory and technical levels, reinforced by the Mediterranean Energy Regulators (MedReg), the Mediterranean Transmission System Operators (Med-TSO), the Mediterranean Energy Observatory (OME), the Mediterranean Association of the National Agencies for Energy Conservation (MEDENER) and Renewable Energy Solutions for the Mediterranean (RES4MED). On the industrial level, it used to be, as shown before, backed by initiatives like Desertec and Medgrid.<sup>626</sup>

Whilst the overriding aim of these organisations is similar, namely the integration of Euro-Mediterranean energy markets, each operator nonetheless pursues its own individual targets according to its strategic focus (see Table 7).

**Table 7: Overview of regional energy initiatives in the Mediterranean**

Regional energy initiatives in the Mediterranean			
Association	Focus	Vision/Mission	Objectives
MedReg	Sustainable energy (energy efficiency)	<i>'Provide a level playing field for all Mediterranean energy actors'</i>	a) <i>'promote a greater compatibility of the energy markets and legislations and seek progressive market integration in the Euro-Mediterranean region'</i> and b) <i>'foster sustainable development in the energy sector through greater efficiency and integration of energy markets based on secure, safe, cost-effective and environmentally sustainable energy systems'</i>
Med-TSO	Electricity	<i>'Being the reference professional and strategic body for every technical, market and policy issues related to the Mediterranean electricity systems: a competent, prepositive and proactive guide to which European and Mediterranean institutions and stakeholders could refer'</i>	<i>'Support all the technical and institutional initiatives aiming at the development of an integrated, secure and sustainable regional electricity transmission grid, in order to facilitate the creation of a Mediterranean energy market'</i>
MEDENER	Energy conservation & sustainable energy (renewable energy sources & energy efficiency)	<i>'Create an interface with public and private actors in the Mediterranean region' in order to 'establish synergies in the national discussions between institutional and private actors' 'to facilitate the implementation of energy and sustainable urban development projects'</i>	a) <i>'ensure project quality by developing common standards, labels, tool and methods'</i> and b) <i>'organise skill-building for MEDENER members and partners with a view to streamlining investments'</i> and c) <i>'support the implementation of energy efficiency and renewable energy projects using MEDENER's collective expertise to identify and qualify these projects'</i>
RES4MED	Renewable energy sources	<i>'Function as a bridge between members and partners of emerging markets for an exchange of perspectives and expertise'</i>	<i>'Promote the deployment of large-scale and decentralized renewable energy (RE) and energy efficiency (EE) solutions in Southern-Mediterranean markets to meet local energy needs for growth'</i>

Source: Own elaboration based on [MedReg](#), [Med-TSO](#), [MEDENER](#) and [RES4MED](#) (Accessed on 08 February 2018).

<sup>626</sup> Here, Algeria and Libya participate (contrary to the Association Agreements (AAs)).

There is consensus that MedReg and Med-TSO are the most relevant players as regards the enhancement of regional energy cooperation, given that one way of achieving energy cooperation is via market reform which, in turn, calls for the harmonisation of rules and the establishment of regulators.<sup>627</sup> Moreover, they, like the regulators and non-profit organisations in general, are well respected as they are '*widely seen as above private interests*' and '*as not involved in current political conflicts*'.<sup>628</sup> Respectively established in 2007 (in Paris, but under Italian law) and 2012 (in Rome),<sup>629</sup> MedReg and Med-TSO are non-profit bottom-up organisations that act as platforms for the voluntary exchange of knowledge and are not entrusted with any powers to issue legally binding decisions. By contrast, they can only give policy orientations for best practices and whilst their fundamental characteristics are quite similar, they do however address different issues and provide analysis on different topics.

Having been started in 2006 as a voluntary working group, the **Mediterranean Energy Regulators (MedReg)** transformed into a permanent organisation in 2007 and, as of today, is regularly cited as the most successful example of regional energy cooperation (SARTORI, 2014:6), the context in which it was granted an observer status in the Parliamentary Assembly of the Mediterranean (PAM) in 2008.<sup>630</sup> Based in Milan, MedReg consists of 25 Mediterranean energy regulators (9 of which are located in the MENA region) aiming at promoting '*a transparent, stable and harmonized legal and regulatory framework in the Mediterranean region*'.<sup>631</sup> Its major challenges are the productivity of the energy and electricity sectors as well as a lack of energy efficiency.<sup>632</sup> In order to meet this challenge, MedReg seeks to attract investment, whereby it faces great hurdles, ranging from the elimination of energy subsidies to the protection of low-income population groups. In order to respond to these challenges, it seeks to foster sustainable development through environmentally sustainable energy systems and greater energy efficiency.<sup>633</sup> To this end, it has set up specific working groups (WGs), with one WG focusing on electricity (ELE WG), one on gas (GAS WG) and one on the environment, RES and EE (RES WG).<sup>634</sup>

In order to realise its objectives sustainably, MedReg strongly advocates the establishment of independent national regulatory agencies for energy systems and energy market competition in each of its member countries, whereby it uses a bottom-up approach, i.e. it is generally the 'target countries' themselves who take the initiative and contact the organisation for expertise and support. This also applies to Morocco which is an official member but does not yet have an official energy regulator (Interview MedReg, 2017),<sup>635</sup> a role that is currently assumed by the MEM.<sup>636</sup> Aware that this cannot be a long-term solution though and recognising that the lack of a veritable regulator has been considerably limiting the attractiveness of the Moroccan energy market to private investors (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:22), the Moroccan government has on various occasions expressed its interest in establishing a

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<sup>627</sup> EP (Accessed on 22 November 2018).

<sup>628</sup> EP (Accessed on 24 November 2018).

<sup>629</sup> Both MedReg and Med-TSO were strongly promoted by the Italian Regulatory Authority for Energy (AEEGSI).

<sup>630</sup> MedReg (Accessed on 30 December 2017).

<sup>631</sup> MedReg (Accessed on 19 December 2017)

<sup>632</sup> MedReg (Accessed on 10 February 2018).

<sup>633</sup> IEA (Accessed on 20 December 2017).

<sup>634</sup> MedReg (Accessed on 30 December 2017).

<sup>635</sup> Morocco and Tunisia are the only North African members of MedReg without a regular regulator (Interview MedReg, 2017).

<sup>636</sup> MedReg (Accessed on 19 December 2017).

regulator.<sup>637</sup> In this context, MedReg has sought to promote an exchange of know-how with MEM, where it has started to provide specialised training and capacity-building activities on all the aspects of energy regulation and market integration,<sup>638</sup> often in cooperation with the GIZ. It does not maintain any official contacts with either MASEN or the ONEE (Interview MedReg, 2017).

Headquartered in Rome, the **Mediterranean Transmission System Operators (Med-TSO)** was founded in 2012 and is a *'technical platform for facilitating the integration of the Mediterranean'* composed of 20 Mediterranean Transmission System Operators (TSOs) for electricity from 18 Mediterranean countries. Inspired by the work of the European Network of Transmission System Operators for Electricity (ENTSO-E),<sup>639</sup> Med-TSO's overall mission is to develop an *'integrated, secure and sustainable electricity transmission grid, in order to facilitate the creation of a Mediterranean energy market.'*<sup>640</sup> The member operator from Morocco is ONEE. In order to achieve its aim, Med-TSO seeks to establish a multilateral platform for energy cooperation in the Mediterranean and the set-up of a harmonised energy framework in order to attract investment. Subsidiary objectives in this context are regional security and socio-economic developments such as the reduction of CO<sub>2</sub> emissions in the Mediterranean region. As this implies, renewable energy sources are not an objective *per se*, but rather seen as input or a starting point for grid stability (Interview Med-TSO, 2017). Med-TSO sees itself as a technical platform that *'uses multilateral cooperation as a strategy of regional development'*<sup>641</sup> and as such, it promotes regional projects that aim at *'increasing security and quality of power supply'* and at *'facilitating the integration of new energy sources'*.<sup>642</sup> An example here is the so-called Mediterranean Project which seeks to achieve *'progressive harmonization and strengthening of the electricity markets in the Mediterranean region'*<sup>643</sup> and for which the organisation received three-year financing from the EU.<sup>644</sup> Prior to this, in 2013, Med-TSO was also entrusted with the realisation of the Master Plan for the Mediterranean Electricity Interconnections in the context of the MSP. Its main responsibility was the collection and analysis of the National Development Plans (NDPs) of the power systems of the Mediterranean countries.<sup>645</sup> By contrast, Med-TSO was never part of the Desertec project (Interview Med-TSO, 2017).

Launched in 1988, the Observatoire Méditerranéen de l'Energie or **Mediterranean Energy Observatory (OME)** is a nonprofit association based in Paris whose aim is the promotion of energy cooperation in the Mediterranean region. Associated partners are the Mediterranean agencies for energy efficiency (in the case of Morocco, AMEE) and RES4MED<sup>646</sup> and the association's network of business and policy partners spreads over a total of sixteen countries, whereby it acts both as a platform for exchange and as a provider of energy data and information or think tank. Here, and contrary to MedReg and Med-TSO, OME strongly focuses on private sector cooperation and has a particular close link with the industry,<sup>647</sup> a context in which

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<sup>637</sup> [MedReg](#) (Accessed on 21 December 2017).

<sup>638</sup> [MedReg](#) (Accessed on 19 December 2017).

<sup>639</sup> whereby it must be noted here that Med-TSO does not aspire to replicate the ENTSO-E experience in the Mediterranean, given the vast diversity of its member countries (Interview Med-TSO,2017).

<sup>640</sup> Med-TSO.

<sup>641</sup> [Med-TSO](#) (Accessed on 04 February 2018).

<sup>642</sup> [Med-TSO](#) (Accessed on 30 December 2017).

<sup>643</sup> [Med-TSO](#) (Accessed on 30 December 2017).

<sup>644</sup> [Med-TSO](#) (Accessed on 30 December 2017).

<sup>645</sup> [Med-TSO](#) (Accessed on 31 December 2017).

<sup>646</sup> [OME](#) (Accessed on 04 January 2017).

<sup>647</sup> [OME](#) (Accessed on 06 January 2017).

it counts amongst its members energy majors like EDF, Enel, Edison, Engie, Eni, Shell and Total, etc. The association does not specialise on one energy topic but covers a wide range of different energy issues (ranging from LNG to sustainable energy in the context of climate change),<sup>648</sup> regularly carrying out studies and organising conferences, workshops and trainings.<sup>649</sup> At the international level, it participates in UN and EU projects and works closely with the UfM. Indeed, apart from regularly participating in the UfM's Ministerial Meetings,<sup>650</sup> it is strongly involved in the organisation's three energy platforms. For example, whilst running the Secretariat of the gas platform, it is also a stakeholder in the REM and REEE platforms via specialised task forces. For example, it organised the initial meetings of the first two UfM Gas Platform Working Groups, whose aim is to carry out two studies on different gas issues in the Mediterranean.<sup>651</sup> OME is made up of four committees on a) Energy Transition, Sustainability & Climate Change, b) Hydrocarbons & Energy Security, c) Investment Needs & Financing of Infrastructure and d) Strategy & International Cooperation Committee through which it is connected with Moroccan ONEE, which acts as its Chair. Apart from ONEE, OME also cooperates with MEM with which it signed an MoU in the context of the COP22 in Marrakech.<sup>652</sup> The focus hereby lies on energy statistics, perspectives, studies and the exchange of energy relevant information.<sup>653</sup> Collaboration also exists with IRESEN.<sup>654</sup>

The **Mediterranean Association of the National Agencies for Energy Conservation (MEDENER)** was established in 1997 in Tunis as an international non-profit organisation bringing together 14 Mediterranean agencies in the field of renewable energy sources and energy efficiency<sup>655</sup> with their overall aspiration being the achievement of an energy transition through the promotion of sustainable energy projects. The member agency of Morocco is AMEE, whereby it is to be highlighted that MEDENER uses a bottom-up approach, meaning that it is AMEE who contacts MEDENER in case it needs support. To realise its objectives, MEDENER seeks to assist the Mediterranean countries in the development and implementation of their energy management policies by sharing and transferring experiences, know-how, best practices and technologies through training, partnerships and conferences. An important conference to be mentioned here is the organisation's annual International Conference on Energy Transition, which it hosted for the fifth time in November 2017 and in which apart from its member agencies, representatives from the Commission, the UfM and the Regional Centre for Renewable Energy and Energy Efficiency (RCREEE) participated.<sup>656</sup> As part of its mission, MEDENER has also created an observatory for energy efficiency in order to monitor the development of corresponding policies and to identify related opportunities.<sup>657</sup> Moreover, MEDENER participates in concrete landmark projects initiated by the EU such as the MSP or, as shown before, the UfM energy platforms, as well as in smaller joint projects. In fact, as pointed out by

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<sup>648</sup> [OME](#) (Accessed on 06 January 2018).

<sup>649</sup> [OME](#) (Accessed on 04 January 2017).

<sup>650</sup> [OME](#); [OME](#) (Accessed on 06 January 2018).

<sup>651</sup> Further, and in cooperation with the Mediterranean Association of the National Agencies for Energy Conservation (MEDENER) in the context of the renewable energy and energy efficiency platform, it developed an energy transition scenario for the Mediterranean by 2040. Its objective hereby is the achievement of a 30% reduction in energy demand, a 27% share of renewable energy in the energy mix and a 38% reduction of CO<sub>2</sub> emissions. [OME](#) (Accessed on 06 January 2018).

<sup>652</sup> Within the framework of OME, the MEM organised several side events in cooperation with ONEE, the French Environment and Energy Management Agency (ADEME) and MEDENER. [OME](#) (Accessed on 06 January 2018).

<sup>653</sup> [OME](#) (Accessed on 06 January 2018).

<sup>654</sup> [OME](#) (Accessed on 06 January 2018).

<sup>655</sup> Registered in Madrid, its presidency is held by its member agencies on a rotating basis. [MEDENER](#) (Accessed on 08 December 2019).

<sup>656</sup> [MEDENER](#) (Accessed on 02 January 2017).

<sup>657</sup> [MEDENER](#) (Accessed on 02 January 2018).

Bergasse (2011:10), the MSP project actually followed the recommendations of MEDENER, which in this context, closely worked with OME, the RCREEE and the Mediterranean Renewable Energy Centre (MEDREC).

Launched in 2012, **Renewable Energy Solutions for the Mediterranean (RES4MED)** is a Rome-based non-profit association, bringing together 18 agencies, industries, research institutes and academia from both the northern and southern shores of the Mediterranean. Its mission is to promote the deployment of renewable energy sources and energy efficiency in the Mediterranean region with the aim of meeting local needs.<sup>658</sup> To achieve this, its focus is on exchange and knowledge transfer, a context in which the association seeks to act as a platform for dialogue & strategic partnerships, to provide technical support & market intelligence and to lead capacity building, training and innovation efforts.<sup>659</sup> In this context, it regularly organises exhibitions, seminars, workshops and advanced training courses, dedicated to improving cooperation between the different stakeholders in the Mediterranean energy landscape and to creating synergies. Further, it regularly publishes reports and carries out studies aimed at improving the understanding of the business situation in the region, such as the 'Survey on the main barriers affecting investments in RE capacity in the Mediterranean'.<sup>660</sup> As far as Morocco is concerned, RES4MED counts amongst its permanent partners ONEE, SIE and IRESEN with which cooperation was only formalised in July 2017 through the signature of an MoU on collaboration in the field of research and innovation. Further, the organisation has contacts with MEM, MASEN and AMEE, as well with the private player NAREVA.<sup>661</sup>

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<sup>658</sup> Its geographic scope was extended towards sub-Saharan Africa in 2015. [RES4MED](#) (Accessed on 06 January 2018).

<sup>659</sup> [RES4MED](#) (Accessed on 07 January 2018).

<sup>660</sup> Topics of cooperation is the transition towards clean or sustainable energy in the Mediterranean and Africa as a whole. [RES4MED](#) (Accessed on 10 January 2017).

<sup>661</sup> [RES4MED](#) (Accessed on 10 January 2017).

## Part Six – Assessing consistency in EU energy governance towards Morocco

The purpose of this dissertation is the examination of consistency in the EU's energy governance towards Morocco. Given that consistency is difficult to measure, this study hereby aims at finding out if, how and with which result the EU and the member states coordinate their energy policies towards Morocco. Relying on a social network analysis (SNA), this Chapter thus deals with the 'if, how and with which result' aspects and investigates the coordination patterns and mechanisms on the horizontal, vertical and diagonal dimensions.

### 6.1 Horizontal dimension

The following Chapter seeks to examine coordination (and thus consistency) in the horizontal (intra-institutional, inter-institutional and intergovernmental) dimension, whereby it distinguishes between the EU multilevel system and the third-country level as well as between strategic/political and functional aspects.

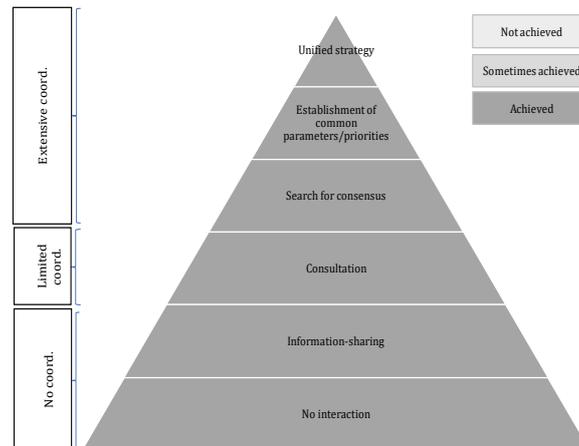
#### 6.1.1 EU multilevel system

As was demonstrated in Part 5, there are a number of European institutions and bodies involved in EU energy governance towards Morocco, whereas in the following, and with regard to the EU multilevel system, the focus is on the European Council, the Council, the Parliament, the Commission, the External Action Service and the Investment Bank.

As laid out in Part 3, **intra-institutional consistency/coordination** is concerned with consistency between one policy area or various policy areas within a political level or institution, whereby as regards the EU, the Commission is often cited as a risk for or source of inconsistent behaviour in the literature, basically because inconsistencies may occur both between the Directorate Generals (DGs) and between the DGs and the commissioners (MARANGONI, 2014:42). For this reason, and in the spirit of collective responsibility of the Commission, several mechanisms have been put in place to avoid frictions, with 'inter-service consultation' being key, meaning that all directorates concerned by a proposal must be consulted *ex ante* and their positions must be taken into account (MARANGONI, 2014:53). In this regard, and as for the Directorate General for Neighbourhood Policy and Enlargement Negotiations (DG NEAR), the latter is required to work closely with the line DGs in charge of thematic priorities, i.e. including the Directorate General Energy (DG ENER). Interviews with DG NEAR in Morocco confirmed this and attest to an extensive level of inter-service coordination (and thus high consistency) between the two directorates with both actors pursuing a unified strategy. In fact, they do not act independently from one another but regularly share and exchange information, consult one another and even establish common priorities (see Figure 18).

**Figure 18: Intra-institutional coordination in the EU multilevel system**

**EC (DG ENER-DG NEAR)**



Source: Own elaboration based on empirical research.

As presented in Part 3, **inter-institutional consistency/coordination** is concerned with the consistency between different political levels or institutions. Here, the European Council is one of the most important institutions when it comes to establishing external consistency (GEBHARD, 2017:109), the context in which it seeks to maximise the EU's impact *'by improving coordination and coherence between the main fields of EU external action, such as trade, energy, justice and home affairs, development and economic policies [...]'* (EUROPEAN COUNCIL 26/27 June 2014 Conclusions). Next, the Commission is equally responsible for ensuring consistency in external areas outside of the CFSP, whereby it is thought to be assisted by the HR and the EEAS who play a key role in ensuring external consistency and has become the *'principal channel for Commission participation in EU external relations'* with the Treaty of Lisbon (DAGAND, 2008:6).<sup>662</sup> Contrary to the abovementioned actors, the Parliament does not play a direct role in ensuring consistency, but an indirect one. This is reflected in the fact that it must give consent on legally binding agreements or in its monitoring powers such as budgetary control. In this light, so Van Vooren and Wessel (2014:461), its role may be *'crucial in ensuring coherence between EU energy interests and values.'* For example, *'to leverage in negotiations with energy producing and consuming countries'*, it insisted on the need to *'Speak with one Voice'* and even advocated that the Commission should be in charge of this (NATORSKI and HERRANZ SURRALLES, 2008:79). Moreover, since its set-up, the Parliament has equally been a strong supporter of the EEAS, a context in which it has also tried to create synergies between the EU delegations and the EU member states' diplomatic services, *'both in terms of practical arrangements (sharing quarters) and in terms of sharing information to avoid duplication'*.<sup>663</sup>

As just mentioned, the Commission plays a vital role in guaranteeing consistency between the internal and external dimensions of energy policy, as well as between energy and other policies (Art. 280I Treaty of Lisbon). Here, it is widely acknowledged in the literature that coordination

<sup>662</sup> Apart from the Commission, the High Representative of the Union for Foreign Affairs and Security Policy (HR) also participates in the work of the European Council (albeit without being a member) and provides support to the Council as will be detailed later. In fact, it is the European Council with the agreement of the President of the Commission and the approval of the Parliament, which appoints and discharges the HR. In turn, the EEAS is appointed by the Council which must act on a proposal of the HR after consulting the Parliament and after obtaining the Commission's consent (Art. 27 TEU).

<sup>663</sup> EP (Accessed on 05 December 2018).

between the Commission and the European Council with regard to energy is extensive (and consistency high) (see Figure 19) and that the cabinet of the Commissioner and the cabinet of the European Council President maintain 'close relations', with 'concerted action' having led to 'unprecedented progress in the field' from 2005 onwards (THALER, 2016:16). This overall close energy relationship is also reflected in the frequent exchanges taking place between the Secretaries General of both institutions as well as between DG ENER and the Secretariat of the European Council (THALER, 2016:16). As for the coordination between the Commission and the External Action Service, there is equally consensus in the literature that it is extensive (and consistency high) (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:127), notably because the Action Service's main responsibility is, as shown before, to coordinate the Commission's work on external relations and to ensure consistency (see Figure 19). Indeed, as stated in Article 3 of the Council decision establishing the organisation and functioning of the European External Action Service, the EEAS shall cooperate with the services of the Commission and consult them 'on all matters relating to the external action of the Union in the exercise of their respective functions, except on matters covered by the CSDP'<sup>664</sup> (HELWIG, IVAN and KOSTANYAN, 2013:46). This includes, amongst other things participation in the Commission's preparatory work and procedures and it is worth repeating that overall, the EEAS heavily relies on the technical expertise of the DGs. In general, so the literature, the coordination with the DGs functions well, but 'could be improved' (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:4-5, 134). To support this claim, Blockmans, Kostanyan, Remizov, Slapakova and Van der Loo (2017:127) cite the March 2011 Communication of the ENP. In fact, whilst the communication aimed at inviting the southern ENP member countries to join the Energy Community Treaty, this policy objective was not supported by DG ENER.<sup>665</sup> However, and as regards Morocco, there is no friction whatsoever and most coordination takes place between the EEAS and DG NEAR which serves as the first point of contact for the EEAS (Interview EEAS, 2017).<sup>666</sup> One important tool to ensure unity is the ENP as it allows for the EEAS to regularly assist in the NIP negotiations and meetings in which it is encouraged to actively participate (Interview EEAS, 2017). Apart from DG NEAR, the EEAS also cooperates with DG ENER and the Directorate General Climate (DG CLIMA), depending on the field. For example, in the case of the organisation and preparation of the COP22, DG CLIMA clearly was the most important contact. Apart from the Commission, the EEAS is, according to the beforementioned Article 3 also supposed to work in cooperation with or to extend cooperation to the Parliament to which it is highly accountable, notably in terms of information-sharing and reporting (HELWIG, IVAN and KOSTANYAN, 2013:50; VAN VOOREN and WESSEL, 2014:23).<sup>667</sup> For example, the Heads of EU delegations are required to speak in front of the Committee on Foreign Affairs (AFET) before taking up their posts in a third country to inform and exchange information about policy priorities to be conducted in this particular country.<sup>668</sup> Moreover, they, as well as the desk officers, regularly participate in meetings of the parliamentary delegation to

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<sup>664</sup> [EEAS](#) (Accessed on 30 October 2019).

<sup>665</sup> In fact, whilst discrepancies between the European External Action Service (EEAS) and the Directorate General Energy (DG ENER) may arise, DG ENER is likely 'to emerge as the winner' from this, as it can usually count on the support of the Council's Working Party on Energy (HELWIG, IVAN and KOSTANYAN, 2013:47).

<sup>666</sup> Cooperation with the Directorate General Energy (DG ENER) is overall less pronounced, notably when compared with the Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR). [EC](#) (Accessed on 05 November 2011); [EC](#) (Accessed on 10 December 2017).

<sup>667</sup> [EEAS](#) (Accessed on 30 October 2019).

<sup>668</sup> [EP](#) (Accessed on 14 August 2017).

the third states<sup>669</sup> (HELWIG, IVAN and KOSTANYAN, 2013:56) (see Figure 19). Finally, and recognising the important role the Union for the Mediterranean (UfM) plays when it comes to bringing together important actors around one table and attracting investors and coordinating investments (Interview EEAS, 2017), the EEAS also coordinates internally with the organisation (Interview EEAS, 2017) (see Figure 19).

Inter-institutional coordination is equally extensive (and consistency high) between the EU institutions and the European Investment Bank, which, jointly owned by the EU institutions and the EU member states, serves as the EU's financing arm and therefore falls under the category of inter-institutional cooperation (see Figure 19). As claimed by Tagliapietra (2016:200), the EIB has a role of utmost importance in the Mediterranean, as it is the only institution capable of delivering financing mechanisms able to attract or leverage new investments (thanks to its financing capacity & reputation) – a role that cannot be assumed by any of the other stakeholders in the region. In terms of consistency between the EU institutions and the EIB, the latter is, in line with Article 19 (§ 2) of its statute, obliged to request the former's opinion on all financing operations outside the EU.<sup>670</sup> However, the EIB's organisation structure forms the actual institutional basis for the permanent exchange of information. In fact, the bank has four statutory bodies, 1) the Board of Governors, 2) the Board of Directors, 3) the Management Committee and 4) the Audit Committee,<sup>671</sup> with management responsibilities lying within 1) - 3). The Board of Governors consists of 28 Ministers (usually Finance Ministers) of the member states and is in charge of defining general lending policies and deciding on the bank's external activities (including outside the EU).<sup>672</sup> By contrast, the Board of Directors<sup>673</sup> is composed of 29 Directors – 28 from each member state and one from the Commission – as well as of 19 Alternate Directors and meets around 10 times a year. It is, amongst other things, responsible for authorising the granting of loans.<sup>674</sup> Decisions are generally<sup>675</sup> taken by one third of its members, representing at least 50% of the subscribed capital.<sup>676</sup> As this shows, the composition of the EIB's governance system allows for a certain degree of consistency between EU policies and EIB projects thanks to the participation of the Commission and the member states. Nonetheless, this cooperation framework is complemented by various bilateral agreements to ensure alignment and compatibility. For example, in order to facilitate coordination between the Commission and the EIB and improve consistency between the EU's external policy objectives, the Commission and the EIB signed an MoU on the strengthening of coordination of EU external lending policies on May 26, 2008 (see Table 8). Measures under the MoU have for example included the reinforcement of dialogue and planning between the two institutions,<sup>677</sup> with the Commission having been assigned a 'key role' here.<sup>678</sup> In this regard, Article 6 (§ 1) of Decision No 466/2014/EU requires for the EIB to be in a regular exchange of information with both the Commission and the EEAS on strategic documents or other policy and operational aspects. Here, it is interesting to note that apart from referring to consistency, and contrary to what is

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<sup>669</sup> The Parliament maintains one Delegation for Relations with Maghreb countries (DMAG) which is comprised three Joint Parliamentary Committees of which one deals with Morocco. [EP](#) (Accessed on 08 November 2019).

<sup>670</sup> [EIB](#) (Accessed on 07 December 2017).

<sup>671</sup> [EIB](#) (Accessed on 11 February 2018).

<sup>672</sup> [EIB](#) (Accessed on 27 August 2017).

<sup>673</sup> The Board has under its supervision the Management Committee, the bank's executive so to speak, with 9 members. [EIB](#) (Accessed on 27 August 2017).

<sup>674</sup> [EC](#) (Accessed on 26 August 2017).

<sup>675</sup> Exceptions exist in certain policy areas.

<sup>676</sup> [EIB](#) (Accessed on 27 August 2017).

<sup>677</sup> [EC](#) (Accessed on 06 December 2017).

<sup>678</sup> [EIB](#) (Accessed on 07 December 2017).

generally the case in EU documents, Article 6 contains a clear reference to coherence (*‘[...] with a view to maximize synergies between EIB financing operations and Union budgetary resources [...]’*). This, in turn, implies a high level of coordination, reaching at least the establishment of common parameters on the Metcalfe scale. Apart from the Commission and the EEAS, the EIB also closely cooperates with the UfM which is, amongst other things, reflected in the fact that the bank is represented in the UfM Secretariat.<sup>679</sup> Further, in January 2011, the EIB and the UfM signed an MoU on cooperation in the fields of economic, social and sustainable development with the aim of implementing a global and regional development strategy. As part of the MoU, both partners agreed to cooperate in the exchange of information in order to *‘avoid any possible overlapping and trying to complement the other party’s views in order to increase the value added of the final outcome’*.<sup>680</sup> Another provision is network-building, where the EIB is asked to establish contacts between the UfM and the industry (other banks, chambers of commerce, think tanks, NGOs etc.). In return, the intention was for the EIB to play a role in the UfM energy platforms which, however, has not materialised so far.<sup>681</sup> The MoU was renewed in 2014.<sup>682</sup>

**Table 8: Coordination between the EIB and other European institutions**

Coordination between the EIB and other (European) institutions	
Date	Agreement
02/05/2016	MoU with the EBRD
05/11/2014	Decision No 466/2014/EU of the EP and the Council
08/04/2014	Renewal of MoU with the UfM
17/01/2011	MoU with the UfM
03/01/2011	MoU with the EC, the European Investment Fund and the EBRD
26/5/2008	MoU with the EC, based on Council Decision 2006/1016/EC
13/7/2009	Decision 633/2009/EC of the EP and the Council
19/12/2006	Council Decision 2006/1016/EC

Source: Own elaboration based on [EIB](#) (Accessed on 27 August 2017).

<sup>679</sup> [EIB](#); [UfM](#) (Accessed on 01 January 2018).

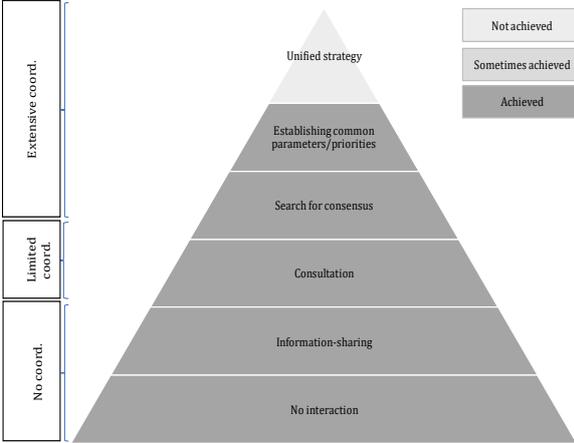
<sup>680</sup> [EC](#) (Accessed on 22 November 2018).

<sup>681</sup> [EIB](#) (Accessed on 01 January 2018).

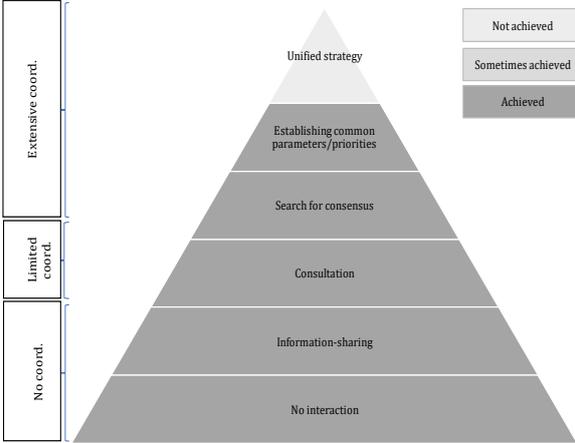
<sup>682</sup> [UfM](#) (Accessed on 22 November 2018).

Figure 19: Inter-institutional coordination in the EU multilevel system

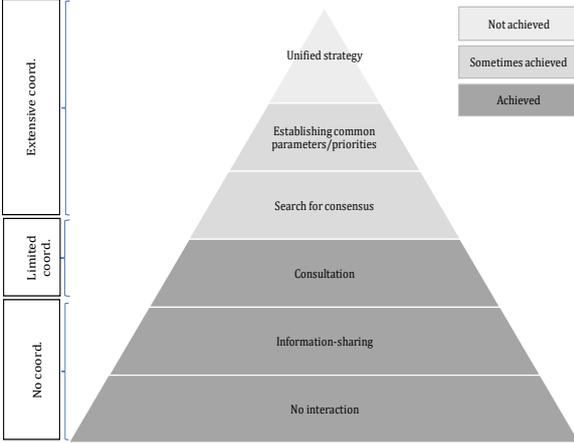
**EC-European Council**



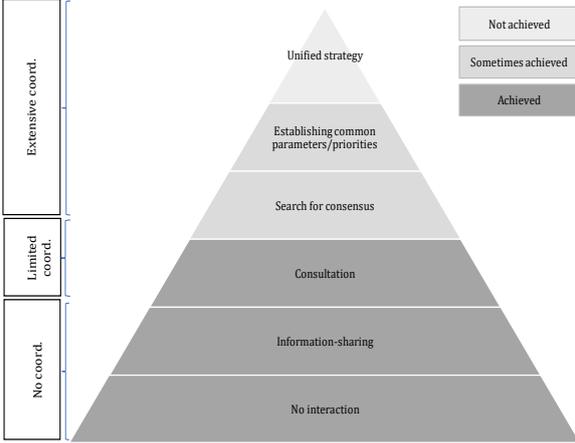
**EC (DG ENER/DG NEAR)-EEAS**



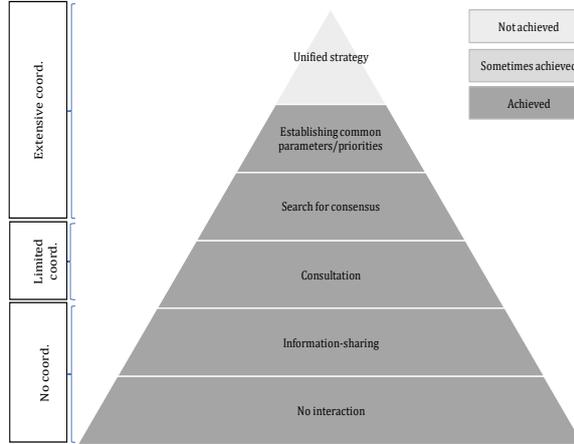
**EEAS-EP**



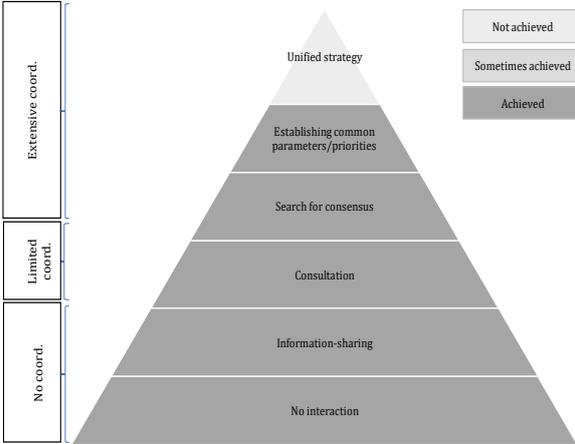
**EEAS-UfM**



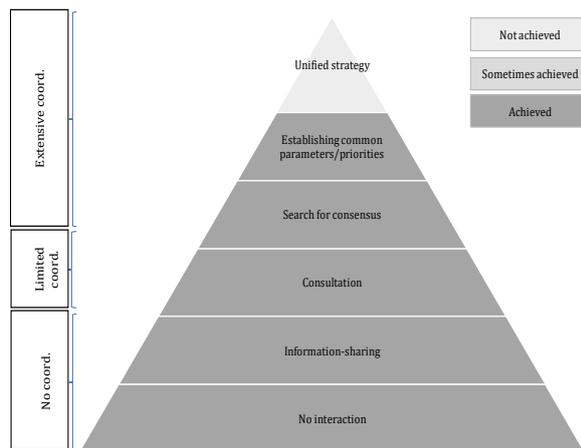
**EIB-EC**



**EIB-EEAS**



## EIB-UfM



Source: Own elaboration based on empirical research.

Concerned with consistency between two or more governments, **intergovernmental consistency/coordination** is, as shown before, not only considered a critical issue in the literature – prime examples of a lack of consistency here are disagreement amongst the member states as regards a common energy approach towards Russia or as regards the Mediterranean Solar Plan (MSP) – but also in empirical research. Indeed, the latter attests to limited coordination (and thus medium consistency) between the member states when it comes to EU energy governance towards Morocco (see Figure 21). The main institution in charge of interstate coordination or political coordination amongst the member states is the Council (GEBHARD, 2017:109). Indeed, whilst overall, both the Commission and the Council are in charge of ensuring consistency between the EU and the member states, much or most of the interstate coordination happens within the Council (DUKE, 2006:27), with Article 32 TEU consolidated foreseeing, for example, for the member states to ‘consult one another within the European Council and the Council on any matter of foreign and security policy of general interest in order to determine a common approach’ and to ‘show mutual solidarity’. Whilst its Presidency, as well as its COREPER are the main institutions in this context (TRAUNER, 2011:22-24), the body in charge of ensuring continuity between the Councils is the General Affairs Council (Art. 9C Treaty of Lisbon)<sup>683</sup> which holds a number of administrative and budgetary competencies involving the CFSP. As regards Morocco, the most important Council though is the FAC’s ‘Maghreb/Mashreq’ (MaMa) Working Party which *de facto* contributes to setting the Council’s agenda towards the Maghreb country (SCHUBERT, POLLAK and KREUTLER, 2016:133-134; Interview EEAS, 2017). The FAC and the MaMa do not interact with each other directly but via the Political and Security Committee (PSC), a body that is composed of the ambassadors of member states to the EU and is chaired by the EEAS.<sup>684</sup> One of the aims of the PSC<sup>685</sup> is to coordinate common European foreign policy matters and to prepare the FAC (in fact, it is the main preparatory body for the Council and formally reports to COREPER II). It is divided into several sub-categories, one of which is responsible for the Maghreb and the Mashreq regions – the MaMa group which, as an entity specialised on the North African region, serves as a useful provider of political expertise with

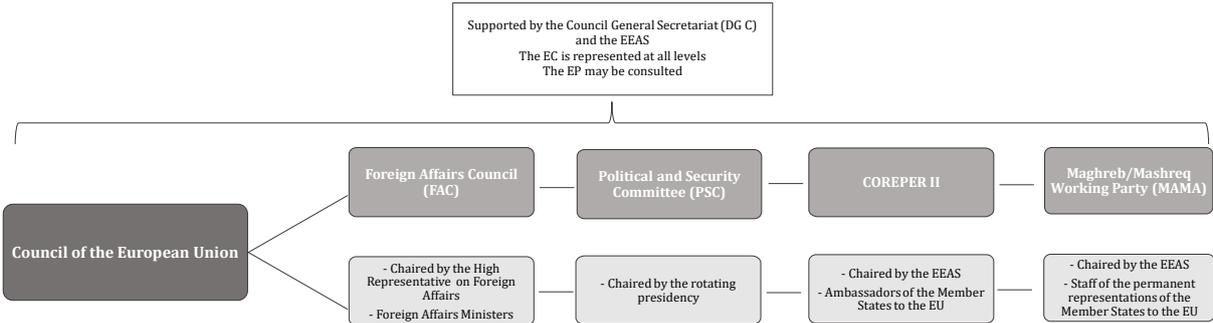
<sup>683</sup> [Europa](#) (Accessed on 08 November 2018).

<sup>684</sup> In fact, the national diplomatic services being represented by ambassadors based at their respective country’s Permanent Representation in Brussels, one ambassador is generally assigned to the Political and Security Committee (PSC).

<sup>685</sup> The Political and Security Committee (PSC) is, amongst other things, also responsible for monitoring the international situation. [Europa](#) (Accessed on 09 November 2018).

respect to common foreign and security policies (see Figure 20). For example, based on proposals made by the EEAS, it is entitled to agree on priorities (or Action Plans) within the ENP and also to examine legislative proposals made by the EC. Meetings are held on a regular basis twice a week<sup>686</sup> and by providing a platform for a regular dialogue between the member states on main political and economic developments, they allow for political exchange and coordination. As mentioned before, energy topics are usually also discussed within the Transport, Telecommunications and Energy Council (TTE) and the Working Party on Energy, however, as regards energy policies towards Morocco, these bodies play a subordinate role.

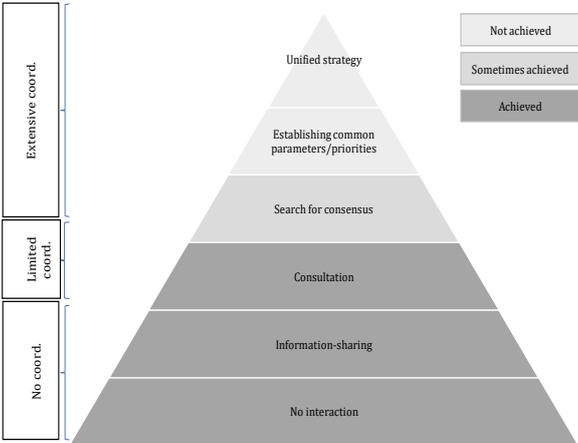
**Figure 20: Foreign energy policy relevant bodies within the Council**



Source: Own elaboration based on information from [Euromedrights](#) (Accessed on 07 August 2017) and Hill, Smith and Vanhoonaeker (2017:112).

**Figure 21: Intergovernmental coordination in the EU multilevel system**

**Inter-Member states (within the Council)**



Source: Own elaboration based on empirical research.

**6.1.2 Third-country level**

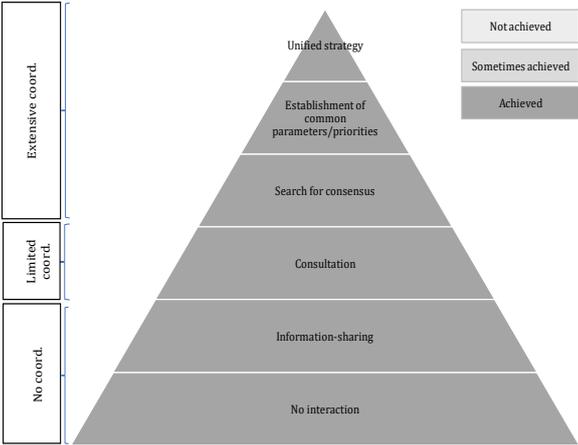
As regards the horizontal dimension on the third-country level, the focus is on the Commission or DG NEAR, the External Action Service or the EU delegation, the Investment Bank, the UfM as well as the member states embassies (which represent the state in intergovernmental relations).

<sup>686</sup> [Euromedrights](#) (Accessed on 07 August 2017).

The EU delegation being responsible for representing the External Action Service at the local level, **intra-institutional consistency/coordination on the third-country level** is concerned with consistency between these two bodies. Here, interviewees at the delegation in Morocco attest an extensive level of coordination (and thus high consistency), with both actors pursuing a unified strategy (see Figure 22).

**Figure 22: Intra-institutional coordination on the third-country level**

**EEAS-EU delegation**



Source: Own elaboration based on empirical research.

As for **inter-institutional consistency/coordination on the third-country level**, DG NEAR plays, as mentioned before, a key role in the coordination of EU energy policies towards Morocco. In fact, together with the EEAS, it plays a strong coordinating role when it comes to EU financial and technical assistance to the neighbourhood and enlargement countries and has a key position in designing and implementing financial and technical assistance activities (its main instruments hereby are the ENI and the NIP).<sup>687</sup> In this context, it has been identified as the leading and most visible DG when it comes to the energy dialogue between both European and Moroccan stakeholders by this dissertation’s respondents. It operates in both the EU multilevel system and on the third-country level and is in direct contact with both European and Moroccan stakeholders. Other DGs that potentially might have a say in the conduct of EU external energy policies like DG TRADE (TRADE) and DG Development and Cooperation (DEVCO) or even DG CLIMATE (which played a main role during the COP22 in Marrakech) have been identified as less relevant in this regard. In fact, energy is not a focus of the trade relations between the EU and the Maghreb country (Interview EC, 2017; EEAS, 2017).<sup>688</sup>

Indeed, whilst DG ENER acts, as shown before, as the interface between the EU and the member states, DG NEAR acts as the interface between the EU and third countries (Interview EEAS, 2017). In this regard, it works closely with the EU delegation in Morocco (Interview EEAS, 2017) which apart from the Commission, is also required to *‘provide logistical and administrative support to members of other institutions, including the European Parliament’*.<sup>689</sup> By contrast, whilst cooperation of the Investment Bank with both the Commission and the EEAS is supposed

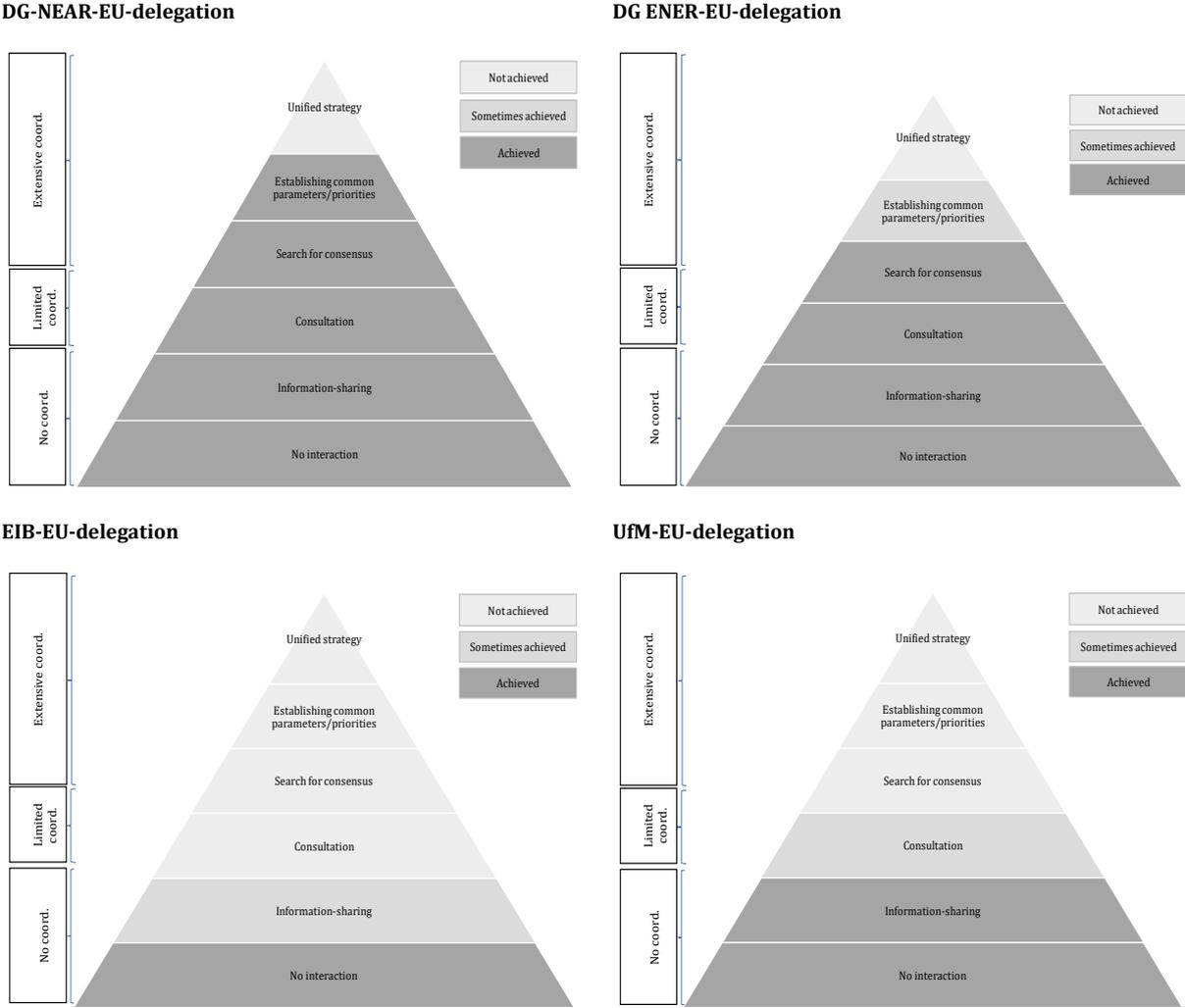
<sup>687</sup> Euromedrights (Accessed on 25 November 2017).

<sup>688</sup> DG TRADE (Accessed on 15 August 2017).

<sup>689</sup> Council (Accessed on 10 November 2018).

to be carried out on a region-by-region basis, including on Union delegation level,<sup>690</sup> research has shown though that on the local level, there is little contact with the delegation. Likewise, coordination between the delegation and the Union for the Mediterranean (UfM) is rather moderate and cooperation only takes place occasionally, for example in the context of events like the launch of the energy platforms (Interview EEAS, 2017) (see Figure 23).

**Figure 23: Inter-institutional coordination on the third-country level**



Source: Own elaboration based on empirical research.

As regards **intergovernmental consistency/coordination on the third-country level**, this study suggests that inter-member states’ relations are as good as non-existent and that there is no framework for the coordination of positions, i.e. a framework that goes beyond the exchange of information, let alone a framework for joint actions. This reality is openly admitted by most of the interviewees with research having identified an overall lack of information as regards the various national energy governance approaches and policies (see Figure 24). In fact, as various interviews with the national embassies have revealed, not all the member states are or seem<sup>691</sup> to be aware of or have a comprehensive overview of the energy activities of their fellow member

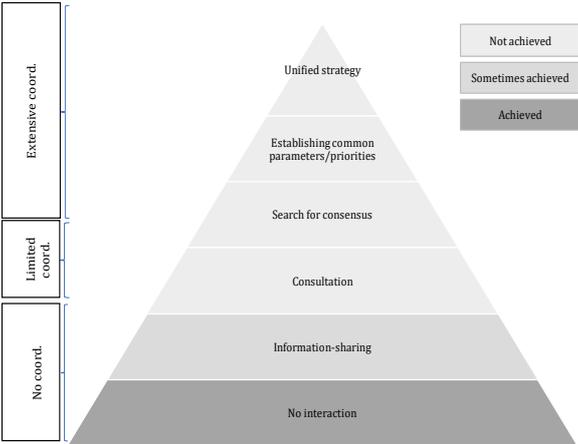
<sup>690</sup> EIB (Accessed on 01 September 2019).

<sup>691</sup> In fact, for strategic reasons, they may also just pretend to not be aware.

states and whilst there seems to be some rough knowledge, it remains overall rather vague. This is also true for the activities of third states, suggesting that the member states do not consider them to be a threat to European affairs (what is more as they did not seem to understand why, in view of the geopolitical changes ahead, it is important to cooperate). Further, or in the same light, only a small number of the employees of the national embassies is aware of current coordination practices and there seems to be a lack of consensus as regards to the necessity of coordination or its added value, with only a few actors considering the emergence of third actors as a threat to European governance interests.

**Figure 24: Intergovernmental coordination on the third-country level**

**Inter-Member states**



Source: Own elaboration based on empirical research.

**6.2 Vertical dimension**

The following Chapter seeks to examine coordination (and thus consistency) in the vertical dimension, whereby it distinguishes between the EU multilevel system and the third-country level as well as between strategic/political and functional aspects.

**6.2.1 EU multilevel system**

To ensure the implementation of EU energy policies, the EU institutions seek to work closely vertically, i.e. with the member states, whereby coordination takes place both bilaterally and multilaterally, involving different stakeholders and different degrees of complexity. Here, in the following, the focus will be on the European Council, the Council, the Commission, the External Action Service and the UfM, as well as on the Investment Bank and the European Financing Institutions (EFIs).

As presented in Part 3, **vertical consistency/coordination** is concerned with the consistency between different institutions across different entity or governance levels. Here, the European Council is equally one of the most important institutions when it comes to establishing external consistency (GEBHARD, 2017:109) and in charge of *‘ensuring consistency between member states’ and EU foreign policy goals’* (EUROPEAN COUNCIL 26/27 June 2014 Conclusions). Likewise, and as indicated before, the Commission is responsible for ensuring consistency of the

EU's foreign policies (LEAL-ARCAS and WOUTERS, 2017:39). In this regard, it has an overall important coordinating function which also encompasses energy where it is for example responsible for monitoring the member states' foreign energy activities and assessing their compliance with EU law.<sup>692</sup> In this role, it promoted for example the establishment of the Strategic Group for International Energy Cooperation (SGIEC) in 2011. Composed of representatives of the member states (energy & foreign affairs ministries) and the relevant EU services (such as the Commission and the EEAS), this group aims at contributing to greater coordination through regular joint reviews of cooperation with third countries.<sup>693</sup> Meetings take place twice per year<sup>694</sup> and the southern Mediterranean as a whole is part of its agenda (SCHUBERT, POLLAK and REUTLER, 2016:217).<sup>695</sup> In addition to this, the Commission, via DG ENER, regularly updates the member states on EU activities in the Council's Working Party on Energy which in fact provides a platform that may also allow for the preparation of common positions (KNODT and PIEFER, 2015:60).<sup>696</sup> And whilst DG ENER, which primarily operates on the EU level, has not been identified as the leading DG when it comes to energy dialogue between this dissertation's respondents (Interview EC; EEAS, 2017), it does, however, play a major role in establishing vertical consistency since it acts as the interface between the EU and the EU member states (Interview EEAS, 2017). In this context, it has, as pointed out by Helwig, Ivan and Kostanyan (2013:47), '*an informational advantage in relation to the EEAS on the member states preferences in energy issues.*' Overall and as regards Morocco, it plays a decisive role in the coordination of supranational and national energy policy interests, together with DG NEAR (Interview EC, 2017; EEAS, 2017).

Apart from DG-ENER, the HR or the EEAS also play a major role in vertical coordination, with the HR being actually in charge of coordination between the Commission and the Council, notably through his/her role as a chair of the Council's FAC (Art. 9E Treaty of Lisbon).<sup>697</sup> Furthermore, it liaises with the foreign affairs ministries of the member states, with which it is supposed to closely cooperate (Art. 27 § 3 TEU; Interview EEAS, 2017).<sup>698</sup> Here, efforts are largely facilitated by the service's organisational structure, combining (apart from the Commission) forces from the Council (and comprising the submission of proposals and the chairmanship of Council working groups) and the member states (GATTI, 2016:305).<sup>699</sup> In this context, the EEAS is supposed to cooperate with the General Secretariat of the Council (VAN VOOREN and WESSEL, 2014:23), whereby, as pointed out by Helwig, Ivan and Kostanyan (2013:46), the MaMa group serves as the '*primary fora for the EEAS and member states' interactions in the area of neighbourhood.*' According to the literature, relations are considered as '*efficient*' (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:129), an opinion that this thesis's empirical research confirms (see Figure 26). Here, the fact that the service is partly comprised of staff from the national diplomatic services of the member states – who in turn are responsible for streamlining eventual outcomes to the relevant national actors – certainly plays a role

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<sup>692</sup> Whilst in this context, it disposes of a tool to better coordinate the member states external energy policies towards third countries, the so-called information exchange mechanism, the latter is however of less relevance to this research, as it primarily covers the member states' relations with supplier countries (focusing mainly on infrastructure projects) (COM/2011/0539; Decision No 994/2012/EU).

<sup>693</sup> [Eurlex](#) (Accessed on 31 October 2019).

<sup>694</sup> [Council](#) (Accessed on 28 February 2019).

<sup>695</sup> [Council](#) (Accessed on 28 February 2019).

<sup>696</sup> In fact, the Directorate General Energy (DG ENER) works with the Working Party on Energy on a constant basis (HELWIG, IVAN and KOSTANYAN, 2013:47)

<sup>697</sup> In this light, he/she is in first place accountable to the Commission and second to the Council.

<sup>698</sup> [EEAS](#) (Accessed on 31 October 2019).

<sup>699</sup> [EP](#) (Accessed on 14 August 2017).

(Interview AA, 2017). Overall, coordination between the DGs and the member states as well as between the EEAS and the member states is either limited or extensive (and consistency thus either medium or high), with consensus and the establishment of common priorities being achieved at times (see Figure 26).

Apart from the DG ENER, DG NEAR and the EEAS, the EIB also closely coordinates with the member states and their respective financial institutions with whom it even establishes common priorities (see Figure 26). And as has been shown before, the EIB is, in line with Article 19 (§ 2) of its statute, obliged to request the opinion of the EU institutions on all financing operations outside the EU.<sup>700</sup> This also applies to the member states which are to be consulted for evaluation of conformity of planned projects with EU legislation and policies. The reason for this is that it is a co-financing donor, i.e. it provides loans along with donors, contributing up to 50% of the total project cost. Its key cooperation partners<sup>701</sup> are the German KfW and the French AFD, whereby this depends entirely on the region of investment. One important platform here is MORSEFF, the Morocco Sustainable Energy Financing Facility which, set up in 2015, is, as shown before, a financing facility with an investment volume of € 110 million aimed at supporting Morocco's private sector via loans, investment subsidies<sup>702</sup> or technical assistance.<sup>703</sup> As of end-2018, MORSEFF had funded 11 projects related to RES worth € 5,1 million. MORSEFF was developed by the EBRD, in cooperation with the EIB, the AFD and the KfW. Its local partners are the BMCE Bank and Banque Populaire.<sup>704</sup>

In general, it can be noted that the budget process plays an overall important role when it comes to vertical coordination and a lot of interaction takes place around the annual programming of the EU budget (Interview EEAS, 2017). In fact, as stated by Peters (2018:7-8), negotiations over the budget reveal or reflect state priorities '*expressed in dollars and cents*'. Other than that, vertical coordination primarily takes place via the DG NEAR's NIF or NIP, as it is called since 2017 (all Interviews). Indeed, and as mentioned before, DG NEAR has been identified as a key actor when it comes to improving coordination between the EU institutions, the member states and Morocco, with all the interviewees showing overall great satisfaction with the work of the Directorate. The NIP is governed by a Board of Directors which is chaired by the Commission and consists of members of the EEAS, the EFIs and the member states.<sup>705</sup> Board meetings take place on a regular basis, depending on the occasion. For example, when it comes to the strategic direction of the facility, the board meets once or twice a year to define common objectives, however, it comes together more often in order to approve operational programmes. In terms of application procedure and, as the potential beneficiary of the facility, Morocco must submit a request to the NIP Secretariat. Managed by (and located in) DG NEAR, the secretariat is *de facto* the single-entry point for requests, whilst a technical assessment group under the leadership of the Commission and with the participation of all the EFIs, examines the potential projects and decides whether to grant approval or not. Subsequently, and in cooperation with the partner

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<sup>700</sup> EIB (Accessed on 07 December 2017).

<sup>701</sup> other than the World Bank (WB), the African Development Bank (AFDB) and the European Bank for Reconstruction and Development (EBRD).

<sup>702</sup> These subsidies are financed by funding from the Neighbourhood Investment Platform (NIP) and the Southern and Eastern Mediterranean (SEMED) fund.

<sup>703</sup> As far as the European countries are concerned, this fund is supported by Germany, France, Italy, Norway, the Netherlands and Sweden and the UK. MORSEFF (Accessed on 27 February 2019).

<sup>704</sup> MORSEFF (Accessed on 27 February 2019).

<sup>705</sup> Thanks to its governance structure, the Neighbourhood Investment Platform (NIP) plays a major role in coordinating the different European funds. EC (Accessed on 29 August 2019).

countries, in this case Morocco, the EFIs develop their individual grant requests for the project (to benefit from the NIP, projects must be developed by eligible EFIs, i.e. by EFIs that are entitled to submit applications)<sup>706</sup> and present them to the Board.<sup>707</sup> Here it must be noted that all the European donors have the same underlying principles and criteria for granting loans (Interview AFD, 2016). Once presented to the board, two scenarios are possible: if the project is to be funded via the NIP Trust fund, the board's approval is final. By contrast, if the project is to be funded from the EU budget, another additional approval from the Commission is necessary.<sup>708</sup> As already stated, EFIs can decide to finance investments alone or in cooperation with other EFIs. Operations carried out by the AFD in Morocco are generally automatically financed in cooperation with the EIB or the KfW.<sup>709</sup> Interestingly, the KfW and the AFD act as both partners<sup>710</sup> and competitors here – as well as in Morocco in general – whereby the KfW has been clearly identified as an actor whose power has rapidly increased in recent years (Interview AFD, 2016). The reason for this is that it has a much more diverse product portfolio than its French counterpart. For example, it is not only present in the energy sector but also in a variety of other domains (Interview AFD, 2016). Finally, it has not yet reached the limit of its equity capital (Interview AFD, 2016) and receives substantial financial support from the Federal Ministry for Economic Cooperation and Development (BMZ) and the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) on whose behalf it acts (Interview AFD, 2016). To conclude this section, the NIP plays a key role in coordinating and streamlining the external financial energy activities of the different players involved in EU energy governance towards Morocco.<sup>711</sup> In fact, it serves as the sole platforms for interregional exchange, and vertical coordination primarily takes place within the framework of this facility.

Other than the NIP which is a bilateral instrument, the UfM, which is supposed to act as a coordination and monitoring agent in the Mediterranean region, equally plays a coordinating role via its already mentioned energy platforms and, despite frequent criticism of its efficiency, has been recognised as a valuable platform for political exchange and dialogue by this dissertation's interview partners (see Figure 26). Supported by a different set of regional institutions, the UfM platforms foresee an overall stronger role for the EU member states and the Mediterranean target countries, as well as for the energy industry actors. The idea behind this is to '*emphasize the bottom-up character and mechanisms conducive to mutual exchange rather than conditionality and legal authority*' (HERRANZ-SURRALLES, 2018:133). The gas platform is jointly run by the UfM, the OME (which primarily provides technical assistance) and the MedReg, with their common objective being the improvement of gas security in Mediterranean,<sup>712</sup> rather than regulatory integration (HERRANZ-SURRALLES, 2018:133). Indeed, as noted by Herranz-Surralles (2018:133), the stated aim of the platform was or is the creation of a '*major gas marketplace*'. The electricity platform is equally run by the UfM and MedReg, as well as by Med-

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<sup>706</sup> [EC](#) (Accessed on 28 November 2017).

<sup>707</sup> Eligible European Financing Institutions (EFIs) usually attend sessions of both the strategic and operational Board meetings. [Bankwatch](#) (Accessed on 10 December 2017).

<sup>708</sup> [EC](#) (Accessed on 29 August 2019).

<sup>709</sup> [Bankwatch](#) (Accessed on 10 December 2017).

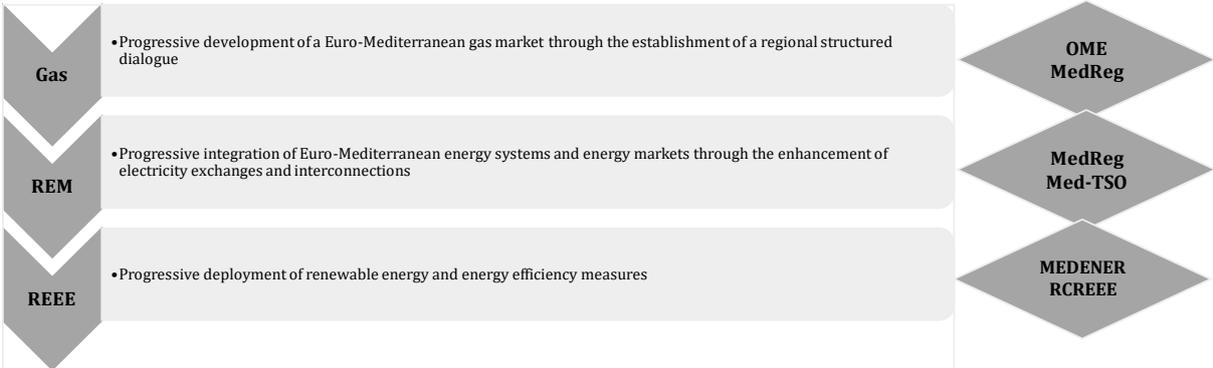
<sup>710</sup> Overall, cooperation between the European Investment Bank (EIB), the Reconstruction Loan Corporation (KfW) and the French Development Agency (AFD) (as well as other European Development Finance Institution (DFIs)) has taken place since 2003 with the signing of a framework agreement for financial cooperation and exchange of services. Furthermore, since 2009, the EU has been facilitating the combination of EU internal investments and loans related to development projects via a pooling mechanism. [EC](#) (Accessed on 30 July 2017); [Secteur Privé et Développement](#) (Accessed on 01 August 2017).

<sup>711</sup> [EC](#) (Accessed on 09 August 2017)

<sup>712</sup> [OME](#) (Accessed on 04 January 2018); [OME](#) (Accessed on 19 December 2017); [MedReg](#) (Accessed on 22 December 2017)

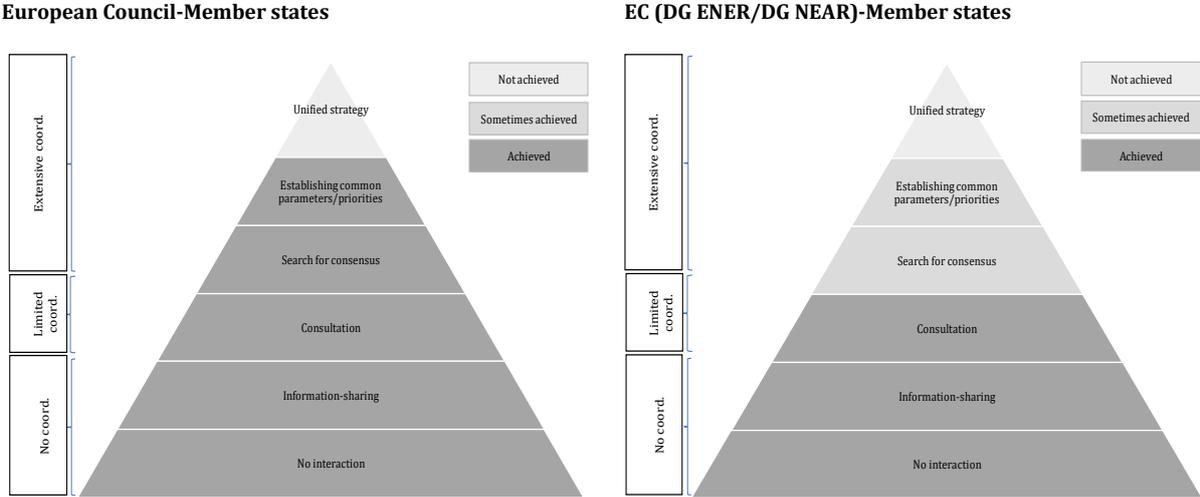
TSO,<sup>713</sup> whereas the RES and EE Platform (REEE) is run by MEDENER and supported by RES4MED.<sup>714</sup> Other stakeholders involved are MedReg and Med-TSO (Interview UfM, 2017)<sup>715</sup> (see Figure 25). Finally, the OME also closely cooperates with the electricity and REEE platforms, to which it provides valuable input.<sup>716</sup> The energy platforms are co-funded by the EU<sup>717</sup> whilst the annual plenary meetings take place in Barcelona (usually in combination with ministerial meetings),<sup>718</sup> normal work meetings may also be organised in other cities (Interview Med-TSO, 2018). Plenary meetings are usually attended by the UfM Secretariat, the EC and other stakeholders. Participants of the EU member states are either the ministries of energy or foreign affairs (Interview EEAS, 2017; Interview Med-TSO, 2018). Non-plenary meetings take place around three times per year (Interview MEDENER, 2017).

Figure 25: UfM energy platforms



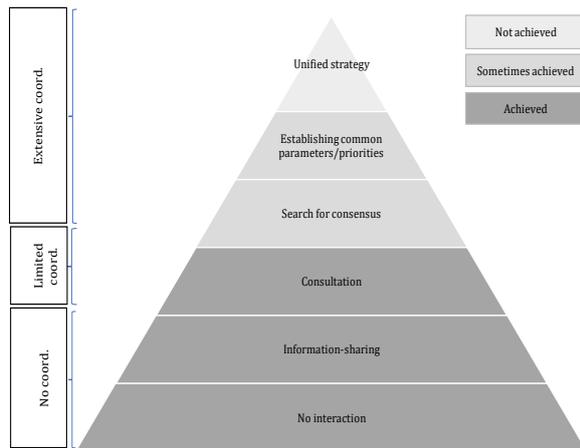
Source: Own elaboration based on UfM (Accessed on 07 September 2017).

Figure 26: Vertical coordination in the EU multilevel system

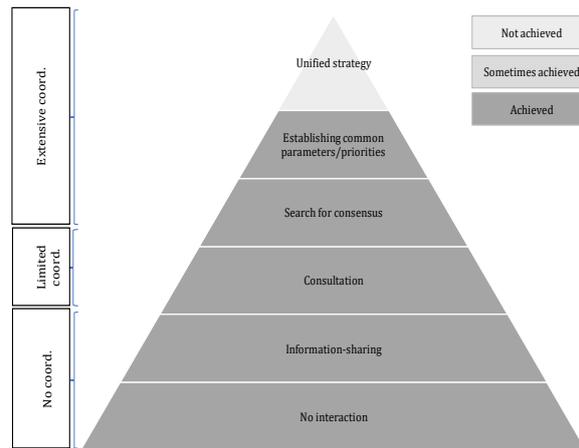


<sup>713</sup> MedReg (Accessed on 21 December 2017).  
<sup>714</sup> MEDENER (Accessed on 26 February 2019).  
<sup>715</sup> OME (Accessed on 19 December 2017); RES4MED (Accessed on 02 January 2017).  
<sup>716</sup> OME (Accessed on 10 November 2018).  
<sup>717</sup> UfM (Accessed on 28 February 2019).  
<sup>718</sup> MedReg (Accessed on 04 February 2018).

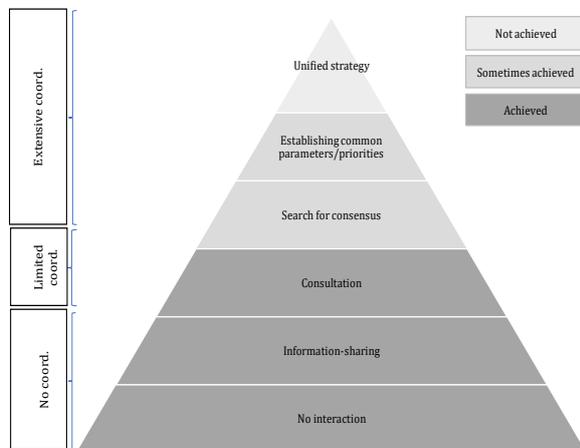
### EEAS-Member states



### EIB-Member states



### UfM-Member states



Source: Own elaboration based on empirical research.

## 6.2.2 Third-country level

When it comes to examining vertical coordination on the third-country level, the focus is on the coordination between the EU-delegation and the member states' embassies as well as between the EIB and the member states' embassies.

As shown before, with the Treaty of Lisbon, the EU delegations have become the main actors when it comes to representing the EU externally and to leading EU internal coordination of diplomatic action abroad. However, and although having replaced the national foreign services in this regard, they only have a complementary function to the national embassies here. In fact, as opposed to the latter, the EU delegation is not a 'specialised' entity but *'deals with 'political' and 'technical' issues at once'* (GATTI, 2016:286). Depending on the region, this has often led to discrepancies in the past<sup>719</sup> and this although both actors have a historical obligation to *'cooperate in ensuring that the common positions and joint actions adopted by the Council are complied with and implemented'* (Art. 10 Treaty of Amsterdam) (GATTI, 2016:217). Similarly, Articles 32 and 35 of the TEU require the EU delegations and national embassies to *'cooperate'*

<sup>719</sup> For example, one recurrent point of division has been the role of the delegations with regard to consular services (HELWIG, IVAN and KOSTANYAN, 2013:64-65).

and to *'contribute to formulating and implementing the common approach'*, amongst other things, by *'exchanging information'* and *'carrying out joint assessments'*. In fact, one problem here, as pointed out by Gatti (2016:218), is certainly the fact that it is not clear which kind of information the two bodies are supposed to share. Second, and as highlighted by Helwig, Ivan and Kostanyan (2013:66), the sharing of information *'still suffers from a rather unstructured and ad-hoc nature of reporting'*. Moreover, so the authors, information disclosed by the EU delegations is often *'filtered'* in order to disguise the source of information. Finally, in some countries, the EU delegations may simply not dispose of the technical means of sharing information safely with the national embassies.

As a result of this, and as opposed to the horizontal dimension (intergovernmental), bilateral vertical cooperation on the third-country level, i.e. cooperation between the EU delegation and the national embassies, does exist, however, the degree of coordination is rather limited (see Figure 27) and this despite the fact that *'the diplomatic missions of the Member States and the Union delegations in third countries and at international organisations shall cooperate and shall contribute to formulating and implementing the common approach'* (Art. 16 of the Treaty of Lisbon). As this suggests, the EU delegation is supposed to coordinate between the national embassies and speak for the EU as a whole,<sup>720</sup> whereas the embassies are likewise obliged to adhere to the common positions of the EU. However, and as regards the local level in Rabat, there is paradoxically no fixed framework for bilateral European energy cooperation and coordination. And whilst the EU-delegation and the embassies regularly meet at the Head of Mission level (= ambassadors of the member states) to coordinate policies<sup>721</sup> – in fact, they are required to share information on a mutual basis (Art. 5, COUNCIL 2010/427/EU) –<sup>722</sup> the information exchanged is reciprocally limited<sup>723</sup> and, overall, there seems to be little contact, at least as far as energy topics are concerned. Indeed, cooperation between the French embassy and the delegation focuses on commercial and market access-related questions, whereas energy topics are neglected (Interview French Embassy to Morocco, 2016). This is in line with the findings in the literature according to which the EU delegations are generally willing to share information, contrary to the national embassies whose *'choice to share information at the diplomatic level'* is expected to *'be motivated by national interests'* in the long run (GATTI, 2016:218) and who overall, *'seem to have a preference for clustering in smaller groups with common interests and do so without involving the EU delegation'* (HELWIG, IVAN and KOSTANYAN, 2013:8).

Similarly, bilateral cooperation between the EIB and the embassies is as good as non-existent and so is coordination (see Figure 27). However, the bank maintains close ties with both the KfW and the AFD (Interview EIB, 2017). The same holds true for the UfM and the embassies which do not have any noteworthy relations. And whilst there are some multilateral frameworks for coordination, their energy focus is, however, limited:

- 1) *Groupe des chefs de coopérations européens*** (there is no official name for this group):  
The Group unites all bilateral representations of the EU and Switzerland, i.e. the EU delegation, the embassies of the EU member states and Switzerland, as well as the

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<sup>720</sup> EP (Accessed on 05 December 2018).

<sup>721</sup> [Euromedrights](#) (Accessed on 10 December 2017).

<sup>722</sup> Council (Accessed on 10 November 2018).

<sup>723</sup> In fact, as pointed out by Helwig, Ivan and Kostanyan (2013:67), *'the setup of the EEAS initially explicitly mentioned that Union delegations shall on a reciprocal basis, provide all relevant information'*, however, this provision was subsequently not maintained.

principal European donors EIB, EBRD, AFD, KfW and the Society for International Cooperation (GIZ).<sup>724</sup> Meetings are global and cover a wide range of sectors and topics, i.e. they are not energy sector specific and issues related to energy may or may not be discussed, depending on their urgency and the will of the participants to address them (Interview German embassy to Morocco, 2017). Nonetheless, it remains the only relevant multilateral framework for potential dialogue on energy policy issues. Meetings take place twice a year.

- 2) ***Groupe principal des partenaires (GPP) (Principal Partners Group)***: Created on the initiative of the Moroccan office of the African Development Bank (AFDB) and in collaboration with the World Bank (WB) and the United Nations Development Program (UNDP),<sup>725</sup> the GPP holds regular meetings with the principal donors (both international and European) present in Morocco: the WB's Social Development Fund (SDF), the International Bank for Reconstruction and Development (IBRD), the Islamic Development Bank (ISDB), the United States Agency for International Development (USAID), the Japan International Cooperation Agency (JICA), the Qatar Development Fund (QDF), the EU delegation, the EIB and the EBRD, as well as the AFD and the KfW. Another participant is the Belgian Technical Cooperation. The aim of these meetings which take place every two months and whose focus is financial/technical,<sup>726</sup> is to share and exchange information on the different operational approaches in order to achieve a certain harmonisation of interventions. As the meetings are global, i.e. not sector specific, they are supposed to be complemented by the so-called *Groupes thématiques*.
- 3) ***Groupes thématiques***: These groups are sector specific (and thus cyclical) and are supposed to be either organised either by the GPP administration or their members<sup>727</sup> whereby the EU-delegation generally delegates the organisation of these groups to the embassies of the EU member states. Corresponding meetings are supposed to take place once a year. However, with respect to energy, they take place rarely or not at all (the last time such a meeting took place was in 2013). According to the interview partners, this is due to a lack of interest in multilateral exchange, notably from the Moroccan side, but also from the European side. In fact, in the opinion of the interviewees, Morocco is generally more interested in bilateral dialogue patterns. This applies even more so to energy which is considered to be a strategic domain. But the EU has also shown little interest given that most of the intra-European meetings, i.e. among the European donors, already take place within the framework of the NIP, either in Brussels or in Rabat.
- 4) ***Informal ad-hoc 'NIP' meetings***: As just mentioned, in addition to the regular meetings held in Brussels, the local representatives of the NIP partners also happen to meet in Rabat informally on an *ad-hoc* basis as necessary. Overall, these meetings were given a clear preference over the more formal frameworks by the interview partners who consider them to be rather efficient and more productive (Interview German Embassy to Morocco, 2017; EEAS, 2017; EIB, 2017).

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<sup>724</sup> Other than its other European partners, the Society for International Cooperation (GIZ) is not involved in any cooperation or coordination processes at the EU level, but only operates on the ground.

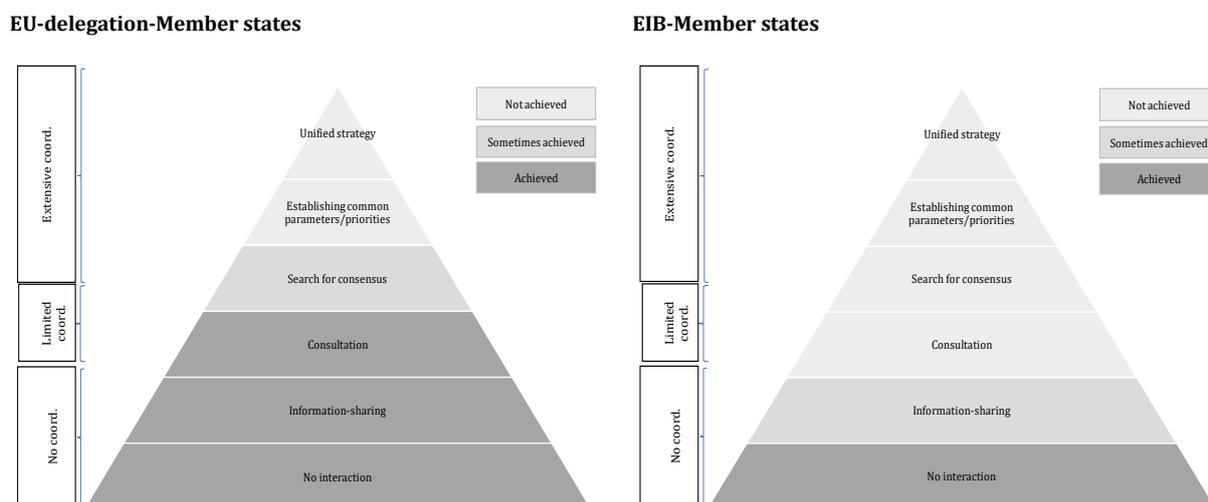
<sup>725</sup> [AFDB](#) (Accessed on 09 August 2017).

<sup>726</sup> [Portail Sud Maroc](#) (Accessed on 12 November 2018).

<sup>727</sup> [AFDB](#) (Accessed on 09 August 2017).

By contrast and as shown before, although the UfM certainly plays a role when it comes to regional coordination (i.e. coordination between European, Moroccan and other member countries), it is not particularly active within Morocco. Overall, it can be stated that the UfM only plays a minor role in the establishment of consistency on the local level. In fact, it has not been identified as a relevant actor for the establishment of consistency by the interviewees and whilst it maintains some contact with the EU delegation in Rabat, it is not very effective with the national embassies. This corresponds with the preliminary findings of the MEDRESET study carried out by Bianchi, Colantoni, Mascolo and Sartori in 2018 (22), according to which there is a lack of knowledge amongst EU staff about multilateral European energy projects on the local level. By contrast, to realise its objectives, the UfM works closely with the Moroccan energy actors on the ground. For example, it is in close contact with MEM and MASEN regarding investments and the promotion of RES and energy efficiency. By contrast, with ONE, it rather cooperates on the integration of energy and water which is expected to be a huge problem in the future (Interview UfM, 2017).

**Figure 27: Vertical coordination on the third-country level**



Source: Own elaboration based on empirical research.

### 6.3 Diagonal dimension

The relations of the European Bank for Reconstruction and Development (EBRD) and the regional associations Mediterranean Energy Regulators (MedReg), Mediterranean Transmission System Operators (Med-TSO), Mediterranean Association of the National Agencies for Energy Conversation (MEDENER) and Renewable Energy Solutions for the Mediterranean (RES4MED) with the EU institutions and member states are a special case to look. In fact, they neither fall within the concept of horizontal, nor the concept of vertical coordination given that, as shown before, both the bank and the regional initiatives are *de facto* non-EU institutions. By contrast, relations are rather subject to diagonal coordination taking place in the EU multilevel system.

The **EBRD** maintains extremely strong bonds with the EU, above all the Commission and the External Action Service, the Investment Bank and the member states and is in parts owned by these actors, a circumstance that allows them to exercise a strong influence on the bank's

strategic policy direction (see Figure 28). For example, like every other shareholder, the EU, the EIB and the EU member states are each represented by a Governor/Alternate Governor on the Board of Governors<sup>728</sup> which has overall authority over the bank. Through an Executive Director/Alternate Director, they are equally represented in the Board of Directors which, amongst other things, plays a key role in the coordination of EU and EBRD policies. Indeed, responsible for guaranteeing that EU interests and priorities are well reflected in the bank's projects, prior to the approval or rejection of a project, the Executive Director/Alternate Director is required to consult both the EC and the EEAS as well as the member states regarding their opinion to make sure that their positions are aligned.<sup>729</sup> Moreover, the EBRD highly depends on the EU as external donor for contribution<sup>730</sup> – the EU is the EBRD's largest single donor, having accounted for around two thirds of its total donor funding in 2016 and overall, has made up for 36% of the bank's total grants since its creation in the 1990s. Funding is generally channeled either bilaterally, i.e. via the ENI or through regional blending facilities like the NIP out of which the EBRD received for example € 126 million in 2016.<sup>731</sup> Other than that, coordination between the EBRD and the EC is sought to be achieved via an MoU signed in July 2007.<sup>732</sup>

As regards coordination between the EBRD and the EIB, cooperation dates back to the 1990s and is, as of today, based on an MoU signed by the EBRD, the EIB, the Commission and the European Investment Fund (EIF) in March 2011 (the aim of this agreement being the maximization of synergies amongst its signatories).<sup>733</sup> However, the focus of this MoU is rather on the EU's eastern neighbourhood and whilst the two banks closely cooperate in Central Asia,<sup>734</sup> little cooperation has so far taken place in North Africa (Interview EIB, 2017). Indeed, here, the EIB rather cooperates with the World Bank (WB), the African Development Bank (AFDB) as well as with the KfW and the AFD. However, some cooperation does exist within the framework of the MORSEFF facility in which the EIB is regularly involved as a co-financer. Overall, when working together, the EIB usually carries out the economic and technical aspects of the work, whilst the EBRD does the financial analysis.<sup>735</sup> As just mentioned, apart from the EIB, the EBRD also cooperates with the EU member states or their financing institutions, above all the KfW and the AFD<sup>736</sup> and has for example regularly been the initiator of joint investment projects such as the Sustainable Energy Efficiency Facilities (SEEFs).<sup>737</sup> Here, the EBRD notably seeks to cooperate on renewable energy projects with the KfW and the AFD and, wherever possible, to coordinate common financing. Most of this coordination takes place within the NIP or MORSEFF which, apart from the EIB, is also co-financed by the KfW and AFD. To a certain extent, the UfM is also an important coordination platform here.<sup>738</sup> By contrast, one objective of the EBRD being the establishment of an independent regulator for the Moroccan electricity market, cooperation with both MedReg and Med-TSO has interestingly been rather limited so far, and this despite the prevailing opinion in the literature that such cooperation would be

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<sup>728</sup> In fact, the Board of Governors consist of a representative from each shareholder country. In general, this representative is the Finance Minister. (MCCORMICK, 2015:229); [EBRD](#) (Accessed on 11 February 2018).

<sup>729</sup> The EU and the European Investment Bank (EIB) each hold a 3.05% share. [EC](#) (Accessed on 06 December 2017).

<sup>730</sup> In 2015, the EU accounted for more than half of the contributions. [EC](#) (Accessed on 06 December 2017).

<sup>731</sup> [EBRD](#) (Accessed on 05 December 2017).

<sup>732</sup> [EC](#) (Accessed on 06 December 2017).

<sup>733</sup> [EC](#) (Accessed on 06 December 2017).

<sup>734</sup> [EIB](#) (Accessed on 27 August 2017).

<sup>735</sup> [EIB](#) (Accessed on 07 December 2017).

<sup>736</sup> [EBRD](#) (Accessed on 01 September 2019).

<sup>737</sup> The aim of this facility: to extend credit lines 'to local financial institutions that seek to develop sustainable energy financing as a permanent area of business.' [EBRD](#) (Accessed on 18 February 2018).

<sup>738</sup> [EBRD](#) (Accessed on 01 September 2019).

beneficial for all partners (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:67; TAGLIAPIETRA, 2016:175).

**MedReg, Med-TSO, OME, MEDENER and RES4MED** are all regional associations presenting themselves as centres for regional energy expertise as well as platforms for the exchange and coordination between relevant actors in the energy sector from both the northern and southern shores of the Mediterranean. In this light, they rather take on a mediation role and constantly seek to increase their network of stakeholders<sup>739</sup> which is made up of supranational and intergovernmental organisations, financing institutions, local authorities and agencies, as well as industries and research institutes & academia (+ other regional associations). Further, they regularly organise thematic workshops or working groups in order to foster dialogue between both Moroccan and international as well as between international partners. As their ultimate aim, it can be recorded the development of a *'shared vision among regional actors, policy makers and national authorities'*<sup>740</sup> with respect to an integrated energy market in the Mediterranean.<sup>741</sup> To achieve their aims, the regional associations pursue a cooperative approach with other energy stakeholders in the Mediterranean, including with the EU which considers them to be *'respected institutions, widely seen as above private interests as well as not involved in current political conflicts'*.<sup>742</sup>

Here, and sharing the same long-term energy goals when it comes to the Euro-Mediterranean region (including, for example, the set-up of a regional energy community by 2020),<sup>743</sup> the EU maintains particularly close cooperative energy ties with both **MedReg** and **Med-TSO** and has regularly promoted regional cooperation with the two associations (JOIN/2012/036 final). For example, in November 2014, the EC, via DG ENER, signed a cooperation agreement with both of them which, unique in its kind, can be seen as being of utmost importance for the future EC-MedReg-Med-TSO energy relationship.<sup>744</sup> In fact, the Commission recognises the important roles the two associations play in achieving the Union's global energy goals in the Mediterranean,<sup>745</sup> notably with respect to the building of a physical infrastructure,<sup>746</sup> and targets to establish them as its long-term permanent institutional partners in the region. At this point, it must be stated that pursuing the same energy goals in the Mediterranean as the EU (market integration, market harmonisation...), MedReg is *'clearly inspired by an EU agenda'* according to the literature (CAMBINI and RUBINO, 2014:55). Indeed, when considering its governance structure, evidence can be found that the association receives a lot of strategic EU guidance and serves as a sort of intermediary for the Union's energy interests in the region (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:152). For example, an observer in MedReg's General Assembly<sup>747</sup> Steering Committee, the Commission is indirectly involved in defining the association's strategy and Action Plan, and also supervises the implementation of the latter (see Figure 28).<sup>748</sup> By contrast, it is not involved in any of Med-TSO's governance structures and its influence on the

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<sup>739</sup> For example, as part of their strategies, MedReg & Co. seek to continuously extend their stakeholder's network in order to strengthen their external relations and to raise visibility (see MedReg by 2018). [MedReg](#) (Accessed on 22 December 2017); [Med-TSO](#) (Accessed on 04 February 2018).

<sup>740</sup> [OME](#) (Accessed on 04 January 2018).

<sup>741</sup> FERRANTE Angelo (09 May 2017), The Role of Med-TSO in the Mediterranean Region, MEDELEC 24<sup>th</sup> Annual Meeting, Med-TSO.

<sup>742</sup> [EP](#) (Accessed on 20 February 2018).

<sup>743</sup> [Med-TSO](#) (Accessed on 30 December 2017).

<sup>744</sup> [MedReg](#) (Accessed on 03 February 2018).

<sup>745</sup> [Med-TSO](#) (Accessed on 30 December 2017).

<sup>746</sup> [MedReg](#) (Accessed on 10 February 2018).

<sup>747</sup> [MedReg](#) (Accessed on 22 December 2017).

<sup>748</sup> [MedReg](#) (Accessed on 22 December 2017).

association's political and strategic direction is therefore less pronounced or intense. Nonetheless, their relationship is described as overall good, reflected in the fact that EU representatives are regularly invited to Med-TSO events (Interview Med-TSO, 2018) (see Figure 28).

Overall, the EU has supported both MedReg and Med-TSO right from the beginning<sup>749</sup> and has regularly provided operational and financial support, notably through DG ENER (or the electricity working group) and DG NEAR as well as through DG DEVCO, although to a lesser extent (SAROTRI, 2014:7; Interview MedReg, 2017).<sup>750</sup> Whilst DG ENER and DG NEAR both provide content-related backing in this context (which implies that projects are under their audit), only DG NEAR is entitled to award grants and offers financing, acting as one of the main founders of both MedReg and Med-TSO. Funding is non-permanent, i.e. exclusively project-related (Interview Med-TSO, 2018) and channelled through strategic financing contracts or so-called service contracts. So far, four of such contracts<sup>751</sup> have already been signed with MedReg, the most recent one having been signed for the period 2018-2019, with a budget of € 2 million.<sup>752</sup> As regards Med-TSO, the current grant is, for example, destined to the Med II project.<sup>753</sup> Overall, EU funds account for around 70% of Med-TSO's financing, whereas the rest comes from its member operators (Interview Med-TSO, 2017). Added to this, and for their objectives to be realised, MedReg and Med-TSO also depend on the EIB for financial support. However, despite the impact of regulatory changes on financing decisions, direct relations are relatively limited and interaction mainly takes place in the context of events aiming, for example, at promoting new investments in the Mediterranean.<sup>754</sup> This lack of coordination is regularly criticised by both scholars and policy-makers who, considering it to be crucial for the deployment of renewable energy infrastructure and like MedReg, call for greater collaboration.<sup>755</sup> For example, Simone Tagliapietra from the Fondazione Eni Enrico Mattei states that the work of both the EIB and the EBRD in the region *'might turn out to be more effective if framed into a cooperation framework with Med-TSO and MedReg'*.<sup>756</sup> However, one underlying problem in this context is the fact that cooperation between the EIB and the EBRD is already relatively limited.

Apart from the EU and fostering *'cooperation with other relevant regional and international organizations and institutions, with particular focus on regional and Mediterranean issues in the field of energy'* being one of its key objectives, **MedReg** maintains close cooperative ties with a number of different energy stakeholders in the Mediterranean.<sup>757</sup> Whilst their coordination is carried out by the MedReg Secretariat which is also responsible for ensuring that the organization *'Speaks with one Voice'* on the external level (i.e. consistent with the message of the General Assembly), the association has also set up a working group on institutional issues (INS

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<sup>749</sup> EU (Accessed on 20 February 2018).

<sup>750</sup> Coordination between the EU and Med-TSO is, apart from via DG NEAR, also ensured by a direct link with ENTSO-E (SARTORI, 2014:7); MedReg (Accessed on 03 February 2018).

<sup>751</sup> for the periods 2008-2009, 2010-2012 and 2013-2016. CEER (Accessed on 20 February 2018).

<sup>752</sup> EU (Accessed on 19 February 2018).

<sup>753</sup> Med-TSO (Accessed on 06 November 2019).

<sup>754</sup> In fact, whilst a cooperation process between the Mediterranean Energy Regulators (MedReg) and the European Investment Bank (EIB) was first initiated in 2008, it was later suspended in favour of closer cooperation with the EC. JR (Accessed on 21 February 2018); MedReg (Accessed on 21 February 2018).

<sup>755</sup> MedReg (Accessed on 22 February 2018).

<sup>756</sup> In this light, Tagliapietra suggested, for example, the set-up of a small platform in charge of coordinating the work of both the banks and the regulator in 2014. Fondazione Eni Enrico Mattei (Accessed on 22 February 2018).

<sup>757</sup> In addition to that, the Mediterranean Energy Regulators (MedReg) members have their own external relations (in which MedReg does not seek to interfere). MedReg (Accessed on 04 February 2018).

WG) to enhance these ties.<sup>758</sup> Close cooperative ties of MedReg notably exist with Med-TSO (SARTORI, 2014:7). In fact, MedReg has supported Med-TSO right from the beginning, for example, by strongly promoting its establishment, a context in which it was also involved in the formulation of its statutes.<sup>759</sup> Further, since 2013, both associations have been bound to each other by a cooperation agreement on the development of a shared vision for the integration of the Mediterranean electricity markets.<sup>760</sup> Although non-binding, this agreement lays the basis for a deepened cooperation regarding '*the adoption of harmonized rules concerning cross-border transmission activities at regional level*'.<sup>761</sup> It is the only agreement that MedReg has signed with another energy stakeholder in the Mediterranean so far<sup>762</sup> and overall, relations between MedReg and Med-TSO are characterised by a high degree of complementarity, with Med-TSO notably complementing MedReg regarding infrastructure developments and the integration of resources (Interview MEDENER, 2017).<sup>763</sup> Indeed, whilst MedReg is responsible for defining rules at the national level, Med-TSO rather is a technical entity which seeks to define a shared set of technical rules among its members (Interview Med-TSO, 2018). Meetings take place on a regular basis and primarily serve the exchange of information and work on activities of common interest.<sup>764</sup>

Contrary to this, MedReg's coordination with the EBRD is, as shown before, still in its infancy although the representatives of the bank are regularly present at the regulator's general assemblies.<sup>765</sup> Similarly, and as already mentioned, there is as good as no cooperation with the member states or the national embassies at the local level (Interview MedReg, 2017; Interview Med-TSO, 2018) and there is also no cooperation with the KfW, let alone the AFD (Interview MedReg, 2017). By contrast, and as already indicated in Part 5, there is some technical coordination between MedReg and the GIZ, with the former having already joined the latter in various conferences, amongst other things on energy market transformations.<sup>766</sup> Overall, most of the cooperation between MedReg and its partners (except for the EU and Med-TSO) is based on *ad-hoc* collaboration, i.e. '*on issues of common interest*'. Meetings primarily take place along the margins of events or in the context of working groups and public consultations. One important platform for exchange to be mentioned here is the Mediterranean Forum on energy regulation which MedReg organised for the first time in 2014.<sup>767</sup> The same applies to Med-TSO's cooperation with external partners. Meetings either take place within the framework of technical committees/specialized working groups or on an *ad hoc* basis.<sup>768</sup>

**MEDENER** seeks to steadily extend the network of its partners, signing for example an MoU with both RES4MED and RCREEE in July 2017 for enhanced cooperation in the deployment of renewable energies and energy efficiency in the Mediterranean region, including the exchange of information, capacity building, training and conferences.<sup>769</sup> All three organisations share synergies notably in the field of renewable energy and, together with RCREEE, MEDENER is also

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<sup>758</sup> [MedReg](#) (Accessed on 20 December 2017).

<sup>759</sup> [MedReg](#) (Accessed on 30 December 2017).

<sup>760</sup> [MedReg](#) (Accessed on 08 February 2018).

<sup>761</sup> [MedReg](#) (Accessed on 20 December 2017).

<sup>762</sup> [MedReg](#) (Accessed on 03 February 2018).

<sup>763</sup> FERRANTE Angelo (09 May 2017), The Role of Med-TSO in the Mediterranean Region, MEDELEC 24<sup>th</sup> Annual Meeting, Med-TSO.

<sup>764</sup> [MedReg](#) (Accessed on 10 February 2018)

<sup>765</sup> [MedReg](#) (Accessed on 10 November 2019).

<sup>766</sup> [EU Neighbours South](#) (Accessed on 13 November 2018).

<sup>767</sup> [MedReg](#) (Accessed on 03 February 2018).

<sup>768</sup> [Med-TSO](#) (Accessed on 30 December 2017).

<sup>769</sup> [RCREEE](#) (Accessed on 07 January 2017); [ENEA](#); [RES4MED](#) (Accessed on 02 January 2017).

part of the UfM's REEE platform as shown before. Other than via the platform, the UfM is in permanent contact with MEDENER as regards networking with private companies (Interview MEDENER, 2017). MEDENER also closely collaborates with the Commission, piloting many of the projects financed by the latter. Other EU and EU member states partners are the EIB, the AFD, the FFEM and the GIZ.<sup>770</sup>

Through its large network of partners on the European, regional and local levels, **RES4MED** acts as an important provider of input on EU-Mediterranean renewable energy coordination and, as stated by Leal-Arcas, Grasso and Rios (2016:275), also plays the role of facilitator (of dialogue and negotiations). As such, it regularly organizes executive seminars for representatives from the DG ENER, DG NEAR, DG DEVCO and DG Research & Innovation on policy & regulatory frameworks, financing of renewable energy projects or grid integration, for example. On the regional level, it is, apart from being a close cooperation partner with MEDENER, also an associate member of OME, whereby on the local level, it is one of the best-connected multilateral operators. Here it aims at building up partnerships by using a 'bottom up' approach, a context in which it seeks to establish contacts between its members and Moroccan stakeholders via networking events.

All in all, the regional associations are largely considered to be key contributors to regional energy coordination in the Mediterranean,<sup>771</sup> a context in which they have, as shown before, played a vital role in UfM initiatives like the MSP or the energy platforms.<sup>772</sup> Being particularly involved in the REM and REEE platforms, they are, for example, together with the UfM CoPresidency, responsible for the elaboration of the work programme for the REM platform. This responsibility covers, amongst other things, the analysis of existing market structures and the coordination of infrastructure development.<sup>773</sup> Further, they participate in meetings of the other platforms and provide input.<sup>774</sup>

To sum up, it must be said that overall, coordination between the EU and the regional associations exclusively takes place on the supranational levels, meaning that the associations do not have any or only little contact with the EU delegations or the EU embassies on the local level (Interview MedReg, 2017; Interview Med-TSO, 2018).<sup>775</sup> The only worth-mentioning exception here is the coordination between MedReg and the GIZ with both pushed, for example, for the establishment of the Moroccan Electricity Regulatory Authority (ANRE). As regards the multilateral aspects of diagonal cooperation, it can be noted that much of the coordination takes place in the context of the UfM energy platforms, whereas bilateral energy meetings take place outside the UfM on an *ad hoc* basis (Interview MedReg, 2017).<sup>776</sup> In fact, the UfM, which is supposed to bring together both regional and national stakeholders – financial institutions, regional organisations, businesses and civil society in order to spark common interests and create relations – can be identified as an overarching framework for diagonal coordination. In

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<sup>770</sup> [MEDENER](#) (Accessed on 31 December 2017).

<sup>771</sup> [MedTSO](#) (Accessed on 30 December 2017).

<sup>772</sup> [MedReg](#); [Med-TSO](#) (Accessed on 30 December 2017).

<sup>773</sup> [MedReg](#) (Accessed on 19 December 2017).

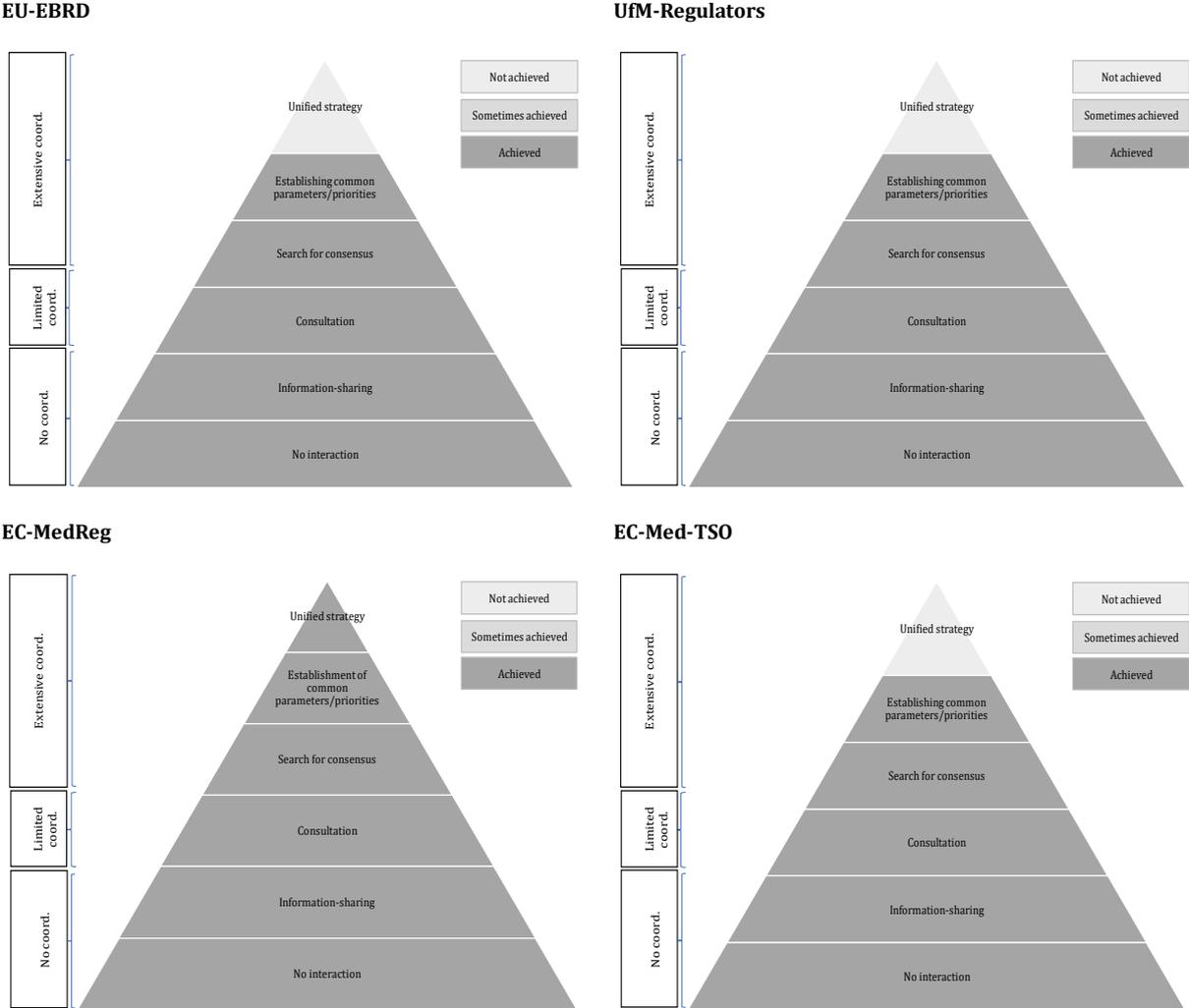
<sup>774</sup> MedReg's participation in the Union for the Mediterranean (UfM) Regional Electricity Market (REM) and Renewable Energy and Energy Efficiency (REEE) energy platforms is, for example, coordinated by a specialised '*Task Force on UfM Energy Platforms*' [MedReg](#) (Accessed on 22 December 2017); [MedReg](#) (Accessed on 03 February 2018).

<sup>775</sup> For example, as for the Mediterranean Transmission System Operators (Med-TSO), the reason is that the organization does not want to interfere with state affairs (Interview Med-TSO, 2018).

<sup>776</sup> Due to the fact that there is no pan-regional entity in the Mediterranean like the Energy Community in eastern Europe, there is no other comparable format for multilateral energy exchange in the Mediterranean regardless of the UfM and its energy platforms.

this context, the energy platforms serve as a forum for the exchange of information between various interest groups as well as for developing new or maintaining old relationships (Interview MEDENER, 2017).

**Figure 28: Diagonal coordination in the EU multilevel system**



Source: Own elaboration based on empirical research.

Overall, and to sum up coordination (and thus consistency) in the **EU multilevel system**, the empirical research shows that whilst there is strategic/political coordination (and thus consistency) occurring in all three dimensions (horizontal, vertical and diagonal), it is higher in the intra-institutional, inter-institutional and diagonal dimensions than in the intergovernmental and vertical dimensions. In fact, whilst as far as the intergovernmental dimension is concerned, it is particularly low when it comes to multilateral initiatives, as for the vertical dimension, there is some coordination between the Commission, the External Action Service, the Investment Bank and the member states. However, by far the most important coordination platform is the Neighbourhood Investment Platform (NIP) which indeed serves as a major coordination platform (Interview KfW, 2016; AFD, 2016; MASEN, 2016; EC, 2017; EEAS, 2017; EIB, 2017) but, as already known, rather deals with functional, i.e. financial and technical aspects. As this suggests and all in all, functional coordination (and thus consistency) in the EU

multilevel system is high, no matter in which dimension. The main actors are the Commission, the Investment Bank and the big European development finance institutions (DFIs) KfW and AFD.

To sum up coordination (and thus consistency) on the **third-country level**, the empirical research shows that whilst there is both strategic/political and functional coordination when it comes to the intra-institutional and inter-institutional dimensions, there is only limited coordination (above all strategic/political) in the intergovernmental and vertical dimensions. In fact, overall, and contrary to the EU multilevel system – in which coordination (and thus consistency) may be both strategic/political and functional – there is only little strategic/political coordination taking place on the third-country level and whilst this applies to all dimensions, it is particularly true for the intergovernmental and vertical dimensions where interaction is often restricted to an exchange of information and views and does not extend to joint (and binding) actions. For example, whilst there is indeed a multilateral framework for strategic/political cooperation in Rabat, the Groupe des chefs de coopérations européens, it is, however, a rather broad structure and does not always have sector-specific, i.e. energy-related topics on its agenda. Moreover, it is not exclusively reserved to European policy makers or the EU delegation and the embassies of the EU member states but is also open to the banks and the GIZ. As a result, given that there is no other platform for political cooperation apart from this group – the GPP and the Groupes thématiques meetings have a rather technical and financial focus – it can be concluded that there is not really any energy-exclusive policy dialogue worth mentioning that takes place in Morocco. In fact, coordination on the third-country level is primarily functional. This is best explained by the theory of functionalism which, developed by David Mitrany in the 20<sup>th</sup> century, is, as its name suggests, closely associated with neo-functionalism where a strong focus is placed on international institutions which are considered to be drivers of integration. For example, for Mitrany, who developed his theory of functionalism during and after World War II, nationalism and nation states were the main threat to peace and freedom which he was convinced only international and transnational organisations would be able to guarantee. For this reason, and in view of growing technical issues (like for example finance), he proposed setting up purely functional organisations that would be in charge of dealing with international problems (DIEZ, BODE and FERNANDES DA COSTA, 2011:63). According to this doctrine, integration starts on the functional or technical levels, with functions supposed to gradually replace sovereignty (MITRANY, 1966:31) as trust and loyalty are shifted from national organisations towards supranational organisations over time.<sup>777</sup> Other than being primarily functional, coordination in Morocco takes place above all informally and *ad-hoc*, whereby it must be stated that the role of informal coordination should not be underestimated as it helps, via steady exchange, to gradually build '*consensus on new directions and strengthen efforts that are eventually reflected in official positions*'.<sup>778</sup> As outlined by Thaler (2015:129), this process of repeated information exchange has often been described as socialisation in the literature, where socialisation is considered to lead to an '*internalization of rules and norms*'.

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<sup>777</sup> Similarly, neo-functionalism equally lays a focus on technocratic decision-making. Another point in common between functionalism and neo-functionalism is the fact that both theories recognise that cooperation may be most easily achieved between non-governmental actors (such as the pressure groups of associations) (DIEZ, BODE and FERNANDES DA COSTA, 2011:63).

<sup>778</sup> [OECD](#) (Accessed on 06 March 2019).

## 6.4 Interim conclusion

This Chapter has shown that EU energy governance towards Morocco is neither fully consistent, nor inconsistent but varies greatly, depending on the dimension (horizontal, vertical, diagonal) and level (EU multilevel system, third-country) in question, as well as on different aspects (strategic/political, functional). Yet overall, it tends to remain incomplete.

Overall, consistency tends to be higher as regards the horizontal and diagonal dimensions, where coordination is extensive in both the EU multilevel system and on the third-country level (at least as far as the horizontal dimension is concerned) and with respect to both strategic/political and functional aspects. By contrast, consistency seems to be lower as regards the intergovernmental and vertical dimensions, where coordination takes primarily place in the EU multilevel system and is above all related to functional aspects, i.e. it centres around financial or technical issues. These conclusions are derived from the following observations (see Figure 29):

1. Horizontal coordination (and thus consistency) is strategic/political and functional (technical, financial).
2. Diagonal coordination (and thus consistency) is strategic/political and functional (technical, financial).
3. Intergovernmental and vertical coordination (and thus consistency) is primarily functional (technical, financial).

This means that strategic/political coordination is overall more pronounced as regards the horizontal (intra-institutional and inter-institutional) and diagonal dimensions, rather than the intergovernmental and vertical dimensions. In fact, whilst horizontal coordination seems to work out well, intergovernmental and vertical coordination appear to be more of a perpetual problem and be generally more successful in the EU multilevel system. Contrary to this, functional coordination is pronounced as regards the horizontal, vertical and diagonal dimensions. It can be further summed up that (see Table 9):

- Coordination (and thus consistency) in the EU multilevel system is strategic/political and functional (technical, financial).
- Coordination (and thus consistency) on the third-country level is primarily functional (technical, financial).

In other words, strategic/political coordination mainly takes place in the EU multilevel system, i.e. in Brussels, and is lower on the third-country level in Rabat. Functional coordination, by contrast, takes place on both levels and is overall higher in Rabat. Moreover, coordination frameworks differ in terms of bureaucratic and organisational obstacles, frequency of meetings, focus, outcome etc. and coordination takes place both formally or informally and whilst some of the actors wish to coordinate on a permanent or a more formal and more binding basis, others prefer *ad hoc* meetings which allow for a greater degree of spontaneity and flexibility and reunite relevant stakeholders only.

All in all, this empirical research shows that the occurrence of consistency or inconsistency strongly depends on a variety of factors such as the different dimensions, levels and aspects. Therefore, the following Chapter will seek to explain variation in consistency in EU energy governance towards Morocco.

Figure 29: Strategic/political and functional consistency

Strategic/political consistency			Functional consistency		
	EU multilevel system	Third-country level		EU multilevel system	Third-country level
Horizontal			Horizontal		
Vertical			Vertical		
Diagonal			Diagonal		
<b>Legend</b>	<b>Consistency</b>	High Medium Inconsistency	<b>Legend</b>	<b>Consistency</b>	High Medium Inconsistency

Source: Own elaboration based on empirical research.

Table 9: Evaluation of consistency in EU energy governance towards Morocco

Level	EU multilevel													
Project/actors	European Council	Council	EP	EC		EEAS	UfM	EIB	EBRD	Member states	MedReg	Med-TSO	MEDENER	RES4MED
				DG ENER	DG NEAR									
European Council	x	S,F	S,F	S,F	S,F	S,F	S,F	S,F	F	S,F	F	F	F	F
Council	S,F	x	S,F	S,F	S,F	S,F	S,F	S,F	F	S,F	F	F	F	F
EP	S,F	S,F	x	S,F	S,F	S,F	S,F	S,F	F	S,F	F	F	F	F
DG ENER	S,F	S,F	S,F	x	S,F	S,F	S,F	S,F	F	S,F	F	F	F	F
DG NEAR	S,F	S,F	S,F	S,F	x	S,F	S,F	S,F	F	S,F	F	F	F	F
EEAS	S,F	S,F	S,F	S,F	S,F	x	S,F	S,F	F	S,F	F	F	F	F
UfM	S,F	S,F	S,F	S,F	S,F	S,F	x	S,F	F	S,F	F	F	F	F
EIB	S,F	S,F	S,F	S,F	S,F	S,F	S,F	x	F	S,F	F	F	F	F
EBRD	F	F	F	F	F	F	F	F	x	F	F	F	F	F
Member states	S,F	S,F	S,F	S,F	S,F	S,F	S,F	S,F	F	x	F	F	F	F
MedReg	F	F	F	F	F	F	F	F	F	F	x	F	F	F
Med-TSO	F	F	F	F	F	F	F	F	F	F	F	x	F	F
MEDENER	F	F	F	F	F	F	F	F	F	F	F	F	x	F
RES4MED	F	F	F	F	F	F	F	F	F	F	F	F	F	x
Level	Third-country													
Project/actors	DG NEAR	EU delegation	UfM	EIB	EBRD	Member states embassies	MedReg	Med-TSO	MEDENER	RES4MED	KfW	AfD	GIZ	Industry
DG NEAR	x	S,F	S,F	S,F	S,F	S,F	F	F	F	F	F	F	F	F
EU delegation	S,F	x	S,F	S,F	S,F	S,F	F	F	F	F	F	F	F	F
UfM	S,F	S,F	x	S,F	S,F	S,F	F	F	F	F	F	F	F	F
EIB	S,F	S,F	S,F	x	S,F	S,F	F	F	F	F	F	F	F	F
EBRD	F	F	F	F	x	F	F	F	F	F	F	F	F	F
Member states embassies	na	S,F	S,F	S,F	F	x	F	F	F	F	F	F	F	F
MedReg	F	F	F	F	F	F	x	F	F	F	F	F	F	F
Med-TSO	F	F	F	F	F	F	F	x	F	F	F	F	F	F
MEDENER	F	F	F	F	F	F	F	F	x	F	F	F	F	F
RES4MED	F	F	F	F	F	F	F	F	F	x	F	F	F	F
KfW	F	F	F	F	F	F	F	F	F	F	x	F	F	F
AfD	F	F	F	F	F	F	F	F	F	F	F	x	F	F
GIZ	F	F	F	F	F	F	F	F	F	F	F	F	x	F
Industry	F	F	F	F	F	F	F	F	F	F	F	F	F	x
<b>Legend</b>	<b>Strategic</b>		<b>Functional</b>		<b>Coordination</b>									
			S											
			F											
			Extensive											
			Limited											
			Non-existent											

Source: Own elaboration based on empirical research.

Table 10: Energy cooperation networks towards Morocco

Level	Cooperation organisation	IC	BEAS	EIB	EBRD	UfM	MedRef	MedFDSO	MedInvest	OME	Restored	E.U. del.	Ger. Embassy	French embassy	Spanish embassy	GIZ	RW	AID	
International	AW	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	Energy Charter	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	Energy Community	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	KCEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	IBA	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	IRENA	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	International Association of Arab States	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	OECD	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	REN21	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	SolarPowerEurope	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	UNEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	UNEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	UNEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	UNIDO	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	UNEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	UNEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	UNEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	Supranational	CEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
CEP		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Regional		COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	COMLEC	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	National	French government	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		French government	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		Spanish government	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
AA		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAW		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
BAZ		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Local		ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
		ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	ARBME	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	Legend	Med on cooperation	x																
		Partner organisation	x																
		No relations	/																

Notes: Relations can be of direct or indirect nature. For example, REN21 has indirect relations with the German and Spanish embassies in Germany and Spain as its partners.

Source: Own elaboration based on empirical research.

## Part Seven – Explaining consistency in EU energy governance towards Morocco

Whilst the previous Chapter has provided first indications of the existence of consistency by having dealt with the question if, how and with which result the EU institutions and the member states coordinate their energy policies towards Morocco, this Chapter takes the analysis one step further. In fact, it will be dedicated to the ‘why’ aspect and will seek to explain variation in consistency. Recourse will hereby be taken to the three independent variables presented in Part 3: competencies, interests and interdependencies.

### 7.1 Competencies

This Chapter investigates the variable competencies and **Hypothesis 1**, namely: *the clearer the allocation of competencies between the different stakeholders involved in EU external energy governance, the more extensive the coordination (and thus the higher the consistency) of their energy policies.*

Although from a legal perspective, the EU actors are, as shown before, obliged to strive for greater consistency in EU external energy policymaking and to coordinate their policies, energy governance has often been characterised by a lack of consistency in the past and coordination has not always been achieved so far or has been accidental and loose, a reality that this research has partly confirmed. There are many factors making such an alignment difficult to achieve, including, as has been shown before, the involvement of a multitude of actors in the policymaking process (THALER, 2015:147-148). Indeed, and in line with what is postulated by the theory of Multi-level Governance (MLG), policymaking competencies within the EU are spread across different actors, whereby energy is a special field to look at. Not only because it has traditionally been dominated by the member states and is a shared responsibility but also because it involves a wide range of other, non-governmental stakeholders which, as will be shown later, have been gaining an increasingly prominent role in recent years.

As regards the **horizontal dimension**, there are, apart from the involvement of a multitude of actors and as has been indicated before, also several legal and institutional shortcomings such as an incomplete or restricted energy framework (DEBAERE, 2013:54) or the silence of Community primary law on energy matters (BLUMANN, 2012:3) that may prevent coordination (and thus consistency) from happening. In fact, despite the importance energy has had throughout the EU’s history and the fact that the Council had aimed at establishing a Community policy on energy as early as 1964 (MALTBY, 2013:437), up to the mid-2000s, there had been no specific energy chapter in any EEC treaty. Energy did not play an important role within the EEC and, in the absence of any Community policy, European energy policies were only based on voluntary general energy objectives (which were largely limited to nuclear energy) or linked to other policies’ objectives (EGENHOFER, BEHRENS, TOL, BETHELEMY, LEVEQUE and JANSEN, 2011:124; TOSUN, BIESENBENDER and SCHULZE, 2015:5), a context in which the ECSC and EURATOM were the only supranational bodies that disposed of any energy competence. This was supposed to change with the launch of the SEA<sup>779</sup> in 1986. However, the act remained

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<sup>779</sup> which, as a reminder, first introduced some tangible measures for the establishment of a freer and common market by 1992.

limited to the internal market, a shortcoming that subsequent treaties such as Maastricht (1992),<sup>780</sup> Amsterdam (1997) and Nice (2001) equally failed to address (MALTBY, 2013:438).<sup>781</sup> And although the SEA was the basis for the internal market legislation introduced in the 1990s (MALTBY, 2013:438),<sup>782</sup> it was only with the Treaty of Lisbon (2007) that energy policy (both internal and external) was first elevated to the Community level, i.e. the EU was first conferred explicit energy competence by its member states (NEFRAMI, 2012:167). Today, the Treaty of Lisbon forms the legal basis for the EU's energy provisions, notably through Article 194, which for the first time sets out comprehensive common energy objectives, referring to the a) functioning of the energy market, b) security of energy supply as well as to c) energy efficiency and renewable energy (see § 1).<sup>783</sup> Here, it must be stated though that this Article is afflicted with an important shortcoming (BRAUN, 2011:2), namely the fact that whilst energy objectives are framed by an internal market (*'the establishment and functioning of the internal market'*) and an environment (*'to preserve and improve the environment'*) perspective (see § 1), any external dimension is clearly excluded.<sup>784</sup> Indeed, apart from a reference to the security of energy supply, which implicitly links to external action (LEAL-ARCAS and WOUTERS, 2017:39), the Article remains silent on EU external energy policymaking, leading some scholars to argue that external energy forms part of foreign, environmental/climate change and competition policies (BRAUN, 2011:3). By contrast, the pursuit of external energy objectives is rather enabled by Article 216 § 1 TFEU, according to which *'the Union may conclude an agreement with one or more third countries or international organizations where the Treaties so provide or where the conclusion of an agreement is necessary in order to achieve, within the framework of the Union's policies, one of the objectives referred to in the Treaties, or is provided for in a legally binding Union act or is likely to affect common rules or alter their scope.'* Article 3 § 2 TFEU has a similar scope (PRADEL, 2014:238), however, both Articles are relatively general and do not specify the EU's competencies in external energy policy in detail. Therefore, there is overall consensus that *'European regulation addressing the external dimension of energy policy remained far and few between'* (AHNER, 2012:Abstract) and that *'the EU has never had a built-in and purposive institutional framework that would allow for concerted external action'* (GEBHARD, 2017:104).

Further, as regards the **vertical dimension**, one important factor that may prevent coordination (and thus consistency) from happening is Article 194 TFEU making energy policy a shared competence which is indeed considered in the literature to be one of the major shortcomings of the Treaty of Lisbon with respect to EU external energy policy. Basically, this means that although since Lisbon, energy policy is *'no longer a matter exclusive to national administrations'* (SZULECKI, FISCHER, GULLBERG and SARTORI, 2016:549), the role of the EU institutions remains, as pointed out by Maltby (2013:441), however limited, notably when compared with

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<sup>780</sup> In fact, the Maastricht Treaty introduced a new Article that included *'measures in the field of energy as legitimate Community activities'*, however, it did not introduce any new EU competencies (EGENHOFER, BEHRENS, TOL, BERTHELEMY, LEVEQUE and JANSEN, 2011:3).

<sup>781</sup> Overall, progress was notably made with respect to the internal market (competition, interconnection, including both electricity and gas connections) and with respect to energy efficiency and environment/climate protection.

<sup>782</sup> See the liberalisation directives introduced in 1996 (electricity) and 1998 (gas) respectively. EP (Accessed on 24 August 2018).

<sup>783</sup> Prior to the Treaty of Lisbon, notably up to the 1980s, energy objectives were primarily driven forward by energy security concerns, but as of the 1990s, there was another leverage factor for closer energy cooperation: environmental concerns. Every time the member states were willing to abandon some sovereignty over energy and to transfer it to the EU this was either in the context of energy crises and/or of environmental or climate-related initiatives and primarily only concerned the internal market (EGENHOFER and BEHRENS in EGENHOFER, BEHRENS, TOL, BERTHELEMY, LEVEQUE and JANSEN 2011:124; BAUMANN and SIMMERL, 2011:5; TOSUN, BIESENBENDER, SCHULZE 2015:4-5).

<sup>784</sup> Another shortcoming concerns the field of energy taxation, with corresponding decisions being subject to unanimity (BRAUN, 2011:2).

the role of the member states, a circumstance that can be best explained with the theory of intergovernmentalism. According to this theory, there are doubts with respect to the applicability of institutionalism and neo-functionalism to the research problem, notably due to national considerations, with scholars like Van de Graaf and Colgan (2015:4) arguing that in reality, *'national energy governance still reigns above regional or GEG'*, a claim that also applies to the EU. However, and despite this recognition within the literature, addressing this issue has turned out to be a difficult task for one very simple reason, namely the fact that the member states fundamentally oppose it. In fact, and as mirrored in the fact that energy is a shared competence, they generally show any little or no interest at all in ceding some of their powers, seeking to vigorously protect their sovereignty. One telling example for this has been the development of the energy Chapter of the Treaty of Lisbon itself and the reason why, compared to other policy areas, it took so long to elevate energy policy to the Community level was the member states' long-standing unwillingness to transfer any energy competencies to the EU. For example, whilst the Treaty was considered *'a necessary legal basis for further integration of energy markets and the inclusion of environmental concerns into energy policy'*, Germany was not an advocate of giving more competencies to the EU (SZULECKI, FISCHER, GULLBERG and SARTOR, 2016:554).<sup>785</sup> Similarly, France, although principally in favour of a strong governance mechanism, seeks to keep state interference low in order to please national stakeholders and lobby groups (SZULECKI, FISCHER, GULLBERG, SARTOR, 2016:556). According to Pradel (2014:237), this reluctance to transfer any domestic energy competencies to the EU level stems from a time when the satisfaction of energy needs was still under the exclusive management of the member states.<sup>786</sup> Against this background, there is widespread consensus in the literature that despite being a shared competence and although a *'hesitant supranational turn in that area has been visible in the last decade'* (SZULECKI, FISCHER, GULLBERG, SARTOR, 2016:549), EU energy policy is still *'dominated by national policies'* and *'[...] governed on the basis of coordinated action by the Member States'* (LEAL-ARCAS and WOUTERS, 2017:40). This is, according to the scholars, all the more true for the external dimension of EU energy policies (AHNER, 2012:Abstract), with Sartori (2014:5) noting that *'the primacy of national energy strategies at the member state level still represents a decisive obstacle for all efforts to forge a external energy action at the EU level'*. In this context, numerous are those who claim that energy policy under the Treaty of Lisbon *'remains business as usual'* (BRAUN, 2011:8) and that the Treaty may actually serve as a breeding ground for disagreement and conflicts (METCALFE, 1996). Indeed, §§ 2 and 3 of Article 194 limit the competencies of the EU by giving the member states the right to preserve their national sovereignty on energy resources as well as the general structure of their energy supply<sup>787</sup> which remains a *'core area of national sovereignty'* (LEAL-ARCAS and WOUTERS, 2017:46). Further, Article 5 of the TEU stipulates that the EU only acts within the limits of these competencies ('principle of conferral') whose use is, in accordance with this Article, overall governed by the principle of subsidiarity and proportionality. This means that Community policies must be *'complementary'* to member states policies (CREMONA, 2008:17) (implying mutual commitment). Moreover, as noted by Strunz, Gawel and Lehmann (2014:6),

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<sup>785</sup> Indeed, as stated by Szulecki, Fischer, Gullberg and Sartor (2016:554), *'in a long tradition of German energy policy, state intervention in energy markets in order to guarantee energy security is reduced to a minimum'* – a motto that is particularly reflected in Germany's energy policies towards Russia (the context in which the German government opposes for example joint gas purchases).

<sup>786</sup> In fact, up until the late 1980s and the Single European Act (SEA), the member states and their state-owned energy industries were the only entities responsible for the conduct of national energy policies, a circumstance that only changed gradually and in the light of various energy crises, especially on energy supply, as well as with the threat of climate change.

<sup>787</sup> Concretely, Art. 194 refers here to the conditions for exploiting their energy resources, their choice between different energy sources and the general structure of their energy supply.

these Articles are formulated very vaguely, leaving room for broad interpretation, which in combination with the fact that EU energy law is inevitably imbued in or overshadowed by politics, may lead to task uncertainty (DEBAERE, 2013:46) as well as misunderstandings over competencies and thus a slow-down of coordination. This, in turn, reinforces the risk of inconsistency and contributes to situations of ineffectiveness and inefficiency (SARTORI, 2014:1).

Finally, overall, whilst the Treaty of Lisbon paved the way for addressing the issue of horizontal inconsistency by abandoning the EU pillar structure and reshuffling the EU's external competencies – for example, through the creation of the EEAS and the post of the HR – this has, however, not necessarily implied the automatic creation of a single voice. By contrast, so Marangoni (2014:18), the addition of a new actor to the '*EU's institutional architecture*' contributed to '*complicating institutional dynamics*', with the relinquishment of the EU pillar structure and the division between the CFSP and other external areas bearing a huge risk of inter-institutional conflicts.<sup>788</sup> Here, Smith (2004:209) notes: '*by attempting to create a closer link between the EC and the EU's other external capabilities, the drafter of the TEU unwittingly created tensions, inconsistencies, and gaps between the rules governing these domains at the organisational and even individual levels.*' Further, although the creation of the HR was not meant to have any impact on the competencies of the member states within the CFSP domain which remains an area of intergovernmental competence, it however did have an impact on the Commission which saw its competencies decisively cut off (DAGAND, 2008:2).<sup>789</sup> In fact, in setting up the HR and in order to increase horizontal consistency in EU foreign policy, the EU sought to incorporate the supranational and intergovernmental elements of the EU into one position (KOEHLER, 2010:66). As a result, the Commission did not only lose its right of initiative but is now also obliged to support proposals submitted by the HR (GASPERS, 2008:23). As regards the vertical governance level, there is no legal obligation or any other regulation solidarity (BRAUN, 2011:2) and, at the same time, the TEU also preserves the member states' sovereignty. Moreover, there are several factors that the legal and institutional framework cannot control such as the international context or the member states' national interests (GEBHARD, 2017:123). In other words, consistency is weakened by insufficient institutional reform (THALER, 2015:iii), the context in which a lack of enforceability or the absence of an accountability-imposing institution as well as a lack of control mechanisms capable of containing powerful actors are identified as particularly problematic in the literature (GEBHARD, 2011:115). Indeed, after all, consistency remains a '*normative requirement*' (THALER, 2015:37) that is not legally enforceable. This is first of all reflected in the fact that the European Court of Justice (ECJ) does not have (with some exceptions) any jurisdiction in the field of the CFSP, i.e. it can legally enforce neither the horizontal nor the vertical consistency dimension.<sup>790</sup> Therefore, as stated by Gebhard (2017:110), in reality,<sup>791</sup> the issue is dealt with on a '*case-by-case*' basis, whereby Koehler (2010:60) argues that '*the exclusion of the principle of vertical coherence in the*

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<sup>788</sup> Indeed, as regards external consistency, the treaty reads that '*the Council and the Commission, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, shall ensure that consistency and shall cooperate to that effect*' (Art. 10A), whereby it must be distinguished between two different realms. In fact, whilst overall, the European Council and the Council notably play a role in intergovernmental policies like foreign and security or defense policies, the Commission rather dominates in the supranational domain (trade, agriculture, fisheries) (CARBONE, 2013:6).

<sup>789</sup> See Declaration 14 of the Lisbon Treaty: '*the provisions covering the Common Foreign and Security Policy do not give new powers to the Commission to initiate decisions nor do they increase the role of the European Parliament.*' [Eurlex](#) (Accessed on 24 February 2019).

<sup>790</sup> [Eurlex](#) (Accessed on 11 November 2017).

<sup>791</sup> and although, over time, the European Court of Justice (ECJ) became increasingly involved in solving inter-institutional disputes over competencies (PORTELA and RAUBE, 2009:10).

*CFSP from the supervision of the ECJ illustrates the lingering discrepancy between the Member State's general willingness to cooperate and their more specific willingness to determine the character of the European foreign policy in concrete situations'.*

### **7.1.1 The assignment of competencies in the energy policy cycle**

All the abovementioned factors may increase the risk of coordination failures and thus be a source of inconsistency. Therefore, to test Hypothesis 1, the assignment of competencies as a potential explanation for the empirical research outcome will be examined in the following. Whereas strategic/political and functional consistency is high in the horizontal and diagonal dimensions, it is low as far as the intergovernmental and vertical dimensions are concerned. Here, the fact that energy is a shared competence suggests that the assignment of competencies is clearer on the horizontal than on the vertical level also because, in the past, the shared responsibility for energy undertakings and the overall vague formulation of Article 194 has often led to disagreement. Basically, extensive coordination (and high consistency) in the horizontal dimension suggests that there is a clear assignment of competencies, whereas non-extensive or limited coordination (and medium consistency) in the vertical dimension suggests the opposite. To determine whether this is true and whether there is any overlapping, the policymaking process will be broken down into its components, whereby three aspects will be looked at: agenda-setting, decision-making, implementation and financing & support.

#### **Agenda-setting**

There is consensus in the literature that in a system of Multi-level Governance (MLG) such as the EU, policy initiation is *'a multi-actor activity'* and institutions are in competition with each other for control over agenda-setting (HOOGHE and MARKS, 2001:14, 16), a concept that can be defined as *'the process of turning public issues into actionable government priorities'* (ZAHARIADIS, 2016:6). Or, as highlighted by Princen (2011:927), it is *'about having an issue considered by policy-makers'* and is thus an important precondition for decision-making.

In theory, the set-up of the agenda lies within the sole responsibility of the Commission as it is the only institution empowered to initiate and draft legislation (Art. 17 TEU) (any legislative proposal is then submitted to the Council and the Parliament), whereby its leverage *'depends on its ability to anticipate and mediate demands, and its capacity to employ expertise derived from its role as the think tank of the European Union'*, so Hooghe and Marks (2001:12, 16). However, impetus for any legislative proposal may come from outside the Commission (PRINCEN, 2007:23) and although the latter has the overall competence to set or shape common policies, it *'has little margin to act alone'* (BRAUN, 2011:6) which is why it *'is usually responsive to the wishes of the European Council, the Council of Ministers, the European Parliament, or interest groups'* (HOOGHE and MARKS, 2001:16). Here, and with regard to energy, it has been revealed that coordination is particularly high between DG ENER and DG NEAR, as well as the EEAS, with corresponding agenda-setting powers being clearly separated. Indeed, with respect to projects of 'European interest' such as the MSP the lead lies with the Commissioner for Energy and DG ENER which *'takes the lead and final decision'*, whereas the HR can only *'promote certain European preferences'*. By contrast, when it comes to representing the EU externally and external negotiations, the HR dominates (BRAUN, 2011:5). In fact, whilst the EEAS's role may at first sight seem to be similar to that of the Commission, their competencies are however different and

should not be confused. Most importantly, unlike the Commission, which retains overall responsibility over the EU's foreign policy making, the EEAS does not dispose of any technical expertise, but only 'feeds on' the input of the corresponding DGs with whom it is in permanent contact and exchange (Interview EEAS, 2017). In fact, its declared mission being to serve the HR (Art. 27 TEU)<sup>792</sup> and to assist the CFSP (COUNCIL DECISION 2010/427/EU), it has more of a support function and does not have any legal foreign policymaking powers in this context (VAN VOOREN and WESSEL, 2014:374). However, to carry out its mandate, it disposes of certain legal capacities (VAN VOOREN and WESSEL, 2014:374). For example, it supports the Commission and the EU member states in their work on the EU Energy Diplomacy Action Plan<sup>793</sup> and is, together with DG NEAR, strongly involved in the programming of the EU's external policy programmes, including the development of ENP Partnership Priorities. In fact, under § 9 of COUNCIL DECISION 2010/427/EU, the EEAS, in close cooperation with the Commission, has a role in the preparation of the country allocations under the Multiannual Financial Framework, the country and regional strategic papers, as well as the national and regional indicative programmes (Interview EEAS, 2017). Thus, it transpires that the EEAS does not really play a role in external energy policymaking but rather in external energy policy governance.

As just mentioned, Commission proposals are subject to a wide range of influences, a context in which the European Council, given that the energy sphere remains above all a prerogative of the member states,<sup>794</sup> is regularly identified as the (informal) agenda setter of the Union's external energy policy (TOSUN, BIESENBENDER and SCHULZE, 2015:6-7).<sup>795</sup> Being able to '*give visibility to a topic*' (THALER, 2016:15), its corresponding agenda-setting competencies are hereby derived from Article 15 TEU which states as a responsibility the definition of '*the general political directions and priorities thereof*' of the EU. In this light, the European Council has for example played a key role in the development of the European Strategy for Sustainable, Competitive and Secure Energy of 2006, the Energy Policy for Europe Action Plan of 2007, as well as in the completion of the EU's internal energy market for which it laid out guidelines in 2014. Furthermore, it has also pushed for the development of the climate and energy policy, asking, in 2011, the HR '*to take fully account of the energy security dimension in her work*'.<sup>796</sup> However, the role of the European Council should not be overestimated, as it does not dispose of any legislative powers (Art. 15 TEU § 1), but heavily depends on the Commission and the Council in this regard (BRAUN, 2011:4). Indeed, Article 15 specifies that the European Council '*shall not exercise legislative functions*' which remain within the scope of the Commission, with critics arguing that the European Council's agenda-setting powers are thus limited as the body is only entitled to issue general policy mandates rather than any specific policy proposals. Moreover, so the critics, the European Council's powers are limited as it is highly dependent on the technical knowledge and input of the Commission (THALER, 2016:13) and meetings are held but rarely (HOOGHE and MARKS, 2001:14). In this light, the Commission would '*use and instrumentalize*

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<sup>792</sup> In this context, i.e. when serving the High Representative of the Union for Foreign Affairs and Security Policy (HR), the European External Action Service (EEAS) does not take any instructions from the Council or the Commission. By contrast, it takes instructions from the HR, who in turn is accountable to the EU institutions (VAN VOOREN and WESSEL, 2014:21).

<sup>793</sup> EEAS (Accessed on 03 December 2017).

<sup>794</sup> Overall, the member states influence the Commission's agenda-shaping activities as the Commission usually anticipates their opposition (SZULECKI, FISCHER, GULLBERG, SARTOR, 2016:553).

<sup>795</sup> Europa (Accessed on 17 April 2019).

<sup>796</sup> EP (Accessed on 16 April 2019).

*the European Council to advance in its goal*,<sup>797</sup> implying a cooperative agenda and coordinated actions between the two institutions (THALER, 2016:13).

Unlike the European Council, the Council and the Parliament actually both have some agenda-setting or structuring powers (TOSUN, BIESENBENDER and SCHULZE, 2015:9), a context in which they already happen to be in competition with the Commission – see, for example, negotiations on the mandate for the UN Environment Programme on addressing mercury in 2010 (BRAUN, 2011:5).<sup>798</sup> In fact, although the Commission retains the sole power of initiation, the Council and the Parliament do act as co-legislators which means they can review Commission proposals and propose amendments. In this light, the Council may, in accordance with Articles 192 and 208 of the TEC, *'request the Commission to undertake any studies'* (the Council) *considers desirable for the attainment of the common objectives, and to submit to it any appropriate proposals.'* Moreover, it can also make soft law, for example in the form of resolutions (HOOGHE and MARKS, 2001:14-15). Compared to this, the Parliament has a rather consultative role as far as the design of policies is concerned (TOSUN, BIESENBENDER and SCHULZE, 2015:9).<sup>799</sup> Noteworthy here are its consultation and information rights with respect to international agreements. For example, it now approves or rejects the signature of Association Agreements (AAs) and trade agreements<sup>800</sup> (Art. 218 TFEU).<sup>801</sup> This also applies to energy where no project of 'Common Interest' can be established without its prior permission (BRAUN, 2011:7). Whilst such projects are negotiated by the Council and the Commission, the Parliament may however exercise influence upon their formulation beforehand and make recommendations, for example through parliamentary questions and resolutions to these actors (NATORSKI and HERRANZ SURRALLES, 2008:78), whereby in this context the Parliament is itself equally subject to internal and external influences (HOOGHE and MARKS, 2001:1, 8-9).<sup>802</sup> Finally, non-state actors also engage in the agenda-shaping process, either directly by submitting petitions to the Parliament or contacting the Commission (VANDEVEER, 2015:321) or by exerting influence on national actors, as will be shown later.

## **Decision-making**

According to the theory of MLG, decision-making competencies are not monopolised by one group of actors or national governments, but shared by different actors (HOOGHE and MARKS, 2001:3; LELIEVELDT and PRINCEN, 2015:39) which applies all the more to energy. Most energy areas being characterised by decentralised decision making, there are various EU institutions playing a major role in this domain, including the European Council, the Council, the Commission and the Parliament.

As the voice of the member states, the European Council and the Council are the main bodies to represent the intergovernmental mode of decision-making within the EU, whereby the Council is by far the most important institution as regards decision-making (in comparison, the European

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<sup>797</sup> For example, through officials from the Directorate General Energy (DG Energy) attending Council working groups and committees (THALER, 2016:16).

<sup>798</sup> Negotiations have above all been characterised by discussions between the Commission and the Council over the EU's external representation (BRAUN, 2011:5).

<sup>799</sup> EP (Accessed on 14 August 2017).

<sup>800</sup> MoUs are generally excluded from the provisions of Article 218. In fact, they would only be included if they were legally binding (VAN VOOREN, 2012:221).

<sup>801</sup> EP (Accessed on 14 August 2017).

<sup>802</sup> Europa (Accessed on 17 April 2019).

Council has a rather limited role), with Article 352 § 1 of the TEU reading: *'if action by the Union should prove necessary, within the framework of the policies defined in the Treaties, to attain one of the objectives set out in the Treaties, and the Treaties have not provided the necessary powers, the Council, acting unanimously on a proposal from the Commission and after obtaining the consent of the European Parliament, shall adopt the appropriate measures'*. The Council's competencies were decisively cut in the context of the SEA of 1986, as well as with the Treaty of Maastricht of 1993 which respectively established and increased the scope of qualified majority voting (QMV) within the institution (HOOGHE and MARKS, 2001:1, 4-5). The aim was to curtail national sovereignty – in fact, whilst since the so-called 'Empty Chair Crisis' of the 1966,<sup>803</sup> the states were allowed to veto on topics deemed to be vital to their national interests (see Luxembourg Compromise which *de facto* promoted unanimity as the standard procedure), they can now only sustain a veto if other governments approve it (HOOGHE and MARKS, 2001:19). Under the Treaty of Lisbon, QMV was increasingly extended and, as of today, unanimity is only required for specific topics such as the accession of new member states, the approval of EU treaties & the multi-annual budget and the harmonisation of national tax legislation, as well as foreign and security policies. Yet, each member state retains the right to veto which makes decision-making an extremely complex affair and has actually hampered the achievement of consistency in the past (and ultimately of common objectives). For example, in 2008, the Climate Package was threatened to be vetoed by Italy and Poland<sup>804</sup> and the MSP failed in 2013 because of a veto by Spain. Moreover, apart from their right to veto, so Hooghe and Marks (2001:19), the states have other ways of defending their domestic interests, for instance, by building in special safeguards in treaties, a popular practice in energy policies.

Generally, the Council does not act alone, but is supported by a wide range of other players, above all the Commission and the Parliament (HOOGHE and MARKS, 2001:23). In fact, given that no decision can be taken without a prior proposal made by the Commission, the latter plays an important (although indirect) role as regards decision-making.<sup>805</sup> Further, and as for the CFSP, the Commission actually has a support function to the HR as it may submit decisions in this area to the Council (Art. 30 TEU). As for the Parliament, and as far as legal procedures related to international agreements are concerned, the members (MEPs) must give their consent, implying that with respect to energy projects of European interests, no decision can be taken without prior consent of the Parliament. Moreover, both the Council and the Commission must inform the Parliament at all stages of the policy process (BRAUN, 2011:7).

### **Implementation**

MLG is also a prominent theory as regards the implementation stage, with corresponding legislative and executive competencies being shared between the Commission and the Council or the national governments. In fact, whilst the Commission must implement EU laws (executive powers) (HOOGHE and MARKS, 2001:24), in its role as main legislator (legislative powers), it also oversees the application of EU law by the member states as decisions taken at the supranational level are expected to be transformed into national legislation.<sup>806</sup> However, in

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<sup>803</sup> The trigger for this crisis was French President Charles de Gaulle's veto against an EU budgetary reform in 1965 (HOOGHE, MARKS, 2001:19).

<sup>804</sup> PHILLIPS Leigh (16 October 2008), Italy, Poland threaten to veto EU climate package, [EUObserver](#) (Accessed on 21 December 2018).

<sup>805</sup> EP (Accessed on 17 April 2019).

<sup>806</sup> EC (Accessed on 17 April 2019).

reality, it has few powers of implementation as, according to Article 202 TEC, *'the Council confers on the Commission powers for the implementation of the rules it lays down'*, meaning that it (the Council) remains the actual holder of these powers. Also, the member states are supposed to monitor the Commission's powers; this is done via the creation of committees attached to the Commission that are eventually capable of preventing the former from taking certain action, the context in which the rules of operation *'are a source of friction'* between the Commission, the Council and the Parliament<sup>807</sup> (HOOGHE and MARKS, 2001:24).

Another source of friction concerns the organisation of external representation between the European Council and the EEAS, with, as shown before, the President of the European Council being entitled to represent the EU externally concerning its common foreign and security policy *'without prejudice to the power of the High Representative'* (Art. 15 of the TEU). Indeed, as shown before, the competencies of the HR as regards the CFSP are extensive, comprising powers of initiative, management, implementation and representation (Art. 27 TEU) which may lead to difficulties with the President of the European Council. In fact, according to Article 27 of the TEU, the HR must implement the decisions adopted by the European Council and Council, raising the question of how this will harmonise with his/her powers of initiative on a daily basis. In other words, or as this suggests, there is no clear division of the two actors' respective responsibilities and tasks with regard to representing the EU internationally and overall, the relations between the two actors have remained relatively vague.

Likewise, the risk of overlapping is high as regards the relations between the HR and the Commission, given notably the latter's competencies in a wide range of external areas. For example, both actors have the right to issue instructions to the EU delegations. In this light, the EEAS has in the past often been assigned a lack of cooperation with the Commission (CARTA, 2016:205), an issue that has however been a topic of the Juncker Commission.<sup>808</sup> One general problem here is the fact that the exact scope of the EEAS is relatively vague, with Article 27 of the TEU not really mentioning the service's nature. Further, it has also often been attributed a lack of delimitation of powers (GATTI, 2016:301),<sup>809</sup> which in turn may contribute to inconsistency. Similarly, as for the relationship between the HR and the Council, difficulties may arise between the FAC and the General Affairs Council,<sup>810</sup> as both Councils (the FAC via the HR) are responsible for the CFSP.

### **Finance & support**

Contrary to agenda-setting and decision-making, the competencies related to budgeting, financing and support are strictly separated across the different EU institutions and bodies. Budgetary responsibility and powers of control over the implementation of the budget on the EU level are shared between the Commission, the Council and the Parliament. In fact, whilst the Commission draws up the annual draft budget (Art. 314 TFEU; Art. 317 TFEU), the Council and

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<sup>807</sup> Holding several powers of scrutiny, the Parliament is in charge of monitoring the Commission's delegating acts. [EP](#) (Accessed on 08 September 2019).

<sup>808</sup> For example, the European External Action Service (EEAS) and the Commission are working together on the exchange of human resources devoted to external relations issues in headquarters and in EU delegations. [Council](#) (Accessed on 14 August 2017).

<sup>809</sup> According to GATTI (2016:303), this is due to the fact that neither the EU institutions nor the member states can completely control the European External Action Service (EEAS).

<sup>810</sup> The General Affairs Council is chaired by the rotating Presidency.

the Parliament may amend this draft.<sup>811</sup> Similarly, and as for external energy policies, the Commission manages the Union's external energy cooperation assistance programmes, including the management of the financing instruments of these programmes, but the Parliament may adopt financial instruments for external action too.<sup>812</sup> By contrast, funding lies in the hands of the EIB and the EBRD which act as the main financing institutions. Finally, Med-Reg & Co serve as 'technical' supporters.

### 7.1.2 Interim conclusion

Based on the previous Section, it can be noted that competencies seem to serve only as a partial explanation for coordination (and thus consistency) in EU energy governance towards Morocco and whilst Hypothesis H1 cannot be disproved, it cannot be entirely confirmed either. By contrast, the fact that several examples have been found that are characterised by the same level of separation of competencies, but have different coordination outcomes, rather suggests that no matter the degree of clearness in the assignment of competencies, there is no actual guarantee for coordination (and thus consistency). For example, as regards agenda-setting, there is extensive coordination (which is also true for decision-making & implementation) even though there is a multitude of agenda-setters and that corresponding competencies do sometimes overlap. By contrast, on the vertical level where agenda-setting, decision-making and implementation is via the European Council and the Council, also in the hands of the member states, coordination is limited or lacking. Here, one may assume that one reason for seamless coordination in the horizontal dimension is the existence of a superordinate framework, the ENP, that, by uniting all the relevant EU-institutions and bodies, enhances the EU's institutional capacity for coordination. Although this assumption seems to be plausible, it has however not been tested by this dissertation (neither with Morocco or a non-ENP country) and looking into this assumption in detail is beyond its scope and would require further research.

The fact that competencies thus offer only a partial explanation for coordination (and thus consistency) in EU energy governance towards Morocco, confirms disagreement in the literature as to whether and to what extent the assignment of competencies determines EU coordination. In fact, on this point, this study rather concurs with the outcome of researchers such as Debaere (2013:123) according to whom there is no direct correlation between competencies and coordination or, as brought forward by Elgström and Jönsson (2004:219): *'the internal distribution of competencies between member states and the Commission provides a necessary, although insufficient, explanation of variations in EU actorness'*.

## 7.2 Interests

As shown in the theoretical part of this dissertation, other than competencies, interests are another important factor for explaining coordination (and thus consistency) or as stated by Jorgensen and Laatikainen (2013:320), the level of coordination *'depends largely on the preferences'* and *'differs per issue area'*. To determine whether interests may also serve as an explanation for the research outcome and to test **Hypothesis 2**, namely that *'the less diverse the*

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<sup>811</sup> In fact, following the Commission's drafted annual budget, the Council adopts its position on the draft budget and forwards it to the Parliament which has 42 days to either approve or amend it. EP (Accessed on 08 September 2019).

<sup>812</sup> This includes the Multiannual Financial Framework which can only be adopted by the Council following consent of the Parliament (VAN VOOREN and WESSEL, 2014:28). EP (Accessed on 14 August 2017).

*interests of the different stakeholders involved in EU external energy governance, the more extensive the coordination (and thus the higher the consistency) of their energy policies', the focus in the following will be on the functional and strategic/political aspects.*

## 7.2.1 Functional interests

As has been revealed in Chapter 6, coordination is above all extensive (and consistency high) when it is not political, i.e. when it centres around financial or technical issues. Indeed, functional coordination is extensive, no matter at which level and dimension, suggesting a convergence of interests in this regard. And indeed, as elaborated below, there seems to be a low level of polarisation in the interests of the different EU actors involved in EU energy governance towards Morocco, with their focus being globally on climate change concerns and sustainable forms of energy such as gas and renewables, as well as on energy efficiency. This is plausible given that the EU and the member states have committed to the same energy principles and goals, and the member states' policies are, despite their being independent as regards energy mix, likely to be framed by overreaching EU interests in this regard.

As for the **EU institutions**, both the European Council and Morocco agreed, amongst other things, to enhance cooperation in the fields of renewable energies and energy efficiency during the fourteenth meeting of the Association Council in July 2019.<sup>813</sup> The way to these agreements was paved by the Parliament which, by approving amendments to the EU-Morocco Association and fisheries agreements, contributed to solving the dispute over the Sahara in early 2019.<sup>814</sup> The Commission has a similar focus and based on the European Council Action Plan (2007-2009), it signed a declaration with Morocco in 2007 with the aim of strengthening Morocco's role as '*a transit country for gas supplies to the EU as well as an electricity exporter to the EU*'.<sup>815</sup> The ultimate goal here is the integration of both the Moroccan and European energy systems. This interest has been long-standing: for example, already in 2007, in the side-lines of the Morocco-EU Association Council in July, the Commission signed a joint declaration on cooperation in the energy sector with its Moroccan counterparts, whereby the reinforcement of Morocco's energy policy in view of the country's energy market integration with the EU was identified as the main priority (other areas of interest were the enhancement of security of energy supplies, as well as the development of sustainable energy policies).<sup>816</sup> Subsequent to this Council, great significance was given to the convergence of Moroccan energy policies with EU energy policies,<sup>817</sup> thereby necessitating an opening-up of the Moroccan market<sup>818</sup> with the primary objective of modernising the Moroccan energy sector. In this light, both partners signed a Financing Agreement for the Reform of the Energy Sector Support Programme in 2009 for the purpose of contributing to Morocco's national energy strategy through the implementation of institutional capacity-building support instruments. Total costs stood at € 76.66 million, 80% of which were dedicated to budget support and 20% to project support.<sup>819</sup> At the end of the reform processes, so the initiators of the programme, the country's dependence on energy imports,

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<sup>813</sup> [European Council](#) (Accessed on 15 November 2019).

<sup>814</sup> MORAN James (11 October 2019), EU-Morocco: stage set for a new partnership, [Euractiv](#) (Accessed on 16 November 2019).

<sup>815</sup> [EC](#) (Accessed on 18 April 2017).

<sup>816</sup> [EC](#) (Accessed on 20 August 2017).

<sup>817</sup> [ENPI](#) (Accessed on 21 August 2017).

<sup>818</sup> a requirement in line with the EU's general development targets to support Morocco in its transition towards market economy and the promotion of sustainable development.

<sup>819</sup> [Statut Avancé](#) (Accessed on 30 August 2017); [EC](#) (Accessed on 25 November 2017).

notably from fossil fuels, would be reduced thanks to the reduction or control of energy consumption and the diversification of energy supplies, notably through the development and promotion of RES and energy efficiency.<sup>820</sup> Here, and with regard to the EU's objective to import renewable electricity from the southern Mediterranean, this dissertation has shown that multilateral initiatives like the MSP or Desertec have had limited success so far. Nonetheless, the idea of importing or exporting green power from or to North Africa has never been totally abandoned and the setting up or development of corresponding infrastructure has regularly been on the Commission's agenda (see roadmap for Sustainable Electricity Trade (SET) of 2016), with the development of their investment having been subject to both bilateral<sup>821</sup> and multilateral aid. Indeed, the UfM, in the context of its three energy platforms, equally focuses on the development of gas and electricity-related infrastructure as well as on renewable energy and energy efficiency in general. Finally, whilst the EIB primarily supports projects in the fields of energy infrastructure, renewable energy sources and energy efficiency, the EBRD funding notably targets the power sector, whereby the focus is on sustainable energy (see Table 11).

**Table 11: EU energy interests in Morocco**

<b>Overall aim of energy policy</b>	Energy security, competitiveness, sustainable development
<b>Energy policy approach</b>	Development approach
<b>Energy interest</b>	RES, energy efficiency, electricity, gas
<b>Financed by</b>	EIB, EBRD, NIF
<b>Managed by</b>	DG NEAR, EEAS, UfM
<b>Ultior motive</b>	Security (stability)

Source: Own elaboration based on the reviewed literature and empirical research.

**Table 12: Energy interests of EU institutions and bodies in Morocco**

Institution/ body	Domain of interest							
	Oil	Gas	Coal	Nuclear	Elec.	RES	EE	Minerals
European Council		x			x	x	x	
EC		x			x	x	x	
EP					x	x	x	
EEAS		x			x	x	x	
UfM		x			x	x	x	
EIB		x			x	x	x	
EBRD					x	x	x	

Source: Own elaboration based on empirical research.

As regards the regional associations, interests are largely aligned and geared towards electricity and energy efficiency (see Table 13). For example, focused on the regulation of Mediterranean electricity markets, MedReg seeks to integrate RES in the Moroccan electricity market,<sup>822</sup>

<sup>820</sup> [EEAS](#) (Accessed on 19 November 2017).

<sup>821</sup> [Eurlex](#) (Accessed on 26 October 2019).

<sup>822</sup> [EU Neighbours](#) (Accessed on 16 November 2019).

whereas gas is another priority. Likewise, Med-TSO aims at establishing a secure and sustainable electricity grid, the context in which renewables and energy efficiency both play an important role. Finally, both MEDENER and RES4MED equally promote the use of renewables for electricity generation as well as energy efficiency.

**Table 13: Energy interests of regional associations in Morocco**

Institution	Domain of interest							
	Oil	Gas	Coal	Nuclear	Elec.	RES	EE	Minerals
MedReg		x			x	x	x	
Med-TSO					x	x	x	
MEDENER						x	x	
OME		x			x	x	x	
RES4MED					x	x	x	

Source: Own elaboration based on empirical research.

Likewise, interests are largely aligned when it comes to the member states (see Table 14), a claim that will be investigated further in the next Section. Indeed, empirical research has shown that the interests of the most relevant member states active in the Moroccan energy landscape (France, Spain, Germany, Portugal, Italy) are quite similar and pretty much aligned – both with the EU institutions, as well as with each other – with renewables, energy efficiency and electricity or sustainable energy policies serving as connecting elements. The only exception here is France which, contrary to its fellow states, pursues an interest in nuclear power. To the knowledge of the author of this dissertation, this has, however not led to any conflicts so far.

**Table 14: Energy interests of EU member states (selected) in Morocco**

Country	Domain of interest							
	Oil	Gas	Coal	Nuclear	Elec.	RES	EE	Minerals
France	x	x	x	x	x	x	x	
Spain	x	x			x	x	x	x
Germany					x	x	x	
Portugal					x	x	x	
Italy	x	x			x	x	x	

Source: Own elaboration based on empirical research.

**7.2.2 Strategic/political interests**

Whilst functional coordination is extensive (and consistency high), no matter in which dimension and on which level, Part 6 has also revealed that strategic/political coordination is more extensive in the EU multilevel system than on the third-country level and overall more pronounced as regards the horizontal and diagonal dimensions. By contrast, it is less pronounced as regards the intergovernmental and vertical dimensions. This seems curious at first sight given that both the EU institutions and member states pursue, as just shown, similar interests in Morocco which, in theory, suggests for a common governance approach which would lead one to assume an extensive level of coordination. However, this is not always the case and

the lack of coordination indicates a divergence in (underlying) views with respect to EU energy governance towards Morocco here. In other words, given that *'the possibility of coordination greatly depends on the compatibility of the views of the EU member states'* (JORGENSEN and LAATIKAINEN, 2013:225), attempts to coordinate as regards to strategic/political aspects may – despite similar energy interests – be overshadowed by political divisions, an assumption that this Section seeks to examine.

It has been shown in the previous Section that the energy interests of the EU-institutions and the member states seem to be identical, centring largely around sustainable energies and including both bilateral and multilateral agreements, whereby the enhancement of renewable energy cooperation, as well as the strengthening of electricity and gas interconnections (infrastructure) through both bilateral and multilateral channels is a shared objective. However, it has also been shown that notably multilateral energy initiatives generally do not deliver – see the MSP and Desertec which have only shown moderate success so far, at least as far as their original format is concerned. Further, strategic/political coordination between the EU and the member states, as well as amongst the member states, is particularly slow when it comes to multilateral initiatives<sup>823</sup> and this although, as brought forward in a MedReg concept paper, *'all Mediterranean countries are aware of the benefits of increasing market integration in the Mediterranean Basin'*.<sup>824</sup> Whilst against this background, it may seem to be common sense for the member states to align their interests towards the Mediterranean, there is evidence that some of them are not reconciled to the idea of a common approach, with Rubino (2015)<sup>825</sup> arguing that the UfM energy platforms took place *'in a political vacuum and in the absence of any credible multilateral dialogue established in the energy field in the region'* (here, the fact that the UfM, as well as MedReg and Med-TSO are not entrusted with any powers to issue legally binding decisions regarding energy policies towards North Africa, certainly is an issue). And indeed, whilst this research has shown that the platforms have an important function when it comes to diagonal cooperation, they, as well as the UfM in general, play an overall minor role in EU energy governance towards Morocco though (notably when compared with the NIP).

In fact, it can be noted that in both the MSP and Desertec cases, political and economic backing began to evaporate over the course of time, mainly because the projects were thought to be overly ambitious or, as put by some critics, unrealistic (TAGLIAPIETRA and ZACHMANN, 2016:4) or even *'utopian'*.<sup>826</sup> Detractors notably argue that the development of renewable power must be carried out by small local initiatives rather than by European-based large regional projects (Interview MEDENER, 2017),<sup>827</sup> all the more so because, in their opinion, Europe and North Africa are not a unified region.<sup>828</sup> At this point, and given the absence of any scientific evidence for this assumption in the literature, one can legitimately ask whether these projects

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<sup>823</sup> At this point, it must be noted that the literature and policymakers show strong consensus that projects including institutional initiatives aimed at enhancing regional cooperation, i.e. the Mediterranean Energy Regulators (MedReg) and the Mediterranean Transmission System Operators (Med-TSO) have been more efficient so far than projects not involving public stakeholders such as MED-ENEC or MED-EMIP (SARTORI, 2014:7).

<sup>824</sup> [Medreg](#) (Accessed on 11 September 2018).

<sup>825</sup> RUBINO Alessandro (04 May 2015), Three platforms for no Mediterranean (energy) policy, [Istituto Per Gli Studi Di Politica Internazionale \(ISPI\)](#) (Accessed on 03 November 2017).

<sup>826</sup> CALDERBANK Selwa (31 May 2013), Desertec abandons Sahara solar power export dream, [Euractiv](#) (Accessed on 14 January 2018).

<sup>827</sup> KEATING Dave (05 February 2016), Could Morocco's megaplant revive dreams of Saharan solar?, [DW](#) (Accessed on 14 December 2017).

<sup>828</sup> HAMOUCHENE Hamza (01 March 2015), Desertec: the renewable energy grab? [New Internationalist](#) (Accessed on 14 December 2017).

would have been more successful if they had been conceptualised on a smaller scale or if they had not involved so many stakeholders. Whilst such considerations are beyond the scope of this dissertation, having examined the projects, the involvement of multiple stakeholders who had completely different roles and priorities has however been identified as a major obstacle to the project. Or as put in a nutshell by Escribano (2017:250, 254), one main limitation was a lack of integration within the EU or ‘*inward Europeanization*’<sup>829</sup> and the fact that interests were not at all considered properly, whereby bottlenecks became notably apparent vertically i.e. between the EU institutions and the member states, resulting in a number of initial participants having progressively lost interest in the project. This was notably the case for Spain which bailed out of the project due to insufficient grid interconnectivity within the EU as well as between the EU and North Africa. In fact, during the global economic crisis, electricity demand in Spain decreased by 8% between 2008 and 2013, leading to overcapacities in the country’s domestic electricity sector. Consequently, and being unable to export this electricity to its EU partners due to insufficient electricity connections, notably with France, Spain would have been the only country physically connected to Morocco via power cables.<sup>830</sup> For this reason, and not accepting any statistical electricity transfers as proposed by Germany and Morocco, in 2012, it dropped out of a previously-agreed deal on three Moroccan 500 MW solar power plants which were part of a Desertec pilot project,<sup>831</sup> bringing the whole Desertec undertaking to a halt. Parallel to this, Germany’s position with respect to Desertec changed as well, mainly for political reasons but also for economic reasons.<sup>832</sup> Similar developments have also been observed on the European level, the financial crisis reduced available financial resources drastically (ESCRIBANO, 2017:254).

Suggesting a divergence of views as regards multilateral energy cooperation, i.e. the member states, despite pursuing similar energy interests in the region, do not work multilaterally with one another because of different policy views, an in-depth analysis of the underlying reasons for this drifting apart in beliefs will be presented in the following. The literature here proposes two major reasons which can be assigned to problems associated with the EU, national and local levels:

- a) the fragmentation of the multilateral logic of the Euro-Mediterranean partnership and the member states’ preference for bilateral relationships (TAGLIAPIETRA and ZACHMANN, 2016:2), and
- b) the erroneous understanding of the fundamentals of the partnership and the third country’s preference for bilateral relationships

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<sup>829</sup> Here, Escribano refers to the lack of electricity interconnections across the Pyrenees. Whilst the EU targets a 10% interconnection by 2030, as of 2015, the level of interconnection between Spain and France stood at 3%.

<sup>830</sup> IAE (Accessed on 30 September 2017).

<sup>831</sup> in which apart from Morocco (represented by the Moroccan Agency for Sustainable Energy MASEN), France, Italy, Malta and Luxembourg were involved. Helioscsp (Accessed on 17 January 2018).

<sup>832</sup> On the political level, hesitance notably resulted from the fact that renewable energy projects at that time were more expensive than conventional energy projects (and thus generally required subsidies) and that the implementation of Desertec would, because of its scale, be particularly complicated. Further, the Fukushima catastrophe of 2011 had led to the government’s decision to phase-out nuclear power by 2022 and to replace it with RES which in the following pushed German energy companies to increasingly focus on developing their own RES industries. Consequently, costs for domestic RES, notably solar power, started to drop, which, in turn, boosted domestic supply and made the idea of importing energy less attractive from an economic point of view. STONINGTON Joel (13 November 2012), Quagmire in the Sahara: Desertec’s Promise of Solar Power for Europe Fades, [Spiegel Online](#) (Accessed on 14 January 2018).

As this suggests, both the member states and Morocco are reluctant to cooperate on a multilateral basis because of their preference for bilateral relations. And whilst this is, of course, not the only source of inconsistency, it is, however, the main reason why the EU is often perceived as a non-unified actor.

### **a) Fragmentation of the multilateral logic**

Part 6 has revealed that multilateral strategic/political coordination between the EU and the member states, as well as amongst the member states is generally limited (and consistency low), a failure that is closely linked to the general limits of the EU's multilateral approach towards the Mediterranean region which, as a reminder, has regularly come under the spotlight of criticism, as notably the EMP and the UfM have been unable to convince the countries of the region (DIEZ and TOCCI, 2017:90). In this context, one can detect a certain level of pragmatism as regards the coordination efforts undertaken by the EU member states, i.e. they generally support them when they can be sure they will benefit from this, whereas they refrain doing so when they fear any disadvantage. This fear is particularly pronounced when it comes to the member states' relations with third countries and overall, it seems that they (the member states) prefer to conduct their own policies and to favour their own priorities with the EU being '*challenged by the policies of EU member states that are acting autonomously in the field of energy*' (CEBECI, 2019:5).<sup>833</sup> Consequently, so the scholars, the EU has abandoned its *macro-regional vision*' and started to create a '*multiplicity of bilateral Mediterraneans*' instead, *de facto* resulting in a bilateralisation of relations (CEBECI, 2019:4).<sup>834</sup> As a result, the target countries have the feeling that the EU '*lacks a strategy for the Maghreb*' and that its approach was primarily motivated by '*interest-driven member states*' (DIEZ and TOCCI, 2017:91).

To elucidate the abovementioned behaviour of the member states, one must take a step back and examine their underlying motivations or put differently: whilst, as shown before, their overall energy interests are largely the same, their superimposed interests are not. One telling example here is the set-up of the UfM which is a '*highly politicized*' project (GRECO, 2017:7) and was, as already mentioned, notably pushed for by France (supported by Italy, Spain and Greece), whereas fearing a splitting of the EU, notably Germany (as well as the UK) were rather sceptical, which is why the Union was later built on existing EU structures.<sup>835</sup> The same applies to Morocco where France's interests are above all geopolitical or political, whereas Spain's interests are more of an industrial or commercial nature and Germany pursues more a development approach. In fact, as explained by Fernandez-Molina (2015:100), the two former colonial powers '*each have a web of particular interests – economic, social, cultural, 'human' and elite interdependence, which is almost symbiotic for France and more determined by territorial contiguity and security imperatives as far as Spain is concerned.*' In this context, Jorgensen, Aarstad, Drieskens, Laatikainen and Tonra (2015:920) raise an important issue, namely divergence over the fundamental question of which approach to follow – a market approach as proposed by the EU, or a national, more strategic foreign policy approach (including energy diplomacy). Another problem are the different attitudes of the member states towards the ENP,

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<sup>833</sup> In other words, the member states have the tendency to increase their bilateral cooperation efforts with third states, whilst decreasing their respective effort within the EU framework. Or, as put by Cebeci (2019:4), '*it is mostly the EU's member states that undermine the EU's image in and policies on the Southern and Eastern Mediterranean*'.

<sup>834</sup> Or, as put by Greco (2017:5), '*bilateral differentiation and selective cooperation have replaced the early holistic approach*'.

<sup>835</sup> initially, the northern EU member states were to be excluded.

whereby, so Cohen-Hadria (2016:44-45), a lot of member states feel disengaged, because they find the procedures of the policy too unwieldy and because they are excluded from meetings.

In fact, overall, the perception of the ENP and the attitude of the member states towards it '*varies and depends on the interest of neighbours*' (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:88), which in turn is closely linked to hard factors such as history and geography. As already pointed out, energy cooperation between the EU and the southern Mediterranean has on the whole been intergovernmental for the past decade, i.e. it has been based on strong bilateral links between notably the southern EU member states and the big energy producing countries Algeria, Libya and Egypt. The reason for this is twofold: whilst on the one hand, compared with Russia or Norway, the Maghreb countries have been considered less relevant to the EU, on the other hand, they have traditionally belonged to the geopolitical sphere of influence of the southern EU member states, namely, France, Italy and Spain (SARTORI, 2014:1, 3; BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:74). As stated by Medreg, '*an historical tradition of relationships and strong complementarities exist between EU and non-EU countries within the area of the Mediterranean Basin*'.<sup>836</sup> Such complementarities which naturally also go along with common challenges, primarily lie within the fact that the EU is a net energy importer, whereas the Mediterranean possesses more energy resources than it actually needs, with its economies heavily depending on energy exports into the EU. Given these dependencies, in many cases, the relationships between the southern EU member states and the Maghreb countries have existed for several decades and are built on long-standing historical,<sup>837</sup> cultural and diplomatic ties, with economic aspects prevailing. To be mentioned here are for example the relations between France and Algeria (although they were and are still not free from pain), Italy and Libya or the UK and Egypt.

At this point and as just indicated, it must be pointed out that, in the past, these individual ties have often led to situations of conflicting preferences (BAUMANN and SIMMERL, 2011:13). For example, during the 2006 EU-Algeria Association Council, and in order to enhance energy cooperation, Spain, under Prime Minister José Luis Rodríguez Zapatero, who was highly committed to including Algeria in the EU's energy policy dialogue, tried to convince the other member states that they should increase their financial commitments to Algeria. Apart from France, this proposal, however, did not meet with much interest. Consequently, Spain – which accused its EU partners, especially Germany, of being too focused on its Eastern gas supplier Russia – started prioritising its own bilateral initiatives towards Algeria, and so did France in 2006 by offering a new energy treaty to Algeria. Likewise, during the May 2016 EU-Algeria business forum, Algeria showed interest in expanding its hydrocarbon export capacities towards the EU and, in order to gain new hydrocarbon markets, notably in eastern Europe, it therefore pushed for the construction of a gas pipeline connecting Spain and Portugal to France (Mid-Cat Pipeline). Whilst such a project would relieve the gas bottleneck across the Pyrenees and therefore receives strong support from the Commission and some of the member states,<sup>838</sup> not all of them are convinced. By contrast, struggling with too much gas in their respective markets, Spain and Portugal favour the project, whereas France opposes it, as it does not see any

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<sup>836</sup> Medreg (Accessed on 11 September 2018).

<sup>837</sup> which are often rooted in colonialism (COLOMBO and ADELKHALIQ, 2012:6).

<sup>838</sup> classified as a Project of Common Interest (PCI), the Commission signed two grant agreements of € 5.6 million for studies on the set-up of the pipeline in April 2016.

economic need.<sup>839</sup> Overall, and given that their bilateral links with the third countries have been rather successful, particularly when it comes to infrastructure projects,<sup>840</sup> the southern member states seek to maintain their influence and are sceptical about regional EU initiatives, a reality that, as reflected in the ENP review of 2015, the EU is slowly starting to take into account.<sup>841</sup>

## **b) Erroneous understanding of the fundamentals**

As has been revealed in Part 6, the EU member states are not the sole actors to prefer bilateral relationships. Indeed, Morocco is also reluctant to engage in multilateral coordination although it has not at all been opposed to regional energy initiatives like the MSP and Desertec.<sup>842</sup> However, although there is some framework allowing for multilateral cooperation, all in all, Morocco's energy authorities have shown little interest in fostering multilateral exchange so far and would rather opt for bilateral frameworks, be it with the EU institutions or the member states, a context in which they welcome bottom-up initiatives taking place on the local level (and involving few public stakeholders). At this point, it must be highlighted that Morocco is not an isolated case. On the contrary, all of the North African countries generally prefer bilateral energy partnerships, be it with the EU or with each other. And although in this context, the EU has, as shown before, '*essentially taken on the vector of bilateral agreements*'<sup>843</sup> (see ENP), with respect to energy, it nonetheless lags behind the member states. This becomes particularly clear when looking at the EU-Algerian energy relationship: indeed, although both actors are bound to each other via a strategic energy partnership, multilateral cooperation is, as mentioned before, on the whole low. Overall, the target countries' preference for bilateral relations can, apart from the historical and geographical configurations elaborated above, also be explained by regional dynamics (and rivalry), as well as by a fundamentally erroneous understanding of the EU-Mediterranean partnership.

In fact, regional dynamics play an important role in determining the way in which EU governance is carried out, and one reason why the target countries prefer bilateral relations is because they do not oblige them to share information or projects with any regional competitors like Israel in the context of the UfM projects, for example.<sup>844</sup> Indeed, the outcome of UfM meetings is always a reflection of the respective political situation of the members, whereby one can identify an overall lack of relations (Interview UfM, 2017). Furthermore, whilst the UfM's energy platforms have been designed to reclaim lost ground in the region, this research has, however, shown that this is only true to a limited extent. Notably, the fact that the Union is a highly politicised body is a problem as, instead of the Energy Ministers, platform meetings are attended by the Foreign Ministers who dispose of less technical expertise. Nonetheless, the meetings have been recognised as a platform for political exchange and dialogue by the interviewees.<sup>845</sup> In recent years, regional dynamics have been largely dominated by war &

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<sup>839</sup> According to the French Energy Regulatory Commission (CRE), the project would not help to enhance the gas security of either France or the EU, as there is already enough capacity. Further, the CRE considers the project to be too expensive.

<sup>840</sup> For example, in the 1960/70s, both Italy and Algeria, as well as Spain and Algeria worked closely together to respectively set up the Trans-Med and Maghreb-Europe Pipelines, transporting natural gas from Algeria to Europe (TAGLIAPIETRA, 2016:174).

<sup>841</sup> EP (Accessed on 16 November 2019).

<sup>842</sup> As stated by Fernandez-Molina (2015:99), '*Morocco sees its relations with the EU as a Euro-Moroccan partnership and differentiates this from Morocco's relations with Mediterranean countries.*'

<sup>843</sup> EP (Accessed on 07 September 2018).

<sup>844</sup> According to a MedReg study, the absence of political cooperation or coordination accounts for around 13% of the impact of barriers for regional electricity and gas projects. Other hurdles are of financial or technical character. RES4MED (Accessed on 01 January 2018); Med-TSO (Accessed on 04 February 2018).

<sup>845</sup> EEAS (Accessed on 19 November 2019).

conflict and terrorism (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:95-97). Indeed, in the context of the Arab Spring, accompanied by great political instability – ranging from an overthrow of the political system in Tunisia to state collapse in Libya and Syria – North Africa ‘[...] has quickly descended from being a bastion of continuity and consistency into a basket case, forcing European states to carefully monitor threats so as to limit spillover into Europe’ (GARTENSTEIN-ROSS, BARR, WILLCOXON and BASUNI, 2015:7). Together with other transformations associated with the Arab uprisings such as massive migratory flows (‘refugee crisis’) and the increasing threat of terrorism, this has, as has been shown, led to a shift in traditional policy cooperation patterns (SARTORI, 2014:9). Noteworthy here is the disengagement of the US from the region or the entrance of new players such as the Gulf states. In this context, another reason why the target countries prefer bilateral relations is because they have started to increasingly diversify their foreign relations and have hence become less dependent on the EU with which they do not always share the same ambitions.<sup>846</sup> In this light, the presence of competing actors is an issue, simply because their agendas and values may suit the target countries better.<sup>847</sup> Overall, it is important not to underestimate their role in influencing the perception of the EU, as Blockmans, Kostanyan, Remizov, Slapakova and Van der Loo (2017:117) note: ‘while supporting their own representation of value systems, such actors can potentially undermine the visibility and credibility of the EU, which to a large extent portrays itself as a normative actor.’<sup>848</sup> Nonetheless or interestingly, it must be noted that this role, as well as the international context as a factor of interests, has remained largely under-researched (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:116-117).

Finally, and as regards the target countries relations with the EU, one major point of criticism is the fact that the EU seems to lack a unified strategic approach (THALER, 2015:155) and whilst it seems to be common sense that the establishment of consistency requires each EU actor to implement common policy guidelines, ‘the executive branches of the Union seem to have trouble defining common interests ahead of time, as a result of overly broad and sometimes redundant objectives’ (GAUTTIER, 2004:27). In this context, the EU’s approach towards the southern Mediterranean has often been characterised by contradictions, with the spotlight of criticism having most recently been the EU’s handling of the Arab rebellion and its attitude towards the revolutionary movements. Indeed, whilst the EU emphasises democracy and human rights as a key issue in North Africa (HOEBINK, 2005:59),<sup>849</sup> critics accuse the Union<sup>850</sup> of having ‘preferred its ‘stabilization’ objective to the ‘democratization’ objective in its reaction to the Arab Spring’ (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:117; CEBECI, 2019:5).<sup>851</sup> In this context, the EU was, according to Cebeci (2019:5), ‘regularly sidelined by the

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<sup>846</sup> For example, in the case of Morocco and as regards energy, the EU does not share the same interest for shale gas as the Maghreb country.

<sup>847</sup> For example, whilst EU foreign policy interests are primarily of economic nature, US interests are much more related to security issues, with both Morocco and Algeria holding a strategic importance for the US with respect to the fight against terrorism (notably against groups like Al-Qaeda in the Islamic Maghreb (AQIM). Cooperation in this domain intensified with Morocco in 2002 and Algeria in 2001 and Algeria aligned itself in the US’s and Russia’s fights against terrorism). Russian foreign policy interests are also dominated by military issues, whereas Arab foreign policy interests concern political, economic and religious issues (ZOUBIR and WHITE, 2015).

<sup>848</sup> In fact, by offering new possibilities and options to the target countries, they may actually incite these countries to non-compliant behaviour.

<sup>849</sup> Here, it must be said that many of the Arab governments have not appreciated the EU’s focus on democracy and human rights.

<sup>850</sup> For example, so Cebeci (2019:6), whilst Italy and France initially supported the authoritarian regimes in Egypt and Tunisia, the UK rather supported the uprisings in Egypt.

<sup>851</sup> In fact, as stated by Greco (2017:14), ‘the EMP envisaged negative conditionality to foster political change in its Mediterranean partners but it was never really implemented given EU support for past authoritarian regimes in the Southern Mediterranean in the name of stability.’

*member states*'. Likewise, and as regards migration, the EU's approach is equally often perceived as lacking any consistency, including by Moroccan policymakers which reproach it to put too much pressure on transit countries like Morocco.<sup>852</sup> Further, whilst Morocco guarantees almost unlimited access for Europeans (who do not need a visa to visit the country), it has become increasingly difficult for Moroccans to enter the EU (HOEBINK, 2005:55). Overall, as brought forward in the MEDRESET study carried out by Cebeci (2019:2), the EU is accused of pursuing '*asymmetric/unequal, top-down, Eurocentric, interest-driven, technocratic, depoliticizing policies in the Mediterranean prioritizing security and stability over democracy, human rights and the rule of law*'.

### ***Asymmetric/unequal and interest-driven approach***

As indicated before, as a general obstacle to EU-southern Mediterranean relations, one can identify different and contrasting interpretations and perceptions concerning the aim of this relationship, a finding that also persists with regard to energy. As a result, and although the development of a common EU energy policy is a top priority, currently, the Union's energy relations with third countries have often been managed on a case-to-case basis. For example, whilst relations with the eastern neighbourhood are framed in rather definite terms,<sup>853</sup> this is less true for the relations with the southern neighbourhood which are more of an *ad-hoc* nature. In this context, one important factor regularly brought forward in the literature for the EU's limited success in convincing the southern Mediterranean countries to adopt its *energy acquis* is its 'one-size fits all' approach (HERRANZ-SURRALLE, 2018:123).<sup>854</sup> In fact, related documents as regards the implementation of common policy objectives tend to be vague and '*provide ample room for interpretation*' (HOOGHE and MARKS, 2001:11). For instance, with respect to Algeria, the Association Agreement (AA) only refers to general goals for the energy sector, giving no incentives for the government to sign any Action Plan (AP), also because it is linked to conditionality<sup>855</sup> and lacks any prospect of EU accession.<sup>856</sup> There is a consensus amongst the scholars that this approach does not allow for the EU to adapt its energy policy to the political complexities of the target countries. For example, potential for regional integration in North Africa is, as shown before, rather low due to a lack of regional political and economic cooperation rooted in divergent national interests (regarding for example the Sahara question) (DIEZ and TOCCI, 2017:83). However, hardly considering geopolitics or geoeconomics,<sup>857</sup> until today (and despite greater emphasis on differentiation in the 2015 ENP review), these

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<sup>852</sup> BOZONNET Charlotte (02 November 2018), Maroc: «La seule politique migratoire cohérente de l'Europe, c'est mettre la pression sur les pays de transit », *Le Monde* (Accessed on 08 December 2019).

<sup>853</sup> For example, via the Country Strategy on Russia.

<sup>854</sup> YOUNGS Richard (18 May 2015), 20 Years of the Euro-Mediterranean Partnership, *Carnegie Europe* (Accessed on 07 April 2019).

<sup>855</sup> According to Blockmans, Kostanyan, Remizov, Slapakova and Van der Loo (2017:1), one major problem as regards the conditionality approach is the fact that the conditions of conditionality have not been very well defined.

<sup>856</sup> In fact, by 2003, Algeria had begun to doubt the added value of this cooperation which was partly because, in its view, the EU only gave limited support to its much-needed energy sector policy reforms at that time. And whilst it thus rejected the ENP in 2004, the EU was however unaware of anything being amiss (DARBOUCHE, 2010:74-75, 81). By contrast, the general opinion within the EU was that the rising oil prices of the mid-2000s had given Algeria the possibility to pay back its foreign debts, thereby reducing its dependence on financial aid from the EU and consequently reducing EU leverage. In the opinion of Boumghar (2013: 2017), the main reason for Algeria's reservations, however, was the fact that it had not been involved in the development of the ENP which, according to the Maghreb country, did not mirror Algerian interests, particularly in the field of foreign policy (rapprochement with the US) (DARBOUCHE, 2010:75). Not being an advocate of top-down approaches (in fact, for historical reasons, Algeria considers democracy to be a state's internal issue that should be handled without any external interference), Algeria also did not support the principle of conditionality inherent within the ENP (BOUMGHAR, 2013:207, 208). Further, Algeria could not agree with the EU in which order to apply the latter's 'stick and carrot' approach: should reforms be preceded by aid – i.e. by financial and capacity building assistance through expertise and know-how – or vice versa (CARUSO and GENEVE:2015)?

<sup>857</sup> With respect to Algeria, Stein (2008) highlights for example the EU's ignorance about the balance of power of Algeria's political system, not taking into account the power Sonatrach (or the military leaders) exercise on Algerian energy policy-making.

circumstances have largely been ignored by the EU, with one consequence being that relations are overall rather market-orientated, a claim that is widely supported by policymakers. For example, as stated in a Medreg report, *'so far, market integration and infrastructure development has been led and financed by business interests, including national companies of both EU and other Member States, supported by their Governments'*.<sup>858</sup> Furthermore, as stated by Youngs (2007:61), in the past, the approach of the EU and its member states, particularly the southern ones, towards North Africa was largely driven by security and economy-related issues such as terrorism and migration, with energy playing a secondary role. By contrast, and as far as Algeria is concerned, energy should come first and then provide a basis for wider strategic cooperation in security and economy (BICCHI and GILLESPIE, 2014:200). The same holds true for Morocco, with studies suggesting a lack of focus on energy (BIANCHI, COLANTONI, MASCOLO and SARTORI, 2018:22).

### ***EU-centrism and lack of local ownership***

Another recurrent point of critique refers to the fact that the EU primarily seeks to extend its own norms-orientated market regulatory framework to the southern Mediterranean countries, offering access to its internal market in exchange. According to the literature, this approach has proven to be unattractive as it follows a top-down logic (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:29) and lacks *'local ownership'* and *'consideration of local needs'* (BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:2). By contrast, most of the North African countries, above all Algeria, have not been very interested in simply adopting the EU's market rules but have rather sought to develop a shared or more equal form of cooperation that is more strategic and forward-thinking, considering, as regards energy, for example future global evolutions such as climate change (which would allow it to tackle the energy transition). In this context, scholars criticise the EU's EU focus or centrism, a context in which they reproach the UfM, for example, to be *'once again an initiative that claims to be Mediterranean but that actually originates from an EU Mediterranean country'* (GRECO, 2017:8). Another example here is the EU's push towards the construction of gas pipelines from the south to the north for its own supply (one example is the Nigeria-Morocco gas pipeline that would feed into the existing Maghreb-Europe gas pipeline in northern Morocco), whereas it is slow in constructing electricity connections that would benefit both shores of the Mediterranean (ESCRIBANO, 2017; BLOCKMANS, KOSTANYAN, REMIZOV, SLAPAKOVA and VAN DER LOO, 2017:9). Furthermore, the fact that when it comes to EU energy governance towards Morocco, strategic/political coordination is, as this research has shown, concentrated in the EU multilevel system suggests a very EU-oriented or shaped approach, i.e. an approach that is primarily based on European political interests.

EU-centrism is rooted in a contrary understanding of the basis of the EU-southern Mediterranean energy relationship which, as mentioned at the beginning of this dissertation, used to be very much dominated by the idea of the energy-rich south exporting first fossil fuels and then renewables to the energy-poor north. For example, Article 9 of the EU Directive on the promotion of the use of energy from renewable sources (Directive 2009/28/EC) authorises the EU member states to cooperate with third countries on *'joint projects regarding the production of electricity from renewable energy sources'* and to import this electricity so that it contributes to

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<sup>858</sup> Medreg (Accessed on 11 September 2018).

the achievement of their individual national renewable targets.<sup>859</sup> In this light, the initial rationale behind the MSP was that a greater deployment of renewables in the southern Mediterranean countries would ‘free up gas resources to sell on international markets’, ‘reduce the deficits’ of importing countries such as Morocco and provide the possibility of exporting green electricity to Europe, which, in turn, would contribute to security of supply and the achievement of climate targets (RUBINO, OZTURK, LENZI and COSTA CAMPI, 2015:31). Likewise, as far as Desertec is concerned, the import of green electricity from North Africa into the EU would have allowed the latter to ‘kill two birds with one stone’, namely a) to contribute to achieving its own CO<sub>2</sub> targets as defined in the 2020 targets of its Climate and Energy Package<sup>860</sup> and to diversify the EU’s energy supply away from an unstable eastern Europe and b) to accelerate the North African energy transition (which was the reason why the project initially received strong backing). It is against this background, that both the MSP and Desertec faced resistance from the target countries which perceived the two projects as being excessively ‘EU-centric’, i.e. as having been imposed by the EU (BERGASSE, 2011:1). In fact, the critics blame the EU for having designed the projects solely to achieve its own environmental objectives and to promote its own industries (MORATA and SANDOVAL, 2012:194).<sup>861</sup>

By contrast, and as indicated before, Desertec was quite well received by the ‘supplying’ countries themselves in the beginning and whilst Algeria already joined Dii in 2011,<sup>862</sup> Morocco did so in 2012 via the signature of an MoU between Moroccan ADEREE (now AMEE) and the Desertec Foundation.<sup>863</sup> However, over time, Desertec was increasingly perceived as a neo-colonialist attempt of the European countries to gain control over MENA energy resources (energy colonialism), especially, because the European stakeholders did not manage to properly address the question of access or transfer of technology (in which the supplier countries would have been strongly interested).<sup>864</sup> In this context, notably the role of multinational energy companies was in the focus of criticism as concerns over national sovereignty were voiced (a development that was enhanced by the Arab spring). For the energy multinationals, in turn, undertaking investments in such large-scale projects as Desertec or Ouarzazate implied significant financial and operational risks, which notably in the light of the Arab uprisings, further fueled investment insecurity. Further, the northern and southern countries disagreed over which technology to use for generating solar power, as well as over which non-European

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<sup>859</sup> Directive 2009/28/EC allows the EU member states to make arrangements for the statistical transfer (= exchange of Green Certificates) of a specified amount of energy from RES (Art. 6) and to cooperate on all types of joint projects related to the production of electricity, heating or cooling from RES (Art. 7). Similarly, and with respect to third countries, they are also able to cooperate on all types of joint projects regarding the production of renewable electricity (Art. 9). In order to be taken into account in the member states’ national action plans, the electricity produced in a third country must, however, be consumed within the Community (§ 2 Art. 9). Further, the transfer of such electricity has to be physical, not statistical,<sup>859</sup> if the third country is not a member of the Energy Charter Treaty (ECT) (ESCRIBANO, 2017:252).

<sup>860</sup> The EU Climate and Energy Package comprises binding EU legislation that aims at meeting certain climate and energy targets for the year 2020. These so-called 2020 targets are: a 20% cut in greenhouse gas emissions (GHGs) (from 1990 levels), a 20% share in energy from renewables and a 20% improvement in energy efficiency. Having come into force in 2009 they are also part of the EU 2020 strategy for smart, sustainable and inclusive growth and in 2014, were extended by the 2030-targets. [EC](#) (Accessed on 20 January 2018).

<sup>861</sup> Other than these rather political reasons, the Mediterranean Solar Plan (MSP) would have required massive investments in infrastructure, particularly to build underwater high-voltage direct current connection, investments, which, given the instability in the Mediterranean region at that time, were considered to be too risky for potential investors (BERGASSE, 2011:1). This was also the reason why Ouarzazate which was initially conceptualised to export solar power from Morocco to the EU, was transformed into a purely national project, aiming now at meeting Morocco’s domestic electricity needs only.

<sup>862</sup> [HeliSCSP](#) (Accessed on 14 December 2017).

<sup>863</sup> [Inhabitat](#) (Accessed on 13 January 2017).

<sup>864</sup> See, for example, Daniel Ayuk Mbi Egbe of the African Network for Solar Energy in 2011: ‘Many Africans are sceptical about Desertec,’ he said. ‘Europeans make promises, but at the end of the day, they bring their engineers, they bring their equipment, and they go. It’s a new form of resource exploitation, just like in the past.’ HICKMAN Leo (11 December 2011), Could the desert sun power the world?, [The Guardian](#) (Accessed on 14 December 2017).

companies to include. And although in the context of the ENP review of 2015 today's catchwords are mutual interdependence and exchange, the perception of the target countries is still largely that the supplier/buyer logic prevails which means that it takes them some time to adapt to the new reality. For example, the MEDRESET carried out by Bianchi, Colantoni, Mascolo and Sartori in 2018 (22) suggests that Moroccan energy actors still have the feeling that the EU considers Morocco *'as only a potential exporter of energy'* and is therefore not interested in deeper involvement in the country's energy sector reforms. It is in this light, that Escribano (2017:9) suggests that the EU should develop *'an energy narrative that is more positive for its Mediterranean neighbours.'*

### **Conditionality**

Last but not least, it is worth considering the link between the Mediterranean's/Morocco's diversification of relations and the EU's conditionality-approach under the ENP which is regularly contested by the North African countries, all the more so because, as identified by Cebeci (2019:4), most of them perceive the EU as a *'closed space'* (implying that its top-down political conditionality has its limits in the region). In fact, one reason why there is high financial and technical cooperation between the EU and Morocco, notably in the context of the NIP, may be that conditionality at this level is less pronounced. The same is true for the bilateral relations between the member states and Morocco as they are, given that they are generally not coupled with any political conditionality, less demanding from a target country perspective. Therefore, they offer more stability and predictability<sup>865</sup> or in other words: bilateral cooperation seems to make it *'easier'* for the southern Mediterranean countries *'to identify their partners and priorities.'*<sup>866</sup> In fact, contrary to the EU, the member states generally do not seek to impose any or, if any, fewer values on partner countries, for example, by promoting democracy, rule of law or human rights principles through their cooperation agreements (SARTORI, 2014:4). Indeed, as stated by Blockmans, Kostanyan, Remizov, Slapakova and Van der Loo (2017:74), *'the member states leave to the EU the responsibility to carry difficult messages on human rights violations to the ENP states but avoid being in line with the EU statements while conducting bilateral relations with those partners.'* The same is true for third states, for example, whilst the Gulf Cooperation Council (GCC's) development aid is to some extent designed to exert a certain influence over the recipient country (in this case Morocco), the absence of any explicit political or commercial conditionality is a clear factor of success as it differentiates the Council from the EU and the US (COLOMBO, COATES-ULRICHSEN, GHABRA, HAMID and RAGAB, 2012:34; STRUYE DE SWIELANDE, 2013:159; EL-KATIRI, 2016:35, 190-191).

Against this background, a decisive factor for Morocco's preference for bilateral relations may well be freedom from political conditionality as regards the situation in the Sahara (FERNANDEZ-MOLINA, 2014:12). As for the EU, this argument is supported by the fact that diverging positions between the EU and Morocco on the Sahara issue have, as shown before, regularly led to diplomatic tension in the past and may have pushed Morocco towards further diversification. Further, it has been shown in Part 4 that Morocco's foreign affairs and energy ties with external powers are very much built upon these countries' positions on the Sahara which indeed acts as some sort of intervening variable of energy relations here. In this context, it

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<sup>865</sup> As shown in the 2010 IEMed Survey, even though many southern Mediterranean countries, would like to receive more aid from the EU, they do not want to make themselves dependent on this aid, probably because of the political conditionality it comes with.

<sup>866</sup> [EP](#) (Accessed on 07 September 2018).

has been revealed that the states with whom (energy) cooperation is the strongest are those with an either positive (for Morocco) or neutral stance on the matter. Indeed, the countries with which the Kingdom is increasingly seeking energy cooperation either actively support it in its territorial claims in the Sahara or stay neutral. In this light, the economic influence of the GCC in the UN Security Council certainly plays a role when it comes to energy ties with Saudi Arabia, the UAE and Qatar, whereas similar reasoning can be applied to China and Russia, as both countries are known for their approach of non-interventionism in the UN organ.<sup>867</sup> Therefore, in what follows, the conflict as well as the role of the EU and the member states in it will be examined more in detail.

### ***Moroccan/Western Sahara: a decisive foreign policy shaper***

Despite possessing one of the largest diplomatic networks in the region, Morocco's political relations with most of its neighbours are strained, above all because of territorial disputes. For example, as for its relations with Spain, tensions arise from the fact that in the north, both countries lay claims on the Spanish enclaves Ceuta and Melilla, whilst in the west, they argue over maritime borders in the Atlantic Ocean. By contrast, regarding Algeria and Mauritania, tensions result above all from the Sahara, indeed by far the biggest source of border conflicts today and thus meriting particular attention. In fact, the Moroccan (as referred to by the Moroccan government) or Western (as referred to by the UN) Sahara<sup>868</sup> (also known as Al-Sahra al-Gharbiyyah in Arabic), is a sparsely-populated disputed desert territory of around 266,000 km<sup>2</sup> extending from the Atlantic Ocean on the west, to Algeria on the east, and Mauritania to the south. Composed of two provinces with Gold River in the south – biggest city is Laayoune – and Red Canal in the north,<sup>869</sup> its population is small, estimated to stand at only around 584,000 people.<sup>870</sup> Given that there is only little agriculture, Sahara's attractiveness can be best explained by its vast proven and potential natural resources. First, boasting a 1,100-kilometer Atlantic coast 'of strategic importance', the Sahara has also 'one the richest fishing waters in the world' (ZOUBIR, 2007:158),<sup>871</sup> with its marine resources regularly being the object of maritime disputes between Morocco and its neighbours as will be shown more in detail later. Second, the Sahara, above all the northern part, is a phosphate-rich<sup>872</sup> area<sup>873</sup> whose phosphate deposits of around 50 million tons, belonging to the largest in the world and accounting for around 72% of the world's phosphate-rock reserves, have made Morocco one of the largest phosphate producers and exporters in the world.<sup>874</sup> Other than phosphate, the region also disposes of iron ore and iron supplies, as well as titanium oxide and vanadium reserves (ZOUBIR, 2007:158). Finally, the region is thought to be rich in offshore oil and gas and has a vast solar power potential. Against this background, the Sahara has a decisive impact on Morocco's foreign policy which consequently centres strongly around territorial integrity (ABOURABI, 2015:569). Given this high sensitivity, the Sahara issue is not only strongly linked to Morocco's foreign affairs, but also

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<sup>867</sup> In fact, their support even gains in importance in light of the evolution of the US' position on the issue in recent years.

<sup>868</sup> As a reminder, for neutrality reasons, the author of this dissertation will hereinafter refer to the territory as Moroccan/Western Sahara or simply Sahara.

<sup>869</sup> [Britannica](#) (Accessed on 20 September 2018).

<sup>870</sup> [UN](#) (Accessed on 23 September 2018).

<sup>871</sup> [CIA](#) (Accessed on 06 October 2018).

<sup>872</sup> Phosphate is a finite resource that can be found in a wide range of different products, with industrial phosphates being used, for example, in synthetic fertilisers, detergents or personal care products pharmaceuticals. [IHS Markit](#) (Accessed on 26 September 2018).

<sup>873</sup> The phosphate resources of the Sahara were first discovered in the 1940s (GILLESPIE, 1999:11).

<sup>874</sup> In 2015, Morocco accounted for around 13.5 % of global phosphate production. [USGS](#) (Accessed on 26 September 2018).

an important factor in the country’s foreign and external energy relations and therefore worthy of development.

Like many other African or North African countries, Morocco has experienced colonisation in its past and to understand the Sahara conflict and its origins, one must, as with so many other conflicts, look at this colonial rule. Having become a protectorate under French rule in 1912, the central part of Morocco was controlled by France up to the country’s independence in 1956 (GILSON MILLER, 2013:16), whereas Spain exercised control over the rest of the territory (see Figure 30). At this point, it must be noted that contrary to the French who left Morocco shortly after the latter had declared its independence, the Spanish did not drop their land claims at all and having *de facto* annexed the Sahara in 1958 by formally transforming it into a province to be known as Spanish Sahara, they continued to dominate the Moroccan south until 1976<sup>875</sup> and Ceuta and Melilla even until today.

**Figure 30: Morocco under the French and Spanish protectorate**



Source: [EurAtlas](#) (Accessed on 05 October 2018). In fact, whilst Spain already controlled southern Morocco, notably the Sahara (Ifni and the area of Cabo Juny, as well as the city of Tarfaya) since the 1880s, in 1912, the Spanish officially established a protectorate and took full control of a northern strip on the Mediterranean, covering the enclaves Ceuta and Melilla, as well as the Strait of Gibraltar (in order to build a geographical buffer zone with France).<sup>876</sup>

However, in the late 1950s, nationalist pressures of a newly independent Morocco began to target Spain, laying claims to the annexed Spanish territories, notably Spanish Sahara, arguing that it was part of the pre-colonial Moroccan empire (‘Greater Morocco’). Likewise, and only shortly after having gained independence from France in 1960, Mauritania equally began to

<sup>875</sup> [Britannica](#) (Accessed on 20 September 2018).

<sup>876</sup> The French and Spanish spheres of influence excluded Tangier which had been under international control since 1924 (WILLIS, 2014:270).

raise claims to the Sahara, also for historical reasons.<sup>877</sup> On the strength of this, Morocco turned to the UN which in 1963 qualified Spanish Sahara as a non-self-governing territory that needs to be decolonised. Whilst in this light, in 1965, it ratified two resolutions that requested Spain to leave the territory and to organise a referendum on self-determination (which Spain under the leader Franco, however, refused to do)<sup>878</sup> (GILLESPIE, 1999:17),<sup>879</sup> the ruling did not imply that either Morocco or Mauritania were necessarily the rightful owners of the land. By contrast, in October 1975, the International Court of Justice (ICJ) declared in an advisory opinion to have found some legal ties of allegiance between Morocco and the Sahara (or the Moroccan Sultan and some tribe in the region). However, it also stated that these ties did not establish any ties of territorial sovereignty, further referring to the General Assembly's 1960 Resolution 1514 (XV) and its Declaration on the Granting of Independence to Colonial Countries and Peoples.<sup>880</sup> In reaction to this, in November 1975, under Hassan II, Morocco organised a mass manifestation under which more than 300,000 Moroccans entered the contested territory in order to reintegrate it into Moroccan territory. As one outcome of this march, later known as the 'Green March', Spain ceded its claims to the Sahara and in an agreement signed in 1975 (Madrid Accords), gave up its administrative control over the territory. Following Spain's final withdrawal in early 1976, the Sahara was divided up between Morocco (northern two-thirds) and Mauritania (southern third) (HUTH, 2009:222). However, at the same time, a new player began to increasingly emerge on the scene – the Polisario Front – adding to the complexity of this situation. Initiated in 1973 in Zouerate in Mauritania,<sup>881</sup> the Polisario Front or simply Polisario, the acronym for the Spanish Frente Popular para la Liberacion de Saguia el-Hamra y Rio de Oro (Popular Front for the Liberation of the Saguia el-Hamra and Rio de Oro), is an Algerian backed independence movement formed by members of the Saharan Liberation Front (a guerrilla movement created to oppose Spanish colonialism) that fights for the independence of the Sahara and the right to self-determination of the people of the region. Shortly after Spain's withdrawal from the Sahara, the Polisario, which highly depends on Algeria as well as to a certain extent on Libya, for military aid (WILLIS, 2014:277),<sup>882</sup> began contesting Morocco's sovereignty over the territory, referring to the principles of the inviolability of colonial borders.<sup>883</sup> Over the years and claiming to officially represent the interests of the people of the Sahara, the Polisario has slowly transformed into a politico-military group according to which the Sahara belongs to the ethnic group of the Saharawis (HUTH, 2009:220), a nomadic people of Berber identity (CASTELLINO, 2000:254, 256).<sup>884</sup> In this context, the group first got into an open conflict with Morocco in 1975 when it started a guerrilla war against Morocco (in reaction to the Green March) and in 1976, proclaimed a government-in-exile of the Saharan Arab Democratic

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<sup>877</sup> In this context, the discovery of large phosphate deposits in Saguia el-Hamra (in Bu Craa) in 1963 rendered the situation all the more complex, as it spurred the different actor's interest in the area. [Britannica](#) (Accessed on 20 September 2018).

<sup>878</sup> Instead, Franco chose to sign the Madrid Accords of 1975 in exchange of natural resource rights (KEENAN, 2013:286).

<sup>879</sup> [UN](#) (Accessed on 06 October 2018).

<sup>880</sup> [ICJ](#) (Accessed on 23 September 2018).

<sup>881</sup> FAUJAS Alain (25 April 2017), Pourquoi la Mauritanie est tiraillée sur la question du Sahara occidentale, [Jeune Afrique](#) (Accessed on 19 September 2018).

<sup>882</sup> [CIA](#) (Accessed on 26 September 2018).

<sup>883</sup> According to this principle, '*the colonially imposed boundaries – not matter how illogical or arbitrary – should be accepted and respected*' in order to prevent '*the unleashing of a torrent of debilitating border disputes between the decolonised states*' (WILLIS, 2014:267).

<sup>884</sup> Living in the south of Morocco, as well as the southwest of Algeria and Mauritania, the anticolonial sentiment of the Polisario is thought to have been alimanted by social and economic change, caused amongst other things by drought and desertification (WILLIS, 2014:276). [Britannica](#) (Accessed on 20 September 2018); [CIA](#) (Accessed on 26 September 2018).

Republic (SADR) near Tindouf in Algeria<sup>885</sup> which immediately recognised the SADR as a state.<sup>886</sup> In response this, Morocco suspended relations with Algeria and armed conflicts between the Polisario on the one side and Morocco and Mauritania on the other side erupted. However, whilst the conflict between the Polisario and Mauritania was settled in 1979,<sup>887</sup> tensions between the Polisario and Morocco go on until today and Polisario's guerilla war against Morocco only officially ended in the 1990s<sup>888</sup> with a cease-fire and the establishment of a UN peacekeeping operation (KEENAN, 2013:287). In fact, whilst in 1990, the UN General Assembly declared that the Sahara question remains to be answered by the people of this region themselves ('Settlement Plan') and created the UN Mission for the Referendum in Western Sahara (French acronym = MINURSO) (Resolution 690), with the purpose of establishing favourable conditions for the conduct of this referendum, in 1991, both parties agreed on a cease-fire which also foresaw the opening of a referendum.<sup>889</sup> However, corresponding UN talks (in 2007, for example)<sup>890</sup> failed (GILSON MILLER, 2013:20) and a referendum has not yet been held.

### *The role of energy in the conflict*

It is important to note that throughout the entire conflict, energy, as well as natural resources in general, have played an important role, with the prospect of oil and gas reserves in the Moroccan/Western Sahara having undeniably boosted the attractiveness of the region (ZOUBIR, 2007:158) and added '*a layer of complexity to the conflict*' (KEENAN, 2013:299). In fact, although such reserves have not yet been found,<sup>891</sup> this does not seem unlikely given the massive reserves the wider region boasts – indeed, the Algerian Sahara region has huge hydrocarbon deposits, making Algeria one of the world's biggest producers and exporters of fossil fuels of today. Also, the Sahara is not only thought to be rich in hydrocarbons but also has a vast renewables potential that Morocco increasingly seeks to exploit (which, incidentally, the SADR is opposed).

Here, it is interesting to mention that, having discovered hydrocarbons in the south of In Salah in 1954,<sup>892</sup> the French were the first to recognise the vast hydrocarbon potential of the Sahara and already before Algeria's independence in 1962, tried to get control over the resource-rich Sahara

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<sup>885</sup> First president of the Saharan Arab Democratic Republic (SADR) and long-term Polisario leader was Mohamed Abdelaziz Ezzedine who died in 2016. [CIA](#) (Accessed on 26 September 2018).

<sup>886</sup> Apart from Algeria, the Polisario received support from Libya, Cuba and the Soviet Union. [CIA](#) (Accessed on 14 October 2018).

<sup>887</sup> Following a revolt against the Mauritanian president Mokhtar Ould Daddah in 1979 which overthrew the alliance between Morocco and Mauritania that had existed until then, under pressure from Polisario, Mauritania signed a peace treaty with the latter, de facto ceding its claims on the Sahara. Subsequently, the border between Mauritania and the Sahara was closed between 1979 and 2002 (LUGAN, 2016:543); [CIA](#) (Accessed on 06 October 2018).

<sup>888</sup> Between 1980 and 1987, Morocco developed a fortified 2,700 km long sand wall in the Sahara which separates Moroccan-controlled regions (west) from Polisario occupied regions (east) and in 1994, Algeria unilaterally closed its western border, following visa restrictions on Algerian citizens in the context of a terrorist attack in Marrakech (CEI, 2011:252). DAHAN Nadine (20 September 2018), Trump has suggested building a giant wall in the Sahara. But it already exists, [Middle East Eye](#) (Accessed on 22 September 2018).

<sup>889</sup> Under international pressure, Morocco already agreed to hold a referendum on the sovereignty and status of the Sahara in 1981. Whilst at that time, Hassan II was persuaded that such a referendum would result in the integration of the Sahara, he later refused to carry it out, amongst other things because both parties were not able to agree on the design of the electoral register (ZOUBIR, 2007:161; GILLESPIE, 2013:50).

<sup>890</sup> Prior to 2007, Morocco and the US had come up with the so-called Baker I plan in 2001 proposing autonomy to the Sahara under the condition that the territory remained under Moroccan sovereignty for a period of five years until a referendum could be carried out. However, the plan was rejected by both the Polisario and Algeria and a revision in 2003, which foresaw the establishment of a Saharan Authority for the period of five years until the referendum, faced strong opposition by Morocco. In 2007, Morocco came up with a plan similar to Baker I, however, it was equally rejected by the Polisario and Algeria (CEI, 2011:94-95; LUGAN, 2016:544).

<sup>891</sup> [CIA](#) (Accessed on 06 October 2018).

<sup>892</sup> Hydrocarbons were first discovered by the French Bureau des Recherches Pétrolières (BRP) (later known as Elf Aquitaine which since 2000 belongs to Total) (MALTI, 2012:15).

by cutting it off judicially from the rest of the country, a project reflected in the Sahara Oil Law (CPS) (n°58-1112) which was enacted in 1958 under General Charles de Gaulle.<sup>893</sup> Similarly, the French were also one of the first to be involved in the exploration of oil in Morocco and, following the discovery of some oil deposits in the Rif and Rharb basins between 1880 and 1914, participated in the creation of the BPRM in 1928<sup>894</sup> as well as in the set up of the 'Société Chérifienne des Pétroles' (SCP), a venture comprising several drilling companies to which the French state provided a valuable contribution, in 1929. The SCP which carried out most of the oil exploration activities, made its first important discovery, the Jebel Tselfate deposit located close to the city of Sidi Kacem in 1934. Subsequently, oil prospecting missions multiplied and by 1951, the SCP had around 1,000 exploration licenses. However, and although other deposits were found, notably in the regions around Essaouira and Agadir, leading to an increase in production able to meet around 15% of Morocco's oil needs at that time (in 1954), overall production outcomes remained modest (BOUQUEREL, 1966:73-75). Nonetheless, Morocco continued its search for oil and gas and by the early 1960s, the BPRM and the SCP, in cooperation with international oil companies such as Preussag (Germany), Pétrofina (Belgium), Canadian Dehli (US) or SOMIP (Morocco-Italy) had extended their oil exploration activities to almost all the basins of Morocco (BOUQUEREL, 1966:75). As of 1960, the Spanish equally began promoting the exploration of oil in Spanish Sahara and based on law of 12 December 1958 on oil investments, to give wide concessions (40) to foreign (or mixed) companies (11). Off-shore exploration operations first began in 1966 and although they only showed mixed results, operations continued both off and on shore following Spain's withdrawal from the Sahara in 1976. For example, in 1977, the BPRM signed a offshore contract with BP and the Phillips Oil Company for the exploration of a more than 30,000 m<sup>2</sup> large area between Laayoune and Boujdour.<sup>895</sup> In parallel, Morocco forged ahead with the institutionalisation of its hydrocarbon sector and in 1972, adopted a new law on hydrocarbons with the aim of attracting international operators for the exploration of oil and in 1981, set up the National Office of Oil Research and Exploitation ONAREP, whose mandate was to explore hydrocarbons, either on its own or jointly in cooperation with international oil companies.<sup>896</sup> And although between 1986 and 1999, oil exploration activities were interrupted due to the oil shock of 1986, Morocco never buried its oil dream and during the last decade, a new impulse for the exploration of oil has been observed. Indeed, in 2000, the Moroccan government amended the hydrocarbon law with the intention of attracting more international investors in the hydrocarbon sector.<sup>897</sup> In the same line, ONAREP merged with the BPRM in 2005 to form the 'Office National des Hydrocarbures et des Mines' (ONHYM, National Office of Hydrocarbons and Mines), for the purpose of developing the exploration and exploitation of hydrocarbons in cooperation with the private sector.<sup>898</sup> In this light, in 2001, Morocco signed an offshore oil reconnaissance contract with the US oil major Kerr

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<sup>893</sup> In 1957, France created the 'Organisation Commune des Régions Sahariennes' (OCRS), a territorial collectivity with the aim 'to promote the economic expansion' of the Sahrawi 'départements' Oasis and Soura (MURAT 1969:90). In reality though, the OCRS was an attempt to get control over resource-rich Sahara and to cut it judicially from the rest of Algeria.

<sup>894</sup> The 'Bureau des Recherches Pétrolières' (BPRM) was a public body whose aim was to promote mining research in cooperation with the private sector. (June 1962), Le Bureau de Recherches et de Prospection Minières: Organisme d'intervention minière et pétrolière, *Le Monde diplomatique* (Accessed on 08 October 2018).

<sup>895</sup> ASSIDON Elsa (Février 1978), A Vingt Ans d'Intervalle, La Stratégie Française En Afrique Occidentale: De l'opération «Écouvillon» à l'intervention en Mauritanie, *Le Monde diplomatique* (Accessed on 08 October 2018).

<sup>896</sup> Overall, the 'Office National de Recherches et d'Exploitation Pétrolières' (ONAREP) drilled 91 wells (of which 50 in cooperation with international companies). *ONHYM* (Accessed on 08 October 2018).

<sup>897</sup> *ONHYM* (Accessed on 08 October 2018).

<sup>898</sup> *ONHYM* (Accessed on 07 October 2018).

McGee for the exploration of a zone north of Boujdour (KEENAN, 2013:291),<sup>899</sup> whereas the southern zone was to be explored by the French company TotalFinaElf (KEENAN, 2013:291). Likewise, in 2004, the country signed an agreement with Danish Maersk Oil for the exploration of a 15,000 km<sup>2</sup> area including the Tarfaya Laayoune basin.<sup>900</sup>

However, and overall, past events have shown that the exploration and exploitation of Saharan energy resources, be it fossil fuels or renewables, is not without difficulties, but, given the political delicacy associated with this region, a regular source of tensions. Most of the potential reserves being located offshore, notably the delimitation of maritime boundaries, in particular those off the Canary Islands, has regularly led to disputes between Morocco and Spain. In fact, both countries claiming sovereignty over the natural resources of Saharan waters, in 1997, Spain defined the maritime limit to be the median line between Canary Islands and the Moroccan coast. However, Morocco did not accept this limit, arguing that the maritime limit goes beyond the median line. Consequently, no maritime zones have been defined so far.<sup>901</sup> However, as laid down in the UN Convention on the Law of the Sea, the two players have the right to extend their respective maritime zones to between 200 to 350 miles. In this light, in 2014, sea border disputes were further fueled by Spain's discovery of large offshore oil deposits off its Canary Islands. In fact, after the discovery of oil 200 km away from the Canary Islands, the Spanish government granted the national energy major Repsol an oil prospecting license for a 600 km<sup>2</sup> area between Fuerteventura and Tarfaya, which was naturally contested by the Moroccan monarchy.<sup>902</sup> In addition to Morocco and Spain, the SADR equally claims sovereignty over Saharan waters, having signed a technical cooperation agreement with the Australian oil company Fusion in 2001 for the evaluation of the oil potential of a 210,000 km<sup>2</sup> offshore area between Mauritania and the Canary Islands. According to this agreement, Fusion would get the future right to three other exploration licenses once the Sahara becomes a member of the UN.<sup>903</sup>

Moreover, insecurity regarding the status of the Sahara has in some cases even affected Morocco's business relations, with sympathizers and friends of the SADR claiming that industry activities in the Sahara would undermine the UN peace process. For example, Total, which was granted an offshore oil drilling license in 2001 to explore off the Saharan shores, did not extend its exploration licenses in 2004, with the reasoning that it did not find any oil. Nonetheless, the company continued with its exploration activities (on the data already collected) and in 2011 was again granted some permits (for the southern Anzarane offshore field). However, in 2014, the company withdrew from the region and although this was officially because the outcome of the first analysis of seismic data was not positive, presumably, the region's delicate political situation also played a role.<sup>904</sup> Similarly, in 2016, the Norwegian Government Pension Fund Global decided to divest its shares in Irish San Leon Energy which had been drilling for oil offshore.

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<sup>899</sup> WATKINS Eric (25 October 2018), Kerr-McGee to continue work off Morocco, [QGI](#) (Accessed on 06 October 2018)

<sup>900</sup> [Moroccan Ministry of Finance and Privatisation](#) (Accessed on 08 October 2018).

<sup>901</sup> Morocco ratified the UN Convention on the Law of the Sea in 2007, which foresaw a period of 10 years for the country to demarcate its maritime zones. In 2017, and in a move to define its territorial waters, the Moroccan government approved two bills and a draft decree, in order to '*include the maritime space facing the coasts of the Moroccan Sahara in the national legal arsenal.*' [Ministry of Culture and Communication](#) (Accessed on 09 October 2018).

<sup>902</sup> However, one year later, in 2015, Spanish energy major Repsol abandoned its search for the deposits, claiming that the deposits were too small and non-exploitable. BURGÉN Stephen (26 March 2014), Spain's oil deposits and fracking sites trigger energy gold rush, [The Guardian](#) (Accessed on 18 September 2018); (19 January 2015), Repsol scraps controversial oil exploration off Canary Islands, [The Guardian](#) (Accessed on 18 September 2018).

<sup>903</sup> ARMBRUSTER Stefan (04 March 2003), Oil: Western Sahara's future, [BBC News](#) (Accessed on 08 October 2018).

<sup>904</sup> WATKINS Eric (25 October 2018), Kerr-McGee to continue work off Morocco, [QGI](#) (Accessed on 06 October 2018).

### *Status of the conflict as of today*

Although Morocco has over the years gradually granted more and more autonomy to the Sahara – in fact, the country allows for the Sahrawis to aspire to some autonomy, but not an independent state –<sup>905</sup> as of today, the conflict is largely a frozen one as, since its inception, the various parties involved have never really altered their positions. In this line, both Morocco and the Polisario continue to lay claims to the Sahara, whereas the UN, which have never recognised the Madrid accords, recognise neither Moroccan nor SADR sovereignty over the region. As a result, the region's status is still not clarified from an international law point of view and the territory continues to figure on the UN List of Non-Self-Governing Territories.<sup>906</sup> By contrast, the SADR has been a member of the Organization of African Unity (OAU) (now African Union AU) since 1984,<sup>907</sup> and, as of 2017, was reportedly recognised as a state by some 35 countries (above all African and Latin American),<sup>908</sup> a circumstance that, as will be shown later, regularly causes political tensions. In this light, the region can be shown in different ways on a map, for example as part of Morocco or as separate (unbroken line) or disputed (dotted line) territory, as well as by zones of control (Morocco vs. Polisario).

In view of the complexity of the situation, the Sahara is the dominant issue in Moroccan foreign affairs (FERNANDEZ-MOLINA, 2014:4-5), with the management and resolution of the conflict being attributed the highest priority under King Mohammed VI (FERNANDEZ-MOLINA, 2015:76). This first became clear in the King's inaugural speech in 2000 in which he identified the recognition of his country's sovereignty over the Sahara by the international community, as well as the preservation of his country's territorial integrity in general,<sup>909</sup> as a main objective (FERNANDEZ-MOLINA, 2015:20),<sup>910</sup> an objective that must not be viewed separately but is closely linked to Morocco's policy of opening-up. Indeed, the increased conduct of a policy of non-alignment allows Morocco to develop new partnerships, with both large or small states (each country represents a voice within the UN), whereby the country pursues two vital interests, namely to ensure international support for the Saharan cause and to consolidate its regional weight. Here, a lot of leverage also comes from its 'Economic diplomacy' (ABOURABI, 2015:577, 601) which, leading to tighter economic links and a higher level of mutual economic dependence, contributes to gaining a country's diplomatic support. To some extent, leverage also comes from Morocco's cultural & religious diplomacy and the King's status as the '*commander of the faithful*' (FERNANDEZ-MOLINA, 2015:6), which, amongst other things, aims at spreading the country's special cultural and religious identity<sup>911</sup> across the region.<sup>912</sup> Finally, to

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<sup>905</sup> See Moroccan Autonomy Plan for the Western Sahara, aiming at granting the Sahrawis a special status and widespread competencies, excluding state-reserved domains like national security & defense or external relations. Furthermore, in the context of the reform of the Moroccan constitution in 2011, Morocco began promoting Hassani, the Sahrawi's language or dialect. [Autonomy plan](#) (Accessed on 05 October 2018); [IEA](#) (Accessed on 18 October 2018).

<sup>906</sup> [UN](#) (Accessed on 05 October 2018).

<sup>907</sup> The African Union (AU) is, amongst other things founded, on the *principles of inviolable borders*.

<sup>908</sup> [Sénat](#) (Accessed on 06 December 2019); [Le Journal International](#) (Accessed on 06 December 2019), [Britannica](#) (Accessed on 14 October 2018).

<sup>909</sup> See for example: Royal speech of Mohammed VI on the occasion of the 3<sup>rd</sup> anniversary of his accession to the throne. [Moroccan Ministry of Culture and Communication](#) (Accessed on 18 September 2018).

<sup>910</sup> On this occasion, the monarch also listed other important policy objectives that he aimed to pursue during his reign such as the promotion of economic development (going along with the integration of the national economy in the global economy) or the promotion of the country's image as a democratic and modern nation and model of stability in a region etc. (FERNANDEZ-MOLINA, 2015:20).

<sup>911</sup> an identity based on moderation, pluralism and openness (FERNANDEZ-MOLINA, 2014:6).

<sup>912</sup> including amongst other things, the opening of cultural centres abroad, the awarding of grants to African students or the theological training of imams. However, this form of diplomacy, as well as soft power tools in general, play an overall minor role here (ABOURABI, 2015:605).

assert its interests, Morocco eventually also relies on its geographical position at the crossroads of Europe, Africa and the Middle East, a context in which, as put by Abourabi (2015:590), the country may in some cases be willing to exploit the EU's susceptibility with regard to security (including terrorism and drug trafficking) and migration-related issues. Overall, the Sahara question is not just another foreign policy issue, but a nationalistic cause perceived as '*the ultimate core issue*', '*the final goal*' or the '*raison d'être*', a sort of '*existential question which is deeply rooted in the Moroccan political culture*' (FERNANDEZ-MOLINA, 2015:46) and, as pointed out by Keenan (2013:290), even beyond. As such, it not only concerns the members of the royal family and politicians, but Moroccan society as a whole, as manifested in the March 2016 protests against UN Secretary General Ban Ki-Moon who used the word '*occupation*' to describe Morocco's relationship with the desert territory. In reaction to this, millions of Moroccans went on the streets to demonstrate their disagreement.<sup>913</sup>

As regards the role of the EU in the conflict, on a whole, by recognising neither the Polisario/SADR movements nor Morocco's claims to the Sahara,<sup>914</sup> the EU has tried to take a rather neutral stance in the Sahara question. This is reflected in the fact that neither the Association Agreement (AA),<sup>915</sup> nor the Action Plan of 2013 include or make any reference to the region. Moreover, there is no special EU envoy or similar function. However, the EU's relative neutrality in the matter does not mean that it has remained silent on the conflict. Indeed, not only has it regularly provided humanitarian aid to Sahrawi refugees in Algeria (COLOMBO and HUBER, 2016:24), but has also regularly expressed concern about the negative consequences of the conflict, notably with respect to human rights. In this context, dealing with this issue has, however, revealed a relatively high degree of inter-institutional inconsistency within the EU. For example, whilst the Commission's support to Morocco's Reparation Community Programme, targeting regions affected by human rights violations, has never covered the Sahara (DIEZ and TOCCI, 2017:91), interestingly, in 2010, the Parliament approved a resolution to investigate alleged human rights violations in the context of the dismantlement of the Gdeim Izik protest camp which caused several deaths and injuries.<sup>916</sup> Another example, and probably the most significant, of inter-institutional inconsistency regards fishing in the Sahara. In fact, whilst past fisheries agreements concluded between the Commission and Morocco such as the EU-Moroccan Fisheries Partnership Agreement (FPA) of 2005, allowed vessels from 11 EU member states<sup>917</sup> to obtain fishing licenses from Morocco and used to cover the Sahara, various members of the Parliament have regularly contested this. Therefore, and backed notably by Sweden, in 2011, they voted against a proposed extension of the agreement, a move that resulted in Morocco prohibiting Spain from fishing in its waters. Economically dependent on the resources from these waters though, Spain consequently exerted enormous pressure on them to renegotiate the agreement or negotiate a new one.<sup>918</sup> As a result, in 2014, a new version of the agreement of 2005 was adopted which also included the Sahara (COLOMBO and HUBER, 2016:24).<sup>919</sup>

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<sup>913</sup> Reuters (Accessed on 14 June 2017).

<sup>914</sup> EC (Accessed on 15 October 2018).

<sup>915</sup> According to the ruling of the European Court of Justice (ECJ) of December 2016, the association (2000) and liberalisation (2012) agreements between the EU and Morocco were 'not applicable' to the Morocco/Western Sahara, as the treaties did not specifically refer to the region. EP (Accessed on 04 November 2017).

<sup>916</sup> The Gdeim Izik camp was established in October 2010 near the city of Laayoune. EP (Accessed on 23 September 2018).

<sup>917</sup> France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal and Spain. EC (Accessed on 15 October 2018).

<sup>918</sup> DOVE Chris (17 April 2012), EU, Spain still at odds over Morocco agreement, SeafoodSource (Accessed on 25 September 2018).

<sup>919</sup> (01 June 2017), European Commission for Fisheries Included Western Sahara in Morocco-EU Agreement, Morocco World News (Accessed on 04 November 2017); EC (Accessed on 05 December 2019).

However, five years later, on 27 February 2018, a ruling of the European Court of Justice (ECJ) found that the agreement of 2014 was only valid as long as it does not include the Sahara.<sup>920</sup> Since it was about to expire in July 2019,<sup>921</sup> the Commission therefore asked the European Council to open negotiations on the renewal of the agreement, a proposal that was strongly supported by Spain. As a result, the new agreement, which was ratified by the Parliament in early 2019, now includes the Saharan waters.<sup>922</sup> By contrast, and as regards energy, in November 2016, around fifty deputies of the Parliament urged the EU not to import any solar or wind energy from the Sahara which they consider a '*non-self-governing territory*'.<sup>923</sup>

Summarising the above, it can be noted that the EU's Sahara policy clearly lacks a common position and high levels of inconsistency can be found not only at the inter-institutional level, i.e. between the Commission and the Parliament but also, or more notably, at the vertical level, i.e. between the Parliament and the member states (see Spain), as well as amongst the member states (see Sweden vs. Spain). This lack of consistency within the EU has not gone unnoticed by Morocco's political elite, which qualifies the abovementioned decision of the ECJ to invalidate the existing trade agreements as '*incoherent*'.<sup>924</sup> This judgment is shared by Diez and Tocci (2017:92) according to whom the decision of the ECJ perfectly reflects the EU's ambivalent position towards the issue. Overall, so the two authors (2017:92), the absence of any common position shows that the EU '*has not manifested great interest in playing an active role in the dispute*'. Following this line of thought, one can ask whether this reasoning also applies to the EU countries – do energy relations between Morocco and the EU member states depend on the Sahara or are they particularly strong with those member states whose position on the Sahara converges with Morocco's position? This question seems to be legitimate as the EU's '*negative neutrality*' in the Sahara conflict can above all be explained by intergovernmental inconsistency between the member states (DIEZ and TOCCI, 2017:96) whose positions on the conflict '*remain elusive*'.<sup>925</sup> To answer this question and to better understand the underlying dynamics in the member states' dealing with the Sahara question, the member states are classified in the following into three groups: anti, neutral and pro. In fact, the identification of the different positions of the member states as regards the Sahara question will allow to draw first conclusions as regards correlation with their energy interests/relations. In fact, contrary to the EU, the member states are typically not neutral about the conflict and, depending on their own bilateral interests, are generally quite biased as to whether the Sahara belongs to Morocco or should be autonomous.<sup>926</sup> Moreover, national energy companies are not bound by the political directions of their national governments and free to invest wherever they like (Interview German Embassy to Morocco, 2016). For example, whilst French Total used to be very active in

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<sup>920</sup> [ECJ](#) (Accessed on 21 September 2018).

<sup>921</sup> [EC](#) (Accessed on 26 September 2018).

<sup>922</sup> [EC](#) (Accessed on 25 September 2018), [EC](#) (Accessed on 05 December 2019).

<sup>923</sup> Likewise, in January 2019, the Parliament backed a proposal to extend the preferential tariff rates on Moroccan exports already in place to the Sahara so that the local population can benefit from it. [EP](#) (Accessed on 15 October 2018); [EP](#) (Accessed on 05 December 2019).

<sup>924</sup> (06 April 2016), Morocco and EU, a business alliance or Mediterranean disorders?, [Mediterranean Affairs](#) (Accessed on 09 September 2017).

<sup>925</sup> LAPERROUZE Jeanne (23 February 2016), EU-Morocco fishing deal casts doubt on EU future foreign policy, [Euobserver](#) (Accessed on 17 September 2018).

<sup>926</sup> SAKTHIVEL Vish (10 June 2016), The EU, Morocco and the Western Sahara: a chance for justice, [ECFR](#) (Accessed on 04 November 2017).

conventional energy offshore operations in the Sahara,<sup>927</sup> German Siemens and Italian Enel have ultimately been investing into renewable energy projects in the region.<sup>928</sup>

Part of the **anti-group**, as already shown before, are notably the northern European or Nordic countries, above all Sweden, which has been particularly critical towards Morocco's Sahara policy. For example, in December 2012, its Parliament, the Riksdagen, voted for recognition of the SADR as a free and sovereign state and urged the government to promote this within the EU.<sup>929</sup> However, and in line with a review of its Sahara policy following threats of the Moroccan government to boycott Swedish companies and products such as IKEA,<sup>930</sup> the Swedish government, in January 2016, decided to not comply with the request of the Parliament, stating that '*the situation in Western Sahara differs from that of states which Sweden has recognized in the past*'.<sup>931</sup> Similarly, on 2 June 2016, the Danish Parliament voted in favour of a motion that seeks to make it more difficult for Danish companies to trade with the Sahara and also for the public sector to invest into the region.<sup>932</sup> Unlike the northern European or Nordic countries, Germany rather adopts a **neutral** stance on the Sahara issue, whilst Italy and Portugal equally follow a rather neutral approach by advocating in favour of the resumption of a negotiation process under the aegis of the UN (PEREIRA COUTINHO, 2019:Abstract).<sup>933</sup> As a result, and as regards Germany, Morocco trusts the country as a partner, which is equally reflected in the fact that former President Horst Köhler was appointed Personal Envoy of the UN Secretary-General for Western Sahara between 2017 and 2019.<sup>934</sup> In fact, concerned with the issue of human rights in the Sahara, Germany endeavours to find political solutions that are consistent with the UN resolutions 1979 and 2044 on the extension of the MINURSO mandate.<sup>935</sup> In this context, critical voices have increasingly been raised, notably amongst the leftist and green deputies of the German Parliament, the *Bundestag* but also amongst some central deputies from the CDU/CSU, stating that the delay on the referendum on the sovereignty of the Sahara must end.<sup>936</sup> At the same time though, Germany gave its consent to support Morocco in the latter's appeal procedure against the ECJ's decision in the context of its December 2016 ruling.<sup>937</sup>

Part of the **pro-group** are the southern European countries France and Spain although their positions on the matter are rather ambiguous. France's role in the Sahara conflict is highly interesting, given that the country has somehow decisively contributed to its emergence by drawing the so-called Trinquet Line on a map in 1938 – separating Algeria and Morocco, this line was initially a purely administrative boundary given that at that time, both countries were under French control (TROUT, 1969:416). However, it later began to serve as a basis for the determination of the Algerian-Moroccan border, thus laying, as brought forward by Boussois

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<sup>927</sup> [Multinationals Observatory](#) (Accessed on 03 November 2016).

<sup>928</sup> SAGENER, Nicole (09 November 2016), European companies help Morocco maintain control over Western Sahara, [Euractiv](#) (Accessed on 03 November 2016).

<sup>929</sup> (07 December 2012), Riksdag push for Western Sahara vetoed, [The Local](#), (Accessed on 05 November 2017).

<sup>930</sup> (02 October 2015), Sweden softens line on Western Sahara recognition of boycott threat, [Radio Sweden](#) (Accessed on 05 November 2017).

<sup>931</sup> By contrast, it decided to uphold its support for the the UN process whose purpose is to satisfy the right of the Sahara to self-determination. [Swedish Government](#) (05 November 2017); [Swedish Government](#) (05 November 2017).

<sup>932</sup> W Christian (02 June 2016), Danish Parliament passes motion on Western Sahara, [CPH Post](#) (Accessed on 04 November 2017); ERIKSSON Alexandra (03 June 2016), Danish MPs warn firms not to trade with Western Sahara, [Euobserver](#) (Accessed on 04 November 2016).

<sup>933</sup> [UN](#) (Accessed on 20 November 2019).

<sup>934</sup> [Spiegel](#) (Accessed on 09 July 2017).

<sup>935</sup> [Bundestag](#) (Accessed on 09 July 2017).

<sup>936</sup> [Bundestag](#) (Accessed on 04 November 2017).

<sup>937</sup> (29 February 2016), Marokko und Algerien nehmen Flüchtlinge zurück, [Handelsblatt](#) (Accessed on 04 November 2017); SCHULZE Tobias (01 March 2016), Das Völkerrecht verscherbelt, [TAZ](#) (Accessed on 04 November 2017).

(2017),<sup>938</sup> the grounds for what would later be known as the Sahara conflict. Nonetheless, France can be currently assigned to the pro Morocco group and this despite the fact that the country's official position is aligned with the position of the UN (a context in which France is supportive of the MINURSO mission).<sup>939</sup> In fact, officially, France does not recognise Morocco's sovereignty over the Sahara, however, the country has, in its role as one of Morocco's most important long-term allies, '*decidedly*' taken the Moroccan side in the conflict (COLOMBO and HUBER, 2016:23). For example, in 2003, French President Jacques Chirac declared that France seeks '*a political solution which fully takes into account Morocco's interests and regional stability*'.<sup>940</sup> In this light, France supports Morocco's opposition against a referendum by backing its autonomy proposal (MARTIN, 2012:44) – an initiative proposed in 2006 that foresees giving the Sahrawi people a special status of governance within the Kingdom (which Polisario however refused).<sup>941</sup> In this context, and as Morocco's ally in the UN Security Council, France has often been suspected of using its veto right in case the UN imposes a solution that is not acceptable to Morocco.<sup>942</sup> And although France has denied such a practice on several occasions, <sup>943</sup> the country has however undeniably been '*in the forefront of efforts to steer the EU towards a more pro-Moroccan position on the Western Sahara*' (GILLESPIE, 2005:5). This, as well as the French support for Morocco in general, has become a major subject of disagreement with Algeria, which regularly asks for a review of the French Sahara policy. The French support for the Moroccan cause can be best explained historically and goes back to the Cold War during which Morocco, then aligned to the Western camp, played an important proxy role in helping the US and France to fight communism, whereby, in turn, it could count on international support as regards the Sahara question (ZOUBIR, 2007:158). For Zoubir (2007:158), it is only against this background and thanks to support from the US, France and the Gulf countries that Morocco was able to '*seize the Western Sahara*'. Nowadays, French support can be best explained by the fact that France considers the potential independence of the region to be a destabilising factor for the Franco-Moroccan partnership (MARTIN, 2012:56). Stability in its relations with Morocco is however essential, given that France considers Morocco a strategic country for the fight against terrorism and migration (ABOURABI, 2015:593) and pursues, as will be detailed later, various commercial and economic interests in the country.

Bearing a certain responsibility for the conflict as it failed to decolonise the region as had been mandated by the UN in 1963 (ZOUBIR, 2007:172), Spain plays an equally prominent role in the Sahara question. However, or precisely for this reason, its position on the conflict is rather ambiguous (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:60). Indeed, whilst officially, Spain '*supports a just, sustainable and mutually acceptable political solution*' that foresees '*the free self-determination of the Sahrawi people in the framework of the principles and propositions of the Charter of the UN*',<sup>944</sup> in reality, the Spanish position vacillates '*between alignment with France's position and return to a solution within the UN framework*' (ZOUBIR,

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<sup>938</sup> BOUSSOIS Sébastien (26 April 2017), Western Sahara: the responsibility of colonial France in the birth of the problem, [Jeune Afrique](#) (Accessed on 21 September 2018).

<sup>939</sup> KASRAOUI Safaa (30 April 2017), France Reiterates Supports for Security Council Resolution on Western Sahara, [Morocco World News](#) (Accessed on 01 October 2018)

<sup>940</sup> (09 October 2003), Jacques Chirac salue le Maroc, [L'Obs](#) (Accessed on 23 September 2018)

<sup>941</sup> CALCUTTAWALA Zainab (30 November 2016), Western Sahara: France Reiterates Support for 2007 Autonomy Proposal, [Morocco World News](#) (Accessed on 04 November 2017).

<sup>942</sup> including resolutions that are not in favour of Morocco's Sahara policy or critical of the human rights situation in the region. BOLOPION Philippe (22 December 2010), Sahara occidental: la France contre les droits de l'homme?, [Le Monde](#) (Accessed on 05 November 2017).

<sup>943</sup> (21 April 2014), Non, la France n'utilisera pas son droit de veto pour le Sahara, [Bladi](#) (Accessed on 05 November 2017).

<sup>944</sup> [Spanish Ministry of Foreign Affairs and Cooperation](#) (Accessed on 25 September 2018).

2007:172-173). Doubtlessly, Spain's role in the Maghreb allows for little room in which to manoeuvre, leaving the country constantly juggling between Moroccan and Algerian interests. On the one hand, Spain is, just as France, a traditional ally to Morocco with whom it seeks to maintain good relations and to strengthen political and economic/commercial ties as will be detailed later and in 1983, both countries signed a fishery agreement that allows Spanish vessels to operate along the coasts of the disputed territory (DEL MAR HOLGADO MOLINA and DEL SOL OSTOS REY, 2002:194; ZOUBIR, 2007:172). Against this background, Spain is, just as France, in principle opposed to the idea of a referendum (MARTIN, 2012:44) and has regularly supported Morocco's autonomy plans for the Sahara.<sup>945</sup> On the other hand, and interested in improving its relations with Algeria, parts of Spain's political class have also supported the Polisario/SADR, even though indirectly, by fancying the possibility of a referendum in the desert region (GILLESPIE, 2005:5; COLOMBO and HUBER, 2016:23), with notably the leftist (Izquierda Unido, IU) and pro-European (Union Progreso y Democracia, UPyD) parties having regularly expressed their unconditional support to the Polisario (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:59). This ambiguous behaviour can be best explained by the fact that Algeria has regularly made the support of Spain for the SADR's right to self-determination a condition for the conclusion of agreements on the exchange of gas between the two countries (MARTIN, 2012:52).<sup>946</sup> Moreover, the idea of holding a referendum is rather popular amongst the Spanish people, and support for the Sahrawi cause within Spanish civil society high.<sup>947</sup> In this line, the Spanish government has regularly provided humanitarian aid to Sahrawi refugees.<sup>948</sup>

### 7.2.3 Interim conclusion

Based on the previous Section, Hypothesis H2 can be confirmed as converging and diverging interests play a role in respectively extensive and non-extensive or limited coordination (and thus in high and medium consistency).<sup>949</sup> However, there are shades of difference and one must distinguish between functional and strategic/political interests or subordinate and superordinate interests. In fact, as far as the horizontal and diagonal dimensions are concerned, interests do largely converge and there is an extensive level of coordination as regards both strategic/political and functional aspects. The same is true for the intergovernmental and vertical dimension, i.e. there are few to zero discrepancies as regards the member states' respective energy priorities and coordination on the functional level is extensive, yet, coordination on the strategic/political level is limited.

Energy interests being, as shown before, highly complex constructs, one of the reasons why intergovernmental and vertical strategic/political coordination is limited is that there are diverging underlying policy views – notably as regards multilateral energy initiatives – reflected

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<sup>945</sup> CEMBRERO Ignacio (15 December 2010), Spain favored Morocco's autonomy plan for Western Sahara: Government under fire after embassy cables show extent of consultations with Rabat, [El País](#) (Accessed on 09 April 2019).

<sup>946</sup> For example, in January 2010, an arbitration court ruled that Algerian state-owned Sonatrach can increase the price of gas supplied to Spanish Gas Natural Fenosa via the Maghreb-Europe pipeline. Spain, itself highly dependent on Algerian gas imports (in 2016, 58% of Spain's gas imports came from Algeria) has thus been forced to change its policy in the region. [ICIS](#) (Accessed on 23 November 2019); [OEC](#) (Accessed on 05 November 2017).

<sup>947</sup> CEMBRERO Ignacio (24 April 2015), Difficile équilibre de la politique espagnole au Sahara occidental, [Orient XXI](#) (Accessed on 25 September 2018).

<sup>948</sup> [Cooperación Española](#) (Accessed on 25 September 2018).

<sup>949</sup> This outcome confirms the existing international relations and behavioural literature according to which coordination is more likely when interests are aligned (STEIN, 1982:302; GOODIN, 2011:97; DEBAERE, 2013:118; SITZIA and ZHENG, 2019).

in the fragmentation of the multilateral logic of the Euro-Mediterranean partnership as well as in the bilateralisation of relations with cleavages to be found on the side of the EU/member states and Morocco. On the side of the member states, the reasons for the bilateralisation of relations lie within the fact that past relations have above all been intergovernmental, whereby they strongly depend on hard factors such as geography or history. On the Moroccan side, they are, apart from regional dynamics, due to a fundamentally erroneous understanding of the EU-Mediterranean partnership, a context in which the Sahara issue seems to play an (increasingly) important role. Here, it can be noted that Germany, France and Spain are, from a Moroccan perspective, the most important EU countries when it comes to Morocco's dealing with the Sahara issue. This is either because they favour a political solution in the context of the UN or because they openly support the country's autonomy plans for the region. In this light and given that these are, as will be shown more in detail in the following, also the countries Morocco has the closest foreign and energy ties with, one can assume that there is a link between their energy standing and their Sahara policies. Here, a new hypothesis could be added that postulates a connection between these two elements.

### 7.3 Interdependencies

As regards the variable interdependencies, it was hypothesised that *'the less interdependent the intergovernmental relations between the member states and the third country, the more extensive the coordination (and thus the higher the consistency) of their energy policies'* (**Hypothesis 3**).

The empirical research has shown that there is limited strategic/political coordination (and thus medium consistency) amongst the EU institutions and the member states as well as amongst the member states in both the EU multilevel system and in Morocco where coordination is most likely to happen when it is not institutionalised or when it is informal. As Part 7.2 suggests, this is due to diverging subordinate views as regards the EU's governance approach and a clear preference for bilateral relationships, whereby on the part of both the member states and Morocco, one reason for this may be interdependencies. This is in line with Knodt, Piefer and Müller (2015:24) according to whom *'cooperation conflicts' occur when actors have highly diverging interests, whereas 'coordination conflicts' arise when actors follow similar interests but are bargaining for the greatest benefit within their benefit sets'*. Indeed, the fact that every political actor or entity follows its own policy interests which it seeks to promote both internally and externally in order to extend its sphere of influence afford a plethora of opportunities for frictions (BRAUN, 2011:8; DEBAERE, 2013:49), notably in the intergovernmental and vertical dimensions.<sup>950</sup> For example, although with respect to Morocco, the member states pursue similar energy interests, past attempts at establishing closer energy cooperation on the regional level have been undermined by (geo)political or economic rivalries, a circumstance that can be best explained by the theory of liberal intergovernmentalism (LI).<sup>951</sup> Here, one can assume that the beforementioned interdependencies between the member states and Morocco shape the context in which these actors interact. Therefore, Hypothesis 2 seeks to establish a connection

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<sup>950</sup> In reality, turf wars occur in all dimensions, including in the horizontal dimension (to be mentioned here is the turf war between the Commission and the European External Action Service (EEAS) on energy security) (THALER, 2015:152).

<sup>951</sup> In fact, for Multi-level Governance (MLG) to be valid, one should find that *'state sovereignty is compromised in collective national decision making'*, however, this is not the case for energy, a domain in which the member states are keen on keeping their sovereignty (HOOGHE and MARKS, 2001:12).

between these interdependencies and coordination and to find out to what extent the two elements affect each other. In this context, it also raises the question of whether the coordination mechanisms in place rather aim at coordinating the different energy policies to avoid getting in each other's way or to create synergies? Answering this and the other questions requires for a mapping of relations, with the analysis to cover both public and private actors active or present in the Moroccan energy sector. To this end, and to test Hypothesis 3, the following Chapter will investigate the bilateral energy activities of the EU member states towards Morocco. The focus will hereby be on France, Spain and Germany, which have, as mentioned before, been identified as the most important energy stakeholders in Morocco by both European and Moroccan interview partners. Asking how energy relations of these stakeholders with the Kingdom have developed over the years and what their characteristics and main features are, the focus of interest will be on the general structure and fundamental functioning – aims, strategies, policies, actors (and their roles) and instruments – as well as on the challenges of these relationships. Particular emphasis will be placed on the individual specificities of each partnership, including political, economic and commercial aspects, as well as the role played by private companies given that the private sector generally plays very significant role when it comes to energy relations as it generally has a 'de-risking' or 'depoliticising' function (as is the case with science) (LEAL-ARCAS and WOUTERS, 2017:47).<sup>952</sup>

### 7.3.1 Case I: France

Boasting an energy consumption of around 152,2 million tons of oil equivalent (toe) in 2016, France is one of the countries with the highest level of gross inland consumption of energy within the EU, with its primary energy supply being dominated by nuclear power (~42%), crude oil (~24%), natural gas (~16%) and renewables (~3%), whereas its power mix is primarily made up of nuclear power, which accounts for 75% of the total and allows for a low carbon intensity.<sup>953</sup> Its energy policy centres around four objectives – energy access, security, competitiveness and sustainability – and the country follows, partly due to economic necessity and partly due to environmental conviction, ambitious energy goals. These are reflected in its Law for Energy Transition and Green Growth which, adopted in 2015, foresees the reduction of final energy consumption (by 20% by 2030 and 50% by 2050 to 2012 levels), the reduction of CO<sub>2</sub> emissions (by 40% by 2030 and by 75% by 2050 to 1990 levels) as well as an increase in the share of RES (to 32% of final energy consumption by 2030).<sup>954</sup> In this context, France also plans a reduction of the share of nuclear power from 75% to 50%, an undertaking that has so far gone along with the closure of several obsolete nuclear sites.<sup>955</sup> In the same spirit, it hosted the COP21 in 2015, one of the largest international conferences ever held in the country, leading to the signature of the Paris agreement. France only produces around half of all the energy it consumes and the rest is imported, a context in which notably its dependence on crude and derived products is extremely high.<sup>956</sup> Most of the crude imports come from Asia but the African continent acts as a main supplier too, with Algeria, Libya and Tunisia accounting for around 17%

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<sup>952</sup> A good example for this is Algeria. Indeed, whilst political energy relations often prove to be difficult in the Maghreb country, private sector cooperation works out well.

<sup>953</sup> [IEA](#) (Accessed on 25 March 2018).

<sup>954</sup> [French Ministry of Ecological and Solidary Transition](#) (Accessed on 13 March 2019).

<sup>955</sup> [French Ministry of Ecological and Solidary Transition](#) (Accessed on 20 December 2018).

<sup>956</sup> [IEA](#) (Accessed on 25 March 2018).

of the total supply.<sup>957</sup> This is partly due to France's historical interest and its traditionally strong foothold in the Mediterranean region.

### **French-Moroccan cooperation: strategic partners, despite up-and-down relationship**

Morocco not only has a privileged relationship with the EU but also with France in particular with which it is deeply entwined through political, economic and cultural ties due to both geographical proximity and historical legacy (in fact, notably the country's colonial past has been a driver of relations). As a result, of all the member states, France is clearly the one with the most influence upon Morocco and is, as has been shown before, one of the country's most important long-term allies when it comes to the Sahara question.<sup>958</sup> However, relations have often been complex in the past, notably when compared with Germany whose relationship with the Maghreb country has never been overshadowed by colonialism. For example, most recently, relations suffered cracks when Morocco decided to suspend all contact with France in February 2014 after the French police had come to the private residence of the Moroccan ambassador in Paris to inform him about a French court summons regarding a complaint of torture against Abdellatif Hammouchi, the Director of the Directorate of Surveillance of the National Territory (DGST)<sup>959</sup> (overall, it took almost one year for relations to return to normal in January 2015).<sup>960</sup> Prior to this, relations also suffered a significant setback when François Hollande decided to organise the first diplomatic visit after his election as French President in 2012 to Algeria, and not, as had been tradition for many years, to Morocco. Apart from these incidents though, Franco-Moroccan diplomatic ties are overall outstanding, with both countries considering each other as strategic allies which, apart from regular visits by the Heads of State (7 since 2015), is reflected in the fact that there are 6 French General Consulates in Morocco.<sup>961</sup> There is a great dependence with regards to migrant labour, with France accounting for one third of the Moroccan diaspora in Europe<sup>962</sup> and whilst Moroccan students make up for most of the foreign students in France, Morocco hosts the 2<sup>nd</sup> largest French school network worldwide.<sup>963</sup> France is one of the most important donors of Official Development Assistance (ODA), for example, the country transferred US\$ 537 million to Morocco in 2017, whereby the majority of assistance went to economic infrastructure projects (US\$ 253 million), four of which were dedicated to energy.<sup>964</sup> But also on the economic and commercial levels, relations are excellent and France is one of Morocco's leading private investors and trade partners. For example, in 2018 and with a share of 11.4% of total foreign investments into Morocco, the country was the biggest source of FDI after the UAE.<sup>965</sup> The majority of investments is generated in the automotive industry which has proven to be a particularly promising sector for French companies as demonstrated by Renault's investment in Tangier<sup>966</sup> and PSA Peugeot-Citroen's announced plans to invest in the country.<sup>967</sup> However, these success stories cannot conceal the fact that French FDI has declined considerably in recent years. Indeed, in 2009, France still accounted for around half of Morocco's

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<sup>957</sup> as of 2017. [OEC](#) (Accessed on 25 March 2019).

<sup>958</sup> In fact, France's support for Morocco as regards the Sahara is a decisive factor for its outstanding relationship with the country.

<sup>959</sup> The Directorate of Surveillance of the National Territory (DGST) is the Moroccan intelligence agency.

<sup>960</sup> HUBERT-RODIER Jacques (10 February 2015), France-Maroc, ou l'impossible rupture, [Les Echos](#) (Accessed on 01 October 2018).

<sup>961</sup> [France Diplomatie](#) (Accessed on 14 March 2019).

<sup>962</sup> [OECD](#) (Accessed on 26 March 2019).

<sup>963</sup> [France Diplomatie](#) (Accessed on 14 March 2019).

<sup>964</sup> [OECD](#) (Accessed on 10 April 2019).

<sup>965</sup> [Moroccan Exchange Office](#) (Accessed on 12 April 2019). Data for 2018 = preliminary.

<sup>966</sup> [Renault](#) (Accessed on 10 July 2017).

<sup>967</sup> ROUAUD Pierre-Olivier (20 April 2016), PSA au Maroc: démarrage mi 2016 des travaux de l'usine de Kenitra, [L'Usinenouvelle](#) (Accessed on 10 July 2017).

FDI, while in 2018 it was surpassed by the UAE.<sup>968</sup> Similarly, French trade dominance has been increasingly contested by Spain. In fact, whilst France used to be Morocco’s most important EU trading partner, this changed in 2013 when for the first time France ranked second to Spain.<sup>969</sup> Currently, France accounts for ~12% of Morocco’s imports and for 22% of its exports.<sup>970</sup>

**7.3.1.1 French energy governance towards Morocco**

Throughout this research, France has been identified as the most important European player in Morocco, in general and as regards energy and as with Germany and Spain (see following sections), energy cooperation mainly concentrates on renewables (see Table 15). For example, on September 17, 2015, France and Morocco signed a renewable energy cooperation agreement, covering institutional, technical and scientific aspects. However, overall, and notably compared with Germany, this does not imply reinforced cooperation in this regard, at least as far as the political level is concerned. Apart from renewables, France is the only EU member state to also focus on nuclear power which has been a priority of French-Moroccan energy cooperation in the past, with Morocco having sought to construct a nuclear power plant since the 2000s (see Table 15). In fact, in 2006, France, together with the US (which provided the technology), contributed to financing Morocco’s only research reactor to date, located in the Maamora research centre (Interview French Embassy, 2017). And in 2007, the French nuclear company Areva (now Orano) and the Moroccan phosphates company OCP – which had already been cooperating on a scientific level since 2005 – signed an MoU on the development of cooperation in the fields of natural uranium contained in phosphoric acid feedstock (phosphates).<sup>971</sup> Nuclear cooperation is not only scientific and industrial. On the contrary, in 2014, the Moroccan Parliament approved an agreement on the peaceful uses of nuclear energy signed with France in 2010.<sup>972</sup> France and Morocco also cooperate in research, with notably the French Alternative Energies and Atomic Energy Commission (CEA) being an important actor here. In July 2016, the CEA and MASEN signed an agreement on solar technologies,<sup>973</sup> and the French National Institute of Applied Sciences (INSA) opened a branch in Fes.<sup>974</sup>

**Table 15: France’s energy policy towards Morocco**

<b>Overall aim of energy policy</b>	<b>Energy security, competitiveness, sustainable development</b>
<b>Energy policy approach</b>	(Geo)political, economic and industrial approach
<b>Energy interest</b>	RES, energy efficiency, electricity, nuclear, gas, coal, environmental protection
<b>Financed by</b>	MEAE, MTES, AfD
<b>Managed by</b>	MEAE, MTES, AfD (GERES only to a certain extent)
<b>Ultterior motive</b>	(Geo) political interests (military, stability), economic growth, soft power

Source: Own elaboration based on empirical research.

<sup>968</sup> UNCTAD (Accessed on 14 March 2019).  
<sup>969</sup> partly due to lower French wheat exports and higher Spanish oil product exports. French Embassy to Morocco (Accessed on 26 March 2019).  
<sup>970</sup> OEC (Accessed on 26 March 2019).  
<sup>971</sup> AREVA (Accessed on 26 March 2019).  
<sup>972</sup> Sortir du nucléaire; Sortir du nucléaire (Accessed on 26 March 2019).  
<sup>973</sup> Renewables (Accessed on 26 March 2019).  
<sup>974</sup> French National Institute of Applied Sciences (Accessed on 26 March 2019).

Energy relations between France and Morocco are, just as for Germany, primarily bilateral, whereby, contrary to its European neighbour, France has not established a fixed political energy framework with Morocco but cooperation is framed by global government meetings on a higher level (*'elite interdependence'*) that take place *ad hoc* (Interview BMZ, 2017). In fact, French (energy) diplomacy is above all based on rigid hierarchical structures and negotiations primarily materialize at the level of the Prime Minister, with corresponding meetings, the so-called *Rencontres de Haut Niveau (RHN)* taking place every two years under the aegis of the Prime Minister and in the presence of numerous ministers from both countries.<sup>975</sup> The reason for this is that French energy interests are built upon both geopolitical and political interests and are not part of a separate but of a superordinate diplomatic strategy. Having a *'strong desire to re-establish a robust industrial base to its economy'* (SZULECKI, FISCHER, GULLBERG and SARTOR, 2016:556), the French governance approach is also highly market-oriented, whereby French energy companies do largely negotiate contracts on their own, i.e. without any external interference (JEGEN, 2014:17). Overall, France applying both a hierarchical and market-related mode of governance suggests a relationship of high and middle symmetrical interdependence. In fact, the more a third country depends on the EU or a member state, the higher is the latter's leeway as regards external governance, whereby the mode of governance depends very much on the nature of the relationship the actors in question have. If relations are characterised by high and asymmetrical interdependence, the most likely mode of governance is hierarchy. By contrast, in cases of high and symmetrical interdependence, market governance is the most likely mode. Finally, network governance rather occurs in cases of medium interdependence (LAVENEX and SCHIMMELFENNIG, 2009:803-804).

Whilst overall, French energy governance towards Morocco has been successful so far, it however faces several internal and external challenges. Internally, one major challenge interestingly (as it is also one of its greatest benefits) is the energy sector's strong connection to or interdependence with higher politics or policies. In fact, although energy is certainly always innately tied in with politics because of its large-scale procedure, France, partly due to its centralised administrative system, as well as for historical reasons, is a special case to look at. For example, after WWII, and in order to boost economic expansion, large parts of the French energy industry (EDF, GDF) were nationalised and despite a wave of liberalisation that occurred in the late 1980s/early 1990s, as of 2018, the French state held a share of 83.7% in electricity provider EDF,<sup>976</sup> and a 23.64% share in energy company Engie<sup>977</sup> (VIALLET-THEVENIN, 2015:469). Although up to the present, the French-Moroccan energy relationship has never been negatively impacted by this mixing of politics and business, the strong involvement with politics may, however, expose it to certain risks and make it susceptible to eventual interference. Another challenge in this context is France's role in the Sahara conflict and its relationship with Algeria. In fact, whilst France has, as shown, historically supported Morocco on this matter, in recent years, the French government has also increasingly shown interest in normalising its relations with its former colony Algeria. Externally, one main challenge lies within France's growing rivalry with Spain, which has undeniably strengthened its bonds with Morocco in recent years, be it in the area of security, migration or the economy. Here, the Iberian country has turned out to be a threat to French interests notably as regards trade, having replaced

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<sup>975</sup> The last meeting took place in 2017, a context in which around 22 partnership agreements were signed. [French Embassy to Morocco](#) (Accessed on 26 March 2019).

<sup>976</sup> [EDF](#) (Accessed on 11 April 2019).

<sup>977</sup> [Engie](#) (Accessed on 11 April 2019).

France as Morocco's main trading partner in 2013. By the same token, another although less apparent challenge at first sight, is the emergence of Germany as a more and more important actor in the Moroccan energy sector. Indeed, as will be elaborated more in detail in the following, Germany is not only a vital actor in the development sector but has also evolved into a main actor as regards the financing of large-scale energy projects in Morocco. Finally, another challenge for France's role as a nuclear power is the entrance of other nuclear powers into the Moroccan energy market, such as China or Russia.

### 7.3.1.2 Institutional overview and key actors

In an environment of rivalry, internal competition, i.e. competition between different national stakeholders plays an important role, whereby according to Duke (2006:14), other than the Foreign Ministries, the Ministries of Economy or the development and the environment may equally have some legitimate external relations interests. Nuttall (1993:138) writes on this topic: *'The problem [of consistency] cannot be solved only, or even principally, within the Union itself. It stems from the separate responsibilities of the different national Ministries, each of which will use the framework of the Union as a means of escaping from the supervision of its fellow Ministries at home. Rivalries between the political and economic sections of the Foreign Ministries and between the Foreign Ministries and other Ministries will come to the fore. The way in which the Member States organize themselves at home is a problem which must be tackled in parallel with the organization of the Union.'*

As this suggests, there are two main actors as regards national policymaking: 1) the Foreign Ministry, which, represented by the Permanent Representation in Brussels,<sup>978</sup> plays the most important monitoring and coordination role, and 2) a so-called 'lead' Ministry which depends on the subject matter<sup>979</sup> and which is in charge of the coordination with the Foreign Ministry, as well as between the Foreign Ministry and other Ministries (see Figure 31). Here, each Ministry usually disposes of a 'European' division, i.e. a division that takes care of the coordination with EU institutions, notably the Commission's DGs, whereby one aim is to 'europeanise', i.e. to make use of the European frame for the implementation of projects. These divisions play an active role in *'interpreting, understanding and making technical suggestions in their respective fields of competence'*, with the purpose of making sure that before going into Council negotiations, national policies are aligned with EU policies (DUKE, 2006:14-16). For instance, on the national level, France has set up the Secrétariat général des affaires européennes (SGAE) to coordinate its European policy and come up with a consistent policy.<sup>980</sup> Finally, there are domestic interest groups, which may make coordination difficult as they may undertake *'direct lobbying at the European level when they believe their government does not hold their position or will not defend their interests and that the Commission will'* (DUKE, 2006:14).

No matter which Ministry takes on the role of lead actor, the Ministry of Foreign Affairs will always serve as the key coordinator, *'carrying the main responsibility for preparing and presenting national positions not only on a day-to-day basis but also Council meetings and intergovernmental conferences'* (DUKE, 1999:15). This gate-keeping role is even more important

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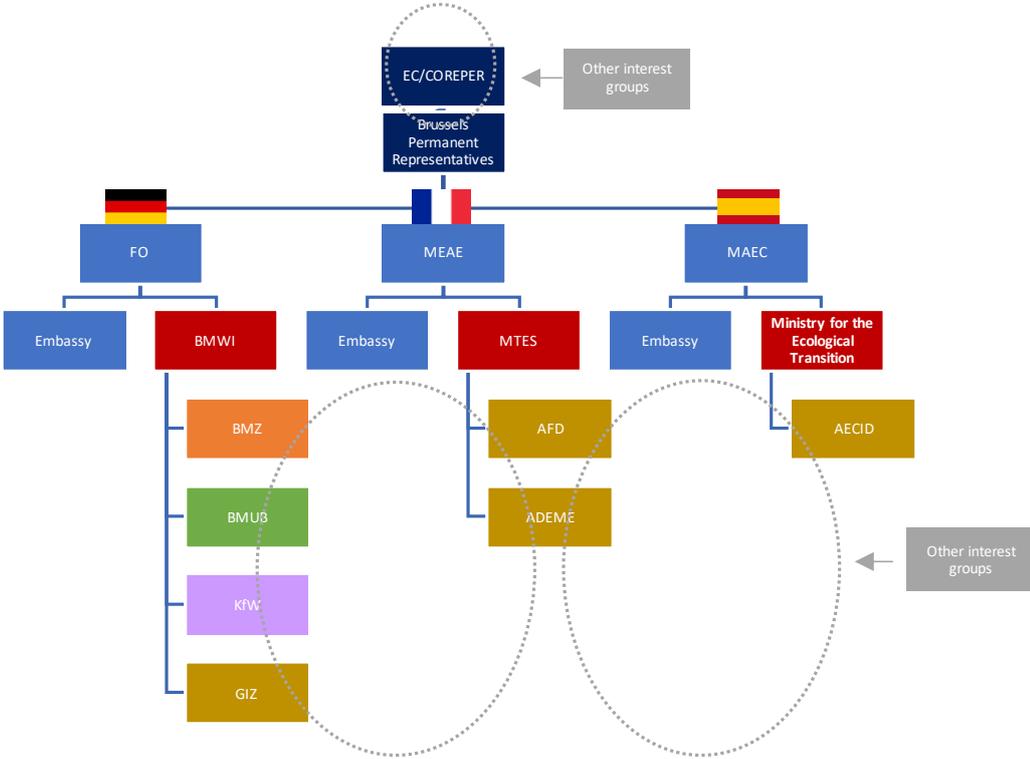
<sup>978</sup> According to Duke (2006:16), the Permanent Representation in Brussels has a sort of gatekeeper role, as it disposes of numerous contacts in the Commission.

<sup>979</sup> In many cases, it is the Ministry of Economy.

<sup>980</sup> SGAE (Accessed on 10 April 2019).

in that the member states 'not only have to coordinate their initiatives and responses within their own bureaucracies, as well as between themselves, but they also have to deal with the Commission as in many respects a co-equal' (DUKE, 1999:18). However, and as will be shown, in some cases domestic interest groups may directly initiate negotiations or contact the EU institutions, partially rendering the Foreign Affairs Ministry's gate-keeping function obsolete.

**Figure 31: Bilateral coordination of national external energy policies**



Source: Own elaboration based on empirical research.

In the case of France, and as will be laid out in the following, there is wide range of actors contributing to French energy governance towards Morocco, with responsibilities spread across two ministries (MEAE, MTES) and two agencies (ADEME, AFD). This implies that French energy governance towards Morocco is rather more centralised compared to the German governance system, for example.

**Ministry for Europe and Foreign Affairs (MEAE), Ministry of Ecological and Solidary Transition (MTES) and French Embassy to Morocco**

As highlighted by Jegen (2014:17), 'France has a large diplomatic service, which deals with all issues, including with energy policy'. In this context, the main actors on the EU and national levels as regards steering the direction of French energy policies towards Morocco are the Ministry for Europe and Foreign Affairs (MEAE) and the Ministry of Ecological and Solidary Transition (MTES) and most of the energy cooperation between France and Morocco is channeled through these institutions. On the local level, the MEAE is supported by the French Embassy to Morocco

which plays a key role in the promotion of French energy interests internationally. In this respect, it works closely with the Moroccan Ministry of Foreign Affairs and Cooperation.<sup>981</sup>

### **Environment & Energy Management Agency (ADEME)**

Alongside the MEAE and the MTES, the Environment & Energy Management Agency (ADEME) which closely operates with the MTES, is another important actor in the governance of energy policies, with its aim being the implementation of France's energy and ecological transition policies. More specifically, ADEME is '*active in the implementation of public policy in the areas of the environment, energy and sustainable development*', and '*provides expertise and advisory services to businesses, local authorities and communities, government bodies and the public at large, to enable them to establish and consolidate their environmental action*'.<sup>982</sup> In this regard, it '*supports French delegations and represents France in various agreements that aim to strengthen international commitment to sustainable development*'.<sup>983</sup> Made up of several regional divisions, it contributes to financing projects, whereby it focuses on renewable heat and waste prevention and management, with one recurrent topic of interest being, for example, energy-efficient buildings. On the local level, ADEME closely cooperates with AMEE (former ADEREE) with which it signed a cooperation agreement for the first time in 2010 and which was renewed in 2015.<sup>984</sup>

### **French Development Agency (AFD)**

Another, if not the most important actor on both the EU and local levels, at least as far as functional aspects are concerned, is the French Development Agency (AFD) which is owned by the French state and has the legal status of a public bank. Through the AFD, France has been operating in Morocco since 1992 and of all the partner countries, Morocco is the first recipient country of the agency's financing activity.<sup>985</sup> In this regard and with respect to energy, the AFD works in close cooperation with both MASEN and ONEE (Interview AFD, 2016). For example, during the last RHN round, it signed a financial protocol with MASEN on the strengthening of the French-Moroccan partnership as regards solar energy.<sup>986</sup> The main areas of interest here are energy production, especially from renewables (as mirrored for example in the signature of a letter of intention regarding the launch of training centres relative to RES and energy efficiency in 2011),<sup>987</sup> as well as electric transport, i.e. infrastructures and connections (Interview AFD, 2016). In these segments, the agency is responsible for both financial and technical assistance, whereby financial support largely dominates (Interview AFD, 2016) and whilst this kind of support is not subject to any conditionality, it is however often linked to climate objectives (Interview AFD, 2016).

In fact, the AFD regularly provides loans for energy projects, particularly regarding RES and energy efficiency or projects related to the fight against climate change, a context in which it almost exclusively finances public projects (Interview AFD, 2016). For example, it contributed to financing the first phase of Ouarzazate (NOOR I) with € 100 million, and the second phase (NOOR II & III) with € 50 million (see Table 16). It also awarded a subsidy of € 300,000 to

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<sup>981</sup> [French Embassy to Morocco](#) (Accessed on 26 March 2019).

<sup>982</sup> [ADEME](#) (Accessed on 26 March 2019).

<sup>983</sup> [ADEME](#) (Accessed on 27 March 2019).

<sup>984</sup> [ADEME](#) (Accessed on 27 March 2019).

<sup>985</sup> [French Embassy to Morocco](#) (Accessed on 26 March 2019).

<sup>986</sup> [French Embassy to Morocco](#) (Accessed on 27 March 2019).

<sup>987</sup> [French Embassy to Morocco](#) (Accessed on 26 March 2019).

MASEN for conducting several studies, for example, on the socio-economic impacts of Ouarzazate or on technical, economic, financial and judicial aspects of the export of green electricity in the framework of Article 9 of the European Energy and Climate Directive (2009/28/CE). Contrary to the KfW, the AFD is not involved in Morocco's Wind Programme (Interview AFD, 2016), however, it contributed to financing the first and third phases of the Reinforcement of Electricity Transmission Programme (Réseaux I and III), in which it also served as a leader (Réseaux III), next to other funders. Moreover, between 1996 and 2009, it supported Morocco's Rural Electrification Programme (PERG) with various electricity infrastructure projects, among others the improvement of connections between Morocco and Spain as well as between Morocco and Algeria.<sup>988</sup> Finally, it also indirectly financed the Tanger wind park with € 15 million via the French company EDF. And, last but not least, its latest project has been a € 10 million loan to IFMERE in whose creation it has been actively involved along with the EU and the GIZ.<sup>989</sup>

As already mentioned before, the AFD regularly cooperates with the German Reconstruction Loan Corporation (KfW) and the EIB under the NIP and on the national level, it coordinates with the French Ministry for Economy and Finance (MINEFI) which in turn coordinates with the MEAE.<sup>990</sup>

**Table 16: AFD energy projects in Morocco**

Timeframe	Project description	Project value (in €)	Partner institutions France/EU	Partner institutions Morocco
2018	ECODEV	1,848,474	GERES	diverse
2015	IFMERE	10,000,000	EU, GIZ	MEN
2011-2016	Accompanying the thermal solar plant Ouarzazate (NOOR I)	150,000,000	EIB, BMUB, BMZ, KfW	MASEN
2012	Reinforcing the Electricity Transmission System (Réseaux III)	57,000,000	EIB, EC (NIF), KfW	ONEE
1996-2009	Supporting the Global Rural Electrification Program (PERG)	240,000,000	EIB	ONEE
2007	Reinforcing the Electricity Transmission System (Réseaux I)	50,000,000		ONEE
2002	Reinforcing the Electricity Interconnection between Morocco-Spain and Morocco-Algeria	50,000,000	EIB	ONEE
1999	Accompanying the wind farm Tanger	15,000,000	EIB	ONEE
<b>Total</b>		<b>572,000,000</b>		

Sources: Own elaboration based on information from the AFD.

### **Group for Environment, Renewable Energies and Solidarity (GERES)**

In addition to the AFD, France is active in Morocco via the non-governmental association Environment, Renewable Energies and Solidarity (GERES) which in turn closely cooperates with ADEME. With the aim of accelerating the energy transition, the GERES has been primarily focusing on RES or the sustainable management of biomass energy, as well as on the energy efficiency. For example, the association concentrates on the reduction of wood consumption in

<sup>988</sup> [French Embassy to Morocco, AFD](#) (Accessed on 29 July 2017).

<sup>989</sup> [Energymed](#) (Accessed on 04 June 2017).

<sup>990</sup> [OECD](#) (Accessed on 26 March 2019).

hammams. Overall, the association is mainly responsible for smaller projects and works a lot with micro-credits.<sup>991</sup> In Morocco, it works closely with the AMEE.

### **The French industry**

The industry or private companies are key players when it comes to external energy relations, a context in which they pursue their own energy ambitions and might not always be aligned with their government's interests and policies (see the North Stream 2 pipeline, for example). As for France, the country has been present in Morocco via its private energy sector which '*negotiates contracts on [its] own*' (Jegen, 2014:17), whereby, contrary to Spain, private cooperation mainly involves big companies to the detriment of Small and Medium-sized Enterprise (SMEs) (see Table 17). In fact, considering Morocco as an entry point for Africa, these companies use the country as a launching pad, for example, by investing in Africa alongside local companies. One important player in this regard since 1980 has been Engie, formerly known as GDF Suez. For example, in a 50:50 JV with Nareva Holding, Engie built the Tarfaya wind farm, Africa's largest wind park, with a capacity of 301 MW provided by 131 wind turbines. Via its subsidiary LCV Morocco, Engie also participated in the construction of the two wind farms Koudia el Baida and Lafarge (60.2 MW in total). Further, via its subsidiary Safi Energy Company S.A. (SAFIEC), which it holds together with Nareva Holding and Japanese Mitsui & Co. Ltd., it also participated in the building of the Safi thermal power plant. Including two thermal power generation units with a capacity of 293 MW each, the construction of the plant was entrusted to South Korean Daewoo.<sup>992</sup> Whilst for the moment Engie is, apart from Morocco, only present in South Africa, the company, however, seeks to expand its activities in Africa, especially in view of the continent's low electrification rate, plans in which its presence in Morocco might indeed serve as a catalyst.<sup>993</sup> In this light, in June 2016, Engie and Nareva Holding signed a cooperation agreement for the development of energy projects in North and West Africa.<sup>994</sup>

Apart from Engie, EDF entered the market in 2012 by winning the tender for the construction of the 150 MW Taza wind farm (whose wind turbines will be provided by French Alstom) in a 50:50 JV with Mitsui & Co. Ltd. Commissioning is planned for 2034.<sup>995</sup> Other than energy production, French companies are also very active when it comes to energy infrastructure. For example, French technology company ABB supplied the Jorf Lasfar Energy Company, the leading private power station and subsidiary of TAQA Group generating over 50% of the national electricity needs, with control rooms and systems.<sup>996</sup> Total, another major energy player in France, signed a contract with Morocco in 2001 (KEENAN, 2013:291) to explore oil off the Sahara coast, alongside US Kerr McGee. However, the company withdrew from the region in 2004, presumably because of the delicate political situation in the Sahara.<sup>997</sup>

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<sup>991</sup> [GERES](#) (Accessed on 26 March 2019).

<sup>992</sup> [ENGIE](#) (Accessed on 29 July 2017).

<sup>993</sup> [L'Economiste](#) (Accessed on 29 July 2017).

<sup>994</sup> [ENGIE](#) (Accessed on 29 July 2017).

<sup>995</sup> [EDF, DoingBusiness](#) (Accessed on 26 March 2019).

<sup>996</sup> [ABB](#) (Accessed on 11 April 2019).

<sup>997</sup> WATKINS Eric (25 October 2018), Kerr-McGee to continue work off Morocco, [OGI](#) (Accessed on 06 October 2018).

**Table 17: French energy companies active in the Moroccan energy sector**

Company	Project	Energy source
ENGIE	Thermal power plant Safi (586 MW)	Coal, gas
ENGIE	Wind farm Tarfaya (301 MW) (50% stake)	Wind
ENGIE	Wind farms Koudia el Baida and Lafarge (60.2 MW)	Wind
EDF	Wind farm Taza (150 MW) (50% stake)	Wind
ABB	Control room and system Jorf Lasfar	Infrastructure

Source: Own elaboration based on information from French energy companies.

### 7.3.2 Case II: Spain

With an energy consumption of around 82,2 million toe in 2016, Spain has a rather low gross inland consumption of energy within the EU when compared to France, with its primary energy supply being dominated by crude oil (~53%), natural gas (~22%), nuclear power (~12%) and renewables (~7%).<sup>998</sup> The country is a strong advocate of green energy policies and whilst it had been subsidising solar and wind power since 2004, it saw itself forced to cut subsidies with the outbreak of the financial crisis in 2009. However, it now seeks to attract investors again, with the purpose of achieving a 100% renewable electricity supply by 2050 and of cutting CO<sub>2</sub> emissions by 90%.<sup>999</sup> Like France, Spain produces less than half of all the energy it consumes and thus heavily relies on imports, particularly crude oil.<sup>1000</sup> Most of the imports come from Africa, with Libya, Algeria and Egypt accounting for around 36% of this supply.<sup>1001</sup>

#### **Spanish-Moroccan cooperation: privileged partners, but relationship characterised by an asymmetrical balance of power**

Just as with France, Morocco has a privileged relationship with Spain which has a visible influence in history, culture, art and culinary tradition and, dating back to the 8<sup>th</sup> century, relations are based on strong historical ties, with both countries sharing similar political<sup>1002</sup> and economic interests. Bound to each other by a Treaty of Friendship signed in July 1991,<sup>1003</sup> relations have, however, undergone several crises over a series of matters in the past and have sometimes even been marked by violence.<sup>1004</sup> On the whole, so Abourabi (2015:572), they are characterised by an asymmetrical balance of power and are highly sensitive to public opinion and media attention (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:53, 58).

As indicated before, the biggest source of conflict by far is territorial affairs, with the relationship between the two Kingdoms '*gravitat [ing] around the legacy of the protectorate*', as formulated by Stenner (2019:11). In fact, the enclaves Ceuta and Melilla are, as mentioned before, still under Spain's sovereignty, and so are the Alhucemas Islands (close to the town of Al Hoceima) and the Perejil or Tura (in Arabic) Island, a circumstance that Morocco contests and that has regularly

<sup>998</sup> IEA (Accessed on 25 March 2018).

<sup>999</sup> HOOK, Leslie (04 December 2018), Spain unveils ambitious green energy plan: Madrid aims to produce all electricity from renewables by 2050 and cut emissions by 90%, *Financial Times* (Accessed on 27 March 2019).

<sup>1000</sup> IEA (Accessed on 25 March 2018).

<sup>1001</sup> as of 2017. OEC (Accessed on 25 March 2019).

<sup>1002</sup> for example, security and the fight against terrorism, as well as migration.

<sup>1003</sup> FARHANE Mohammed (20 November 2018), Maroc-Espagne, une coopération qui passe à la vitesse supérieure, *2M* (Accessed on 29 March 2019).

<sup>1004</sup> For example, in the 17<sup>th</sup> and 18<sup>th</sup> century, both countries were involved in military fights over Kenitra, Tanger, Larache, Ceuta and Melilla (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:17).

led to diplomatic tensions (GILLESPIE, 2013:49; ABOURABI, 2015:590). For example, when Spanish Prime Minister José María Aznar visited Ceuta and Melilla in 2000, Morocco called back its ambassador to Spain and relations remained tense for about 3 years. When the Royal couple of Spain visited Ceuta and Melilla in 2007, this caused renewed strains (ABOURABI, 2015:572; STENNER, 2019:9).<sup>1005</sup> Another incident, possibly better known to the public, was the so-called Perejil Island crisis that occurred in 2002. A small, uninhabited rock located in the Mediterranean about 8 km from Ceuta and at around 200 meters off the Moroccan coast, this island is a disputed territory whose Spanish sovereignty is contested by Morocco.<sup>1006</sup> The crisis of 2002 erupted when Moroccan police landed on the rock with the intention of establishing a base-camp for security (migration, drug trafficking) purposes. Although this intervention did not last long, ending with their expulsion by Spanish security forces after only 9 days, the crisis highlighted the EU's incapacity to '*Speak with one Voice*' on foreign policy issues. Whilst the EU and most of the member states affirmed their support for Spain, France and Portugal abstained.<sup>1007</sup> In addition to this, Morocco and Spain are engaged in recurrent conflicts over maritime borders and territorial waters in the Atlantic Ocean, notably regarding the maritime line between the Canary Islands and Morocco, a context in which they regularly argue about marine resources, above all oil and fish. Another point of dispute is security, with one example here being the participation of Moroccan citizens in the terrorist attacks in Madrid (2004) and Barcelona (2017) (STENNER, 2019:10), whereby it must be mentioned that both countries closely cooperate on that matter. Finally, migration is equally putting strains on relations, primarily because both countries are part of an important migration route and serve as a gateway to Europe for migrants. And whilst both countries thus play an important role in the management of migrants, Morocco has lately been accused of having allowed migrants to cross its borders, using its border control powers as leverage in negotiations with the EU.<sup>1008</sup> Apart from the geopolitical or political spheres, tensions also persist on the economic level, where the two countries compete in the agricultural sector as they both highly depend on revenues generated from fruit and vegetable exports to Europe. Competition also prevails in the fishing sector and the fact that Spain is the biggest producer and consumer of sea products within the EU, means that the country highly depends on the exploration of and expansion into the waters of other countries, including those of Morocco. However, the presence of Spanish vessels in Moroccan waters has regularly sparked conflicts in the past and in view of its own dependence on the sector and difficulties in the bilateral relationship, Morocco has been progressively reducing the granting of fishing licenses. Finally, industrial relocation is another issue, as it is considered to pose a threat to Spanish employment by some (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:67-69).

However, despite the complexity of the Iberian-Maghribi relations outlined above (GILLESPIE, 2013), Spain continues to favour Morocco as a partner in North Africa which is reflected, amongst other things, in more than 105 bilateral treaties (MOUFTI, 2015:4). This is all the more important as Spain seeks to maintain control over its enclaves Ceuta and Melilla as well as access

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<sup>1005</sup> Finally, most recently, Morocco's unilateral shut-down of its commercial borders with Melilla (an attempt to prevent smuggling) led to outcries on the part of policymakers, demanding the central government in Madrid to revise the Treaty of Friendship of 1991 to include the claims of Ceuta and Melilla, a demand that was however rejected by Madrid. ALI Amal Baba (01 February 2019), *Traité d'Amitié et de Voisinage. Madrid dit 'non' à Sebta et Melilla*, [LesEco](#) (Accessed on 29 March 2019).

<sup>1006</sup> In fact, according to Morocco, Perejil island is part of the Moroccan territory, whereas in the opinion of Spain, the island has a special status and should not be physically occupied by either Morocco or Spain (ABOURABI, 2015:573).

<sup>1007</sup> Similarly, Morocco received support from the League of Arab States (LAS), but not from Algeria (ABOURABI, 2015:572).

<sup>1008</sup> HARRIS Chris, RODRIGUEZ MARTINEZ Marta, MONTALTO MONELLA Lillo (08 August 2018), Did Morocco let more migrants make dangerous Spain crossing?, [Euronews](#) (Accessed on 12 April 2019).

to the resources of the Sahara.<sup>1009</sup> Moreover, there are around 1 million Moroccan migrants living in Spain<sup>1010</sup> (ZOUBIR, 2007:171-172), with one main objective in this regard being the achievement of stability and prosperity in the region (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:46),<sup>1011</sup> be it through development or economic cooperation. In fact, both countries are bound to each other by very strong commercial and economic ties which are supported by a strong regulatory framework (Foreign Investment Promotion and Protection Agreement of 1997...). Indeed, having accounted for 18% of Morocco's exports, and for 14% of its imports in 2013, Spain first surpassed France as its most important EU trading partner and commerce has been growing ever since (to 22% and 24% in 2017, respectively).<sup>1012</sup> Also, steadily seeking to step up its investments,<sup>1013</sup> Spain is Morocco's second most important EU investor after France, having accounted for 10.2% of Morocco's overall FDI in 2018.<sup>1014</sup> By contrast, development aid is, compared to France, rather low (MOUFTI, 2015:10). As this suggests, Morocco clearly represents an emerging market for Spain<sup>1015</sup> and, thanks to its strategic position, serves as an entrance point for Spanish companies looking for business opportunities beyond North Africa. In this context, energy plays a key role and Morocco is considered a strategic partner with oil products being the most traded commodity between the two countries. Morocco accounted for 8.7% of Spain's oil product exports in 2017,<sup>1016</sup> whilst vice versa, Spain accounted for 30% of Morocco's oil product imports.<sup>1017</sup> Further, Spain exports electricity to Morocco, accounting for around 95% of Morocco's electricity imports, with most of this electricity being produced from renewables in Andalusia. It is the only EU country physically connected to Morocco through a gas pipeline (Maghreb-Europe) and two submarine power cables providing a maximum capacity of 1,400 MW.<sup>1018</sup> They went into operation in 1998 and 2007 respectively, and since 2009, both countries have been interested in the possibility of setting up a third cable to increase the overall capacity to 2,100 MW (from 1,400 MW). A corresponding MoU between the Spanish Ministry for the Ecological Transition and MEM was signed in February 2019<sup>1019</sup> and the development of the cable which is planned to enter into service by 2026, has been entrusted to the Spanish electricity system operators Red Eléctrica Española (RED) and ONEE.<sup>1020</sup> Being synchronised with the European high-voltage transmission

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<sup>1009</sup> Conversely, Spain acts as an important ally and partner within the EU.

<sup>1010</sup> [OECD](#) (Accessed on 30 March 2019).

<sup>1011</sup> In this regard, and with both countries being key transit routes, Spain has regularly urged the EU to enhance cooperation on migration with Morocco. TEEVAN Chloe (30 June 2019), EU-Morocco: a win-win partnership?, [Moroccan Institute for Policy Analysis](#) (Accessed on 16 November 2019).

<sup>1012</sup> In this context, declining oil prices, reducing Morocco's energy bill, and rising exports, notably of oil products (partly stimulated by a recovery of the Eurozone, notably in Spain) played an important role. [Moroccan Ministry for Economy and Finance](#) (Accessed on 27 March 2019); [Spanish Ministry of Foreign Affairs and Cooperation](#) (Accessed on 27 March 2019).

<sup>1013</sup> Overall, Morocco is the African country that benefits most from Spanish investment. In fact, subsequent to Spain's economic crisis, a process of externalisation of Spanish companies has started which, despite the country's economic recovery, continues to intensify. For example, whilst there are currently around 40,000 Spanish companies involved in trade with Africa, 1,500 are physically established on the continent, of which 800 are in Morocco. (02 July 2019), España quiere elevar sus inversiones en Marruecos al nivel de su comercia, [El Economista](#) (Accessed on 10 November 2019); (21 November 2016), Spanish companies work increasingly and better in Africa, [The Diplomat](#) (Accessed on 13 April 2019).

<sup>1014</sup> [Moroccan Exchange Office](#) (Accessed on 12 April 2019). Data for 2018 = preliminary.

<sup>1015</sup> In this context, Spain has two Chambers of Commerce in Morocco, one in Casablanca and one in Tangiers, whose aim is the exchange of information and experience. [Spanish Chamber of Commerce in Casablanca](#); [Spanish Chamber of Commerce in Tangiers](#) (Accessed on 27 March 2019).

<sup>1016</sup> [IAE](#) (Accessed on 28 March 2019).

<sup>1017</sup> [OEC](#) (Accessed on 26 March 2019).

<sup>1018</sup> [Red Electrica de Espana](#) (Accessed on 28 March 2019).

<sup>1019</sup> [RTVE](#) (Accessed on 11 November 2019).

<sup>1020</sup> In this context, the setting-up of a Monitoring Committee, to be chaired by the respective Energy Ministers, is planned, with meetings to take place twice a year. [Spanish government](#) (Accessed on 11 April 2019).

network, the goal is to exchange electricity and to enhance security of supply, with Spain positioning itself as an ‘electricity corridor’ here.<sup>1021</sup>

### 7.3.2.1 Spanish energy governance towards Morocco

As regards energy, this research has identified Spain as one of the most important European players in Morocco and, as shown before, the Iberian country is an important source of refined products and electricity for the Maghreb Kingdom, a context in which both countries have regularly confirmed their desire to continue cooperating on energy and electricity connections (see Table 18). For example, apart from having agreed on the construction of a third power line, they have also decided to set up various working groups on renewables and gas<sup>1022</sup> and in November 2016, they signed an agreement (together with Portugal, France and Germany) aimed at facilitating the exchange of electricity from renewables between their borders.<sup>1023</sup> As mentioned before, in recent years, the idea of developing a more integrated regional electricity market has been more and more replaced by previous plans to transform Morocco into a ‘green’ electricity exporter to the EU. In fact, in the 2000s, the Kingdom had increasingly shown interest in the provisions of EU Directive 2009/28/EC of 23 April 2009, and the possibility it affords to export renewables to the EU (see the MSP). However, since the Directive does not allow any virtual, i.e. statistical transfers of green certificates, and as Spain has been struggling with overcapacity ever since the global economic crisis (along with some sort of ‘renewables fatigue’), these plans have not borne any fruits.<sup>1024</sup> Consequently, so far, the level of energy exchange from Morocco to Spain is still very low, not representing even one percent of the level of exchange from Spain to Morocco.<sup>1025</sup> Therefore, Spanish-Moroccan energy cooperation also focuses on electricity generation in Morocco itself,<sup>1026</sup> whereby renewables have been identified as a key sector for future bilateral collaboration. Indeed, as stated by Amirah-Fernandez (2015:51), one of Spain’s greatest geopolitical realities is the country’s proximity to North Africa’s renewables. Finally, and as indicated before, gas is also a focus and the Spanish government has, for example, financed the Ain Beni Mathar power plant (solar, gas) with € 100 million, just as Tanger.<sup>1027</sup>

**Table 18: Spain’s energy policy towards Morocco**

Overall aim of energy policy	Energy security, competitiveness, sustainable development
<b>Energy policy approach</b>	(Geo)political, economic and industrial approach
<b>Energy interest</b>	RES, energy efficiency, electricity (+interconnection), refined oil, gas, environmental protection
<b>Financed by</b>	Ministry of Foreign Affairs, Ministry of Energy, Tourism and the Digital Agenda
<b>Managed by</b>	Ministry of Foreign Affairs, Ministry of Energy, Tourism and the Digital Agenda
<b>Ultior motive</b>	(Geo) political interests (military, stability), economic growth, soft power

Source: Own elaboration based on empirical research.

Relations are founded on (geo)political interests as well as on economic needs and cooperation is carried out on a high-level, with meetings taking place at the government/royalty and

<sup>1021</sup> [MedReg](#) (Accessed on 28 March 2019).

<sup>1022</sup> [Spanish Ministry of Foreign Affairs, European Union and Cooperation](#) (Accessed on 28 March 2019).

<sup>1023</sup> [Smartgridsinfos](#) (Accessed on 28 March 2019).

<sup>1024</sup> [IAE](#) (Accessed on 28 March 2019).

<sup>1025</sup> [MedReg](#) (Accessed on 27 March 2019).

<sup>1026</sup> [Inversion finanzas](#) (Accessed on 27 March 2019).

<sup>1027</sup> [WB](#) (Accessed on 27 March 2019).

ministerial levels (*'elite interdependence'*).<sup>1028</sup> In fact, like France, Spain places relations in a global strategic cooperation framework for the purpose of integrating other fields of interest such as mining and sustainable development.<sup>1029</sup> By contrast, it must be noted that despite a wide range of bilateral energy business initiatives, the political bilateral energy relationship between Spain and Morocco is primarily framed by EU Directives such as the Directive 2009/28/EC of 23 April 2009 and overall, the Spanish approach is highly market-oriented with the Spanish energy industry enjoying a strong presence in Morocco.

However, and as is the case for France, there are several factors that weigh heavily in Spanish energy governance towards Morocco, the issues being of both (geo)political or economic nature. The most important point of conflict are territorial disputes (Ceuta, Melilla) and the Sahara question, with one important issue being Spain's ambiguous position as regards an agreement between the Moroccan government and the Polisario which enjoys the support of some Spanish parties (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:59; GILLESPIE, 2013). Further tensions persist because of migrant and (drug) trafficking (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:63; MOUFTI, 2015:15). Trade is also a source of tension, notably as regards agriculture and fishing which is closely linked to maritime conflict (BENLABBAH, EL GHISSASSI, AKMIR, DKHISSI and BAROUKI, 2012:66). On the economic side, one key challenge to Spanish energy governance towards Morocco is the strong presence of France, which is notably a threat to Spain's industrial competitiveness, another is the emergence of third players on the terrain in general. One issue here is that although Spanish companies have a strong industrial foothold in the Moroccan market, project financing is primarily carried out by other actors, notably France and Germany or the Gulf countries. Indeed, institutional cooperation is limited and, apart from the AECID and with the CGEM, it principally takes place between the ADEREE and the Spanish Institute for Diversification and Saving of Energy (IDAE), the Energy Catalan Institute (ICAEN) and the Andalusian government as well as the government of the Canary Islands.<sup>1030</sup> R&D cooperation is coordinated by IRESEN.<sup>1031</sup>

### **7.3.2.2 Institutional overview and key actors**

Like for France, and as will be laid out in the following, the responsibilities for Spanish energy governance towards Morocco are shared by two ministries (the MAEC and the Ministry for Ecological Transition) and one agency (AECID). Therefore, Spanish energy governance towards Morocco is, just as French governance, rather centralised.

#### **Ministry of Foreign Affairs and Cooperation (MAEC), Ministry for Ecological Transition and Spanish Embassy to Morocco**

The main actors on the EU and national levels as regards steering the direction of Spanish energy policies towards Morocco are the Ministry of Foreign Affairs and Cooperation (MAEC) and the Ministry for Ecological Transition with most of the energy cooperation between Spain and Morocco being channeled through these institutions. On the local level, the Spanish Embassy to Morocco provides support to the Ministry of Foreign Affairs, European Union and

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<sup>1028</sup> MEM (Accessed on 28 March 2019).

<sup>1029</sup> MEM; MEM (Accessed on 28 March 2019).

<sup>1030</sup> ADEREE (Accessed on 27 March 2019).

<sup>1031</sup> IAE (Accessed on 27 March 2019).

Cooperation. In this regard, it works closely with the Moroccan Ministry of Foreign Affairs and Cooperation.

### **Spanish Agency for International Development Cooperation (AECID)**

At the agency level, the Spanish Agency for International Development Cooperation (AECID) – Spain’s main instrument for cooperation –<sup>1032</sup> is the most important actor. Via the AECID, and together with the MEM (and the Moroccan Ministry of Industry, Commerce, Investment and Digital Economy), the Spanish government, under the Master Plan of Spanish Cooperation 2013-2016, considering Morocco as an associated country, has identified economic development as a priority axis for Spanish-Moroccan cooperation.<sup>1033</sup> Whilst in this context, one focus is on the green economy, with Spanish companies supporting Morocco’s progress regarding renewables and energy efficiency,<sup>1034</sup> the AECID, however, does not directly support Morocco with loans in the energy sector as this is not part of the agency’s cooperation focus in the Maghreb country (Interview AECID, 2017).

### **The Spanish industry**

Given that Spanish energy companies – primarily SMEs (see Table 19) – dispose of high technology know-how in both the electricity and renewables sectors, they are very present in Morocco and cooperation with the Moroccan Confederation of Business Associations (CGEM) is close. Most importantly, in 2013, the Saudi power generation company ACWA awarded construction contracts for the first phase of Ouarzazate to the Spanish companies Acciona, Sener and TSK (see Table 20).<sup>1035</sup> Whilst Acciona and TSK were only involved in NOOR I, Sener will also be involved in Ouarzazate’s remaining two construction phases.<sup>1036</sup> Similarly, Spanish Gamesa was also involved in the construction of the Tangiers wind farm, which was partly financed by the Spanish government with € 100 million<sup>1037</sup> and also installed the park’s 165 wind turbines (for whose maintenance it is also responsible). Apart from Tangiers, Gamesa also installed wind turbines in Tarfaya (300 MW), Essaouira (60 MW) and Haouma (50 MW).<sup>1038</sup> Here, it must be stated, that electricity cooperation is not limited to RES exclusively but open towards fossil energy sources and overall, Spanish companies are very active in Morocco’s gas sector. For example, Spain, via the company Abengoa (or its subsidiary Abener) which has been active in Morocco since the 1970s, constructed and operates the 470 MW Ain Beni Mathar combined cycle power plant (gas, solar)<sup>1039</sup> and has also been involved in the operation of the Tahaddart gas power plant (through Endesa’s 32% participation interest).<sup>1040</sup> Further, the Moroccan section of the Maghreb-Europe pipeline is operated by Metragaz and EMPL, both subsidiaries of the Gas Natural Fenosa which holds shares of 72.3% and 72.6% in each company respectively. Gas Natural Fenosa also participates actively in gas exploration activities in Morocco and has a 24% participation interest in the Tangier-Larache offshore gas field which used to be operated by Repsol through a 36% stake (other partners are Morocco’s ONHYM with

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<sup>1032</sup> Spanish-Moroccan cooperation is framed by the Basic Agreement on Technical Scientific Cooperation of 1979. [AECID](#) (Accessed on 27 March 2019).

<sup>1033</sup> [Spanish cooperation](#) (Accessed on 29 March 2019).

<sup>1034</sup> [AECID](#) (Accessed on 27 March 2019).

<sup>1035</sup> [Acciona](#) (Accessed on 27 March 2019).

<sup>1036</sup> [Sener](#) (Accessed on 27 March 2019).

<sup>1037</sup> [Windpowermonthly](#) (Accessed on 27 March 2019)

<sup>1038</sup> [SiemensGamesa](#) (Accessed on 22 July 2019)

<sup>1039</sup> [Abengoa](#) (Accessed on 27 March 2019).

<sup>1040</sup> [Endesa](#) (Accessed on 27 March 2019).

25% and Emirati Dana Petroleum with 15%).<sup>1041</sup> However, Repsol decided to abandon Tangier-Larache in 2014 due to a lack of potential and now rather focuses on the Boudenib area and the sale of lubricants.<sup>1042</sup> In 2014, the company was also involved in drilling activities near the Canary Islands.<sup>1043</sup> Finally, Spanish companies are also interested in providing energy services in Morocco.

**Table 19: Spanish energy companies active in the Moroccan energy sector**

Company	Project	Energy source
ACCIONA, SENER, TSK	Thermosolar plant Ouarzazate (NOOR I) (160 MW)	Solar
SENER	Thermosolar plant Ouarzazate (NOOR II and III)	Solar
ABENGOA	Combined cycle power plant Ain Beni Mathar (450 MW gas, 20 MW solar)	Gas, solar
ENDESA	Combined cycle power plant Tahaddart (384 MW) (32% stake)	Gas, solar
GAMESA	Wind park Tangiers (140 MW)	Wind
GAMESA	Wind park Tetouan	Wind
GAMESA	Wind park Essaouira	Wind
FENOSA	Exploration and operation of Tangier-Larache gas field (24 % stake)	Gas
FENOSA	Gas pipeline connecting Algeria with Spain via Morocco (Maghreb-Europe)	Gas
REPSOL	Exploration of minerals (Gharb and Bechar)	Minerals
REPSOL	Sale of lubricants	Lubricants
REPSOL	Operation of Tangier-Larache gas field (36% stake)	Gas

Source: Own elaboration based on information from Spanish energy companies.

**Table 20: Solar energy projects in Morocco**

MASEN							
Project	Time	Capacity	Technology	Development	Construction	Financing	Sum
NOOR I	2013-2016	160 MW	CSP	ACWA	Acciona, Sener, TSK	EU (NIF), EIB, KfW (BMU), AfD, WB, ADB	730 million €
NOOR II	2016-2017	200 MW	CSP	ACWA	Sener, Sepco, Power China	EU (NIF), EIB, KfW (BMU), WB, ADB	810 million €
NOOR III	2016-2017	150 MW	CSP	ACWA	Sener, Sepco, Power China	EIB (NIF), EIB, KfW (BMU), AfD, WB, ADB	645 million €
NOOR IV	2017-2018	70 MW	Photovoltaic	n/a	n/a	n/a	n/a
Midelt	n/a	600 MW	CSP, photovoltaic	n/a	n/a	n/a	n/a
Tata	n/a	600 MW	CSP, photovoltaic	n/a	n/a	n/a	n/a
Laayoune	n/a	80 MW	n/a	n/a	n/a	n/a	n/a
Boujdour	n/a	20 MW	n/a	n/a	n/a	n/a	n/a

Source: Own elaboration based on information from [NOOR Ouarzazate](#) and [ACWA Power](#) (Accessed on 25 June 2016).

<sup>1041</sup> [Fenosa](#) (Accessed on 27 March 2019).

<sup>1042</sup> [Repsol](#) (Accessed on 27 March 2019).

<sup>1043</sup> However, they turned out to be disappointing. CUNNINGHAM Nick (20 January 2015), Spain to Consider Fracking Following Canary Island Failure, [Oilprice](#) (Accessed on 27 March 2019).

### 7.3.3 Case III: Germany

With an energy consumption of around 224 million toe in 2016,<sup>1044</sup> Germany is not only the country with the highest level of gross inland consumption of energy within the EU – and this although its primary energy consumption saw a decrease in demand of -3.5% y-o-y in 2018 –<sup>1045</sup> but also the world’s sixth biggest energy consumer after China, the US, India, Russia and Japan.<sup>1046</sup> In this regard, it is highly dependent on fossil fuels with its energy portfolio being largely dominated by crude oil (~31%), coal (~23%) and natural gas (~24%), whereas renewables account for only around 5%.<sup>1047</sup> In this context, Germany highly depends on imports, with the bulk of crude oil imports, for example, coming from Russia (~33%), the Netherlands (~14%) and Norway (~10%),<sup>1048</sup> whereas its most important natural gas suppliers are equally Russia (~34%), Norway (~31%) and the Netherlands (~22%).<sup>1049</sup> In this light, and in view of global rising energy consumption and competition over energy resources as well as climate change, it is in Germany’s primordial energy interest to reduce or change its energy consumption patterns.<sup>1050</sup> Therefore, domestic energy policies are driven by ambitious energy transition targets, based on the concept of the so-called *Energiewende*, meaning energy transformation or energy turnaround. Although this term was already coined in the 1980s when the Green Party first entered the German Parliament with its anti-nuclear energy and fossil fuel policies (MAUBACH, 2014:32-33), it is now generally associated with the government decision to phase-out nuclear energy – nuclear plants are scheduled for decommissioning by 2022 –<sup>1051</sup> in the wake of the Fukushima nuclear catastrophe in 2011.<sup>1052</sup> This, however, is misleading as the energy turnaround also means a shift away from fossil fuels towards more sustainable forms of energy like renewable energies as well as energy efficiency (SZULECKI, FISCHER, GULLBERG, SARTOR, 2016:554).<sup>1053</sup> And indeed, with a greater awareness of the impact of climate change, the *Energiewende* has seen a major focus on the fight against global warming in recent years.

In this spirit, Germany ratified the Paris Climate Agreement in the context of the COP21 in Paris in 2015 and presented its *Klimaschutzplan 2050* (Climate Action Plan 2050) one year later at the COP22 in Marrakech, setting ambitious greenhouse gas emissions targets. In fact, Germany seeks to achieve global leadership in the fields of RES and energy efficiency, with one primary element here being the communication of the energy turnaround. In this context, and as an ‘*international frontrunner*’, the country enjoys strong credibility and has played an important role in institution-building (ROEHRKASTEN, QUITZOW, AUKTOR and WESTPHAL, 2016:3, 6), having, for example, decisively pushed for the establishment of the Abu Dhabi-based International Renewable Energy Agency (IRENA), ‘*an intergovernmental organisation supporting countries in*

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<sup>1044</sup> IEA (Accessed on 25 March 2019).

<sup>1045</sup> AGEB (Accessed on 01 April 2019).

<sup>1046</sup> Enerdata (Accessed on 02 July 2017).

<sup>1047</sup> IEA (Accessed on 25 March 2019).

<sup>1048</sup> as of 2017. QEC (Accessed on 18 September 2019).

<sup>1049</sup> as of 2016. BMWI (Accessed on 18 September 2019).

<sup>1050</sup> BMWI (Accessed on 27 April 2017).

<sup>1051</sup> with the phase-out of nuclear energy being ‘*based on a broad societal consensus*’ (SZULECKI, FISCHER, GULLBERG, SARTOR, 2016:554).

<sup>1052</sup> This assumption is, however, not only wrong, but also ironic. Indeed, in 2010, one year before Fukushima, the government described a long-term strategy for achieving the energy transition in its ‘*Energiekonzept*’ (energy concept) that foresaw an extension of the operating periods of nuclear plants by another 12 years.

<sup>1053</sup> In fact, RES not only present a way of reducing dependence on energy imports by offering an alternative that may also serve to compensate the power deficit resulting from the nuclear power phase-out but are also the only energy sources able to sustainably reduce the greenhouse gas emissions caused by climate change.

*their transition to a sustainable energy future*, in 2011.<sup>1054</sup> Likewise, it has supported the creation of the Regional Center for Renewable Energy and Energy Efficiency (RCREEE), ‘*an intergovernmental organization*<sup>1055</sup> *with diplomatic status that aims to enable and increase the adoption of renewable energy and energy efficiency practices in the Arab region*’, to which it serves, through the International Society for Cooperation (GIZ), as a co-financer.<sup>1056</sup> Further, and in the context of the COP22, the country has also initiated a climate partnership for developing countries whose aim is to support developing countries in their efforts against global warming and climate change by providing them with political and technical know-how.<sup>1057</sup> Here, and ‘*with its vast but under-exploited potential for RE & EE, North Africa is an important target for German cooperation in the energy sector*’ (ROEHRKASTEN, QUITZOW, AUKTOR and WESTPHAL, 2016:2). In fact, Germany’s external energy objectives are, to a certain extent, built upon its dependence on foreign energy sources and, in this light, it seeks to secure reliable energy supplies, for example, through diversification of its energy suppliers or routes. Another option is the diversification of energy sources, not only on the domestic but also on the international level and particularly, as shown, regarding RES and energy efficiency,<sup>1058</sup> a context in which countries disposing of a vast RES potential might become future suppliers. In this context, external energy policies entail the expansion of dialogue with energy producer, transit and consumer countries as well as facilitation of economic and scientific expertise transfer to partner countries (and cooperation with multilateral organisations).<sup>1059</sup> Against this background Morocco is of strategic interest to Germany.

### **German-Moroccan cooperation: partners at eye level but with a long way to go**

Whilst trade relations between Germany and Morocco have existed since the 16<sup>th</sup> century,<sup>1060</sup> diplomatic relations were established in 1956 and ever since, the two countries have maintained ‘*close, friendly and untroubled*’ relations<sup>1061</sup> which have been regularly framed by high-level political meetings (although to a lesser extent than in the case of France). For example, Angela Merkel and Mohammed VI last met in 2010, whereas Foreign Minister Frank-Walter Steinmeier met with his counterpart Salaheddine Mezouar in 2014 in Berlin and in 2015 in Rabat.<sup>1062</sup> Apart from this, the relationship was reinforced in 2013 by the signature of the Rabat Declaration which outlines the further development of relations with the aim of strengthening political, economic and cultural ties, a context in which energy was identified as one field of cooperation.<sup>1063</sup> Subsequently, relations have come into the spotlight in the context of the refugee crisis which, although having peaked in 2015, still goes on and whilst the majority of refugees having sought asylum come from civil-war torn Syria or Eritrea, a large number also comes from Morocco and Algeria.<sup>1064</sup> In this context, the question of whether to declare Morocco a so-called ‘safe country of origin’ has arisen. This motion, which went through the *Bundestag* in early 2019, means that deportation of rejected Moroccan asylum seekers is to be expedited in

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<sup>1054</sup> In addition to the promotion of RES and energy efficiency, the International Renewable Energy Agency (IRENA) focuses on the creation of a regional energy and electricity market. [IRENA](#) (Accessed on 02 April 2019).

<sup>1055</sup> based in Cairo.

<sup>1056</sup> [RCREEE](#) (Accessed on 02 April 2019).

<sup>1057</sup> [BMZ](#) (Accessed on 02 July 2017).

<sup>1058</sup> [AA](#) (Accessed on 02 July 2017).

<sup>1059</sup> [AA](#) (Accessed on 14 March 2017); [BMWI](#) (Accessed on 11 March 2017).

<sup>1060</sup> [Moroccan Embassy to Germany](#) (Accessed on 06 July 2017).

<sup>1061</sup> [AA](#) (Accessed on 01 July 2017).

<sup>1062</sup> [German Embassy to Morocco](#) (Accessed on 06 July 2017).

<sup>1063</sup> [AA](#) (Accessed on 13 April 2019).

<sup>1064</sup> In 2015, the number stood at 24,000. [German Federal Office for Migration and Refugees](#) (Accessed on 01 July 2017).

order to get the crisis under control. However, the *Bundesrat*, the upper chamber of the Parliament, rejects this initiative which ultimately, could fail.<sup>1065</sup> No matter the outcome of this initiative, the reduction of migrant flows from Morocco is likely to remain an important aspect of cooperation,<sup>1066</sup> reflected in the fact that since January 2017, both countries share the chair of the Global Forum on Migration and Development (GFMD)<sup>1067</sup> and in December 2018, Angela Merkel travelled to Morocco to attend the UN Intergovernmental Conference on the Global Compact for Migration.<sup>1068</sup>

Bilateral political relations are overall good with Germany having adopted a rather neutral stance on the Sahara question, but are, compared with France and Spain, less developed, with Germany not having *'the same access'* to the King as France and Spain (lack of *'elite interdependence'*) (Interview German Embassy to Morocco, 2016). A traditional key pillar of relations clearly has been development cooperation<sup>1069</sup> and in 2017, Germany was the biggest ODA donor to Morocco, even before the EU institutions and France, with US\$ 459 million. Just as France, one focus was on economic infrastructure projects, whereby, with US\$ 385, Germany spent US\$ 132 million more than its Western neighbour and most of this sum was assigned to energy projects, particularly in the field of renewable energy sources.<sup>1070</sup> In fact, dating back to 1961, Morocco is the largest recipient of German development aid in the MENA region<sup>1071</sup> and between 2014 and 2018, Germany committed € 441 million annually on average to Morocco, whereby around 90% of this sum was destined to financial cooperation and around 10% contributed to technical cooperation.<sup>1072</sup> Traditionally, this form of cooperation has concentrated on the RES and water sectors as well as on sustainable economic development and the environment sector including, for example, waste management and recycling.<sup>1073</sup> In this light, Germany and Morocco also closely cooperate in the field of climate change where, in the context of the COP22, they have taken the lead in launching a climate partnership for developing countries (see previous section).<sup>1074</sup> Similar to political relations, economic ties are solid but do leave room for improvement: in 2017, trade with Germany accounted for only 4.6% of Morocco's exports,<sup>1075</sup> and for 6.2% of its imports. Nevertheless, Germany is Morocco's fourth biggest EU export and its third biggest EU import partner.<sup>1076</sup> Likewise, German investment into Morocco is marginal, having accounted for only 2.4% of overall FDI into Morocco in 2018.<sup>1077</sup> Nonetheless, the Maghreb country represents an emerging market for German companies – currently, there are around 120 of these operating in Morocco, notably Casablanca (in comparison, Spain has 800 companies).<sup>1078</sup>

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<sup>1065</sup> [DW](#) (Accessed on 14 March 2017); (18 January 2019), Bundestag stuft Maghreb-Staaten und Georgien als sicher ein, [Die Welt](#) (Accessed on 02 April 2019).

<sup>1066</sup> [BMZ](#) (Accessed on 02 July 2017).

<sup>1067</sup> [AA](#) (Accessed on 01 July 2017).

<sup>1068</sup> SCHWINGHAMMER Benno, BLANK Joerg (09 December 2019), Merkel arrives in Morocco for UN migration conference in Marrakech, [DPA](#) (Accessed on 02 April 2019).

<sup>1069</sup> [AA](#) (Accessed on 01 July 2017).

<sup>1070</sup> [OECD](#) (Accessed on 01 July 2017).

<sup>1071</sup> [AA](#) (Accessed on 02 July 2017).

<sup>1072</sup> [German Embassy to Morocco](#) (Accessed on 04 April 2019).

<sup>1073</sup> Apart from Morocco, development cooperation with Maghreb countries in the energy sector only exists with Tunisia and Egypt. [BMZ](#) (Accessed on 02 July 2017); [BMZ](#) (Accessed on 02 July 2017).

<sup>1074</sup> [BMZ](#) (Accessed on 02 July 2017).

<sup>1075</sup> [OEC](#) (Accessed on 25 June 2017).

<sup>1076</sup> [OEC](#) (Accessed on 25 June 2017).

<sup>1077</sup> [Moroccan Exchange Office](#) (Accessed on 12 April 2019). Data for 2018 = preliminary.

<sup>1078</sup> [AA](#) (Accessed on 25 June 2017).

### 7.3.3.1 German energy governance towards Morocco

Compared with the southern EU member states France and Spain, Germany is a relatively new actor in the Moroccan energy landscape<sup>1079</sup> and energy relations – with Morocco as well as with African countries in general – are primarily bilateral (Interview German Embassy to Morocco, 2016; BMZ, 2017), with only some cooperation taking place on the multilateral and regional levels. In this light, Germany has been present in the Moroccan environment sector for over 25 years, a period over which cooperation has been very much linked to environmental development aid and has been rather technical, i.e. for example no German Minister of the Environment has ever visited his or her Moroccan counterpart (Interview German Embassy to Morocco, 2016). Over the years, the tide has turned though and although still inextricably linked, the environmental development dimension of German energy policy making towards Morocco has increasingly given way, first, to political economic (Interview BMWi, 2016), and second, to financial cooperation aspects.

Political economic cooperation was first launched with the establishment of the so-called Energy Partnership and the Mixed Economic Commission in 2012 (Interview AA, 2017).<sup>1080</sup> In this context, dialogue was further enhanced in recent years by a more frequent exchange of visits on the ministerial level (Interview German Embassy to Morocco, 2016; see Table 21) leading, in 2016, to the signature of a Declaration of Intent to promote further cooperation in the energy sector (see Figure 32).<sup>1081</sup> With both countries sharing the same vision of a sustainable energy future, the main focus here is undeniably on RES and energy efficiency.<sup>1082</sup> This approach clearly differs from that of the French or Spanish who, although concentrating on green energies, also have a wider focus seeking, for example, an intensification of cooperation in the fields of nuclear, gas or electricity. High-level energy topics are amongst other things discussed in the context of government consultations (which are not exclusively limited to energy topics) between Germany and Morocco in which, apart from the Federal Government and the Federal Foreign Office (AA) as well as the Federal Ministry for Economic Affairs and Energy (BMWi), the BMU, the BMZ, the KfW and the GIZ, also participate (Interview KfW, 2016; GIZ, 2017). The chair of these consultations which are supposed to take place every other year, is held by the Foreign Ministers and the Foreign Offices.<sup>1083</sup> The general objective is to decide on German energy activities in Morocco, whereby priority is clearly given to initiatives brought forward by the Maghreb Kingdom itself (ROEHRKASTEN, QUITZOW, AUKTOR and WESTPHAL, 2016:6). Finally, financial cooperation began to thrive under Mohammed VI's reign and is notably driven by the KfW.

Despite its focus on bilateral aspects, German-Moroccan energy cooperation also takes place on the regional and multilateral levels. For example, when Germany initiated the *Club der Energiewendestaaten* (Renewables Club) in 2013, Morocco was one of the founding members.<sup>1084</sup>

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<sup>1079</sup> In fact, cooperation particularly intensified with the Kingdom's policy of diversifying its partners and at a time when bilateral relations with France had cooled off. [Afriqueinside](#) (Accessed on 09 July 2017).

<sup>1080</sup> [AA](#) (Accessed on 01 July 2017).

<sup>1081</sup> [Moroccan Government](#) (Accessed on 03 July 2017).

<sup>1082</sup> [EC](#) (Accessed on 29 October 2018).

<sup>1083</sup> [BMZ](#) (Accessed on 02 July 2017).

<sup>1084</sup> Other founding members are China, Denmark, France, India, South Africa, Tonga, UAE and UK. [BMU](#) (Accessed on 11 March 2017).

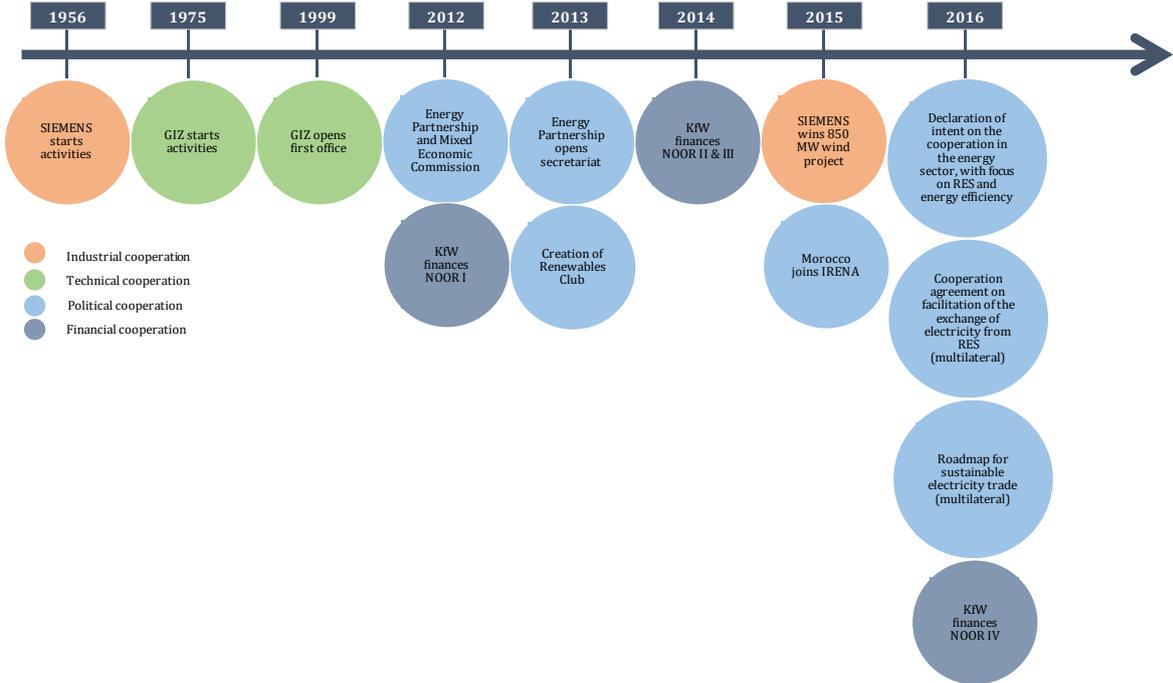
The aim of the latter is the global promotion of the energy transition and with its work, the Club seeks to support the IRENA which Morocco joined in 2015.<sup>1085</sup>

**Table 21: German-Moroccan energy visits**

Visits at the ministerial, parliamentary and industry levels		
	Germany	Morocco
<b>2016</b>		
November		COP22; participation of Barbara Hendricks
April	Working visit Abdelkader Amara	Participation of Sigmar Gabriel in economic round table
March		Working visit Parliamentary delegation*
<b>2015</b>		
July		Working visit SIEMENS delegation
<b>2014</b>		
April	Meeting between Abdelkader Amara and Secretary of State of the Environment ; Participation of Abdelkader Amara in the 8th German-African Energy Forum	

Source: Own elaboration based on empirical research. \*The *Bundestag* can play an important role in Germany’s foreign energy policy because through its Committee on Foreign Affairs as well as its Committee on Economic Affairs and Energy, it can make recommendations to the FO and the BMWi respectively.

**Figure 32: Germany’s external energy activities in Morocco; timeline (selected milestones)**



Source: Own elaboration based on empirical research.

Overall, Morocco matters to German energy interests for various reasons (see Table 22) despite the fact that in terms of energy security, Morocco as well as the entire Maghreb region, is rather of marginal interest to Germany or, as put by one of the interviewees, a ‘nice to have’, but not a ‘must’ (Interview AA, 2016; BMWi, 2016, BMU, 2017). In fact, a net energy importer itself, Morocco would only be relevant in this regard if Germany imported significant amounts of gas

<sup>1085</sup> German Embassy to Morocco (Accessed on 01 July 2017).

from Algeria since Morocco serves as a transit country for Algerian supplies to the EU.<sup>1086</sup> However, from a more general cooperation point of view, Morocco is interesting to Germany as it is one of the few stable countries in the Northern African region. This means that it is also one of few countries with which development cooperation, in general or in the field of energy, is (still) possible. This becomes especially obvious in the example of climate policies where Morocco is Germany's only partner in the whole MENA-region (Interview German Embassy to Morocco, 2016). Here, it is strategically important in terms of sustainable development (Interview German Embassy to Morocco, 2016) and may, given its efforts towards sustainability and its pioneering role in energy transition policies, serve as a good example to the world that the *Energiewende* is possible (Interview German Embassy to Morocco, 2016). In this context, Germany naturally has an economic interest in Morocco, with the country representing an emerging market for German companies which was, for example, one of the reasons why the German industry was particularly interested in projects facilitating the supply of green electricity from regions like North Africa (see Desertec project).<sup>1087</sup> Furthermore, Germany is important to Morocco, as the latter counts on the former's support within the EU to accelerate the necessary reforms for the integration of North African electricity systems which would ultimately improve Morocco's access to the EU's power grids. The overall aim of both Morocco and various EU member states and players (such as Portugal as will be shown later) is the creation of a Pan-European/North African electricity market that enables the exchange of electricity in both directions.<sup>1088</sup> In this light, in the context of the COP22, Morocco and Germany, together with France, Spain and Portugal signed a roadmap for sustainable electricity trade in order to identify eventual obstacles to renewable electricity trade between these countries.<sup>1089</sup>

**Table 22: Germany's energy policy towards Morocco**

<b>Overall aim of energy policy</b>	<b>Energy security, sustainable development, export of Energiewende</b>
<b>Energy policy approach</b>	Development approach
<b>Energy interest</b>	RES, energy efficiency, electricity, environmental protection
<b>Financed by</b>	KfW (partially on behalf of below mentioned actors)
<b>Managed by</b>	AA, BMWI, BMZ, BMU
<b>Ultterior motive</b>	Security (stability), economic growth (opening up of new markets), credibility for Energiewende

Source: Own elaboration based on empirical research.

At this point, it must be pointed out that, contrary to other actors, Germany pursues a non-hierarchical mode of governance and has never pursued any top-down policies but rather a bottom-up approach (Interview German Embassy to Morocco, 2016), i.e. it was Morocco itself that chose and asked Germany for support in its sustainable energy policies. In this context, the Maghreb country notably seeks to benefit from Germany's experience with the *Energiewende*, be it through the transfer of know-how or technology, notably solar and hydro technology. For

<sup>1086</sup> However, this is not the case and in 2018, Algerian oil only accounted for only around 0.8% of Germany's overall oil imports. Libyan and Egyptian oil accounted for around 8.5% and 1.3% of imports, respectively. Other than for oil, the German Federal Office for Economic Affairs and Export Control (BAFA) does not publish any gas imports (Contacted BAFA on 10 July 2017). AGEB (Accessed on 04 April 2019).

<sup>1087</sup> BMWi (Accessed on 27 April 2017).

<sup>1088</sup> MEM (Accessed on 08 July 2017).

<sup>1089</sup> EC (Accessed on 09 July 2017).

example, German pump water treatment technology is highly appreciated by Morocco (Interview German Embassy to Morocco, 2016).<sup>1090</sup> But also Germany's experience with LNG is of interest to Morocco.<sup>1091</sup> Indeed, as stated by the former Moroccan Minister of Energy, Mines, Water and Environment, Abdelkader Amara (2013-2016), Germany's *Energiewende* clearly represented a model for his own country's energy transition. Moreover, Germany has played an important role in the implementation of Morocco's big renewable energy projects.<sup>1092</sup> In this context, Germany has increasingly become a key player with respect to financing. For example, as already mentioned, Germany, notably via the KfW, has been one of the top financiers of the large-scale pioneering Ouarzazate and Taza projects, as well as several other important wind projects and the total contribution of BMU, BMZ and KfW to the Ouarzazate project will be around € 864 million, or 39% of the overall costs.<sup>1093</sup> In the opinion of the German Embassy to Morocco, the fact that Germany approaches Morocco from the bottom up rather than from the top down implies a low or lower level of conditionality, for example, regarding economic aspects. According to the Embassy, this clearly distinguishes the German from the French approach. For instance, contrary to the French, the Germans would not 'put any pressure on' Morocco to grant eventual licenses to German companies in the context of or following the closure of political agreements.

Despite its successes, German-Moroccan energy cooperation is not yet complete and struggles with several problems and challenges that are above all on the political rather than on the technical level. In fact, it can be observed that energy relations between Germany and Morocco are underexposed, i.e. they are technically good but politically not well staged (Interview BMZ, 2017), especially from the German side. For example, whilst Moroccan Energy Ministers, above all, Abdelkader Amara who served as Energy Minister between 2013 and 2016, have regularly visited Berlin in order to promote the German-Moroccan energy relationship and to seek political dialogue, little such effort has been made by the German counterparts. As a result, there is little knowledge about Germany's energy political efforts in Morocco within German society (Interview BMZ, 2017). This is unfortunate as Morocco pursues exactly the policies required under the Desertec project, i.e. the export of green electricity towards Europe (Interview BMZ, 2017). In this context, and as highlighted by Roehrkasten, Quitzow, Auktor and Westphal (2016:6), it is essential to '*link RE investments to efforts to support the development of other sectors*' and to '*improve private sector competitiveness as a means to enhance job creation*'. In fact, one problem here is, as already mentioned before, that Morocco and the Moroccan market are overall of less interest to Germany than other markets such as, for example, India (Interview BMZ, 2017). Similarly, Germany is of less interest to Morocco than France (Interview German Embassy to Morocco, 2016; BMZ, 2017). However, there is the possibility that this might change in the future, notably in the context of the issue of migration. In fact, with closer cooperation in this field, Morocco as a whole might gradually move up the political agenda in Berlin which, in turn, might then positively affect energy cooperation (Interview BMZ, 2017). Other than that, and although political cooperation under the Energy Partnership started in 2012 with highly ambitious ideas and plans from both sides, it soon encountered organisational issues in its everyday work. For example, whilst thematic meetings are supposed to be organised and take place under the Partnership, they are very much dependent on the individual political situations

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<sup>1090</sup> [Entreprendre Maroc](#) (Accessed on 08 July 2017).

<sup>1091</sup> [MEM](#) (Accessed on 08 July 2017).

<sup>1092</sup> [MEM](#) (Accessed on 08 July 2017).

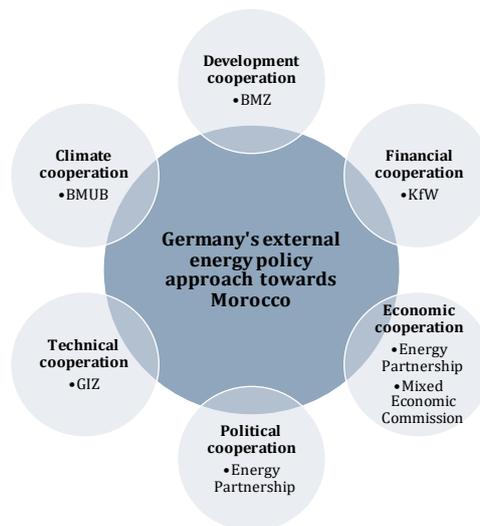
<sup>1093</sup> [KfW](#) (Accessed on 09 July 2017).

in both countries and are therefore often cancelled (for example, during the Moroccan parliamentary elections only a few or no meetings took place). Finally, one external challenge to German energy governance towards Morocco may be German efforts in the RE & EE domain facing competition from nuclear energy promoted by Russia and France (ROEHRKASTEN, QUITZOW, AUKTOR and WESTPHAL, 2016:9). Furthermore, Germany's EU neighbours, notably France and Spain, clearly have a head-start with respect to private or industry cooperation.

### 7.3.3.2 Institutional overview and key actors

As will be laid out in the following, institutional cooperation – be it on the political, economic, financial or technical levels – is overall very well developed and Germany is, compared with other EU member states or non-EU countries, well-positioned in this regard. There is a wide range of actors contributing to German energy governance towards Morocco, with responsibilities spread across four ministries (AA, BMWi, BMZ, BMU) and two agencies (KfW, GIZ) (see Figure 33). Involving thus a relatively large number of institutions or actors (ministries and agencies), German energy governance towards Morocco is, compared to the French and Spanish governance systems, rather fragmented and whilst this bears the risk of uncoordinated action (ROEHRKASTEN, QUITZOW, AUKTOR and WESTPHAL, 2016:6, 10),<sup>1094</sup> there is also an awareness of the significance of a coherent perception of Germany's external interests.<sup>1095</sup>

Figure 33: Germany's external energy policy approach towards Morocco



Source: Own elaboration based on empirical research.

Responsible institutions for the development of external energy policies towards Morocco are: the Federal Foreign Office (AA), the Federal Ministry for Economic Affairs and Energy (BMWi), the Federal Ministry of Economic Cooperation and Development (BMZ) and the Federal Ministry for Environment, Nature Conservation, Building and Nuclear Safety (BMU). Acting on the behalf of the latter, the German Reconstruction Loan Corporation (KfW) as well as the German Society for International Cooperation (GIZ) are also key institutions. Until 2013, energy-related

<sup>1094</sup> A lack of clarity on the roles and competencies of the various national actors involved may lead to overlapping and double work.

<sup>1095</sup> AA (Accessed on 01 July 2017).

competences of the AA, the BMWi, the BMZ and the BMU were, except for strategic questions which have traditionally been dealt with by the AA and the BMWi (Interview GIZ, 2017), not rigidly separated from each other. This particularly concerned RES and energy efficiency and has provoked recurrent conflicts of jurisdiction, notably between the BMWi and the BMU (Interview BMZ, 2017).<sup>1096</sup> However, currently, main energy competencies covering conventional and RES, energy efficiency, energy infrastructure and energy research,<sup>1097</sup> are bundled under the BMWi, whereas the BMU covers all climate-related competencies. Despite this bundling of competencies though, each ministry has a different focus. For example, whilst the AA is primarily concerned with energy security, the BMWi is more interested in creating economic opportunities like employment (Interview BMWi, 2016). Overall, the AA and the BMWi are the most visible actors as regards German energy governance towards Morocco, notably with respect to policy questions, whereas the GIZ as well as, to a certain extent, the KfW, are the most active actors with respect to technical and financial questions. By contrast, the BMU and the BMZ rather act behind the scenes (Interview GIZ, 2017).

German coordination mechanisms are generally decentralised, which means that the lead is usually given to the ministry most concerned with the policy issue at stake, the so-called *federführendes Ministerium* which apart from within its own jurisdiction, coordinates on two levels, the inter-ministerial and the parliamentary levels (JENSEN, JOPP and NEDERGAARD, 2016:639). Having once agreed on a common house position (which needs to be accepted by the Minister) within its own jurisdiction, the Ministry seeks to agree on a common position with the other ministries involved, via a process called *Ressortabstimmung*. Finally, it then communicates the outcome of this process to the permanent representation in Brussels (JENSEN, JOPP and NEDERGAARD, 2016:639). Throughout this entire process, the Ministry is required to take into consideration the opinion of different interest groups. Overall, coordination generally takes place from the bottom-up, i.e. from a desk officer level (= energy expert of the respective ministries) (Interview GIZ, 2017) and may be formal or informal, whereby informal procedures notably exist at the department management level. As for the *Ressortabstimmung* or inter-ministerial cooperation, coordination is conducted on both formal and informal levels. One key platform here and an important forum for discussions are the so-called *Länderstrategie-Ressortkreise*. Chaired by the AA, these are country specific cross-thematic *ad-hoc* meetings at the department management level (of the three ministries, i.e. BMWi, BMZ and BMU), which are supposed to serve as an information exchange and coordination platform, whereby thematic priorities are set in close cooperation with Morocco (Interview GIZ, 2017). Like government consultations, these meetings are not exclusively limited to energy topics (Interview BMZ, 2017) but provide a platform for closer cooperation on external energy issues. Overall, they have more of an advisory function and take place around every three months.<sup>1098</sup> As regards European affairs, it is worth noting that each Ministry disposes of an EU department, each of which is equipped with a team of EU coordinators headed by an EU delegate (*Europabeauftragter*) and a European Affairs Director General (*Europaabteilungsleiter*). Whilst EU coordinators meet on a weekly basis, with meetings being alternately chaired by the AA and the BMWi, EU delegates come together rather on an *ad-hoc* basis (around every four to six weeks). Meetings take place in

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<sup>1096</sup> For example, whilst the main responsibility of the Federal Ministry for Economic Affairs and Energy (BMWi) was energy security, including security of supply and security of infrastructure, the Federal Ministry for the Environment, Nature Conservation, and Nuclear Safety (BMU) used to be primarily responsible for climate protection and nuclear safety.

<sup>1097</sup> AA (Accessed on 02 July 2017).

<sup>1098</sup> AA (Accessed on 05 November 2018).

the AA and mainly basic issues are discussed (COLLINS, 2002:55). More complex issues are discussed by the European Affairs Directors General, who are also supposed to follow up on decisions of the State Secretaries' Committee (*Staatssekretärsausschuss für Europafragen*). Meetings, which are co-chaired by the AA and the BMWi, are held once a month (COLLINS, 2002:55). The State Secretaries' Committee for European Affairs is composed of the EU State Secretaries from the ministries and meets every month to deal with difficult cases. It is chaired by the AA or the State Minister for European Affairs. The latter in turn participates in the weekly Cabinet meetings. Chaired by the Chancellery, the Cabinet meeting which is the highest level in the hierarchy, discusses '*EU affairs as a specific agenda item*'. Once a common position is found, the German government, via the AA or the BMWi,<sup>1099</sup> is then theoretically enabled to go into negotiations with the Council in Brussels. Before that, however, and as laid down in Article 23 of the German Basic Law (*Grundgesetz*), it must inform and consult the *Bundestag* or its EU Committee (*Ausschuss für Angelegenheiten der Europäischen Union*). In this context, and in the spirit of MLG, the *Bundesrat* has a major say. For example, it must approve any transfer of sovereignty to the EU, can participate in the process of coordinating issues and define the German position and represent it in negotiations in Brussels (as far as certain topics are concerned). Moreover, the government is obliged to inform the *Bundesrat* about new EU policies and initiatives<sup>1100</sup> (JENSEN, JOPP and NEDERGAARD, 2016:639-645).

### **Federal Foreign Office (AA) and German Embassy to Morocco**

As shown before, one main interest of German foreign energy policymaking is the energy turnaround which, apart from being subject to political considerations, is also an important aspect of external trade and scientific promotion of external trade.<sup>1101</sup> The focus is hereby on the promotion and use of RES and energy efficiency. In fact, according to Article 9 of EU-Directive 2009/28/EG, the EU member states are allowed to cooperate with third states regarding the production of electricity from renewable energy sources in order to achieve the EU 2020 renewable energy targets.<sup>1102</sup> In this context, Moroccan Law n° 13-09 on renewable energies plays an important role as it authorises private generation of electricity from RES whilst promoting its export.<sup>1103</sup>

In this regard, and overall, the AA, together with the BMWi, is the by far most important actor, not only on the national, but also on the EU and local levels. Indeed, responsible for the development of Germany's foreign diplomatic relations, the AA plays a key role in the promotion of German energy interests on the international level. These are channeled through the AA's foreign representations, the German Embassies. Added to this, the AA also has a decisive function in the development of a consistent energy approach towards Morocco as it is the official central point of coordination for energy questions in Morocco. In fact, by law, all energy development in and with Morocco must involve the AA or its specialist Office Division Unit for Energy and Raw Material Foreign Policy 410. In this context, the official way for eventual requests by Moroccan energy actors is to establish contact with the German Embassy in Rabat or

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<sup>1099</sup> In fact, whilst the Foreign Office (AA) primarily deals with intergovernmental affairs, the Federal Ministry for Economic Affairs and Energy (BMWi) is responsible for sector policies (JENSEN, JOPP and NEDERGAARD, 2016:639).

<sup>1100</sup> [GG](#) (Accessed on 04 November 2018).

<sup>1101</sup> [AA](#) (Accessed on 02 July 2017).

<sup>1102</sup> [Eurlex](#) (Accessed on 19 September 2019).

<sup>1103</sup> Private generation of electricity was first authorised by Decree n°2-94-503 of 1994. Today Independent Power Producers (IPPs) account for 26% of electricity generation. [RCREEE](#) (Accessed on 19 September 2019).

the AA in Berlin which then either resolves the question on its own or transfers it to the BMWi (Interview GIZ, 2017). Here, it must be mentioned that, despite its significance for the development of energy relations with Morocco, the AA does not have the same necessary specialist expertise on energy issues as the BMWi. This is, amongst other things, because the permanent staff is subject to a rotation system<sup>1104</sup> and the reason why a lot of energy cooperation is often also carried out on an *ad-hoc* basis between the BMWi, BMU and BMZ and their Moroccan counterparts (Interview GIZ, 2017).

### **Federal Ministry for Economic Affairs and Energy (BMWi)**

After the AA or together with the AA, the BMWi is the most important actor when it comes to the development of Germany's energy policy towards Morocco. Responsible for covering the whole energy political dialogue with Germany's external partners, it hereby primarily focuses on export promotion, a focus that clearly distinguishes it from the BMZ and the BMU and which in some cases (as already mentioned before) can even lead to discrepancies with these actors (Interview BMZ, 2017). As already shown before, the BMWi's main instruments are its bilateral Energy Partnerships which are accompanied or complemented by its Energy Export<sup>1105</sup> and Energy Efficiency Export Initiatives.<sup>1106</sup> The strategic aim of these initiatives is the sensitisation of the German *Energiewende* experience,<sup>1107</sup> notably by giving advice on regulatory and technological aspects.<sup>1108</sup> Projects under these umbrellas have a political, economic and technological component, and primarily seek to promote and support energy projects related to climate change and development cooperation – including climate funding under the BMU's International Climate Initiative and Climate Technology Initiative.<sup>1109</sup>

The Energy Partnership with Morocco is based on a binding joint declaration of intent<sup>1110</sup> and came into effect on July, 3, 2012.<sup>1111</sup> Since July 2013, the partnership has had a permanent secretariat for its implementation at the MEM in Rabat<sup>1112</sup> which is led by the GIZ and is meant to serve as a local contact point.<sup>1113</sup> The primary aim of the partnership is the development and implementation of Morocco's national energy policy, putting emphasis on low GHG emissions and consequently on RES and energy efficiency. In this context, the focus is on the establishment of framework market conditions and the opening of national power networks for green electricity. Other topics are market-related corporate and scientific cooperation, as well as development cooperation.<sup>1114</sup> The strategic political orientation to the partnership is given by an intergovernmental steering group which meets at least once a year, with the German side being represented by the BMWi, the BMU, the BMZ, the GIZ and the KfW and the Moroccan side by the MEM (Interview AA, 2017). On the operational level, the partnership takes place in different

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<sup>1104</sup> [AA](#) (Accessed on 01 July 2017).

<sup>1105</sup> [BMWi](#) (Accessed on 12 March 2017).

<sup>1106</sup> [BMWi](#) (Accessed on 12 March 2017); [AA](#) (Accessed on 02 July 2017).

<sup>1107</sup> [BMWi](#) (Accessed on 12 March 2017).

<sup>1108</sup> [BMWi](#) (Accessed on 11 March 2017); [AA](#) (Accessed on 02 July 2017).

<sup>1109</sup> [BMWi](#) (Accessed on 11 March 2017).

<sup>1110</sup> Apart from Morocco, the Federal Ministry for Economic Affairs and Energy (BMWi) has an Energy Partnership with Tunisia, while plans to set up one with Algeria are also ongoing. The Energy Partnership is in line with the Rabat Declaration signed in 2013, and outlining the further development of relations between Germany and Morocco. [AA](#) (Accessed on 04 June 2017).

<sup>1111</sup> Prior to 2012, Germany had already been advising Morocco on legislation and capacity-building for renewable energy sources and energy efficiency.

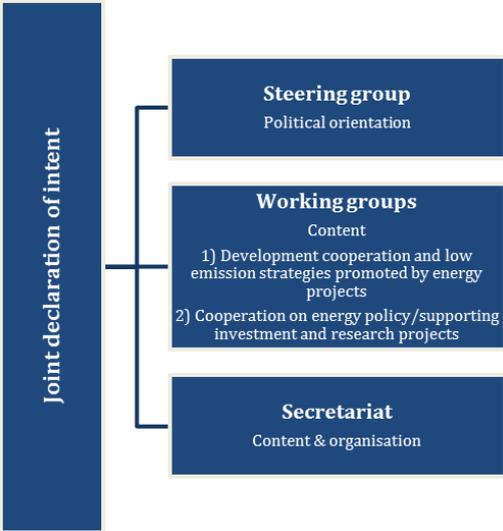
<sup>1112</sup> [AHK](#) (Accessed on 04 June 2017).

<sup>1113</sup> Apart from Morocco, such an office has been established in Tunisia, India and China. [BMWi](#) (Accessed on 12 March 2017). [GIZ](#) (Accessed on 12 March 2017).

<sup>1114</sup> [GIZ](#) (Accessed on 12 March 2017).

working groups (see Figure 34), with meetings being held every three months (in which the Secretary of State participates). Bringing together partners from different backgrounds, i.e. representatives of the public and private sectors, these meetings seek to improve coherence of energy cooperation by addressing common political and economic key challenges related to energy. Participation of the business community is also strongly encouraged, not only, to contribute with business solutions to specific political problems, but also to enhance networking, which, in turn, helps to identify and remove eventual barriers for German market access and corporate cooperation. In fact, German companies above all have an interest in exporting renewable energy and energy efficiency technologies. Apart from the business community, civil society organisations are welcome to participate as well.<sup>1115</sup> Cooperation mechanisms are, among others, the exchange of information and experience, co-designing of programmes and projects as well as support for the development of financing solutions.<sup>1116</sup> The AA and the German Embassy to Morocco are responsible for the implementation.

**Figure 34: Organisation of the Energy Partnership**



Source: Own elaboration based on information from [BMW](#) and [GIZ](#) (internet and interviews) (Accessed on 12 March 2017).

The Energy Partnership has been identified as the most important platform by all the interview partners when it comes to the coordination of different German energy policies towards Morocco (Interview BMZ, 2017; GIZ, 2016). In fact, in this framework, coordination not only takes place between German and Moroccan actors but also between the German actors themselves, i.e. AA, BMWi, BMZ and BMU.

**Federal Environment Ministry (BMU)**

The main institution with respect to climate policies is the Federal Environment Ministry (BMU), which, via its climate partnerships, is an important actor for setting Germany’s external renewable energy agenda, along with the BMWi (WESTPHAL in KNODT, PFIEFER and MÜLLER, 2015:89). The BMU is primarily active through its International Climate Initiative (ICI), a funding initiative set up in 2008 in order to finance climate projects in developing and transition

<sup>1115</sup> [BMW](#) (Accessed on 11 March 2017).  
<sup>1116</sup> [BMW](#) (Accessed on 11 March 2017).

countries, with its main focus being the development of national competencies in climate mitigation and adaptation, i.e. the development of national know-how, especially on solar technologies, primarily CSP. With the help of the ICI, the BMU has been supporting Morocco's climate strategy since 2010 and has contributed significantly to the Ouarzazate project.<sup>1117</sup> For example, by providing a grant of € 15 million in 2011 for NOOR I via the KfW<sup>1118</sup> and later by subsidising a loan for NOOR III via the KfW (technical cooperation implemented by the GIZ). It also played a role in the creation of a climate competence centre (€ 4.5 million grant)<sup>1119</sup> and supports the expansion of Morocco's south-south cooperation (see Table 23).<sup>1120</sup>

**Table 23: BMU energy projects in Morocco (of the ICI)**

Timeframe	Project description	Project value (in €)	Partner institutions Germany/EU/World	Partner institutions Morocco
2012-2026	Ouarzazate I Solar Power Plant (NOOR I)	15,000,000	KfW	MASEN
2014-2018	Climate partnership with the private sector	4,165,402	private companies, DE	n/a
2014-2018	Political dialogue and knowledge management on low-emission strategies in the MENA-region, particularly involving renewable energies*	5,900,000	GIZ	MEM
2013-2018	New solar thermal power plant in Ouarzazate under Moroccan Solar Plan	n/a	GIZ, KfW	MEM
2013-2017	National competence center for climate change mitigation and adaptation in Morocco	4,500,000	GIZ	MEM, environmental observatories, universities, private sector
2010-2016	Solar Resource Atlas for the Mediterranean**	2,154,750	OME, RECREE, DLR	n/a
2011-2014	Support for the Mediterranean Solar Plan and Union for the Mediterranean Initiatives***	3,464,918	GIZ	MEM, ADEREE, MASEN

Sources: Own elaboration based on information from ICI. \*Multilateral project, including Algeria, Tunisia, Libya, Egypt and Jordan. \*\* Multilateral project, including Algeria, Tunisia, Libya, Egypt, Israel, Palestinian National Authority, Jordan, Lebanon, Mauritania, Syria, Turkey. \*\*\* Multilateral project, including Algeria, Tunisia and Libya.

### **German Reconstruction Loan Corporation (KfW)**

After the EIB, the KfW – a German government owned bank – is not only one of the most important instruments of German development cooperation as well as of German climate finance support, acting on behalf of the BMZ and the BMU as part of the IKI,<sup>1121</sup> but also the most important financier of energy projects in Morocco, followed by the AFD. Following strict principles of development and sustainability, the KfW is strongly supported by the GIZ and both organisations are well connected, with a lot of the coordination taking place *ad-hoc* (Interview AA, 2017).

Headquartered in Frankfurt in Germany, the KfW also has a liaison office to the EU in Brussels which is one of the most obvious ways for subnational actors to participate in EU policymaking and carry out lobbying work according to the theory of MLG. In this light, it regularly cooperates with other development banks, notably the AFD and the EIB, with cooperation taking place within the NIP. Its clear advantage over other banks is the fact that it disposes of more financing possibilities (Interview German Embassy to Morocco, 2016; AFD, 2016). In this regard, it has been a big financial supporter of the Ouarzazate project, having, for example, contributed to NOOR I with a € 100 million ODA loan and a € 15 million loan under the IKI of the BMU which equates to around 20% of the total cost (see Table 24).<sup>1122</sup> Further, on behalf of the BMZ and the

<sup>1117</sup> ICI (Accessed 11 March 2017).

<sup>1118</sup> ICI (Accessed on 09 July 2017).

<sup>1119</sup> ICI (Accessed on 09 July 2017).

<sup>1120</sup> ICI (Accessed on 09 July 2017).

<sup>1121</sup> KfW (Accessed on 29 July 2017).

<sup>1122</sup> KfW (Accessed on 09 July 2017).

BMU, it also contributed to NOOR II & III with a total € 654 million loan – € 300 million for NOOR II and € 354 million for NOOR III.<sup>1123</sup> Moreover, the bank will also contribute to NOOR IV with € 95 million as the sole lender<sup>1124</sup> and overall, is the largest lender for the second phases of the Ouarzazate project. Other financing parties are the AFD, the WB, the EIB and the AfDB. In addition to Ouarzazate, the KfW provided a € 130 million loan for six wind park sites in the North of Morocco of which € 50 million are foreseen for the Taza wind farm.<sup>1125</sup> The other sites are Tanger, Boujdour, Tiskrad, Midelt and Jbel Lahdid.<sup>1126</sup> The KfW also gave a donation worth € 1.7 million for studies on the Atlas solar project.<sup>1127</sup>

Overall, the KfW is well connected and maintains excellent relations with both its international and EU partners, especially the AFD with which it signed an agreement on closer cooperation on 04 April 2019.<sup>1128</sup> As far as the local level is concerned, the KfW works in close cooperation with both MASEN and ONEE (Interview, MASEN 2016). Seeking to remain neutral in the conflict, it does and will reportedly not finance any projects located in the territory of the Sahara.<sup>1129</sup>

**Table 24: KfW energy projects in Morocco**

Timeframe	Project description	Project value (in €)	Partner institutions Germany/EU/World	Partner institutions Morocco	Comments
na	Green hospitals	41,500,000	BMZ	FCKM	
na	Grid connection NOOR Midelt	50,000,000	BMZ	MASEN, ONEE	
2019-	Thermal solar plant Midelt (NOOR Midelt)	604,210,000	BMZ, BMUB, EC (NIF), EIB, AfD	MASEN	lead institution
2017-2018	Thermal solar plant Ouarzazate (NOOR IV)	60,000,000	BMZ, BMUB, EC (NIF), EIB, AfD	MASEN	
2015-2018	Thermal solar plant Ouarzazate (NOOR III)	654,000,000	BMZ, BMUB, EIB, AfD	MASEN	largest single lender; lead institution for NOOR II
2015-2018	Thermal solar plant Ouarzazate (NOOR II)		BMZ, BMUB, EIB	MASEN	
2013-2016	Thermal solar plant Ouarzazate (NOOR I)	115,000,000	BMZ, BMUB, WB, AfDB, EC, EIB, AfD	MASEN	~ 20% of total costs
2010-2020	Wind Program III	54,043,000	BMZ, EC (NIF), EIB, AfDB, CTF	ONEE	
2010-2020	Wind Program II	36,043,000	BMZ, EC (NIF), EIB, AfDB, CTF	ONEE	
2010-2020	Wind Program I	40,043,000	BMZ, EC (NIF), EIB, AfDB, CTF	ONEE	

Sources: Own elaboration based on information from KfW.

## **Gesellschaft für Internationale Zusammenarbeit (GIZ)**

The BMWI, BMU and BMZ are strongly supported by the GIZ to which they act as donors, alongside the AA, the EIB, the OCP, the DEZA or the ADM. In fact, the GIZ basically has a supportive function to the Federal government, supporting the ‘Strategic Energy Partnership’ on a non-policy level by providing (political or) technical assistance. A federal non-profit entity present in Morocco since 1975<sup>1130</sup> and with its own office in Rabat since 1999,<sup>1131</sup> the GIZ covers a wide range of projects (51 in 2018),<sup>1132</sup> whereby it places a strong focus on energy and climate

<sup>1123</sup> [KfW](#) (Accessed on 09 July 2017).

<sup>1124</sup> [KfW](#) (Accessed on 09 July 2017).

<sup>1125</sup> [KfW](#) (Accessed on 29 July 2017).

<sup>1126</sup> [BMWi](#) (Accessed on 12 March 2017).

<sup>1127</sup> Spanish Embassy to Morocco.

<sup>1128</sup> [KfW](#) (Accessed on 05 April 2019).

<sup>1129</sup> (03 January 2014), Western Sahara dispute dims Morocco’s solar hopes, [Euractiv](#) (Accessed on 29 July 2017).

<sup>1130</sup> [AHK Morocco](#) (Accessed on 04 June 2017).

<sup>1131</sup> [GIZ](#) (Accessed on 04 June 2017).

<sup>1132</sup> For example, the Society for International Cooperation (GIZ) supported projects focus on administration & good governance, sustainable economic development, water & environment, climate and health. [AHK Morocco](#) (Accessed on 04 June 2017).

(or environmental)-related initiatives (16 in 2018), particularly on RES and energy efficiency.<sup>1133</sup> As of Q1 2019, it has supported 8 purely energy-related projects, mainly on RES and energy efficiency, representing around 30% of the volume of commissions (see Table 25).<sup>1134</sup>

As mentioned before, the GIZ disposes of a large network of contacts, be it at the EU, national or local levels where (like the KfW), it maintains close relations with MASEN (Interview MASEN, 2016) and also with AMEE<sup>1135</sup> and IFMEREE in whose creation it has been actively involved by contributing € 3 million for technical assistance.<sup>1136</sup>

**Table 25: GIZ energy projects in Morocco**

Timeframe	Project description	Project value (in €)	Partner institutions Germany	Partner institutions Morocco
2017-2020	Improvement of energy infrastructure in the oriental region (APIELO)	4,000,000	BMZ	MEM
2017-2019	Support of the Moroccan Energy Sector	243,485	na	MEM
2016-2020	Energy Efficiency Morocco	5,000,000	BMZ	MEM
2015-2018	Advice on and support of bilateral energy partnerships with developing and emerging countries	14,411,923	BMWI	na
2015-2020	Renewable Energy and Energy Efficiency in the Provinces of Tata and Midelt	6,000,000	BMZ	MEM
2014-2021	Employment promotion through energy efficiency and renewable energies in mosques	8,500,000	BMZ	MEM
2013-2018	DKTI-Moroccan Solar Plan	12,000,000	BMUB	MEM
2008-2019	Support of the Moroccan Energy Policy	11,199,069	BMZ	MEM

Sources: Own elaboration based on information from the GIZ.

### **The German industry**

Compared to Spain and France, private energy cooperation between Germany and Morocco is less important, with German energy companies not having as significant an industrial presence in the Moroccan energy sector as Spanish or French energy companies. However, this might change in future as companies are increasingly interested in extending their activities in Morocco. This first became clear in the context of the Desertec project under which the industry was particularly interested in projects facilitating the supply of green electricity.<sup>1137</sup> Moreover, similar to Spain, private cooperation not only involves big energy companies but also SMEs, like Fichtner. The major player, however, is Siemens (see Table 26). Present in the country since 1956, this industrial manufacturing company entered the Moroccan wind power market in 2012 by supplying, installing and commissioning the wind turbines of the Haouma and Fom El Oued wind farms together with Nareva Holding.<sup>1138</sup> In this context, the manufacturer has been regularly criticised by several NGOs like Western Sahara Resource Watch (WSRW) of doing business in the Sahara (Fom El Oued) without having obtained prior approval from the local population.<sup>1139</sup> At this point, it must be stated that given the absence of any common position on the Sahara within the EU, economic players are not bound by any corresponding political considerations and are therefore free to establish business in this territory. Despite these early

<sup>1133</sup> [AHK Morocco](#) (Accessed on 04 June 2017).

<sup>1134</sup> [GIZ](#) (Accessed on 04 June 2017).

<sup>1135</sup> [AMEE](#) (Accessed on 04 June 2017).

<sup>1136</sup> [Energymed](#) (Accessed on 04 June 2017).

<sup>1137</sup> [BMW i](#) (Accessed on 27 April 2017).

<sup>1138</sup> [Siemens](#) (Accessed on 09 July 2017).

<sup>1139</sup> SAGENER Nicole (09 November 2016), Westsahara: Siemens schmutzige Geschäfte mit Marokko, [Euractiv](#) (Accessed on 09 July 2017).

wind power activities, it was, however, only in December 2015 that Siemens won a bigger tender for the construction of five sites (150 MW Tanger 2, 300 MW Tiskrad, (Laayoune), 200 MW Jbel Lahdid (Essaouira), 100 MW Boujdour, and 100 MW Midelt (Casablanca) to implement the 850 MW wind project, together with Nareva Holding and Italian Enel Green Power (the competitors for this tender were Engie, EDF and Alstom) (see Table 27).<sup>1140</sup> The wind farms are expected to be completed and operational by 2020, the context in which Siemens constructed a wind turbine blade company, which became operational in 2017.<sup>1141</sup> Further, the company, which had already supplied the blades for NOOR I, will also manufacture the blades for NOOR II and III.<sup>1142</sup> Apart from Siemens, Germany has no major industrial presence in Morocco (Interview BMWi, 2016).

**Table 26: German companies active in the Moroccan energy sector**

Company	Project	Energy source
SIEMENS	Wind farms Tanger II, Midelt, Jbel Lahdid, Tiskrad, Boujdour (850 MW)	Wind
SIEMENS	Combined cycle power plant Tahaddart (384 MW)	Gas

Source: Own elaboration based on information from German energy companies.

**Table 27: Wind energy projects in Morocco**

ONEE			
Project	Capacity	Construction	Financing
Akhfennir II	100 MW	NAREVA, Engie	
Khalladi	120 MW	UPC Renewables (ACWA Power)	EBRD, BMCE, CTF
Integrated Wind Program Phase I			
Taza	150 MW	Engie, Mitsui	KfW
Integrated Wind Program Phase II			
Tanger II	100 MW	Siemens	KfW
Boujdour	100 MW	Siemens	KfW
Tiskrad	300 MW	Siemens	KfW
Midelt	150 MW	Siemens	KfW
Jbel Lahid	200 MW	Siemens	KfW

Source: Own elaboration based on information from MEM, ONE (Accessed on 05 June 2017).

### 7.3.4 Interim conclusion

As the previous Section suggests, there appears to be a link between the interdependence of the member states with Morocco and coordination (and thus consistency) and Hypothesis 3 can be confirmed.<sup>1143</sup> In fact, coordination seems to vary with patterns of interdependence or to correlate with the intensity of intergovernmental relations. It can be noted that the higher the interdependence, the lower the coordination, with bottlenecks being

<sup>1140</sup> DJAMA Nasser (10 December 2015), Maroc: Nareva, Siemens et Enel décrochent le marché éolien géant de 850 MW, *L'Usinenouvelle* (Accessed on 06 April 2019).

<sup>1141</sup> ROUAUD Pierre-Olivier (10 March 2016), Au Maroc, Siemens investit 100 millions d'euros dans une usine de pales d'éoliennes à Tanger, *L'Usinenouvelle* (Accessed on 06 April 2019); FROESE Michelle (11 October 2017), Siemens Gamesa inaugurates new wind-turbine blade plant in Morocco, *Windpower* (Accessed on 06 April 2019).

<sup>1142</sup> (18 June 2016), Morocco: Siemens to manufacture Noor II and III turbines, *Ecofin Agency* (Accessed on 06 April 2019).

<sup>1143</sup> At this point, it is difficult to determine how this outcome fits into the existing literature, given that so far, the relationship between interdependencies and coordination has been primarily dealt with in the organisational literature.

particularly pronounced between France and Spain (YOUNGS, 2007:59). Both countries maintain highly interdependent relationships with Morocco and are generally rather hesitant when it comes to cross-governmental cooperation.<sup>1144</sup> Given that France actively participates in functional coordination with the EU and Germany (in contrast to Spain),<sup>1145</sup> this observation, however, applies to the strategic/political level. In fact, as just indicated, the EU member states with whom Morocco's energy relations are most developed are its former colonial rulers, France and Spain, as well as Germany. And although, as mentioned before, these players pursue similar external energy objectives in Morocco, particularly with respect to renewable energy sources and sustainable energy policies, they do, however, all use different approaches to achieve these goals. Whilst France and Spain are the traditional players in the Moroccan energy landscape, over the past few years, Germany, which had long been active only in the field of development aid, has turned out to be an increasingly important player. However, the country remains rather a technical than a political player, which is reflected in the fact that diplomatic and political relations are less developed, compared to France or Spain.

Overall, both the empirical research and the interviews conducted have revealed a certain reticence on both the French and Spanish side to engage in political or politicised multilateral projects like the MSP or Desertec and there is generally little awareness in Morocco about the approaches of the other member states. Apart from diverging views as regards EU energy governance, this research suggests that this is because of the type of relations that these countries maintain with Morocco (which, in turn, feed competitive attitudes). Indeed, as has been shown, both players share particularly strong ties with Morocco and therefore do not '*depend*' on any further coordination or cooperation with the EU or other member states. Hypothesis 3 thus appears to confirm itself, also, because the chapter has shown that coordination efforts towards Morocco are often led by Germany with whom intergovernmental relations are less developed compared to France and Spain.<sup>1146</sup> In fact, the two former colonial rulers, France and Spain, have a completely different relationship to Morocco than Germany and therefore pursue, as shown before, different strategic interests and consequently different energy governance approaches. For example, whilst the approaches of both France and Spain have a big top-down component, with a lot of meetings taking place at the higher levels, Germany rather pursues a bottom-up approach. The fact that France and Spain have a different relationship with Morocco than Germany, is, regardless of geographical proximity, notably due to historical reasons, whereby a '*country's colonial history can have a significant impact on its policy decisions*' and countries generally have a '*strong sense of moral responsibility towards former colonial possessions*' (WICKETT, 2018:31). The circumstance that both France and Spain as Morocco's former colonial powers maintain strong bilateral energy relations may be due to the fact that '*third-country actors are more likely to accept modes of external governance that resonate with their domestic institutional structures*', including with their '*domestic rules, traditions and practices*' (LAVENEX and SCHIMMELFENNIG, 2009:804), whereby the likelihood for this to happen may be higher when countries share a common past.

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<sup>1144</sup> Reflected in the fact that they do not always seem to pull together as past events have shown. Germany, by contrast, gives the impression of having less of a problem.

<sup>1145</sup> As a reminder, in this context, the Reconstruction Loan Corporation (KfW), the French Development Agency (AFD) and the International Society for Cooperation (GIZ) were identified as the main actors.

<sup>1146</sup> However, all the abovementioned countries show a limited or reduced interest in fostering political coordination with their fellow member states and thus share a common responsibility.

## Part Eight – Conclusion

This final chapter attempts to summarise and synthesise the key findings of this dissertation, to interpret them and identify the strengths and limitations of this research and, finally, to point out directions for further examination.

The topic of this dissertation was EU energy governance towards Morocco with a focus on consistency, whereby the research question was two-dimensional, i.e. it concentrated on both the questions of whether/to what extent and why the EU is consistent in its approach. In this context, this research conceptualised policy consistency as a dependent variable whereby it made use of policy coordination as a proxy variable. Here, coordination was defined as a process and, based on Les Metcalfe, a six-point scale was developed as a means for measurement, whereby the focus was on the horizontal, vertical and diagonal dimensions and on the EU multilevel system and the third-country level, as well as on strategic/political and functional aspects. Finally, several explanations for consistency in EU external energy governance were identified based on which three hypotheses on competencies, interests and interdependencies emerged.

As regards **Research Question 1**, the findings of this dissertation's empirical research indicate that whilst there is some degree of coordination and consequently, consistency, it is, however, necessary to distinguish between the various levels. In fact, the research has revealed that the EU is above all coordinated (and thus consistent) in its energy governance approach towards Morocco as regards functional aspects. Indeed, the interviews conducted have shown that coordination on this level functions smoothly with respect to all dimensions (horizontal, vertical and diagonal) and levels (EU multilevel system, third-country level). By contrast, as far as strategic/political aspects are concerned, several bottlenecks that hamper coordination have been identified, notably as regards the intergovernmental and vertical dimensions. Overall, the analysis has revealed that in both the EU multilevel system and on the third-country level, horizontal coordination is both strategic/political and functional, whereas vertical and intergovernmental coordination is primarily functional. This suggests that on the whole, functional coordination is more extensive than strategic/political coordination and that horizontal and diagonal coordination is more extensive than intergovernmental and vertical coordination, an outcome that not only meets the author's expectations but equally supports previous research and confirms the central argument found in the literature on intergovernmentalism.

As regards **Research Question 2**, several factors were conceived to serve as an explanation for (variation in) coordination (consistency), namely competencies, interests and interdependencies, whereby the empirical research has shown that the roles these determinants play are not equally important. Indeed, competencies only provide a partial explanation for coordination in EU energy governance towards Morocco as they were found to explain coordination in the horizontal and diagonal dimensions, at least to some extent, but were not found to explain coordination in the intergovernmental and vertical dimensions. The same applies to interests for which the empirical research indicates that they only seem to play a subordinate role in explaining coordination in the intergovernmental and vertical dimensions, based on the existing evidence on coordination conflicts provided by previous research. In fact,

one of the reasons why there is a lack of coordination in these dimensions is that although functional interests are converging, there are divergencies with respect to strategic/political interests and the actors' views on EU energy governance. Consequently, to better understand the member states' behaviour and grasp why they are reluctant to coordinate in certain areas, this study identified interdependencies as the main reason for the lack of intergovernmental and vertical coordination.

As a general conclusion or practical implication of this dissertation it can be reasoned that the EU remains a political heavyweight and an energy actor of utmost importance to Morocco and that there is coordination (consistency) of EU energy governance towards this country. However, there is still room for improvement, even more so in the long-term as a lack of consistency may have both internal and external repercussions. Internally, it may put the EU's democratic legitimacy at risk, whereas externally, it may hamper it from achieving its goals and jeopardize its competitiveness. In short, it could weaken the EU as an international actor.

Whilst overall, this dissertation contributes to a better understanding of EU-Morocco energy relations, it also has several particular strengths:

- **Original & unique research topic:** One key strength of the present dissertation is that it is both original and unique, i.e. a study of this kind, aiming at an examination of consistency in EU energy governance towards Morocco has not been attempted before and the data obtained is first-hand. In fact, Morocco is by far an under-explored area of study in this regard and, up to now, the focus has only been on the study of EU-Mediterranean energy relations in general and these studies were rather Eurocentric.
- **Innovative research design:** Another main strength of this dissertation in view of the beforementioned methodological constraints, is the conceptualisation and operationalisation of the research questions, i.e. the attempt to look at coordination as an indicator or proxy for consistency rather than trying to measure consistency itself.
- **Comprehensive research:** A further strength includes this study's comprehensiveness or in-depth analysis. In fact, this study provides a comprehensive overview not only of the EU-Morocco energy relationship but also of the Maghreb country's energy relations with third actors and the market itself.
- **Extensive field research:** Finally, another strength of this study is its extensive field research which was aimed at taking a variety of actors & perceptions into account.

As with most studies, this study is not only subject to strengths but also to weaknesses and during this research, the author encountered, as already indicated throughout this dissertation, several limitations related notably to the methodology as well as to information and generalisation:

- **Limited access to information:** Although certainly related to organisational constraints, limited access to information does not mean a lack of information *per se*, but a lack of relevant information. In fact, external energy being a highly sensitive policy topic of great geopolitical value, the author observed a certain reluctance of the interviewees to respond to certain questions and to open-up (which is also reflected in the fact that all actors insisted on not being directly cited). Such scepticism was notably observed on the political level, i.e. within the French institutions (French Ministry for Europe and Foreign

Affairs, French Ministry of Ecological and Solidary Transition which both did not react to interview requests and the French Embassy to Morocco) and the Moroccan Ministry of Energy, Mines, Water and Environment (which first agreed to an interview but later refused). The UfM was at first also rather sceptical and would not accept a telephone interview (however, as later determined, this depended very much on the interviewee). By contrast, there was greater accessibility to the German institutions and valuable input was provided by the German government, the BMWI and the KfW, whereas on the local level, the German Embassy, the GIZ, the AFD and MASEN were of great help. As for the EU institutions, the most accessible interviewees in Brussels and Rabat were the representatives of DG NEAR and the EEAS or the EU delegation.

- **Information bias:** Information bias arises when different interviewees do not dispose of the same piece of information/background to answer the interview questions. For example, consistency or coordination may mean different things to different people and therefore, they may perceive events differently ('interpretation bias'). Here, two different groups were identified: the EU institutions/Morocco and the EU member states. Indeed, whilst the first two largely agree that coordination and ergo consistency between the different EU institutions is well established, the latter claim that the level of consistency is low. In fact, one factor that might have influenced this outcome is the lack of a common general understanding of the term coordination/consistency and although the interview partners were given a working definition, it is conceivable that when formulating their answers, they expressed themselves in other, previously acquired, terms.
- **Generalisation:** Generalisation refers to the extent to which the findings from one study can be applied to another study. However, in this case and given the qualitative character of the analysis, the results provide a solid understanding as far as Morocco is concerned, but these cannot be automatically transferred to other cases.

Taking into consideration the findings of this dissertation as well as its inherent shortcomings, several key aspects are, in the eyes of the author, worth being examined more extensively in future. For example, as regards this study's conceptual aspects, future research might look closer into the relationship between consistency and coordination and examine whether there is any causality. Further, although this study has already briefly presented and commented on the different energy interests of third-party, i.e. non-EU players, it would, in extension to this work, be worthwhile intensifying this research to not only incorporate the geopolitical realities but also the positions and interests of these actors, including those of the private sector, in more detail. Likewise, and although already touched upon, it would be equally interesting to extend this work to see what role exactly the Sahara question plays in Morocco's energy relations. Also, this paper could provide the basis for comparative research on consistency in EU energy governance across the different Maghreb countries. Finally, its results could serve as a basis for future policy recommendations.

# Appendices

## Appendix I: Recurrent interview questions

The recurrent interview questions were:

### I) General information on the work of the interviewed institutions

*Cooperation with European (EU, EU member states, banks, agencies, regulators, etc.) and Moroccan actors*

- Which are the most important European and Moroccan actors or partners in terms of energy cooperation and what are their policy/governance interests?
  - What is the current focus of energy cooperation of these partners and what are or may be future priorities?<sup>1147</sup>
  - What are the current problems and what are or may be future challenges?

### II) Specific information on the coordination of the interviewed institutions

*Coordination with European (EU, EU member states, banks, agencies, regulators, etc.) and Moroccan actors*

- **Coordination mechanisms:** How does coordination with the actors identified above take place?
  - What are the current enabling measures (frameworks, mechanisms and tools) and roles<sup>1148</sup>?
- **Coordination results:** What are the results of the abovementioned measures (intentional or unintentional)?
  - What factors determine coordination, i.e. in which cases and situations does coordination take place and in which not? Why, and why not?
  - What are the constraints or opportunities encountered whilst implementing the above-mentioned measures? How are they dealt with?
- Would you say that the EU's external energy policy or governance approach towards Morocco is coordinated or uncoordinated? If uncoordinated, do you think this is a problem?

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<sup>1147</sup> This analysis aimed, amongst other things, at detecting any potential conflicts of interest, or even worse, power struggles between the different actors.

<sup>1148</sup> For example, do actors contribute actively to coordination or do they assume a rather passive role?

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